

CASE No.

280

NORTHERN DISTRICT

PART OF LLANA de SANTA ROSA GRANT

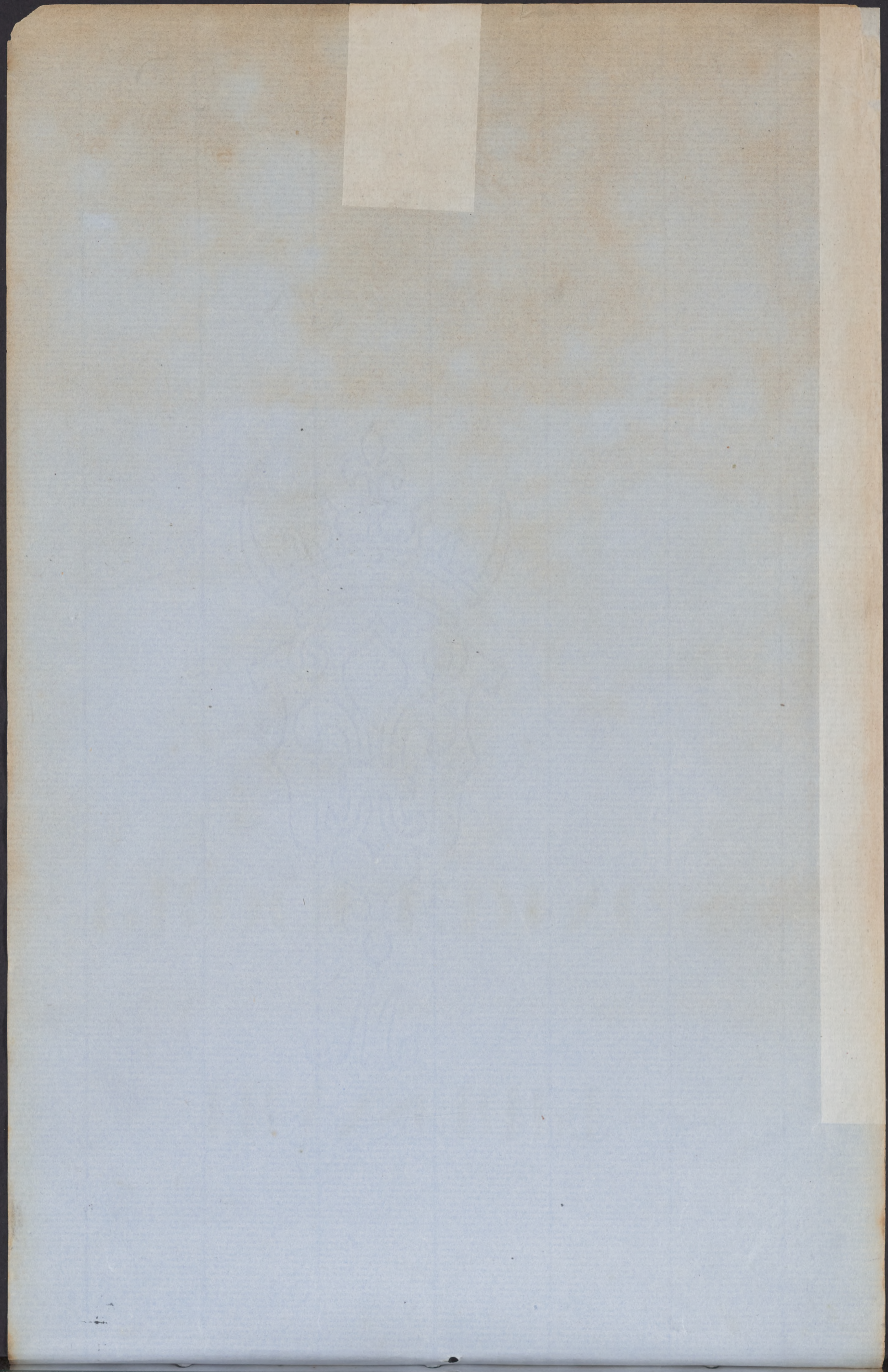
JOSEPH M. MILLER

CLAIMANT:

NOV 19 1962

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528 COLTON 1955
BROOKS BOND
65-1111-1001

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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 288.

