

Peninsula Diary Mayo Hayes O'Donnell

November 29, 1957

W.E.P. Hartnell's Will

The last will and testament of W.E.P. Hartnell is an interesting document, in which his address is given as Monterey, State of Upper California, and dated Dec. 6, 1850. Hartnell was among the most prominent citizens of this city for many years. In 1830 he was naturalized as a Mexican citizen. Later, for a long time he held the title of "Government Translator." After the organization of the Monterey County government, he was selected to one of the three supervisors when the first board of supervisors was elected in 1852.

Hartnell's son, Juan, or as he later called himself, John Hartnell, served as county treasurer in 1856 and 1857. Then from 1880 to 1898 his son, Uldarico Hartnell (who always signed his name "U. Hartnell") was county treasurer.

The will follows: "In the name of the Most Holy Trinity, Father, Son and Holy Ghost: I, William Edward Petty Hartnell, being at this moment (thanks be to God) in perfect good health and of sound mind and memory, do declare this to be my last will and testament.

"In the first place, I declare that it is my desire to live and die in the bosom of the Holy Catholic and Apostolic Church, and I request that when it may please the Almighty to call me out of this world my funeral be conducted in a plain and modest a manner as possible, without unnecessary pomp.

"Item; I declare that the property which I possess and the debts owing to me will be found expressed in the adjoining list signed with my name.

"I do furthermore declare that I hereby constitute and appoint as my sole Executors and as Tutors and Guardians to such of my children as many remain under age at the time of my death, my dearly beloved wife Teresa de la Guerra and her brother and my good friend, Don Pablo de la Guerra, requested that they will as soon after my demise as possible pay off my debts and satisfy my bequests. It is likewise my desire that my debtors be not in any way distressed on account of the amounts that they may owe me, but that they may be merely requested to pay, and whatever they may choose to pay be received in full of all my demands.

"I do further declare that it is my desire that on my decease my wife do enter into and take possession of all

my property, both real and personal estate, and that she have the sole management and control thereof during her natural life for her use and benefit, and for the use and benefit, and for the maintenance of our dearly beloved children: Guillermo, Antonio, Juan, Adelberto, Teresa, Jose, Matilda, Ana, Magdalena, Pablo, Uldarico, Silvestre, Amelia, Arnulfo and any others which the Lord may yet be pleased to bless us with; and on the death of my said wife it is my desire that all said property be equally divided amongst our said children in the manner which may seem most equitable to my brother-in-law. Don Padro de la Guerra, should he survive my wife, or in case of his previous death to the person who my wife may be will appoint in his stead, without any responsibility, bond or guarantee whatsoever on the part of my executors respecting the fulfilment of this my last will and testament, for my principal object is to prevent any member of the law from having anything whatever to do with my property or with my executors or heirs."

Hartnell left small amounts to two sisters and two brothers which he requested his executors to remit in good bill of exchange on England to his brother, Nathaniel, residing at No. 1 Hagley Place, New Kent Road, London. He also desired that another bill of exchange for \$600 be forwarded to the "Rt. Rev. Doctor Denver, Roman Catholic Bishop of Belfast, for him to distribute to the persons about whom I have written him in proportion of their necessities."

"I give and bequeath to my son, Guillermo, my large family mourning ring: unto my son, Juan, my old silver watch; unto my son, Adelberto, the ring which I wear; and to my daughter, Teresa, my mother's likeness. To the rest of my children I give and bequeath my library, to be divided amongst them as their mother may see fit; and to the whole I give my paternal blessing in the Name of the Father and of the Son and of the Holy Ghost, Amen.

"Signed, sealed and delivered in the City of Monterey, this sixth day of December in the year of Our Lord one thousand eight hundred and fifty, in the presence of the subscribing witnesses: W.E.P. Hartnell."