

CASE No.

103

SOUTHERN DISTRICT

SAN JUAN DE GRACIA ALIAS SIMI GRANT

JOSE DE LA GUERRA Y NORIEGA

CLAIMANT

refil.

SD

LAND CASE 103 SD 91 pgs.

ALSO AVAILABLE ON MICROFILM

FEB 25 1963

Reinforced
PLOVER BOND
25% COTTON FIBER
U.S.A.

38

South District

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TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 38

José de la Guzmán y Noriega CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

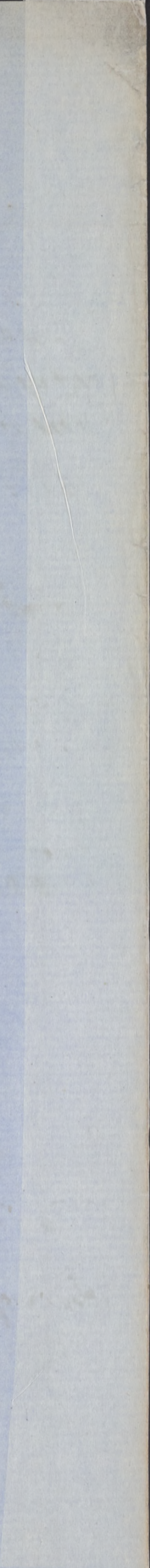
FOR THE PLACE NAMED

San José de Gracia, alias Simi."

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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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Be it Remembered, that on this *twelfth day of February*, 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 *José de la Guerra y Noriega*, for the Place named "*San José de Gracia alias Simi*," was presented, and ordered to be filed and docketed with No. *38*, and is as follows, to wit;

(Vide page *4* of this Transcript.)

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

Sos Angeles, Sept. 1st 1852.
In Case No. *38*, *José de la Guerra y Noriega* for the place named "*San José de Gracia, alias Simi*," the deposition of *Santiago Argüello*, a witness in behalf of the claimant, taken before Commissioner *Melania Hall*, was filed;

(Vide page *6* of this Transcript.)

Sos Angeles, Sept. 2^a 1852.
In the same Case the deposition of *Ygnacio del Valle*, a witness in behalf of the claimant, taken before Commissioner *Melania Hall*, was filed;

(Vide page *8* of this Transcript.)

Los Angeles, Sept. 3rd, 1852.

In the same case the deposition of Ygnacio del Valle, a witness in behalf of the claimant, taken before Commissioner Melano Hall, was filed.

(Vide page 9 of this Transcript.)

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Los Angeles, Sept. 13th, 1852.

In the same case, the counsel for the claimant filed the following motion, to wit:

Moved, by counsel in this case, that the copies of the title papers in this case, be compared with the originals also on file, and certified by the Secretary, and given to the claimant.

Halleck, Beachy & Billings,
Atty for Claimant.

Which having been sustained - ordered, that the copies of papers filed in this case, be delivered to the claimant, the originals remaining on file.

San Francisco December 31/1852.

In the same case the Deposition of Jose Maria Covarrubias, a witness in behalf of the claimant, taken before Commissioner Melano Hall, with document marked H. H. No. 1, annexed thereto was filed.

(Vide page 11 of this Transcript.)

San Francisco Aug. 12/1853.

Case no. 38, Called: The counsel for the claimant read the evidence, argued, submitted and taken under advisement.

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San Francisco, March 14th 1854.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board confirming the claim;

(Vide page 64 of this Transcript.)



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San Francisco, Aug. 15th 1854.

In the same case, on motion of the United States Law Agent, the following order was made, to wit;

(Vide page 69 of this Transcript.)



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To the Honorable Commissioners to settle private Land claims in California,

Petition.

