

**MARÍA ANTONIA JULIANA MACHADO DE SILVAS
&
THE HISTORY OF LA CASA MACHADO DE SILVAS,
1843-1921**

By

Charles W. Hughes, Public Historian/Archivist
July, 2015



Casa Machado de Silvas, circa 1869

Report Prepared
For

Ms. Nicole Turner, San Diego Coast District Archaeologist,

**California Department of Parks and Recreation, San Diego Coast
District**

CWH & Associates
1532 Whispering Palm Dr.
Oceanside, CA 92056-2391
hughescw@msn.com
(760) 717-8792

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María Antonia & the O'Neill Family, 1886

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The History of La Casa Machado de Silvas, 1843-1921



Southwest View



Southwest View - Corridor



Northeast View

Casa Machado de Silvas, January, 2015

**Old Town San Diego State
Historic Park**



Interior View



Interior View

MARÍA ANTONIA JULIANA MACHADO DE SILVAS
&
THE HISTORY OF LA CASA MACHADO DE SILVAS, 1843-1921

INTRODUCTION

She was just a young girl coming of age in 1830 when the Americans first began to arrive in her home town of San Diego, a sparsely populated, remote seaport community on the west coast of North America. At the time, she had no way of knowing that the newcomers foreshadowed changes that would have a profound effect on the course of her life. María Antonia Juliana Machado de Silvas, baptized 21 December 1815 in the chapel of the *Presidio* (fortified military garrison) of San Diego, was the daughter of Corporal José Manuel Machado and María Serafina Valdez, both descendants from two of California's earliest pioneer families. Her grandparents, both sets, were members of the military detachment accompanying the 1781 *Rivera y Moncada* Expedition traveling north from Sonora with settlers for the founding of the *Pueblo* (Town) of Los Angeles and the *Presidio* of Santa Bárbara.

The years following independence from Spain were times of political instability and upheaval for the isolated *Alta California* (Upper California) province located on the edge of Mexico's northern borderlands. Secularization of the territory's missions, recurring hostilities with Native Americans, and the coming of the North Americans were events that had a great impact on the lives of all Californians during the period of Mexican rule. The San Diego community and its residents – those who stayed like the

Machados - suffered through years of persistent economic decline brought on by the changes that were occurring throughout the province.

In the thirty-year period between 1830 and the beginning of the American Civil War, María Antonia found herself on more than one occasion striving against the changes taking place in her native land. For many of these years, she was a single parent forced to raise three young girls on her own having been abandoned by her husband and estranged from the father of her youngest daughter. At one time or another, she found herself at odds with the Catholic Church, the United States' efforts to conquer California, the new legal system installed by California's constitution of 1849, and the business practices of the Americans' free enterprise economy. Sometime after 1860, following the marriage of her oldest daughter and the death of her mother, Antonia left San Diego, disheartened over the way things had worked out. She resettled on the Machado Family rancho in northern Baja California where she farmed and raised horses and cattle until her death in 1887.

La Casa Machado de Silvas, GDP (General Development Plan) Site #04, often referred to as the Machado-Silvas adobe, is one of six original adobe houses in the Old Town community that are extant from the Mexican Era of San Diego History. Listed on the national register of historic places, the Machado-Silvas Adobe is located in the Old Town San Diego State Historic Park (OTSD/SHP) and was closely associated with the events surrounding Antonia's life and that of her oldest daughter's, Maria Lorenza.

Probably built between 1847 and 1848 by Antonia and Enos “Jack” Wall, a New England mariner who arrived in the community sometime after 1835, the original rectangular-shaped adobe was occupied by Antonia’s family for more than seventy-five years, serving as both a residence and place of business. Following her departure after 1860, Antonia’s oldest daughter – María Lorenza Silvas de O’Neill and family - became the primary occupants of the house, where her descendants continued to reside until the youngest daughter – Sarah O’Neill Connor– moved out in 1912. María Lorenza was the person who had the longest association with the house (or the site) – fifty-eight years - out living three husbands and two of her seven children, all of whom were probably born in the house.

In 1860, after Lorenza’s marriage to George Smith (a.k.a., Alfonso Ronarde), the owner of the American Hotel (GDP Site #02), the history of the Machado-Silvas Adobe and hotel merged and became inseparable for the remaining years of the 19th century. Smith was probably the one who originally built the small house (GDP Site #68) located behind the kitchen of the hotel between 1858 and 1862. Additionally, sometime during the 1870s & 80s, the O’Neills occupied the upper floor of the U.S. House (GDP Site #3) and used it in their various business enterprises. Built in 1850, the U.S. House was located between the adobe and hotel on the southwest side of the plaza. While this report focuses on the *Casa Machado de Silvas*, all these properties had a shared history during the last thirty years of the 19th century.¹

As part of their efforts to update the exhibit programs in the *Casa Machado de Silvas*, the California Department of Parks and Recreation (DPR) entered into an Agreement for Services with this historian to prepare a report about the history of the adobe. Specifically, the agreement stated that I would “research and write historic report on *La Casa de Machado y Silvas* in Old Town San Diego State Historic Park. Report will include social history of the family, architectural history, and landscape history of the surroundings.” It was agreed that I would do the research and write the Machado-Silvas report once I completed a similar study which I had underway for DPR about *La Casa de Machado y Stewart*. Since the Machado-Stewart Report took an extended amount of time to finish, I submitted a preliminary report to assist with the development of the new exhibit plans for Machado-Silvas Adobe. This preliminary report, entitled “*Casa de María Antonia Juliana Machado de Silvas: A Whitewashed History Unraveled*,” was delivered in March, 2013.

Since the founding of the Old Town San Diego State Historic Park in 1966, several reports have been prepared regarding the Machado-Silvas Adobe and its history. The first two were prepared in conjunction with the restoration of the house in 1974 and are currently on file in the Old Town SHP Library: they are Ray Brandes, *The Casa Machado y Silvas House, Lot #3, Block 31/427*, and William Wallace, *Report on Archaeological Investigation of the Casa Machado de Silvas*. Sometime after this, Park Curator Jeanne Kelly compiled a booklet “*Presented to the Docents as Background Resource*

Material for Use in Their Living History Programs throughout the Park and Specifically for the Silvas Restaurant.” Also on file in the Library is a 2003 report by Edna E. Kimbro and Anthony Crosby entitled *Casa Machado Silvas, Old Town State Historic Park, San Diego County – Historic Structure Assessment Report*.

The evaluation of these reports offered in the preliminary report of March, 2013, has not changed significantly. The Brandes’ report is a seriously flawed document containing numerous factual errors and misinterpretations of the house’s history; and most of these other reports to varying degrees relied on the historically inaccurate information presented in the Brandes’ document to tell the history of the house. Prior to submission of the preliminary report, there was insufficient time to review the booklet produced by Ms. Kelly. Although she recognized problems with the Brandes’ document, nevertheless, some of his errors found their way into her manuscript. The historiography presented in all these reports should be used with care and always verified with more reliable historical sources to ensure accuracy. As a result of the misinterpretation of the house’s history, a considerable amount of time and effort was expended doing negative research trying to assess the accuracy of information presented by other writers.

This final report for the Machado-Silvas adobe follows the same format used in the Machado-Stewart Report and consists of this introduction plus five additional sections: Genealogy of the Occupants, Historical Overview, Property History,

Architecture/Landscape and Appendices. The genealogy of the Machado Family in San Diego and that of the occupants of the Silvas/Wall adobe is offered first to provide the reader with background information about those individuals significant to the house's history. The Historical Overview covers the period 1781 to 1912 – beginning with the arrival of the Machados in California and extending through the years that Antonia and her descendants occupied the house. The Property History reviews extant legal documents regarding transactions involving the title history of Block 31/427, Lot #3 and portions of Lots #2 and #4 (legal description of property) through the Silvas and O'Neills occupancy of the site. Wallace and Kimbro reports provide detailed analysis of the house's architecture. Rather than repeat much of this information, the section on Architecture/Landscape reviews available historical evidence regarding the construction of the house and surrounding landscape. The Appendices offer copies of original historical documents related to significant events in Antonia's life and the history of the Machado-Silvas adobe in the 1850s.

The analysis presented in this final report on the Machado-Silvas adobe offers several significant, revised interpretations concerning the history of the house related to its original construction and use. A review of graphic images and other primary evidence indicates that the house was most likely built between February, 1847, and June, 1848. During this period, Antonia and Enos Wall were living together and became the parents of a baby daughter, raising the possibility that they built the house

to accommodate their growing family. The historically correct name for the adobe may be *La Casa Machado de Silvas y Wall*, naming it after the two people who were responsible for its original construction. Wall's association with the house, however, lasted no longer than twelve years, and throughout 19th century archival records and other historical documents - the house was always identified as belonging to Antonia - hence the name *La Casa Machado de Silvas* would seem most appropriate. José Antonio Silvas, Antonia's husband, abandoned his family in 1843 and never had any extended contact with the house throughout his lifetime. Contrary to what has been written before, he never had any role in Antonia's acquisition of the property.

One of the oral traditions of Old Town descendants tells the story of Antonia's exploits rescuing the Mexican flag amidst the hostilities between American and Mexican forces in a fiercely contested fight for possession of the town in early October, 1846 – the Battle of the Beach Road. Moments before American forces entered the town, Antonia rushed out into the Plaza to save the flag before the Americans could capture it, prompting a later generation of community boosters to label her house *La Casa de la Bandera* (The Flag House). The problem with this epithet is that the house, in all likelihood, did not exist at the time forces were battling for the town. Despite the skepticism of some historians, recently uncovered evidence suggests that the account is true regarding Antonia's efforts to rescue the Mexican flag during the conflict; her house's role in the incident is not.

The oral traditions of Old Town descendants are an invaluable resource, balanced with other primary sources, for telling the history of the San Diego community in the early 19th century. Most residents during this period were unable to read or write; memories of what transpired in the community were passed down orally from one generation to the next through stories parents told their children, such as the daring efforts of Antonia to save the Mexican flag during the Battle of the Beach Road. There are few written records available from the *Californio* participants, the non-Indian, Spanish speaking residents of the territory, in these events that offer a point-of-view of those who opposed the United States' seizure of California. In San Diego, evidence suggests that most *Californios* did not support the American cause. While recognizing the significance of oral history, it is important to acknowledge that the research presented here relies primarily on locally available archival records. Additional inquiry into the oral traditions of Old Town descendants may provide further insight.

This report also refocuses the historical interpretation concerning the business enterprises carried on in the Machado-Silvas adobe during the 1850s and 60s. The State Parks' exhibit programs have emphasized its use as a residence and restaurant based on advertisements that appeared in the *San Diego Herald* newspaper. City and county records indicate the men associated with the property - Enos Wall, George Smith, and Patrick Huntington – paid licensing fees for at least twelve years for the selling of liquor and seven years for playing of billiards. While the restaurant changed hands several

times during the 1850s, the liquor and billiards businesses remained the most reliable source of income, suggesting that these activities were the primary sources of income for the household. Gambling was the other activity to almost certainly have occurred, although no specific evidence was found regarding it.

As with the previous reports for DPR, research for this project involved multiple visits to local area libraries and repositories that included the California Room at the San Diego Public Library, the San Diego History Center, San Diego State University Library, Geisel Library at University of California, San Diego, San Diego California Family Search Library in Mission Valley, San Diego County Library, San Diego County Assessor, Recorder, and Clerk's Office (hereafter referred to as Assessor's Office), Office of the Clerk to the Board of Supervisors, the City Clerk's Archives, City of San Diego, and Save Our Heritage Organisation Archival Collections. Several institutions were contacted through the postal service or email including the California State Library, research library at the San Francisco Maritime National Historical Park, Maine Historical Society, Copely Library at the University of San Diego, National Archives and Records Service's regional depository at San Bruno, the Honnold/Mudd Library, Claremont Colleges and the Chicago Historical Society. As with previous projects, the DPR staff in the San Diego Coast District office made their historical research files related to the Machados and *La Casa Machado de Silvas* available for my review.

In his report on the *Casa de Machado y Stewart* in 1967, Architectural Historian Clyde Trudell made a recommendation to the DPR that further research is needed in archival repositories around the state to uncover resources of value to tell the complete history of Old Town San Diego. Over forty years later much of this research is still left unfinished, and this current report on *La Casa Machado de Silvas* leaves some of that work undone. There was neither time nor resources available with the preparation of this report to make research visits to institutions outside of the San Diego area. A complete and reliable history of the Machado-Silvas Adobe still awaits the examination of archival resources in the principal repositories around the state. Historical materials related to pre-1870 San Diego need to be consulted at the Bancroft Library at UC Berkeley, Huntington Library at San Marino, State Library in Sacramento and the special collections departments at the University of Southern California and University of California, Los Angeles. There are a number of unresolved issues regarding the history of the Machado-Silvas Adobe, and hopefully, these state-wide repositories will have some of the answers that are needed.²

Finally, research for this final report was performed with the assistance and cooperation of staff member in several libraries and public agencies which was appreciated. Two individuals were especially helpful on several different occasions. Rick Crawford, Special Collections Librarian at San Diego Public Library, and Jane Keneally, archivist at San Diego History Center, were forthcoming with their time and

always willing to share their local history expertise. A special debt of gratitude is owed to Dr. Therese Muranaka, retired Associate State Archaeologist, for the opportunity to work on this project and the time she took out of her busy schedule to discuss the progress of my research. Ms. Karen Beery, Interpretation and Education Manager, and Ms. Nicole Turner, San Diego Coast District Archaeologist, were two other DPR staff members who were generous with their time and support.

GENEALOGY

José Manuel Orchaga y Machado and his wife, María del Carmen Valenzuela were the founders of the Machado Family in California. Both were natives of Los Alamos, Sonora, Mexico, and came to California in 1781 as members of the military escort accompanying the *Rivera y Moncada* Expedition coming north with settlers recruited for the founding of the *Pueblo of Los Angeles*. Two months after their arrival at the Mission of San Gabriel, María gave birth to their first child, a son whom they named José Manuel after his father. The boy was the first of nine children the couple would have during the next eighteen years; all but one of their children lived into their adult years. Over the next several generations, the members of the Machado Family remained prominent in the political and economic affairs throughout the southern California and Baja California del Norte region.³

When he came of age, José Manuel followed in his father's footsteps and joined the military, spending his career as a *soldado de cuera* (leather jacket soldier) on garrison duty guarding the southern California missions and their outlying ranches. In 1805 he married María Serafina Valdez at Mission San Gabriel, and by the next year, Machado was stationed at the *Presidio* of San Diego, where he served for over twenty-five years until he retired. José and María Serafina became the founders of the San Diego/Northern Baja California branch of the Machado Family. They would have

twelve children between 1806 and 1829, six sons and six daughters. Three of their children died in infancy; the other nine lived into their adult years, marrying and raising their own families.⁴ María Antonia Juliana Machado de Silvas, born at the *Presidio of San Diego* in 1815, was their fifth child and third daughter.

The first two genealogy charts presented in this section of the report trace the lineage of the first generations of Machados in California and San Diego. The next three charts track María Antonia's branch of the San Diego Machados and that of her oldest daughter, Lorenza Silvas, and her three husbands. The chart for María Antonia, a third generation Machado, is divided into two sections showing the family she had with her husband, José Antonio Silvas, prior to 1843 and the family she had with Enos Wall during the twelve to fifteen years they lived together, approximately 1845 to 1860. Lorenza's first two husbands lived only a few years after they were married – 1860-62 and 1865-69; the fourth chart depicts these two marriages. Lorenza's third marriage to Patrick O'Neill lasted thirty years until his death in 1900; members of the O'Neill family, the last Machado descendants to live in the Machado-Silvas Adobe, are identified in the fifth chart.

These five genealogy charts were compiled based on the work of others and their contributions are here acknowledged. In 1967, the San Diego Genealogical Society undertook a project to trace the genealogy of the county's pioneer *Californio* families in conjunction with the state's celebration of its bicentennial. The work produced by this

project proved an excellent place to begin learning about the Machados in San Diego, even though the work is dated and contains errors. Thomas Workman Temple II and Maria Northrop in Los Angeles pursued a comparable project but much greater in scope, studying the family histories of the *Californio* families throughout the state. Northrop published a three-volume work entitled *Spanish-Mexican Families of Early California: 1769-1850*. This publication was a valuable source for identifying the first two generations of Machado family members. The website for the Calvary Pioneer Cemetery in Mission Hills, where sixty-eight Machado Family members are buried, proved an equally valuable resource as the first two works cited. Credit goes to webmaster Marna L. Clemons who maintains a database of family history about the people who are buried in the cemetery.

Information gathered from the genealogy sources cited was verified with 19th century Catholic Church, U.S. Census and newspaper records. The original San Diego Mission church registers for baptisms, marriages and burials, 1771 to 1880, are currently unavailable to researchers to consult, but over the years they have been transcribed and microfilmed on several different occasions. The most complete information available for baptisms is the microfilm copy produced of the first three original registers covering the period 1771 through 1855. In the 1990s Clint Griffith, a local researcher, was granted access to the original mission records. He worked for several years transcribing and translating the registers for marriages and burials for the years 1775 to 1880. Based on

these sources, the book and entry numbers are indicated in the charts for those baptisms, marriages and deaths that have been verified in the mission registers. If censuses, newspaper accounts, or other publications were used, those sources are identified with the full citation provided in the bibliography at the end of this section.

The information presented in the charts that follow still leaves several questions unanswered regarding the Machado-Silvas branch of the San Diego/Baja California del Norte Machado Family. A diligent effort was made in local repositories to find the answers needed with no success; hopefully institutions outside the San Diego area may have the information needed. Where and when María Antonia de Machado married José Antonio de Silvas is not known - likewise, where and when their eldest daughter, Lorenza, was born. Although she appeared in the 1850 U.S. Census and the 1852 State Census, the exact date for the birth of María del Refugia de Wall, María Antonia and Enos's daughter, is unknown. Also the fate of Patrick O'Neill's first wife and their two daughters remains a mystery, as well as the circumstances surrounding the deaths of Lorenza's first two husbands, George Smith and Patrick Huntington. Finally, although we know from county probate records the date of María Antonia's death, no records have been found as to where she was buried.

GENEALOGY

CHART 1

MACHADOS

First & Second Generations

José Manuel Orchaga y Machado [co-founder of Machado Family in Alta California]; [Northrup, Vol. I, pp. 219-23 & *Founding Documents of Los Angeles*, pp. 33 & 37; information presented in this chart comes from these two publications unless otherwise indicated – see bibliography at the end of this section for their full citation.]

BORN - about 1756 at el Villa de Sinaloa, Sinaloa, Mexico

PARENTS - Isidro Orchaga y Machado and María Catarina Yañez

MARRIED - 28 February 1780 to María del Carmen Valenzuela in the church of *La Purisima Concepcion* at Alamos, Sonora, Mexico [co-founder of Machado Family in Alta California]

BORN - about 1762 at Alamos, Sonora, Mexico

PARENTS - Francisco Valenzuela and Rita Antonia Aviles

BURIED - 22 January 1841 at Los Angeles Plaza Church

BURIED - 26 February 1810 at Mission San Gabriel

CHILDREN:

1. José Manuel Machado

BORN - 28 November 1781; BAPTIZED - 30 November 1781 at Mission San Gabriel

MARRIED - 26 September 1805 to María Serafina Valdez at Mission San Gabriel

BURIED - 18 October 1852 "*en el cemeterio del Pueblo*" ("in the cemetery of the town" [San Diego]), [Bk III, Entry #34]

2. José Hilario Machado

BORN - 10 October 1783; baptized 16 October 1783 at Mission Santa Barbara

MARRIED - 3 July 1816 to María Antonia Poyorena at Mission San Gabriel

BURIED - 17 December 1851 at Los Angeles Plaza Church

(GENEALOGY CHART 1 – continued) Machados - First & Second Generations

3. María Candelaria de los Dolores Machado
BORN - 2 February 1786; BAPTIZED - 5 February 1786 at Mission San Buenaventura
MARRIED - 11 May 1806 to José María Ignacio Aguilar at Mission San Gabriel
BURIED - 10 January 1820 at Mission San Diego [Bk I, Entry #2928]

4. José Antonio Machado
BORN - 2 May 1788; BAPTIZED - 4 May 1788 at Mission Santa Barbara
MARRIED - 11 April 1825 to María Ygnacia Avila at Mission San Gabriel
DIED/BURIED - unknown

5. José Basilio Antonio Machado
BAPTIZED - 15 June 1790 at Mission La Purisima
BURIED - 6 November 1790 at Mission La Purisima (*parvulo*) [small child]

6. María Antonia Francisca Valentina Machado
BORN - 14 February 1792; BAPTIZED - 15 February 1792 at Mission Santa Barbara
MARRIED - 20 November 1808 to José Jacinto Reyes at Mission San Gabriel
BURIED - 8 February 1863 at Los Angeles Plaza Church

7. José Augustin Antonio Machado
BORN - 27 August 1794; BAPTIZED - 28 August 1794 at Mission Santa Barbara
MARRIED - (1) 1 March 1824 to María Petra Manuela Buelna at Mission San Gabriel
(2) February 1827 to María Ramona Sepulveda at Los Angeles Plaza Church;
(*Investigación* (Investigation) on 29 January 1827 at Los Angeles Plaza Church)
BURIED - 18 May 1865 at Los Angeles Plaza Church

8. José Ygnacio Antonio Machado
BORN - 20 February 1797; BAPTIZED - 21 February 1797 at Mission Santa Barbara
MARRIED - 7 February 1826 to María Palomares at Los Angeles Plaza Church
BURIED - 10 September 1878 at Los Angeles Plaza Church

9. María del Carmen Barbara Machado
BORN - 24 August 1799; BAPTIZED - 25 August 1799 at Mission San Gabriel
MARRIED - 25 January 1815 to José Manuel María Cota at Mission San Gabriel
DIED/BURIED - unknown

GENEALOGY

CHART 2

MACHADOS – SAN DIEGO/NORTHERN BAJA CALIFORNIA BRANCH
Second & Third Generation

FIRST GENERATION TO LIVE IN THE CASA DE MACHADO Y STEWART
(1835-1861)

José Manuel Machado (Primary Occupant: co-founder of the San Diego branch of the Machado Family)

BORN - 28 November 1781; BAPTIZED - 30 November 1781 at Mission San Gabriel, [Northrup, V. 1, p. 223]

PARENTS - José Manuel Machado (1756-1810) & María del Carmen Valenzuela (1762-1841)

MARRIED - 26 September 1805 to María Serafina Valdez at Mission San Gabriel (Primary Occupant: co-founder of the San Diego branch of the Machado Family)

BORN – 1 September 1788 at Mission Santa Barbara, [Northrop, V. 1, p. 343]

PARENTS – Eugenio Valdes (1755-1838) and María Fabiana Sebastiana Quintero (1766-1822)

DIED – 12 March 1861; BURIED - *El Campo*; reburied at Calvary Pioneer Cemetery, San Diego, [Bk III, Entry #87]

BURIED - 18 October 1852 "*en el cemeterio del Pueblo*" ("in the town cemetery" – San Diego), [Bk III, Entry #34]

"Last Will and Testament of María Machado: I declare that I am the widow of Mr. Don José Manuel Machado with whom I was lawfully married and with whom I had nine children by the names of Juan, José, Jesus, Rafael, Joaquin, Juanita, María Antonia, Guadalupe, and Rosa."

CHILDREN:

1. María Antonia Candelaria Machado

BORN - about 1806 at San Diego, [Northrop, V. 1, p. 221]

DIED - 15 November 1807; BURIED - Mission San Diego, [Bk I, no entry found]

(GENEALOGY CHART 2 – continued) *Machados-San Diego/Northern Baja California Branch – Second & Third Generations*

FIRST GENERATION TO LIVE IN CASA DE MACHADO Y STEWART (1835-1861),
cont.

2. Juan Machado

BORN – 1809, San Diego [? – possibly San Luis Rey]

MARRIED – María Serafina Serrano, date & location unknown

DIED – 9 July 1880; BURIED - Calvary Pioneer Cemetery, San Diego, [Bk III, Entry #326]

3. María Guadalupe Gregoria Machado

BAPTIZED – 25 April 1810 at Mission San Diego, [Bk I, Entry #3681]

BURIED – 24 April 1812 at Mission San Gabriel, [Northrop, V. 1, p. 223]

4. Juana de Dios Machado

BAPTIZED – 13 March 1814 at Mission San Diego, [Bk I, Entry #4085]

MARRIED – (1) José Damasio Alipas, 22 August 1829, [Bk I, Entry #1713]

(2) Thomas Wrightington (Ridington) of Boston, 27 January 1842, [Bk I, #2012]

DIED – 24 December 1901; BURIED - Calvary Pioneer Cemetery, San Diego

5. María Antonia Juliana Machado

BAPTIZED – 21 December 1815 at Mission San Diego, [Bk I, Entry #4247]

MARRIED – about 1836 to José Antonio Nicasio Silvas (Mission San Gabriel?)

DIED – 28 December 1887 in San Diego, burial site unknown, [Probate Case #428]

6. José Arcadio Machado

BAPTIZED – 13 January 1818 at Mission San Diego, [Bk I, Entry #4534]

MARRIED – Dolores Acevedo, date unknown, [Guia, p. 886]

DIED – 19 May 1873, Rancho San Antonio, Baja California, [Guia, p. 886]

7. María Guadalupe Ildefonsa Machado

BAPTIZED – 2 March 1820 at Mission San Diego, [Bk I, Entry #4949]

MARRIED – (1) Peter Wilder (Peter Ball) of Boston, 1 August 1836, [Bk I, Entry #1923]

(2) Albert B. Smith of New York, 27 November 1850, [Bk II, Entry #6]

DIED – 8 May 1884; BURIED - Calvary Pioneer Cemetery, San Diego

(GENEALOGY CHART 2 – continued) *Machados-San Diego/Northern Baja California Branch – Second & Third Generations*

FIRST GENERATION TO LIVE IN CASA DE MACHADO Y STEWART (1835-1861),
cont.

8. María (Rosa) Agustina Machado

BORN – 28 August 1822; BAPTIZED - 30 August 1822 at San Diego Presidio, *en periculo mortis* (“in danger of death”), [Bk II, Entry #5360]

MARRIED – John C. (Juan Bautista) Stewart of Hallowell, Maine, 3 February 1845, [Bk I, #2041]

DIED – 4 May 1898; BURIED - Calvary Pioneer Cemetery, San Diego

9. José de Jesus Machado

BORN– 13 January 1825; BAPTIZED - Mission San Diego, 16 January 1825, [Bk II, Entry #5865]

MARRIED – Lugarda Osuna, 30 January 1850, [Bk II, Entry #1a]

DIED – about 1880

10. José Rafael del Gracia Machado

BORN 26 November 1826; BAPTIZED - 28 November 1826 at Mission San Diego, [Bk II, Entry #6076]

MARRIED – (1) María Presentacion de Alta Gracia Osuña, 24 April 1850, [Bk II, Entry #3]

(2) Bersabe Alipas, 1 November 1868, [Bk II, No Entry #]

DIED/BURIED – Unknown

11. José Herculano de Machado

BORN – 2 January 1829; BAPTIZED - 7 January 1829 at Mission San Diego, [Bk II, Entry #6251] – *DATE CONFLICTS WITH BK II, ENTRY #6312* – José Herculano – a possible twin brother who died? No other information available

12. Joaquín Aquilino (Herculano) Machado

BORN – 4 January 1829; BAPTIZED - 7 January 1829 at Mission San Diego, [Bk II, Entry #6312]

MARRIED – Dominga Arce, date unknown

DIED – 17 November 1910; BURIED - at Calvary Pioneer Cemetery, San Diego

GENEALOGY

CHART THREE

*MACHADO DE SILVAS FAMILY IN SAN DIEGO IN 1843
THIRD & FOURTH GENERATIONS*

María Antonia Juliana Machado, (builder & first occupant of *Casa Machado de Silvas*)

BAPTIZED - 21 December 1815 at Mission San Diego de Alcalá, [Bk. I, Entry #4247]

PARENTS - José Manuel Machado (1781-1852) & María Serafina Valdez (1788-1861)

MARRIED – José Antonio Nacasio Silvas, circa 1836, [SD Dist Ct Case #621, Complaint filed 10 April 1854]

BAPTIZED – 17 December 1810, Mission San Diego de Alcalá, [Bk I, Entry #3792]

PARENTS – José Antonio Silvas (1791- 1857??) and María Clara Cañedo (?? -1836?)

DIED– 26 March 1899 at Tijuana, [Guia, p. 896]

SEPARATED – Fall 1842/Winter 1843

DIED – 28 December 1887 at San Diego, burial site – unknown, [Probate Case #428]

CHILDREN:

María de la Soledad Rita -----

BAPTIZED: 22 May 1834 at Mission San Diego; “illegitimate daughter,” [Bk II, Entry #6605]

DIED: Date of death not known; no additional information found

María Lorenza Silvas

BIRTH - *Circa 1837*, [SD Dist Ct Case #621 – Complaint, filed 10 April 1854]

MARRIED - (1) Alfonso B(R)onarde, 6 January 1860 (aka – George Smith), [Bk II, Entry #2098];

DIED – circa summer of 1862

(2) Patrick Huntington, 4 May 1865, native of New York, [Bk II, Entry #2130];

DIED – 22 November 1869, [Bk III, Entry #158]

(3) Patrick O’Neill, 30 September 1870 [Bk II, Entry # -- {entries not numbered}]

DIED - 21 March 1900

DIED - 1 January 1904 in San Diego; Buried: Calvary Pioneer Cemetery, San Diego on 3 January 1904

(GENEALOGY CHART 3 – continued) *Machados de Silvas Branch – Third & Fourth Generations*

MACHADO DE SILVAS FAMILY IN SAN DIEGO, 1843 – cont.

Michaela Silvas

BAPTIZED - 13 October 1839 *Capilla del Puerto* (chapel of the port - Casa de Estudillo), [Bk II, Entry #6934]

MARRIED (1) - 25 April 1870 to James Tierney, native of County Galway, Ireland, [Bk II, no entry number]

DIED – Date of death not known, no record found

(2) - James Turner, date not known, no record found

DIED – Date of death not known, no record found

DIED - 22 December 1928 in Old Town, BURIED - Holy Cross Cemetery

Juana de Dios Silvas

BAPTIZED - 24 October 1841 at Mission San Diego de Alcalá, [Bk II, Entry #6986]

DIED - date of death not known; no record found

GENEALOGY

CHART FOUR

MACHADO DE SILVAS Y WALL FAMILY- FIRST GENERATION TO LIVE IN CASA
MACHADO DE SILVAS

María Antonia Juliana Machado, (builder & first occupant of *Casa Machado de Silvas*)

COHABITATED WITH - Enos A. Wall by 1844(?) through 1858 (co-builder? & first occupant of *Casa Machado de Silvas*), [1860 U.S. Census showed Antonia & Enos living apart, pgs. 2 & 3 of 20]

BORN - Circa 1814, Portland, Maine, United States

PARENTS - Thomas and Dorcas Wall

BAPTIZED - 3 October 1851, *Padrinos* (Godparents): José Antonio Estudillo & Victoria Dominguez de Estudillo, [Bk III, Entry #57]

DIED - 30 December 1884 at San Diego, funeral services took place “under the auspices of Mexican Veterans of which he was a member,” [*SD Union Obituary*]

CHILDREN:

María Clara

BAPTIZED - 13 August 1844, “Padre no conocido” (“father unknown” – E.A. Wall?), [Bk II, Entry #7066]

DIED - date of death not known; no information found

María del Refugia Wall

BORN - circa 1846 at San Diego; BAPTIZED - date not known, [1850 U.S. Census, pg. 10 of 19, Line 12 – listed as 4 years of age]

MARRIED - 5 June 1866 to Captain William Price at San Diego (Conde Street Chapel), witness - Michaela Silvas, [Bk II, Entry #2135]

DIED - date of death not known

GENEALOGY

CHART FIVE

*LORENZA SILVAS DE RONARDE/SMITH Y HUNTINGTON BRANCHES
FOURTH & FIFTH GENERATION MACHADO DE SILVAS DESCENDANTS*

SECOND GENERATION TO LIVE IN THE *CASA MACHADO DE SILVAS* (1860-1869),
FAMILIES I & II

Lorenza María de Silvas (became head of the family in San Diego after her mother relocated to *Rancho El Rosario* in Baja California; second generation to occupy Casa Machado de Silvas)

BIRTH - 28 February 1832 at Mission San Gabriel [Tomb Stone, Calvary Cemetery - NOTE: Entry in Baptismal Register not found; daughter's death certificate stated Lorenza was born in Monterey, CA]

FIRST MARRIAGE - 6 January 1860 to Alfonso Ronarde (aka – George Smith), [Bk II, Entry #2098]

BORN – 1828 in Italy

PARENTS – Antonio Ronarde & Ygnacia de Bonarde

NATURALIZED – 6 June 1862 in San Diego County District Court, [See Appendix VI]

DIED – circa summer of 1862

CHILD:

María Theresa Silvas de Ronarde

BIRTH – 23 October 1860, baptized 29 October 1860, [Baptismal Register entry not found, date from original baptism statement]

DIED – Date of death not known; no further information found; school census records suggest that she was living in 1865

SECOND MARRIAGE - 4 May 1865 to Patrick (Platt) Huntington, [Bk II, Entry #2130]

BORN – circa 1824, New York

PARENTS – John Huntington & Ann Brown

DIED – 22 November 1869; BURIED - "in the cemetery of the parish," [Bk III, Entry #158]

CHILDREN: None

GENEALOGY

CHART SIX

LORENZA SILVAS O'NEILL BRANCH
FOURTH & FIFTH GENERATION MACHADO DESCENDANTS

SECOND GENERATION TO OCCUPY THE CASA MACHADO DE SILVAS,
(1872-1912), FAMILY III

María Lorenza Silvas - (*Casa Machado de Silvas* resident who lived in the house for the longest period of time – circa 1847 to her death in 1904.)

BAPTIZED - 28 February 1832 at Mission San Gabriel, [Tomb Stone, Calvary Cemetery - NOTE: Entry in Baptismal Register not found; daughter's death certificate cited Monterey, CA, as Lorenza's place of birth]

PARENTS - José Antonio Nicasio de Silvas (1810-1899) & María María Juliana Machado de Silvas (1815-1887)

THIRD MARRIAGE - 30 September 1870 to Patrick O'Neill, (his 2nd marriage), [BK II, no entry #]

BIRTH – 29 July 1822, County Tyrone, Ireland

PARENTS – Constantine O'Neill (??- ??) and Sarah Campbell (?? -??)

DIED – 21 March 1900; BURIED - 22 March 1900 at Calvary Pioneer Cemetery, San Diego, [Certificates of Death, San Diego County, Volume M, Pg. 531]

DIED – 1 January 1904; BURIED - 3 January 1904 at Calvary Pioneer Cemetery, San Diego, CA, [Return of a Death, San Diego County, Record No. 1807]

Children:

Mary S. O'Neill

BORN – 1 July 1871

MARRIED – 23 June 1890 to Andrew Warfield, San Diego, [*SD UNION* 6/24/1890, 8:2]

DIED – 13 June 1950; BURIED - 16 June 1950 at Holy Cross Cemetery, San Diego, CA

(GENEALOGY CHART 6 – continued) *Machados de Silvas –O’Neill Branch – Third & Fourth Generations*

SECOND GENERATION TO OCCUPY THE CASA MACHADO DE SILVAS,
(1872-1912), FAMILY III

John P. O’Neill

BORN – 3 April 1873, San Diego, CA

MARRIED – 10 September 1899 to Perfetta Polonia Ames, [marriage certificate]

DIED – 20 February 1902 of typhoid fever; BURIED - 22 February 1902 at Calvary Pioneer Cemetery, San Diego

Michael O’Neill

BORN – 29 March 1875 in San Diego

MARRIED – never married

DIED – 10 July 1942, “for many years was an employee of the gas company”

Theresa J. O’Neill

BORN – 26 February 1877 in San Diego

MARRIED – 8 September 1900 to Henry H. Ailland –“two popular young people united in marriage by Fr. Ubach at the bride’s residence in Old Town”

DIED– 19 July 1958, BURIED - ???

Sarah “Serafina” O’Neill (last Machado de Silvas descendant to live in the *Casa Machado de Silvas*)

BORN – 21 October 1879 “at Old San Diego”

MARRIED – 20 June 1925 to Paul Connors

DIED - 19 May 1958, BURIED - Holy Cross Cemetery, [Obit-SDU, 20 May 1958]

GENEALOGY

MACHADO & MACHADO DE SILVAS Y WALL FAMILIES

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HISTORICAL OVERVIEW

Like many San Diegans throughout the community's history, María Antonia Juliana de Machado came from a military family. Her grandfather, José Manuel Machado, enlisted in the army in his home-town of *el Real de los Alamos, Sonora* in 1781 at the age of twenty-five. As part of his enlistment, Machado agreed to become part of the *Rivera de Moncada Expedition* taking settlers to *Alta California* for the founding of the new *Pueblo of Los Angeles* and *Presidio of Santa Barbara*. The year before Machado married María de la Luz Valenzuela, who went north with him to start a new life in the far northern borderlands of Mexico.⁵

The Machados journeyed overland to California in a group of thirty-two soldiers and their families passing through the Sonora/Arizona desert and crossing the Colorado River at Yuma before arriving at *Misión San Gabriel* on the 14 July 1781. In November, the Machados welcomed the first of their nine children, a boy who they named after his father. The Machados were not part of the party sent to establish the new presidio at Santa Barbara, but instead, went south where José Manuel joined the garrison at the *Presidio of San Diego* in 1782. He served as a *soldado de cuera* (leather jacket soldier) in a garrison that consisted of fifty-four men.⁶

One historian has described these leatherjacket soldiers as the backbone of the *presidio* garrisons strung across the northern frontier of the 18th century Spanish borderlands. "They were neither elite troops nor raw recruits, but hard-bitten, home-

grown *vaqueros* who were at ease in the saddle, inured to the harsh and lonely terrain in which they served, and accustomed to the cruel and unconventional tactics of Indian warfare.” They were named after the leather jackets they wore for body amour. These jackets were knee-length, sleeveless coat[s] or doublet[s] made of several layers of well cured buckskin which were bound together at the edges with strong seams and secured to their bodies by encircling straps. Their duties included the garrisoning of presidios, assisting with the establishment of new missions, serving guard duty at existing missions, policing the territory, and quelling Indian uprisings if they occurred.⁷

In 1783 Lieutenant José de Zúñiga commanded the San Diego Presidio District assisted by *Alférez* (ensign) José Velasquez that included a garrison of one sergeant, five corporals and forty-six soldiers for a total of fifty-four men.

