



# The Novato Historian

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## FEATURE SECTION

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Preserving Novato's History

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## Historical Fact or Urban Legend?

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Irrespective of one's interest in history, few can resist the suspense of an unsolved murder. Throw in the intrigue of unfound buried treasure and you have all the ingredients for a great story. Along with most long time residents of Novato, I had heard the legend of how Camillo Ynitia had sold his ranch to James Black for gold coin. Supposedly, in a drunken stupor, Camillo buried the coins to prevent their theft. Once he sobered up, he could not recall where he had buried them. As the legend goes, the coins are out there still. Now, some forty plus years after hearing that legend, I decided to see if I could track down the genesis of the tale.

Prima-facie, it should have been a relatively simple task, after all, much had been written regarding Camillo Ynitia, Rancho Olompali's last Coastal Miwok Indian Chief or 'Hoipu.' Little did I suspect that this one hundred and forty six year old mystery was about to become a lot more mysterious!

This is actually the story of two neighboring families, for so closely were they intertwined, that the story cannot be told separately. Camillo Ynitia had received the Mexican Land Grant of Rancho Olompali, some 8,877 acres. His neighbor, Fernando Feliz had

received a similar grant for Rancho Novato. Following several sales of Rancho Novato, first to Jacob Leese, then to Bezar Simmons, in the spring of 1851, Dr. Reuben Knox had leased the Novato Rancho from court assignees Billings, Bolton and Halleck. Dr. Knox had first right of refusal pursuant to sale of the ranch. On May 18, 1851, he wrote his wife; *My dear Wife, You hope I have secured the ranch. . . I have only rented it for the present season but have the preference over all others when it is ready for sale. . . I shall have no means of purchasing unless the crop succeeds well and my losses cease. . .* Ten days later, on May 28, 1851, Dr. Reuben Knox was drowned on San Pablo Bay in a boating accident while returning to Novato from San Francisco. Also in the boat were four other persons, including Dr. Knox's nephew and Camillo Ynitia's twelve year old son, Juan Pablo. Dr. Knox's son, Joseph, remained at the ranch. If it was his intention to purchase the ranch, he was apparently unable to meet the financial demand, the ranch (now consisting of approximately 6,900 acres), was sold to Archibald Peachy in July of 1852, for \$28,500. Joseph Knox remained at the ranch as a tenant. In his employ was Henry Willard. Henry was employed "in the wood business" at the Novato Ranch. He had formerly

been the ranch foreman for the widow of Mr. John Reed at Corte Madera del Presidio (Tiburon).

In February, 1852, one month after marrying his fourth and final wife, Susanna Onoria (an Indian girl 12 or 13 years of age), Camillo probably believed that the new American government would not sustain his Mexican Land Grant. An article in *The Petaluma Weekly Journal* on April 12, 1856 illustrates the mood of the country at that time. Extracted from a speech delivered by the Honorable Pablo de la Guerra, it is entitled *A plea for Native Californians* it reads in part; *Let us consider the equities of the case. The land owner was in possession of large tracts of soil which, in many instances, have been in the possession of the same family for over half a century. By the law providing for a Board of Land Commissioners, with a right to appeal to the higher courts, he was compelled to prove his title. In my country we calculate that what was paid to lawyers alone to try the case before the Board, amounted to one third, by the last assessment of the value of the real estate. In every case decided favorably to the claimant by the Land Commissioners, an appeal has been taken to the District Court, and from this another third is taken, and even after passing through this severe judicial ordeal, we are again forced by the further appeal to the high tribunal of the nation — the Supreme Court of the U.S. To carry on this extraordinary litigation,*

*continued on pg F2, see Urban Legend?*

# Urban Legend?

continued from page F1

*another third of our property will be taken, and what will the owner have left?* Camillo sold off 8,245 acres along with the vast majority of his livestock, some six hundred head, for \$5,200 (\$4,290 in gold coin, the balance due and payable), to James Black, Marin County's first tax assessor, coroner and largest land owner. Camillo retained a tract of 632 acres of the 8,877 he had owned and called it 'Apalacocho.'

