Antonio Chaboya was the first Spanish citizen of Evergreen. "Chaboya," today's spelling of his name, is rooted in the Spanish pronunciation of "Chabolla."

Chaboya may have occupied the land as early as 1821. (Hendry) It was during this time when the stringent restrictions of the Spanish were eliminated by Mexican Independence and trading hides and tallow began with the Americans.

Evergreen was considered part of the lands belonging to the Pueblo of San Jose, and any private use had to be authorized by the Alcalde (mayor).

Chaboya received permission in 1833, and soon cattle were grazing on the Evergreen foothills. That same year he petitioned Governor Jose Figueroa for legal title to the land grant.

Chaboya had lived on his land for close to 30 years when he found it would now be necessary to protect his holdings legally. Counseled by his attorneys, Antonio Chaboya filed a claim for his land grant, March 8, 1852.

Upon proper showing, supported by identified landmarks, the grant was confirmed by the United States Commission on Oct. 17, 1854, and by the District Court, Jan. 21, 1858.

Chaboya's claim was recognized and designated as "Rancho Yerba Buena y Socayre," translated as "Good Herb" containing six square leagues. "Legua" in Spanish, equals 4,438 acres, making his total land grant 24,342.64 acres.

The original survey field notes were written in both English and Spanish. Reading the descriptive 23-page field notes, one could walk the border of the rancho today and still be able to identify the landmarks.

Here's a good example of this 1858 survey: "Beginning at a point in the center of Coyote Creek 150 links wide, opposite to the "Punta del Robles" from which a Sycamore, 24 inches in diameter, marked Y.B. No. 1 thence . . ."

"Continues down the creek south to Metcalf Road then east to the top of the range. Trees marked with the Y.B. rocks piled, creek channels, an east corner of the rancho then turning north across the ridge of the hills, a Black Oak, three feet in diameter in a hollow, . . ."
near a dry lagoon until it reads: 'Hundred of chain measurements,' continue marking the boundary descending from the ridge line and now to a ravine and "Chevoya adobe house" (surveyor's spelling) to a point on the side hill sloping to the northwest.

"From the "adobe" the boundary is marked along the dividing line with the "Pala Rancho." Pala Rancho, 4454.08 acres was granted to Josef Joaquin Higuera by Governor Castro in 1835.

Mysteriously, it was patented not to Higuera but to Charles White in 1866. Doris Hoffman, great, great-granddaughter of both Josef Joaquin Higuera and Antonio Chaboya, recalls a family story, passed down for generations, of how Charles White had offered to assist Higuera in evicting the many squatters who had moved on to the Pala Rancho.

White agreed to represent Higuera in San Francisco with documents proving his right to the land grant, and in return, Higuera would sign over to White a "portion" of the land in payment.

Apparently White never made the trip to San Francisco and shortly thereafter, he was killed when the steamboat, "Jenny Lind" exploded in 1853 as it was heading north out of the Alviso harbor. Higuera's family may have tried to use the property agreement as proof of ownership for the Pala Rancho, but nevertheless, the final decision was in favor of White as legal owner (1989 interview Hoffman/ Cortese).

Again, hundreds of chains mark this northern Y.B. line, until the surveyor comes to "an oak stump and a post marked Y.B. No 7, which marks the corner of the Rancho, thence west to a post marked Y. B. No 8 from which a house is identified and on to a fence, then on to the place of beginning."

The boundaries of the Rancho Yerba Buena may presently be identified as covering all the territory between the ridge of the Evergreen Hills, north between Norwood Avenue and Tully Road, west to the Coyote Creek, south to Metcal Road and finally continuing east to the ridge of the hills.

It is now believed that Chaboya built his earliest rancho structures in 1833 near the intersection of Quimby and White Roads. About 1845 an adobe residence was built near the upper northeastern boundaries of the rancho in the foothills off of Quimby Road.

By 1835, Chaboya had about 3,000 cattle, and 100 mares and broken horses, which in subsequent years grew to untold numbers (Breschini et al; Arbuckle 1985)

Chaboya had engaged a team of lawyers to defend his legal title to the land. The attorneys spoke English, while he spoke Spanish. During the years of legal process, an interpreter was often necessary.

Village of Evergreen is born

Lawyers J.B. Hart, Hiatt R. Hepburn, Henry Wilkins and William Matthews defended his title before the commission, and in payment, Antonio Chaboya gave them land. J.B.

Hart secured a large portion of land south of Aborn on the east side of San Felipe Road to the entrance of the current "Villages." William Matthews received the land south of Hart's to Metcalf Road.

J.B Hart began the first Evergreen subdivision, making way for the development if the community village. Located practically in the center of the rancho, along the dry creek, the first business opened.

Charles C. Smith established a blacksmith's shop in 1867, and the following year, his brother Francis J. Smith would become the owner of the first general merchandise store in East Valley.

The Village of Evergreen, so called because of the beautiful live oaks that covered the valley and hillside, began to prosper and grow. Settlers and squatters, some having staked claims a decade earlier, gathered on the wooden porch in front of the Smith's General Store.

Across the street, Perry Smith built a home and blacksmith shop. The first school was built on the corner of Aborn and San Felipe Road in 1866. Soon Stevens and Peppin opened a butcher shop, F.J. Smith built a winery and Frank McMurry established a saloon. The community church and social hall would soon complete the village.

Gold Rush

Gold fever struck California! In San Jose merchants closed their doors, rushing to the gold fields only to return with empty saddlebags. As a rule, Spanish Californians did not hurry to the mines. Don Luis Peralta said, "that God intended the Americans to
have the gold, or he would have revealed it to Spanish California." However, some of the Chaboyas and some of the Bernals went to the diggings. (Older 1925)

California gold fields soon faded, leaving the unsuccessful miners looking for opportunities to sustain themselves.

Most were farmers, so it was natural that they would be attracted to this valley where fertile soil, mild climate and plentiful water were all that was needed to begin their lives here in Evergreen.

Soon the overland trails brought families to share the hard work of establishing homes and ranches. Unknown to the Argonauts, the land they were building on belonged to the family of Antonio Chaboya.

All across the rancho farmers were cultivating, building houses, barns and drilling wells on his property. Many of the early settlers would eventually pay for their land two or three times over.

Soon after the Treaty of Guadalupe Hidalgo was signed, land speculators began buying up the land grants. The boundaries of many were not well defined, having been drawn on very primitive "disenos" or maps.

The speculators, knowing land boundaries were in question, began suits ejecting settlers, many of whom had located on land under the supposition that they were public lands. This litigation caused the settlers to form groups throughout the state for mutual protection.

The next "Paths to Evergreen" will explore the "Squatters Declaration of Rights and the Squatter War of 1861.

Colleen Cortese – copyright 2004 – Evergreen History.