

CASE NO.

125

NORTHERN DISTRICT

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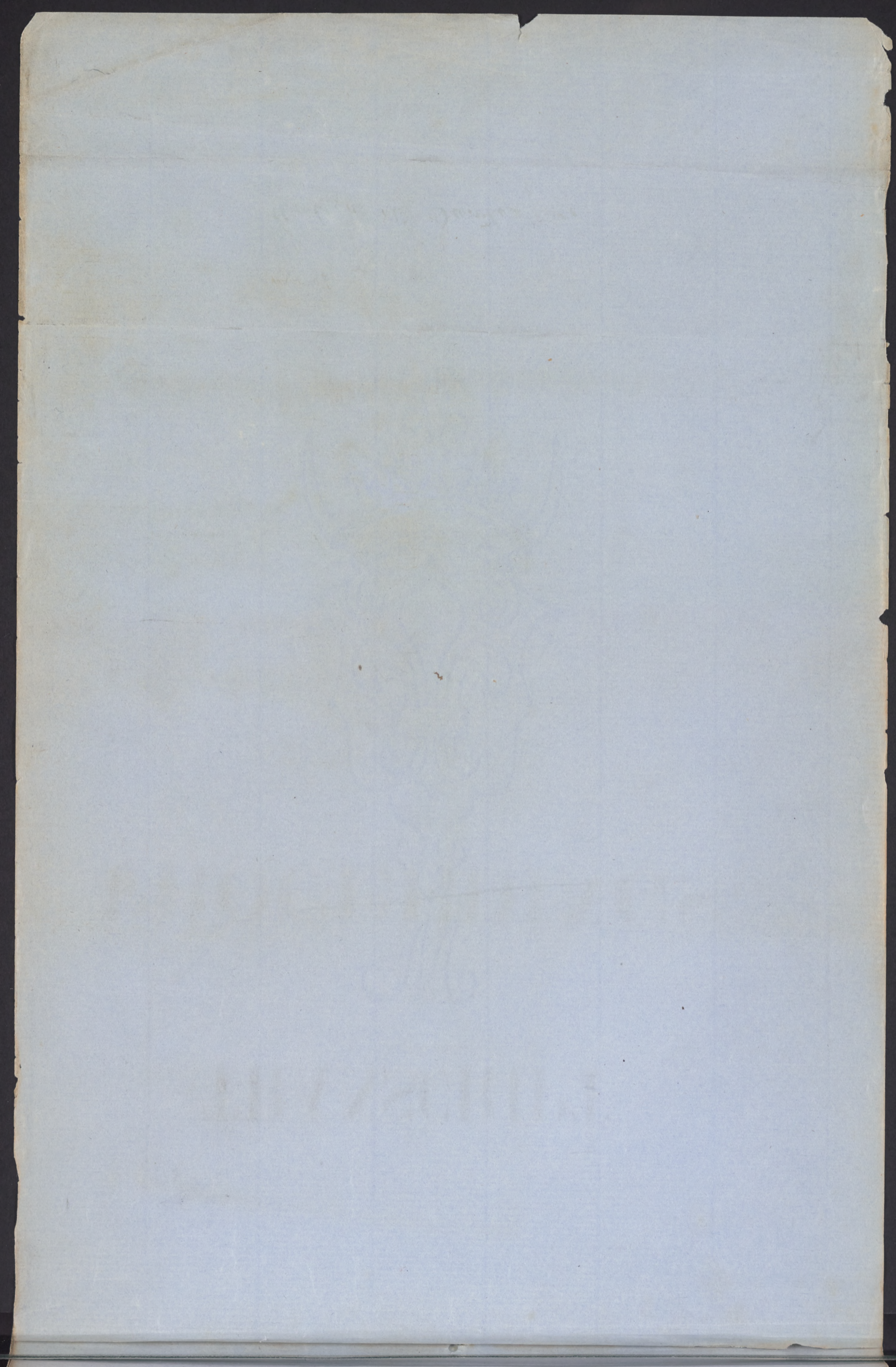
PART OF CABEZA DE SANTA ROSA GRANT

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JUAN DE JESUS MALLAGH

CLAIMANT

647  
Northen Desk



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PAGE 1

# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 647

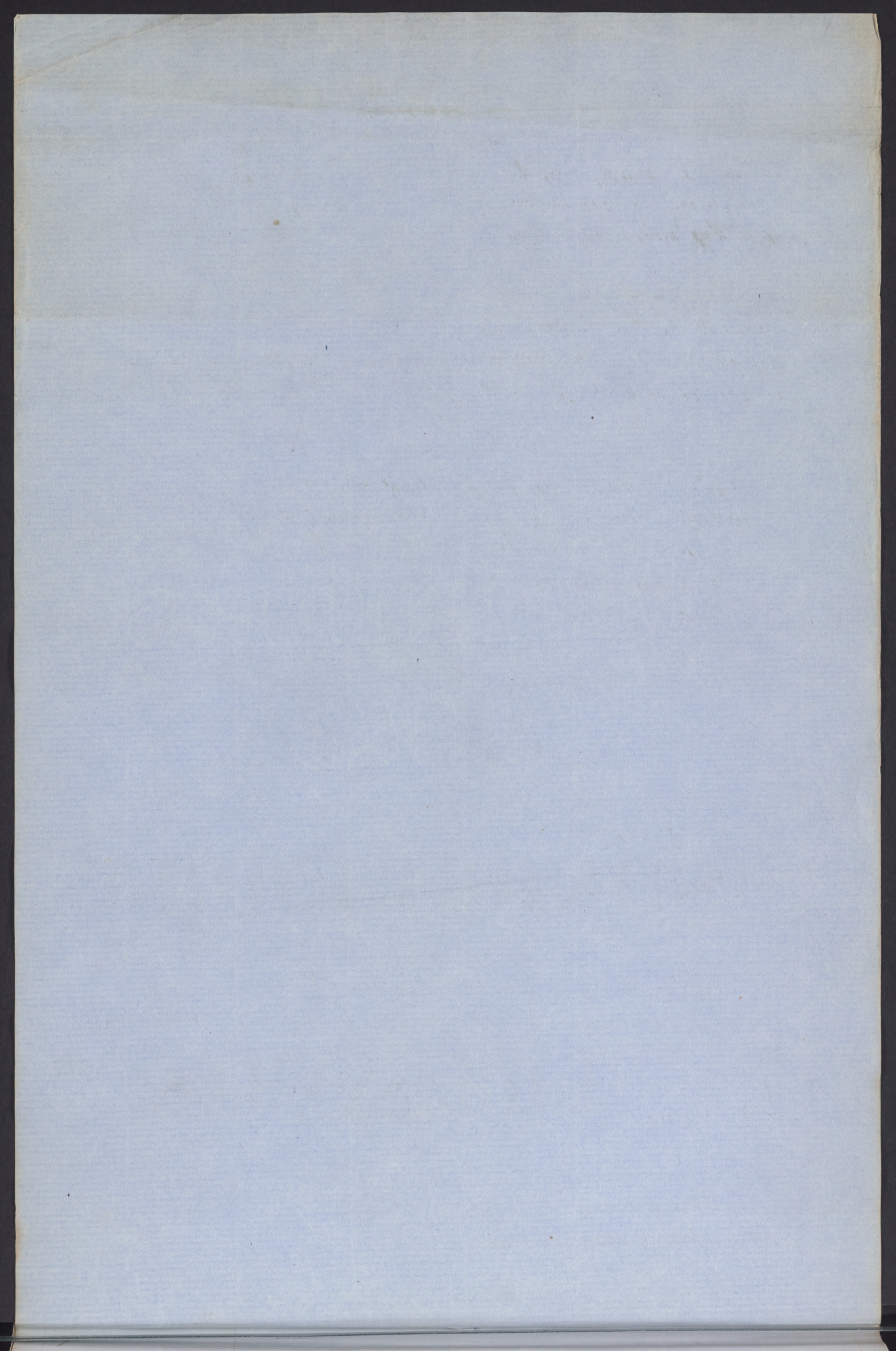
*Juan de Jesus Mullagh* CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

<sup>part of</sup>  
FOR THE PLACE NAMED

*Cabeza de Santa Rosa*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this twenty eighth day of February, Anno Domini One Thousand Eight Hundred and Fifty-Three, 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 Juana de Jesus Mallagh,  
for the Place named  
"Cabeza de Santa Rosa",  
was presented, and ordered to be filed and docketed with No. 647 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, Oct. 5<sup>th</sup> 1853.  
In Case No. 647, Juana de Jesus Mallagh for a part of the place named "Cabeza de Santa Rosa", the Counsel for the claimant filed the following Stipulation, to wit;  
(Vide page 44 of this Transcript)

San Francisco, March 21 1854.  
Case no. 647 was submitted on briefs on both sides and taken under advisement by the Board,

San Francisco April 4 1854.  
In the same case Commissioner Thompson Campbell delivered the opinion of the Board confirming the Claim;

(Vide page 51 of this Transcript)

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San Francisco, Aug, 15<sup>th</sup> 1854.

In the same case, on motion of the United States  
Land Agent, the following order was made, to wit,  
(vide page 54 of this Transcript.)