Six of the men were assigned to duty as guards at each of the missions in the district, San Diego, San Juan Capistrano, and San Gabriel, while four served at Los Angeles. This left the two higher officers, one sergeant, and about twenty-five soldiers to garrison the fort, care for the horses and small herd of cattle, and carry mail. The latter duty weighed heaviest upon the soldiers in time of peace. . . Every week or every two weeks small parties of soldier-couriers arrive from Loreto in the south or Monterey in the north with ponderous despatches for the officials here and to the north, with items of news for all.⁸

Machado’s assignment at San Diego lasted just a year, and by 1783, he joined the garrison at Santa Barbara where his second son was born in October. The Santa Barbara presidial district included the Missions of Santa Barbara, San Buenaventura, Purísima Concepción, as well as the *Pueblo of Los Angeles* – a jurisdiction shared with the San Diego garrison. Over the next sixteen years, the Machados would have seven more

children, all born/baptized in one of these four locations reflecting the duty assignments that José Manuel received as his military career progressed.⁹

Spanish conquest of California met with mixed success, even though it initiated fundamental changes that had a profound impact on the future of the province. Most Native Americans rejected attempts of Franciscan missionaries to convert them to Catholicism and resisted policies aimed at using them to create a peasantry class of farmers and livestock raisers. At the time of the Spanish movement into Alta California in 1769, the Native American population in the province exceeded several hundred thousand people; in the San Diego/Tijuana region, the population totaled more than 20,000. Census takers consistently under counted the County's Indian population, but by the 1870s, settlers of European ancestry started to outnumber Native Americans throughout the region.¹⁰

The arrival of the Europeans ushered in catastrophic changes for Native Americans who, as a group, experienced a prolonged period of decline that extended into the 20th century. Historians have attributed this demographic collapse of the Native American population in California during the 18th and 19th century to ecological changes introduced by the Spanish, infectious and sexually transmitted diseases, and poor living conditions in the missions. In the San Diego region Native American population declined dramatically. By the beginning of the 1900s the Kumeyaay,

Luiseño, and other tribes in the county numbered less than a few thousand individuals, a reduction in population of approximately eighty percent in a 130-year period.¹¹

The occupation of California introduced far-reaching changes that had a disastrous impact on Native Americans and their environment. Franciscan missionaries seized control and monopolized the best agricultural lands and water resources disrupting the local economy of Native Americans. The agricultural practices and the raising of livestock initiated by missionaries destroyed the Indians' traditional ways of living based primarily on the hunting of small animals and gathering of native food plants, along with the cultivation of some crops. The ecological changes altered the landscape and diminished the abilities of Native Americans to support themselves as they had done for generations.¹²

Unknowingly, the Europeans also introduced diseases – microorganisms - into the region in which Native Americans had no immunities to or defenses against – diseases such as small-pox, measles and syphilis. There were several major epidemics in California between 1771 and 1834 that took a heavy toll on Native Americans in California. Although Mission San Diego fared better than other California missions during this period, there were periods where the scourge of infectious diseases ravaged the Indian converts living at the mission – 1805-06, 1813-16 and 1825-26. Indian women of childbearing age were affected especially hard by European diseases. Franciscans insisted that single women be cloistered in the unhealthy environment of the missions

where they were more vulnerable to the spread of these maladies. As the Spanish occupation got underway, single soldiers introduced syphilis into the region, severely limiting the ability of Native Americans to reproduce and sustain their population.¹³

Many Kumeyaay living around San Diego harbor were eventually forced to abandon their coastal villages and retreat inland to the back country to pursue their traditional ways of life. Those Native Americans who accepted the teachings of the Franciscans and converted to the new religion became *Neophytes* – a term the Spanish used to describe Christian Indians affiliated with a mission. By the time the missions were secularized in 1833, less than 6,500 Native Americans at Mission San Diego had converted to Catholicism. *Gentile* were those non-Christian Indians who chose to live in both worlds pursuing a living in the traditional ways and, at times, supporting themselves by working around Spanish settlements as servants, herdsmen, or general laborers.¹⁴

In 1790 the Spanish government completed a census of its northern California province and its settlements along the coast, an area of occupation that stretched from San Diego to San Francisco and extended inland approximately forty to fifty miles. As a general rule, only the *gente de razón* (non-Indians – literally people of reason) were enumerated at the four presidios, two pueblos and eleven missions. The number of inhabitants in the territory totaled fewer than a thousand residents. In Santa Barbara, the census showed José Manuel as a member of the presidio garrison and the head of a

family that included his wife, María de la Luz, and five children: José Manuel - 9, José Hilario - 7, María Candelaria - 5, José Antonio - 3, and José Basilio - two months. José Manuel was one of 115 residents who gave *el Villa de Sinaloa* as their place of birth; while Maria de la Luz was one of thirty-five residents from *Los Alamos*.¹⁵

The census listed José Manuel [the elder] as a *mestizo* (a person of Spanish and Indian ancestry) and María de la Luz as an *española* (Spanish ancestry). Historians have pointed out that these terms regarding caste must be viewed cautiously; they tended to change frequently from one census to another. David Weber has noted that “in the latter half of the eighteenth and early nineteenth centuries, priests and census takers paid greater attention to classifying peoples racially, yet still made those identifications casually and inconsistently.” In a 1781 census José Manuel was designated a *mestizo*; in 1785 as a *mulato* (a child of a Spanish woman and a Negro); and in 1790 as a *mestizo*. By 1799, he and María were residing in Los Angeles, farming a plot of land they had received upon his retirement from military service.¹⁶

When he was old enough, José Manuel Machado (the oldest son) enlisted in the army presumably at the *Presidio of Santa Bárbara*. Government regulations required new recruits “to be at least sixteen years of age, five feet in height, in good health, Catholic, and without known vice[s] or defect[s].” Enlistments were for one or more terms of ten years. It is assumed that the younger José Manuel, María Antonia’s father, joined the

army sometime after his sixteenth birthday, and as his father did before him, served as a *soldado de cuera*.¹⁷

In September, 1805, at the age of twenty-four, José Manuel married María Serafina Valdéz in Los Angeles at Mission San Gabriel. Like Manuel's parents, Serafina's mother and father – Eugenio Valdéz and Fabiana Sebastiana Quintero y Rubio - were also part of the military detachment that came to California with the *Rivera y Moncada* Expedition. And like her husband, Serafina was born in California at Santa Barbara in September, 1788. Since both of them grew-up at the *Presidio* of Santa Barbara in the 1790s and their fathers were comrades in arms, it is assumed that Manuel and Serafina were most likely childhood friends. Two months after their wedding, Manuel was a member of the garrison at San Diego.¹⁸

As his father did before him, Manuel performed many of the same duties demanded of the leather jacket soldiers: tending to livestock, guarding the missions and policing the territory. *Escolta* duty (the escort or squad of soldiers assigned to protect a missionary at a mission) consisted of a sergeant, a corporal and ten soldiers and usually lasted about a year before they were relieved by a new squad. Manuel's daughter Doña Juana Machado de Ridington [Wrightington] recalled memories of military life in San Diego in the early 19th century and how the soldiers were responsible for maintaining order at the missions from San Gabriel on down. She said as a child her father served at Mission San Luis Rey and was one of the founders of the mission outposts at Pala, Las

Flores and Temecula. Records for San Gabriel reported Manuel as a member of the *escolta* stationed at the mission in 1813; two years earlier his brother Hilario was a member of the mission guard.¹⁹

When soldiers were assigned guard duty at the missions, their wives and children usually accompanied them. Juana Machado remembered that when her mother was expecting a child, she would make her plans to return to the *presidio* at San Diego well in advance of the time she was due to deliver. All of Manuel and Serafina's children, except for one, were born at the *presidio* and baptized at the San Diego Mission, including their daughter Antonia in December, 1815. Where her mother-in-law gave birth to her children at various missions in the Santa Barbara presidial district, Serafina delivered her's at the *presidio* in San Diego where women she knew could help her.²⁰

Perhaps the one exception to this statement is the birth of the Machado's oldest son – Juan. Since his name does not appear in the baptismal register for Mission San Diego or any of the other baptismal registers in the presidial district's Alta California missions, Juan may have been born at San Luis Rey sometime around 1809. The registers for San Luis Rey have not survived to present day which could explain why no record has been found of Juan's birth or baptism in 1809.²¹ The other possible location where Juan was baptized is at Mission San Miguel Arcángel in Baja California del Norte.

In an effort to close the gap between the missions of Upper and Lower California, Spanish officials authorized the establishment of a new mission about a day's travel south of San Diego. Fr. Luis Sales, a Dominican friar from Valencia, Spain, founded Mission San Miguel on 28 March 1787 near the main road between Tijuana and Ensenada. Thereafter, soldiers from the San Diego Presidio were charged with the responsibility of protecting the new mission and its priests, and Juan may have been baptized at the mission while his father was on *escolta* duty at San Miguel.²²

The Spanish found the river valleys along the San Diego coast suitable for the cultivations of their crops and the raising of livestock – primarily cattle, horses and sheep. By the 1790s, the animals they brought with them from Mexico began to increase in number, fostering the Spanish economic development of the province. All the missions in the presidio district experienced significant increases in the size of their herds, including San Diego and San Miguel. The presidio maintained its livestock at *El Rancho del Rey* (King's Ranch) located near the southern end of the harbor on the present sites of National City and Chula Vista. Two decades later, these herds became a vital resource for the Spanish settlements up and down the California coast once Mexico's war for independence from Spain began.²³

After 1810, the conflict for independence disrupted and eventually ended Spain's support of the Alta California's four presidios and nineteen missions, as well as the mission communities south of San Diego. Soldiers no longer received their annual

salaries, and supply ships suspended deliveries of dry goods, manufactured items and other critical supplies. At this time the situation in the region between San Diego and the Dominican missions to the south was especially critical. As Historian Harry Crosby pointed out:

Mission ranches and mission herds contributed during this crisis; tradition and their vital interests were involved. Spain always expected the church outposts to complement and assist the military whenever possible; this had been one of the unique features of Spanish colonialism. But for the missions on the Indian frontier this was not simply a duty, it was matter of survival. Troops had to be maintained in the Fronteras region, the gap between El Rosario in the Dominican north and San Diego, the first of the Franciscan establishments of Alta California. Not only were there large groups of unpacified natives in the mountainous Fronteras area, but there were also more warlike desert tribes to the east who constantly attempted or at least threatened to invade and pillage the region.²⁴

The war for independence in Mexico resulted in years of hardship for the Machados and for other military families on duty at the San Diego *presidio*. By the time María Antonia was born in 1815, her mother had given birth to five children, two of whom died in infancy. Years without pay forced the Machados and the other families to get by as best they could. At San Miguel, Crosby reported that some of the soldiers occupied livestock ranches belonging to the mission. The evidence suggests that Manuel Machado was probably one of those soldiers. In 1836 José Manuel Machado received a land grant called alternately *Rancho Rosario* (Rosary) or *Las Barracas* (barracks; or cabin-hut). Present day descendants of the Machado Family have stated that the family's occupation of the land dates prior to 1820.²⁵

Indian resistance to the presence of the Spanish in their native lands took many forms, one of which was the raiding of livestock herds belonging to the missions and presidios. Juana Machado, in her interview with Thomas Savage, recalled one such raid that nearly cost her father his life. Sometime around 1822 José Manuel led an expedition into the San Diego mountains to recover horses stolen from the presidio herds at *Rancho de la Nación*. José, leading a squad of twenty-five soldiers, tracked the missing horses to the entrance of *Cañón de Jacum*, a remote mountain valley located in the southeastern part of the county. The Indians in possession of the horses were led by former *neophytes* who were well known throughout the region for their defiance to Spanish authority – Martín and Augustín; and by Cartucho, most likely a *gentile*.²⁶

Even though they were unsuccessful in recovering the horses, the soldiers engaged the Indians in a fierce, hard fought battle. At one point in the struggle, Augustín grabbed José Manuel by his braided hair and yanked him off his horse, but one of the other soldiers came to his rescue, enabling José to unsheathe his knife and plunge it into the stomach of his assailant inflicting a fatal wound. After the battle José cut off Augustín's ears and scalped him, which was a common practice at the time. Upon their return to San Diego, José presented his grisly prizes to the commander of the presidio, Lieutenant José María de Estudillo.²⁷

The person who came to José Manuel's rescue was José Antonio Silvas; also known as Pico Silvas. In all likelihood, historians have incorrectly identified him as

Juana Machado's brother-in-law, the future husband of her sister María Antonia. Silvas was born at the *Presidio* of San Diego in December, 1810, and would have been twelve to fourteen years old at the time the battle took place. It would seem unlikely that a young boy would have been taken along on such a dangerous assignment and, further, that he would have played such a pivotal role in the outcome of the battle. Silvas' father, also named José Antonio Silvas, was most likely the soldier who came to José Manuel's rescue. Baptism and marriage documents identified Silvas' father as a soldier assigned to the *Presidio* of San Diego. In 1822 José Antonio (the father) would have been thirty-one years old and an experienced veteran of Indian warfare accustomed to fighting in the rugged terrain of the San Diego backcountry.²⁸

When and where José Antonio Nicasio Silvas married María Antonia Machado is not known; to date no conclusive first-hand evidence regarding the date or place of their marriage has been found. Some historians and writers have suggested that the marriage occurred prior to the birth of their daughter, María Lorenza, in the mid-1830s. The headstone on Lorenza's grave at Calvary Pioneer Cemetery gives the date of her birth as 28 February 1832 at Mission San Gabriel, which may not be the exact date of her birth, but it was the approximate time that she believed she was born. Like her parents' marriage, a record of Lorenza's baptism or date of birth was not found in any of the baptismal registers belonging to southern California missions. Census records for the

1830s may offer some answers to these questions, but there was no opportunity to review them for this report.²⁹

Genealogist Marie Northrop gave the date of the marriage Nicasio and Antonia as circa 1837, a date that matches up with information found in other historical records. The baptism registers for the Mission San Diego indicated that between 1834 and 1844 María Antonia gave birth to four girls: María de la Soledad Rita in May, 1834; Michaela in October, 1839; Juana De Dios in October, 1841; María Clara in August, 1844. Information about the birth of María Lorenza was not found in the mission registers. The registers described María de la Soledad as an “illegitimate daughter,” and indicated that the father for María Clara was unknown – “*Padre no conocido.*” The register identified Nicasio as the father for the other two daughters. U.S. and state census records also identified a fifth daughter, María del Refugia, born sometime around 1846; Enos Wall, a New England mariner and shipmate of John Stewart – Antonia’s brother-in-law, was her father. Wall may also have been the father for María Clara, a fact the priest probably would not have acknowledged in the baptismal register since Wall was a non-Catholic. It is assumed that María de la Soledad Rita, Juana De Dios, and María Clara all died in infancy, since no burial records or other information have been found for them.³⁰

Even though Lorenza believed she was born about 1832, the weight of the evidence indicates that her birth may have occurred a few years later. The ages given

for Lorenza in U.S. and state census records for the 1850s and 60s placed her date of birth around 1837 or 1838. Lorenza's name does not appear in the United States census for 1870, and ten years later census takers gave her age as fifty-six, making 1824 as the year of her birth, when her mother was nine years old. In the 1900 census, the first census to include information about birthdates, Lorenza gave February, 1833 as the date of her birth and identified Los Angeles as the place where she was born. In court documents filed during her divorce proceedings, María Antonia stated that she had three children after her marriage to José Antonio in 1836. Although she did not identify them, the assumption is that she was referring to Lorenza, Michaela and Juana De Dios.³¹

The time gaps or absence of information in church registers around the time of Lorenza's birth resulted, in part, from inconsistent records keeping practices following secularization and collapse of the California mission system. After 1833 the large land holdings of the Franciscan missionaries were broken-up and distributed to the *Californios* and a few Indian *neophytes*. The missions were to become parish churches, but most of them ended up being abandoned or transferred to private land grants. The missionaries, the majority of who were Spaniards, either died of old age within a few years or left the province rather than live under Mexican rule. Secularization resulted in a severe shortage of secular priests throughout the province, causing many Catholic residents to go without receiving the holy sacraments.³²

The decline in economic power for the Franciscan missionaries in California did not diminish the spiritual authority of the Catholic Church in religious affairs of the province. Catholicism was the official religion of California and a considerable amount of authority was extended to local priests who were responsible for monitoring the secular affairs in the *pueblos* to ensure they were conducted in accordance with the teachings of the church. Local priests had the authority to direct the *alcaldes* (mayors) to take corrective action if they found behavior in their communities which they found inappropriate or offensive. In one case a priest complained to the *alcalde* about an affair a woman was having with a married man and directed the official to take action to end the scandalous relationship. The *alcalde* ordered the offending woman banished from the town for a period of one year.³³

The *Californios* had well-defined cultural traditions that young couples were expected to follow if they wished to marry. Foremost, anyone seeking to marry in California had to be a Catholic, a requirement that included foreigners. The laws and religious practices that governed the province reflected a patriarchal society that gave men broad authority over their families. A young man, less than twenty-five years of age, needed permission from his father before he could consider asking someone to marry him; and women needed permission if they were under the age of twenty-three. If the local priest or *alcalde* disapproved of an engagement, they could refuse the young couple a license to marry. Once engaged, young couples were required to go through a

matrimonial investigation by a *Diligencia Matrimoniale* (matrimonial investigation tribunal), which usually consisted of interrogations conducted by a priest. Prior to a marriage taking place, the pending nuptials were announced at Sunday mass three weeks in a row.³⁴

Available evidence suggests that María Antonia and José Antonio did not take the traditional path to the altar, and the marriage that followed was not a happy one. What little we know about their relationship comes from the complaint and depositions given in 1854/5 court proceedings initiated by Antonia for a divorce from José Antonio on the grounds “wilful desertion & failure to provide for his family” (see Appendix III) In her complaint, Antonia stated:

She was lawfully married to the defendant, José Antonio Silvas, about the year one thousand eight hundred and thirty-six and lived with him as her husband until she had by him three children, and she avers that during that time he made little or no efforts to maintain & support her and his children but spent what little they earned in gambling. And she further avers that about the year one thousand and eight hundred and forty that the said Silvas totally abandoned and deserted the complainant (sic) and her children . . . And she also further avers that she has been totally deserted by the said Silvas her husband and that when he so abandoned her that he left her no property or means of maintenance of herself and children and since he left he has neither sent nor caused to be rendered any assistance for the support of his family . . .³⁵

Juana Machado Wrightington testified that her sister married Antonio about 1837; that they lived together for about four or five years as man and wife; that he deserted his family about 1842/43; and that over the years he has never provided any support for his wife or children. John Stewart, Antonia’s brother-in-law, recalled that Antonio left his family the “latter part of the year 1842 or the spring of 1843.” He first

went to Los Angeles and then to Sonora; he has never returned to his family or provided any means of support.³⁶

On 7 March 1843, María Antonia purchased a “*casita*” (small house) and lot from Julio Osuna for twenty dollars which originally belonged to his father, Juan María Osuna (see Appendix II). Several months later, on 10 August, 1843, José Antonio Góngora, Justice of the Peace, and José Joaquín Ortega, Judge of the First Instances, granted to Antonia “a lot for a house” (see Appendix I). The location of the purchased property is not identified in the deed document other than describing it as once belonging to the Osuna’s father, but real estate abstract records identified Pueblo Lands Block 426 (42/44) as the location. Subsequent sales transactions confirmed the location of the property (as Block 44, Lot 1) on Wallace Street, southwest side of the block between Calhoun and Juan streets.³⁷

The property received as part of a grant was situated southwest of the plaza near the homes of Antonia’s parents and Maximo Reyes, another former *presidio* soldier. It consisted of two rectangular pieces of land combined together in an ell shape configuration totaling approximately 2,448 *varas* (a *vara* equals thirty-three inches) or 6,732 sq. ft. Other writers have incorrectly stated that José Antonio was the recipient of the grant and that he built a house which the family lived in for several years prior to their separation. To the contrary, the evidence indicates that José Antonio had little or

no contact with the property and that he never built or lived in the house for any length of time after it was built.³⁸

In 1852, Ortega stated that the grant awarded to Antonia was for a garden in the front of her house. Many of the property owners in the town cultivated *huertas* (gardens) and several planted orchards during the Mexican period to support their families. The small scale farming activities were located on various town lots and extended out to Mission Valley, as well as across the river in the vicinity of *Tecolote* (Owl) Canyon and *Cañada de las Lleguas* (mare canyon), today's Rose Canyon. Communal lands extended as far north as Solidad Valley (today's Sorrento valley), about twelve miles from town. Garden plots included vegetables like beans, squash, peas and wild cucumbers; herbs such as rosemary, thyme, and tarragon; and grain crops like barley and corn, usually arranged in clumps or rows. Residents grew grapes, pears, persimmons, figs and other fruits in their vineyards.³⁹

In the years after the secularization of the missions and the abandonment of the *Presidio* of San Diego, these small scale farming activities proved crucial to the survival of the community. Following the break-up of the mission's monopoly over farming and grazing lands throughout the region, the town went into a period of prolonged decline. Native Americans openly resisted the new land policies introduced by the Mexican government and opposed intrusions into their territories by the *Californios* with their new ranchos. Relations between the two groups deteriorated to the point

where hostilities forced the evacuation of many of the ranches in the San Diego area. The district's population declined from a high of 653 residents in 1834 to about 150 people by 1840. Those settlers who stayed relied on the safety of communal lands in and around the town to produce the food they needed to get-by.⁴⁰

While opposition to the new land policies disrupted the ranching economy, commercial interests in the San Diego harbor flourished. Once Mexico gained its independence from Spain, mercantile policies were rescinded to allow commercial trading with sailing ships from England, United States and other foreign countries. The hunting of sea otters and the hide and tallow trade attracted these maritime merchants annually to California ports and missions up and down the coast. Agents from the trading companies and sailors from the ships eventually settled in the coastal towns, adopting the life style of the *Californios* with some marrying into prominent local families. San Diego, with its fine harbor, became one of the principal trading centers along the coast that included hide houses at *La Playa* (the Beach), built to process the hides and tallow prior to shipping them east and south.⁴¹

Three of the four Machado girls married former mariners who arrived in the community on American trading ships during the 1830s. Guadalupe married Peter Wilder, a Bostonian, in 1836; and following his death, Albert B. Smith, a New Yorker, in 1850. After the passing of her first husband, Juana became the wife of Thomas Wrightington, another Bostonian, in January, 1842. The marriage of the youngest

daughter, Rosa María, to John Collins (Jack) Stewart in 1845 lasted almost fifty years and produced nine children and numerous descendants. Sometime after 1843, María Antonia Machado de Silvas entered into a common-law marriage with Enos A. Wall, a shipmate and life-long friend of Stewart's. In 1837, Stewart, Wall and the other Americans came to the defense of the town in its conflict with Native Americans, the year the community's fortunes reached one of its lowest points.⁴²

In later years, the raid on Pío Pico's Rancho Jamul in April, 1837, by Kumeyaay warriors was one of the incidents most frequently remembered by the *Californios*, especially the women in the community. Pico was away at the time the raid occurred, when marauding Indians killed four of his ranch hands and took two young girls captive - the Leiva sisters - Tomasa, age fifteen and Ramona, twelve. The local militia, led by the girls' uncle, pursued the attackers for months, at one point catching a glimpse of the girls across the valley on a distant hill. They were never able to rescue the girls and their final fate remains unknown.⁴³

Doña Apolinaria Lorenzana, grantee of the neighboring rancho – *Santa Clara de Jamachá*, recalled with sadness the fate of the young girls. Doña María de los Angeles, the mother of the two young girls, fled to *Jamachá* with her two small boys and reported the news of the attack to Apolinaria, who immediately sent one of her vaquero to San Diego for help. María explained that after the attackers killed her husband and three vaqueros, they forced her to leave with her boys before they were killed; the girls, just

entering their childbearing years, were led away as captives. Several years later Apolinaria received word that one of the girls had been sold to another Indian tribe and was living in Sonora. She recalled further that “Doña María de los Angeles’s spirit was shattered and she suffered the rest of her life. She never recovered from the tragedy and finally succumbed to the burdens of her sorrows.”⁴⁴

The month following the raid on Rancho Jamul, a servant girl revealed plans of a conspiracy by Native Americans to attack San Diego and kill many of its inhabitants. The Native Americans, who were serving as household servants, were to leave doors unlocked on a designated evening so attackers could enter the homes and kill the sleeping occupants. Many of the *Californios* had *Neophytes* or *Gentiles* as servants working in and around their homes, including Manuel and María Machado. Local officials quickly sent word to Los Angeles authorities to send militia troops to aid the beleaguered community. Until help could reach them, John Stewart, Enos Wall and other foreigners came from *La Playa* to defend the town from the impending attack. Once the militia arrived and the threat had passed, suspected conspirators were arrested and summarily executed without the benefit of a trial or any judicial proceedings.⁴⁵

In the last years of Mexican rule the community struggled to rebound as conditions stagnated with recurring political turmoil and periodical conflicts between the *Californios* and Native Americans. As historian Bancroft noted, “notwithstanding

the fragmentary nature of the records, it is evident that in all these years the frontier ranchos were continually ravaged by Indians and that there was no security for either life or property." By 1845 the population of the community showed some modest gains with an estimated 350 *Californios* and 1,600 ex-neophytes living in the pueblo and surrounding area.⁴⁶

As war approached with the United States, the lives of the Machado girls and their husbands continued to change. In 1846, John Stewart and Enos Wall had quit their jobs managing hide houses at *La Playa* and joined a group of men on a sea otter hunting expedition to Baja California, financed by local merchant Henry Delano Fitch. Rosa and John Stewart had just welcomed their first child, a girl who they named after her mother - Rosa Mariá. Antonia and Enos expected their second child sometime in the coming year. In May, Antonia sold her property on the northeast side of the Plaza to Rafael Romero, the land she had purchased in 1843. One possible scenario suggested by this evidence is that, while Enos was off on a hunting expedition, Antonia went to stay with her parents or her sister, Juana Machado Wrightington, to await the arrival of her sixth child.⁴⁷

By the mid-1840s the hide trade began to decline, Enos, Stewart and others decided in the spring of 1846 to try their luck trapping for sea otters in Baja California. The over-hunting of sea otters in California had caused a dramatic decline in their population, and many trappers were finding their way south to the lagoons along the

Baja California coastline in their quest for the valuable sea otter pelts. Wall, Stewart and the other hunters traveled down the coast in canoes. Their destination was *Mission El Rosario*, some two hundred miles south of San Diego where the surrounding waters had a thriving sea otter population. As one member recalled years later:

Sea otter were plentiful in the kelp along the coast of Lower California and around the islands. There were two companies of otter hunters in San Diego. They were usually fitted out for their hunts by Captain Fitch. Each company had three canoes and during the Spring and Summer months hunted along the coast, landing through the surf every night at places known by them where there was wood and water for their camp. Prime otter skins were worth \$40 each and were sold to Captain Fitch, who sent them to China where they were disposed of for a good profit.⁴⁸

Severe weather and stormy waters prolonged the men's trip down the coast and finally forced them ashore, short of their destination. Once on shore, the group started overland to the mission and as they made their way, encountered a second group of travelers. Among this latter group of travelers was Pío Pico, the governor of Alta California. Pico had fled California to avoid capture by the invading U.S. forces; he wanted to get men and arms from Mexican authorities to resist the conquest currently underway. It was from Pico that Stewart and the others first learned that the United States had declared war on Mexico.⁴⁹

In July 1846, San Diegans were aware of the increasingly bitter dispute between the United States and Mexico over the question of the Texas boundary. They did not know, however, that a state of war had existed between the two countries for over two months when U.S. naval forces seized the port of Monterey on July 7th. On the 29th the

20-gun, sloop-of-war *USS Cyane*, under the command of Captain Samuel F. Dupont, sailed into San Diego Bay and took possession of the port for the United States. On-board the *Cyane* were Major John Charles Fremont and 160 volunteers of the California Battalion.

Captain Dupont sent a squad of marines, commanded by Lieutenants Stephen C. Rowan and A.T. Williams, into town to request that community leaders raise the American flag in the plaza, which they declined to do. Upon their refusal, the marines hoisted the flag themselves. Later that same day Frémont and his soldiers disembarked and marched into town to relieve the marines setting-up their camp on the northwest side of the plaza that more than likely included the site where the *Casa de Machado-Smith*, GDP site #38, would be built a few years later. The occupation of San Diego by the Americans occurred without armed opposition from the *Californios*; most of the men were probably away working at their ranchos. Additionally, a census taken ten months earlier listed only fifty men in the community deemed fit for military service – men between the ages of fifteen and sixty.⁵⁰

While the American residents strongly favored the United States' seizure of the port, other foreigners and the *Californios* were divided bitterly over the issue. Juan Bandini, Miguel de Pedorena, Pedro Carrillo and Santiago E. Arguello were prominent community members who supported the change in governments; José Antonio Aguirre, María Antonia Machado de Silvas, Leonardo Cota and José María Alipaz opposed it.

José Antonio Estudillo declared his neutrality and retired to his *rancho* in El Cajon. Bandini and Arguello gave speeches in support of the American cause, hoping to persuade the town's people to accept the change, arguing that it would bring security, economic stability and prosperity to the region. Most *Californios* resisted the American aggression not out of support for their government, but for love of their homeland, *patria chica*, and a strong sense of distrust of the *norteamericanos*.

Commodore Robert F. Stockton, the leader of American military forces in California, wanted to reestablish local governments as quickly as possible to ensure a peaceful transition. His goal was to give the *Californios* a role in the new government to gain their allegiance. In San Diego, local elections were held the second week of September. Pedrorena became *juez de paz* (justice of the peace) and Pedro Carrillo agreed to continue to serve as the collector of customs. Joaquin Ortega and J.D. Wilson won election as justices of the first and second instance.⁵¹

By the second week in August, Major Fremont and his volunteers marched north to join Stockton in the capture of Los Angeles and complete the United States' conquest of California. Within weeks following Fremont's departure, there were no American military forces left in San Diego to guard the town. Carrillo and Fitch petitioned Captain Archibald Gillespie, commander of U.S. forces in southern California, for troops to protect the community and its American supporters. Fitch advised Gillespie that opposition was growing locally to the U.S. seizure of the province. In response to

the request from San Diego officials, Gillespie eventually sent Captain Ezekiel Merritt of the California Battalion with fifteen men to garrison the town.⁵²

The American control of Los Angeles lasted little more than a month before the *Californios* rebelled and expelled the invaders. The retreating Americans were defeated in a battle at Dominguez Ranch near San Pedro and forced to completely withdraw from the Los Angeles area. Almost immediately, Captain José María Flores, leader of the *Californio* military forces in southern California, ordered a detachment of soldiers south to drive the Americans and their supporters out of San Diego. News of an approaching Mexican force caused John Bidwell and other volunteers of the California Battalion guarding Mission San Luis Rey to abandon their position and seek safety in San Diego with Merritt's men.

The whaling ship *Stonington* arrived at San Diego on the 29th of September, 1846, and the ship's captain reported that he "went to the town and found the inhabitants in a rather critical situation for the want of men to protect the place against the enemy . . ." The following day Merritt and his men finally arrived and took command of the community's defenses only to abandon the town four days later when the approaching *Californio* forces compelled them to withdraw.⁵³

The Americans and their supporters consisting of approximately forty men, sought refuge on the *Stonington* in the harbor. Women and children on both sides of the conflict found safety in the *Casa de Estudillo* to await the outcome. The refugees on the

Stonington initially planned to sail north to join other American forces until San Diego could be reoccupied, but the ship's damaged rudder prevented them from leaving the harbor. John Bidwell, a member of the California Battalion, volunteered to take a boat north to get help and needed supplies, while Merritt and the crew made preparations to defend the ship in case of attack. Some of the local American supporters knew of two old cannons buried in the sand belonging to the Spanish fort that once guarded the harbor's entrance, *Fort Guijarros*, which members of the crew were able to unearth and repair.⁵⁴

While these efforts were underway, concern developed over the cannon kept at the defensive earthworks located on the heights to the east of the town. Some of those on-board the ship became convinced that the *Californios* holding the town could haul the cannon down the hill and use it to attack the *Stonington*, which was anchored in the harbor, a short distance off shore. Since he was familiar with the local countryside, Albert B. Smith, an Anglo-American seaman from New York, volunteered to go, under cover of darkness, and spike the cannon to prevent its use in any potential attack on the *Stonington*. After being put ashore Smith managed to make his way undetected to the hill side fortification and disable the cannon.⁵⁵

Bidwell returned from San Pedro on October 8th following a rough and stormy voyage down the coast where he lost all the food and supplies that he was bringing back to the besieged Americans and their supporters. The situation on-board the ship

was growing desperate forcing the Americans to launch an attack the following day (Oct. 9th) to retake the town. Years later Bidwell gave an account of the events that followed – the Battle of the Beach Road:

The cannons were taken ashore the next day and twenty-five men including some of the sailors of the whale-ship began the march to retake the town of San Diego three miles distance. The road lay all the way through soft sand, the dragging of the cannons was very difficult, requiring most of the way all the men to move a single piece. When about half way our movements were discovered. Flores came out with his men in line of battle. All were mounted.

But our march continued without the slightest hesitation, one of the brass pieces being hauled a hundred yards or so was left in charge of three or four men and while they were aiming and firing, the rest went back to bring up the other and so on alternately, loading and firing, till Flores fled with all his forces and we entered and took possession of the town, raising the flag where it has floated from that day to this.

At that time all the country between San Diego and Monterey was in a state of revolt. Stockton also had failed to repossess Los Angeles and the flag floated at no place south of Monterey except San Diego.⁵⁶

The second raising of the American flag in the town's plaza is well remembered in community folklore with the story of the events passed down among descendants through the generations recalling the heroism shown by participants on both sides. The refugees in the *Casa de Estudillo* watched the day-long skirmishes from the copula atop the house. As the Americans reoccupied the town, María Antonia Machado de Silvas rushed out in the middle of the fight and cut down the flag pole's halyards, rescuing the Mexican flag before it could be seized by the Americans. After which Albert Smith volunteered to climb the pole and raise the American flag. The *Californios* had fallen

back to the fortification on the hill just east of town, and from their position they shot at Smith as he climbed the pole to raise the American flag.⁵⁷

The contest for San Diego did not end with the reoccupation of the town by the Americans and their supporters. The positions of the combatants had just reversed themselves with the Americans controlling the town. Skirmishes between the opposing forces continued for weeks. On October 12th, Captain Hamley recorded in his ship's log "this day begins and ends with fair wether (*sic*) had a fight with the Spaniards and killed 2 and wounded others thus ends this day." The *Californios* never had the resources or supplies to engage the Americans in a full scale battle to drive them out. They strived to control the countryside and prevent supplies from the surrounding ranchos reaching the Americans occupying the town.⁵⁸

The plan of the *Californios* was to force the Americans to abandon the town or face starvation, which they came close to accomplishing. The last week in October, Leonardo Cota arrived with one hundred men to reinforce the *Californios* besieging the town, and a week later the *U.S.S. Congress* came into port with Commodore Stockton and 250 sailors and marines onboard to reinforce the Americans. Stockton reported to the Secretary of Navy about the conditions in the town on his arrival:

The situation of the place was found to be most miserable and deplorable. The male inhabitants had abandoned the town, leaving their women and children dependent upon us for protection and food. No horses could be obtained to assist in the transportation of the guns and ammunition, and not a beef could be had to supply the necessary food; some supplies of provisions were furnished from the ship. The expedition to the southward, for animals, under the command of Captain Gibson, of the

battalion, had succeeded in driving about 90 horses and 200 head of beef in the garrison.⁵⁹

By the third week in November, Stockton moved to lift the siege and drive the *Californios* from the heights overlooking the town. With Santiago Arguello leading the charge, the American forces dislodged the *Californios* from their hillside bastion and chased them up the valley. Stockton reported that Arguello, “though wounded in the leg, drove the Californians. . . from their position.” Captain Pedrorena led the cavalry detachment that gave pursuit up the valley and “exchange shots with an advance guard” and “succeeded in dispersing the enemy as the result of a sharp fight.”⁶⁰

The siege of San Diego lasted over forty-five days before the Americans were able to regain the initiative and force the *Californios* to abandon the fight. Approximately two weeks later in a battle at San Pasqual, fifteen miles north of San Diego, the *Californios* defeated a force of 121 American dragoons, under the command of General Stephen W. Kearny, who had come overland from New Mexico to aid in the conquest of California. On December 7th, a cold, wet, foggy day, the *Californios* and Americans fought a deadly battle in the early morning hours. Nineteen Americans were killed and seventeen were wounded in the only significant battle lost by the American armed forces during the United States war with Mexico. Among the wounded was General Kearny who suffered a serious wound in the battle and was forced to briefly surrender command of his troops to a subordinate.⁶¹

Commodore Stockton sent a detachment of almost two hundred men to rescue Kearny's bloodied army. Upon their return to San Diego the Americans were able to gather and re-outfit their forces – sailors, marines, dragoons, and volunteers – in preparation for a march north to reoccupy Los Angeles. On December 28th, they began their re-conquest, and by the end of January the Americans had effectively suppressed all resistance to their seizure of the Mexican province. Albert Smith, Santiago Arguello, Philip Crosthwaite, John Stewart, Enos Wall and Miguel de Pedorena served as San Diego members of the California Battalion of volunteers and were participants in these events.⁶²

Over the years, the experiences of local participants in these events have been recalled in community folklore and oral tradition passed down from one generation to the next at family gatherings and community events. While one historian has judged these stories to be “only the fruit of a lively imagination,” they are, nevertheless, accepted by many writers as actual events associated with the American conquest of San Diego during the United States' war with Mexico. The oral traditions of the *Californios* were a means for them to pass along to successive generations their personal memories or views of events that they had either participated in or witnessed. These oral traditions are especially significant since many of the participants in these events did not know how to read or write and did not leave written accounts of their experiences.⁶³

The validity of these traditions is strengthened by documentary evidence that either corroborates or makes it highly probable that the events occurred as told in these accounts. How likely was it that Albert B. Smith stole off in the middle of the night and successfully spiked the cannon at the defensive earthworks on the hill east of town? This story gains considerable credibility when knowing that the maneuverability of the whaling ship *Stonington* was restricted due to a damaged rudder making the ship, with its crew and passengers, vulnerable to attack from shore. The accounts given in the captain's log about the almost daily skirmishes between the American and *Californios* reinforces the sense of danger Smith confronted with his assignment.

How plausible is it that María Antonia would have rushed out of her house in the middle of a battle and cut down the Mexican flag to save it from the Americans? And why would she have put herself in danger to rescue the flag? In all of the accounts written about her actions, no one has viewed her conduct as an example of *Californios'* defiance or resistance to American aggression. While the men were trying to rally support and sustain the fight against the invaders, María Antonia, single-handedly, took her own defiant stand against the aggressors, and, given her background, it is not hard to understand why.