Knox was a graduate of Yale College, having graduated in 1850, and was practicing law in California. On September 28, 1855, Knox assisted Camillo in preparing his will. Ten months later Camillo was dead. The exact date of Camillo's demise is unknown. Documentary evidence (Deed of conveyance of land for the sum of one dollar to his son in law, Henry Holden Bennett), showed that he was still living on



*Joseph A. Knox, 1879  
At the age of forty eight.*

Joseph A. Knox

Twenty three years after moving to Sanel Valley.

Sketch from History of Mendocino County

April 2, 1856. Four months later the record of Probate Court, County of Marin, signed by clerk Daniel T. Taylor indicated he was deceased by July 30th, 1856. In an undated petition to the will, executed on her behalf by her guardian Walter A. Skidmore an attorney who was appointed by the court for ten year old Maria Antonia Ynitia, the future Mrs. Joseph Knox protested; *In the matter of the will of Camilo Ynitia decd. Maria Antonia Ynitia a daughter of said deceased comes unto this court and objects to the proof of the will of said deceased, on the grounds that the will was not executed according to law and that the deceased was not of sound mind.*

In a sworn affidavit dated July 28th, 1856 Joseph Knox wrote: *Camillo at the time appeared to be of sound mind and memory.*

Maria Antonia was four years her sister's junior. Like her father and her sister, Maria Antonia was illiterate as is evidenced by her signature X followed by the clerk's scribe, 'her mark'. Born in August of 1845, at the time of Camillo's death, she was ten years old. Her sister, Maxima, married Henry Holden Bennett, an American, in 1854 when she was thirteen years old. Camillo's will left Apalacocho to Henry Bennett, conditional on the property not being sold without Maxima's approval and that she and Henry provide for Maria Antonio *until she become of age or be married and shall also maintain my aged sister, Velina [sic Bellina] during the term of her natural life.*

May 17, 1856- In a letter to his mother, Joseph Knox wrote; *I am living on the Novato Ranch now, engaged in taking care of my stock and the Ranch. I have made no definite arrange-*

*ments yet with the owners of the Ranch, as to the length of time that I shall remain here, but shall probably make arrangements to stay here five years or more.*

Legal Notice published in *The Petaluma Weekly Journal* dated August 9, 1856 gave creditors ten months from the date of publication to present vouchers to Joseph Knox, Executor, or their claims would be barred.

**NOTICE**  
NOTICE IS HEREBY GIVEN TO ALL persons having claims against the estate of Camilo Ynitia, deceased, late of the county of Marin, to present the same, with proper vouchers, to the undersigned, executor of said estate, at his residence at Novato Ranch, in the county of Marin, within ten months from the date of the first publication of this notice, or the same will be barred.  
JOSEPH A. KNOX,  
Executor of Camilo Ynitia, deceased.  
August 9th, 1856. 51-4w

September 17, 1856 Knox as executor for Camillo, petitioned the probate court for permission to sell off all of the personal property of the estate not disposed of by the will, in order to pay off debts.

October 6, 1856 To satisfy creditors, Knox conducted an auction at Camillo's ranch at 12:00 noon. Auctioned off to the highest bidder in cash only, were; 'One dark gray horse, well broken,- one cream colored horse, well broken,- two wild brood mares,- two wild mare colts, two years old also one ox cart and a double barreled gun.'

May 6, 1857 With all the personal property sold off, Knox was able to raise \$911.00. After paying off all creditors, Camillo's widow, seventeen years old, had a grand total of \$453.45. *And it is further ordered that said executor on complying with decree be and he is hereby exonerated from all further responsibility relative to the estate of said deceased. Ai Barney Probate Judge.* Henry Holden Bennett was still alive as of this date.

Continued on page F3, see *Urban Legend?*

## Urban Legend?

continued from page F3

1857 was a busy year for Camillo's daughter, sixteen year old Maxima. Her husband of three years, Henry Holden Bennett, died. [There is no record of his death with the Marin County Coroner's office, nor is there any newspaper account.] That same year however, she married Henry Willard, Joseph Knox' employee and moved to Ukiah. In the 1880 *History of Mendocino County* by Alley, Bowen and Company the biographical sketch of the Henry Willard family indicates that Henry married Miss Mary Maxima, rather than Maria Maxima (Ynita) Bennett. This would have been information which was furnished to the publisher directly by Willard.

It appears it was at that time that Joseph Knox, a Yale graduate, twenty seven years of age, Marin County's first elected judge and Associate Justice of the Court of Sessions, married Maria Antonia, a twelve year old illiterate girl. Contrary to his planned stated intent in the letter just written less than one year before to his mother, to remain at the Novato Ranch "five years or more," Knox moved to Ukiah.