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To the Commissioners appointed to investigate and settle private land claims in the State of California -

Petition

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Quana de Jesus Mallaga represents that on the 30th of September 1841. Manuel Jimeno Governor of California under authority of the laws then in force, granted to Maria Ignacio Lopez a tract of two leagues of land called "Cobiza de Santa Rosa" described in the grant and which lies in the present County of Sonoma - That on the 3<sup>o</sup> of January 1842, the land was marked out and Judicial possession thereof delivered to the grantee by the proper Officer in due form of law. That the land was occupied and improved by the grantee immediately after the date of the grant and has been in the actual possession of the grantee and those claiming under him from that date to the present time, their possession and occupancy extending to the lines marked out when the judicial possession was given. That the said Maria Ignacio Lopez died in the year 1849 leaving ten children who were her only heirs viz - The petitioners Felicidad Carrillo, Julio Carrillo, Bericea Francisco Carrillo, wife of Mariano G. Vallejo, Maria Luz Carrillo, wife of Salvador Vallejo, Maria Marta Carrillo, Josefa Carrillo de Petch, widow of Petch; Joaquin Carrillo, Jose Ramon Carrillo, and Remona Carrillo wife of John Wilson -

That said Luis has conveyed to her all that portion of said tract of land, corner and described as follows viz. Commencing at the North west corner of a small adobe house situated a little to the East of the Santa Rosa House, running South thirty one and one half degrees East from the magnetic meridian till



Said line has a small branch which rises in a marsh which is to the East of the house known as "Salvador's house" which house is owned by Hooker & Thompson. thence up said branch a distance sufficient so that a line drawn parallel with the just mentioned line will intersect the North Eastern End of a small hill upon the summit of which are some graves, and containing said land until it reaches the Matanzas Creek thence down the Matanzas Creek to its junction with the branch aforesaid which rises to the East of Salvador's house, thence up said branch till reaching the corner of Felicidad Canillas land thence North twenty three degrees west (Magnetic), till reaching the Santa Rosa Creek, thence up said Creek a distance sufficient so that a line drawn parallel South thirty one and one half degrees East (Magnetic) will strike the North Western corner of the small above named aforesaid

She herewith files a copy of the grant marked "Exhibit A" and a copy of the statement of the proceedings of the Judge in giving Judicial possession of the land marked Exhibit "B" with a translation of each of said documents generally marked "C" & "D" and in support of her claim relies upon the papers now filed and such other evidence as she may hereafter produce.

She prays a confirmation of her title to the land above described.

Crittenden, Inge & Martin,

Filed in Office July 28. 1853.

(Signed) Geo. Fisher Secy.

5.  
Deposition  
of  
S Vallejo

Office of the Board of  
Commissioners U. S. D. C.

This day before  
Comr. Alpheus Fitch came Salvador  
Vallejo a witness in behalf of claimant  
Julio Carrillo No. 643 who after being  
duly sworn deposed as follows

Questions by Mr. Writteman Atty for claimant  
1<sup>st</sup> Question. What is your  
name age and place of residence?

Answer. My name is  
Salvador Vallejo my age is forty years  
and I reside in Napa County in California  
in Question.

Do you know  
the place called "Callejo de Santa Rosa"  
if so, how long have you known it and  
who has resided upon it.

Answer. I know the place  
and have known it about twenty years  
Incaans have lived upon it since I  
have known it. Since 1838 Manuel  
Ignacio Lopez has lived on it with  
his family

3a. Question. State what you  
know about the occupancy of the land  
by her and the improvements made  
on the place?

Answer. She made on the  
place in 1837 or 1838 - I do not recollect  
which - She built houses on it at the  
time she went there - The houses were  
large, being from fifty to one hundred  
yards in length, and were all of wood  
work - She cultivated from two to three hun-  
dred acres of land on the place, had  
vineyards fruit trees and a stock of cattle  
and horses on it. She lived on the place  
from 1837 or 1838 until her death which  
was about four years ago.

4<sup>th</sup> Question. Do you

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Know whether Juridical possession of the land was ever given to her, if you know and by whom?

Answer. I myself gave Juridical possession of that place to her, but I do not recollect the time. I acted as Civil Magistrate of Sonoma in giving the possession.

5. Question.

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Please Examine the documents now has presented to you purporting to be a record of the act of judicial possession, marked "Exhibit B" attached to the deposition of M G Vallejo's notopae taken and filed in this case and state whether the signatures appearing in several places on said document are yours, or your true and genuine signature

Answer.

I have examined the paper - the signatures referred to are my own genuine signatures I signed the document as Magistrate of Sonoma

6. Question.

Look on said document, and state from it the names of the several lines which you measured in giving possession of the land

Answer. The document was written by my secretary and signed by me - I cannot recollect the names of the different lines measured but I could show the lines which were run if I were on the ground.

7. Question. How many children did Maria Ignacia Lopez have, and what are their names?

Answer. I do not know how many. I know some of them. I know those that are living - Their names are Cayetano, Ramon, Julio, Josefa, Ramona, Luz, Francisco, Maria Juana

8. Question. How many children did she have who are dead?

7  
Seccada. These are all that are now living  
& Quetton. Were those who are  
dead leaved any Children?

Ans. I do not know

Salvador Vallejo

Mr. Greenhow Associate Law Agent was present  
at the taking of this deposition but put  
no interrogatories

The testimony was given  
in the Spanish language. Mr. Fisher Secre-  
tary &c. acting as interpreter.

Subscribed and  
sworn to before me this 27th day of  
October 1853

Alphus Felch

Commissioner

Taken in office Dec. 27. 1853

Geo. Fisher Secy

Deposition of Office of the Board of  
W. S. Commissioners &c. &c. &c.  
J. P. Thompson

This copy being  
Comr. Thompson complete came Joseph P  
Thompson a witness in behalf of Claimant  
Julio Carrillo No. 643 who after being  
duly sworn deposed as follows.

What is your name age and  
place of residence?

Ans. My name is Joseph  
P. Thompson, I am twenty nine years of  
age and I reside in the City of San Francisco

Are you acquainted  
with Dona Maria Ignacia Lopez and  
her family?

I am acquainted with her  
family Dona Maria is dead

When did Dona Maria  
die, how many children did she leave  
and what are their names

I cannot fix the year  
necessarily in which she died, but I think

it was in 1850 or in 1851 - She left I think  
ten children, whose names are as follows  
Joseph, Ramon and Julio Carrillo. The  
daughters names are as follows, Ramona  
wife of Capt John Mead, Josefa widow  
of the late Capt Fitch, Francesa wife  
of Salvador Guadalupe Vallejo, Luz wife  
of Salvador Vallejo, Juana wife of Capt  
Mullagh, Felicidad wife of Victor Lugo  
and Martha.

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State if you know when  
Felicidad was married  
She was married  
within two or three months.

Where does Dona Ignacia  
live?  
She lives on her farm at  
Santa Barbara.

Joseph J. Thompson  
Sworn to and subscribed before me this  
1st day of October 1853.

Thompson Campbell  
Clerk  
I have no questions to ask  
J. E. Howard

Filed in office Oct 1 - 1853  
Geo. Fisher Secy

Deposition  
of  
M. G. Vallejo

San Francisco March 17 1853  
On this day before me  
H. J. Thornton came M. G. Vallejo a  
witness in behalf of claimant Julio  
Carrillo petition No 543 - and was duly  
sworn his evidence being given in English

Questions by claimant  
Question. What is your  
name age and place of residence and  
how long have you resided there  
Answer. My name is  
Mariana Guadalupe Vallejo, my age is  
forty five years my residence is Sonoma

9  
California, which I have rescued all  
my life.

Dec. 3<sup>o</sup>. Will you look at documents  
nowhere shown your marked Exhibits  
No 1 and No 3 and if you are acquainted  
with the hand writing of Manuel  
Jimeno, and Jose S<sup>o</sup> Fernandez where  
they occur in Exhibit No 1. State if their  
Signatures are genuine, and if you are  
acquainted with the Signature of Salvador  
Valley - Say if his Signature where it  
is written on Exhibit No 3. is genuine?  
Answer.

I have Examined  
the two exhibits and am acquainted  
with the hand writing of all the persons  
named having often seen them all well  
and say that their Signatures to the said  
Documents are genuine.

Question. Are you acquain-  
ted with the Rancho Calera de Santa  
Rosa claimed in this case. If you state  
what you know of its Occupation.  
Answer.

I am acquainted with  
the said place. It was occupied by the  
grantee who had an excellent dwelling  
there upon it and dwell there cultivating  
and raising stock upon it prior to the  
grant, and is still occupied as then  
by those claiming under the grant.

M. G. Valle's  
U. S. Law Agent present

Subscribed and sworn to before me on  
this 17th. of March 1853

Henry J. Stanton  
Com. & C.

Filed in Office March 17<sup>th</sup> 1853

Jos. Fisher Secy

*[Faint, illegible handwriting throughout the page, possibly bleed-through from the reverse side.]*

11 1 L.D.N.

Expediente

Exhibit C.

Certified Copy of  
Expediente from  
Case No. 643.

Promovido por D<sup>a</sup> M<sup>a</sup> Ignacia Lopez en solicitud del  
parage conocido con el nombre de Cabeza de Sta Rosa.  
255.

2 L.D.N.

Exhibit C.

Comandancia General  
de la Alta California.

Son. Com<sup>te</sup> General.

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Sonoma. Son. de  
1834.

M<sup>a</sup> Ignacia Lopez viuda ante V. S.

Puede la Solicitudante por su intencion estatlelirse en esta finquera  
- dar el terreno que pretende en concepto de un terreno que le produce la subsistencia  
de que Solicitudante pide un terreno que le produce la subsistencia  
Gobierno Político el título o el uno o V. S. así de que se le conceda el  
adjudicacion en propiedad y demas que se requieren.

Como mejor convenya dice: que siendo  
con toda su familia que se compone de  
cuatro varones y cuatro mujeres, y en virtud  
de un terreno que le produce la subsistencia  
Gobierno Político el título o el uno o V. S. así de que se le conceda el  
adjudicacion en propiedad y demas que se requieren.  
Cabeza de Santa Rosa a linder con el de  
este nombre de los quecos, cuyo terreno  
esta valido no pertenece a propiedad particular

Vallejo.

A. V. S. Suplico se surda a ceder a esta Solicitud admitiendo  
esta en papel comun por no haberlo del sello que le  
- pone en este lugar. Sonoma. 14 de 1834.

Arruego de mi Santa madre.

Fraquin Carrillo.

3 L.D.N.

Intno. Son.

M<sup>a</sup> Yga Lopez, viuda ante V. S. en la mejor forma que  
derechos convenya a pme, que teniendo mas de diez años  
ha fundado el parage conocido con el nombre de la cabeza  
de Sta Rosa por lincion provisional segun consta por  
el memorial y decreto adjunto, ocurro a V. S. así de que  
en el Dto. parage se sea concedido dos sitios de ganado  
mayor conforme se marcó en dicho q. respectivo  
a compana. Por tanto a V. S. Suplico tenga a bien a ceder  
a esta mi justa pretension quando no sea de malicia



Yo necesario

No va en papel sellado p<sup>r</sup> ser. en el Departamento. ~  
Alluego de mis sra. madre. Joaquin Carrillo.