María Antonia was a mother of three daughters who had been left to fend for herself and her family. She was independent, strong willed, and, as we'll see, someone with a fiery temper that sometimes got the better of her. But most importantly, she was

a daughter, granddaughter, niece, and wife of presidio soldiers. Her father and grandfather had each spent over thirty years in the military service of two countries and risked their lives on numerous occasions. As with most soldiers, they treated their country's flag with the utmost honor and respect. Juana Machado Wrightington, in her reminiscences, recalled how emotional it had been for her father and their family when Mexico gained its independence and the Spanish flag came down at the presidio for the last time. When María Antonia saw an opportunity to protect the flag of her country, she didn't hesitate to jump into the fray. The story of her saving the Mexican flag in the Old Town Plaza in October, 1846 is true, but just not in the context in which many have chosen to remember it.⁶⁴

And while some of these oral traditions are true, others defy boundaries of credibility, especially when María Antonia and the purveyors of the San Diego's *Spanish Fantasy* come together. In a popularly told story from the 1920s, our heroine was supposed to have had a tragic love affair with one of the soldiers in Fremont's Battalion of California Volunteers. David Ross was one of the men sent with Captain Merritt at the end of September to garrison the town and protect its residents. Over the next several weeks while the skirmishes festered around them, María Antonia and David fell in love and made plans for their future. In November, when Stockton received word that General Kearny was approaching San Diego, the commodore ordered Captain Gillespie with a detachment of volunteers, that included David, to meet the

approaching army and guide it into town. Gillespie's command joined up with Kearny in time to become part of the battle at San Pasqual against the *Californios*. Tragically David did not survive the engagement, and the budding romance died with our fallen hero. So, was María Antonia fleeing retribution or suffering from a broken heart following the siege of San Diego in October, 1846?⁶⁵

At the time she was reportedly having a romantic affair with David Ross, María Antonia was in a long-term relationship with an American mariner, Enos A. Wall, who had resided in the community since 1837. Born about 1814, Wall was a native of Freeport, Maine, and reportedly worked as a hide house manager at *La Playa* in the late 1830s. Wall's good friend was John C. Stewart, another Maine native, and María Antonia's brother-in-law. Wall may have been shipmate with Stewart on the sailing ship *Alert* when the latter made his second voyage around Cape Horn.⁶⁶

Enos and María Antonia were probably living together, with her daughters by 1844; and Enos, more than likely, was the father of María Clara who was born in August. Two years later the couple welcomed another daughter, María del Refugia; the exact date of her birth is not known, only that she was four years old by the time the U.S. census was taken in February, 1850. Enos's name does not appear on the census with María Antonia and the three girls, and may have been away in the gold fields with Stewart for a few months. By April, both men were back in San Diego and appeared as electors in the first election held for county officers under the recently approved state

constitution. Election officials designated Old Town as Precinct No. 1, and appointed Wall to serve as one of two judges for the proceedings. Two years later a state census enumerated the Wall family: Enos a seaman, his wife María and their daughter Refugia; residing with them were Lorenza and Miguela (sic) Machado.⁶⁷

When General Kearny's army marched west from Ft. Leavenworth, Missouri in the early summer of 1846, Lieutenant William H. Emory, an 1831 graduate of the U.S. Military Academy at West Point, served as a member of the topographical engineers assigned to accompany the expedition. Emory made the 1,800 mile trek with Kearny to California participating in the Battle of San Pasqual and the re-conquest of Los Angeles. Emory prepared a report for his superiors in Washington about his observations of the territory the army had traveled through on their way west. He offered this assessment about the local harbor:

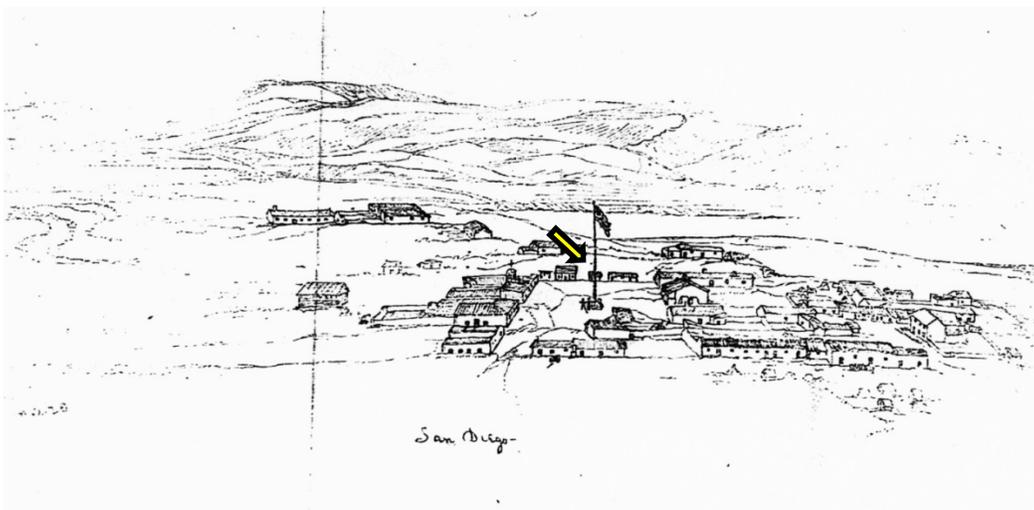
“At present San Diego is, all things considered, perhaps one of the best harbors on the coast from Callao to Puget's Sound, with a singular exception, that of San Francisco. In the opinion of some intelligent navy officers, it is preferable even to this. The harbor of San Francisco has more water, but that of San Diego has a more uniform climate, better anchorage, and perfect security from winds in any directions.”⁶⁸

Upon his return to Washington, Emory submitted his report to his superiors who forwarded the document through the Secretary of War to the United States Congress. Both houses of Congress published Emory's Report, which included one of the first known sketches of San Diego done by John Mix Stanley. Stanley was a U.S. Army Illustrator and completed his sketch in 1846.⁶⁹



SAN DIEGO

Stanley's sketch of San Diego failed to show the *Casa Machado de Silvas* on the southwest side of the plaza, suggesting that at the time he made the drawing the house had not yet been built. Four years later, in February, 1850, H.M.T. Powell, a schoolmaster and gold hunter from Illinois, made the next known drawing of the town, and it showed the Machado-Silvas Adobe standing where it is today.⁷⁰



Given what is known about the community's history during these years, the evidence indicates that Antonia and Enos constructed their house sometime after Stanley completed his sketch and prior to the summer of 1848. In January of that year, James Marshall discovered gold on the American River in northern California, and by June, news of the strike reached southern California. Over the next two to three years, most of the men in the town spent the spring and summer months up north prospecting for gold. Additionally, by the beginning of 1847, Enos was home from hunting sea otters, the war in California was over, Antonia had given birth to her fifth daughter, and it was time for the family to have their own house.⁷¹

Archaeological evidence indicates that the original adobe was a modest single-story rectangular house constructed in the vernacular Mexican architectural style on a cobblestone foundation. Viewed from its northeast side facing the plaza, the house in Powell's drawing appears to support these findings. There were four rooms floored with *ladrillo* [brick] tiles, one smaller than the other three. Since the structure shown in Powell's drawing is quite small and portrayed from a far distance, the fenestration of doors and windows are not discernible in this early view of the house. John Minter recalled his grandmother, Juana Machado de Wrightington, telling him that her father, José Manuel Machado, helped put the roof on the house. Another grandchild, Lottie Mustain, stated the roof was made of small tree poles, grass matting and bundled

carrizo reeds fastened together with rawhide thongs. Wallace and Kimbro were unable to either confirm or refute these statements.⁷²

The 1850s were volatile and stressful times for San Diego's economic and commercial development, times of high expectations and unfulfilled promises that infused the community with false hopes. Many of those residents who favored the American seizure of the province wanted to see San Diego, with its fine harbor, develop into a commercial trading center rivaling San Francisco. As early as 1848 these residents made inquiries with the American military governor about the legal authority city officials had to sell city lands. The following year, the *Ayuntamiento* (City Council) hired a United States army officer, Lt. Cave J. Couets, to survey and subdivide the Town of Presidio, today's Old Town San Diego, and the ships' landing site at *La Playa*.⁷³

Lt. Couets, a cavalry officer assigned to the United States Boundary Commission, completed his field work at both locations in July and August of 1849. For the town of Presidio, he designed a system of streets and blocks using a grid pattern that did not take into consideration geographical features, property holdings or the location of existing buildings. The subdivision he designed consisted of ninety-four blocks that were each subdivided into four lots; the blocks generally measured 300 square feet and lots, 150 square feet. He numbered the blocks one through ninety-four with seven and thirty-three irregularly placed and forty-three omitted. The plaza in the center of town, originally laid out in 1827, was named Washington Square and left unnumbered. In

1856, county officials renumbered the blocks to create a unified property numbering system for pueblo lands that incorporated the four subdivided communities around the harbor: Presidio/Old Town, *La Playa*, New Town and Middletown.⁷⁴

María Antonia's property was situated in Lot #2 of Block #31/427, an irregularly plotted block containing only two oversized lots. The first San Diego County tax rolls in 1850 identified "María Antonia Machado" as owning one third of the lot with an appraised value of \$2,000. The City's first tax rolls matched the county's assessment but added \$1,000 for the value of her personal property giving her a total assessment of \$3,000. Antonia's lot and modest house were centered in the hub of business activity developing around the plaza. Neighbors included the U.S. House – a general merchandise store, saloon and auctioneer's office; Light/Freeman adobe; and the new Exchange Hotel and saloon.⁷⁵

San Diego's gold rush-inflated economy cooled off by 1851 and the value of assessments showed a marked decline. City's 1851 tax rolls indicated that the value of Antonia's property had fallen by fifty percent to an assessment of \$1,000 but added \$900 for the value of improvements made by the owner. These improvements probably reflected the expansion of the house that occurred during period when the four-room rectangular adobe structure expanded into an ell or possibly a U-shaped building that grew to include ten rooms; these changes were most likely completed between 1851 and 1854. As the local economy struggled, Antonia and Enos worked to earn an income

and support their family with the few resources they had. They reportedly took in boarders and ran a saloon and restaurant in their expanded space – known as the Commercial Restaurant and then Antonia’s until 1858.⁷⁶

Once they were established, the County Court of Sessions (Board of Supervisors) and City Council passed ordinances establishing license fees for local businesses, including the selling of liquor, running a billiards game and operating a ten-pin alley. For those years in which records are available, treasurer account books and license applications show payments of liquor and billiard fees routinely made starting in the 1854 through 1864 by men associated with Antonia or her daughter Lorenza. There was also a year or less when Lorenza’s first husband paid the required fees to operate a ten-pin alley.⁷⁷

The restaurant was probably the least profitable side of the business during these years. While the vending of “spirituous liquors” retained a consistent proprietor, the business of preparing meals for customers changed hands several times. In 1854 Lugarda Riiger “opened a saloon for the accommodation of the public, in the building of Mr. Wall, a few doors from the Colorado House, where will be kept, pies, cakes, coffee, & c., at all hours of the day. Beef-steak, pork or mutton chop, and veal cutlet, oyster stew, or any other dish will be cooked to order and done up in the best style.” She called her new establishment the “Commercial Restaurant.” In a notice she filed with the county she stated that she “intends carrying on business of baking & selling

cigars, provisions & groceries generally with a capital of less than \$5,000.” Lugarda never paid for a liquor license; instead, a boarder in the Wall household, George Smith, was listed as the payee for a three-month license starting in August, 1854. Lugarda’s participation in this business venture appears to have been short-lived. Tax records for 1855 indicated that Smith had \$200 worth of “Stock in Trade.” Over the next three years Smith continued to pay for the liquor license and the restaurant eventually became known as Antonia’s.⁷⁸

Smith seems to have prospered tending bar in the *Casa de Machado y Silvas*. A seaman from Naples, Italy, Smith arrived in San Diego from San Francisco sometime between 1850 and 1852. In 1857, he initiated plans to open his own place two doors down from Antonia’s. He leased the Freeman/Light property next door from the estate of Richard Freeman and began construction on a “new public house,” a two-story structure which he named “the American Hotel”(see Appendix #IV). Tax records reported that he had “house on the plaza” valued at \$300. The new hotel’s amenities included a billiards table and ten-pin alley” for the entertainment of his guests. Smith routinely renewed his liquor and billiards licenses over the next four to five years; while the bowling side of the business lasted no more than a year.⁷⁹

Once Smith moved next door, Enos and Antonia found another proprietor to take over management of the restaurant. In June, 1858, the *San Diego Herald* announced that Henry Whaley “has purchased the stock and fixtures of the Antonia’s Restaurant,

and has opened a neat and well conducted establishment two doors west of the Franklin House, where everything in season will be served up in a style second to none in the southern country." For the previous two years, Whaley was in the general merchandise business, the vending of goods and wares. He was the brother of another prominent merchant and San Diego pioneer, Thomas Whaley. His venture in the restaurant business lasted less than seven months. Whaley's sister-in-law – Thomas' wife – claimed that he closed the restaurant because "he has lost all sympathy of the people by his mean tricks." By the early 1860s, Whaley had relocated to San Bernardino where he resumed his career in the merchandising business.⁸⁰

California's gold rush society of the 1850s was heavily dominated by men who were either single or had left their wives and families back home when they came west to make their fortunes. In San Diego, U.S. soldiers made up the largest portion of the Anglo-American population residing in town and the clientele who patronized the local business establishments, especially the saloons. They spent a good deal of their non-working hours (leisure time) drinking and gambling; their late night carousing often times disturbed the peace and on occasion led to violence. One such incident occurred in May, 1857, at the *Casa de Machado y Silvas*.⁸¹

On Sunday the 31st, late in the evening, María Antonia and the girls were awakened by someone banging on a window, trying to break into their house. Antonia told her daughter Michaela to wake Mr. Wall and tell him that there was an intruder

attempting to get in. After several warnings, Wall fired his shot gun killing the intruder, believing that he had killed an Indian with whom he had argued with recently. After dressing, Wall went next door to his neighbor, George Smith, and told him what had happened. When they went to investigate, they found that Wall had killed a soldier. The man was later identified as William Smith who was stationed at the Mission of San Luis Rey and belonged to Company I, 3rd artillery. Dr. D.B. Hoffman held a coroner's inquest the following day where the jury determined that the shooting was a justifiable homicide (see Appendix V).⁸²

The grand jury in its report gave its assessment of the incident:

We cannot close this, Our Report, without referring to the unfortunate death of the soldier recently shot by one of our oldest and most peaceable citizens, E.A. Wall. After a careful examination of the depositions taken before the Coroner's jury, far from attaching any blame whatever to Mr. Wall the Grand Jury unanimously justify him in the act committed and hope that this hard lesson will not fail to have its good effect upon a certain portion of the community, who go around carousing at night, disturbing the peace of those who slumber, and endangering their own lives.⁸³

During the coroner's inquest, the testimony presented never revealed a reason for the attempted break-in. In later years community folklore claimed that there was buried treasure in the house, and the deceased was shot while attempting to recover it. Sometime around the turn-of-the-century, an Old Town resident did find eight hundred dollars in gold coins tucked away in the rafters of the American Hotel, but there is no specific evidence that the two incidents are related.⁸⁴

Changes in the business affairs of the Silvas-Wall family coincided with other transitions occurring in their personal lives. Since the mid-1840s, María Antonia and Enos had been living together as a family with their three daughters – Lorenza, Michaela and Refugia. During these years when church or civil authorities were not present and a couple often times agreed to live together as man and wife, they were generally considered to be married. North American legal traditions recognized this type of union as a common law marriage. This is what Antonia and Enos appeared to have done, but as time passed they made some efforts to have a more formal relationship. In October, 1851 Enos converted to Catholicism and was baptized by Fr. Holbein with José Antonio and María Victoria de Estudillo serving as his *padrinos* (godparents). Three years later, Antonia initiated divorce proceedings for a legal separation from José Antonio Silvas, whom she hadn't had any contact with in more than ten years.⁸⁵

On 10 April 1854, Antonia filed her petition for divorce from José Antonio in the First Judicial District Court in San Diego on the grounds “wilful desertion and failure to provide for his family”(See Appendix III). California state law originally stipulated that “divorces . . . from the bonds of matrimony, may be granted . . . for the wilful and continued desertion, by either party, for the period of three years.” The state legislature later revised the statute changing the period of desertion from three to two years and adding the clause “for the wilful neglect on the part of the husband to provide for his

wife the common necessities of life.” The law specified, however, that “no divorce shall be granted in any action by default of the defendant, nor on the admission or statement of either party; but in all cases the Court shall require proof of the facts alleged as the ground for a divorce.”⁸⁶

The presiding judge, Benjamin I. Hayes ordered notices to be published in newspapers in northern California, *San Francisco Herald* and *San Jose Telegraph*, to summon José Antonio, if he was in California, to appear in his court and respond to the complaint pending against him. He appointed Philip Crosthwaite, another one of Enos’ close friends, to act as a referee in the case, hear testimony in the matter and recommend a decision to the court. After taking the depositions of Antonia’s two brother-in-laws, John Stewart and Albert B. Smith, and her sister, Juana Machado de Wrightington, Crosthwaite recommended and Judge Hayes granted Antonia a divorce “from the bonds of matrimony” with José Antonio. Participants in the proceedings never learned the whereabouts of the missing husband.⁸⁷

Although it is definitely unclear, the assumption is that in the view of civil authorities Antonia was now a single woman and free to marry Enos; but, in the eyes of the church, she remained married to José Antonio. The Catholic Church prohibited divorce among its members and did not recognize the power of civil authorities to set aside or void the official actions of the church. Further, the church did not recognize the power of civil authorities to perform marriages between its members; while the

California State Constitution specifically stated that “no contract of marriage, if otherwise duly made, shall be invalidated for want of conformity to the requirements of any religious sect.” Other than state law, whatever authority Judge Hayes had to void an action of the Catholic Church is not clear. During the 1850s, judicial officials in California never asserted their authority to dissolve a marriage granted by the Catholic Church to two of its members prior to the American conquest.⁸⁸

Adding yet another dimension to the background surrounding the marital woes of Antonia and Enos, the two court officials involved in the legal proceedings were both Catholics. Crosthwaite was of Irish Catholic descent from County Kildare, a refugee from the potato famine in Ireland who had immigrated, like thousands of others, to the United States in the 1840s. Judge Hayes, a native of Maryland, had come west to Los Angeles in 1850. He received his education at St. Mary’s College and Theological Seminary in Baltimore and was admitted to the Maryland bar at the age of twenty-four in 1839. After serving briefly as county attorney, he was elected District Judge, a position he held for twelve years.⁸⁹

As of this date, no records have been located indicating that Antonia and Enos were ever formally married by a justice of the peace, priest or other public official. Following her divorce, the couple continued to live as they had done before while Enos pursued his livelihood. He was a man of the sea who frequently earned his living hunting whales off the San Diego coast and sea otters in Baja California. On one

occasion, the local newspaper reported that on a trip to Santa Tomas Enos and a companion, George Lyons, had killed twenty otters and earned almost five hundred dollars for their pelts. Tax records showed him owning “two wagons, three oxen and four tame horses,” which he used to haul freight from the ship’s landing at *La Playa* to the merchants in Old Town. A few months after being exonerated for any wrong doing by the Grand Jury, he served as a judge for an election held to approve the conveyance of public lands to finance the construction of the San Diego and Gila Southern Pacific and Atlantic Railroad. In 1859, he was a member of a local group of citizens actively lobbying for the division of California and the formation of a new territory made up the state’s five southern counties. A year later in the national census, Wall identified his occupation as “teamster” and claimed one thousand dollars as the value of his personal property.⁹⁰

By 1859, George Smith and Lorenza, María Antonia’s oldest daughter, planned to marry. As was the custom of the day, Smith traveled to San Francisco and purchased wedding clothes for his bride to be, a trousseau that included a white silk dress, veil and new shoes. Years later, as one Old Town resident recalled the occasion, Antonia strongly objected to the planned nuptials. Supposedly, she broke into the house where the clothes were kept with a knife and “cut all of Lorenza’s wedding clothes to pieces, shoes and all.” She then beat her daughter and attacked Smith with the knife, “who

barely escaped with his life.” Later Antonia was arrested and sent to the state penitentiary.⁹¹

Although María Antonia may have objected to her daughter’s wedding plans, there is no credible evidence available to substantiate the claims that she was arrested and sent to the state penitentiary. Records for San Quentin State Prison do not show María Antonia as a prisoner incarcerated in its facilities during the 1860s. At the same time the *San Diego Herald* reported a burglary of Smith’s house where the clothing was cut up, furniture destroyed, and ten dollars stolen. The sheriff arrested a widow named Catherine Emill, who was sent to the state penitentiary for a one year imprisonment after pleading guilty.⁹²

The Old Town resident recalling the events of Lorenza’s wedding remembered the bride having to wear a dress made of muslin and showed signs of being in a physical altercation. “When Lorenza was married, she wore a Swiss muslin – they had to quickly rake and scrape to get wedding clothes. The black spots on her body showed through the muslin.” Obviously, George and Lorenza ignored the cultural traditions of the previous generations and did not wait to receive approval of her mother before they married. More than likely, María Antonia opposed the wedding hoping her daughter would avoid the mistakes that she made, not wanting her to marry someone who earned a living by selling liquor and gambling.⁹³

George Smith and María Lorenza de Silvas were married by Father J. Molinier in “the Catholic Church of San Diego,” the adobe chapel on Conde Street, on 6 January 1860. Fr. Molinier insisted, however, that George use his birth name – Alfonso Ronarde. Evidently, he had changed his name from Ronarde to Smith prior to coming to San Diego. With the U.S. Civil War quickly approaching, the local economy was in the doldrums again, times were “dull” with no money to be had. Following the wedding the newlyweds continued to reside in Old Town where George’s business continued to get by. In addition to his business interests around the plaza, he owned one hundred head of sheep and other livestock valued at five hundred dollars, as reported by the agricultural production schedules of the 1860 census. In October that same year, Lorenza gave birth to a baby girl, María Teresa Silvas de Ronarde. As one resident reported “George Smith still deals in Blue Ruin [gin] (Rens – his wife Lorenza as he calls her) has had a little one.”⁹⁴

On 6 June 1862, George Smith appeared in District Court on behalf of his petition for naturalization seeking to become a citizen (see Appendix VI). After a review of the matter, the court ordered “that the said George Smith . . . is hereby accordingly admitted, by the said District Court, to be a citizen of the United States of America.” The following month he signed a sworn statement before the County Assessor attesting to the value of his property - which , although it fluctuated at times, had not changed significantly over the previous five years. Some point thereafter, Smith died, possibly a

victim of the smallpox epidemic which was prevalent throughout the southern California region in 1862/63. No death or burial records have been located pertaining to his death. The assumption is that the body was burned, as was the practice of the day for anyone who had died of smallpox. Since the body was not buried in consecrated ground, information regarding his passing was not recorded in the Catholic Church's burial register. Possession of the American Hotel transferred to Lorenza upon the death of her husband. The following year Enos Wall submitted applications for liquor and billiards licenses presumably for his step-daughter's hotel and saloon business.⁹⁵

The estrangement between Lorenza and her mother over her marriage coincided with other changes occurring in María Antonia's life. She once again found herself a single parent with a family to support. By 1858-60, she had ended her long-term relationship with Enos Wall, and in public records, she stopped using Wall as her married name or Enos as her agent in business affairs. The U.S. Census reported that María A. Machado, "thirty-two years old" (sic), and her two daughters, Miguela (sic) and Refugia, made up the household residing in the *Casa Machado de Silvas* that also included an Indian servant girl named Plegana. County tax rolls listed her surname name as Silvas. The next year, Antonia's mother passed away.⁹⁶

Enos Wall sued María Antonia in District Court in November of 1862 for guardianship of their sixteen-year old daughter, María del Refugia (see Appendix VII). In his written statement submitted to the Court, Wall said that his daughter "has

resided heretofore in the family of her said mother and that she is there treated with great cruelty, in that she is often severely beaten and whipped without cause.” María Antonia did not contest the suit, and the court granted Wall guardianship of his daughter. Available evidence suggests that María del Refugio and her mother never reconciled, since María Antonia failed to acknowledge her youngest daughter in her last will and testament.⁹⁷

Most secondary accounts about the history of the *Casa Machado de Silvas* indicate that sometime after 1860 María Antonia went to live at El Rosario, the Machado Family ranch in Baja California. In her last will and testament, María Serafina Machado, Antonia’s mother, left the ranch to her nine living children with each one receiving an equal share. María Antonia’s association with her Old Town *Casa* probably did begin to recede during the 1860s. In the first half of the decade (1860-63) tax records showed timely payment of the annual bills, but by 1870, the taxes were several years in arrears. Nevertheless, in 1869 she still remained the principal property owner when she negotiated a mortgage on the site for \$800 with local businessman James McCoy (see Appendix VIII).⁹⁸

María Lorenza remarried again in 1865 taking Platt Huntington, a native New Yorker, as her second husband; on this occasion her uncle, John Stewart, served as her witness. And like her first, this marriage lasted only a few years, ending four years later when Huntington passed away in November, 1869. At some point during her

second marriage, Lorenza's daughter María Teresa also died. The School Census Marshal's Report for 1865 listed Lorenza Smith as the mother of a girl, a native Californian, less than four years of age. The girl's name does not appear on the U.S. Census for 1870, and no further information was uncovered about her death or place of burial.⁹⁹

In the second half of the 1860s, María Antonia's two younger daughters were coming of age and finding their own directions in life. María del Refugio became the wife of Captain William Price in June, 1866, with her sister Michaela serving as one of the witnesses. Price was a native of Ireland and, since his appointment in 1861, the keeper of the lighthouse on Point Loma overlooking the harbor's entrance. Four years later, Michaela married Irishman, James Tierney from County Galway. Price found employment most of the time as a teamster. Sadly, in 1871, their three-month old son, Marcos Tierney, passed away.¹⁰⁰

Six months after her sister's wedding, María Lorenza married for the third time. After receiving a dispensation from the vicar general, Reverend Don Francisco Mora, Lorenza became the wife of Patrick O'Neill, a native of County Tyrone, Ireland and an army veteran. O'Neill had come to America in 1843 and five years later decided to enlist in the United States army. As a member of the Company "B," Second Infantry, O'Neill sailed for California from Philadelphia in November, 1848, arriving in San Francisco the following April. After completing his five-year enlistment, he settled in

San Diego County on the “*Buenavisto*” Ranch in the San Luis Rey Valley with his wife Catherine and two young daughters, Lavina and Mary.¹⁰¹

It is not known what became of his family only that he was single again when he re-enlisted in the army for a second time in November in 1864. One plausible explanation is that they too were victims of the smallpox of 1862-63. The army discharged O’Neill in 1866 after he was thrown from a horse and suffered a serious back injury. Upon his separation from the service, O’Neill returned to his San Luis Rey Valley ranch and resumed farming and took an active part in local democratic politics. In 1870, he ran unsuccessfully for the County Board of Supervisors, losing to Juan Forester, the owner of *Rancho Santa Margarita y Las Flores*.¹⁰²

Five months after losing the election, on 1 October 1870, Patrick O’Neill married “Mrs. Lorenzo Huntington” at the Catholic Church in Old San Diego, officiated by Fr. Ubach at 8 o’clock on Saturday morning. The editor of the newspaper remarked that “Mr. O’Neill is one of our best and most respected citizens, and we most heartily wish to him and to his wife all manner of good fortune through life.” The newlyweds decided to make a new start as they began married life together and decided to move away from Old Town.¹⁰³

Patrick and Lorenza became proprietors of the Fifteen Mile House located on the boundary line between Mexico and the United States, the first way station on the newly opened stage route between San Diego and Yuma, Arizona. The station was part of a

homestead claim filed by O'Neill to 160 acres of government land to farm in the Tijuana River Valley. Prior to their wedding, Lorenza leased the American Hotel to Benjamin Mannasse for one year for twenty dollars a month in gold coin, payable in advance. The lease included a two-story framed house with a kitchen, dining room, and corral, but not the wooden house in back of the kitchen. An 1898 article about Old Town described this structure as a "little box-like, white house" and indicated that it was built around the same time as the hotel.¹⁰⁴

By the beginning of the 1870s, the lives of the Machado Silvas family members were undergoing changes, and the *Casa Machado de Silvas* may have been unoccupied by the Silvas family for brief periods of time. Oral traditions indicate that Antonia grew unhappy with her life in Old Town and decided to relocate to the Machado Family rancho in Baja California, *Rancho El Rosario*. The three girls were beginning married lives with their new husbands. Lorenza and Patrick were busy running the Fifteen Mile House and working their farm. Refugia resided in Point Loma where William, the former lighthouse keeper, pursued his various business interests; Michaela and James, a teamster, were most likely living in Baja California. Even though the Machado Silvas adobe was no longer her primary residence after 1862, Antonia retained ownership of the property throughout her lifetime. During this period of transition, she mortgaged her Old Town property - Block #427, Lot #3 - when she borrowed \$800 from James McCoy, the San Diego County Sheriff (see Appendix VI).¹⁰⁵

The O'Neill's venture of operating a stage station on the road to Yuma lasted about two years before they leased the store to Juan de la Cruz Bandini and returned to Old Town. Mannasse's efforts to manage the American Hotel also proved unsuccessful, and within a year the O'Neills were advertising in the newspaper for a new lessee. The young couple suffered a further set back in April, 1872, when the southeast wing of the *Casa Machado de Silvas* was destroyed in a fire. The fire caused the loss of several businesses on the southwest side of the plaza including the Franklin House, Schiller's store and Dan Clark's Saloon. Albert Smith, Lorenza's cousin, recalled that the utility wing of the house was quickly consumed by the flames; much of the equipment and merchandise was salvaged from the fire but later carried off by Indians during the night.¹⁰⁶

A year after the fire the O'Neills reopened the American Hotel "for the reception of boarders" and "accommodations for the traveling public". The local paper reported that Patrick was making improvements and that the hotel now featured "two comfortable card rooms." Patrick assured the public that their "table will always be supplied with the best the market affords and at the most reasonable rates." In the bar he promised that he will always have "the best brands of liquors and cigars." The next month after the reopening, A.O. Wallace, relinquished his duties as the community's postmaster to Patrick. He served as the postmaster for Old Town for four and a half years, "fitting up" a separate room in his hotel to use as a post office for Old Town

residents.” In September, 1877, Louis Rose, another merchant and prominent business man, took over the position.¹⁰⁷

The recovery of the Old Town community from the devastating fire of April, 1872, was well underway when the O’Neills reopened their hotel the following year. In June, 1873, the community celebrated the opening of a new school house, which the newspaper described as “one of the finest school buildings in the county . . . with an average attendance of seventy-five pupils when school is kept.” By 1874 the town boasted a population of two hundred and seventy-two people. The paper reported “of white families, we have thirty-seven; single men, forty; widows, five; widowers, two; children, one hundred and twenty-five; Indians, thirty; Chinamen, eight.” The business community included three stores, two saloons, two hotels, a French bakery and a blacksmith shop. The “little burg” was home to two Catholic clergymen, four physicians, three lawyers, state senator, county judge and county treasurer.¹⁰⁸

Despite its significant progress, the San Diego/Northern Baja California region continued to struggle economically experiencing recurring periods of drought and slow growth. By 1870, Alonzo Horton had successfully relocated the town’s primary site down near the harbor at the foot of present day Fifth Street, and the new national census tabulated a population exceeding two thousand people for the New San Diego addition. At the time, hopes were soaring over prospects that San Diego would become the southern terminus for a cross-country railroad line. In September, 1873, those hopes

were dashed with the stock market crash and the financial ruin of Colonel Tom Scott and other railroad men. The commercial development of San Diego Harbor never evolved into the international trading center envisioned by its promoters. The region remained primarily a livestock raising and farming community heavily reliant upon receiving an adequate annual rainfall.¹⁰⁹

The 1870s were hard economic times for many San Diegans, including Old Town residents, with most people pursuing several different occupations to earn a living and support their families. Patrick O'Neill was a hotel man, boarding house manager, postmaster, saloon keeper, livestock raiser, real estate speculator and politician. After his unsuccessful campaign for County Supervisor District No. 1, Patrick remained active in Democratic Party politics serving, at various times, as a delegate to the county nominating conventions and member of the central committee. In July, 1874, he was elected as one of three trustees for the Old Town School District.¹¹⁰

O'Neill achieved his most successful accomplishment as a democratic politician in December, 1875, when he won election to the City of San Diego Board of Trustees to fill the seat vacated by José Guadalupe Estudillo, the newly elected California State Treasurer. He served for three years until he lost a reelection bid after supporting a controversial water bond measure. His opponent in the election was James McCoy, a former state senator, county sheriff and neighbor, who received thirty-three out of the forty-nine votes cast. O'Neill accused McCoy of election fraud claiming he offered

bribes to electors in the Ward. When the board of trustees canvassed the election, it found no evidence to support O'Neill's claims and declared McCoy the winner.¹¹¹

At some point during O'Neill's tenure on the City's Board of Trustees, he closed the American Hotel. The local economy had reached a low point where O'Neill could not afford to keep the business open, and, during the same period, the business doldrums also forced the closure of the other hotel in Old Town, the Seeley House, known more popularly as the Cosmopolitan Hotel. Thomas Savage, a representative of Historian Hubert Howe Bancroft, described local conditions during his visit to Old Town in January, 1878:

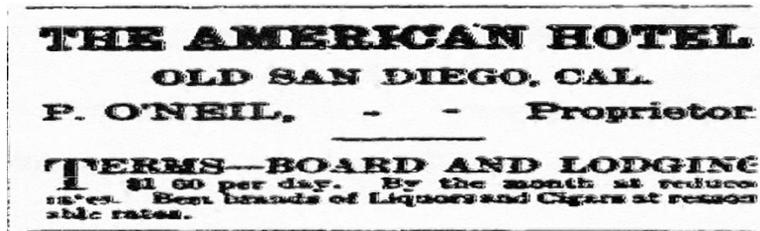
The drought playing havoc on the stock everywhere—The Santa Margarita has lost nearly 2000 head of cattle.

The 45 miles between San Luis Rey and San Diego were traveled in 9 ½ hours, arriving at the new town at about 3:30 PM on the 6th of January. Next morning went to look for Father Ubach at North San Diego [Old Town], but as bad luck would have it he had gone to Julian to be absent several days, and his assistant, Father Pujol, couldn't let Mr. Savage have the mission books.