*'Brother can you spare a dime.—'*

Following the distribution of the estate of Camillo Ynita on May 6, 1857, Henry Bennett (supposedly unbeknownst to Maria Antonia and Maxima) leased out Apalacochoa for a period of six years for one hundred dollars. Under the terms of the lease, it was incumbent upon the lessor to reimburse the lessee for any improvements made upon the property at the expiration of the lease. In 1857, after having moved to Sanel Valley in Mendocino County (Hopland), Maria Antonia and

Maxima discovered their obligation to reimburse the lessee for buildings erected upon the land, when they attempted to foreclose the lease.

*Having no money whatsoever to spend on law, nor even for our maintenance- as also the land being about five hundred acres of nearly all mountain land, and not of much value. We empowered John Knight*

*of Mendocino County to act as our attorney, to borrow money for us and purchase the improvements of the lessee. Which he accomplished by borrowing one thousand dollars at one and three quarters, 1 3/4 percent interest and buying the buildings on the property for the sum of nine hundred and twelve*

Continued on page F4, see Urban Legend?



Maxima, left, and Maria Antonia, ca. 1865. Four years after they married, they were still signing their names with an X. Photo courtesy Calif. State Park and Rec.

## Urban Legend?

*continued from page F3*

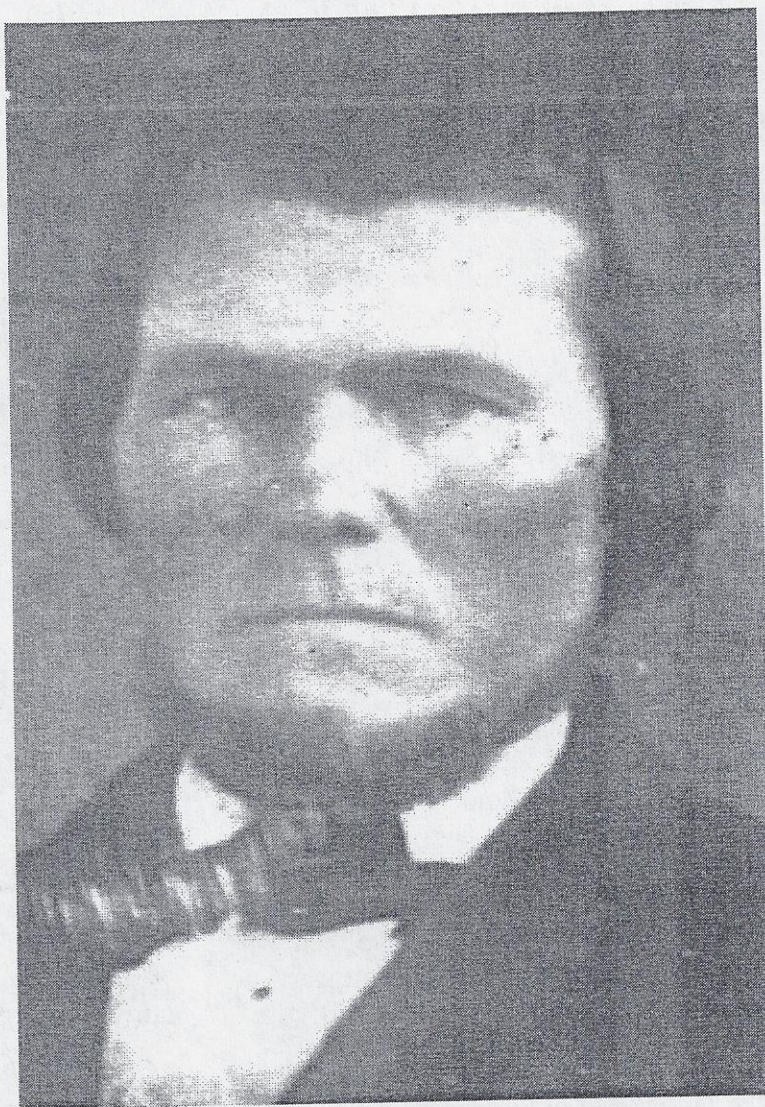
*dollars- and afterwards leased out the said premises for us for the sum of three hundred and fifty dollars per annum - we also bought some other interests to the same property - after leasing the property for more than one year, finding ourselves largely in debt from causes above mentioned and being in want of money for a maintenance, we sold the above mentioned premises to John Knight of Mendocino on the 26th day of November, 1860, for the sum of three thousand six hundred and thirty three (3,633) dollars.*