H. S. N.

Montoneq. 30 de Ene de 1841.

Vista la peticion con que olo principi este Expediente El aut-  
orime del Sr. Comand<sup>te</sup> General y todo lo demas que se  
turo presente y ven conuino de conformidad con las leyes  
y reglametas de la materia de clano a D<sup>a</sup> Maria Ygnacia  
Lopez, dueña en propiedad del parage conocido con el  
nombre de lubeña de Santa Rosa, coluidante con el rancho  
de D<sup>o</sup> Juan Wilson con el de Marcos Weste, con la laguna  
que unia al este y el punto donde concluye la estension  
de dos sitios de Ganados mayor en el llano de Santa  
Pita.

Entendieron el Despacho correspondiente, tomere rahn  
en el libro respectivo y dirigase este Expediente a lo Santa  
Santa de p<sup>r</sup>udamento para su aprobacion. El Sr. D<sup>n</sup>  
Manuel Jimeno Casarin primer vocal propietario de  
la Santa Santa de p<sup>r</sup>udamento en Ejercicio del G<sup>o</sup> B<sup>no</sup> del  
mismo asi lo mande, decreto y firmo de que doy fe.

Jimeno.

Jose Y. Hernandez.

Sr. Int<sup>o</sup>.

H. S. N.

Here follows map

Office of the Surveyor General of the United States for  
California. I, Severel D. King, Surveyor Genl. of the U. S. for the State of Cal<sup>a</sup>.  
and as such now having in my office and under my charge and control a portion  
of the Archives of the former Spanish and Mexican Territory or Department of Upper Cal<sup>a</sup>.  
Do hereby certify, that the five proceedings hereunto annexed pages of tracing paper num-  
bered from one to five inclusive, and each of which is verified by my initials (S. D. K.)  
exhibits true and accurate copies of certain documents on file and forming part  
of the said Archives in this Office.

(S. D.)

In testimony whereof I have hereunto signed my name officially  
and affixed my private seal, (not having a seal of Office) at the City  
of San Francisco Cal<sup>a</sup> this 11<sup>th</sup> day of March 1852.

(signed) Severel D. King,  
Sur<sup>v</sup> Genl. Cal<sup>a</sup>.

Filed in Office Oct 5 1853.  
(sgd) Gen. Fisher, Sec.

4

Translation  
of Exhibit C.

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Espechieute

Presented by D<sup>na</sup> Guacia Lopez  
relating the place known by the  
name of "Cabeza de Santa Rosa."

Comandancia General  
de la Alta California.

Sonora. Jan. 21. 1838.

The petitioner may settle  
on the land she asks  
with the understanding  
that she shall be free  
from the political part  
the title of adjudication  
of property and all what  
ever else is requisite.

Valejo.

land for his subsistence, she applies to  
your Excellency to grant her the place known  
by the name of Cabeza de Santa Rosa  
adjoining the place of the Indians of the  
same name which land is vacant and  
belongs to no individual. She beseech  
your Excellency to grant her petition  
receiving this on common paper the  
being none of the proper seal in this place.

Sonora 19<sup>th</sup> January 1838.

at the request of my mother.

Jay<sup>n</sup> Carrillo.

Excellent Sir.

M<sup>o</sup> J<sup>o</sup> Lopez widow in the best and most  
legal form shows that it now more than  
two years since she settled in the place  
known by the name of Cabeza de Santa  
Rosa "under a provincial concession  
as appears from the attached memorial  
and decree. She now applies to Your  
Excellency that two leagues de ganado mayor  
may be granted her out of said tract  
as they are obeliquated in the map  
which she herewith respectfully represents  
wherefore she beseech your Excellency

To the Commanding General.  
M<sup>o</sup> J<sup>o</sup> Lopez, widow  
in the most proper  
form says: that it  
being his intention  
to establish herself  
on this frontier with  
all her family, comp-  
rising five males and  
four females and  
needing a tract of

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to grant her just request foregoing that it  
is not done maliciously &c.

This is not upon sealed paper because  
there is none in this Department.

Louisa June. 1<sup>st</sup> 1840. at the request  
of my Mother. Joaqu<sup>n</sup> Carrillo.

Monterrey. Sep.<sup>r</sup> 30.<sup>th</sup> 1841.

Having seen the petition with which  
this Expediente begins, the report of the  
Commanding General and every thing  
else presented and proper to be seen  
in conformity to the laws and regulations  
upon the subject I declare Doña Maria  
Yguacia Lopez owner in property of the  
place known by the name "Cabeza de  
Santa Rosa" bounded by the rancho of  
John Wilson by that of Marcus West  
by the Laguna which looks to the East  
towards the East and the point where  
the extent of two leagues of large cattle  
terminates in the plain of Santa Rosa  
Let the proper decree be issued let it be  
recorded in the proper book and let this  
Expediente be remitted to the most Excellent  
Junta Departamental for its approbation.

Don Manuel Nunez Caranua firm  
Vocal presiding over the Departamental  
Junta exercising the office of Governor  
thus ordered, decreed and signed - as I  
certify.

Manu.  
Jose Y. Fernandez. Ay. Jur.

Filed in office. Oct. 5. 1853.

Geo. Fisher  
Secy.

*[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page]*

Habilitarlo provisionalmente por la aduana Maritima de Montonez porra los años de 1839 y 1840.

Alvarado. Antonio Maria Osi.

Valga p<sup>a</sup> los años de 1841 y 1842.

Jimeno. Antonio M<sup>o</sup> Osi.

Manuel Jimeno Casarin P<sup>er</sup> Vocal propietario de la Junta Junta Departamental en ejercicio del Gobierno del mismo.

Por cuanto D<sup>ra</sup> Maria Ygnacia Lopez ha pretendido para su beneficio personal y el de su familia el parage conocido con el nombre de Cabera de Sta Rosa colindante con el Rancho de D<sup>no</sup> Juan Wilson, con el de Manuel West being "Exhibit No. 1 to dep. of M. G. Vallejo in Case No. 643 - H. J. T." la extension de dos sitios de Gonzalo mayor en el llano de Sta Rosa: prometidas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas a nombre de la nacion Mexicana, he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras, sujetandose a la aprobacion de la Junta Departamental y a las condiciones siguientes.

1<sup>a</sup> Podrá con ello sin perjudicar las huercas, cañinas y sembraduras, lo disfrutar libre y escluidamente, destinandole al uso o cultivo que mas le acomode para el cultivo de un año fabricara casa y entera habitada.

2<sup>a</sup> Solicitara del Juez respectivo que le dé la posesion judicial en virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites se pondran a mas de las mencionadas algunos arboles frutales o silvestres de alguna utilidad.

3<sup>a</sup> El terreno de que se hace mencion es de dos sitios de Gonzalo mayor, segun explica el dibujo que corre en el expediente respectivo. El Juez que cubre la posesion lo hará medir conforme a ordenamiento que se da al Sobrante que resulte a la nacion para los usos convenientes.

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Si el contratante a estas condiciones perdiera su derecho al terreno y sea denunciado por otro.

En consecuencia mandó que teniendo por firme y válido el presente título se tome razón de él en el libro respectivo y se entregue a la interesado para su resguardo y demás fines. Dado en Monterrey a treinta de Setiembre de mil ochocientos Cuarenta y uno.

Manuel Jimeno. José Y. Perdomo. Sec. Int.

Queda tomada razón de este Despacho en el libro de cientos sobre adjudicaciones de terrenos baldíos. o f.º 4.

Fernando.

El Sr. Gobernador Int. ha dispuesto se tome razón de esta Concesión en la prefectura del 1.º Distrito.

Fernando.

Monterrey. Octubre 9. de 1841.

Comiso razón.

Entrada.

En la misma fecha se tomó razón de este Sup. título o f.º 3 del cuaderno respectivo.

Fecha ut supra.

Manuel Castañares.

Sec.

Dada in offic. Feby. 28.º 1853.

Gen. Fisher.

Monterrey.

21

Seal 1st. Six Dollars.  
Furnished provisionally by the Maritime  
Custom House of Monterey for the years 1839  
and 1841.

A<sup>1</sup>  
Translation  
of  
Grant, being  
Exhibit No. 1 to  
depo. of M. J. Va-  
lles in case No.  
643 N. J. T.

Alvarado

Good for the years 1841 & 1842.

Dimino

Antonio M<sup>a</sup> Osio.

ad montem Manuel Dimino Casarin<sup>1</sup> local  
de Mont 3 of the Most Excel Departmental Assembly  
acting as Governor.

Whereas Doña Maria Equacio Lopez has asked  
for her own benefit and that of her family the  
place known by the name of Cabeza de Sta Rosa  
bounded by the Rancho of John Wilson by that  
of Manuel Mat. by the Lake which is to the East  
and the point where the extent of two leagues  
terminates in the plain of Sta Rosa, the necessary  
steps having been taken and inquiries made as  
directed by the laws and regulations in the exer-  
cise of the powers which are conferred upon me  
in the name of the Mexican Nation, I have prom-  
ised her the said land declaring it her property  
by these presents subject to the approval of the  
Most Excel Departmental Assembly and the  
following conditions—

1<sup>st</sup>. She shall have power to Enclave it with-  
out inquiring the Crossings, roads and servitudes  
she shall enjoy it fully and exclusively apply-  
ing it to the use or cultivation which may best  
suit her, but within one year she shall build a  
house and it shall be inhabited—

2<sup>d</sup>. She shall solicit the proper Judge to give  
her the Judicial possession in virtue of this decree  
and he shall mark the boundaries, over which  
shall be placed in addition to monuments some  
fruit trees or forest trees of some utility—

3<sup>d</sup>. The land mentioned is two leagues. (do)

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Canada Mayor, of large Cattle, a title more or less as explained by the map accompanying the proper Expediente. The Judge who may give the possession shall have measured in conformity to the ordinance leaving the surplus which remains to the nation for its common use.