At this time there was no hotel or lodging house, or restaurant in the old place—One bakery and grocery, and another shop, and one small bar-room were the only public houses open, besides the Post Office. The town was almost dead and the new one not thriving very much. Every one expecting to be enriched if the Texas Pacific railroad is built.¹¹²

In December, 1877, San Diego received almost four inches of rain followed by five more in January and three in April; and for the 1877-78 season the town's rainfall totaled almost fourteen inches. The drought was over and the community began, yet again, to recover. In May, Patrick reopened the American Hotel, and the paper announced that "he had reduced prices to suit the times – Meals at 25 cents; Lodging 25

cents. Liquors and Cigars of the best quality always on hand." For approximately the next fifteen years, advertisements for the American Hotel appeared in the *San Diego Union* on a regular basis:¹¹³



Research conducted for this report uncovered bits and pieces of information regarding the buildings associated with the *Casa Machado de Silvas* and the American Hotel. The 1870 hotel lease indicated that there was a small house located behind the kitchen of the two-story structure. Albert Smith, recalling the Old Town fire of 1872, remembered that the equipment and merchandise in the east wing of the house were saved before the fire destroyed that part of the structure. A 1937 Historic American Buildings Survey Report, using the recollections of Old Town descendants, described this wing of the house as having three rooms. Sarah O'Neill remembered that her father's saloon occupied the ground floor of the hotel and the rooms to rent were on the second floor. When O'Neill served as the postmaster for Old Town, he had a separate room adjacent to the bar for the community's post office. The Thomas Daley match factory was housed in the two story building constructed between the house and hotel, and on the second floor Pat O'Neill, at one point, boarded his hired help.¹¹⁴

Photographs from the 1870s show the Machado/Silvas adobe with windows and doors usually found in commercial establishments. This evidence suggests that the adobe house was involved with the business operations associated with the hotel, most likely where meals were served to the family members, boarders and other customers. George Minter, Lorenza's cousin, recalled that "Pat O'Neill used it for a hotel and bar-room. There is [was] a ruined shack a little back of this 'Machado' house where the O'Neill family lived."¹¹⁵

In all likelihood, Patrick and Lorenza used both houses by the 1880s to provide sufficient living space for their large family. The 1880 national census identified ten people residing in the O'Neill household: Patrick, Lorenza, the five children, two boarders and a cook. Historian Richard Pourade reported that all five of the O'Neill children were born in the *Casa Machado de Silvas* over an eight-year period, between 1871 and 1879. The O'Neill children were not only born in the house, but the two oldest daughters were married in their parents' home. The wedding for Mary and Andrew Warfield was held at the house in June, 1890; Theresa and Henry Aillaud in September, 1900 – the local paper reported that the "two popular young people [were] united in marriage by Fr. Ubach at the bride's residence in Old Town".¹¹⁶

During the last quarter of the 19th century, Patrick continued to pursue different business opportunities while managing the hotel and serving another term as the Old Town postmaster. For a period of time during these years, O'Neill was a man of

considerable wealth. In 1879, he sold off his livestock that included a herd of horses and cows and flock of sheep. Two years later he won a contract to care for the indigent patients at the county hospital in Old Town offering a bid \$.65 per day, per patient. Six months later the paper reported that O'Neill had eighteen patients under his care who were receiving "the best care in every respect." At a public auction in 1882, he acquired almost thirty city lots and eight hundred acres of pueblo lands paying "fair prices" for his new properties. He started his second term as postmaster of North San Diego in October, 1885, and served until March, 1889, when the office was discontinued.¹¹⁷



María Antonia & the O'Neill Family, 1886¹¹⁸

The 1880s were probably the most prosperous years for the American Hotel as implied by a brief article that appeared in the *San Diego Daily Sun* in 1888:

The American hotel, one of the best known hostelries in San Diego county, is located on the west side of Washington square, on the Plaza, as it is familiarly known. It is kept by the genial Patrick O'Neal (sic), who is also present Postmaster. Mr. O'Neal has resided in California for forty years, and has been in North San Diego for twenty-six years. He has been Postmaster twice. He was City Trustee in 1874 (sic). The American serves only the best meals. The prices of board and lodging are reasonable. No one man who has been in business in San Diego county for so many years has made more friends than Patrick O'Neal, and that the American Hotel is well patronized can be seen by giving it a call.¹¹⁹

By the 1890s, the years of prosperity for the O'Neills and the American Hotel were over with their wealth lost in the aftermath of the real estate boom of 1886-88. Patrick suffered a stroke in 1892 that left him paralyzed on the left side of his body, while his right side was "totally ruptured." His youngest son and daughter, Michael and Sarah, were his primary care givers. He petitioned the United States Congress and the U.S. Bureau of Pensions in 1899 for an increase in his retirement benefits, believing that his health problems, in part, were the result of the injuries he suffered during his second enlistment in the U.S. Army. He wrote in his petition that he had five people dependent upon him and his current allowance was twelve dollars a month. Congress passed a bill increasing his benefit to thirty dollars per month before the end of the year; within the months of receiving the increased stipend, however, Patrick died. New Year's Day, four years later, Lorenza passed away.¹²⁰

As the fortunes of the O'Neill Family declined and the older children moved out of their parents' home, the commercial value of the *Casa Machado de Silvas* became a source of badly needed income and proved too valuable to use as a personal residence. The 1900 census, taken three months after Patrick's death, showed his son Michael as the head of the house, Lorenza, the youngest daughter Sarah and a grandson living in the house. Minter's description of a "ruin shack" for the small house behind the "Machado House" (SDP Site #68) probably provided enough living space for four people and more appropriate to a family that had fallen on hard times.¹²¹

The years at the turn-of-the-century witnessed the passing of the generation of individuals associated with the *Casa Machado de Silvas* and the property granted to Antonia more than sixty years earlier. Enos Wall died in a San Diego boarding house in 1884; a funeral services took place "under the auspices of Mexican Veterans of which he was a member." Sometime prior to her death in December, 1886, Antonia and José Antonio Nicasio de Silvas reconciled which led to her appointing him the executor of the estate she left to their two daughters (see Appendix IX). Research, to this point, has not revealed the site of her death or final resting place.¹²²

Moreover, current research has not uncovered information about the lives of Refugia Wall and her husband William Price after 1870. Once his term as lighthouse keeper ended, Price served as the captain of the schooner Louise Harker and was involved in coastal trading between San Diego and northern Baja California. He was

also sued by Francisco Arguello over a contract dispute regarding the salt works located at the head of San Diego Bay. Census records did not record Refugia and William as residents of San Diego County in 1870 or through the rest of the century and nothing more is known about them.¹²³

Also no information was uncovered about Michaela Silvas de Tierney until the last twenty-five years of her life. Michaela and her second husband, James Turner, were probably residing in San Diego by 1905. Following his death, Michaela moved to Old Town where she lived on Congress Street before moving to a house on Harney Street in 1919. The 1920 U.S. census showed Michaela living at the Harney Street address with her eight year old grandniece, Gloria Ruiz. She was eighty-nine years old when she died on 22 December 1928 and the last of the second generation of Silvas associated with the *Casa Machado de Silvas*. Her funeral was held at the Immaculate Conception Church and internment followed at Holy Cross Cemetery. The newspaper noted that many of the community's old pioneers attended the service to pay their final respects to one of their own.¹²⁴

The day before her death, Lorenza O'Neill transferred ownership of the *Casa Machado de Silvas* to her daughter Sarah. Following the passing of Lorenza, occupants of the Machado/Silvas adobe included Sarah, Michael, and John's wife Perfecta. John, Patrick and Lorenza's oldest son, passed away in 1902 from typhoid fever, and for a few years after his death, Perfecta lived with Sarah and Michael in North San Diego. By

1907 city directories no longer showed Perfecta residing in the community. Available evidence suggests that the American Hotel continued in business until sometime after 1898. In 1905, Sarah sold the building to Manuel Silveira, who moved the structure to the site of the old customs house in Loma Portal.¹²⁵



Sarah O'Neill, circa 1900

In addition to taking in boarders from time to time, Sarah secured employment at the Old Town school to support herself. The 1913 San Diego City and County Directory identified Sarah's occupation as a janitress for the new Fremont Elementary School; directories indicate that Sarah worked at the school in Old Town from 1906 through 1917. Michael found work with San Diego Consolidated Gas and Electric Company, an employer he worked for almost forty years – employed as a laborer, helper - "groundman," and finally an electrician.¹²⁶

One of Sarah's renters was Wilson E. Silsby, a young artist from the Chicago who came to San Diego in 1902 with his parents at the age of fifteen. Wilson wrote an article for the *Chicago Daily News* about his stay in the *Casa Machado de Silvas* describing it as a "most interesting specimen" - "a low adobe structure, long and narrow, which borders the Plaza upon the west." This *Chicago News* article is the only piece of historical evidence available offering a description of the house and its gardens during the first fifty years of its history.¹²⁷

Silsby's stay in the house was brief; news articles indicated that Silsby first moved to San Diego in 1902. City directories for 1904 thru 1906 gave the location of his art studio as 1433 F Street, Downtown San Diego, and Brooklyn Heights as the place of residence for the father and son. The father and son did not appear in the directories after 1906. Silsby went on to a distinguished career as a Hollywood Art Director and gained international fame as an etcher and painter. Over the years Silsby returned to San Diego on several occasions to visit and see old friends. On one such visit, a former student wrote a letter about Silsby and his time spent in Old Town offering this comment - "there must be a hundred paintings by Silsby of the early days of Old Town. It is too bad they are not collected and kept as a public record." So far, efforts to find some of these paintings have not been successful.¹²⁸

By 1912, Sarah and Michael had moved out of the Machado/Silvas adobe; at first they shared a house on E Street but eventually they each found their own place. The

commercial value of Sarah's property was increasing as the City prepared for the 1915-16 California Panama Exposition planned for Balboa Park. The popularity of Ramona's Marriage Place (*Casa de Estudillo*, GDP #13) across the street from the *Casa Machado de Silvas* also stimulated business interests in the community. Sarah leased out space in the old family home for a restaurant – Casa Mexicana – offering the more than 100,000 visitors who came to Old Town during the Exposition a chance to enjoy “genuine Spanish and Mexican dishes.” While a restaurant continued to operate, under different proprietors, in the building for more than ten years, it was not the house's only occupant.¹²⁹

**GRAND
OPENING**

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Monday Evening
January 16, 1928

Strictly First Class
Specializing In

**GENUINE SPANISH
AND MEXICAN
DISHES**

As Well as American Cooking "a la Carte"

Dine in the century-old atmosphere of Casa de Machado, where a hundred years ago the Spanish Dons enjoyed their celebrated Spanish dishes to their utmost.

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Parties and Clubs

In 1801...
Don Antonio Jose Machado built the historic Casa de Machado, and where Generals Fremont, Stockton and Kearny had their headquarters, and a meeting place of Kit Carson. It was here the first American flag was raised and made by the two beautiful daughters of Don Antonio, complimentary to the American forces in San Diego harbor.

Casa Mexicana, Restaurant San Diego Union, 1928

Carrie Shannon, a native of Vancouver, British Columbia, was a recent arrival to the community in 1916 when she rented space in the Machado/Silvas adobe. Miss Shannon opened a school in the house and began teaching catechism classes to the children of Catholic families in Old Town. For over the forty years, she provided religious instructions to the children preparing them to make their first communion, confirmation and to participate in other religious celebrations. Classes were held in rented space around the community, such as the Casa de Machado, Casa de Bandini and the public library on Mason Street. After she built her home on Congress Street, she turned it into a Catechetical School and Community Center.¹³⁰



Machado/Silvas - Catechism Class, 1916¹³¹

Miss Shannon knew all the Old Town families and was on a first-name basis with many of their children. As a kid growing-up, he/she may not have known her but she knew each of them. Early in her career, she had a reputation for riding around the community on bike to find those children who were skipping classes. As she grew older, Miss Shannon enlisted the aid of older brothers and sisters to find wayward students and bring them to class. The San Diego History Center has in its collections photographs of the children in Miss Shannon's first classes held in the *Casa Machado de Silvas* that were donated by this author's uncle following the death of Miss Shannon in 1960.¹³²

After more than seventy-five years, the Machado Silvas Family ownership of its ancestral home and Old Town property came to an end in 1921. Sarah O'Neill sold her grandmother's house to a nurse, Eleanore LeVasque, who worked in the City Health Department. The Rogan Corporation, a financial services company, acquired the property from LeVasque and later transferred it to Clifton Rock. The Old Town Community Church purchased the property from Rock in 1943, and, 120 years after its beginning, Old Town's first, permanent protestant church began holding services in the *Casa Machado de Silvas*. The California State Legislature began approving funds in 1966 to buy a several block area centering on the plaza, including the Community Church, for the new Old Town San Diego State Historic Park.

The *Casa Machado de Silvas*, was one of approximately seventy buildings constructed on the site where the City of San Diego was originally founded and is one of seven structures to survive to the modern era. The house was owned by María Antonia Machado de Silvas and her daughter, Lorenza O'Neill, two early San Diego pioneer business women. They were forced to adapt to the changing economic landscape ushered in by the American conquest of California and the discovery of gold after 1848. Over the years they used their house and adjoining property as both a place of residence and business. Through years of economic struggle and turmoil, they managed to weather the hard times and retain possession of their property. As this historical overview has shown, mother and daughter achieved these accomplishments in partnership of their husbands but often times on their own.

PROPERTY HISTORY

This property history section analyzes documents related to the Machado Silvas family's ownership of the house and land associated with the *Casa Machado de Silvas* from the time Antonia acquired the property in 1843 until it was sold by Sarah O'Neill in 1921. As the analysis will show, the legal descriptions of the property were revised and modified on several different occasions through the years and eventually included portions of Lot #2 and Lot #4 and all of Lot #3 in Block #427 as laid out on James Pascoe's 1870 Map of San Diego's pueblo lands (SDCARC, Misc. Map #40). In part, the changes reflected the expansion and reconfiguration of the block from two to four lots, modifications to subdivision maps and the Silvas-O'Neill acquisition of neighboring properties over the years.

At the beginning of American rule, under the new land ownership and property tax systems implemented by the Americans, María Antonia and her sister, Juana Machado de Wrightington were primary owners of property located in Block #31, Lot #2 on the southwest side of the town's plaza. Feliciano Valdez de Reyes, the wife of a former presidio soldier, resided on land in Lot #1; María Antonia, the estate of Richard Freeman, and Juana Machado de Wrightington, held title to the property in Lot #2. Sixty-five years later, Juana's grandson and Antonia's granddaughter owned most of the land in Block #427. This property history traces the transactions that occurred over the years through the documents that are currently available. As the analysis will

show, it is possible to explain the various transactions that were occurring, but they do lack details to fully understand the actions transpiring.

DOCUMENTS: 1843 - 1849:

#1 Deed - Antonia Machado to Rafael Romero, for a house and lot, 17 May 1846, Deed Book C, pp. 335-39, legal description Block #424, Lot #2 [Spanish Document], SDCARC (see Appendix II).

#2 Deed – José Antonio Góngora, Juez de Paz of the San Diego District, to Doña María Antonia Machado granting a lot for a house, 17 August 1843, Deed Book 1, pp. 75-77 [Spanish Document], SDCARC (see Appendix I).

#3 A translated copy of the August, 1843, deed see - A.P. Nasatir & Lionel U. Ridout, "Report to the Mayor and City Council of San Diego and Historical Site Board on 'Historical Survey of Old Town Plaza,'" October, 1966, pp. 30-32 (see Appendix I).

#4 Lithograph – "San Diego," [1846] by R. Weber, Balti[more, MD] originally published in *Notes of a Military Reconnoissance, from Fort Leavenworth, in Missouri, to San Diego, California*, by Lieutenant Colonel (sic) W.H. Emory, 30th Congress, 1st Session, Senate Executive Document No. 7, December 6, 1847, Wendell and Van Benthulsen, Printers, Washington, 1848 (see pg. 64).

After separating from her husband in 1843, Maria Antonia acquired two pieces of property located on the northeast and southwest sides of the plaza. The first property (#1), which contained a house, she retained for three years and presumably used as a home for herself, Enos Wall, and the girls. Three years later Antonia sold the property to Rafael Romero, who eventually transferred it to Josefa Fitch. The second property (#2), located near her parents' house – the *Casa de Machado y Stewart*, GDP #11 - remained vacant through January, 1847, and was probably used to corral livestock, raise crops or cultivate a garden to support the family. The sketch of San Diego, completed

by Stanley (#4), showed what appeared to be a cultivated plot of land on the northeast side of her parents' house.

Antonia lost the original 1843 deed to the property for *La Casa Machado de Silvas*, if she ever received one, and requested from José Joaquín Ortega, a justice of the peace for the San Diego District at that time, "a certificate guaranteeing before the authorities of this place that it is her property, conceded as set forth on the attached map." In June, 1851, Ortega provided Antonia with a certificate (Deed) attesting to her ownership of the lot. After describing the boundaries of property, Ortega stated "I found out, taking testimony whether the land which was under request was recognized by inheritance or by cultivation rights which might have been executed by some other individual. It being recognized, then, that they were entirely vacant, it was legally conceded to her so she might make use of it as it suited her" Document #3 provides an English translation of the deed Antonia received from Ortega in 1851.

At the time Antonia requested the deed, speculation in pueblo lands was running high throughout the town with many anticipating the future growth of the city and the commercial development of its harbor once the proposed transcontinental railroad arrived. One promoter predicted "that San Diego would become a great commercial seaport, from its fine geographical position and from the fact that it was the only good harbor south of San Francisco." The southwest side of the plaza, the location of Antonia's lot, was one of the focal points of commercial development involving

several neighboring pieces of properties. The year 1850 witnessed the opening of the U.S., Franklin, and Colorado Houses, commercial establishments all located within a few feet of the Machado/Silvas adobe. Antonia needed clear, undisputed title to her property with well-defined boundaries, which is what the deed from Oretga was intended to do.¹³³

DOCUMENTS: 1850 - 1860

#5 – Drawing - H.M.T Powell's Sketch of San Diego, February, 1850 - see *The Santa Fé Trail to California, 1849-1852: The Journal and Drawings of H.M.T. Powell*, edited by Douglas S. Watson (San Francisco: The Book Club of California, 1931), p. 186

#6 Map – Plan of the Town and Beach of the Port of San Diego, Surveyed and Drawn for the Ayuntamiento or Town Council by Lieut. Cave J. Coutts, 1st Dragoons, August, 1849; copied from the original maps, January 1850 by Henry Clayton, C.E.

#7 Map – Official map of the pueblo lands of San Diego compiled from all the existing authorities and embracing the lots conveyed by the City Trustees to the San Diego and Gila Railroad Co., by Charles H. Poole, C.E., U.S. Dept Surveyor, [1856].

#8 Tax Rolls & Assessment Lists, San Diego City and County, 1850-60.

#9 Lease - Richard Freeman Property, Philip Crosthwaite to George Smith, February 1857, Miscellaneous Records, Volume 1, 33-34, SDCARC (see Appendix IV).

The sketch of San Diego (Doc. #5), produced by H.M.T. Powell in February, 1850, offered one of the first views of the *Casa Machado de Silvas* house, depicting a single-story, rectangular structure of modest size. At this same time, Henry Clayton, a surveyor with the United States/Mexican Boundary Commission and the first elected County Surveyor, produced a copy of the 1849 Coutts' map of the town (Doc. #6), which also included a comparable view of the Machado-Silvas adobe. The previous year -

1849 - the town council hired Coutts to survey the Town of Presidio (what is today's Old Town San Diego) and the landing site for ships entering the harbor known as *La Playa* (the Beach). In January, the council paid Coutts for his work but never received a set of the original maps, which prompted Clayton to trace the drawing and create a duplicate map of the surveyed sites. Clayton recopied Coutts' two maps into a single drawing giving it a joint title identifying the two sites.

As stated previously, Coutts designed for the Town of Presidio a system of streets and blocks using a grid pattern that did not take into consideration geographical features, property holdings or the location of existing structures. The subdivision he designed consisted of ninety-four blocks most of which were subdivided into four lots; the blocks measured 300 square feet and lots 150 square feet. The Machado/Silvas adobe was situated in Block #30 - Lot #2, in the northwest corner. The rear of the house faced San Diego Avenue with a portion of the structure protruding into the street. Evans Street ran along the northwest side of Antonia's property between Blocks #30 and #31. In his new street plan, Coutts did not include the old road that, for years, ran in front of Antonia's property and along the rear of her parents' house.¹³⁴

The 1849-50 session of the California State Legislature approved an act making real and personal property liable to taxation in order to defray the expenses of government. The legislature set a tax rate of \$.50 per \$100 worth of real and personal property and levied a poll tax of \$5.00 on male residents twenty-one years of age and

older. In 1850, under the new property tenure and taxation systems, the County assessed “Antonia Machado’s” property, “1 casa en estos Ciudad valos - \$1500” [1 house in this city worth \$1500]. The City Assessment Roll (Doc. #8) described Antonia’s property as one third of Lot #2 in Block #31 with a total assessed value of \$3,000, \$2,000 for the real estate and \$1,000 for personal property (including the house). Confusion over the correct legal description of the property started from the beginning of the new land ownership system. The following year, the city and county used the same description for the real estate owned by Antonia, one third of Lot #2 in Block #31.¹³⁵

In 1856, County Surveyor Charles Poole renumbered the blocks to create a unified property numbering system for pueblo lands that incorporated the four subdivided communities around the harbor: San Diego (formerly known as *Presidio*), *La Playa*, New Town and Middletown. By this time, Evans Street had been eliminated and did not appear on Poole’s new subdivision map (Doc. #7). Block #30 was expanded in size and renumbered to Block #427. Additions to the *Casa Machado de Silvas* during this period probably occupied some of the land that was part of the former street. In tax assessment records, the property listed as belonging to “Antonia Machado” was still located in Block #436 and part of Lot#2; the property owner(s) for Block #427, Lot #2, was not known. Tax records – city and county - continued into the 1870s to list Antonia’s property as part of Block #436/Lot #2.¹³⁶

There was one real estate transaction that occurred at this time that did not directly involve Antonia's property, but had a lasting impact on its use over the last forty years of the 19th century. Two doors northwest of Antonia's house on the plaza, George Smith leased the Richard Freeman property from the administrator of his estate in February, 1856. Smith signed a four-year agreement with Philip Crosthwaite to lease the Freeman property, which allowed him to tear down the existing adobe structure (Light-Freeman House, GDP #02), and build a house or make other improvements as he wished (Doc. #9). Smith agreed to pay monthly rent of six dollars, paid quarterly, through February, 1861. At the end of that period, he was obligated to remove all improvements and build an adobe wall enclosing the front of the property. In July, 1858, Smith opened the American Hotel, a two-story wood structure that included, along with a saloon, rooms to rent for the "traveling public" or boarders.¹³⁷

DOCUMENTS: 1861 – 1879

#10 Tax Rolls, Lot Books & Assessment Lists, San Diego City and County, 1861-79.

#11 Court Case #346, Philip Crosthwaite, Administrator vs. Platt Huntington, Journal of the District Court, 1861-1870, pp., 281-82, 284-85, 319 & 333, R3.382, PRC-SDHC.

#12 Probate Minutes, Docket "A," 1850-52 – Estate of Richard Freeman, 10-26, R3.381; & Probate Court Case File No. 4, Estate of Richard Freeman, R3.52 (Red Files), PRC-SDHC.

#13 Indenture of Mortgage - María Antonia Machado de Silvas and James McCoy, a loan of \$800 dollars, "lawful money of the United States of America," to Silvas from McCoy, 17 March 1869, Mortgage Book, Volume 1, 348-50, SDCARC (see Appendix VIII).

#14 Deed – Philip J. Neal to David Hallack, part of Lot #2, Block #427, for \$1,250 in U.S. gold coin, 2 October 1869, Deed Book 7, 109-10, SDCARC.

Sometime after he signed his annual property tax statement in June, 1862, and before taxes came due again, George Smith died; the exact date and cause of his death is not known. The Assessment Roll for 1863 showed the Estate of George Smith as the taxpayer with the value of his personal property listed as \$800; with the exemption of \$1,000 for widows, no taxes were due. Tax records, between 1857 and 1863, never included a real estate valuation for Smith, only personal property assessments (Doc. #10). Anita Freeman inherited her father's property when he died.¹³⁸ Since she was a minor, she also received a \$1,000 exemption and did not pay property taxes during these years. The 1863 roll identified María Antonia, who was residing on the Machado Family rancho in Baja California, as the taxpayer for Block #436/Lot #2 with a total valuation of \$900 for real and personal property.

The lease agreement (Doc. #9) for the Freeman property called for Smith to remove all improvements and vacate the property by February, 1861. At the time of Smith's death, the American Hotel still occupied the site and continued to do so following his passing; the estate he left was never probated. In April, 1869, Crosthwaite sued Platt Huntington, Lorenza's second husband, assumedly over the lease and possession of the Freeman property. The case file for this lawsuit has not been found, and the only records available about this litigation [Case # 346] are the minutes for the proceedings of the district court (Doc. #11). The attorney for the plaintiff (Crosthwaite)

asked for a jury to hear testimony in the matter and render a verdict on the suit. After hearing from the witnesses and deliberating for about an hour, the jury advised the court “that the evidence is not sufficient to establish the fact that the plaintiff is the legally constituted administrator of the estate of Richard Freeman.” Since the jury was unable to render a verdict either for the plaintiff or defendant, the judge continued the matter “for the term.” Seven months later, in November, 1869, Platt Huntington died. No further information has been uncovered about the suit or how or if it was finally resolved.

Proceedings (Doc. #12) for the probating of Richard Freeman’s estate began a few weeks following his death. In November, 1850, Probate Judge John Hayes ordered the court clerk to take custody of his “effects” and “hold them secure in his possession until --- further order of the court.” After submitting his petition with the court, Philip Crosthwaite received an appointment as the administrator of the Freeman Estate the following February and ordered “to post a bond with two sureties in the sum of \$2,000.” The court also gave Crosthwaite guardianship of Freeman’s young daughter Antia (Anna?), approximately two years of age.¹³⁹

Two months later, Judge Hayes decided to revoke his appointment when Crosthwaite failed to file the required bond, but upon further deliberations, he gave Crosthwaite an extension to file the required instrument. By the time the court reconvened in June, Crosthwaite was serving as the deputy clerk, and the matter of the

surety bond was left unaddressed. Court records failed to indicate whether the bond was ever posted. While the verdict of the district court jury in 1869 would suggest that it was not, subsequent court minutes and actions clearly showed Crosthwaite continuing to act in the capacity as administrator of the Freeman Estate.¹⁴⁰

At the same time the district court trial was getting underway in 1869, María Antonia mortgaged the *Casa Machado de Silvas*, receiving \$800 from James McCoy – the Sheriff of San Diego County (Doc. #13). She agreed to pay a monthly interest rate of one and a half percent and repay the loan within four months. Basically, the agreement sold the property to McCoy, including the residence, furnishing and all rental income, unless Antonia repaid the purchased price and interest within four months. No direct evidence has been uncovered as to why she needed the money or how she planned to repay the debt. One possible explanation was that Lorenza needed the funds to buy the land occupied by the American Hotel, if they lost the lawsuit. Since Crosthwaite failed in his effort to regain possession of the Freeman property, it is assumed that the mortgage was repaid, and the business affairs between Antonia and McCoy ended amicably.

During this time, there is one real estate transaction that occurred which may had some influence on the Crosthwaite litigation and Antonia's mortgage transaction. The U.S. House (GDP #03), the property located on the plaza between the American Hotel and the *Casa Machado de Silvas*, sold for \$1,250 (Doc. #14). This structure, a

prefabricated, two-story building, was shipped from the east coast to San Diego via Cape Horn and erected in 1850 by Charles Noell and John Hayes. A restaurant occupied the space at the time of the sale. Philip J. Neal, a resident of Amesbury, Massachusetts and a speculator in pueblo lots, acquired the property through a Sheriff's execution and sold it – 2 October 1869 – to David Wallach. Over the next twenty years the building's first floor was used as a school, match factory and meat market. At one point Patrick O'Neill's Chinese cook lived on the top floor.¹⁴¹

Contrary to tax records, the legal description provided for María Antonia's property in the mortgage document correctly identified the site as being located in Block #427/Lot #3. In 1873, tax officials attempted to correct their error identifying María Antonia as one of the taxpayers for Block #427, but described the block as having only two lots and not four. The taxpayers in Lot #1 were unknown; and Lot #2 had six property owners, four of whom were related to Antonia. Information provided in the lot books during this period is limited, providing no details about the property other than the name of the taxpayer. The assessed value of the real estate and value of improvements were not provided. Part of the problem may have been the heavy rains that came in December, 1873; over five inches of rain fell that month. The San Diego River overran its banks, and the City Lot Book reported that part of Lot #1, Block #427 was in the river.¹⁴²

By 1877, the records cited assessed value of real estate for the taxpayers in Lot #2, Block #427, each given a \$40 valuation for their property. Other than the names of the taxpayers and amounts of assessments, the records included no specific descriptions to distinguish the property of one taxpayer from another or the value of any improvements. By the end of the decade the assessed value of María Antonia and the O'Neills properties had fallen to \$10 each.

DOCUMENTS: 1880 – 1900

#15 Tax Rolls & Lot Books, City and County of San Diego, 1880-1900.

#16 Last Will and Testament of María Antonia Machado de Silvas, 19 September 1885, Probate Case #428, Superior Court, County of San Diego, PRC-SDHC (see Appendix IX).

#17 Lorenza O'Neill Petition for a Quit Claim Deed, City of San Diego, Board of Trustees, 5 November 1887, Connors/O'Neill Collection, 1856-1958, MS #17, Folder #1, SDHC.

#18 Indenture – City of San Diego to Michael O'Neill, 14 December 1887, Deed Book 113, 27-8, SDCARC.

#19 Indenture – City of San Diego to Lorenza O'Neill, 1 December 1887, Deed Book 113, 28-9, SDCARC.

#20 Indenture – City of San Diego to Maria Antonia Silbas (sic), 1 December 1887, Deed Book 113, 30-1, SDCARC.

#21 Indenture Agreement, Antonio Smith to Lorenza O'Neill for sale of property with an adobe house on Block #427 for \$500 of "lawful money," 27 December 1887, Deed Book 102, 309-10, SDCARC.

#22 2nd Indenture Agreement, Antonio Smith to Lorenza O'Neill for sale of property occupied by the American Hotel, 16 February 1888, Deed Book 102, 423-24, SDCARC.

#23 Contract between Jose Antonio Silvas and Lorenza O'Neill regarding Lot #2, Block #427 and one eighteenth part of Rancho del Rosario in Baja California, 31 July 1888, Deed Book 143, 45-47, SDCARC.

#24 Indenture – W.W. Weineke, County of San Diego, Tax Collector, to Pat O’Niel (sic) conveying Lot #3, Block #427, for the sum of \$3.00, 21 February 1890, Deed Book 158, 248-51, SDCARC.

#25 Grant Deed – Pat O’Neill to Lorenza O’Neill for Lot #3, Block #427 for the Sum of one dollar, 25 March 1890, Deed Book 166, 127, SDCARC.

#26 Declaration of Homestead by Lorenza O’Neill for Lot #3, Block #427 and the property occupied by the American Hotel and the buildings used in connection therewith, 1 July 1890, Declaration of Homestead, Book 6, 94-6, SDCARC.

Progress was slow, but it did come. By the beginning of the 1880s, the City of San Diego’s population totaled 2,637 residents with over 950 houses listed on the city assessment rolls. The town boasted electric street lights, an improved water system, a new public library, and a telegraph connection with the east. A transcontinental railroad line arrived in 1884. The number of subdivided communities grew from the original four laid out around the bay to more than thirty subdivisions. On the eve of the land boom of the eighties in southern California, clear property titles with well-defined boundary lines were of growing importance.¹⁴³

In 1885, as María Antonia’s 70th birthday approached, she realized it was time to draft a will (Doc. #16) and put her affairs in order. She identified in her will the following property as part of her estate – one hundred head of cattle and ten horses, an undivided interest in Rancho del Rosario in Baja California and part of Lot #2 in Block #427, “the southern portion of said Lot two and limited and bounded by the property of Patrick O’Neill.” Antonia left all this property to her family naming her husband as

trustee and gave him the authority to decide how her property would be divided among various members.

Since his return to the San Diego/Northern Baja California region in 1873, José Antonio had reconciled with his wife and daughters. In her will Antonia declared:

I ceded and will my property to my husband Joseph Anthony Silvas as trustee to divided the same among the family and by these presents do name him sole administrator and executor conferring upon him power to make over or cede to any member of the family the part he may deem proper without intervention of any Tribunal or Judicial court and it is my wish that my said husband and testamentary executor be not required to give bonds or other surety for the fulfillment of his duties as testamentary executor and administrator.

In the petition submitted to file the will for probate, the attorney for the estate told the court that María Antonia “departed this life on the 28th of December 1887.” The attorney advised the court that the deceased left her estate to José Antonio to hold in a trust during his life time for Lorenza O’Neill and Marcello Tierney – his daughters. Marcello is a misspelling of Michaela’s name; probate minutes spelled Michaela’s name as “Marcella Tierney”. The strategy of placing the estate’s in a trust probably reflected Antonia’s desire to take precautions and protect her daughters’ interests in the property she was bequeathing to them. Patrick O’Neill was speculating in pueblo lands, and, if he suffered financial losses, creditors could seize his assets including all property he owned. María Antonia and the O’Neills took steps to keep the ownership of their Old Town property from becoming entangled in Patrick’s real estate dealings.

These same concerns were evident two years later when Lorenza petitioned the Board of Trustees (Doc. #17) for a quit claim deeds to the land occupied by the American Hotel and the property her mother had owned since 1843. After reviewing the matter, the board found “that said petitioner has been in continuous, uninterrupted, open and notorious adverse possession of said realty for more than twenty years, and has paid the taxes upon the same for said period. It is ordered by the Board that a quit claim deed be made by the city to said petitioner . . .” In other words, it was well known in the community that the O’Neills had held possession of the hotel property and paid the taxes on it for over twenty years even though they did not have clear title to the land.¹⁴⁴

Four weeks before her death, Antonia received from the City an indenture agreement (Doc. #20) acknowledging her title to the land in Block #427/Lot #3 that she had owned for more than forty years. Similar agreements (Docs. #18 & #19) were completed with Lorenza O’Neill and her son Michael for the land occupied by the American Hotel. Patrick was not included as a party to any of these agreements. At the time these agreements were signed, Michael was two months away from his thirteenth birthday. There is no evidence available as to why Michael was a party to the agreements and not one of his older siblings.

The following year, Lorenza signed two indentures buying the interests of Antonio Smith in the land associated with the American Hotel and *Casa Machado de*

Silvas. In the first agreement (Doc. #21), completed in February, 1888, Lorenza paid \$1,250 to acquire Smith's interests in the land occupied by the American Hotel. Ten months later, she paid Smith another \$500 (Doc. #22) for his interests in block #427 for property that appears to have included part of the *Casa Machado de Silvas*. The two indentures described Smith as a resident of Napa City, California, and that county's voter registration records may hold a clue as to his identity. The 1892 register for Napa County described Smith as being of dark complexion with black hair and eyes, suggesting that he may have been of black ancestry and a descendant of Richard Freeman. If this was true, these two transactions finally gave the Freeman family compensation for their Old Town property, which they still owned but had lost control of thirty years earlier.¹⁴⁵

During the time Lorenza transacted the agreements with Smith, she also finalized a contract (Doc. #23 with her father carrying out the intent of the trust set up in her mother's will. Lorenza received half interest in Block #427/Lot #2 according to Cout's map of 1849 and the Machado/Silvas adobe in Old Town, plus a one eighteenth share of Rancho del Rosario in Baja California. The contract mistakenly identified José Antonio as the son of María Antonia and not her husband. As part of the agreement, Lorenza consented to allow José to live on the ranch for the remainder of his life. Subsequently, Patrick and Lorenza paid for and built a house for her father to live in on the ranch.¹⁴⁶

While these transactions were taking place, the probating of Antonia's estate was proceeding through the legal system. In July, 1888, Judge E. Parker held a hearing and ordered that Antonia's will be admitted to probate as a "foreign will" and appointed José Antonio de Silvas the executor of her estate. Two months later, Parker approved a committee consisting of George Lyons, George Sullivan and William Allison to appraise the property belonging to the estate. There is no record of this committee filing a report with the court. After the establishment of the committee in September, 1888, no further actions were taken by the court to settle the affairs of the estate. How Michaela interests in the ranch and Old Town properties were accommodated is not known, and current research has failed to uncover any other document explaining how her interests were satisfied.¹⁴⁷

In the last year of Antonia's life, the county taxes on *Casa Machado de Silvas* were not paid. The Assessor reported the name of the taxpayer as unknown and the property delinquent in January, 1888. The taxes due on Lot #3, Block #427 for 1887 were \$.87; the following March, the Sheriff sold the property at a tax sale for \$2.31, which included costs of the unpaid taxes and accumulated delinquent charges. In February 1890, Patrick O'Neill paid \$3.00 (Doc. #24) to the tax collector and redeemed the property from the county. The next month he sold the property back to Lorenza (Doc. #25) "for and in consideration of the sum One Dollar and other good & lawful considerations."

The years of uncertainty over ownership of the American Hotel and the buildings associated with it - along with the general insecurity over land titles throughout the region - caused Lorenza to file a homestead claim on her property (Doc. #26) in July, 1890. The filing of this declaration was the culmination of a three-year effort to gain clear, undisputed title to the land that she and her mother had occupied for almost fifty years. This document offered the most detailed description of the property boundary lines, since María Antonia received the original land grant in 1843 – “to-wit”

being a part of block four hundred and twenty seven (427) of Old San Diego, in the City of San Diego, county and state aforesaid, according to the map thereof made by Chas H. Poole in 1856, and consisting of the whole of lot three (3), in said block 427, the south twenty feet by one hundred & fifty feet of lot two in said block; 125 feet by 95 feet deep in the northeast corner of lot 4 in said block, and ten feet by ninety five feet deep in the south west corner of lot 1, in said block, and being the property occupied by the American Hotel and the buildings used in connection therewith, . . .

During these years tax records (Docs. #15) were never this precise. Descriptions of property boundaries or existing improvements were not included in either City Lot Books or County Tax Rolls. In 1890, J.A. Silvas appeared as part owner of Lot #2 in Block #427; and Patrick and Lorenza were the taxpayers for Lot #3, which probably should have been the other way around. The only time José Antonio’s name appeared in public records as part owner of the *Casa Machado de Silvas* occurred between 1890 and 1896 based on his role as the administration of the estate of María Antonia Silvas. By

the beginning of the new century, tax records identified Mrs. Lorenza O'Neill as the taxpayer for Lot #3 and part of Lot #2. Property valuations for Block #427 never compared favorably with the sale prices of real estate. Assessments ranged between four and five hundred dollars at the beginning of the decade, and by the end, property valuations had declined to less than fifty dollars per taxpayer.

DOCUMENTS: 1900 – 1921

#27 Tax Rolls & Lot Books, City and County of San Diego, 1901-1921.

#28 Grant Deed – Lorenza O'Neill to Sarah O'Neill, Lot #3 and Parts of Lot #2, Block #427, 30 December 1903, Deed Book #336, 328, SDCARC.

#29 Quitclaim Deed – Michael O'Neill to Sarah O'Neill, transferring his interests in Lots #1 through #4 in Block #427 "in consideration of the sum of one 00/100 dollar," 12 September 1911, Deed Book #528, 311-12.

#30 Civil Case #19111 – Suit to Quiet Title to Lot #3, Block #427, 14 August 1913, Office of the Clerk of the Superior Court, County of San Diego; and Judgment Book, Volume #30, 389, Superior Court, County of San Diego, PRC-SDHC.

#31 City of San Diego, Ordinance No. 7681, 2 April 1919, An Ordinance Appropriating the Sum of \$350 as Purchase Price for the Transfer to the City of San Diego of Certain Lands in Said City, and Accepting and Dedicating Said Lands as a Public Street and Naming the Same, PRC-SDHC; Legislative File – Ordinance No. 7681, Archives - City Clerk's Office, City of San Diego, California; Plan of Washington Square Old Town, Drawing No. 436B, 9 October 1918, City of San Diego – Operating Department.

#32 "Conveyance of Real Estate" – Sarah O'Neill to The City of San Diego, portion of Lot #2, Block #427, 27 May 1918, Deed Book #772, 318, SDCARC.

#33 Indenture – Sarah O'Neill grants to City of San Diego, portion of Lot #2, Block #427, 31 March 1919, Deed Book #775, 343-44, SDCARC.

#34 Indenture – George R. Minter and Laura Minter grant to the City of San Diego, portion of Lot #2, Block #427, 24 March 1919, Deed Book #775, 344-45, SDCARC.

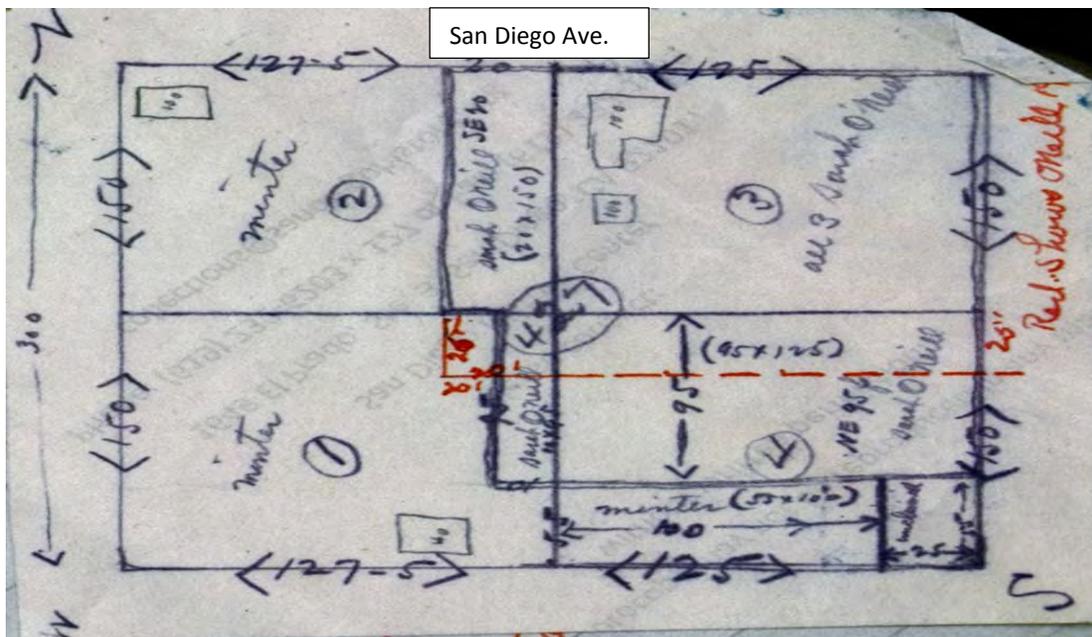
#35 Grant Deed – Sarah O'Neill grants to Eleanore D. LeVesque, Lot #3, Block #427, 12 December 1921, Deed Book #947, 47, SDCARC.

Two days before her death on 1 January 1904, Lorenza O'Neill granted to her youngest daughter, Sarah, ownership of her Old Town property, Lot #3, Block 427 (Doc. #28). Of all her five children, Lorenza probably believed that Sarah would benefit most from receiving her property. Mary and Theresa were married with families of their own, and Michael found employment as a laborer before going on to a long career with San Diego Consolidated Gas & Electric Company. As a single woman, twenty-four years of age, Sarah had to support herself and rental income from the Old Town property would help. After she moved out of the *Casa Machado de Silvas* in 1912, Sarah worked as the custodian at the newly opened Fremont Elementary School on Congress Street. At first she and Michael first shared a house for a couple of years in Downtown San Diego before she got her own place on B Street.¹⁴⁸

The same year Sarah moved out of the Machado/Silvas adobe, Michael quit claimed his interests to all property in Block #427 to his youngest sister (Doc. #29) for the sum of one dollar. The following year Sarah filed a civil suit (Doc. #30) in Superior Court to quiet title of Lot #3, Block #427, suing all people claiming an interest adverse to her ownership. She named as defendants in the suit her brother Michael and four other persons, one or two of whom were her cousins. Only her brother and a cousin had been listed on the tax rolls in recent years as property owners in the block. A year after

filing the suit and receiving no response from the defendants to Sarah's complaint, the court issued its judgment. The court "ordered, adjudged and decreed that the plaintiff have judgment as prayed for in her complaint herein against the defendants, against each and all of them."