This document, dated January 26, 1861, is elucidating in several ways: The exact date of Joseph Knox and Maria Antonia's marriage is unknown. A marriage license has been found for them, but it is dated 1882. The biographical sketches done by Alley, Bowen and Company in *The 1880 History of Mendocino County* goes into such detailed information as to list the names of the pioneers' deceased children, yet no mention is given of Knox being married or having children in his biographical profile which he would have personally described to the author. The 1870 census does however list the family.

The fact that John Knight's legal services were used in the lease foreclosure rather than done by Knox, would tend to indicate Knox was not yet a family member. Initially, I thought that since Maria Antonia was referred to by her maiden name, that she wasn't yet married. However, the fact that Maxima is referred to in her pre-widowed name of Bennett, leads one to conclude that this was an attempt at clarity in continuity of Camillo's will.

The Document was filed due to the sale of Apalacocho on the 26th of November, 1860, to John Knight. Apparently, Knight was dubious as to the age of Maria Antonia. A law enacted by the California Legislature on the 22nd of April 1850 aimed at preventing Indians from being taken advantage of, "states that Indian females shall be considered to have attained their majority at fifteen years of age." Knight went to the San Rafael Mission and discovered Maria Antonia had not attained her majority, being only fourteen at the time and thereby legally nullifying the sale of Apalacocho.

The document further affirms; *... we are full grown women and mothers. The youngest of us having a child more than one year old. . . we now beg that your honor will examine said law, and approve of the sale made by us and if your honor should think that Maria Antonia Ynitia was not of legal age -that you would appoint Joseph A. Knox of Mendocino County as her guardian and order him to sell her interest in the above described real estate for the purpose of paying her*



James Black

His gold coin payment started the legend.  
Photo from Charmaine Burdell Collection

*debts and returning her the surplus for her maintenance and your petitioners will ever pray . . . again both signatures are marked; her X mark for the signatures of both Maxima and Maria Antonia. The petition, written by Knox and witnessed by Henry Willard was approved by the Probate Court of Marin County and the sale upheld.*

### *What of the buried treasure?*

Maria Antonia Ynitia's godmother was Maria Antonia Martinez Richardson. It was her father, Commandante of the Presido,

*Continued on page F5, see Urban Legend?*

## Urban Legend?

continued from page F4

Ensign Ignacio Martinez for whom that east bay city is named. William Richardson abandoned ship in San Francisco in April of 1822. He married Maria Antonia Martinez and was granted Rancho Sausalito, a Mexican Land Grant consisting of 18,000 acres. Their son, "Steve" was born in 1830. At the time of Camillo's death, he was twenty six years old. His memoirs were published in the *San Francisco Call-Bulletin*, under the title *The Days of the Don's*, and run in daily installments in April 1918. Richardson's account, given when he was eighty eight years old, is as follows; *James Black, the great landlord of these parts, reasoned it out with Camillo that his white brethren would surely get the land away from him. That he (Black) would give him \$5,000 in gold coin for the property and set aside for him a tract sufficient for his purpose—a hundred acres or thereabouts. Camillo buried his treasure as the safest way of keeping it, but it ultimately proved his undoing. Every sure-thing man of the day strove in vain to get some inkling of the hiding place. At last a half-breed chippy by the name of Sanchez tried her luck. She was indeed the woman of a buck Indian, but (sic by) making violent love to Camillo, induced him to marry her. But a blandishment likewise proved futile. Her Indian lover, enraged at her ill success, waylaid Camillo and shot him with an arrow through the heart. So the \$5,000 in gold coin the Indian buried is waiting for a finder still.*

In Isabel Kelly's notes on the Coastal Miwok conducted in 1931 and 1932 and subsequently published as *Interviews with Tom Smith and Maria Copa* (Smith and