1st. If she should violate these conditions she shall lose her right to the land and it may be denounced by another.

Wherefore I order that the present title being held firm and valid be registered in the proper book and be delivered to the party interested for her security and other purposes.  
Given at Montevideo the 30th of Sept<sup>r</sup> 1841.

Memb. Jimeno.

José O. Fernandez.

This decree is recorded in the Book of Entries of adjudications of vacant lands at page 7.

Fernandez.

His Excellency the Governor has directed that this Cession be registered in the Prefecture of the 1st District.

Fernandez.

Montevideo Oct. 9. 1841

Let it be registered.

Estrada.

On the same day this Superior title was registered at page 3 of the proper book.

Date as above.

Memb. Castromares Secy.

Filed in Office Feb<sup>y</sup> 28. 1850.

(Sequid)

Geo. Fisher Secy.

23

Juzgado de Sonoma.

Expediente instruido pa medir y dar posesion de dos sitios de Ganado Mayor en el Rancho de Sta Rosa a Ma Yga Lopez el dia 3 de Enero de 1812.

Juez.

D. C. Salvador Vallejo.

Asst. Joaquin Peña.

Asst. José Ant: Pico.

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exhibis B

Exhibit No. 2 to  
depo. of M. J. Va-  
llo in Case No.  
643 - A. J. T.

For. Juez de Paz de la frontera.

María Ygnacia Lopez, vecina de esta Jurisdicción, dueña del Rancho de Santa Rosa como mejor proceda en Dho. ante v. puerro y digo: que como consta del título que presento con la solemnidad y juramento necesario tengo en mi Dho. Rancho dos sitios de Ganado Mayor, debajo de los límites que espresa dicho título y por que necesito para que en todo tiempo conste hasta donde llegan y si me perjudican o perjudicarlo a alguno de los circunvecinos: Sesina v. mandar y precediendo las diligencias acostumbradas de cotidianidad vista de ojos y conocimiento se proceda con citación de los circunvecinos a la medida de mis otras tierras para cuyo efecto nombro desde ahora y para cuando el caso llegue por mediador a José de Jesus Beneycha vecino de esta Jurisdicción, inteligente en esta materia y otro que sea vituperado, nombre a Dho. medidor por parte suya y habiendo hecho así los q. nombren con el referido José de Jesus Beneycha por mi nombrado a puerro, o leston y Juron y en su conformidad se proceda a Dhas. medidas.

Por tanto A. D. Suplico que habiendo por presentado Dho. Documento se sirva mandarse hacer como llevo pedido y hecho q. Sean de me vuelvan Dhas. medidas con las diligencias originales que se hicieron; para resguardar de mi Derecho este escrito y todo lo necesario.

Porque de mi ~~hija~~ madre. Joaquin Carrillo.

En el Pueblo de Sonoma a las 30 di'as del mes de Abril de 1831. Ante mi el Ciudadano Salvador Valljo, Comandte Militar y Juez de esta Jurisdiccion se lego esta peticion y en vista de lo hubo por presentarlo con el documento que espresa y unuado que con Citacion de Circunstanas se haga informacion de identidad, Vista de ojos y Reconocimto de Dhas. tierras a que esto' pinto para asistir personalmente lo provegi, unuado y firmo con los de mi asistencia.

Salvador Valljo. año. Joa'n. Peña. año. An. Pico.

En el expresado pueblo, a los 30 di'as del mes de mayo y año, Yo el referido Juez con los de mi asistencia para proceder a la informacion de identidad hice comparecer ante mi al Ciudadano Manuel West vecino de esta Jurisdiccion de oficio Carpintero el cual recibio juramto que hizo por Dios y la Señal de la Santa Cruz en forma de Cruz derecha por el cual prometio decir verdad, y si cuando preguntado por el conocimiento que tiene de las tierras y parages terminos y linderos pertenecientes al Rancho de Cabeza de Santa Rosa dijo: que ha el dicho rancho es vecino de esta Jurisdiccion y sabe que las tierras pertenecientes a Dho. sitio y rancho son de la Sra. Maria Ygnacia Lopez y que tiene por linderos los mismos que su antecesor testigo acababa de declarar que Dhas. tierras ha visto y reconocido varias veces y que desde que las posee la referida Sra. las ha labrado y cultivado que han producido en ellos los granos, y para prueba de lo que tiene Dho. sitio punto a punto Dhas. tierras con el Juez y Señalando los parages terminos y linderos y a donde lleguen en q. se afirmo y ratifico a cargo del juramto que tiene hecho declarar ser de suficiente edad y usotante las leyes de la ley. Yo firmo con mi go y los de mi asistencia.

Salvador Valljo. año. Joa'n. Peña. año. An. Pico.

En segunda hice comparecer ante mi y los de mi asistencia el Ciudadano Rafael Mesa y habiendolo hecho prestar el juramento de costumbre ofrecio decir la verdad y preguntado por las tierras, parages, terminos y linderos.

perteneientes al rancho de la Cabeza de Santa Rosa digo que hace dos años q. existe en esta poblacion y sabe que las tierras pertenecientes a Dho. Rancho son de la propiedad de Dha. Sta. Maria Ignacia Lopez y tiene por linderos los mismos que su antecesor testigo acaba de declarar que les ha visto y reconocido varias veces y que es Cuarenta tiene q. decir; quedando conforme con la declaracion anterior y declaro ser de treinta y cinco años de edad y voto con las generales de la ley y lo firmo con miyo y los de esta. Segun derecho. Salvador Vallego.  
Miguel Mesa. asst. Joaquin Peña. asst. Ant. Pico.

A continuacion hice comparecer ante mi y los de esta. al ciudadano Narciso Obenera y habiendolo hecho prestar el Juramento de Costumbre oprimi de ser notado y preguntado por las tierras, parages, terminos y linderos pertenecientes al rancho de la Cabeza de Sta Rosa; digo que hace tres años que existe en esta poblacion y sabe que las tierras pertenecientes a Dho. Rancho son de la propiedad de D<sup>ha</sup> Maria Ignacia Lopez y tiene por linderos los mismos que su antecesor testigo ha oido. que les ha visto y reconocido varias veces y es cuando tiene q. decir y declarar quedando conforme con la declaracion anterior, Declaro ser de Cuarenta años de edad y voto con las Generales de la ley, y lo firmo con miyo y los de esta. Segun derecho.

Salvador Vallego. asst. Joaquin Peña. asst. Ant. Pico.

Estando en el campo parage, nombrado Cortes de Sta Rosa a los 31 dias del mes de Dtro de mil ochocientos Cuarenta y uno, Yo el Juez actuado por recepticia con dos testigos de esta por falta de escribano publico los testigos por mi enmiuados, presente la Srta Maria Ignacia Lopez dueña de otras tierras, y los Ciudadanos Jose Antonio Pico y Joaquin Peña; y los Coludantes y los circunvecinos presentes a ver y reconocer las tierras de Dho. Rancho y para mayor claridad puse o caballo en crupia de todas las partes y

y testigos referidos mandé á las susodichas me señalaron  
 los parages terminos y linderos de ellas segun los senales  
 y han declarado en sus disposiciones y en su conformidad  
 que anon al a parte del N. E. donde se halla una loma  
 y desde allí se proseguio al N. O. y rito de  
 ojo de D. nos. tierras al rumbo S. E. hasta llegar á la  
 parte donde se hallaba un roble muy conocido; de aqui  
 continuando al rumbo S. Norte llegamos hasta otra roble  
 muy conocido por las partes; de allí se siguió al N. N. O.  
 hasta llegar á una loma pedregosa donde los testigos  
 dijeron ser los últimos linderos y terminos de las referidas  
 tierras que se hace nuevamente algunos parages y el  
 referido D. nos. vi y reconoció con los de arriba. Testigos enun-  
 -ciados y papeles presentados y ratificados con estos el  
 referido nuevamente ser cierta de identificación de las  
 mencionadas tierras segun y como lo declararon  
 D. nos. Testigos y para que conste dispuso por tener  
 diligencia y lo firmé con los de mi otra y de mas  
 que supieron firmen. Doy fe.

Salvador Vallego. Rafael Mesa Narciso Beneycha  
 D. nos. Joaquin Peña. D. nos. Antonio Pico.

Inmediatamente yo el D. nos. digo que para  
 proceder á las medidas contenidas en estos autos se  
 notificaron á D. nos. Ana Maria Ygnacia Lopez  
 el título de las tierras para que ratifique el contrato  
 de mediación, como así mismo quedan de acuerdo todas  
 las volúmenes antes nombrados por su parte al D. nos. y habi-  
 -endo ser inteligentes en mantener las medidas y  
 hecho esto estoy pronto á señalar día para otras  
 medidas, así lo proveyó, mandé y firmé con la de  
 mi asistencia. Salvador Vallego.

D. nos. Joaquin Peña. D. nos. Antonio Pico.

En el mismo día, mes y año yo el D. nos.  
 voy y ratifique el auto de su uso, segun y como el se  
 contiene á la Ana Maria Ygnacia Lopez y sus volúmenes  
 antes de sus personas que conosco habiéndole oído

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vido y entrecubiertos dijeron lo vieron y entrecubieron; y que el primer dijo que el Ciudadano Joaquin Carrillo puede muy bien desempeñar el destino de medidor y el segundo que ratifica su nombramiento del Ciudadano José de Jesus Beneycha ambos inteligentes y de legalidad a quienes el notario pareció con acerto y juron y a consecuencia se proceda a dhas. medidas como esta su ciudad así lo firmaron con la Señal de la Cruz ante mi y los de assa. Soy fei.

Jesus Beneycha. Dolores Carrillo. Salvador Vally'o  
assa. Joaquin Peña. de assa. Antonio Pico.