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The petitioner Jose de la Buena y Noriega respectfully shows;

That in the year 1795, Diego Borica, Governor of California, granted to the brothers Patricio Pico, Javier Pico and Miguel Pico, the tract of land called "Semi" in the County of Santa Barbara; that the said title having been lost the aforesaid Patricio Pico, Javier Pico and Miguel Pico petitioned, on the 26th day of February A. D. 1821 for a new title, which was granted to them by the then Governor of California, P. V. Solis, on the 8th day of March A. D. 1821; that on the 20th day of November A. D. 1822 Rafael Pico, one of the heirs of Miguel Pico, deceased, in his own name, and as Attorney-in-fact for his uncles Patricio Pico and Javier Pico, sold and conveyed said tract of land to Jose de la Buena y Noriega, the petitioner; that on the 25th day of April A. D. 1842, Juan B. Alvarado, then Governor of California, by virtue of power in him vested, ratified & confirmed the said purchase and sale, and re-granted the said tract of land to the petitioner; that on the 26th day of September A. D. 1845, the Departmental Assembly of California approved the said grant; that on the 18th day of December A. D. 1843, judicial possession of the said tract of land was given to the petitioner in due form of law and the boundaries were definitely fixed by judicial Act dated December 22nd A. D. 1843.

And the petitioner further shows

J
that the said original grantee, and the petitioner
have done and performed in the due form of
law all the requirements of said grant necessary
to make the grant aforesaid, full, perfect and
absolute,

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That he knows of no conflicting claim;
That the said tract of land has not been
surveyed by the Surveyor General of the United States,
but that its boundaries are shown in the map
accompanying the grant, were definitely marked
out and settled by judicial act in September
1843 and are now easily to be recognized and
are well known;

That the petitioner and the parties
from whom he purchased have held peaceful,
quiet and undisturbed possession of the said
tract of land for some fifty seven years and
more, and that the petitioner at the present
time continues to hold the quiet and undisturbed
possession and occupation of the tract of
land aforesaid.

The petitioner relies for confirmation
of title upon the original papers copies of which
are hereto annexed, marked A, with translations
marked B; upon the documents and minutes
concerning the same in the archives in the
possession of the Surveyor General; and upon
such other proofs as he may be advised are
necessary.

Wherefore the petitioner prays the
Commission to confirm to him the said grant,

By his Attorneys
(Signed) Haddock, Peckham & Billings

Filed in Office February 19th 1852,
(Signed) Geo. Fisher, Secretary.

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Los Angeles Sept. 1st 1852.

On this day before Hiland Hall one of the Commissioners for ascertaining settling private land claims in the State of California came
Deposition of Santiago Arguello, a witness in behalf of the Claimant -
Santiago Arguello, out in the petition of José de la Guerra y Noriega being number 38 in the docket of the Commission, and was duly sworn.

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The law Agent was notified & attended.

In answer to questions by the Counsel for the Claimant the witness testified as follows:—

My name is Santiago Arguello, I am sixty years of age; am a native of California and reside on my rancho near San Diego.

I am acquainted with the hand writing and signature of Sola, formerly Governor of California. The signature - Sola - which appears on a paper ^{now} before me purporting to be a confirmation of a grant to Patricio Pico, Javier Pico & Miguel Pico dated March 8. 1821 is, I have no doubt, his genuine signature - said paper is hereto annexed & marked No. 1.

I am acquainted with the handwriting of Juan B. Alvarado & Manuel Jimeno, and with their signatures. Their signatures appearing upon a paper now before me purporting to be a regrant of the same land before mentioned to José de la Guerra y Noriega, described as a purchased of said land from the said Picos and dated April 25th 1842, are their genuine signatures. Said paper is hereto annexed & marked No. 2.

I am also acquainted with the handwriting of Pio Pico and José María Covarrubias,

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Their signatures appearing upon a paper now before me purporting to be the approval by the Departmental Assembly of the request last before mentioned to said Noriega, dated September 26th 1845, I believe to be their genuine signatures. Said paper is here annexed & marked no. 3.

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I am acquainted with the land described in the title paper before mentioned. I lived in Santa Barbara from 1807 to 1818 & during all that time it was occupied by Santiago Pico father of the before mentioned Picos, until his death, and afterwards by his said sons. They had a house on the land in which they resided, and had Cattle and cultivated the ground. I think the said Santiago Pico died about the year 1808.

In Answer to questions by the Law Agent the witness testified as follows:

I cannot tell the quantity of land cultivated. They cultivated a sufficient quantity of land to support the family, consisting of fifteen or twenty persons - They had a vineyard & Cattle & horses, but I cannot tell the number. The land I believe is within ten leagues of the sea coast, but I am not certain. I do not know that the land has been occupied by any Mission at any time.