Joseph M. Miller

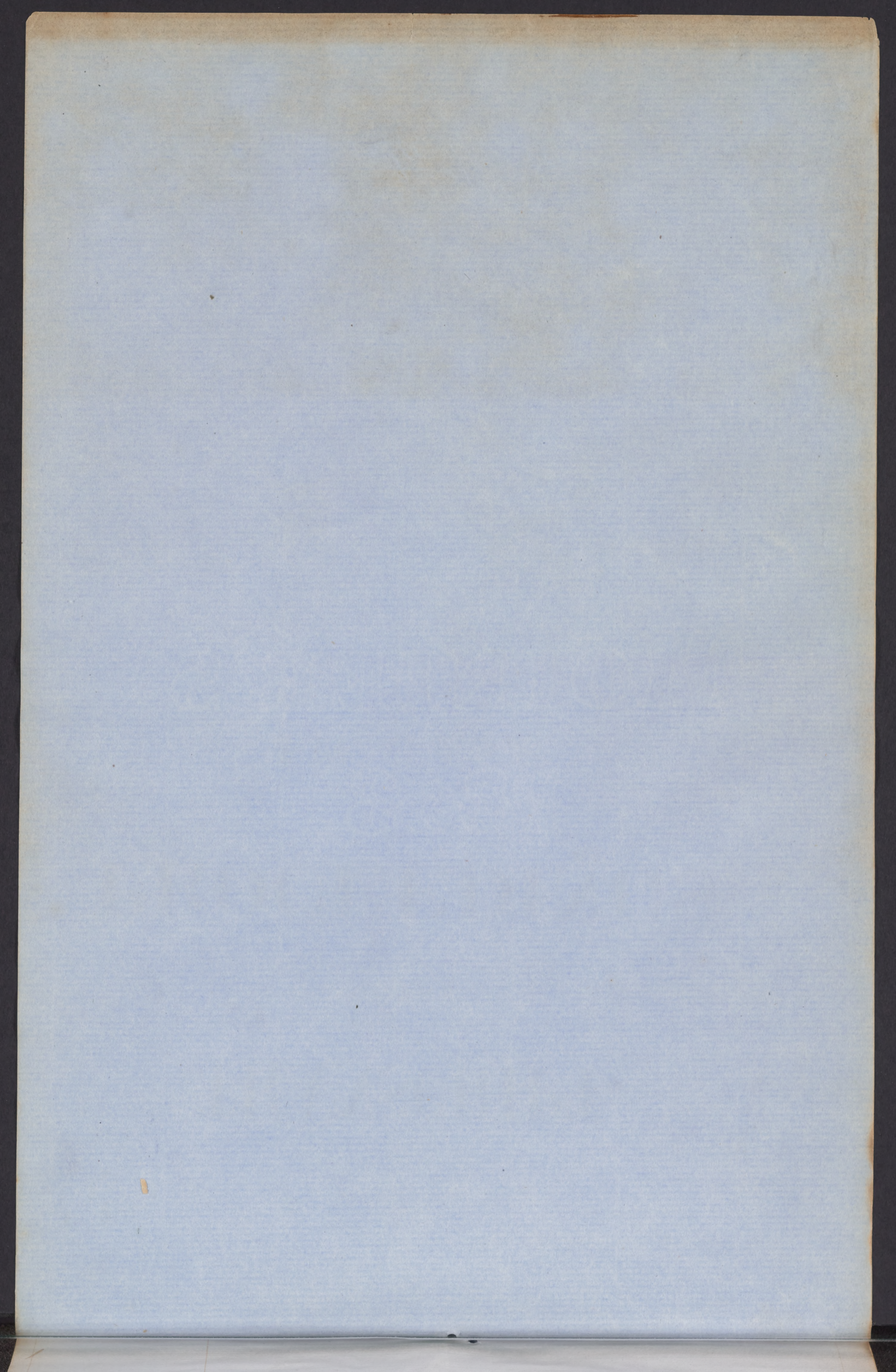
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

^ part of
FOR THE PLACE NAMED
^

" Llano de Santa Rosa "



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, that on this *fifteenth* day of *July*, Anno Domini One Thousand Eight Hundred and Fifty-*two*, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of *Joseph M. Miller* ^{for the} Place named "*Llano de Santa Rosa*" was presented, and ordered to be filed and docketed with No. 288 and is as follows, to wit:

(Vide page *3* of this Transcript.)