X En el pueblo de Sonoma a los 3 dias del mismo mes y año Yo el Juez, actuando por receptoria con dos testigos de assa por falta de Escribano publico ley y notifique el auto de su uso, y como mandado de medidores a los Ciudadanos Dolores Carrillo y la parte y sus sucesores a dhas. tierras suje comparecer ante mi a los de mi assa. a los Ciudadanos Dolores Carrillo y José de Jesus Carrillo Beneycha medidores nombrados a quienes mande tomasen un croquis de las mismas y mencionen cada una de ellas de cuatro palmos castellanos lo que verificaron a vista y presencia de los interdictos y sus sucesores y para que con este mandado se ponga por diligencia y se proceda a dhas. medidas como esta su ciudad lo que certifico así mismo firmandolo con los de mi assa. assa. Joaquin Peña. Salvador Vally'o. assa. Antonio Pico.

Estuando en el campo de las tierras pertenecientes al Rancho de Santa Prosa hoy lunes catorceavo mes y año Yo el Juez de esta Jurisdiccion actuando por receptoria con dos testigos de assa por falta de escribano publico presentes los medidores Ciudadanos Dolores Carrillo y José de Jesus Beneycha nombrados por la parte interdicta y coludantes mande preceder a la medida de dos sitios de ganado mayor y pusi

mas o menos tocan al rancho Cabeza de Santa Rosa  
 segun el titulo presentado en cuyo obediencia principio  
 a otras medidas Comenzando desde la linea que esta  
 al N. nte de Dho. Rancho de alli se comenzo a medir  
 tomando el rumbo O. E. Nte. hasta llegar a un roble  
 muy conocido por los colibrantes y hasta alli fueron  
 medidas diez mil varas de largo donde se le hizo  
 levantar a la interseccion un mojón de piedras en  
 señal de mojónera y alli pondrá en efecto de  
 este punto siguiendo la medida el S. Nte se contaron  
 cinco mil varas a donde se puso la correspondiente  
 señal para poner alli la mojónera respectiva.  
 se prosiguió midiendo el rumbo N. nte hasta  
 llegar a una linea pedregosa donde se contaron  
 otros mil varas en donde otra vez se puso otra señal  
 para levantar en ella otra mojónera prosiguiendo  
 de alli al N. noroeste se midieron cinco mil varas  
 donde igualmente se puso la ultima mojónera donde  
 quedaren delineados los sitios de ganado mayor  
 por todo lo cual en señal de verdadera posesion y  
 sereno nial a costumbre corriente yerbas, y piedras  
 se tiró por todas las cuatro vientos en manifestacion  
 de su legal y legitima posesion que tomo por si; y  
 para que en todo tiempo conste y consten por testi-  
 monios y evidencias de sus tierras los demas circunvecinos  
 de ellas y de hacerse igualmente efectuando otras  
 medidas quietas y pacificamente lo pidió por testimonio  
 y yo el referido Juez con los de mi asta. lo oyo de  
 haberse pasado como otros es y que las expresadas  
 medidas han sido practicadas a todo su leal saber  
 y entender de los medidores segun disposicion sin  
 dolo fraude ni engaño contra de ninguna persona  
 y para mejor seguridad y ratificacion del Juramento  
 que tienen hecho lo firmaron con miso y los de mi  
 asta. Jesus Benquez. Flores Carrillo +  
 Salvador Vallec. de ante. Joaquin Peris. J. n. P. n.

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In vista de hallarse concluida la inscripccion de este expediente en que consta haberse dado posesion Juridica del Rancho nombrado Cabeza de Sta Rosa a siete leguas de este puerto pueblo a D<sup>a</sup> Maria Ignacia Lopez entreguesele a la parte el original para los usos que le combengan con los documentos q. espiera.

El Ciudadano Salvador Valleyo, Comisario de esta provincia y Juez de esta Jurisdiccion actuando por receptoria con los testigos de esta por falta de escribanos publico asi lo provey. mande y firmé a los tres dias del mes de Mayo de mil ochocientos Currentes y uno.

ana.

Salvador Valleyo.

Joan<sup>n</sup>. Pena.

ana. Ant<sup>o</sup>. Pico.

Filed in office. Feb<sup>y</sup>. 28<sup>th</sup>. 1853.

Geo. Fisher.

Secretary.



*[Faint, illegible handwriting covering the majority of the page]*

Court of Sonoma.

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"B"  
Translation  
of act of  
Judicial  
Possession

Being Exhibit  
No. 2 to depo. of  
M. G. Vallejo in  
Case No. 643 -  
A. J. T.

Espediente made to measure and give possession of two leagues, de granada mayor, in the Rancho of Santa Rosa to Ma Jga Lopez the 3 day of May 1842.  
Judge.

The Citizn Salvador Vallejo,  
assg  
Jaag<sup>n</sup> Pena  
Jose' Anto Pico<sup>assg.</sup>

To the Justice of the Peace of the Frontier.

J. Maria Ignacio Lopez a resident of this jurisdiction and owner of the Rancho of Santa Rosa in the form most legal appears before you and say that as appears from the title which I herewith present with the necessary solemnity and oath. I have in my said rancho two leagues of large cattle with the Comdenias stated in said title and it being necessary that for all time it should appear where these Comdenias are and whether I intrude upon any of the adjoining owners, or they intrude upon me, will you be pleased to order that the usual steps being taken to identify the land upon actual view and information, the measurement of my said lands may be made upon citation to the neighbors for which purpose now, and for the time when the measurement may be made. I name as a measurer Jose' de Jesus Romera a resident of this jurisdiction skilled in such matters and any other person who may be interested, may name another measurer for his part and having done so I ask that those who may be thus named together with the said Jose' de Jesus Romera named by me, may appear accept and be sworn

and that the measurement be then properly proceeded with.

Wherefore I beseech you that receiving the documents herewith presented you will order what I ask to be done, and that when done, the said documents be returned to me with the original statement of the proceedings. For the protection of my rights this is written &c.

At the request of my Mother,

Jaage Cirillo.

In the Pueblo of Sonoma on the 30th of Decr 1831. Before me the Citizen Salvador Vallis Military Commandant and Judge of this jurisdiction, this petition was read and received with the document referred to and ordered that with citation to the neighbors in formation be taken of said lands upon actual view and knowledge at which I shall be present in person to assist. Thus I decreed, ordered and signed with assisting witnesses—

Salvador Vallis.

Assg.  
Jaage Pina

Assg.  
Ante Pico.

In the said Pueblo on the 30th of the same month and year of the said Judge with the assisting witnesses for the purpose of proceeding to take the information of identity, caused to appear before me the Citizen Marcus Niet resident in this jurisdiction a carpenter by trade, and in due form of law administered to him the oath which he took before God and the sign of the holy cross, to declare the truth, and being questioned as to his knowledge of the lands and places limits and boundaries of the Rancho Cabeza

de Santa Rosa he said, That he has been a resident of this jurisdiction for two years and knows that the lands belonging to said place are the property of Maria Ignacio Lopez and its Comarcas are those first stated by the preceding witnesses, that he has seen said lands often and knows them, and that since the said Maria Ignacio has occupied them she has cultivated them and pastured cattle on them and in proof of what he has said, that he is ready to go upon said lands with the Judge and point out to him the place its limits Comarcas and extent all which he affirmed and swore upon the oath which he took, declaring that he is fifty years of age and under no legal impediment, and he signed with me and assisting witnesses -

Salvador Dallo,

Assg.  
Jaag<sup>n</sup> Pena

Assg.  
Auto Pico,

Then I caused to appear before me and the assisting witnesses the Citizen Rafael Mesa who took the customary oath binding himself to speak the truth and being asked concerning the lands, places limits and Comarcas of the Rancho Cateza de Santa Rosa he said that he had lived here for two years and knows that the lands of said Rancho belong to the said Maria Ignacio Lopez, that the Rancho has for its Comarcas those which the preceding witness has just declared, and that he had seen and recognised those lands often, which is all he has to say, assenting to this declaration he declared that he was thirty four years of age and under no legal disability, and signed this with me and my assisting witnesses.

Salvador Dallo

assg  
Jaag<sup>r</sup> Pena

assg  
Anto Pico.

Then I caused to appear before me and the assisting witnesses the Citizen Gaspar Bomyer who having taken the customary oath to speak the truth and being asked about the lands places limits and boundaries of the Rancho Cabeza de Santa Rosa said that he had seen in this settlement three years and knows that the lands of this Rancho are the property of M<sup>r</sup>. Benancio Lopez and has for boundaries the same stated by the preceding witnesses. That he has seen them often and knows them. That this is all he has to say and declare. Assenting to the correctness of the preceding statement. He declared that he was forty nine years of age and under no legal disability and he signed this with me and the assisting witnesses according to law.

Salvador Valljo.

assg  
Jaag<sup>r</sup> Pena

assg  
Anto Pico.

Being at the ground of the place called Cabeza de Santa Rosa, on the 31<sup>st</sup> of Decr. 1841. I the Judge acting with two witnesses for want of a Notary Public, the witnesses mentioned by me Maria Benancio Lopez owner of said lands and the Citizens Jose Antonio Pico and Jaag<sup>r</sup> Pena the adjoining land owners and neighbors being present proceeded to see and recognize the lands of said Rancho and for greater clearness being on horse back in company with all the parties and said witnesses. I ordered the latter to point out to me the places limits and

Consideras according to what they had declared  
in their deposition. Accordingly they went to  
the N. E. where there is a hill and from there the  
actual view and recognition of the land was  
made, towards the South West to the place where  
there is an oak well known, going on from  
there towards the S. E. (S. S. E. S. S. E. S. S. E.) we  
came to another oak well known to the parties  
from there we went on to the N. W. (N. W. N. W.) and  
we came to a rocky hill, where the witnesses  
said were the last limits and boundaries of the  
said lands which we were examining, which  
places the said Judge saw and recognized  
with the assisting witnesses, the witnesses exam-  
ined and the papers presented and compared  
with the said recognition in order to make cer-  
tain the identification of the said lands accor-  
ding and as the said witnesses declared and in  
order that this may appear it was entered and  
I signed this with my assisting witnesses, and  
the others who knew how to sign, as I certify  
Salvador Mallero,

assg. Rafael Mesa assg.  
Judge Pena Gasario Bumpso Ant. Pico,

Immediately the Judge says that for the  
purpose of proceeding with the measurements  
referred to in these decrees, I order that the  
title of the said lands be notified to the said  
Ma. Bona Lopez, that she may ratify the  
appointment of measurers, as also that all  
the adjoining owners agree in naming one  
upon their part, the persons named being skil-  
ful in the matter of measurements and when  
this is done I am ready to appoint a day  
for said measurements, thus I directed, ordered  
and signed with my assisting witnesses,

Salvador Valliso.