After the turn-of-the-century, tax rolls and lot books began to provide more concise and reliable information about real property that was subject to taxation. As the 1915 California Panama Exposition approached, Old Town was becoming a worthwhile investment for community business leaders and property values began to rise. By 1908 through 1921, Sarah and George Minter, her cousin, were the taxpayers identified for Block #427 (Doc. #27); the Lot Book for 1911 included a small map showing the boundaries of Sarah's property. The appraised value of her land increased from less than \$100 in 1900 to over a \$1,000 by 1913.



Assessment Map, 1911- Sarah O'Neill's Property

In 1919, the City of San Diego completed a street improvement project to pave San Diego Avenue, raising the grade of the street which ran on the northeast side of the *Casa Machado de Silvas*. Based on Coutts' Map of 1849 of San Diego, a portion of the Machado/Silvas adobe and the Wrightington land, her cousin George Minter's property, extended out into the street. Sarah and George agreed to sell a portion of their land to the city for \$350 (Docs. #31 - #34) so the City could complete its improvements. The Machado/Silvas adobe continued to protrude into the street forcing a curve in the road to go around the house. In 1921, Sarah O'Neill sold all her interests in Block #427 to Eleanore D. LeVesque, a public health nurse and an investor, along with her husband, in local real estate (Doc. #35).

DOCUMENTS: 1926 – 1969

#36 Grant Deed – Eleanore D. & Vincent LeVesque grants to Daniel Rogan, parts of Lots #1, #2, & #4 and all of Lot #3, 26 June 1926, Deed Book #1308, 33-34, SDCARC.

#37 Grant Deed – Rogan Corporation grants to Clifton Rock, parts of Lots #1, #2, & #4 and all of Lot #3, 15 July 1941, Official Record Book #1210, 380-81, SDCARC.

#38 Grant Deed – Union Title Insurance and Trust Company grants to Old San Diego Community Church, parts of Lots #1, #2, & #4 and all of Lot #3, 7 October 1943, Official Record Book #1558, 490-91, SDCARC.

#39 Melvin Mayne, "Old Landmark, New Sidewalk Cause Argument," *San Diego Union*, 16 September 1945, B 1:2 & :4.

#40 *San Diego Union* - "State to Buy 3 Old Town Parcels," 7 May 1969, B3.

#41 Corporation Grant Deed – Old San Diego Community Church grants to the State of California portions of Lots #1, #2, & #4 and all of Lot #3, 10 April 1969, Official Records, Doc. #69-98401, 208-10, SDCARC.

LeVesque retained possession of the property for only a few years before transferring ownership in 1926 to Daniel Rogan (Doc. #36), the president of a financial services company. San Diego photographer Lewis Geddes and his wife Francis occupied the house in the 1930s using it as a place of residence and art studio. Clifton Rock purchased the property from the Rogan Corporation in 1940 (Doc. #37). Rock restored the house and opened it to the public, free of charge, as a historic shrine to the “Spanish-California Era” for the next two to three years.

The Old Town Community Church, with the help of local philanthropist George Marston, acquired the property in 1943 (Docs. #38). The City came back in 1945 and proposed to make further street improvements to install a sidewalk for pedestrians along-side the back of the house (Doc. #39). City Engineers determined that the Machado/Silvas adobe extended twenty-three feet out into the street and with the addition of a sidewalk, the street would be too narrow for a two-lane road. City Manager Frank Rhoades proposed to tear down the house and rebuild the structure setback from the street, much like they did with the adobe chapel on Conde Street a few years earlier. Public protest over Rhoades’ proposal persuaded the City Council to reject the manager’s recommendations and abandon the proposed improvements.

In 1966, the California State Legislature approved plans to acquire a seven square block area centering on the plaza for the new Old Town San Diego State Historic Park. Members of the Old San Diego Community Church resisted State efforts to acquire the

Machado/Silvas property including their church, which was less than twelve years old. Members conceded the importance of preserving the historic buildings but wanted to continue serving the community in their existing location as they had done for over twenty-five years. Finally, in April, 1969, church leaders agreed to sell their property to the State (Docs. #40 & #41) and decided to relocate their congregation to Congress Street where they built a new church based on the architecture of the *Casa Machado de Silvas*.¹⁴⁹

ARCHITECTURE & LANDSCAPE

The 1970-71 session of the California State Legislature approved funding for restoring the *Casa Machado de Silvas* to its “initial conditions.” In January and February, 1973, William Wallace and a team of volunteers conducted an archaeological investigation of the Machado/Silvas adobe in conjunction with plans by the California Department of Parks and Recreation to stabilize and restore the adobe structure. The objectives of the excavation project were “to gather evidence about the house’s original size, layout, and details of the its original construction.” Twenty-five years later, architectural historian Edna Kimbro, in partnership with architectural conservator Anthony Crosby, completed a structural assessment report of the house in 1999-2000. Both of these reports provided detail analysis of the house’s original condition and offered assessments of their findings based on what was known about its history.

The discussion that follows analyzes the archaeological and architectural data accumulated during these projects with the historical information uncovered in preparation of this present report. This review is not a complete analysis of all of their findings but only an evaluation of those issues where current historical evidence may shed some light or aid in further understanding the house's history. The problem (or weakness) with both of these reports is that the authors were relying at times on incomplete or spurious historical facts to base their findings and recommendations.

The *Casa Machado de Silvas* lends itself to historical misinterpretation due in part to the lack of primary sources documenting the house's 19th century history. Most of the people associated with the Machado/Silvas during these years did not know how to read or write and, therefore, left very few family records – letters, diaries or memoirs. Other accounts or recollections provided almost no information about the house itself. At times during the Mexican Period public business was conducted orally without the benefit of written records. After the Americans took control of the territory, public records offered a limited amount of information on the improvements that were made to pueblo lands in Old Town.¹⁵⁰

Original graphic materials – sketches, paintings and photographs – are the one resource available that helps to document the history of property. Used in conjunction with archaeological evidence, architectural data, and social history, these materials enable us to trace transitions and changes occurring with the Machado/Silvas adobe

through the years. The review focuses on when the house was probably first built, when it was expanded, and whether there was a second ell attached on the southeast end of the building.

In many instances, this analysis does not provide definitive answers, but only allows us to make interpretations based on our best judgment. As Wallace noted in his report regarding the house “it must be admitted that some of the knowledge is of an imprecise kind and assumptions based on it must remain conjectural. Too, the archaeological record, as always, contains certain gaps and deficiencies.” The same could also be said for the historical record as well.

In the discussion that follows, there are five graphic documents – one map, one photograph and three drawings used to analyze the house’s architectural history. Very little information was uncovered regarding the house’s landscape: a newspaper article from the *Chicago Daily News*, a painting, and four photographs. All these materials date from the early 20th century, the final years the Silvas/O’Neill family lived in the house.

DOCUMENTS - ARCHITECTURE:

John Mix Stanley’s Sketch of San Diego, 1846 published in – “Notes of a Military Reconnoissance (sic), from Fort Leavenworth in Missouri, to San Diego, in California,” by Lieut. Col. W.H. Emory (sic), U.S. House of Representatives, Thirtieth Congress, First Session, Ex. Doc. No. 41, Wendell and Van Benthuysen, Washington, 1848, 127.

Plan of the Town and Beach of the Port of San Diego, Surveyed & Drawn for the Ayuntamiento or Town Council by 1st Lieut. Cave J. Coutts, 1st Drags. 1849. Copied from the original maps, January, 1850 by Henry Clayton, C.E. – Clayton’s copy is on file at the San Diego History Center (M1159a).

H.M.T Powell's Sketch of San Diego, February, 1850 - see *The Santa Fé Trail to California, 1849-1852: The Journal and Drawings of H.M.T. Powell*, edited by Douglas S. Watson (San Francisco: The Book Club of California, 1931), 186.

Henry Miller's Painting of San Diego, 1858 in *13 California Towns from the Original Drawings* (San Francisco: The Book Club of California, 1947).

John Henfield's Photograph of San Diego, 1867 (see front cover), earliest known photograph of Old Town with a View of the *Casa Machado de Silvas*, Courtesy of California State Parks, (DPR Photo #227-12, H-46).

Neither Wallace nor Kimbro found any direct evidence to indicate when the house was first built. The assumption of most historians has been that the Machado Silvas family built the adobe shortly after María Antonia received the land in 1843. Information presented in this report argues that Antonia and Enos Wall constructed the house for their family sometime after 1846, and before the summer of 1848. The most compelling piece of evidence supporting this assertion is the John Mix Stanley's sketch of the San Diego community made in December, 1846. The *Casa Machado de Silvas* does not appear in the drawing (see page 64). It has been suggested that other buildings shown in the sketch blocked the Machado/Silvas adobe from view. At present, this writer found that argument unconvincing and inaccurate. Wallace incorrectly cited Powell's sketch of San Diego as proof of the house being built by 1846, a drawing the artist did not complete until February, 1850.¹⁵¹

An archaeological examination of the cobblestone foundation under the external walls determined that the original structure was a modest, single-story, adobe building

that probably included three to four rooms. The house was rectangular in shape with the length of the house running parallel to the plaza on a northwest to southeast axis. These findings are compatible with available graphic evidence. Powell's 1850 drawing of San Diego and Clayton's tracing of Cout's 1849 map depicted a building similar in size and shape as described by Wallace. When it was first built, the rear of the house faced the plaza; the drawing and map, however, do not reveal if there were any windows or doors on this northeast side at this time.

All indications are that during the first few years of its construction, the house served as the primary residence for Antonia, Enos and their three to six daughters - the youngest, Refugia, being less than a year old and the oldest (surviving), Lorenza, being a few months shy of her tenth birthday. A three to four-room house would have given the family space for a common room, a bedroom for Antonia and Enos, and one or two bedrooms for the girls. Three daughters - María de la Soledad Rita, Juana de Dios, and María Clara - were not present and living in the house at the time the 1850 U.S. national census was taken; the dates of their deaths remain unknown. Although it is possible, it is not known if any of the three girls ever lived in the house.

Additional evidence found by archaeologists revealed a lime slaking pit and a small structure that may have been a tanning vat existing on the property at some time prior to the construction of the house. Again, this information is compatible with what is known about the Machados, their neighbors, and the activities they were involved in

during this period. The Machado Family made a living raising livestock, and preparing hides for sale to traders and foreign merchants would have been part of their periodical work routine. Enos Wall and John Stewart, Maria Antonia's brother-in-law, were former hide house managers and in the mid-40s hunted sea otters together along the Baja California coast. Antonia's neighbors, Alan Light and Richard Freeman, two African Americans living in the community, also hunted sea otters for a living. The raising of livestock and hunting of sea otters by people having recurring contact with the property and tasks associated activities offer a viable explanation for the presence of lime slaking pit and a possible tanning vat on the property. Since Native Americans made up a large part of the labor force in the community during this period, finding evidence of their presence on the site would not be unexpected.

The new American government, established in 1849, implemented a property tax system to finance the costs of state and local government in California. The arrival of gold rush immigrants in the community caused the population to more than double and ushered in a period of strong economic growth throughout the region and a demand for housing. In Old Town, the southwest side of the plaza, where María Antonia had her property, became a focal point of commercial activity and development. In response to these changes, Antonia expanded the size of her house by 1854, to take in boarders and open a restaurant. She added the west wing that is part of

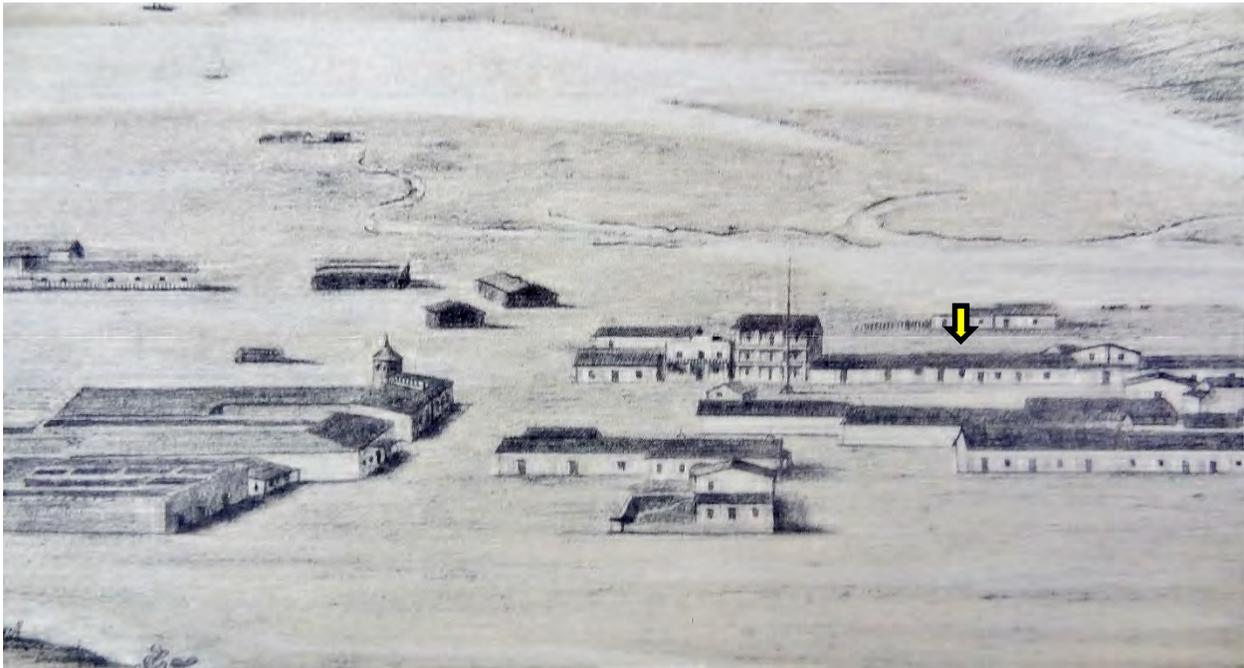
the house today and probably an east wing that was destroyed in the Old Town fire of 1872.

Exactly what year the expansion of the *Casa Machado de Silvas* occurred is not clear. Tax documents, cartographic records, and social history suggest that by 1853 the main body of the house was expanded to its current size; and west and east ells were probably added at the same time or within a brief period of one another. Increase assessments, however, may be reflective of rising property values due to speculation in pueblo lots over the anticipated arrival of a transcontinental railroad line. Cartographic records, such as the U.S. Coast Survey of the harbor's entrance in 1851, or George H. Derby survey map of the San Diego River in 1853, failed to provide detailed views of the house to determine its exact size and shape.¹⁵²

The social history connected with the Machado/Silvas adobe favors the conclusion that the house was expanded and two wings were added no later than 1854. In July of that year, Lugarda Riiger announced in the *San Diego Herald* that she was opening a restaurant and saloon in "Mr. Wall's building." County records showed George Smith paying for a liquor license starting the previous year. At the same time Wall, Maria Antonia and their three daughters, who were coming of age, were living in the house. At a minimum, they would have needed at least two and possibly three bedrooms for their family, a general living area, space for the restaurant and saloon customers, a food preparation area preferably with access to an outdoor oven (an

Horno) for cooking and probably some living quarters for whoever was managing the restaurant or a boarder.

Henry Miller's painting of San Diego in 1856, similar in scope and content to the earlier Stanley and Powell sketches, confirms improvements and commercial development of property on the southwest side to the plaza.



Miller's View of San Diego, 1856

Miller's painting of the Machado/Silvas adobe is from the direction of Presidio Hill looking towards Point Loma, and like many of the 19th century images available for the house, only provided a view of the side which faced towards the plaza. The painting shows only the main body of the house, at or close to its present size. No ells are in view, and the roof looks to be a low-pitch, gabled structure; its construction type is not discernible.¹⁵³ Most of the doors and windows archaeologist identified on this side of

the structure appear to be present, a door at the northwest and southeast ends of the wall with a third wider entry way near the center to accommodate patrons. Once the house's occupants began using the part of its space for commercial purposes, the primary entrance way into the structure shifted from the southwest side of the property to the northeast side adjacent to the plaza.

John Henfield's 1869 view of Old Town is the earliest known photograph to show the *Casa Machado de Silvas*. As with the other earlier views, Henfield's image showed only the northeast side of the structure facing the plaza. Three doors and windows are visible as well as a chimney in the center of the roof. The door in the center is a wider entry way with a set of double doors the kind usually found in commercial establishments of the time. The roof of the el attached at the northwest end of the adobe is discernible; on the southeast end, some type of addition appears to extend out from the main body of the house into the courtyard. Based on the limited view the image offers, the two extensions do not appear to be similar in size, length or shape.

While information provided by early 19th century graphic images of the Machado/Silvas adobe is inconclusive regarding a second ell or addition, documentary evidence points to the likelihood of one being present from sometime in the 1850s into the early 1870s. For example, the account given of the Wall shooting in 1857 described indirectly a rather large house with multiple living areas. The shooting victim tried to

gain entry to the house at windows located at the rear and then at the front of the building. The noise awoke the women in the household; María Antonia told Michaela to get Mr. Wall and tell him someone was attempting to break-in, the implication being that he was in an area of the home where the noise wouldn't have disturbed him, conceivably on the opposite side of the house.

The mortgage agreement María Antonia signed with James McCoy in 1869 taken together with a news article about the Old Town fire hinted at a larger house than an L-shaped structure with only four or five rooms. The agreement stipulated that the mortgage covered the property including all appurtenances and rents. Three years later fire destroyed what one Old Town resident described as the "utility wing" of the Machado/Silvas adobe, and, in its aftermath, all the equipment and merchandise salvaged from the conflagration was carried off during the night by Native Americans. Use of the terms appurtenances, rents, equipment and merchandise implies the ongoing operations of a restaurant/saloon and the presents of boarders in the house while it also continued to serve as the María Antonia's family home. An L-shaped house consisting of five rooms doesn't seem adequate to accommodate all these uses and the people associated with them. On the other hand, use of the term "utility wing," infers that the two wings of the house were not comparable in the quality of their construction; the northwest ell appears to have been the more substantial building of the two.¹⁵⁴

Wallace's archaeological investigation of the house in 1974 found no evidence of an east wing or a U-shape structure. He concluded that:

Although there are published references and local traditions telling of a previous wing attached to this end of the Casa Machado (sic) that was demolished many years ago, no signs of it were detected. That the east wall's cobble footing did not extend beyond the present doorway can be taken as fairly convincing proof that the house never had an east wing (other than the wooden lean-to) prior to the one erected in 1946.

Kimbrow and Crosby commented that "while archival sources indicate that there was an east wing, its possible existence has been repeatedly refuted," which is probably an overstatement on their part. They recommended that park staff use "backhoe trenches across the rear" to settle the issue.

Since Wallace was unable to find any evidence of a cobblestone foundation, he reached the conclusion that the house probably never had an east wing, despite the oral traditions of Old Town descendants. The assumption on his part, which Kimbro and Crosby appeared to have accepted, is that an east ell or courtyard addition could not have been attached to the house without there being some evidence of a foundation. A few hundred yards to the southwest of the Machado/Silvas adobe stands the house of María Antonia's parents, the *Casa de Machado y Stewart*. An archaeological investigation- of this second adobe in 1968 determined that it was built without any foundations. The study concluded that "no foundations of any kind were provided" with the Machado/Stewart adobe. "The building blocks were laid directly on the

ground.”¹⁵⁵ The absence of any material evidence of a foundation for the east wing of the Machado/Silvas adobe is not conclusive proof that one never existed.

The debate over how the house was expanded in the 1850s has ignored the questions about its overall importance to the house’s history and the Machado/Silvas family livelihood. If María Antonia’s house had an east wing or courtyard addition, it probably existed for less than twenty years. It’s most significant value related to the commercial activities surrounding the adobe during a seven or eight year period starting around 1853 and extending to the early years of the American Civil War, from the point where Lugarda Riiger opened the Commercial Restaurant to the time María Antonia relocated to the Machado family rancho in Baja California.

The newspaper notice about Riiger’s renting “Mr. Wall’s building” upon first reading gives the impression that the building was referring to the Machado/Silvas adobe – a general reference to the house itself. Upon further analysis, an alternate explanation suggests that the notice was referring to a structure that was something separate and distinct, yet part of the house. The view from the Henfield photo reveals the possibility of a gabled roof on a wooden structure that paralleled the main body of the house. If there was a structure, it would have to have enclosed the *corredor* on the southwest side of the house and extended into the courtyard to create the additional space needed for the restaurant and saloon. This type of modification to an adobe structure would have been similar to the expansion of the *Casa de Machado y Stewart* and

the enclosing of its winged walls on the southwest side of that house. It is also reflective of a New England mariner's impact on the material culture of the Machado family and his modification of an adobe house with his carpentry skills, a blending of architectural building styles.¹⁵⁶

The 1860s were years of transition for the Machado/Silvas family in Old Town. Enos and Antonia had separated and their youngest daughter left the household to go live with her father. The two older girls were coming of age and beginning to seek their own directions in life. Lorenza married George Smith, the owner of the American Hotel, in 1860 and within the year gave birth to a daughter. The war years brought economic hard times to San Diego with many local businesses forced to close their doors unable to turn a profit in the cash-strapped community. Following the death of Smith in 1862, Lorenza found herself in possession of the hotel, the small house located behind it, and, with her sister Michaela, the Machado/Silvas family home. In the slumping economy and with several family members leaving the household, the east wing or courtyard addition of the Machado/Silvas adobe no longer held the commercial value it had a few years earlier.

Enos and Refugia returned briefly to the household to assist Lorenza and Michaela with their business affairs – most likely the girls managed the hotel and restaurant side of the business while their father handled the saloon and billiards table. In the next few years the girls found husbands: Lorenza married for the second time in

1865 to Patrick (Platt) Huntington, a native New Yorker; Refugia married, in 1866, Captain William Price, the former lighthouse keeper and sea captain; and Michaela, in 1870, married James Tierney, a teamster from County Galway, Ireland. Like her first one, Lorenza's second marriage lasted only a couple of years. By the beginning of the 1870s, Lorenza had lost her only child and was a widow again for the second time. Less than a year later, Lorenza married Patrick O'Neill, an Irishman, widower, and army veteran.

Patrick and Lorenza decided to take-up homesteading in the Tijuana River Valley and operation of the "15 Mile House," the first way station on the San Diego Yuma Stage Route. The family occupation of the *Casa Machado de Silvas* probably fell to its lowest level in the first two years of the 1870s as the first generation of the Machado/Silvas family had moved on and the Silvas/O'Neill family was not living there on a full-time basis. The O'Neills were relocating back to San Diego planning to reoccupy their Old Town home on a full-time basis when fire destroyed the east wing of their home.

The Old Town fire in April of 1872 caused the last major architectural modification to the *Casa Machado de Silvas* in the 19th century transforming the house back to an L-shaped one. The O'Neills never rebuilt the ell on the southeast side of the house. Over the previous two years, Patrick and Lorenza lost hundreds of dollars operating the stage station at the border between the United States and Mexico and

probably lacked the resources to replace what the fire had destroyed. What funds they did have were probably used to reopen the American Hotel, which had remained closed the previous year since they were unable to find a new lessee. In 1872, the O'Neills were a family of three, and owned two houses and a hotel. At the time, they most likely didn't need the lost space, either for their family or business. As their family grew and business improved, they rented additional space in the U.S. House to meet their needs.

A 1907 painting of the *Casa Machado de Silvas* by Eva Scott Fenyes offers one of the earliest views of the house from its southwest side and shows a lean-to structure near the southeast end of the of the house. This is the only known addition or expansion to have occurred with the house during the years the O'Neills occupied it. What the lean-to structure was used for is not known. It has the appearance of something more substantial than a storage shed or utility closet. The painting presents a lean-to that appears to be of adobe construction with white-washed plaster covering its walls, a single window high on the wall and a roof that matches the rest of the house.

DOCUMENTS - LANDSCAPE:

Wilson E. Silsby, [Untitled article, no date - the Casa Machada (sic)], *Chicago Daily News*, circa 1905, copy found in Vertical Subject Files, Binder #67 – Machado Silvas, San Diego History Center.

Eva Scott Fenyes, Watercolor Painting – “The Antonio Silva Adobe in Old San Diego, 16 April 1907,” Fenyes Collection, Autry National Center, www.theautry.org, accessed 7 July 2014.

Miss Carrie Shannon Catechism Class in the *Casa Machado de Silvas*, 1916, 4 photographs, San Diego History Center, Photo ID#83-14681.

Finally, as indicated by the documents listed above, there is little evidence available documenting the historical landscape of the Machado/Silvas adobe. In 1902, Wilson Silsby was an aspiring artist when he moved to San Diego with his parents hoping the drier weather would improve his father's health. Sometime thereafter, he leased space in the *Casa Machado de Silvas* for an art studio. During his stay in the house, he wrote an article for the *Chicago Daily News* about the "Casa Machada" which offered one of the earliest known descriptions of the house's landscape:

In the garden there are bird songs everywhere and flowers grow in profusion. Sweet peas of all colors and shades mingle with giant calla lilies near the wall. Morning glories climbing upon the roof blend with the vivid coloring of the bougainvillea. Violets hide beside the paths; roses of all varieties, hydrangias, magnolias, poppies and in fact every flower that one may desire may be found in this voluptuous but antequated garden. Near the west wall, each scrambling skyward in unrestrained confusion, grow oranges, lemons, olives, guavas, figs, and grapes, all seeming to rival one another in output of riotous abundance.



Machado/Silvas Adobe, 1907 by Eva Scott Fenyes¹⁵⁷

The bright, spring time colors flooding the courtyard of the Machado/Silvas adobe in the 1907 painting by Eva Scott Fenyes seems to validate Silsby description of the gardens. The only other early view of the southwest side of the house is offered by the photographs taken of Miss Shannon's catechism class in 1916. These images showed a small alter with a statute of the Blessed Virgin holding the Christ child set in amongst the vines and shrubbery. The children are posing along one of the cobblestone paths, which run throughout the garden revealing inadvertently another explanation for the missing foundations of the house's missing southeast wing.



Machado/Silvas, 1916 – Cobblestone Pathways¹⁵⁸

POSTSCRIPT

Interpreting the History of the *Casa Machado de Silvas – Some Final Comments*

This report was completed as part of a project to renew and update the interpretive programs for the *Casa Machado de Silvas* in the Old Town San Diego State Historic Park. In accordance with the Park's General Development Plan, the primary focus of the Park's interpretive programs is the period of San Diego history beginning with Mexico's independence from Spain in 1821 through 1872, when the Old Town community suffered a disastrous fire. These were years of transition and change that would have a profound effect upon the lives of the former *Presidio* residents living near the river at the foot of the hill.

Following independence and the coming of Mexican rule, the North Americans began to arrive in the community, mostly merchants and seaman from New England. The Americans believed it was their manifest destiny to rule the North American continent and, in 1846, they seized the defenseless province from Mexico. The discovery of gold in 1848 attracted thousands of American immigrants, which led to statehood for the recently acquired territory. The state government, organized in 1849/50, supported a free enterprise economy and local self-government financed largely through a property tax system that proved an onerous burden to the Spanish speaking land owners of the state.

The changes occurring throughout the California territory in the early 19th century had a lasting impact on the lives of the first three generation of Machado Family members in San Diego. José Manuel Machado and María Serafina Valdez and their nine children were among the earliest pioneers to settle in the community; they played a prominent role in the political, economic and social affairs of the town for over fifty years. Family members had five homes around the Old Town Plaza, two of which the *Casa de Machado y Stewart* and *Casa Machado de Silvas* are persevered today in the State Historic Park and listed on the National Register of Historic Places. The interpretive programs for these two historic sites need to tell the history of the Machado Family and their role in the events of the Mexican and early American Periods of San Diego History, especially the stories of the four Machado daughters – Juana, Antonia, Guadalupe and Rosa.

Today the preservation of the *Casa Machado de Silvas* includes the main body of the house that runs parallel to the Old Town Plaza and its northwest ell; or those sections of the structure that were most likely used in the 1850s as the family's living space by María Antonia, Enos and their three daughters. During this period, the restaurant and saloon probably operated out of the southeast end of the house and the utility wing built by Enos.

The current interpretation of the house's history, as the site of the Commercial Restaurant operated by Lugarda Riigers, emphasizes a period of time that lasted

probably less than a year. María Antonia and her daughters managed the Antonia's Restaurant the majority of the time in the years leading up to the American Civil War. This was how a Mexican woman, who was a single parent with three young daughters, earned her living, provided a home for her family, and paid her taxes under the new American economic system following the United States' war with Mexico. This is the story the interpretive programs for the *Casa Machado de Silvas* needs to tell - one woman's experience in the borderlands that was the 19th century San Diego/Northern Baja California frontier.

ENDNOTES

¹ Mary A. Helmich & Richard D. Clark, "Interpretive Program: Old Town San Diego State Historic Park, Volume II, Site Recommendations," (San Diego: Department of Parks and Recreation, 1991); and Maria Elena Mendoza, "Old Town Property Study: Old Town San Diego State Historic Park," February, 2002, pp. 12-25 & 219-20 – copies of both reports on file at DPR/South Coast District Office.

² Clyde F. Trudell, Architect, "Historical – Architectural Summary for the Casa de Jose Manuel Machado (Stewart), 2724 Congress Street, Old Town State Historic Park, San Diego, California," September, 1967, 10; report on file at DPR/South Coast District Office.

³ Thomas Workman Temple II, "Soldiers and Settlers of the Expedition of 1781," in *The Founding Documents of Los Angeles: a Bilingual Edition*, edited by Doyce B. Nunis, Jr. (Los Angeles: Historical Society of Southern California, 2004), 37.

⁴ Marie E. Northrop, *Spanish-Mexican Families of Early California: 1769-1850*, Volume 1 (Burbank, CA: Southern California Genealogical Society, 1987), 221-22. Northrop indicates that the Machados' first daughter was born in San Diego sometime during 1806 and died there a year later. There is little direct evidence available documenting the career of José Manuel Machado – the father or son; one of the few secondary sources with information about the son's military service is found in an interview Juana Machado Ridington (his oldest daughter) gave in 1877 – see "Times Gone By in Alta California: Recollections of Señora Doña Juana Machado de Ridington," in *Testimonios: Early California through the Eyes of Women, 1815-1848*, translated with introduction and commentary by Rose Marie Beebe and Robert M. Senkewicz (Berkeley: Heyday Books, 2006), 124-28. The holdings at the Bancroft Library may have the *hoja de servicio* (military service record) or other documentation for Machado which may tell us when he joined the service, his duty assignments, the date of his retirement and his highest rank achieved.

⁵ Temple, "Soldiers and Settlers of the Expedition of 1781," 35-44; and transcribed copy of the marriage certificate for José Manuel Machado, 23 years of age, and María De La Luz Valenzuela, 18 years of age, 28 February 1780, Biographical Files, #141 – Machados, San Diego History Center.

⁶ David J. Weber, *The Spanish Frontier in North America*, (New Haven, Conn.: Yale University Press, 1992), 259; Hubert Howe Bancroft, *History of California, 1542-1800*, Vol. I (1886; reprint edition - Santa Barbara: Wallace Hebbard, 1963), 342-3; Northrop, *Spanish-Mexican Families of Early California*, 219; and William Mason, *The Census of 1790: A Demographic History of Colonial California*, (Menlo Park, CA: Ballena Press Publication, 1998), 51.

⁷ Max L. Moorhead, *The Presidio: Bastion of the Spanish Borderlands*, (Norman, OK: University of Oklahoma Press, 1975), 182-86; John Phillip Langellier and Katherine Meyers Peterson, "Lances and Leather Jackets: Presidial Forces in Spanish Alta California, 1769-1821," *Journal of the West* 20 (October, 1981): 3-4; Leon G. Campbell, "The First Californios: Presidial Society in Spanish California," *Journal of the West* 11 (October, 1972): 585-6 – Campbell "consulted many heretofore unmined primary sources, notably *hojas de servicio*, military service records, which offer considerable information on these soldiers." These records "preserved in Spain and the former Spanish colonies have never been used in any systematic fashion to help recreate the social structure of the early military." and Michael R. Hardwick, "Spanish and Mexican California Soldado de Cuera," on-line at www.militarymuseum.org/soldado.html, accessed 11/16/13.

⁸ Bancroft, *History of California, 1542-1800*, 451-53; Zephyrin Engelhardt, *San Diego Mission* (San Francisco: The James H. Barry Company, 1920), 117-118; and Moorhead, *The Presidio*, p. 91, 40n.

⁹ *Ibid*

¹⁰ Steven W. Hackel, *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850* (Chapel Hill, NC: University of North Carolina Press, 2005), 21; and Richard L. Carrico, "Before the Strangers: American Indians in San Diego at the Dawn of Contact," p. 8 & Florence C. Shipek, "The Impact of Europeans Upon Kumeyaay Culture," pp. 16-20 both articles are in *The Impact of European Exploration and Settlement on Local Native Americans*, Introduction by Raymond Starr (San Diego: Cabrillo Historical Association, 1986).

¹¹ James A. Sandos, "Between Crucifix and Lance: Indian-White Relations in California, 1769-1848," in *Contested Eden: California Before the Gold Rush*, edited by Ramón A. Gutiérrez and Richard J. Orsi (Berkeley, CA: University of California Press, 1998), 216-29; Robert H. Jackson and Edward Castillo, *Indians, Franciscans, and Spanish Civilization: The Impact of the Mission System on California Indians* (Albuquerque, NM: University of New Mexico Press, 1995), 41-58; and Richard L. Carrico, *Strangers in a Stolen Land: Indians of San Diego County from Prehistory to the New Deal* (San Diego: Sunbelt Publications, Inc., 2008), 19-49.

¹² *Ibid*

¹³ *Ibid*

¹⁴ Mission San Diego de Alcalá, Baptism Registers, Books I & II, 1771-1848, microfilm copies on file at San Diego History Center (hereafter SDHC), PRM2.767; and George Harwood Phillips, *Vineyards & Vaqueros: Indian Labor and the Economic Expansion of Southern California, 1771-1877* (Norman, OK: The Arthur H. Clark Company, 2010), 20.

¹⁵ Mason, *The Census of 1790*, 2, 38, 42, 45-64, 71 & 88. The Machados' wedding certificate and the census of 1790 gave *el Villa de Sinaloa* as José Manuel place of birth, while Northrop and Temple identified *Los Alomos, Sonora* as his home-town.

¹⁶ *Ibid*; Weber, *The Spanish Frontier in North America*, 326-29; and William M. Mason, "Los Angeles Under The Spanish Flag – Spain's New World," Southern California Genealogical Society, Inc., 2004, 76 & 84.

¹⁷ Peterson, "Lances and Leather Jackets," 4; and Moorhead, *The Presidio*, 178.

¹⁸ Northrop, *Spanish-Mexican Families of Early California*, v. I, 221; Temple, "Soldiers and Settlers of the Expedition of 1781," 33; and Mason, *The Census of 1790*, 87-8. On 6 November 1805 at the *Presidio* of San Diego, Manuel served as a witness at the wedding of José Ygnacio dela Peña and Gertrudis Lorenzana in which Fr. Sanchez identified him as a member of the San Diego garrison – see Marriage Register, Mission San Diego de Alcalá, Volume 1, Entry #808, 6 November 1805, transcribed and translated by Clint R. Griffin, copy on file Oceanside Historical Society. To date, this is the earliest evidence found of Machado serving as a member of the San Diego presidio garrison. On the other hand, an 1807 census of San Diego

identified eighty-four men living in town; Manuel's did not appear on this list – see Carlos Fuentes, “A List of the People Living in the *Pueblo* of San Diego Alta California in the Year 1807,” *San Diego Leaves & Saplings*, (March, 1973); 5-6.

¹⁹ “Times Gone By in Alta California,” in *Testimonios*, 122-5; and Eugene Sugranes, *The Old San Gabriel Mission* (San Gabriel: np, 1909) 102.

²⁰ *Ibid*

²¹ The burial register for Mission San Diego gave the age of Juan Machado as seventy-one at the time of his death on 9 July 1880 – see Burial Register, Mission San Diego de Alcalá, Book III, Entry #326, translated and transcribed by Clint R. Griffin, copy on file Oceanside Historical Society. For what little evidence there is regarding the loss of the San Luis Rey Mission sacramental registers see Zephyrin Engelhardt, *San Luis Rey Mission* (San Francisco: The James Barry Company, 1921), 224-32; “Apolinaria Lorenzana,” in *Testimonios*, 167; and Thomas Savage, “Report of Labors in Archives and Procuring Material for History of California, 1876-9,” in *Testimonios*, 363.

²² Pablo Martinez, *A History of Lower California*, translated by Ethel Duffy Turner (Mexico, D.F., 1960), 284; Irving Berdine Richman, *California Under Spain and Mexico, 1535-1847* (New York: Houghton Mifflin, 1911; reprint Edition, 1960), 458-59; Clyde McMorrow, “Father Luis Sales and Mission San Miguel,” in *People of the Southwest and Pacific Coast*, edited by Horace L. Dodd, Brand Book No. 7 (San Diego: San Diego Corral of Westerners, 1983), 48-59. McMorrow's article indicated that some of the original Mission San Miguel records have survived to the present day; this writer, however, was unable to review those materials for this report.

²³ Richard F. Pourade, *History of San Diego: Time of the Bells*, Volume 2 (San Diego: The Union-Tribune Publishing Co., 1961), 122; Cecil Moyer, *Historic Ranchos of San Diego* (San Diego: Union-Tribune Publishing Co., 1969), 90; and Donald C. Cutter, *California in 1792: A Spanish Naval Visit* (Norman, OK: University of Oklahoma Press, 1990), 34.

²⁴ Harry Crosby, *The Last of the Californios: A Copley Book* (La Jolla, CA: Copley Books, 1981), 58-60. For additional information on the southern Kumeyaay (Tipai) resistance to Spanish colonization efforts see Florence C. Shipek, “The Impact of Europeans Upon Kumeyaay Culture,” in *The Impact of European Exploration and Settlement on Local Native Americans* (San Diego: Cabrillo Historical Association, 1983), 14-15.

²⁵ Robert G. Rowan, *Ranchos of California: A List of Spanish Concessions, 1775-1822 and Mexican Land Grants, 1822-1846* (Los Angeles: Historical Society of Southern California, 1977), 69; A.P. Nasatir, “Pueblo Postscript: San Diego During the Mexican Period 1825-1840,” *The Journal of San Diego History* 13 (January, 1967): 42-43; and Vi Murphy, “Americans Plan Baja Lease Battle,” *San Diego Union*, 6 February 1972, B1: 4-5 & B7: 1-2. In this article a Machado descendant stated that the family received the grant in 1719, which is probably a misprint and a more plausible date would be 1819. The point is that José Manuel Machado occupation of the land known as Rancho Rosario could have dated from a period almost twenty years earlier than originally known.