Upon which Petition the following subsequent Proceedings were had in their chronological order, to wit;

San Francisco November 28' 1854.
Case no. 288 *Joseph M. Miller* for part of the place named "*Llano de Santa Rosa*", was ordered to be placed at the foot of the 3^d Class Cases on the Trial Ticket.

San Francisco, December 19' 1854.
Case no. 288 was submitted under the Rule of March 21' 1854.

San Francisco March 6' 1855.
In the same case Commissioner S. B. Farwell delivered the Opinion of the Board rejecting the claim;

(Vide page 9 of this Transcript.)

and the following order was made, to wit;

(Vide page 3 of this Transcript.)

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Petition

To the Hon Board of Commissioners
to ascertain and settle the Private Land
claims in the State of California

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Your Petitioner Joseph M. Miller
a resident of the township of Nunally
Sonoma County in said State of Cali-
fornia respectfully represents that Joaquin
Carrillo also of said township, who was
the original claimant of the land herein
claimed by Your Petitioner on the 29th
day of March AD 1844, received a
grant in fee for three leagues of Land
a little more or less situate within what
are now the precincts of said township
and called the "Plano de Santa Rosa"
and of which the tract now claimed by
your petitioner is a portion.

The said Grant was received by
the said Joaquin from Manuel Micheltorena
then Governor of the Department of California
under the laws & usages of the Republic
of Mexico and being now on file for
presentation to this Hon Board as is
also a translated copy of the same. Your
Petitioner would beg that reference may
be had to the same as well as to the
other evidences of the title of the said
Joaquin to the fee of the said tract
as the same may be presented as proof
of his title thereto.

And further that on the 21st
day of June AD 1852, the said Joaquin
Carrillo and Guadalupe his wife for
full consideration by their rec^d. executed

to your

H

to your Petitioner a Deed in Fee simple
for one League "more or less" a portion
of the "Lano de Santa Rosa" and lo-
cated within boundaries settled by the
said Joaquin and your Petitioner as the
limits of the same. For more particular
description whereof reference is made to
the said deed which is herewith filed

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Your Petitioner is ready to make
such further proof of title as your Hon-
orable Body may require in order to
establish his ownership in the said tract
of land and claims that his title to the
same may be confirmed to him and
his heirs forever

(signed) Joseph M. Miller
By His Atty
Robert R. Pierpont

City of Sonoma
July 7th 1852.

Filed in Office July 13th 1852.

(signed) Geo. Fisher
Jcy

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A
Transfer to
J. M. Miller

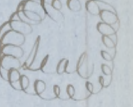
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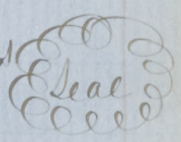
Know all men by these presents, that we Joaquin Carrillo and Guadalupe Carrillo (Wife of the said Joaquin) both of Sonoma County in the State of California in consideration of the sum of Three thousand One hundred and twenty five dollars well and truly paid by Joseph M Miller also of said county the full receipt whereof is hereby acknowledged - Have granted bargained and sold and by these presents do grant bargain sell and convey unto the said Joseph M Miller his heirs and assigns forever all of a certain tract of land located within the Rancho known as the "Plano de Santa Rosa" bounded and described as follows viz. Commencing in the centre of the Laguna forming the South Western line of the said Rancho at a point (where the old road from the Santa Rosa Valley crossed to pass near the store of Miller & Wacker the distance of $\frac{1}{2}$ chain East from a blazed tree. Thence running N. $37^{\circ} 30' E$ (by compass) following the line of blazed oak trees Eight hundred and Eighty rods to the corner. Thence running South fifty eight degrees East (by compass) still following the line of blazed Oaks Eight hundred and Eighty rods to a stake set as the South East corner of said tract (near a large oak tree standing alone upon the plain). Thence running Thirty two degrees West. One hundred and fifty five chains. (six hundred and Twenty

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Twenty rods (20 rods) to the deep Laguna
Thence following the general course of
the Lagunas and the line of said
Rancho in a North Westerly line to
the place of beginning containing One
Square League more or less To have
and to hold the aforesaid and above
described tract of land with all the
right and appurtenances thereto be-
-longing unto the said Joseph M Miller
and his heirs for ever in full constant
and peaceable possession