Assy.  
Jaag<sup>n</sup> Pena

Assy.  
Anto<sup>o</sup> Pico.

On the same day, month and year I the Judge read and made known the decree in this matter and what it contains to Manuel Ignacio Lopez and the adjoining owners personally and they read and understood it as they said. The former said that the Citizen Dolores Cardillo may well perform the duty of measuring and the latter ratified the appointment of the Citizen Jose de Jesus Benfisa, both useful and legally qualified. I notified them to appear, accept and take the oath and consequently the measurement is proceeded with as it is ordered and they signed this with the sign of the cross before me and the assisting witnesses as I certify -

José Benfisa

Dolores Cardillo +  
Salvador Valliso.

Assy.  
Jaag<sup>n</sup> Pena

Assy.  
Anto<sup>o</sup> Pico.

In the pueblo of Sonoma on the 31st day of the same month & year I the Judge legally acting with assisting witnesses for the want of a Notary Public, read and made known the decree of their appointment to the Citizens Dolores Cardillo & Jose de Jesus Benfisa residents of this Pueblo, whom I know and having heard and understood it they said that they accepted the appointment which was confided to them and took the oath according to law before God and the sign of the holy cross discharging their duty faithfully and legally according to

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the best of their knowledge and understanding  
and to execute said measures with fidelity  
and exactness as they should do and to the satisfaction  
of the parties interested, and having thus  
declared they signed this with me and my assisting  
witnesses.

Jesus Benjese Salvador Dallyo,  
assg Dolores Carrillo assg  
Jaage Pina Anto Pico

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Immediately the preceding decree was made  
known to the party interested Maria Ignacia  
Lopez and to the measurers Dolores Carrillo  
and Jose de Jesus Benjese and having  
heard it they said that they admitted themselves  
cited, and they signed this with the Judge who  
was present and the assisting witnesses.

Jesus Benjese Salvador Dallyo  
assg Dolores Carrillo assg  
Jaage Pina Anto Pico

On the same day month and year citations to  
appear were delivered to the adjoining owners  
Marcos Niet and the attorney in fact of John  
Wilson to appear on the 31st Inst. at the said  
Rancho of Santa Rosa at eight o'clock in the  
morning of that day. In evidence to him of I  
signed this with assisting witnesses.

Salvador Dallyo,  
Assg Jaage Pina Assg Anto Pico

On the Rancho of Santa Rosa on the third of  
the month of January 1842 the party and ad-  
joining owners being present. I caused to ap-  
pear before me the Citizens Dolores Carrillo and  
Jose de Jesus Benjese, named measurers



whom I ordered to take a cord of another  
measure fifty varas of which they did in  
view and in presence of those interested and the  
neighbors, and in order that it may appear I dic-  
ted this to be entered, and that the measurement  
should be proceeded with as it is ordered. To  
which I certify also signing this with my assist-  
ing witnesses -

Salvador Dalayo,

assg.  
Jaayz Pua

assg.  
Anto Pico

Being upon the lands belonging to the Rancho  
of Sta Rosa this day Monday of the same  
month and year of the Judge of this Jurisdic-  
tion acting legally with two assisting witnesses  
for want of a Notary Public, the Citizens Dolores  
Canello and Jose' de Jesus Pempesa named  
measures by the party interested and the adjoining  
owners. Being present ordered them to proceed  
to the measurement of two square leagues which  
a title more or less belong to the Rancho Cabeza  
de Santa Rosa according to the title presented in  
obedience to which the measurements were com-  
menced. Beginning at the hill at the N.E. (N. E. to)  
of said Rancho thence in a direction (O. E. to)  
ten thousand varas to an old well known by  
the neighbors where a pile of stones was raised  
by the grantee to mark the place where she  
should put a land mark thence (S. E. to)  
five thousand varas where the place was marked  
for the proper boundary, thence (N. E. to) ten  
thousand varas to a rocky hill where also the  
spot was marked on which to place another  
monument thence towards the (N. N. W. to)  
five thousand varas where also the last monument

was placed, by all which two leagues de gana  
de mayor were marked out. In sign of true  
possession and according to the usual ceremony  
the grantee pulled up stones and grass and  
threw them to the four winds in evidence of the  
legal and legitimate possession which she took  
for herself, and in order that it may appear  
in all time and that her neighbors may know  
the limits and boundaries of her lands and that  
it may be known that these measurements were  
effected quietly and peaceably she asked this  
for evidence and the said Judge with my  
assisting witnesses give it declaring that every  
thing took place as stated, and that the said  
measurements have been made according to the  
best knowledge and understanding of the mea-  
surers without malice fraud or deceit against  
any person and for greater security and in tes-  
tification of the oath which they have taken they  
signed this with me and my assisting witnesses  
Salvador Dalayo,

assg. Jesus Benjasa + assg.  
Joaga Pena Dolores Carrillo + Anto. Fico.

This Expediente having been completed  
from which it appears that Domicil pas-  
sion has been given of the Rancho called Cabeza  
de Santa Rosa seven leagues distant from this  
pueblo to Maria Genovea Lopez. Let the  
original Expediente be delivered to the party  
for the purposes for which she may require  
it with the documents which it refers to. I the  
Citizen Salvador Dalayo, Military Comman-  
dant of this frontier and Judge of this  
Jurisdiction, legally acting with two assisting  
witnesses for want of a Notary Public, thus  
directed, ordered and signed this 5<sup>o</sup> day of

the month of January 1842.

Salvador Ballbo,

Assy.  
Jaay<sup>n</sup> Pena

Assy.  
Anto. Pico.

Filed in Office July 28. 1853.

(Signed) Geo. Fisho Secy

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No 647.

Juana de Jesus Mallaga, Claimant  
Part of Caliza de Santa Rosa.

Stipulation

It is stipulated that all papers filed  
and depositions of witnesses taken in case  
No 643, in which Saliz Cirillo is Claimant  
of part of the same Rancho called Caliza  
de Santa Rosa shall be considered as  
filed and taken in this case.

Oct. 5, 1853.

Robert Greenhow  
Sps. Law Agent }  
}

Filed in Office Oct 5, 1853.

(Signed) Geo. Fisher Secy.

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*[Faint, illegible handwriting covering the right side of the page, possibly bleed-through from the reverse side.]*

Recd.  
"M"

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This Indenture made the sixth day of June, in the year one thousand eight hundred and fifty two between Mariano G. Talley & Benicia his wife, Salvador Vallejo & Maria Luz his wife, Maria Marta Carrillo Josefa de Fitch, Joaquin Carrillo & Guadalupe his wife, Julio Carrillo, Felicidad Carrillo Joseph Hooker, De Witt C. Simpson & Maria, his wife of the County of Sonoma, State of California of the first part and Juemal Jesus Carrillo de Madalga of the same place of the second part Witnesseth that the said parties of the first part for and in consideration of the sum of one Dollar lawful money of the United States of America to them in hand paid by the said party of the second part at or before the executing and delivery of these presents the receipt whereof is hereby acknowledged, have remised released and quit claimed and by these presents do remise release & quit claim unto the said party of the second part and to her heirs and assigns forever, All that certain portion of the Santa Rosa Rancho situated in said County of Sonoma, bounded as follows, commencing at the north west corner of a small adobe house situate a little to the East of the Santa Rosa House running South thirty and one half degrees East from the magnetic meridian till said line reaches a small branch which rises in a marsh which is to the East of the house known as "Salvador's house" which is now owned by Hooker & Simpson thence up said branch a distance sufficient so that a line drawn parallel with the first mentioned line will intersect the north Eastern end of a small hill upon the summit of which are some grasses continuing said line north it reaches the Matanzas creek

thence down the Matanzas creek to its junction with the branch aforesaid which rises to the East of 'Salvador's house' thence up said branch till reaching the Corner of Ana Felicidad Carrillo's land thence North County the degrees West (Magnetic) till reaching the Santa Rosa creek thence up said creek a distance sufficient so that a line drawn South thirty one and one half degrees East (Magnetic) will strike the North Western Corner of the small adobe house aforesaid, Together with all and singular the tenements builded thereunto and appurtenances thereunto belonging or in any wise appertaining and the ground and reversions, remainder and remainders, rents issues and profits thereof, and also all the Estate right title interest property possession claim and demand what soever as well in law as in Equity of the said parties of the first part of in or to the above described premises and every part and parcel thereof with the appurtenances. To have and to hold all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part her heirs and assigns forever.

In Witness whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written

Sebastian Vellido	
Ma Luz Carrillo	3
Maria Marto Carrillo	3
M. G. Vellido	3
Benicia F. Vellido	3
Felicidad Carrillo	3
Julio Carrillo	3
Jaques Carrillo	3

125 ND  
PAGE 39

Guadalupe Casar de Carrillo 33

Josefa de Fitch 33

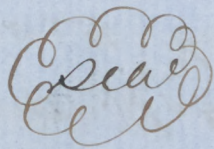
Sealed and delivered in the presence of  
J. N. Edmiston.

Martin O. Cooke,

State of California }  
County of Napa } 33

}

On this the seventh day of June  
AD 1852 personally appeared before me the  
undersigned Recorder in and for the County aforesaid  
said Salvador Dallygo & Ma Luz Carrillo his  
wife known to me to be the persons described in  
& executed the foregoing instrument who acknowledged  
said to me that they executed the same freely &  
voluntarily & for the uses and purposes therein  
mentioned & the said Ma Luz Carrillo wife of  
the said Dallygo being by me examined separate  
and apart from the said husband & being by  
me made acquainted with the contents of the  
same acknowledged to me that she executed  
the same freely & voluntarily and without fear  
or compulsion on the part of her said husband  
& that she did not wish to retract the execution  
of the same.



