

Peninsula Diary Mayo Hayes O'Donnell

April 20, 1950

### **Pioneer Rancher's Will**

The last will and testament of Sebastian Rodriguez which we began in this column yesterday, continues with the distribution of his rancho and personal possessions to his wife and 12 children.

Time and again Jacinto Rodriguez is mentioned by the father, for the two had evidently been associated in the business of ranching and cattle raising on their large holdings in the Pajaro Valley. Jacinto was later one of the signers of the Constitution and one of the delegates to the Constitutional Convention held in Monterey 100 years ago last September.

As another Item in the will Sebastian Rodriguez, who passed away in 1855 wrote: I declare that the houses in said Rancho are Mine, and the cattle and horses which My heirs recognize as My property.

Item. I declare it to be My last will that My beloved wife, My sons and daughters be my only and universal heirs, and that My Wife enjoy the one-half of all my interests, as well as property Real and personal. The house now building in the Rancho "Bolsa del Pajaro" belongs to my son Jose and it is my will, to add to it the double quantity of land which fall to my other children in the Rancho "Rincon de la Ballena" and the rest of all my property, Real and personal shall be divided in equal parts between my said children Pedro, Jose, Jacinto, Solano, Teresa, Deciderio, Barnabela, Ma Antonio Carmen and Ramona, excepting Jose Antonio and Rafaila, since to the two last there only belongs their part of the land in the two Ranchos by reason of having already received the part of the stock which by inheritance belongs to them, as already mentioned.

Item. I name for my executors my Wife, Perfecta Pacheco and my sons, Pedro and Jose, in order that in solidum they will cause this my last will to be complied with, and they may, and shall take possession of all my known property real and personal, immediately upon the occasion of my death and they may sell the part which they deem necessary for funeral and medical expenses or any other necessities without asking permission of the Probate Court, nor account to the same. The Judge will please admit this my Testament to probate, approve it, and order the issuance of letters of administration to my said Executors without requiring

any kind of bond from them for they have my entire confidence. Lastly, As My Wife, and family have till now lived together in all tranquility and love, I charge, and beg them, to continue if possible so to live, one helping another in guarding the interest which God has given us, and I charge My daughters in particular to watch over their poor Mother, to respect and guard the interests belonging to her, rendering her always the honor to which she is entitled, and if they so do, God, Our Lord, will reward them and augment their fortunes, and they will receive his blessing for all time, as they already have mine.

And I declare that if there be had, or appear in any time, any other Testament made by me anterior to this I declare it null, and of no value, and only this shall have force.

Signed at Monterey, State of California the 2<sup>nd</sup> day of April A.D. 1854.

SEBASTIAN RODRIGUEZ

We, the undersigned, citizens of the U.S. and residents of Monterey, certify that the above signature of Sebastian Rodriguez was made in our presence, the said Senior being in good health and sound mind, and he declared this instrument was his last will and testament.

D.S. Spence, Charles Wolter and Salvador Osio.

David Spence, Charles Wolter and Salvador Osio were all prominent residents of Monterey. David Spence was a Scotchman who came to Monterey s a whaler and became a merchant and an intimate of such men as Thomas Larkin and William Hartnell.

Charles Wolter was a German sea captain, who became a wealthy landowner. His large two-story adobe home was on Alvarado street and he owned the property bounded by Franklin and Del Monte and Alvarado and Tyler streets. Salvador Osio was the son of Jose Maria Osio. He was the grantee of three ranchos – "Todos Santos" in Santa Barbara County; "Cosumnes" in Sacramento and "Aguas Frias" in Butte County.

Sebastian Rodriguez was the uncle of Escolastica Rodriguez de Dye, who married J.F. Dye, a business partner of Thomas O. Larkin. Mrs. Dye was the mother of the late Mrs. Martha Bolton, who lived for many years in Pacific Grove.

In a case in the Old Custom House there are many personal possessions of Mrs. Dye on exhibit – a lovely white lace dress, her slippers and mitts and several

other interesting items. Recently the Monterey History and Art Association purchased her complete library of books printed in Spanish, consisting of a few less than 100 volumes; a cameo brooch which had been given to her by Thomas O. Larkin, a camphor chest and several other historical items.

The Dye home in Monterey was an old adobe facing Calle Principal between Franklin and Jefferson streets.