²⁶ “Times Gone By in Alta California,” in *Testimonios*, 125; and Albert L. Hurtado, *Indian Survival on the California Frontier* (New Haven: CN, Yale University Press, 1988), 34-35. The date of 1822 is given for the

battle based on evidence that is currently at hand. Juana Machado stated that the battle occurred when she was eight or ten years old; since she was born in 1814, she would have been eight years old in 1822. That same year, California won its independence from Spain and became part of the new Mexican Empire. As a demonstration of their loyalty to the new government, soldiers were required to cut off their braids and wear their hair short. Savage's interview with Machado was part of the effort of Hubert Howe Bancroft to collect information and documents about the history of California in preparation for writing his multi-volume history of the golden state.

²⁷ *Ibid*

²⁸ "Times Gone by in Alta California: Recollections of Senora [sic] Dona [sic] Juan Machado Alipaz de Ridington (Wrightington)," translated and annotated by Raymond S. Brandes, *Historical Society of Southern California Quarterly* 41 (September, 1959), 221; "Times Gone By in Alta California," in *Testimonios*, 437; Mission San Diego Baptism Registers, SDHC, Book I, Entry #3792, 16 December 1810; Marriage Register, Mission San Diego, Book I, Entry #968, 21 January 1810; and Alexander D. Bevil, "The Silvas Family in Old Town," 8 August 1995, report on file DPR/South Coast District Office, 6-7. This assessment of the battle at *Cañón de Jacum* also revises the interpretation this writer presented in preliminary report on *Casa Machado de Silvas*.

²⁹ Jeanne Kelly, "Book Presented to the Docents as Background Resource Material for Use in Their Living History Programs Throughout the Park, and Specifically for the Silvas Commercial Restaurant," ND, report on file DPR/South Coast District Office, 7; and Calvary Pioneer Cemetery, – database for those buried

<http://freepages.genealogy.rootsweb.ancestry.com/~clement/Calvary/home.htm> under subpages - People - Silvas - Maria Lorenza Silvas. The death certificate for Lorenza gave her age as seventy years old in January, 1904, identifying 1834 as the year of her birth, see Certificate of Death, Lorenza Silvas O'Neill, 1 January 1904, Record No. 1807, Assessor/Recorder/County Clerk's Office, San Diego County [hereafter SDCARC]. In April, 1836, Mexican officials completed a census of the *pueblo* of San Diego, the records of which are at the Bancroft Library. These records may offer some answers to questions regarding the marriage of José and Antonia and the birth of their daughter Lorenza – see Glenn Farris, "Peopling the Pueblo: Presidial Soldiers, Indian Servants and Foreigners in Old San Diego," paper presented at the Society for Historical Archaeology Annual Conference, 13 January 2006, 7 – copy on at the DPR San Diego Coast District Office.

³⁰ Marie E. Northrop, *Spanish-Mexican Families of Early California, Volume III: Los Pobladores de la Reina Los Angeles* (Burbank, CA: Southern California Genealogical Society, Inc., 2004), 278; Mission San Diego de Alcalá, Baptism Registers, Book II, 1822-1848, SDHC, Entries #6605, 6934, 6986, & 7066; and 7th Census of the United States, California (1850), San Diego County, Sheet 10 of 19, Line 12, www.ancestry.com, accessed 31 August 2012; and 1852 [California State] *Census San Diego County, Indexed*, 2nd Edition (El Cajon, CA: San Diego Genealogical Society, 1995), 40.

³¹ 7th Census of the United States, California (1850), San Diego County, Sheet 10 of 19, Line 10, www.ancestry.com, accessed 31 August 2012; 1852 [California State] *Census San Diego County, Indexed*, 2nd Edition (El Cajon, CA: San Diego Genealogical Society, 1995), 40; 8th Census of the United States, California (1860), San Diego County, San Diego Township, Sheet 3 of 20, Line 2, www.ancestry.com, accessed 17 March 2014; 10th Census of the United States, California (1880), San Diego County, San Diego Township, Sheet 42 of 54, Line 50, www.ancestry.com, accessed 17 March 2013; and 12th Census of the

United States, California (1900), San Diego County, City of San Diego, Ward #1, Sheet 24 of 42, www.ancestry.com, accessed 23 August 2012. One word of caution in analyzing these numerous details, information found in 19th century U.S. census records for San Diego regarding age is frequently unreliable. For example, the 1860 census records indicated that Maria Antonia Machado was thirty-two years old when she was actually forty-seven years of age; Michaela fifteen years old when she was twenty-one, and Refugia eleven years old when she was fourteen – see sheet 2 of 20, Lines 37, 38 & 39. Finally, the death certificate for Sarah O'Neill Connor, Lorenza's youngest daughter, identified Monterey, CA as the place of her mother's birth – see Certificate of Death, Sarah Mary Connors, 19 May 1958, Certificate No. 2751, SDHC Biographical Files – Connors, Binder #47.

³² David J. Weber, *The Mexican Frontier, 1821-1846: The American Southwest Under Mexico* (Albuquerque, NM: University of New Mexico, 1982), 43-74.

³³ David J. Langum, *Law and Community on the Mexican Frontier: Anglo-American Expatriates and the Clash of Legal Traditions, 1821-46* (Norman, OK: University of Oklahoma, 1987), 242.

³⁴ *Ibid.*; and Gloria E. Miranda, "Gente de Razón Marriage Patterns in Spanish and Mexican California: A Case Study of Santa Barbara and Los Angeles," *Historical Society of Southern California Quarterly* [HSSCQ] LXIII (Spring, 1981): 1-21.

³⁵ Statement of the Plaintiff, Action for Divorce, María A. Silvas vs. José A. Silvas, 10 April 1854, Case File, No. 621, District Court, First Judicial District, San Diego County – Public Records Collection [hereafter PRC], SDHC. Antonia's claim that he left her with no property may not be completely correct – see the sale of a house and town lot, Deed: María Antonia Machado, grantor to Rafael Romero, grantee, 17 May 1846, Deed Book "C", pgs. 232-33, SDCARC.

³⁶ Depositions of Juana Wrightington, & John C. Stewart, Filed 22 August 1855, District Court, Case File No. 621.

³⁷ Deed Book "C", 232-33; José Joaquín Ortega, Judge of the First Instances, grant of land to Mrs. María Antonia Machado, 10 August 1843, Deed Book 1, pgs. 75-77; Josefa Carrillo Fitch to R.E. Reymond, 3 November 1855, Deed Book E, 398-99; Joseph Reiner to Reuben E. Raimond, 20 August 1857, Deed Book 1, 161-62, SDCARC; Gregg's Abstract Titles, Block 426, p. 96, PRC-SDHC. See also Map of Locations, Old Town Buildings – circa 1850 – in Richard F. Pourade, *The History of San Diego: The Silver Dons*, Vol. III (San Diego: Union-Tribune Publishing Company, 1963), 129.

³⁸ *San Diego Union*, 8 March 1874, 3:1 and 15 March 1874, 3:1. The only time Silvas's name appeared in public records associated with the property was following the death of María Antonia in 1887 when he served as the administrator of her estate. City Lot Book for 1891 identified J.A. Silva as one of the taxpayers for Block #427, Lot #2 along with his son-in-law Patrick O'Neill, see Lot Book, City of San Diego, 1891, 148, PRC-SDHC.

³⁹ John Davidson, "City Gardens Historic Spot," *Evening Tribune*, 18 May 1934, A6: 2-3; "The View from Stockton Hill," *San Diego Union*, 20 July 1873, 3:2; "Old Town Items," *San Diego Union*, 14 September 1873, 3:3; "The Good Old Times is San Diego," *San Diego Union*, 28 June 1874, 3:2-3; and Corrine Lillian Whaley, *California's Oldest City*, 1893, pp. 60-5 – see Whaley Family Archives, microfilm roll 4 at www.whaleyhouse.org/archives/roll4/Binder2.pdf.

⁴⁰ Lucy Lytle Killea, "The Political History of a Mexican Pueblo: San Diego from 1825-1845," Part I, *The Journal of San Diego History* 12 (July 1966): 28 & 34 (FN #9); Charles W. Hughes, "The Decline of the Californios: The Case of San Diego, 1846-1856," *The Journal of San Diego History* XXI (Summer, 1975): 3-19; and Hubert Howe Bancroft, *History of California, 1846-1848, Vol. III* (San Francisco: The History Company Publishers, 1886), pp. 361-62.

⁴¹ *Ibid*

⁴² For the marriages of the Machado daughters see Mission San Diego de Alcalá, *Libros de Matrimonios*, transcribed and translated by Clint R. Griffith, Book 1, Entries #1713, #1923, #2013, & #2041 and Book 2, Entry #6 [Consulted copy on file at the Oceanside Historical Society]; and *Testimonios*, 132-33 .

⁴³ There are several different accounts available concerning the 1837 attack on the Jamul Rancho. The account presented here is based on Apolinaria's oral history interview since she was the one person with the most direct involvement in the events surrounding the attack – see *Testimonios*, 128-31 & 185-91; William Heath Davis, *Sixty Years in California: a History of Events and Life in California* (San Francisco: A. J. Leary, Publisher, 1889), pp. 231-37; George Tays, "Revolutionary California: The Political History of California during the Mexican Period, 1822-1846," Ph.D. diss., University of California Berkeley, 1932, pp. 339-44; and Winifred Davidson, "Old Tales of the Southwest: The Lost Ybarras," *San Diego Union*, 24 May 1936, Sec. 4, 6: 5-6.

⁴⁴ *Ibid*

⁴⁵ Farris, "Peopling the Pueblo: Presidial Soldiers, Indian Servants and Foreigners in Old San Diego," 9-11; "Datos Historicos sobre la Alta California por D. José María Estudillo, 1831 – Vecino de San Diego," 57 pgs., Bancroft Library 1878 – copy on file at the DPR San Diego Coast District Office; *Terstimonios*, 131-33, 160-62.

⁴⁶ Hubert Howe Bancroft, *History of California, 1841-1845, Vol. IV* (San Francisco: The History Company Publishers, 1886), 67-70, & 618.

⁴⁷ "San Diego in 1845," *Daily Alta California*, 24 April 1885, 5:2; "The Bloody Battle of San Pasqual: Most Sanguinary on California Soil During the Mexican War . . .," *San Diego Union*, 5 December 1903, 10: 1-2; and Deed Book "C", 232-34.

⁴⁸ "The Bloody Battle of San Pasqual: Most Sanguinary on California Soil During the Mexican War . . .," *San Diego Union*, 5 December 1903, 10: 1-2.

⁴⁹ *Ibid*; in his memoirs Píco did not mention the encounter with the Americans at *El Rosario* – see *Don Pio Pico's Historical Narrative*, translated by Arthur P. Botello, edited and introduction by Martin Cole and Henry Welcome (Glendale, CA: The Arthur H. Clark Company, 1973), 138-42.

⁵⁰ Neal Harlow, *California Conquered: The Annexation of a Mexican Province, 1846-1850* (Berkeley: University of California Press, 1982), pp. 115-58; William E. Smythe, *History of San Diego*, (San Diego: The History Company, 1907), pp. 200-01; Winifred Davidson, "Who Raised First American Flag in San Diego? Three Claimants, Says Author of 'Where California Began'" *San Diego Union*, 26 July 1931, 2nd section, 5:6-

7; and Padron de los individuos de esta Juridicion de San Diego eo edad de quince a sesenta años, 19 September 1845, Manuscript Collection #440, Special Collection, University of California, San Diego.

⁵¹ Richard Griswold del Castillo, "The U.S.-Mexican War in San Diego, 1846-1847," *The Journal of San Diego History* 49-1 (2003): 21-22; and Benjamin I. Hayes, "Notes on California Affairs, Bancroft Library, MSS C-E81, Folder 5, 41 – "Don José Antonio Estudillo kept neutral. With Don Abel Stearns, he retired first to San Ysidro, in Lower California, near the boundary, afterwards went to Cajon rancho. His feelings were respected for he was one who easily conciliated the good will of all with whom he came in contact."

⁵² Hubert Howe Bancroft, *History of California, 1846-1848, Vol. V* (San Francisco: The History Company Publishers, 1886), 255-87 & 302-25.

⁵³ *Stonington Logbook*, 50-51 – according to Capt. Hamley, Merritt and his men arrived in San Diego on September 30th and the Californios retook possession of the town on October 4th.

⁵⁴ Bancroft, *History of California, Vol. V, 1846-1848*, 317-18. The recovered Fort Guijarros' canons referred to here are probably the same ones that were spiked by crew members of the sailing ship *Alert* four years earlier. In 1842 U.S. Commodore Thomas ap Catesby Jones, commander of the U.S. Pacific squadron, seized Monterey believing incorrectly that the United States and Mexico were at war. Rumors spread quickly that Mexican forces were heading to San Diego to defend the port. Americans at *La Playa*, probably including Smith, spiked the canons to prevent their use against U.S. naval forces – see Pourade, *The Silver Dons*, 55-56; and Bancroft, *History of California, 1841-1845, Vol. IV*, 299-329 & 617-22.

⁵⁵ H.C. Hopkins, *History of San Diego: Its Pueblo Lands & Water* (San Diego: City Printing Company, 1929), pp. 144-45; and Donald Morris Grugal, "Military Movements into San Diego from the Mexican War to Statehood" (MA Thesis: San Diego State College, 1950), 1-18.

⁵⁶ This quote comes from a Bidwell Manuscript that is in the collections of the Bancroft Library and is cited in Pourade, *The Silver Dons*, 87.

⁵⁷ Winifred Davidson, "Early History, 1542-1875," in *History of San Diego County*, edited by Carl H. Heilbron (San Diego: The San Diego Press Club, 1936), 65-66. In later years José María Orozco, grantee of Rancho Guejito y Canada de Palomia, was identified as the person who shot at Smith as he climbed the flag pole, see R.W. Brackett, *The History of San Diego County Ranchos: The Spanish, Mexican, and American Occupation of San Diego County and the Story of the Ownership of Land Grants Therein* (San Diego: Union Title Insurance and Trust Company, 1951), 55.

⁵⁸ *Stonington Logbook*, p. 53; and Pourade, *The Silver Dons*, 89.

⁵⁹ U.S. Congress, House Ex. Doc. No. 1, 30th Cong., 2nd Sess., 1848 – "Reports and Despatches Exhibiting the Operations of the United State Naval Forces During the War with Mexico," 1048.

⁶⁰ Davidson, "Early History," pp. 65-66; and Millard F. Hudson, "Old Glory in San Diego," *The Western Magazine* 1 (September, 1906): 117-28.

⁶¹ Pourade, *The Silver Dons*, 96-116.

⁶² Smythe, *History of San Diego*, 200-27; and Harlow, *California Conquered*, 201-18.

⁶³ George Tays, "Plaza in Old San Diego," typescript 1937, California Historical Landmark Series, Bancroft Library, Berkeley, California, Landmark #63, 13 – microfilm copy on file at the San Diego Public Library. This quote by Tays comes from his report on the plaza and not his dissertation, as so many writers have incorrectly cited. See also "Patching Up the Ravels On the Sleeve of History," *San Diego Union*, 21 June 1964, H2: 1-6.

⁶⁴ *Testimonios, op. cit.*, 126-27.

⁶⁵ Wilma Frances Minor, "Sidelights on Life," *San Diego Union*, 16 October 1927, ?? David Ross is not listed among the soldiers who were killed at the Battle of San Pasqual – see *History of San Diego County*, 70.

⁶⁶ Smythe, *History of San Diego*, 230 & 290.

⁶⁷ *Ibid*; 7th Census of the United States, 1850, image 10 of 19, lines 9 thru 12; San Diego Genealogical Society, 1852 Census San Diego County California, Indexed, 40; and Smythe, *The History of San Diego*, 228-32. At the time of María Clara's baptism, it is possible that the priest refused to enter Wall's name in the register since he was not a Catholic. We know that María del Refugia was baptized at some point since she was married in the Church 1866, but no record of that event has been found. In 1862 Wall gave his daughter's age as fifteen in his petition to receive guardianship of her – Appendix VII, Document #1.

⁶⁸ William H. Emory, *Notes of a Military Reconnoissance from Fort Leavenworth, in Missouri, to San Diego, in California, including Part of the Arkansas, Del Norte, and Gila Rivers*, 30th Congress, 1st Session, Senate, Executive Document No. 7, 128.

⁶⁹ Raymond Starr, *San Diego: A Pictorial History* (Norfolk, VI: The Donning Company, 1986), 30-31.

⁷⁰ *The Santa Fé Trail to California, 1849-1852: The Journal and Drawings of H.M.T. Powell*, edited by Douglas S. Watson (San Francisco: The Book Club of California, 1931), p. 186.

⁷¹ Ralph P. Bieber, "California Gold Mania," *Mississippi Historical Review* 35 (June, 1948): 3- 28; J.S. Holliday, *The World Rushed In: The California Gold Rush Experience*, (Norman: University of Oklahoma Press, 1981), 32-35; and Ltr. S.[Samuel] P.[Peter]Heintzelman to E.[Edward] R.[Richard] S.[Sprigg] Canby, 5 June 1849, Records of the 10th Military Department, Microfilm Publication #210, National Archives and Records Service, 1955.

⁷² William J. Wallace, "Report on Archaeological Investigation of the Casa Machado de Silvas, Old Town San Diego," Part I – Architecture, May, 1973, 62-75; Edna E. Kimbro and Anthony Crosby, "Casa Machado Silvas, Old Town State Park, San Diego County, Historic Structure Assessment Report," June, 2000, 6-7; "Machado House," Winifred Davidson's Notes, 1930 in Vertical File #67, SDHC; and "Property in Old San Diego," unpublished manuscript, 3, Old Town Files, Copley Books & Richard F. Pourade Collection, Save Our Heritage Organisation.

⁷³ Ltr. W. H. Halleck to Juan Ma. Marron, Miguel de Pedorena, Juan Ma. Bandini, Jose Ma. Estudillo & Santiago E. Arguello, 15 May 1849, Archives of the Prefecture of Los Angeles, Volume 1, Part II, 746-48,

Seaver Center of Western History, Los Angeles County Museum of Natural History; a copy of this same letter was published in House Executive Document No. 17, . 764-65. In March, 1850, the State Legislature approved an Act to Incorporate the City of San Diego declaring “all that track of land known as the Presidio of San Diego, included in the survey made by Lieut. Cave J. Cousts, first dragoons, U.S.A., for the Ayuntamiento of San Diego, shall henceforth be known as the City of San Diego . . .” see Chapter 46, “An Act to Incorporate the City of San Diego,” *The Statutes of California Passed at the First Session of the Legislature* (San Jose: J. Winchester, State Printer, 1850), 121-24.

⁷⁴ Neal Harlow, *Maps of the Pueblo Lands of San Diego, 1602-1874*, (Los Angeles: 1987), 127-31.

⁷⁵ San Diego County Auditor’s Office, “The First Assessment Roll, 1850,” SDPL; San Diego Common Council, “City Assessment Roll, 1850,” p. 5, SDPL; and Helmich and Clark, *Interpretive Program, Old Town San Diego State Historic Park* GDP: #04.

⁷⁶ San Diego Common Council, “City Assessment Roll, 1851,”SDPL; and Wallace, Archaeological Investigation, p. 75; and Helmich, *Interpretive Program*, GDP: #04. The county assessment roll for 1851 does not breakdown the assessment by value of land, improvements and personal property; it identified a flat assessment of \$2,000. The community’s oral tradition described the house as U-shaped with a southeast wing during these years; if this were true, both extensions were probably added sometime prior to 1854 - Fred Hamlin, “Restoration of Casa de Machado Another Credit to Old San Diego,” *San Diego Union*, undated article found in Vertical Subject Files, #67, Machado Silvas, SDHC.

⁷⁷ City of San Diego, Minutes of the Common Council and Board of Trustees, Vol. 1, 1850-1868, 33-39, SDHC; San Diego County, Clerk of the Board of Supervisors, County Treasurer Ledger No. 1, 1853-71, pp. 17-274, passim.; and “List of Merchants in San Diego & When Their Licenses Are Due,” circa 1855, Oversize Documents, SDHC. The City Treasurer Book, 1852-72, was reviewed for this report which contained no information regarding the collection of city license fees. The volume recorded information regarding the sale of pueblo lots and city expenses – see City Treasurer Book No. 1, 1852-72, City Clerk’s Archives, City of San Diego.

⁷⁸ “Riiger & Co., Commercial Restaurant,” *San Diego Herald*, 9 December 1854, 2:7; Covenants: Sole Trader, Lugarda Riiger, 12 July 1854, Deed Book D, Page 399, SDHC; and “Mrs. Lugarda Riigers Declaration as a Sole Trader,” Deed Book “D,” 399-400, SDCARC. No records were found for Mrs. Riigers applying for license or paying any fees to operate a restaurant.

⁷⁹ Miscellaneous Records, Book 1, 33-34, San Diego County Assessor, Recorder and County Clerk’s Office; 1852 Census San Diego County, p. ??; Tax Assessment Lists 1857, George Smith, No. #57-86, PR2.102, Assessment Lists, 1846-1873, PRC-SDHC [hereafter Assessment Lists]; County Treasurer and *San Diego Herald*, 25 April 1857, 2:3 & 31 July 1858, 2:2. The operation of a ten-pin alley probably was not a unprofitable venture. George Smith paid for a license to have a ten-pin alley only for six months 2 November 1858 through 11 May 1859 – see County Treasurer Ledger No. 1, 277 & 279.

⁸⁰ County Treasurer Ledger No. 1, pp. 97, 99, & 107; and *San Diego Herald*, 12 June 1858, 2:1. Whaley paid license fees to “vend goods and wares” for the periods starting 5 May 1856 through 5 February 1857. There are no license fee records pertaining to his restaurant business.

- ⁸¹ “Man Shot,” *San Diego Herald*, 6 June 1857, 2: 2-3.
- ⁸² Inquisition by Coroner’s Jury , Case #F1-6: Death of William Smith, 1 June 1857, Coroner’s Inquest Papers, PR2.69, SDHC.
- ⁸³ “Report of the Grand Jury for the June Term, 1857” *San Diego Herald*, 13 June 1857, 2:2.
- ⁸⁴ Dorcas Davis, “Picturesque Old Town House Treasure Trove of Romance: California’s First American Flag Designed by Spanish Betsy Ross in Pioneer Mansion,” unidentified newspaper article (Los Angeles Times ?), Vertical Subject Files: Casa de Machado, File #67, SDHC. For an alternate version of the story about the \$800 in gold coins see – Carol Tiegs, “Heroism of Senora de Silvas Recalled by Kin, S.D. Resident, [Sarah O’Neill Connors]” *The San Diego Sun*, 29 May 1938, 25: 2-4.
- ⁸⁵ Langum, *Law and Community on the Mexican California Frontier*, 245-6; and Mission San Diego Baptism Registers, SDHC, Book III, Entry #57, 3 October 1851.
- ⁸⁶ First Judicial District Court Case File, No. 621, SDHC; *The Statutes of California Passed at the Second Session of the Legislature*, (Vallejo: G. Kenyon Fitch, State Printer, 1851), Chapter 20, 186-87; and *The Statutes of California Passed at the Fourth Session of the Legislature*, (San Francisco: George Kerr, State printer, 1850), Chapter L, 70-71.
- ⁸⁷ Crosthwaite was one of the men with whom Enos and John Stewart went sea otter hunting with in Baja California in 1846. In June, 1848, Enos served as one of three witnesses for the bridegroom when Crosthwaite married Doña Josefa Lopez – see Mission San Diego Matrimonial Registers, SDHC, Book II, Entry #1, 10 June 1848. Copies of the notices published in the *San Francisco Chronicle* and *San Jose Telegraph* are in the court case file.
- ⁸⁸ Langum, *Law and Community on the Mexican California Frontier*, 245-6; California Constitution of 1849, Article XI – Promiscuous Provisions, Sec. 12 found in *The Statutes of California Passed at the First Session of the Legislature*, (San Jose: J. Winchester, State printer, 1850); and *Reports of Cases Determined in the Supreme Court of the State of California*, reported by Nathaniel Bennett, (San Francisco: Bancroft-Whitney Company, 1906), 215-16 & 635.
- ⁸⁹ Smythe, *History of San Diego*, 269-72; Michael Normandin, “The Journey of Life: A History of Benjamin I. Hayes and his Family between 1791 and 1871,” (M.A. Thesis: University of San Diego, 1993), 10-29; and Ronald C. Woolsey, *Migrant West; Toward the Southern California Frontier*, (Clairmont, CA: Grizzly Bear Publishing Company, 1996), 85-101.
- ⁹⁰ “Election Notice,” *San Diego Herald*, 13 October 1855, 2:6; “Public Meeting,” *San Diego Herald*, 26 February 1859, 1:6; “Old Town Items,” *San Diego Union*, 14 September 1873, 3:3; *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Privately Printed, 1929), 158; and 8th Census of the United States, 1860, State of California, County of San Diego, San Diego Township, image 2 of 20, line 9, www.Ancestry.com, accessed 31 August 2012 – [hereafter “1860 Census, San Diego Township”].
- ⁹¹ Biographical File, #200 – Silva-Silvas, SDHC.

⁹² California State Archives, Reference Inquiry: State Penitentiary Records, verbal response received 6 March 2013; and *San Diego Herald*, 20 August 1859, 2:2.

⁹³ Lucy Brown Wentworth was the Old Town resident recalling the events surrounding of Lorenza's wedding to George Smith. Notes about her recollections are found in SDHC Biographical Files, #200, Silva-Silvas Family.

⁹⁴ Mission San Diego Matrimonios," Book II, Entry #2098, 6 January 1860; Statement of Baptism for María Teresa Ronarde y Silvas, 3 October 1860, found in the Connors/O'Neill Collection, Folder #1, SDHC; Agricultural Production Schedule, 8th Census of the United States, State of California, County of San Diego, pg. 1, line 12; and Ltr. – Augustus S. Ensworth to Thomas Whaley, 5 April 1861, Ensworth's Letters, www.whaleyhouse.org, accessed 16 January 2013. See also Quarterly Return of Marriages, 1st Quarter Ending 31 March 1860, Quarterly Reports, PRC-SDHC, R2.86.

⁹⁵ Journal of the District Court, 6 June 1862, 66-67, PRC, R3.382, SDHC; Assessment Lists 1862, George Smith, #62/64, SDHC; and Applications for Licenses by E.A. Wall, Liquor & Billiards, 30 May 1863, License Applications, 1862-64, PRC, R2.96, SDHC.

⁹⁶ 1860 Census, San Diego Township, image 2 of 20, lines 37 thru 40. In the 1860, 1861, & 1863 county tax rolls María Antonia's last name is no longer cited as Machado or Wall but as Silvas; these rolls are part of the public records holding of SDPL. In 1860, María Antonia was forty-five years old – not thirty-two as reported in the census.

⁹⁷ Probate Court, San Diego County, "In the Matter of Guardianship of María [del] Refugio de Wall – a minor, 1862, PRC-SDHC.

⁹⁸ Tax research Notes on file at the South Coast District Office Library, Machado Silvas Files; Probate Court, San Diego County, Case File #217, María [Serafina de Valdez y] Machado, filed 8 April 1861, PRC-SDHC; and Agreement between María Antonia Silvas and James McCoy, 17 March 1869, Mortgage Book, Vol. 1, pp. 348-50.

⁹⁹ Mission San Diego Matrimonios," Book II, Entry #2130, 4 May 1865; Mission San Diego, Burial Register, Book III, Entry #158, 23 November 1869; and School Census Marshal's Report, 31 August 1865, School District Records, R2.68, Box ??, PRC-SDHC.

¹⁰⁰ Mission San Diego Matrimonios," Book II, Entry #2135, 5 June 1866 & Book II, 25 April 1870; Mission San Diego, Burial Register, Book III, Entry #207, 16 December 1871; and Winifred Davidson, "Loma Lore," [#81] *Beach News*, 10 October 1925. For a list of lighthouse keepers see – Winifred Davidson, "Loma Lore: Here is the Official List of Keepers of Light 355," *Beach News*.

¹⁰¹ 8th Census of the United States, California (1860), San Diego County, San Luis Rey Township, Images 1 & 2, www.ancestry.com, accessed 11 March 2013; "Death of a Pioneer," *San Diego Union*, 22 March 1900, 5:1; and correspondence regarding military service, Connors/O'Neill Collection, MS No. #17, Folder #3, SDHC.

¹⁰² *Ibid*; and *San Diego Union Weekly*, 5 December 1868, 2:2; 11 August 1869, 3:3; 29 September 1869, 3:2; 14 April 1870, 3:1; 21 April 1870, 2:5 and 5 May 1870, 2:3.

¹⁰³ *San Diego Union (Weekly)*, 6 October 1870, 3:4. The Catholic Church's Matrimonial Register gave 30 September 1870 as the date of the wedding; the newspaper 1 October 1870.

¹⁰⁴ Lease: Lorenza Huntington to Benjamin Mannasse, 23 September 1870, Black Leather Memorandum Book, Connors/O'Neill Collection, MS No. #17, File Folder #4, SDHC; John Collis Moore, "Reminiscences of Old Town," *The Silver Gate*, 1 (November, 1899):7; and Original Assessment Book of the Property of San Diego County for the Year 1873-4, p. 212, PRC-SDHC. For information on the stage route to Yuma see *San Diego Union Weekly* - "The Outlook," 21 July 1870, 2:1 and "Our Prospects," 28 July 1870, 2:1.

¹⁰⁵ Richard F. Pourade, "Casa Machado, Home of Comandante Jose Manuel Machado 'Casa De La Bandera' (House of the Flag)," talk given at the dedication of the Casa de Machado, 13 April 1947, Vertical Subject Files, #67, Machado Silvas, SDHC; and Mortgage - Maria Antonia Silvas and James McCoy, 17 March 1869, Mortgage Book 1, 348-50, SDCARC.

¹⁰⁶ *San Diego Union Daily* - "For Sale, The Fifteen Mile Store," 23 September 1872, 2:3; "Leased," 27 October 1872, 3:4; "To Rent the American Hotel," 8 June 1871, 2:4; and "Destructive Fire in Old Town—The Business Portion of the Place in Ruins," 21 April 1872, 3:2. Fred Hamlin, "Restoration of Casa de Machado Another Credit to Old San Diego," *San Diego Evening Tribune (?)*, undated article found in Vertical Subject Files, #67, Machado Silvas, SDHC. O'Neill told his brother Michael that he gave up the Fifteen Mile Store after losing more than two thousand dollars - see Ltr. Patrick O'Neill to Michael O'Neill, 1 December 1884, Connors/O'Neill Collection, Folder #2.

¹⁰⁷ *San Diego Union Daily* - "American Hotel Reopened," 24 May 1873; "Old Town Items," 15 June 1873, 3:3; & "Mr. A. O. Wallace," 12 June 1873, 3:3; and Record of Appointments of Postmasters in San Diego County, California, 1868-1877, 1204-05, Records of the Post Office Department, Record Group 28, National Archives and Records Service, Washington, DC, microfilm copy on file SDHC..

¹⁰⁸ *San Diego Union Daily* - "The Old Town School House," 7 June 1873, 3:2 & "Old Town Items," 3:2-3; and "Facts about Old San Diego," 12 April 1874, 3:2. In July, 1873, the paper indicated that there were seventy-three houses in Old Town and a population of about two hundred - see "Old Town Items," 20 July 1873, 3:4.

¹⁰⁹ Elizabeth MacPhail, *The Story of New San Diego and of Its Founder Alonzo E. Horton*, 2nd Edition (San Diego: San Diego Historical Society, 1979), 43-52; and "Exports of San Diego," *San Diego Union*, 24 January 1874, 4:1.

¹¹⁰ *San Diego Union Weekly* - "Proceedings of the Democratic County Committee," 29 September 1869, 3:2 & 18 May 1871, 3:2; "Democratic County Convention," 3 August 1871, 3: 1-6; *San Diego Union* - "Democratic Meeting at Old San Diego—Election of Delegates to the State Convention," 9 June 1872, 3:2 & [Election of School Trustees], 1 July 1874, 3:1.

¹¹¹ *San Diego Union* - "An Election for City Trustee," 22 December 1875, 3:1 & "Board of City Trustees," 21 May 1878, 1: 5-6; and Minutes of the Board of Trustees, Book 2, 21 December 1875, 23 & 20 May 1878, 381-85, City Clerk's Office, City of San Diego.

¹¹² *Testimonios*, 364. The Seely House was more popularly known and advertised in local papers as the Cosmopolitan Hotel, operated by Albert Seely. There were occasions, however, when it was referred to the Seely House – see *San Diego Union*, 12 April 1874, 3:2.

¹¹³ Ford A. Carpenter, *The Climate and Weather of San Diego, California* (San Diego: San Diego Chamber of Commerce, 1913), 36-37; *San Diego Union*, 28 May 1878, 1:4 and 8 January 1885, 2:5.

¹¹⁴ See endnote #103. Orion M. Zink, *Places at Old Town San Diego*, ([San Diego]: np, 1955),[13]; and Henry F. Withey, “Casa de Machado (‘Casa de la Bandera’)” HABS. Cal. 411, 1937, found in Vertical Subject Files, #67, Machado-Silvas, SDHC.

¹¹⁵ Tiegs, “Heroism of Senora de Silvas Recalled by Kin, S.D. Resident;” Talk by Richard F. Pourade at the Dedication of the Casa de Machado (sic), 13 April 1947; Winifred Davidson’s Notes, 1931, “Machado House,” all three items found in Vertical Subject Files, #67, Machado-Silvas, SDHC.

¹¹⁶ 10th Census of the United States, 1880, State of California, County of San Diego, San Diego Township, image 42 of 54, lines 49-59& image 43 of 54, lines 1-8, www.Ancestry.com, accessed 3 March 2012; and *San Diego Union* – “Warfield- O’Neill,” 24 June 1890, 8:2.

¹¹⁷ *San Diego Union* – 22 October 1879, 4:1; 22 October 1881, 3:2; 14 May 1882, 3:1; 21 June 1882, 3:1; and Record of Appointments of Postmasters in San Diego County, 1878-1891, 1004-05.

¹¹⁸ This 1886 photograph of the American Hotel with the people standing in front of building and on the balcony is the only known photo that includes María Antonia Machado de Silvas, the woman standing in the middle of the group on the balcony. Lorenza is standing next to her mother on the right, and Lorenza’s three daughters (Mary, Sarah and Theresa) are with them. With his hands in his pockets, John O’Neill, Lorenza’s oldest son, is standing at the end on the left. On the ground floor, Patrick O’Neill is standing in the doorway on the left; Patrick and Lorenza’s youngest son, Michael, is seated in the chair to the left of his father. Historian Orrin Zink previously identified María Antonia as Lola Lucia, a woman reported to be thirty years of age in the U.S. Census of 1880; the women in the center of the photograph is not a thirty-six year old woman.

¹¹⁹ *San Diego Daily Sun*, 4 May 1888, 1:4. The only time an advertisement appeared in a city directory for the hotel was in 1887-88: “AMERICAN HOTEL, Washington Square, Old Town, P. O’Neill proprietor,” see *Maxwell’s Directory of San Diego City and County, 1887-8* (San Diego: Geo. W. Maxwell, Publisher, [1888]), 54.

¹²⁰ Ltr. – Patrick O’Neill to Congressman Geo C. Perkins, 1 January 1899, and other Pension Documents, Folder #3, Connors/O’Neill Collection; *San Diego Union* - “Death of a Pioneer Who Lived Here for 48 Years,” 22 March 1900, 5:1 and “Death of Mrs. O’Neill,” 2 January 1904, 6:5.

¹²¹ 12th Census of the United States, 1900, State of California, County of San Diego, City of San Diego, Ward 1, image 24 of 42, lines 56 - 59, www.Ancestry.com, accessed 3 March 2012.

¹²² *San Diego Union*, 1 January 1885, 3:2; and Last Will and Testament of María Antonia Silvas & Petition for Probate of Will, Probate Case #428, the Estate of Maria Antonia Silvas, filed 13 June 1888, PRC-SDHC. The will indicated that she left her property in a trust to Lorenza and Michaela, but a news article stated

that “she left all the property during his [José Antonio] lifetime in trust for Lorenza O’Neill and Marcello Tierney,” see “The Silvas Estate,” *San Diego Union*, 15 June 1888, 5:5. Marcello is a misspelling of Marcella which is a misspelling of Michaela or possible an English translation of the name.

¹²³ Winifred Davidson’s articles “Loma Lore,” in *Beach News* - “Old Keepers,” 25 July 1924 & “Old Newspaper Notices,” 29 August 1924; Francisco Arguello vs. William Price & Edw. Elliott, Journal of the District Court, 14 July 1870, 405-07.

¹²⁴ *San Diego City and County Directory 1904, 1914 & 1919* (San Diego: San Diego Directory Co., 1904, 1914 & 1919), 483, 1094 & 853; 14th Census of the United States, 1920, State of California, County of San Diego, City of San Diego, San Diego Township, Enumeration District 254, image 5 of 22, lines 47 & 48, www.Ancestry.com, accessed 3 March 2012; and “Funeral Service Held for Woman: Requiem Mass said by Franciscan Fathers for Pioneer of San Diego,” *San Diego Union*, 25 December 1928, 5:1.

¹²⁵ Deeds – Lorenza O’Neill to Sarah O’Neill, 30 November 1903, Deed Book #336, 328; and *San Diego City and County Directory, 1905 & 1907* (San Diego: San Diego Directory Company, 1905 & 1907), 1905-323 and 1907-388-89. The last year Patrick appeared in the city directory as the proprietor of the American Hotel was 1897; and the last year officials used “Pat O’Neill’s House” as a polling place for the voters in Precinct #2 was 1901 – see *San Diego City and County Directory 1895, 1912 & 1922* (San Diego: San Diego Directory Co., 1895, 1912 & 1922), 1895 - 179, 1912 - 563 & 1922 - 625; *San Diego Union*, 9 April 1901, 7:5. Winifred Davidson’s Notes 1934, American Hotel indicated that the address of the relocated building was 394 San Antonio Street – information found in Vertical Subject Files: American Hotel, SDHC.

¹²⁶ *San Diego City and County Directory 1906, 1909, 1913, 1914, 1917, 1918, & 1923* (San Diego: San Diego Directory Co., 1906, 1909, 1913, 1914, 1917, 1918, & 1923), 1906 – 390, 1909 – 388, 1913 – 738, 1914- 847, 1917 – 798, 1918 – 684, & 1923 – 804.

¹²⁷ Document entitled “Wilson E. Silsby,” found in Vertical Subject Files, Binder #45, American Hotel, SDHC. The introduction to this document states “When Mr. Silsby was in San Diego, about 1905, he lived at the Casa Machada (sic). The following is his description of the old adobe mansion, as it appeared in the Chicago News.” A free-lance researcher, contacted through the Chicago Historical Society, reviewed a microfilm copy of the *Chicago Daily News* for 1905 and was unable to find a copy of the Silsby’s article.