Copa were two of Marin's last surviving Miwok Indians. At the time, Maria was in her mid sixties.) the following insight from Maria Copa is given; *I guess you have heard this story, how Captain Camilo of Novato got shot with an arrow. An Indian fought with him. They were always fighting with him. Those old timers were crazy for whisky...My grandfather fought with this Camilo twice. Captain Camilo was from Olumpali, the other side of Novato. He sold some land to Jim Black; he got \$4,000 for it. His daughters didn't know just how much money Jim Black gave the old man. He said he would not give full price. He gave some and told him to come back when that money was gone. Camilo's daughter was a little girl, 6 or 7 years old. [Maria Antonia was six years old at the time of the sale.] He told her to go with him, that he was going to bury the money. He told her, 'I'm drunk now; you remember the place I hide it.' She went along. They drank and Captain Camilo fought a lot. One night he was smoking a cigar; he had lots of money. My grandmother used to say that he was too high toned with his cigar. Camilo was married to a relation of my grandmother's.*

*He went toward the creek, and somebody shot him right in the heart with an arrow. He came*

*back to the house and said, "Juan, come back quick. Somebody has killed me. I am dying." He fell in the door[way]. He pulled out the arrow but the point stayed in him... The sheriff came, and they caught the murderer. [Not substantiated by any historical documents.] They never found the money. The girl couldn't find the place. Jim Black gave them what money they had coming to them—he gave it to the older girl. Captain Camilo was not killed by somebody after his money, but because of a fight he had...*

Continued on page F6, see Urban Legend?



Maria Black Burdell, one of the first to pursue the legend.  
Photo from Charmaine Burdell Collection

## Urban Legend?

continued from page F6

(Mary) Augustina, for a wedding present, upon her marriage to dentist, Dr. Galen Burdell.

On August 10, 2002 I had the pleasure of interviewing Charmaine Burdell, great, great, granddaughter to James Black. Charmaine informed me that her grandmother Josephine Sweetser Burdell had told her on more than one occasion that Mary Black Burdell [Josephine's mother in law], was so certain of the existence of the buried coins, that she had workmen constantly digging on the property looking for them.

Perhaps most baffling of all of these events is not who Camillo's murderer was, but how these events went unrecorded. There is no

known account of his demise in any newspaper. Initially I thought this might be explained by the prejudice against Native Americans at the time, however I found this account in the *Petaluma Weekly Journal* dated May 24, 1856 [about the time Camillo was murdered.], *Killed.— Last Saturday evening as a party of Indians were returning from town, as usual badly intoxicated, when near the adobe in Vallejo Township, two of them, Walker and Jose got into a fight, which eventually resulted in the death of Jose's mohala. Walker is supposed to be her murderer, as he has fled. Who, we ask, of our citizens has become so lost to all moral and legal restraint as to be guilty, for the sake of a few paltry dimes, of furnishing liquors to these poor creatures?*

Yet, there is no account of the murder of Camillo, a man of substantial financial means, an historical figure of early California, and an influential citizen living five miles down the road.

The coroner's inquest is an investigation conducted into the cause of the death; to determine the identity of the deceased; and an attempt to identify the perpetrator in the case of a murder. The first recorded coroner's inquest occurred in Marin County in 1851, when James Black was the coroner. The inquests were given a sequential case number. While some cases are missing, as is evidenced by the missing sequential number, all cases investigated by the coroners office between 1854 through 1857 are present. There are several cases involving deceased Indians, however, there was no inquest conducted into the demise of Camillo. A check of the *Solano County Herald* during the time span Camillo was known to have been killed yielded no results, yet did report this event; *Saturday, July 12, 1856— Two Chinamen were murdered at the lagoon near San Francisco on Saturday last; A coroner's inquest failed to elicit any facts other than that, they were horribly butchered.*



The author at the site of Rancho Novato Adobe, former home of Joseph A. Knox. The site is now the back yard of 2012 Center Road.

In 1857 Joseph Knox purchased 2,400 acres of ranch land in the Sanel Valley of Mendocino, one year after having relinquished his judgeship in Marin County, and most probably marrying twelve year old Maria Antonia Ynitia. His former employee, Henry Willard [whom, while working as a ranch foreman at that time would have probably been paid approximately forty dollars a month], likewise purchased 1,790 acres at the same time near the same location after having married the widowed Maxima Antonia (Ynitia) Bennett.

After having researched the legend of Camillo's buried treasure, it is my opinion that it is most probably unfounded. But still . . . ❖