In testimony Whereof We
do hereunto set our Hands
and affix our seals at
San Jose in said County
of Sonoma this Twenty
fourth day of June A.D.
1832

(signed) Joaquin Carrillo 

(signed) Guadalupe Carrillo 
de Carrillo

Signed sealed and
delivered in presence of
us Witnesses

(signed) John Walker
(signed) H. B. Martin
(signed) Robert P. Pospent

State of California
County of Sonoma
On this
Twenty fourth day of June Eighteen
Hundred

Hundred and fifty

Hundred and fifty two before me a Notary Public in and for said county personally appeared Joaquin Carrillo personally known to me to be the person described in and who executed the foregoing instrument of conveyance who acknowledged to me that he executed the same freely and voluntarily and for the use and purposes therein mentioned

Also appeared Guadalupe Carreras de Carrillo the wife of the said Joaquin personally known to me to be the person whose name is subscribed to the foregoing conveyance as a party thereto she was made acquainted with the contents thereof and acknowledged on examination apart from and without the hearing of her husband that she executed the same freely and voluntarily without fear or compulsion or undue influence of her husband and that she does not wish to retract the execution of the same

Notary Public
Sonoma Co
California

In Witness Whereof I do hereunto set my hand and seal of Office at Ukiah in said County of Sonoma the day and year above written

(Signed) Robert J. Purpont
Notary Public in
and for Sonoma Co

Filed in Office Aug 11. 1852
(Signed) Geo. H. Fisher

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Opinion

Joseph M. Miller
vs
The United States

For a part of the
place called Llano
de Santa Rosa in
the County of Sonoma

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The only evidence offered in this case upon which confirmation is asked is a deed of conveyance from one Joaquin Carrillo and his wife to the Petitioner bearing date the 14th day of June 1839

The Claimant alleges in his petition that the said Carrillo had obtained a grant for the land but has neglected to furnish this Board with any evidence of that fact. The claim is therefore deemed invalid and a decree rejecting the same will be entered

Rejected

Filed in Office March 6th 1853
(Signed) Geo. Fisher
Secy

1880
1881

Decree

Joseph W. Miller
vs
The United States

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In this case on hearing
the proofs and allegations it is adjudged
by the Commission that the claim of the
petitioner is not valid and it is therefore
decreed that his application for a con-
firmation thereof be denied

(signed) Alpheus Titch
(signed) R. Aug. Thompson
(signed) S. B. Parwell

Com^r

Filed in Office March 6th 1855

(signed) Geo. Fisher
Secy

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Order

It appearing to the satisfaction of this Board that the Land adjudicated is situated in the Northern District of California

It is hereby Ordered

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That two Transcripts of the Proceedings and of the Decisions in this Case and of the Papers and evidence upon which the same are founded be made out and duly certified by the Secretary. One of which Transcripts shall be filed with the Clerk of the United States District Court for the Northern District of California and the other be transmitted to the Attorney Gen^l of the United States.



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Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims in the State of California.

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I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *thirteen* pages, numbered from
1 to 13, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of Documentary Evidence and of the Testimony
of the Witnesses upon which the same is founded, on file in this
Office, in Case No. 288, on the Docket of the said Board,
wherein

John M. Miller is
the Claimant against the United States, for the place known by
the name of "Part of Plano de Santa Rosa."

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Twenty first day of August
A. D. 185*7*, and of the Independence of the
United States of America the ~~seventy~~ *eightieth*

G. Fisher
Geo. Fisher

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U. S. DISTRICT COURT,
Northern District of California.

No. 280

ND

THE UNITED STATES,

vs.

Joseph M. Miller.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 288

Filed, *October 1* 1855

J. A. Monroe,
Clerk,



Office of the Board of Commissioners,
To ascertain and settle the Private Land Claims in the State of California.

San Francisco, August 21st 1855.

J. A. Monroe Esq.
Clerk of the U. S. District Court for the
Northern District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 288 on the Docket of the said Board, wherein

Joseph M. Miller is _____

the Claimant against the United States, for the place known by the name of Part of Llano de Santa Rosa.

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

G. Fisher