¹²⁸ *San Diego City and County Directory 1904, 1905, & 1906* (San Diego: San Diego Directory Co., 1904, 1905, & 1906), 1904 – 440, 1905 – 396, & 1906 – 477; “Etcher Returns to Former Home,” *San Diego Union*, 24 January 1926, 12:?:; “Wilson Silsby Again in San Diego, Where his Road to Art Fame Began,” *San Diego Union*, 30 March 1935, 9: 2-3; “Wilson Silsby, Etcher, Seeks Material Here,” *San Diego Union*, 24 August 1945, A12: 3-4; and Ltr. – E. Galliene “To The Little Church, The Plaza, Old Town San Diego,” ND [1950], Biographical Files, Binder 198, Silsby, Wilson, SDHC.

¹²⁹ Charles W. Hughes, “The Estudillos of San Diego: A History Uncovered, 1797-1969,” Report Submitted to California Department of Parks and Recreation, San Diego Coast District, January, 2012, 84-86; *San Diego Union* - “Grand Opening of the Historic Casa De Machado,” 15 January 1928, 2: 1-4 & “Plan Dinner at Old Town,” 30 July 1928, 11: 1; and Photo Prints – “Casa Mexicana,” 1916, ID #3935, “Famous Old Adobe Cafenet,” 1920 (?), ID #5954, & “Restaurant Casa de Machado,” 1928, ID #87-16165-3.

¹³⁰ Obituary – “Carrie Shannon,” *San Diego Union*, 6 May 1960, B20:1; and Photo Prints – “Machado House” Catechism Class, 1916, ID #83-14681-1, #83-14681-2, #83-14681-3, & #83-14681-4, SDHC.

¹³¹ Standing on the far left with a ribbon in her hair is four year-old Marcella Hughes Doyle, a lifetime resident of Old Town San Diego and this writer’s paternal aunt. The two girls sitting on the rocks in front with white dresses on are the granddaughters of John and Rosa Stewart – the one squinting is Rosa “Rosie” Margarita Stewart and the one shielding the sun from her eyes is Carmen Stewart Meza. Rosie died during influenza epidemic of 1918 two years after this picture was taken. Carmen, along with her daughter Stella Meza Pelletier, were the last two descendants of José Manuel Machado and María Serafina Valdez to live in the Casa de Machado y Stewart. Identification of the Stewart sisters was provided by Mrs. Pelletier and the family photos she has in her possession. Photo ID #83-14681-2, SDHC.

¹³² *Ibid.* Over the years, this author, his aunt and several members of our extended family were all students in Miss Shannon classes, and some of the information presented here is based on oral traditions of the Hughes and Doyle Families.

¹³³ H.C. Hopkins, *History of San Diego: Its Pueblo Lands & Water* (San Diego: City Printing Company, 1929),183-89; Clarence Alan McGrew, *City of San Diego and San Diego County: The Birthplace of California*, Volume 1 (Chicago: The American Historical Society, 1922), 69-71; *Daily Alta California*, 22 December 1849, 3:1, 14 March 1850, 2:3 , 20 September 1850, 3:2 ; and Helmich & Clark, “Interpretive Program: Old Town San Diego State Historic Park.”

¹³⁴ Neal Harlow, *Maps of the Pueblo Lands of San Diego, 1602-1874*, (Los Angeles: 1987), pp. 87-94 & 127-31.

¹³⁵ Chapter 17, “An Act defining the amount of revenue to be collected to defray the expenses of the Government of the State of California, for the year eighteen hundred and fifty,” *The Statutes of California Passed at the First Session of the Legislature* (San Jose: J. Winchester, State Printer, 1850), 121-24.

¹³⁶ *The Statutes of California Passed at the First Session of the Legislature*, 121-24.

¹³⁷ *San Diego Herald*, 25 April 1857, 2:3.

¹³⁸ The Common Council approved payment of fourteen dollars to Freeman for services performed as a policeman in August, 1850; it is assumed that he died sometime shortly thereafter - see Minutes of the Common Council, 44-5, R1.3, PRC-SDHC.

¹³⁹ Census records in 1860 listed Anna Freeman’s age as twelve years old - see 8th Census of the United States, California (1860), San Diego County, San Diego Township, Images 13, Line 29, www.ancestry.com, accessed 5 March 2015.

¹⁴⁰ 5 June 1851 – “Estate of Richard Freeman (deceased) on motion of Philip Crosthwaite administrator of said estate – G.L. Tebbetts, F. Painter and Philip Hoffman be here appointed appraisers of the property of the same.” The one document found in the Richard Freeman Probate Case File is the report from this committee, which identified a value of \$1,900 on the Freeman/Light adobe. By 1852, Crosthwaite was serving as the clerk of the probate court.

¹⁴¹ Deed – Philip J. Neal to David Wallach, 2 October 1869, Deed Book 7, 109-10, SDCARC; Abstract List of Property Owned in San Diego, Philip J. Neal Business Records, Ephraim W. Morse Family Papers, Box 8, Folder 32, Mandeville Special Collections Library, UCSD; Mendoza, “Old Town Property Study,” 17-22; Helmich and Clark, *Interpretive Program, Old Town San Diego State Historic Park* GDP: #03; and Zink, *Places at Old Town San Diego*, #34.

¹⁴² Carpenter, *The Climate and Weather of San Diego*, 36-37; and City of San Diego, ND Lot Book [Circa 1870s], 124; California Room, SDPL.

¹⁴³ Starr, *San Diego: A Pictorial History*, 51-3. For a list of subdivisions see ND Lot Book [Circa 1870s], unnumbered pages at the beginning of the volume.

¹⁴⁴ Order of the Board of Trustees for a Quit Claim Deed, 5 November 1887, Connors/O'Neill Collection, 1856-1958, MS #17, Folder #1, SDHC.

¹⁴⁵ Napa County voter registration records described Antonio Raumaldo Smith as a native Californian, between 26 and 34 years of age, and earning a living as a laborer and butcher - see Great Register of Napa County: 1888 – registration #3565, date of registration 27 March 1888; 1892 – registration #2973, date of registration 1 September 1892; and 1896 – registration #3037, date of registration 10 March 1896 – images 151, 195, & 432 of 499, www.ancestry.com, accessed 21 April 2014. Efforts to find Smith in the 1880 and 1900 national censuses were unsuccessful.

¹⁴⁶ Information about the construction of the house for José Antonio is available in Folder #3, Connors/O'Neill Collection, SDHC.

¹⁴⁷ Probate Orders and Decrees, Superior Court, County of San Diego, Volume 6, 2 July 1888, 424-26 & Volume 8, 28 September 1888, 156, PRC-SDHC. In 1921 and 1927 Special Administrators were appointed to complete the probating of Antonia's estate, but nothing ever came of these actions – see Probate Case File #428.

¹⁴⁸ See endnote #121.

¹⁴⁹ *San Diego Union* - “Pasado Fiesta to be Given in Historic House,” 21 December 1941, 8: 1-3; “First Protestant Church in Old SD Being Built,” 9 October 1954, 6: 6-8; Ernesto Flores, “Old San Diego Church Will Hold Last Services,” 2 August 1969, B9: 2-4; and 5 June 1971, B5: 1-3.

¹⁵⁰ For example tax records offered no descriptions of improvements made on lots in Old Town other than to assess their monetary value; on several different occasions they failed to do even this. City directories provided almost no information about 19th century Old Town residents. Fire insurance maps did not include Old Town until well into the 20th century.

¹⁵¹ Wallace, “Report on Archaeological Investigation of the Casa Machado de Silvas, Old Town San Diego,” 2; and Pourade, *The Silver Dons*, 130-31, 158. Probably, a more valid argument may be that Stanley's sketch did not include all of the houses that existed at the time he made the drawing; Pourade made this kind of claim about the Powell drawing omitting several of the original houses. The strongest evidence we have at present, however, indicates that the Machado/Silvas adobe was built sometime after Stanley completed his sketch of San Diego and before news reached southern California about the

discovery of gold on the American River. Taken what we know now, it is highly unlikely that María Antonia built her house in 1843 on the southwest side of the plaza. She was a single parent with three to five children who has just been abandoned by her husband. Why would she build a second house when she just bought one?

¹⁵² There are two other drawings of the town produced during this period. John Russell Bartlett, the U.S. Mexican Boundary Commissioner, visited San Diego in May of 1852 and made a drawing of the town probably sometime after his departure. The Bartlett drawing provided a long view of the town offering little discernable evidence about the individual buildings that existed at the time. Bartlett has the river flowing past the town on its southeast side and not the northwest side – see John Russell Bartlett, *Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, Sonora and Chihuahua: Connected with the United States Boundary Commission during 1850, '51, '52, and '53* (New York: D. Appleton, 1854) V. 1, 95. A second drawing produced by an artist named

¹⁵³ Henry Miller, *13 California Towns from the Original Drawings* (San Francisco: The Book Club of California, 1947), [66 (pages unnumbered)].

¹⁵⁴ See endnote #106

¹⁵⁵ Paul H. Ezell and Noel D. Broadbent, “Archaeological Investigations at the Casa de Jose Manuel Machado (The Stewart House), 2724 Congress Street, Old San Diego, 1967,” Department of Anthropology, San Diego State College, June 30, 1967, 22.

¹⁵⁵ Charles W. Hughes, “*Casa de Machado y Stewart: The Pioneering Legacy of José Manuel Machado and John Collins Stewart*,” Report Prepared for the California Department of Parks and Recreation, San Diego Coast District, October 2013, 77.

¹⁵⁷ Watercolor Painting – “The Antonio Silva Adobe in Old San Diego,” by Eva Scott Fenyes, April, 1907, Object ID #FEN 64, Autry National Center, <http://collections.theautry.org>, accessed 8 August 2014.

¹⁵⁸ “Machado House Patio, 1916,” Photo ID # 83-14681-1, SDHC.

APPENDIX NO. I

#1 – Deed, 1843 Grant of Land to María Antonia Machado de Silvas from José Antonio Góngora, Justice of the Peace, Deed Book 1, 75-77, recorded 20 October 1856 [document in Spanish].

#2 - “Report to the Mayor and City Council of San Diego and Historical Site Board on ‘Historical Survey of Old Town Plaza,” by A.P. Nasatir and Lionel U. Ridout, 1967. Excerpt of information presented about *La Casa Machado de Silvas*, including a translation of the 1843 grant deed written in Spanish, 28-31.

Photographed By V. WHELAN, Deputy Recorder

Mentioned

Rec'd

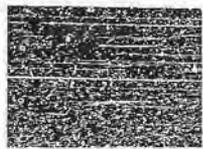
In witness whereof, I have hereunto set my hand and official seal, at the City of San Diego, County of San Diego, the day and year first above written
C. D. Moore
Notary Public

Received for Record at 5 P.M. September 29. 1862 and recorded on the 1st day of October, at 3. P.M. at the request of Joseph Reimer

W. B. Coates Recorder
By E. S. Veil Deputy

Sello de la Aduana Maritima de Monterey

Sello quinto un real. Habilitado provisionalmente por la Aduana Maritima del Puerto de Monterey en el Parlamento de las Californias, para el año de mil ochocientos sesenta y tres. Micholerosena rubricado. Manuel Castañares rubricado. José Antonio Songora Fuero de Paz de este Partido en ejercicio de esta jurisdicción de Alta California y con asistencia de mis dos testigos de asistencia ordinarios que abajo firman y en virtud del poderamiento que hace a este cargo de mi cargo doña Maria Antonia Machaco mujer del Soldado José Antonio delvas vecino de este lugar, el que se le mide en solar para Casa, pagando los derechos correspondientes, se le midieron veinte y cinco varas de frente del Oeste al Este, que hace calle con las Casas cercadas del Sr. Maximo Reyes y de don Manuel Machado. Don señor de verdadera posesion le di este en San Diego a los diez dias del mes de Agosto de 1862. Firmado José Antonio Songora en esta rubricado. Asistencia. Tomas Retimton. Asistencia. Julio Osuna. Arriero de la interesada. Certifico el abajo firmado ante dos testigos que corresponden como en el año de mil ochocientos sesenta y tres siendo yo don J. P. Antonia de este lugar de San Diego solicitó de mi doña Señora Maria Antonia Machado esposa de Nuncio delvas que elástica en alguna manera el mencionado solar, el terreno del frente de su Casa que vé hacia el punto de la Cancheta cuando al Cerco del que forma la huerta del Sr. Retimton, cuya tierra se compone de 11 varas de frente al Norte como a un lado, el punto plano en donde cae esta



las demas cosas que tiene para las demas cosas
 y hechas por mí y al 2.º Alcalde en aquella forma todas
 las ~~demas cosas~~ con las formalidades de estilo, de
 rige, tomando en firme de la tierra que se solicita
 reconocida propiedad de la misma o por escrito que
 se hubiese hecho alguno otro individuo, reconoci-
 dos pues que se hallaban enteramente baldios se le
 concedió legalmente para que hiciese de ella el uso
 que le conviniera y habiendosele instruido de
 dicha cosa el documento de Concesion, me suplico le
 dé un Certificado acreditando ante las Autoridades
 del lugar ser una propiedad de ella concedida co-
 mo consta en el adjunto plano. San Diego, Junio
 2 de 1857. José Joaquin Ortega - asse José Maria
 Orco - asse José Maria Estrella

Certifico como el abajo firmado José Joaquin Ortega
 que siendo Jefe de 1.ª Instancia de este lugar y en el año
 de mil ochocientos ochenta y tres se me presentó la Sr.
 Maria Antonia Machado pidiendome la tierra que queda
 atrás de la casa de su habitacion para formar
 una huerta que es la que hoy ocupa, lo se compro

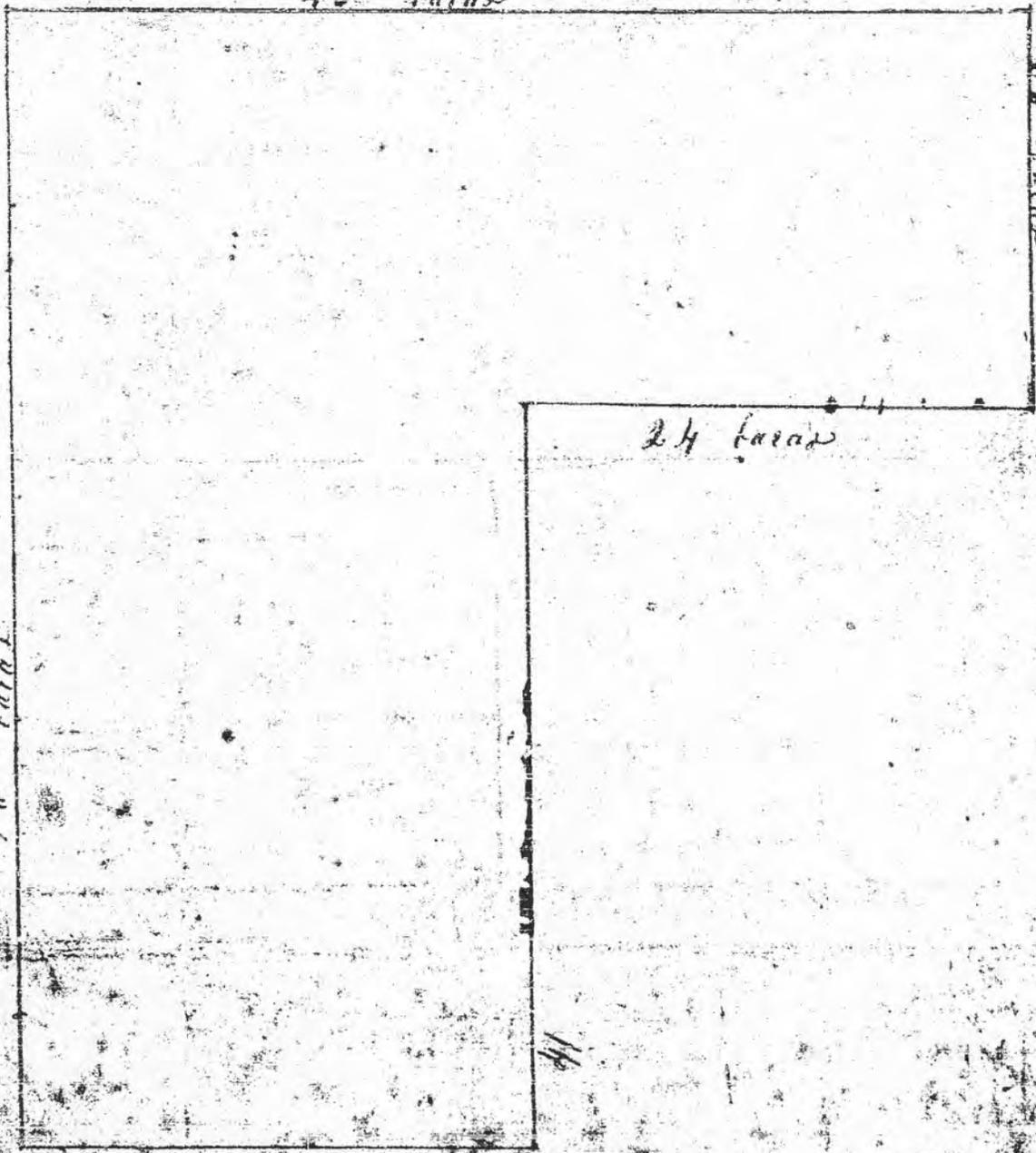
48 yards

26 yards

Thomas Wright

24 yards

46 yards



front of house 24 yards

de sesenta y siete varas de largo desde la esquina de su
 casa que va al Oriente y Cuarenta y ocho de ancho
 hasta unirse con el cerco del Sr. Retamón, queda de
 en esta Cabeza de veinte y seis varas de ancho y veinte
 y cuatro de largo. En consecuencia a esta solicitud
 despues de haber tomado todas las informaciones nece-
 sarias si la tierra que dicha tra. pedia pertenecia
 a algun individuo por herencia, propiedad o culti-
 vo por otro, no encontrando quien le interrumpiera
 esta solicitud en algunos de los terminos ya dichos
 y si encontrandola enteramente baldia, acordé
 en concederle la lagun y conforme al adjunto pla-
 no, obrando de conformidad con las leyes que en
 aquella ves nos regian y facultado para obrar
 de conformidad en los terminos ya dichos. San
 Diego Mayo 3 de 1852. José Joaquin Ortega - Testigo
 - José María Oroco. - State of California San Diego
 County = On this twenty fourth day of May Anno
 Domini one thousand eight hundred and fifty two, per-
 sonally appeared before me a Notary Public in &
 for San Diego County and State of California,
 José Joaquin Ortega known to me to be the per-
 son described in & who executed the foregoing ins-
 trument who acknowledged to me that he executed
 the same freely and voluntarily for the uses
 and purposes therein mentioned

All of which I certify under my
 hand & private seal having no seal of office
 the day and year aforesaid

James K. Robinson
 Notary, L. L. S.

Received for record October 30th 1852 at 10 o'clock
 A.M. and recorded same do, at 12:30 in Book ⁷⁵ pages 76, 77
 at request of Martin Markens

W. B. Curtis
 Recorder

APPENDIX I

#2 “Report to the Mayor and City Council of San Diego and Historical Site Board on ‘Historical Survey of Old Town Plaza,’” by A.P. Nasatir and Lionel U. Ridout, 1967. Excerpt of information presented about the *Casa Machado de Silvas*, including a translation the 1843 Deed document written in Spanish, pp. 28-31.

VI. House of María Antonia

A. Location

1. The house is easily located, for it stands today as the Machado Chapel, on San Diego Avenue¹.

2. Pourade Collection², “Machado de Silvas File” states: “This house, together with the house of José and María Machado and that of Felician Valdez de Reyes, fronted on the road which ran through the middle of the block parallel to Congress St. and San Diego Avenue. The back of the house faced San Diego Avenue, and what now appears to be the front of the building is actually the rear.” This would be a road or alley through an arroyo west of the Machado de Silvas House.

B. Time of building

1. San Diego Old Town Study³, p. 6, says it was built about 1843.

2. Pourade Collection, “Houses Before 1850 File[s],” indicates it was built before 1850. The information indicates the house was built around 1843 by María Machado de Silvas. The original deed to the lot is dated August 10, 1843.

3. Winifred Davidson’s “Notes,” indicates it was built prior to the 1840’s, but Pourade feels her conclusions are not based on solid foundations, especially since the property was not granted until 1843.

About the most that can be said is that the house was built between 1843 and 1850, most probably for former date.

C. Legal evidence of ownership

APPENDIX I

1. Deed; Deed Book 1, pages 75 and 76, dated August 10, 1843; County Recorder's Office, San Diego. Translated by our colleagues Professors, Head and Smith⁴ from Photostat.

At the end of this statement [which is in Spanish] appear these words in English:

"On the twenty fourth day of May Anno Domini one thousand eight hundred and fifty two personally appeared before me a Notary Public in and for San Diego County and State of California, José Joaquín Ortega known to me to be the person described in [?] who executed the foregoing instrument (soho?)acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

All of which I certify under my hand and private seal having no seal of office the day and year aforesaid.

James W. Robinson
Notary Public

Received for record October 20th, 1856 at 10 o'clock a.m. and recorded same day at 12 m. in book 1, pages 75, 76, and 77 at request of [?].

W.B.Couts
Recorder

The document [in Spanish] reads:

Fifth seal, one real {approximately twenty-five cents}. Provisionally given by the Maritime customs, of the port of Monterey, in the department of the Californias (signed) Micheltorena, (signed) Manuel Castanares. José Antonio Góngora, Justice of the Peace of this district, under the jurisdiction of Alta California, and with the aid of my two ordinary witnesses, who sign below, and in virtue of the request which Doña María Antonia Machado, wife of soldier José Antonio Silvas, citizen of this place, makes of this court, under my charge, which [the request] is, that a lot for a house be measured 24 varas in front from west to east, which forms a street with the known house of Mr. Maximo Reyes, and Mr. Manuel Machado, and in evidence of true possession I have her a hearing [literally, I heard her] on this matter, in San Diego, on the 10th of August, 1843.

APPENDIX I

Signed, José Antonio Góngora [official signature]. Witness: Julio Osuna, on the behalf of the interested woman (the plaintiff).

The undersigned certified before two witnesses, who give credence how, in the year 1843, I being Judge of the First Instance of this place of San Diego, Mrs. María Antonia Machado, wife of Nicasio Silvas, [said husband who was living at that time], requested of me the land in front of her house which faces towards the gully next to the fence which forms the orchard of Mr. Retington whose land consists of 24 varas frontage to the north, as the attached map verifies, in which it accounts for the remaining varas which it has on the remaining sides. And having been made for me and the second alcalde of that time, all the assurances with the formalities of style, I found out, taking testimony whether the land which was under request was recognized by inheritance or by cultivation rights which might have been executed some other individual. It being recognized, then, that they were entirely vacant, it was legally conceded to her so that she might make use of it as it suited her, and she having lost the document of concession (deed), she asks me that I give her a certificate guaranteeing before the authorities of this place that it is her property, conceded as set forth on the attached map. San Diego, June 2, 1851. José Joaquín Ortega. Witness: José María Orozco, Witness: José María Estudillo.

I, José Joaquín Ortega, as the undersigned, certify that, being Judge of the first instance in this place in the year 1843, Mrs. María Antonia Machado presented herself before me, asking me for the land which is in back of her house of residence, in order to form a garden which she today occupies, which composed of 67 varas in length, from the corner of her house which looks to the east, and 48 wide until it joins the fence of Mr. Retinton, there being is this parcel 26 varas in width, and 24 in length. And in consequences of this petition, after having taken all the necessary testimonies, whether the land that said lady was asking for belonged to any individual by inheritance or property right, or by cultivation right by another, not finding any one who would challenge this petition in any of its before mentioned terms, and finding it to be entirely vacant, I agreed to concede it to her, according to and in conformance with the attached map, working in conformity with the laws which at that time were in effect, and having the power to work in conformity with the aforesaid terms. San Diego, May 3, 1852. José Joaquín Ortega; Witness: José María Orozco.

APPENDIX I

¹ The San Diego City Directory identified the address as 0000 San Diego Ave.

² Today the Pourade/Copley Books Collection is part of the archival holdings of the San Diego Save Our Heritage Organisation.

³ San Diego "Old Town Study," Division of Beaches and Parks, California Department of Natural Resources, study requested by House Resolution No. 105, Statutes, 1964, Sacramento, California, 1966.

⁴ Professors Gerald L. Head and John David Smith – email communications to the author from Special Collections and the Spanish & Portuguese Department, San Diego State University, 16 & 22 December 2014.

APPENDIX NO. II

#1 - "Deed of House and lot from Antonia Machado to Rafael Romero - May 17th 1846," Deed Book "C," 232-34, SDCARC, [document in Spanish].

#2 - "Deed of House and lot from Antonia Machado to Rafael Romero - May 17th 1846," Deed Book "C," 232-34, SDCARC, [English translation by Cynthia Hernandez].

Photographed By V. WHELAN, Deputy Recorder

2º en el qº tengo formada una huerta, y de cosa de
tengo el Documento de propiedad del expresado
terreno que se halla al frente de mi casa (morada),
mumbo al (con este refero tengo un abien) extorname
dicho documento de propiedad, admitiendo la presente
en este papel como prº falta del sellado correspondiente
Dado en mi casa de San Diego de

4º de San Diego Junio 6, 1846

(firmado) Josef C. de Soto

Suplico 1º de Puz y de 1º de San Diego
Junio 6 de 1846. Por presentado y admitido en cuanto
a lugar a derecho (mas en ratando a reglar el modo
de proceder en estos casos sustituyendo a la interesada
un certificado qº le haga constar el derecho hasta
tanto el Gobierno y Honorable Asamblea determine
lo conveniente sobre el particular advirtiendo
qº la interesada estara sujeta a los canones y demas
reglas qº se establezcan pº las expresadas Superiores
Autoridades.

José A. Estudillo

Rec. en virtud Jun. 17º a. D. 1851 at 11º Nov.

and regº Jun. 17º a. D. 1851 at 2º P. J. J. J.

Fus 93-

H. C. Matette

Recorder

Deed of Honor and lot from Antonio Machado
to Rafael Romero - (May 17º 1846)

En el Puerto de San Diego a los diez y siete
dias del mes de Mayo de mil ochocientos
cuarenta y seis, ante mi Juan (M.ª) Osuna
Alcalde segundo de este lugar y los testigos de mi
asistencia, parecio el Sr. José A. Gonzaga ^{comis} apoderado
de Don Juan Antonio Machado, teniente que en el

Photographed By V. WHELAN, Deputy Recorder

ño de cuarenta y tres, día siete de Marzo le
compró al Sr. Julio Osuna un cuarto y dos solares
de la propiedad del Sr. Juan María Osuna en
veinte pesos como consta por un documento y
es en su poder; El cual trasladado y vendido por
su posesión al Sr. Rafael Romero el dicho cuarto
y solares por veinte pesos, y en cumplimiento de lo
comenido lo firmaron las partes contratantes y los
testigos de solemnidad con cuyo el expresado Sr. Juan
en este papel común por falta del sellado que
conesponde.

A ruego de Sr. Juan
Antonia Machado
Sr. Ant.º Longora.

A ruego del interesado
Julio Osuna.

D.A.

Julio Osuna

D. Juan M.º Osuna

Rec.º y acuerdo Jan. 17.º A. D. 1851 at 10.º AM.
ms. registrado Jan. 17.º A. D. 1851 at 2.º 30.º PM.
Fee \$4

W. Mateo

Recorder

Deed of House & Lot from Rafael Romero to
Josefa Fitch

He recibido de Doña Josefa
Carrillo de Fitch la cantidad de cuarenta pesos
en moneda corriente, por valor de mi solar y
casita en esta poblacion que le tengo vendida
en dicha cantidad y cuya solar y casita le
entregare y desare posesion a los veinte dias
de la fecha.

Testigos
Bingul de Pedernera

San Diego 6 de Octubre 1848

Rafael Romero

Ant.º
Pedro Pablo Poncia

X
Juan Maria Marron

0-392

Photographed By V. WHELAN, Deputy Recorder

State of California
County of San Diego

On this seventeenth day of January A. D. 1851, personally appeared before me Recorder in and for the said County, Susan Maria Mason, former Alcalde, known to me to be the person mentioned in the above instrument, who acknowledged to me that she afore mentioned Rafael Romero executed the foregoing instrument in his presence freely and voluntarily, and for the benefit of the above mentioned Josefa Carrillo de Fitch

Witness my hand and seal this 17th day of January 1851 at San Diego.
and my 2d day 17th day of January 1851 at 3d Floor.
R. M. Mason
Recorder

Grant of Lot from Alcalde to H. D. Fitch
July 7th 1848

Don Domingo Fitch vecino y residente en este punto, ante mí, con el debido respeto y conforme a derecho suscrita y dice q. necesitando un solar para fabricar, y hallándose vacíos el que está contiguo con mi corral que está en frente de mi casa hacia el N. E.

Por lo que suscrita se ha de permitir concederme el espacio de terreno que se pide, para que yo pueda fabricar un solar de terreno de veinte pies de frente y veinte pies de fondo, disponiéndose esta en parte común por falta del solar correspondiente a los otros no ser de Mahera y lo necesario.
San Diego dicho día de Julio ochocientos y cuarenta

0.234

two in which I have formed a garden, and is said to have the property title of the aforementioned plot that is located in front of my home dwelling, towards the northeast. I hope you will do me the favor of hiding said property title for me, accepting this document even though it is written on common paper for lack of the proper seal. I swear to be in good faith.
Port of San Diego, June 6th, 1846

(Signed) Josefa C. de Fitch

First justice of the peace of the [illegible] of this [illegible] San Diego. June 6th, 1846. As presented and accepted according to the law, but the way to proceed in these cases not being determined, issuing to the interested party, a certificate that will indicate the right until the government and Honorable Assembly determine the appropriate [illegible] the matter, accepting that the interested party will be subjected to the canons and the rest of rules that are established for the express superior authorities.
José A. Estudillo (rubric)

____ _ I am, 17th A. D 1851 at 10h A.M
and signed: I am 17th A .D1851 at 2 h P.M

[illegible rubric]

Deed of Homes and _____ Antonia Machado
To Rafael Romero-May 17th 1846

In the Port of San Diego, on May 17, 1846,
Citizen Jose Antonio Gongora, as a representative of Doña Maria Antonia Machado, appeared before me, Juan Ma. Osuna, second mayor of this town, and before my assistants acting as witnesses, saying that

on March 7, 1843, a room and two gardens were bought from Citizen Julio Osuna of the property of Mr. Juan María Osuna for twenty pesos, as is evident in a document that is in his possession; and said room and two gardens are transferred to, sold to, and taken possession by Mr. Rafael Romero for twenty pesos, and in compliance with this agreement, the interested parties and the attending witnesses are with me, the aforementioned Judge, on this common paper, for lack of the corresponding seal-

A petition of Ms.
Antonia Machado
José Antonio Góngora
Juan Ma. Osuna

A petition of the
interested party Julio Osuna

Julio Osuna

Recd _____ Jan 17th AD 1851 at 10h AM
And registered Jan 17th AD 1851 at 2h 30m PM
_____4 [Illegible rubric]

Deed of house _____ Rafael Romero to Josefa Fitch

I have received from Doña Josefa Carrillo de Fitch the amount of forty pesos in valid currency, for the value of my garden and little house in this town, that I have sold to her for said amount and whose garden and little house I will hand over and give possession to, twenty days from the date

San Diego October 6th 1848

Witnesses

Miguel Pedorena Rafael Romero

Witness
Pedro Pablo Poncia _____

Juan Mario Marron

State of California
County of San Diego

On this [Illegible] day of
January AD 1851, personally appeared before me
Recorder [Illegible] and for the said [Illegible] Juan Garcia
Marron, form alcalde, [Illegible] to me to he the
Person mentioned in the above instrument, who ak
nowledged to me this [Illegible] aforementioned Rafael
Romero excented the forgiving instrument in his
Presence [Illegible] and voluntarily and for the benefit
Of the above mentones Josefa Carrillo de Fitch

[rubric] [Illegible]

Recd for [Illegible] I am 17th AD 1851 at 10h AM
And [Illegible] I am 17th AD 1851 at 3h PM

[rubric] [Illegible]

[Illegible]

Grant of [illegible] Mayor to H. D. Fitch
July 7th 1848

Mayor of this District, Mr. Enrique Domingo Fitch, resident and neighbor of
this point before you. Respectfully, and according to the law, [illegible verb] and
[illegible] needing a *solar* to construct, since the one next to my house, in front of my
house towards the NE, is available.

I beg of you to please concede this to me. I will pay the required entitlements.
This plot of land consists of twenty-seven *varas* in front, and twenty-seven deep.
Excuse me for me writing this on common paper, for lack of the proper seal. I swear not
to be of bad faith and to do what is necessary.

San Diego, July 7th, 184 [missing the 8, that is probably on the next page]

Translator's notes:

solar: garden plot behind the main house, possibly corral, outhouse, or cleared space for
future building

vara: possibly 33" inches

APPENDIX NO. III

District Court Case File #621, María Antonia Machado vs. José Antonio Silvas, Action for Divorce, Filed 10 April 1854, PRC-SDHC, R3.38

DOCUMENTS:

- #1. Complaint, Action for Divorce – filed 10 April 1854
- #2. Summons – filed 10 April 1854
- #3. Affidavit for Notice to Appear – filed 19 April 1854
- #4. Order for Publication – filed 20 April 1854
- #5. Order for Publication – files 20 December 1854
- #6. Deposition of John C. Stewart – filed 22 August 1855
- #7. Deposition of Juana Wrightington – filed 23 August 1855
- #8. Deposition of Albert B. Smith – files 23 August 1855
- #9. Report of Referee and Judgment in the Cause – filed 23 August 1855
- #10. Judgment – filed 23 August 1855

TWO NEWS NOTES FROM THE *SAN DIEGO UNION*, 8 & 15 March 1874

- #11. Señor Silvas Returns to Old Town After Thirty-Two Years

State of California
Maria A. Silva
vs.
Jose A. Silva

The Honorable the District
Court of the First Judicial
District in and for
the County of San Diego

Maria A. Silva the Plaintiff
comes into this Honorable Court by Mr.
Harrell her attorney and complains that
whereas she was lawfully married to the
Defendant Jose A. Silva about the year
one thousand eight hundred and thirty
six - and ^{lived} with him as her husband until
she had by him three children, and she
averts that during that time ^{he} made little or
no efforts to maintain & support her
and his children but spent what little
they earned in gambling, and she further
averts that about the year one thousand eight
hundred and forty that the said Silva totally
abandoned and deserted the complainant
and her children and went to San Louis Rey
mission and resided there as she believes
for about the space of one year from San
Louis Rey the complainant heard he went
up the country and from there to Sonora
and she also further averts that she has
been ~~is~~ totally deserted by the said Silva
her husband and that when he so abandoned
her that he left her no property or means
of maintenance of herself and her children
and since he left he has neither sent or
caused to be rendered any assistance for

for the support of his family, but on the
contrary has wilfully and totally abandoned
and deserted the same and left his wife
the Complainant to support herself and
children by her own labour, and he doth
still neglect and desert ~~them~~ her and his
children and still neglect to provide for
them - ^{and has done so for over thirty years} ~~years~~
Therefore she prays ^{that} this Honorable
Court will inquire into the facts herein
set forth & if found to be true as alledged
that the Complainant be granted a divorce
(a vinculo matrimonii) from the bonds
of matrimony from the said defendant
Jose A. Silva

W. C. Herrell
Plaintiff's Attorney

621

Maria A. Silves

-vs-

Josi A. Silves

Summons

Filed April 10th
1882 W. M. Courts
Clerk

District Court
1st Judicial District
State of California
San Diego County
Maria A. Silva,
vs

Josi A. Silva

The people of the State of California to Josi A. Silva, We Summon you to be and appear before the District Court of the 1st Judicial District of said County within ten days after the service hereof upon you, (exclusive of the day of service) if served in said County; if served out of the County, but in the said Judicial District, within twenty days; if served out of the said Judicial District, but in the State, within forty days, to answer a bill of complaint filed in said Court against you by Maria A. Silva, the nature of which is to obtain a Judgment of the Court aforesaid in her favor and against you the said defendant, decreeing her divorced and separated from the nuptial tie and bond of matrimony which has hitherto existed with you - You are notified if you fail to answer the said Complaint within the time specified, the Court will proceed to hear proof of the facts alleged therein and grant relief accordingly.

Given under my hand and seal
and having no seal of said Court
using my private seal.

This April 10th
A.D. 1854

H. B. Courts

clerk of the
District Court

621

District Court
1st Judicial District
State of California
San Diego County
Maria A. Silvers
vs
Jose A. Silvers

Affidavits for
Notice to appear

Filed April 29th 1887

M. Colet
Clerk

State of California
San Diego County

Personally appeared before me, Maria
A. Silva and being duly sworn deposes
and says that she has commenced an
action in the Honorable the District Court
of the 1st Judicial District in the State
of California County of San Diego
against Jose A. Silva to obtain a
divorce from the said defendant from
the nuptial bond, of matrimony and
that after due diligence the defendant
can not be found in the County of
San Diego or in the State of California
and that she has reason to believe and
does believe that the said defendant
is not a resident of this State. -

~~Witness~~ to before me
this the 19th day of April 1854
Maria A. X. Silva
Daniel H. Rogers
Justice of the Peace

Maria Antonia Silbas, p^lff
vs. 3 In District Court of 1st
Judicial District, State
Jose Antonio Silbas, def^t of California, for county of
San Diego -

It appearing to me from the affidavit of said
plaintiff, Maria Antonia Silbas, and the complaint
filed in the Clerk's office of said Court, that she
has a good cause of action, and that said
defendant, Jose Antonio Silbas is not a resident
of the State of California and cannot after due
diligence be found in this State, ordered
that publication of the summons in this case
be made in the San Francisco Herald, a
newspaper published in the City of San
Francisco, State of California, for three
months successively - Given under my hand,
as Judge of said Court on this 20th
April A. D. 1854.

Ben^o Hayes
District Judge

Filed April 20th

1857

W. B. Conroy

Clerk

Manu A. Schos

M

Manu A. Schos

Order for publication

Filed Feb 21st 1899
J. W. Lewis
Dist. Clerk

Francis Antonio Silros }
as } the highest Court
Jose Antonio Silros } 1st Judicial District
} State of California
} in San Diego County

It appearing to me from the affidavit
of said Plaintiff and her complaint
filed in the Clerk's office of said Court that
she has poor cause of action and that
said defendant is not a resident of the
State of California and can not after
due diligence be found in this State
and that publication of the Summons
in this case be made in the San Jose
Telegraph a newspaper published in
the City of San Jose State of California
for three months successively,

Given under my hand
and seal of said Court
on this 21st of December
A.D. 1854.

