

Peninsula Diary Mayo Hayes O'Donnell

February 1, 1951

Joaquin Soto's Will

The Soto property about which we wrote yesterday was originally known as the Los Alamos tract. Count Soto, a direct descendant of Joaquin Soto, the original owner, lived on the property for years and refused to pay taxes assessed against the property. Many of the old timers remember the Count as he walked about town or sat on the bench in the sun on Pearl street at Alvarado. He was considered more or less eccentric. His wife and many children lived in a small wooden house in front of the old adobe home facing Eldorado street. It became so unkempt and the taxes due were so great, the city finally evicted the family and pulled down the building, on April 13, 1938. Count Soto was then, by his own admission, 73 years of age. He passed away several years ago.

Today we will continue with Joaquin Soto's will (written in long hand, entirely in Spanish, in 1853) much of which concerns the property and adobe house now the property of Mrs. Mary Greene.

Soto wrote: "I declare I am legitimately married with Dona Maria del Carmen Castro, legitimate daughter of Don Mariano Castro and Dona Josefa Romero. I declare to recognize our children of legitimate matrimony, Bernardino, Lusía, Barbara, Josefa, Lazaro, Jose Maria, Refugio, Augustin, and Pedro."

The will continued "I declare for my only and universal heirs my said wife Dona Maria Carmel Castro and the nine children mentioned." He left her one third of his estate and the other two-thirds to the children.

The will was witnessed by Vicente Gomez David Spence and Manuel Diaz.

Mrs. Greene has in her possession the official translation of the original Spanish documents presented to the Ayuntamiento (Council) by Bernardino Soto in the name of his father, on September 29th, 1849. The document read: Joaquin Soto, a citizen of this place (lugar) before you make these presents: That having bought two lots (Solares) one of one and fifty Varas square and the other one-hundred to the south adjoining with the lot (Solar) of Sor. Ranjel, which said lots (Solares) formerly belonged, the first to Sor. Luis Romero, and the second one to Damasio Soto, and the bill of sale of said lots, (Solares) were burned at the

time my house was incinerated and today I myself without protection to hold peaceful possession, therefore, I request of you to take into consideration of my large (numerosa) family and twenty and odd years of occupation of said lots with a house built thereon, so kindly issue me a new title for which thanks and justice and making oath to what is necessary, Signed with his rubric (seal).

On October 2, 1849, El Ytre Ayuntamiento sent back to Soto the necessary papers for him to sign. The official papers were signed by Antonio Osio, Ambrosio Gomez, Estevan Munras and Jose de Amesta, with their rubricas.

There also followed several verification certificates of the former ownership of the Solares, one from David Spence declares:

"The undersigned certifies that when I arrived in California in the year 1824, I found the citizen (El Vecino) Luis Romero living in the same place where Sor. Joaquin Soto, had his house and in front thereof about forty varas distant, Damasio Soto, had his house, but don't know how much land each of aforesaid citizens (Vecinos) had. They appeared like ordinary Soares (lots)."

Guillermo Hartnell and Teodoro Gonzales swore to the truth of Soto's statement: "We the undersigned solemnly affirm that the foregoing statement is the truth that more than fifteen years (Soto) has lived in said house and some years has had it fenced and planted and cultivated said lands."

Then the Commissioners returned the following notice: "The Commissioners have seen the house of Mr. Joaquin Soto, and believe that it should concede the residence (mansion) that had been ceded for having a house thereon in the past occupied for more than sixteen years" Signed Jose Abrego and Jacinto Rodrigues, On December 10, 1849.

(More Tomorrow)