In Witness whereof I have  
hereunto set my hand and  
seal of Office in Napa City this  
the day & date in this Certificate  
first above written

John H. Sewell Recorder  
By J. N. Edmiston Dep. Rec.

State of California }  
County of Sonoma } 33

On this the 11th day of June AD  
1852 personally appeared before me the under-  
signed Notary Public, N. H. Dallygo and  
Benicio & his wife Maria Maria Carrillo



Felicidad Carillo & Julia Carillo to me personally known to be the persons described in & who executed the within instrument and each acknowledged that they executed the same freely & voluntarily for the uses & purposes therein mentioned. And the said Benicia being by me claimed separately & without the hearing of her said husband & being made acquainted with the contents of said instrument acknowledged that she executed the same freely without fear or compulsion of her said husband & that she did not wish to retract the same.

(Seal)

In testimony whereof I have hereunto set my hand & affixed my Notarial Seal this day & year just above written.

Martin O. Cooke,  
Notary Public.

State of California }  
County of Sonoma } ss.

On the 3<sup>d</sup> day of July 1852 personally appeared before me the undersigned Notary Public in and for said County, Benjamin Carillo & Guadalupe Castaneros his wife, & on the 5<sup>th</sup> day of July 1852 Josefa de Hitch to me personally known to be the persons described in & who executed the annexed instrument and each acknowledged that they executed the same freely and voluntarily for the uses and purposes therein mentioned. And the said Guadalupe being by me claimed separately & apart without the hearing of her said husband & being made acquainted with the contents of the said deed acknowledged that she executed the same freely & voluntarily for the purposes

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therein mentioned, and that I do not wish to retract the same.

Seal

In testimony whereof I have hereunto set my hand & affixed my Notarial Seal this 5th day of July A.D. 1852.

Martin O. Cooke  
Notary Public.

Filed in Office Oct. 5. 1853

(Seal) Geo. Fisher Secy

125 ND  
PAGE 42

Recd  
"N"

This Indenture made the 12th day of August in the year One thousand Eight hundred and fifty two. Between Jose Ramon Carillo & Basilia Siquelada de Carillo his wife of the County of Los Angeles California, John Wilson & Ramona Carillo de Wilson his wife of the County of San Luis Obispo in the same State & Juana Jesus Carillo de Matlack of the County of Sonoma in said State of the second part Witnesseth that the said parties of the first part for and in consideration of the sum of one dollar lawful money of the United States of America to them in hand paid by the said party of the second part at or before the executing and delivery of these presents the receipt whereof is hereby acknowledged have remised released and quit claimed and by these presents do remise release and quit claim unto the said party of the second part and to her heirs and assigns forever All that certain portion of the Rancho Santa Rosa situated in the County of Sonoma in said State bounded & described as follows, Commencing at the northwest corner of a small adobe house situated a little to the East of the

Santa Rosa house running South thirty one  
 & one half degrees East from the magnetic meridi-  
 an till said line reaches a small branch which  
 rises in a marsh which is to the East of a house  
 known as "Salcedons House". Thence up said  
 branch a distance so that a line drawn par-  
 allel with the first mentioned line will intersect  
 the North Eastern of a small hill upon the summit  
 of which are some graves & containing said  
 line until it reaches the Matanzas Creek  
 thence down the Matanzas Creek to its junction  
 with the branch aforesaid thence up said  
 branch till reaching the corner of the land  
 of Dona Filicida Cardillo thence North twenty  
 three degrees west (magnetic) till reaching  
 the Santa Rosa creek thence up said creek  
 a distance so that a line drawn South thirty  
 one & one half degrees East (magnetic) will  
 strike the North Western corner of the small adobe  
 house aforesaid. To have and to hold all and singular  
 the tenements hereditaments and appurtenances  
 thereto belonging or in any wise appertain-  
 ing and the Reversion and Reversions Remainder  
 and remainders Rents issues and profits thereof  
 and also all the Estate right title interest  
 property possession claim and demand  
 whatsoever as well in law as in Equity of the  
 said parties of the first part of or to the  
 above described premises and every part  
 and parcel thereof with the appurtenances  
 To have and To hold all and singular the  
 above mentioned and described premises  
 together with the appurtenances unto the said  
 party of the second part her heirs and as-  
 signs forever -

In Witness Whereof the said parties



retract the Execution of the Same -

In testimony whereof I have  
hereunto set my hand and  
affixed my private seal, having  
no seal of Office provided  
the day and year above written,  
Elliott Libbey ES  
by Clerk

125 ND  
PAGE 45

State of California  
County of San Francisco }  
On this fourth day of February  
1853 personally appeared before me  
I saw a Notary Public for said County  
Ramon Carrillo known to me to be the endi-  
vidual described in and who executed the  
 foregoing instrument, and acknowledged to  
me that he executed the same freely and vol-  
untarily and for the uses and purposes therein  
mentioned

Read

In testimony whereof I have here-  
unto set my hand and seal of  
Office the day and year last  
above written

J. A. Sawyer  
Notary Public

Filed in Office Oct 5, 1853.

Dejud  
Geo. Fisher Secy.

Juana de Jesus Mallaga }  
 as. } Part of Calaya  
 The United States } de Santa Rosa  
 In Sonoma County.

It is stipulated in this case that all papers (except the misce Emplacements) filed and depositions of witnesses taken in Case No 43 in which Julio Carrillo is Claimant of part of the same Rancho called "Calaya de Santa Rosa" shall be considered as taken and filed in this case.

Opinion

125 ND  
 PAGE 46

By the depositions and documentary evidence filed in said case it is shown that on the 30th day of September AD 1841 a grant for the place called "Calaya de Santa Rosa" was made by Manuel Jimeno at that time acting Governor to one Maria Guaciao Lopez. That on the 31st day of December AD 1841 Judicial possession of the same was duly given to the grantee and the limits and boundaries thereof marked and defined, and it is also shown that the original grantee as early as the year 1837 or 1838 entered upon said place, built a large adobe house, cultivated two or three hundred acres of the land and continued to live there until his death which happened after the Americans had taken possession of the Country. It is further shown that the said grantee at the time of his death left ten children as his heirs whose names are as follows, Jacaquin, Ramon, Julio, Ramona Josefa, Francisco Luis, Juana Filicidad and Marta. The evidence shows a substantial compliance with all the material conditions of the law performed by the original grantee within the time limited in the grant. The present petitioner who is

one of the heirs of the original grantee for the purpose of deducing title to that portion of the said Rancho for which she claims Confirmation, has placed on file in this case the following original deeds of Emphyteuse, First - A deed for the premises described in the petition to the Commission from Mariano G. Vallyo and Benicia his wife, Maria Marta Carrillo, Salvador Vallyo and Maria Luiz his wife, Pasifa de Fitch Daagun Carrillo and Guadalupe his wife, Julio Carrillo and Felicidad Carrillo for their interest in said premises to Juana de Jesus Mallesh. The petition in this case dated the 6th day of June 1852.

Second, A deed for the premises described in the petition to the Commission from Jose Ramon Carrillo and Benitia Sepulveda de Carrillo his wife, John Wilson and Ramona Carrillo de Wilson his wife for their interest in said premises to Juana de Jesus Mallesh the petition in this case dated the 19th day of August 1852.

The foregoing Emphyteuses are satisfactorily shown to be duly executed by the heirs of the original grantee and entitle the petitioner to a Confirmation for that portion of the place called Cobiza de Santa Rosa which is described in her petition to the Commission.

The objections raised by the Law Agent to the Confirmation of this claim are considered and disposed of in the opinion filed in Case No 643, and to which reference is now made.

A decree of Confirmation will accordingly be entered.

Filed in Office  
April 4, 1852  
signed -  
Geo Fisher Secy,

Yucana de Jesus Malagb

The United States

In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the said petitioner is valid and it is therefore decreed that the same be confirmed.

Decree

The lands of which confirmation are hereby made on a part of the place called "Cabeza de Santa Rosa" which place is bounded and described as follows, commencing at a hill at the N. E. (N<sup>th</sup>) and running in a direction O. & S. to, ten thousand yards to an oak tree well known by the high land where there is a pile of stones three running S. (S<sup>th</sup>) five thousand yards, three running (N. N<sup>th</sup>) ten thousand yards to a rocky hill three running towards the N. West to five thousand yards to the place of beginning where there is a monument containing in all two square leagues a little more or less.

That portion of the above described premises of which confirmation is hereby made to the said petitioner is known as all that part of the said place called "Cabeza de Santa Rosa" lying south of the arroyo de Santa Rosa and is bounded and described as follows, commencing at the north east corner of a small adobe house situated a little to the East of the Santa Rosa house running south thirty one and a half degrees East from the magnetic meridian till said line reaches a small branch which rises in a marsh which is to the East of the house known as "Salvador's house" which house is owned by Hooker & Thompson, thence up said



Branch a distance sufficient, so that a line drawn parallel with the first mentioned line will intersect the North Eastern End of a small Hill upon the Summit of which are some graves, and continuing said line until it reaches the Matanzas Creek, thence down the Matanzas Creek to its Junction with the branch aforesaid, which rises to the East of Salcedo's House, thence up said branch till reaching the corner of Dona Felicidad Carillas house land thence North twenty three degrees west (Magnetic) till reaching the Santa Rosa Creek at a distance of said Creek a distance sufficient so that a line drawn South thirty one and one half degrees East (Magnetic) will strike the North Western corner of the small adobe house aforesaid.

Reference for further description, to be had to the Acts of Emancipation filed in this case, and to the translation of the original record of Judicial possession which is also filed as evidence in the cause.

Order:

And it appearing to the satisfaction of this Board that the land hereby adjudicated is situated in the Northern District of California it is hereby ordered - That two Transcripts of the Proceedings and of the Decision in this

Alphons Felch  
 Thompson Campbell  
 R. Aug. Thompson

Commissioners

Filed in Office April 4, 1854.  
 (Signed) Geo. Fisher Secy.

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 General of the United States.