Benny Hayes
District Judge

State of California

Santa Clara County

Before the subscriber a Notary Public in and for the County aforesaid on this twenty sixth day of April A.D. eighteen hundred and fifty five, at my office in the city of San Jose in said County and State, personally appeared Francis B. Murdoch, who being by me duly sworn, says, that he is the Editor and publisher of the San Jose Telegraph and Santa Clara County Register, a weekly newspaper printed and published in the

said City of San Jose, County and State aforesaid and that the printed notice of summons and order hereto attached marked A, and made part of this affidavit, was published in said newspaper for three successive months, the first insertion thereof in said newspaper being in the issue thereof, of the date of Thursday the twenty fifth day of January eighteen hundred and fifty five, and the last insertion thereof in said newspaper being in the issue thereof, of the date of Thursday the twenty sixth day of April in the same year.

F. B. Murdoch

in proof I have hereto set my hand and affixed my notarial seal at my office in the City of San Jose, County & State aforesaid, this the 26th day of April A.D. 1855.

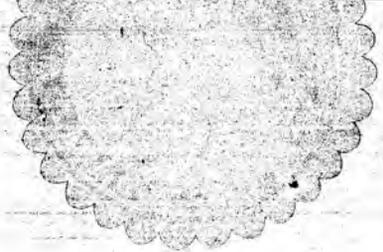
L. A. Mear
Notary Public

(in testimony whereof)
text covered up by notice

STATE OF CALIFORNIA,
COUNTY OF SAN DIEGO. }
IN the District Court, 1st Judicial District.—
Maria A. Silves vs. Jose Antonio Silves.—
Action brought in the District Court of the first
Judicial District, and the complaint filed in the
county of San Diego in the office of the clerk
of said district court. The people of the state
of California send greeting: To Jose Antonio
Silves. You are hereby required to appear in
an action brought against you by the above named
plaintiff in the District court of the first Judicial
district, in and for the county of San Diego,
and to answer the complaint filed therein,
a copy of which accompanies this summons,
within ten days, exclusive of the day of service,
after the service on you of this summons, if served
within this county, if out of the county, but
within the district, twenty days, or if served out
of this district then within forty days, or judgment
by default shall be taken against you. The
said action is brought to obtain a decree of divorce
from the bonds of matrimony, for certain
causes alleged in the complaint herein; and if
you fail to appear and answer the said complaint
as above required, the said Plaintiff will apply
to the court for said decree, & for such other & further
relief as the court may seem just and proper.
Given under my hand and private seal (there being
no seal of said court yet provided) this eleventh
day of January, A. D. 1855.

W. B. COURTS, Dist. Clerk. }
Maria Antonio Silves) In the District Court,
vs.) first Judicial District,
Jose Antonio Silves.) State of California for
San Diego county. It appearing to me from the
affidavit of said Plaintiff, and her complaint filed
in the clerks office of said court, that she has
good cause of action, and that said defendant is
not a resident of the state of California, and cannot
after due diligence be found in the state—
ordered that publication of the summons in this
case, be made in the San Jose Telegraph, a newspaper,
published in the city of San Jose, state of California,
for three months successively.—
Given under my hand as Judge of said court, on
this 21st day of December, A. D. 1855.

BENJ. HAYES, Dist. Judge.
A true copy of the above order, made in the
above entitled cause. Attest,
n24m3 W. B. COURTS, Clerk.



621

Maria A. Silvas

vs

Jose A. Silvas

Deposition of
John C. Steuart

Filed August 23
1855 J. B. Curtis
Clerk

State of California }
County of San Diego }
In District Court
Mica A. Silvas } of the 1st Judicial
Jose A. Silvas } District in and for
the County & State
of Mexico -

Personally appeared before me John
C. Stewart and being duly sworn
deposed and says. That he knew
Jose A. Silvas, He was living with the
Plaintiff as her husband when I first
knew him, thinks he left here about the
latter part of the year 1842 or the Spring
of 1843. He went first to Los Angeles,
thence to Sonora, since which time he
has never returned to his family. I
have been intimate with ^(the family) him during the
past 12 years, during which time, to the
best of my knowledge said Silvas has never
provided for the support of his family.

John C Stewart
Sworn and Subscribed before me, this
22^d day of August. A. D. 1855.

Philip Crosswaite
Justice -

62
Maria A. Silva

Jose ^W A. Silva

Deposition of
Juana Wrightington

Filed August 28, 1855
D. B. Curtis
Clerk

State of California }
 County of San Diego } In District Court
 Maria .. A. Silvas } of the 7th Judicial
 vs } District, in and for
 Jose .. A. Silvas } the County and State
 } aforesaid.

Personally appeared before me, Juana
 Wrightington, who after having been
 duly sworn; deposes and says, I knew
 Jose A. Silvas, the husband of the Plaintiff,
 was present at their marriage. They lived
 together as husband and wife for about 4
 or 5 years. Said Silvas left here about 13
 years ago, ~~and~~ has not since returned,
 during his absence he has never sent any
 money or means of support to his family.
 I am sister of Plaintiff's, and am
 sure said Silvas could not have sent
 or contributed any support to his family
 without my knowledge. They were married
 about the year 1837, and Silvas left here
 about the year 1849.

Juana Wrightington ^{her}
 Mark

Sworn and subscribed before me this 22nd
 day of August A. D. 1855.

J. Phillips
 Justice of the Peace.

621.

Maria A. Silva

^{vs}
Jose A. Silva

Deposition of
Albert B. Smith.

Filed August 23 1855
A. B. Coats
Clerk

State of California
County of San Diego

Maria A. Silva

vs
Jose A. Silva

In District Court
of the 1st Judicial
District, in and for
the County and State
aforesaid

Personally appeared before me, Albert B. Smith, who after having been duly sworn, deposes and says, I do not know Jose A. Silva. I have lived in San Diego eleven years, during all of which time I have been acquainted with the Plaintiff, during those 11 years. I do not believe that Plaintiff's husband has ever sent her any means of support, nor has he ever visited or written to her.

Albert B. Smith

Sworn and subscribed before me, this 22^d day of August A. D. 1855.

Philip C. Custowite
Referee

621
Mary A. Silvers

vs

Jose A Silvers

Filed August 23^d 1853-

N. B. Curtis

Clerk

Maria A. Silva } District Court
- vs - } of the 1st Judicial
Jose A. Silva } District in & for
County of San Diego
& State of California

At the regular Term of this Court held on the 3rd Monday of August 1855. The above case coming on to be heard, it was referred to Philip Brasthwait to take testimony and report a verdict. and the said Referee having found a verdict in favor of the Plaintiff It is ordered and decreed that Judgment be entered in favor of Maria A. Silva, divorcing her from the bonds of Matrimony from the Defendant Jose A. Silva,

Philip Brasthwait
District Judge

State of California } District Court of the 1st
County of San Diego } Judicial District in and
for the County of State aforesaid

Maria A. Silva

vs
Jose A. Silva

Action for divorce from the
Bonds of Matrimony for
Wilful Desertion & Failure
to provide for his family.

The above cause, having been referred to me,
by Order of this Honorable Court, to take
testimony and report a Verdict in accordance
with the facts in the case. From the Evidence
adduced it was clearly proven,

1st That Defendant was lawfully married
to the Plaintiff, about the year 1837, and
that they lived together as Man and wife
about years, & that she had children by him.

2nd That the Plaintiff was deserted by the
Defendant in the fall of 1842 or Spring of
1843. Since which time he has not returned
to his family.

3rd That during the Wilful desertion of his
wife and children for some thirteen or
fourteen years, the Defendant has in no
wise provided for his wife and children,
or assisted his wife the Plaintiff to
support herself and children, but has
wholly neglected and deserted them.

4th ———— Upon the facts found
in this case, I find for Judgment
that the Plaintiff, Maria A. Silva, and

Defendant Jose A. Silvas were lawfully
Married, and for reason of the Defendants
Willful Desertion of the Plaintiff. That
The said Maria A. Silvas, be and by this
Judgement is divorced from the Bonds of
Matrimony from the said Jose A. Silvas
for ever, And that the Plaintiff pay
the Cost of this Suit —

Given under my hand this 22^d day
of August. A. D. 1855 —

Philip Crosswaite
Jessee

SAN DIEGO UNION

8 March 1874, 3:1

“OLD TOWN ITEMS”

“Señor N. Silvia (sic), after an absence of thirty-two years, returned to Old Town on Thursday evening last.”

SAN DIEGO UNION

15 March 1874, 3:1

“OLD TOWN ITEMS”

“Señor Silvia (sic) was serenaded last Saturday evening by nearly all the ‘dames’ in town.”

APPENDIX NO. IV

#1 Lease Agreement between Philip Crosthwaite and George Smith for the Freeman property, 25 February 1857, Miscellaneous Records, Book 1, 22-23, SDCARC

Lease of Philip Crosthwaite to George Smith

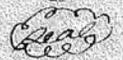
This article of agreement made and entered into this twenty fifth day of February A.D. 1857 by and between Philip Crosthwaite Guardian of Anna Freeman minor Heir of Richard Freeman deceased of the first part and George Smith of San Diego of the second part Wherein that the said party of the first part for and in consideration of the rents and covenants hereinafter specified agrees to let rent and lease unto the said party of the second part all that certain lot or piece of ground in the town of San Diego fronting on the plaza of said town and being part of Block ^{number} thirty one according to Court survey for the term of four years from the first day of March A.D. 1857 said term to expire on the first day of March A.D. 1861 hereby giving and granting to the said party of the second part the privilege of tearing down and removing the Old Adobe House now upon a part of said premises and of putting up such house or houses improvements or improvements upon said premises as he may see proper and the said party of the second part shall have the privilege and right after the expiration of the said term of four years to remove any and all houses or improvements he may have put upon the said premises same and except the wall or fence he may put around said premises and the said party of the second part shall upon the removal of his said improvements put up a good adobe wall to the front of said premises so as to enclose the same.

And the said party of the second part for and in consideration of the covenants of the party of the first part herein before specified agrees to take possession of the foregoing described premises for the said term of four years and to pay to the said party of the first part an annual rent of seventy five dollars per annum said rent to be paid quarterly in advance to wit Eighteen dollars on the first day of March A.D. 1857 Eighteen dollars on the first day of June 1857 Eighteen dollars on the first day of September 1857 Eighteen dollars on the first day of January 1858 and Eighteen dollars on the first day of March June September and January during said lease and further that after the

23
 expiration his said term of four years he will remove his
 improvements from said premises and cause a good adobe
 wall to be erected on the front of said premises.

Witness our hands and seals the day and year first
 above written

In the presence of
 Joseph B. Fitchell

Philip Legthwaite 
 George ^{his} _{mark} Smith 

San Diego February 27th 1857

The foregoing lease having been this day presented
 to the Probate Court for its sanction and the same
 having been examined is hereby confirmed

J. B. Hurty
 Probate Judge

Received and Recorded Feb 27th 1857 at 10 o'clock a.m.

W. B. Lewis

Recorder

APPENDIX NO. V

NEWS ARTICLES: Shooting, 31 May 1857, at *La Casa Machado de Silvas*

“Man Shot,” *San Diego Herald*, 6 June 1857, 2:2-3

Report of the Grand Jury for the June Term, 1857,” *San Diego Herald*, 13 June 1857, 2:2

SHOOTING, May 31, 1857
At
La Casa Machado de Silvas

SAN DIEGO HERALD

6 June 1857, 2:2-3

MAN SHOT—On Sunday night, the 31st of May, a U.S. soldier, belonging to Co. I, 3rd Arty., named Wm. Smith, while in a state of intoxication, attempted to enter the house of Mr. E. Wall, through the window, and was shot in the head by that gentleman, and instantly killed. Coroner Hoffman held an inquest on the body and the following evidence was presented to the jury who returned a verdict accordingly:

Thos. Graham, sworn—says, knows deceased; his name is Wm. Smith; belongs to Co. I, 3rd Arty., is about 25 years old; have known him about three years and a half; knew him to be a quiet man; drank occasionally, and when in liquor did not know what he was about; he has no property; had \$40 when I left him at the Mission, at 10 o'clock yesterday morning, don't know whether he brought the money in town last night.

Mrs. Walls—sworn—says, I heard some one at the windows in the rear of the building, and after sometime—about half an hour—they went round in front. I thought it was an Indian and told my daughter Miguela to call Mr. Wall, and tell him to get up, as some one was trying to open the window. Mr. Wall got up and spoke to the man twice, and the man making no reply he fired. Fired with his double-barreled shot gun; fired but once. Don't know what hour it was when I saw the man at the back windows, it was late; thought it was an Indian; don't know whether Mr. Wall went out after he fired or not, I was in the back room.

Mr. E. A. Wall—sworn—says, the first thing I knew was, Miguela came and woke me up, saying get up quick, for God's sake, as some one is trying to get in at the windows, and the dog woke me up; I think it is the Indian that is going to kill you. I got up and asked at which window, and she replied at the window on the Plaza. One of my eyes being sore it was closed and bandaged, and I could not see plainly; I seized my shot-gun that I have kept at the head of my bed for last three days, as I had been told that an Indian had threatened to kill me, and I went to the door leading into the front room. The girl spoke to and said the man had been more than an hour trying to get in at the windows, I have called you several times and you have not answered. When I came to the door, I saw the man and thought it was an Indian, as he had no hat on. I asked in Spanish, *que es eso? Que quieres?* (what is this? what do you want?) the man made no reply, but seemed to make a more desperate effort to get in at the window, and I pointed by gun and fired. I thought the window was up and he was about to get in. After I fired I looked out at window, and thought it was

an Indian; Miguela looked out and said it *was* an Indian, for he had a great deal of hair on his head. I did not open the door, but went in and got my clothes and went into the yard; jump over the fence into George Smith's yard, and asked some Frenchmen who were there, if they had heard a shot, as I had caught some one trying to get in at my window and I had shot him; I think it is an Indian.—They said it was no matter if it was only an Indian. I looked round the corner of the house and as day was just breaking, I saw he had clothes on like a soldier. I then went and called Mr. Stuart and told him I had shot some one; he advised me to go and call judge Kurtz; I went and called the Judge, Col. Ferrell and Sheriff Reiner. I told them what I had done. I did not see the man fall; saw him pass from the window and thought he had run away. Miguela looked out at the window and said he was lying down on the ground. I looked out and saw him there. Heard no reply when I spoke to the man. I spoke in Spanish. I had been told that an Indian who had been living with me had threatened to kill me and I had that night shot off my gun and reloaded it.—When I went to bed I took precaution to fasten down the windows, thinking that as the Indian knew all about the house, and where I slept, he might enter the house in the night and kill me in my sleep.

SAN DIEGO HERALD

13 June 1857, 2:2

“Report of the Grand Jury for the June Term, 1857”

San Diego County}
State of California}

To the Hon. Court of Sessions:

We, the Grand Jury, beg leave to submit the following;

Having carefully examined into all matters coming within our knowledge, and under our jurisdiction, we are happy to state we have completed our labors.

We submit to the Court three true bills of Indictment, and one Presentment. The Grand Jury would enjoin upon the Court to instruct its officers, the more rigid enforcement of the laws concerning drunkenness, they carrying of deadly weapons, and the selling of spirituous liquors to Indians.

The conditions of our County Jail has so often been referred to by previous Grand Jurors, without avail, that we deem it altogether wasting our time, and incurring expense to the County, uselessly, to give the subject the attention which it requires.

We cannot close this, our Report, without referring to the unfortunate death of the soldier recently shot by one of our oldest and most peaceable citizens, E.A. Wall. After a careful examination of the depositions taken before the Coroner’s jury, far from attaching any blame whatever to Mr. Wall the Grand Jury unanimously justify him in the act committed, and hope that this hard lesson will not fail to have its good effect upon a certain portion of the community, who go around carousing at night, disturbing the peace of those who slumber, and endangering their own lives.

We request the publication of this Report in the *San Diego Herald*.

Having no further business, we beg to be discharged.

Thomas Whaley, *Foreman*

A.B. Smith

Charles Gerson

D. N. Burke

S. Hachtfischery

Andrew Cassidy

J. Neuman

John C. Stewart

W.W. Ware

James Donohoe

John I. Van Alst

Joe Swycaffer

W. G. Oliver

James Stevens

A.G. Bogart

George Lyons

John Z. Kelly

William Vettiger

APPENDIX NO. VI

#1 District Court Proceedings “In the Matter of George Smith on his Naturalization, 6 June 1862, Journal of the District Court No. 2, San Diego County, 66-67, PRC-SDHC, PR3.382

a Court of records, having Common Law jurisdiction
 and a Clerk and seal, and applied to the said Court to be
 admitted to become a Citizen of the United States
 of America, pursuant to the direction and require-
 ments of the Act of Congress of the United States of
 America, Entitled an Act to Establish an uniform
 rule of Naturalization and to repeal the Act her-
 tofore Passed on that subject and of the several
 Acts in relation thereto.

And the said Frederick Scholden
 having thereupon produced to the Court such
 Evidence and made such declaration and renun-
 ciation and taken such Oath as are by the said
 Acts required, therefore it is ordered by the said
 District Court, that the said Frederick Scholden be
 admitted, and he is hereby accordingly admitted
 by the said District Court to be a Citizen of the
 United States of America.

In the Matter of } In the District Court of the First
 George Smith an } Judicial District, Regular
 his Naturalization, } May Term, A.D. 1862.

It is remembered that on the
 6th day of June, A.D. 1862, George Smith formerly
 of the Kingdom of Naples, at present of the
 State of California, appeared in Open Court
 of the First Judicial District of the State of Cal-
 ifornia, in and for the County of San Diego, the said
 Court being a Court of Records having Common Law
 jurisdiction and a Clerk and seal, and applied to the
 said Court to be admitted to become a Citizen of the
 United States of America, pursuant to the direction
 and requirements of the Act of Congress of the United
 States of America Entitled an Act to Establish an
 uniform rule of Naturalization and to repeal the Acts her-
 tofore Passed on that subject and of the several Acts
 in relation thereto. And the said George Smith having
 thereupon produced to the Court such evidence
 and made such declaration and renunciation and
 taken such Oath as are by the said Acts required.

Therefore it is Ordered, by the said ^{district} Court, that the said George Smith, be admitted, & he is hereby accordingly admitted, by the said District Court, to be a Citizen of the United States of America.

Wm. Hamilton Pruz, Plaintiff

R. C. Doyle & G. W. Giddings, Defendants

And now this case being called, plaintiff appears by his Attorney A. S. Ensmuth Esq. & the Defendants by their Attorney, ^{James M. Coy} ~~John~~ & Brown. And now comes Counsel of Defendants, ^{James M. Coy} & files his Motion for a Continuance in this case until the next regular term of this Court. In the reason that the Defendants cannot safely proceed to trial for the want of Material Witnesses, and in support of said Motion, the affidavits of J. R. Scott, & also the Affidavit of R. C. Doyle filed in this case on the 10th day of January 1860, were read & submitted to the Court. Which Motion is objected to by Plaintiff Counsel. & in support of said Objection, Counsel of Plaintiff reads the Affidavits of A. S. Ensmuth Approving Continuance, & filed in this case on the 11th day of January 1860. Whereupon the Court overrules the Motion of Counsel of Defendants for a Continuance until the next regular term of this Court, in this case, to which ruling of the Court Defendants Except, and the case is proceeded to trial. Madison Johnson George P. Roberts and Francis Stone were called, duly sworn & testified on the part of the Plaintiff.

Counsel of Plaintiff then offers in Evidence a Memorandum or Statement, filed in this case & marked "A" George Pendleton read on the part of the Plaintiff & being duly sworn, says, that he is well acquainted with the handwriting of R. C. Doyle one of the Defendants herein & that the Memorandum or Statement marked "A" has shown him, is in the handwriting of said R. C. Doyle. The Mem. marked "A" is then offered in Evidence on the part of the Plaintiff as an Account stated, to which Counsel of Defendants Object, which Objection is overruled by the Court, and the said Memorandum or Statement marked "A" allowed to be read in Evidence, to which ruling of the Court Counsel of Defendants Except.

James M. Coy a Witness on the part of the Plaintiff, being duly sworn, says, I am acquainted with R. C. Doyle, one of the Defendants

APPENDIX NO. VII

Probate Court Case #230 – “In the Matter of the Guardianship of María del Refugia Wall,” November, 1862, PRC-SDHC, R3.52

DOCUMENTS:

#1 Petition of Enos A. Wall for Guardianship of María del Refugia Wall, 17 November 1862

#2 Court Order Scheduling a Hearing on Wall’s Petition for Guardianship, 22 November 1862

#3 Court Notification to María Antonia Silvas Regarding Hearing for Guardianship of María del Refugia Wall, 24 November 1862

#4 Letter – María del Refugia Wall to Probate Court Judge D.A. Hollister Requesting the Appointment of Enos A. Wall as Her Guardian, 24 November 1862

#5 Court Order Appointing Enos A. Wall Guardian of María del Refugia Wall, 24 November 1862

#6 Two Hundred Dollar Bond of Enos A. Wall Required as a Condition of His Appointment As Guardian of María del Refugia Wall, 24 November 1862

In the matter of the Guardianship
of Maria del Refugia Wall

(In the probate court
of the County of San Diego
State of California)

To the Hon. D. A. Hollister Probate
Judge, in and for said County:

The petition of E. A. Wall respectfully
shows that your petitioner is interested in
Maria del Refugia Wall a minor child of
Maria Antonia Silvas

That said minor has no guardian
legally appointed, and that she is a
resident of said County and has
resided heretofore in the family of
her said mother and that she is
there treated with great cruelty, in
that she is often severely beaten and
whipped without cause.

That therefore it is necessary that
a guardian be appointed to the person
of said minor, that said minor is
above the age of fourteen years, & not
of the age of fifteen years, and as
appears by the written nomination
herewith filed has nominated

Enos A. Wall as her guardian
subject to the approval of your
Honor.

Wherefore your petitioner prays
that your Honor appoint the said
Enos A. Wall a fit and proper
person or such other person as your
Honor shall see fit & proper, a guardian
of said minor; and that your
Honor cause such notice to be given
to the said Maria Antonia Silvas the
mother of said minor as to your Honor
on due inquiry shall seem reasonable
and your petitioner will ever pray &c

Dated at San Diego

Nov 17th 1862

Enos A. Wall,

State of California
County of San Diego

E. A. Wall the petitioner above named
being duly sworn says that he has read
the foregoing petition and knows the
contents thereof and that the same
is true of his own knowledge.

Subscribed and sworn

to before me this

17th November 1862

E. W. Morse
Notary Public

E. A. Wall,

In The Matter of The Guardianship of Maria
del Refugio Wall

In Probate Court - San Diego
County State of California

On reading the petition
of Enos A Wall a person interested in the
wellfare of the said Maria del Refugio Wall
praying for the appointment of a Guardian
for said "Minor"

It is ordered that above
matter come up for a hearing before at the
Court House in the City of San Diego on Monday
the 24th day of November A D 1862 at the
hour of 11 o'clock A M of that day and
that notice be given to Maria Antonia Silvas
the Mother of said "Minor" the time and place
of hearing of the same

Given under my hand
at Chambers this 22nd day November A D 1862

D. A. Hollister
Probate Judge

Dr Robert Low
San Diego, Calif
California

In the Matter of the
Estate of
Marianne de la
Marianne

Order for hearing
petition of E. O.
Muel for letters
administrative

Filed
Date 1862
Clerk

State of California 383
County of San Diego 383

In the Matter of the Guardianship 333
of Maria del Refugio Walls. 333
In Probate Court San Diego
County, November Term 1862,

To Maria Antonio Silvas
You are hereby notified that
the hearing of the petition of E. Cross
a Wall, praying for letters of Guar-
dianship of the person & property
of Maria del Refugio Walls, has
been set for Monday November
the 24th A.D. 1862, at the Court
House in the Town & County of San
Diego, State aforesaid, at the hour
of Eleven O'Clock, A.M. of said day.

By Order of the Court Probate Judge
Attest my hand & the seal
of the said Probate Court this
24th day of November A.D.
1862.

Geo. A. Henderson
Clerk

Wm Robert East
John Lewis Combs
Clary of California

John Martin of the
San Francisco

Marie Berthelme
Marie Berthelme

Notice to Marie Berthelme
Bellevue, Santa Clara
County, State of California
Main gate house and
place of hearing
petitions for claims
of Edward Smith

John Morrison
March 1862
Wm Robert East
Clary of California

State of California
County of San Diego

The within notice served on
Marie Antonia Belvas at the town of San Diego
County, State of California, on the 24th day of
November A.D. 1862, at 10 o'clock A.M. of
that day, by reading to her the contents
of the same.

Her aforesaid
County Clerk
Ex Officio Clerk of the
Probate Court.

By
Deputy Clerk

In the matter of } In the Probate Court
The Guardianship } of the County
of Maria del Refugio Wall } of San Diego
a Minor

To the Hon^{ble} J. A. Hollister
Probate Judge.

I, the undersigned minor
above the age of fourteen years, hereby
nominate, and respectfully request
your honor to appoint Eros A. Wall
as my Guardian.

Witness

~~John C. Street~~

Maria del Refugio ^{her} Wall
_{Mother}

By Joseph Paul
San Diego County
State of California

"
On the Matter of
The Secularization of
of
Maria Ygnacia Paez
a Mexican

Section 43

The Promissory Note
of 1853.
See Section
of the
Code

In The Matter of The Guardianship
of
Mariana del Refugio Wall
In Probate Court of
County San Diego State of California

On reading and filing the petition duly
verified of Ende A Wall praying to be appointed
Tutor Guardian of Mariana del Refugio Wall a
Minor

It is ordered that Ende A Wall be and
he is hereby appointed Guardian of the person of
The said Mariana del Refugio Wall, ^{and that} upon ^{his} ^{execu-}
^{tion} ^{and} ^{filing} a bond to the said "Minor"
in the sum of two Hundred dollars. Condi-
tioned according to law with sufficient
sureties and approved by the Judge of
This Court

Given under my hand this
24th day of November A D 1882

J. A. Hollister
Probate Judge

5-2
My Dear Sir
I have the honor
to acknowledge the
receipt of your
letter of the 10th
inst.

In reply to inform
you that the same
has been forwarded
to the proper
authorities for
their consideration.

I am, Sir,
Very respectfully,
Your obedient
servant,
J. J. [Signature]

Order of the
Board of Directors
of the [Company Name]

Resolved, That
the sum of \$1000
be appropriated
for the purchase
of [Property]

At a meeting
of the Board
of Directors
held on the
10th day of
[Month] 1892

Witness my
hand and
seal this
10th day of
[Month] 1892
[Signature]

know all men by these presents that we Ende A
Wall principal and Louis Rose and
J. C. Boyer & Surtees, are here and firmly
bound into Manuel del Refugio Wall in the sum
of two thousand dollars lawful money of the
United States of America to be paid to her for
which payment well and truly to be made
we bind ourselves, our heirs executors admini-
strators, and assigns, jointly and severally
firmly by these presents

Sealed with our
Seals and dated this 24th day of November
A D 1862

The condition of the above obliga-
tion is such that - whereas the above bounden
Ende A Wall has been appointed Guard-
ian of the person of Manuel del Refugio Wall
by the order of the probate Court of the City and
County of San Diego and State of California
of this state

Now Therefore, if the said Ende
A Wall shall faithfully execute the duties
of his trust in all things as a faithful
Guardian according to law, then this
obligation to be void otherwise to remain
in full force and effect

Sealed and delivered
in the presence of
E. M. Morse
Jos. A. Anderson

} E. A. Wall
} Louis Rose
} J. C. Boyer & Surtees

State of California }
County San Diego }

~~Emes A Hall~~

Louis Rose & J. C. Boyert being duly
sworn each for himself says that he is
a freeholder or Householder resident in
this State and is worth the said sum of
two hundred dollars over and above
all his just debts and liabilities -
Exclusion of property exempt from
Execution

Louis Rose
J. C. Boyert

Sworn before me this
24th day November A.D. 1862

E. M. Morse
Notary Public

Bond of E. C. Price
Guardian of
Marian del Refugio
a Minor

Filed November
24th A.D. 1862
Geographical
Clerk

The Sum of on the within
Bond is approved this
24th day November A.D. 1862
J. A. Hollister
Probate Judge

Recorded Number
26-1862 at 10 o'clock
A.M. in Book No. 1.2
Section of Records
Whit & Kearney Bond
files. 9/11/62
Probate Clerk

APPENDIX NO. VIII

Indenture Agreement between María Antonia Silvas and James McCoy mortgaging *La Casa Machado de Silvas*, 17 March 1869, Mortgage Book #1, 348-50, SDCARC.

set my hand, and affixed the seal of said Court,
the day and year in this Certificate first above written

read }
()

C. N. Proudtown
County Clerk
By Edward Bow
Deputy

Received for Record March 22nd A.D. 1869 at 11.15
A.M. C. N. Proudtown. Recorded Friday March 26th A.D. 1869
at 6.15 A.M. P.M. at request of C. N. Johnson.

C. N. Proudtown
County Recorder

This Indenture, made the Seventeenth day of
March A.D. one thousand eight hundred and Sixty
Nine, between Maria Antonia Sivas, resident of the City
and County of San Diego State of California, party of
the first part, and James M. Gray resident of the same
place party of the second part, Witnesseth that the said
party of the first part, for and in consideration of the
sum of Eight Hundred Dollars lawful money of the
United States of America, to her in hand paid, the
receipt whereof is hereby acknowledged, has granted
bargained, sold and conveyed, and by these presents
does grant bargain, sell and convey unto the said
party of the second part, and to his heirs and assigns
forever, All that certain piece parcel, or lot of land,
situate lying and being in City of San Diego, County
of San Diego, State of California, and more particularly
described as follows: Beginning part of lot number
(B) shown in Block Number (B) Thirty One, according
to the map or plat of Old Town San Diego, as drawn
by Saint-Camille Conté, U.S. Architect and designated
upon the Official Map of said City of San Diego, as
drawn by Charles H. Phelps in the year 1856 as part of
lot (B) shown in Block Number (B) Four Hundred &
twenty seven. Said lot fronting on the Public Plaza
of said City of San Diego, (Old Town) and touching
the residence of said party of the first part, to this
Indenture of Mortgage. Together with all and
singular the tenements hereditaments, and appurtenances

PHOTOGRAPHED BY T. D. FADER DEPUTY RECORDER

PHOTOGRAPHED BY T. O. FADER DEPUTY RECORDER

thereunto belonging, and the rents, issues and profits thereof. To have and hold all and singular the above described premises, together with the appurtenances, unto the said party of the second part, his heirs and assigns forever. This conveyance is intended as a mortgage to secure the payment of a certain promissory note of which the following is a copy.

San Diego March 17th 1869

Four months after date for value received I promise to pay to the order of James Mc Coy, the sum of Eight Hundred Dollars, gold coin of the United States with interest thereon from this date until paid at the rate of one and one half per cent per month, said interest payable in like gold coin.

Witness my hand and seal this 17th day of March 1869.
Andan Capuday

And these presents shall be void if such payment be made. - But in case default be made in the payment of either the principal or any installment of interest, as provided, then the whole sum of principal and interest shall be due at the option of the party of the second part, and such money to immediately brought, and to be used to bid to sell the premises above described with all and every the appurtenances, or any part thereof, in the manner prescribed by Law, and out of the money arising from such sale, to retain the said principal and interest, although the time for payment of said principal sum may not have expired, together with the Costs and Charges of making such sale, and of suit for foreclosure, including Counsel fees at the rate of — per cent upon the amount which may be found due for principal and interest, by the said decree, and the expenses, if any there be, shall be paid by the party making such sale, or, in default, to the party of the first part, his heirs and assigns. And it is hereby agreed, that it shall be lawful for the said party of the second part, his heirs, assigns, executors, administrators, assigns and assigns, at maturity, or earlier or afterwards, time or other circumstances, now subsisting or hereafter to be laid or imposed upon said lot of land and premises, and which may be in effect a charge thereupon, and said payments shall be allowed with interest thereon at the rate of one and one half per cent per month

100 Dollars per stamp
100 Dollars per stamp
Counsel's fee

PHOTOGRAPHED BY T. D. FADER DEPUTY RECORDER

Said payments and interest shall be considered as secured by these premises, and a charge upon said lot and premises, shall be repayable on them and, and may be deducted from the proceeds of the sale above mentioned.

I certify that the Mortgage premises, are free from all claims and encumbrances, that there is no recorded declaration upon the same.

I, witness whom of the said party of the first part hereunto set hand and seal the day and year first above written.

Signed, Sealed and Delivered in presence of
Andres Caspary,

Maria Antonia ^{and} Silvan ^{and}

State of California
County of San Diego

On this seventeenth day of March A. D. one thousand eight hundred and Sixty Nine personally appeared before me J. A. Pendleton, County Clerk, and ex officio clerk of the County Court in and for the said San Diego County, Maria Antonia Silvan whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the same person, described in and who executed the said annexed instrument, as a party thereto, who duly acknowledged to me that she executed the same freely and voluntarily and for the purpose and uses therein mentioned.

I, witness whom of I have hereunto set my hand and affixed the seal of said Court, the day and year in this Certificate first above written.

J. A. Pendleton
County Clerk



Received for record March 17th 1869 at 11.15.30
A. M. and record March 27th A. D. 1869 at 3.15.30 P. M.
at request of James M. Cary

J. A. Pendleton
County Recorder

APPENDIX NO. IX

#1 Last Will and Testament of María Antonia Machado de Silvas, 19 September 1885, 8 pgs., Probate Case #428, Superior Court, County of San Diego, PRC-SDHC.

Translation = In the Name of God Amen!

I, Mary Antonia Silvas Wife of Joseph Anthony Silvas of the City and County of San Diego, State of California of Sixty Three years of age and in full use of my intellectual faculties and not acting under any influence of threats against my life liberty honor or property nor under the undue influence of any person whomsoever I make known and declare this to be my last will and Testament in the following form to wit:

First - That all my just and lawful debts be paid first.

Second - I declare that I am at present the owner of one hundred head of Cattle and ten horses including a wagon all belonging to my Estate which I do now hold in remembrance. My lauded Estates consist of an undivided right to the Rancho del Rosario Lower California all of the above mentioned property is situated in Lower California.

My property situated in San Diego California consists of a part of Lot 2 (two) in block number

(427) four hundred and twenty seven
being the southern portion of said Lot
two and limited and bounded by the
property of Patrick O'Neill.

Third I cede and will my prop-
erty to my husband Joseph Anthony
Silvas as trustee to divide the same
among the family and by these
presents do name him sole Admin-
istrator and Executor conferring
upon him power to make over or cede
to any member of the family
the part he may deem proper
without the intervention of any
Tribunal or Judicial Court
and it is my wish that my said
husband and testamentary executor
be not required to give bonds or
other surety for the fulfillment
of his duties as testamentary execu-
tor and administrator

And Last By these presents I name
my husband Jose Anthony Silvas
of Lower California Mexico
his residence being the Rancho
del Rosario Northern district of
Lower California testamentary
executor and Administrator
of this my last will and deed

5
And I hereby do revoke all my
wills drawn up prior to this
In testimony whereof I have
put my hand and affixed my
seal this nineteenth day of Septem-
ber in the year of our Lord One
Thousand Eight hundred and Eighty
five. Mary Antonia Silvas x
her mark by Patrick O'Neill =

The above document consists
of two pages besides this and
was drawn up on the date men-
tioned signed and sealed by Mary
Antonia Silvas and made public
and declared to be her last will
and deed in our presence we
who at her request and in ~~the~~
presence and in the presence of
each other have signed as
actual witnesses of the same
{signed} Patrick O'Neill owner
of the Eating house or Hotel
resident of San Diego, California.
{signed} Miguel Altamirano, farmer
resident of North San Diego Califor-
nia signed sealed and delivered in
presence of M Keating, {signed}
Notary Public for the County of
San Diego California

4
a seal which reads: Consulate of
the United States of Mexico San
Diego California. Consulate of the
United States of Mexico - No 8 - Dues \$500
San Diego California September 19th
1885. I certify that McKeating is a
Notary Public of San Diego California
and that his signature is the same
as the foregoing and the one he uses
in his business Thomas Valdespino y
Figueroa (Signature) = a seal which
bears: Secretarship of Foreign Affairs
Mexico Four stamps of the value of
a dollar each one, and one of
ten cents all for documents and
one stamp for the Federal tax of
the value of one dollar all duly
cancelled - No 1040 on the margin
The undersigned undersecretary
protem of the department of
Foreign Affairs certifies that
Thomas Valdespino y Figueroa
is the Mexican Consul in San
Diego Cal, and the foregoing is
his signature - Mexico April 19th
1888. Jose J de Cuellar - Signature -
I Citizen Judge of Primary
Court: I Jose Antonio Silvas
before found with due respect

57

and compliance with forms of
protest appear and depose that
as executor and sole heir of
my wife Maria Antonia Silvas
that in conformity with my
rights the will drawn up on the
Nineteenth day of September
Eighteen hundred and Eighty five
be filed in the court under your
worthy jurisdiction, Wherefore
I apply to you exhibiting the
said documents as well as the
corresponding translation solicit
ing that when filed after complying
with the legal forms you issue to
me the corresponding record
whereby I shall be accorded
justice and favor, protesting
in due form Eusebada
de Todos Santos May (12)
twelfth of Eighteen hundred and
Eighty eight = (signed) By request
of Jose Antonio Silvas (not
knowing how to write) J.E. Otono-
rubie - Received on the same date
at Eleven o'clock in the morning
be it noted = a signature (rubie)
Eusebada de Todos Santos May
twelfth Eighteen hundred

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and Eighty Eight with the consent of the District Attorney and having previously compared the translation with the original document written in English by the expert Francisco de Thomas let the same be filed and issue the corresponding acknowledgment By order of the Judge who signs. I bear witness - Rendon a - Cadena rubric: Whereupon Jose Antonio Silvas was notified but did not sign not knowing I bear witness - Cadena a rubric. Louis Mendelson the District Attorney being then notified signed in acknowledgment I bear witness Louis Mendelson Cadena rubric: on the same day the expert named Francisco de Thomas was present and being previously legally sworn proceeded to compare the documents submitted to him and after a lengthy examination stated that the translation corresponds in all its parts with the original

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which is in English and this declares according to the best of his knowledge and belief and signed - I bear witness; Francisco de Thomas = Rendon A Cadena = rubrics - Thereupon these documents of six pages were recorded = Be it known = a rubric = At Escondada de Todos Santos on the twelfth of May Eighteen Hundred and Eighty Eight = Sawyer Pedro Rendon Judge of the Primary Court of the District in charge of the Public Register by Ministration of the Law. And in compliance with my decree of this same date I register the Will drawn up in San Diego in the United States by Do Maria Antonia Dilvas affixing it to this Register with the respective documents from page ninety six to One Hundred and one inclusive.

Enrique Basilio Cota and Juan Damasceno Cerezo both of age and residents of this place were instrumental witnesses to this document I bear witness Rendon A Enrique B Cota Juan D Cerezo = rubrics

The above agrees with the original
which is in the Register under my
charge and is written on five pages
for the party interested Senor Silvas
with the legal stamps properly cancelled

The above witnesses attested as to
the copy and its correctness I
bear witness

{signed} Pedro Rendon a.
{signed} Enrique Blota
{signed} Juan O Cerezo