125 ND  
 PAGE 49

Office of the Board of Commissioners,

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

125 ND.  
PAGE 50

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 fifty four (54) pages, numbered from  
1 to 54, 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 the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. (47) on the Docket of the said Board,  
wherein Maria de Jesus Mellash, is

the Claimant against the United States, for the place known by  
the name of *Verbuza 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  
thirtieth (30<sup>th</sup>) day of October  
A. D. 1854, and of the Independence of the  
United States of America the seventy-ninth

Geo. Fisher.

*Geo. Fisher*

125

ND

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

No. — 125 —

THE UNITED STATES,

vs.

*Sucana de Jesus Mullagh*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 647

Filed, *November 2 - 1854*

*W. H. ...*  
*W. H.*





N<sup>o</sup> 125

U. S. District Court  
Southern District

United States

vs.

Juan de Jesus Mallagh

Notice of Appeal.

Filed July 21. 1855.

John A. Sumner,

Clk

125 ND

PAGE 52

To the Honorable District Court of the United States in &  
for the Northern District of California

The United States  
Appellants

vs

Juan & Jesus Malaga No 125.

125 ND  
PAGE 53

The Petition of the United States by their Attorney  
represents: that this Cause is an application for  
a review of the decision of the Board of  
Commissioners whereby the claim of the said  
Appellee was confirmed as appears by reference  
to the records in the Case:

That a transcript of the said Records  
was filed in this Court on the  
day of 1<sup>st</sup> of May 18<sup>52</sup>, that a notice of  
appeal was filed on the 1<sup>st</sup> day of June  
~~1852~~ and that the land claimed lies in the  
said District.

That the said claim is invalid.  
Wherefore appellants pray that the said  
decision of the Board be reversed &  
that this Court decree the said title  
to be invalid. Respectfully &

L. W. Inge

U.S. Dist. Atty

No. 125-

U.S. Dist Court

Mia Webster

v  
J. de Jesus Mallaga

Petition

Lid October 17 1855.  
J. Cheever  
Deputy

125 ND

PAGE 54

J. W. Inge

District Court of the United States  
for the Northern District of California.

The United States  
vs Appellants  
Juana de Jesus Mallagh  
Appellee

125 ND  
PAGE 55

For answer to the petition of the  
Appellants, the Appellee denies that  
her said claim is invalid, but  
says that the same is good and  
valid and prays that the de-  
cision of the Board of Commissioners,  
confirming it be affirmed by this  
Court -

A P Cuttender  
Atty for Appellee -

It is admitted that the land claimed  
lies in the said District

A P Cuttender  
Atty for Appellee



N<sup>o</sup> 125.

U. S. Dist. Court

The United States  
vs Appellants  
Juana de Jesus Mallagh  
Appellee

Answer -

A P Cuttenden

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PAGE 56

Filed March 2, 1857  
W. A. Chivers,  
Deputy.

District Court of the United States for  
the Northern District of California.

N<sup>o</sup> 125

The United States - Appellants

vs

Juana de Jesus Mallagh - Appellee

125 ND  
PAGE 57

It is agreed that the deposition of  
Juan B Alvarado Taken in N<sup>o</sup> 124  
this Court in N<sup>o</sup> 124, The United States  
Appellants vs Julio Basillo, Appellee,  
shall be considered as taken in  
this case and be read in evidence  
on the trial thereof -

A P Crittenden

Atty for Appellee

A. Seassell

Acting U.S. Dist. Atty

A P Crittenden

Atty for Appellee

N<sup>o</sup> 125

U. S. Dist Court

The United States  
vs Appellants  
Juana de Jesus Mullaugh  
Appellee

Agreement to  
admit deposition  
taken in N<sup>o</sup> 124.

Filed March 2, 1857,  
W. A. Cheves,  
Deputy.

N<sup>o</sup> 125

In the United States District Court for the  
Northern District of California.

The United States Appellants } Cabeza de Santa Rosa  
} Transcrip<sup>t</sup> from Board  
Juana de Jesus Mallagh Appellee } of Land Commissioners  
N<sup>o</sup> 647 -

Stated Term March 2<sup>d</sup>. 1857

On appeal from the final decision of the Board  
of Commissioners to ascertain and settle private  
land claims in the State of California -  
Decree.

This cause came on to be heard at a stated  
term of the Court on appeal from the final decision  
of the Board of Commissioners to ascertain and  
settle the private land claims in the State of  
California under the Act of Congress Approved  
on the 3<sup>d</sup> of March AD 1857 upon the transcript  
of the proceedings and decision of the said  
Board of Commissioners, the papers and evidence  
on which the said decision was founded, the  
petition of the Appellants and answer of the  
Appellees, and the further evidence taken in  
this Court by leave of the Court, and it appearing  
to the Court that the said transcript has been  
and that the land claimed is within said Northern District  
duly filed according to law, and counsel for  
the respective parties having been heard, it

is by the Court hereby Ordered, adjudged and decreed that the said decision be and the same is hereby in all things affirmed; and it is further ordered, adjudged and decreed that the claim of the Appellee is a good and valid claim and that the said claim be and the same is hereby confirmed. The land of which confirmation is hereby made is a part of the place called "Cabeza de Santa Rosa" which place is bounded and described as follows: Commencing at a hill at the N.E. (N. N<sup>te</sup>) and running in a direction O. E. <sup>to</sup> ten thousand varas to an oak tree, well known by the neighbors, where there is a pile of stones, thence running S. <sup>to</sup> five thousand varas; thence running N. N<sup>te</sup> ten thousand varas to a rocky hill; thence running towards the N. Noroeste five thousand varas to the place of beginning, where there is a monument, containing in all two square leagues, a little more or less.

That portion of the above described premises of which confirmation is hereby made to the said Appellee is all that part of the said Place called "Cabeza de Santa Rosa" lying South of the Arroyo de Santa Rosa and bounded and described as follows: Commencing at the North west corner of a small adobe house situate a little to the East of the Santa

Rosa house, running South thirty one and a half degrees East from the Magnetic Meridian till said line reaches a small branch which rises in a marsh which is to the East of the house known as "Salvador's house", ~~which house is owned by Martin A. Thompson~~, thence up said branch a distance sufficient so that a line drawn parallel with the first mentioned line will intersect the North Eastern end of a small hill upon the summit of which are some graves, and continuing said line until it reaches the Matanzas Creek, thence down the Matanzas Creek to its junction with the branch aforesaid which rises to the East of "Salvador's house", thence up said branch till reaching the corner of Doña Felicidad Camillo's land, thence North twenty three degrees West (Magnetic) till reaching the Santa Rosa Creek, thence up said Creek a distance sufficient so that a line drawn South thirty one and one half degrees East (Magnetic) will strike the North Western corner of the small adobe house aforesaid. Reference for further description to be had to the deeds of conveyance filed in this case and appearing in the transcript and to the original record of judicial possession, and the translation thereof, also filed as evidence in the cause.

Ogden Hoffman

This decree is correct. W. S. DeLafayette

Wm Blanding

Dist Atty

N<sup>o</sup> 125-

N. S. Dist. Court

The United States

vs Appellants

John de Jesus Mullagh

Appellee

Decree of Confirmation-

Filed March 2 1857

W. S. DeLafayette

Deputy

125 ND

PAGE 62

In the District Court of the U.S.  
for the Northern Dist of Cal

The United States

v

} D.C. 125; L.C. 647.

~~Juan~~ de Leon Mallah

125 ND  
PAGE 63

In pursuance of a notice  
from the U.S. Attorney General, herewith annexed  
it is hereby stipulated and agreed that no further  
appeal be taken in this case, on the part of the  
U.S. and that claimant have leave to  
proceed under the decree of this Court here-  
tofore rendered in her favor as under  
Final Decree

San Francisco March 26, 1887

Wm B. Hammond, District  
Attorney  
Att. for Appellee



California Land Claims  
Attorney General's Office  
6 Febr'y 1857.

125 ND  
PAGE 64

Sir:  
In the case of the claim of  
Mana de Deus Meagher, con-  
firmed to the claimant by the Com-  
missioners, Case no. Six hundred  
and forty-seven, (647), appeal will  
not be prosecuted by the United States.

I am,

Respectfully,  
Cushing

Wm Blanding Esq  
U. S. Attorney  
San Francisco.

125  
647

U.S. Dist Court

The United States

v  
J. de Jesus Mallof

Stipulation

Filed March 27 1857

John Monroe Clerk

30. St. Charles  
Deputy

At a Stated Term of the District Court of the  
UNITED STATES OF AMERICA, for the Northern District of  
California, held at the Court Room, in the City of SAN FRANCISCO,  
on *Friday* the *27<sup>th</sup>* day of  
*March* in the year of our Lord one thousand  
eight hundred and fifty-seven.

Present :

The Honorable OGDEN HOFFMAN, District Judge.

125 ND  
PAGE 66

*The United States*  
v  
*Juana de Jesus Mallagh*

*D.C. 125: L.C. 647.*

*The Attorney General*  
*of the United States having given notice that*  
*appeal will not be prosecuted in this*  
*case, and a stipulation in accordance*  
*therewith having been entered into by*  
*the U. S. Attorney:*

*On motion of the District*  
*Attorney it is hereby Ordered, adjudged and*  
*decreed that claimant have leave*  
*to proceed under the decree of this*  
*Court heretofore rendered in her favor,*  
*as under Final Decree.*

*Ogden Hoffman*  
*U. S. Dist Judge*

125

United States District Court, Northern  
District of California.

*The United States*

vs.

*Juan de Jesus Malaga*

ORDER.

*Final Decree*

Filed *March 29<sup>th</sup>* 1857

*John A. Monroe*

CLERK.

By *W. D. Cheves*

DEPUTY.

125 ND  
PAGE 67

125

Office of the Board of Commissioners,

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

125 ND  
PAGE 68

San Francisco,

1854

John A. Murrell, 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. 647 on the Docket of the said Board, wherein Juana de Jesus Malach is the Claimant against the United States, for <sup>Part of</sup> the place known by the name of "Cabeza de Santa Rosa,"

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

G. Fisher