(Signed) S. Argüello.

Seen & Submitted }
before me

(Signed) Melan Hall,
Commissario.

Filed in Office September 1st 1852

(Signed) Geo. Fisher Secretary.

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Office of the Board of Commissioners
of California Land Claims.

Los Angeles Sept. 2nd 1852.

Deposition of
Ignacio del Valle,

On this day before me Domingo Balle, one of the Commissioners for ascertaining & settling the private land claims in California came Ignacio del Valle, a witness produced in behalf of the claimant, Jose de la Guerra y Noriega, whose petition is no. 38 on the Docket of the Board and was duly sworn. His Evidence being given in the Spanish tongue, was interpreted by the Secretary.

The Law Agent was notified & did attend.

In answer to questions propounded by the Counsel for the claimant, the witness testified as follows:—

My name is Ignacio del Valle, my age forty four years, my residence in the City of Los Angeles and I have resided in California over twenty seven years.

I am acquainted with the hand writing & signatures of Jose de la Guerra y Noriega, Inaquio Carrillo, Jose M. A. Covarrubias, Pacifico Ortega, Francisco de la Guerra, Jose Canillo, Antonio Rodriguez, Jacinto Saenzana, and Ignacio del Valle — The signatures of the said several persons appearing upon a paper now before me purporting to be a record of the giving of judicial possession to the claimant of the rancho Simi in 1813, are then genuine signatures, one of them is my own signature. It was placed there with the other signatures at the date when the paper bears. Said paper is hereto attached and marked no. 1. — In 1828 I was travelling

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from Monterey to San Diego and passed the rancho "Simi," which was then in the possession of the brothers Pico - In 1837 I returned from San Diego and passed the rancho again when it was in the possession of the present Claimant José de la Guerra - who has continued in the possession to the present time.

In answer to questions by the Law agent, the witness says the land, as he believes is within ten leagues of the sea coast. In 1828 there was a dwelling house on the land, which was occupied by the Picos and they had cattle and stock there I do not know what amount of land was cultivated, I do not recollect of seeing any fences there.

(Signed) Ignacio de Valle,

Sworn & Subscribed }
before me,

(Signed) Mariano Hall,

Commissioner,

Filed in Office September 2^a 1852,

(Signed) Dr. Innes, Secy.

Office of the Board of Land
Commissioners for California

Sos Angeles Sept. 3^a 1852.

On this day before Mariano Hall one of the Commissioners for ascertaining & settling the private land claims of California, came Ignacio de Valle, a witness produced on behalf of the Claimant José de la Guerra y Noviza, No. 35 on the Commission's Clerk and after being duly sworn testified as follows - his evidence being given in the Spanish language

Deposition of
Ignacio de Valle,

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and interpreted by George Fisher, Secretary,
The U.S. Land Agent being notified & attended.
In answer to questions by the Counsel for the
Claimant the witness testified as follows;

My name is Ignacia del Valle, my
age forty four, and my residence the City
of Los Angeles.

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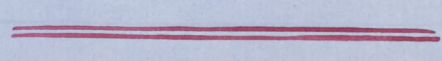
I am acquainted with the hand
writing and signatures of Mariano Jimeno,
Jose Antonio de la Guerra y Carrillo,
Valentine Coto, Jose Carrillo, Anastasio
Carrillo and Raymundo Carrillo.

The signatures of these several persons
appearing upon a paper now before me
purporting to be a certified copy of a map
of the rancho of "Simi" and transfer papers
from the Heirs to the present Claimant, are
I believe their genuine signatures. Said paper
is hereto annexed and marked n. 1.

The Land Agent declined asking any
questions.

(Signed) Ignacia del Valle
Sworn & Subscribed }
Before me }
(Signed) Maria Hall,
Commissioner,

Filed in Office September 3rd 1852,
(Signed) Geo. Fisher,
Secretary.



San Francisco December 31 1852.

On this day before Commissioner Steliana Hall
Came José María Covarrubias, a witness in behalf
of the claimant José de la Guerra y Noriega, petition
no. 38, and was duly sworn - his evidence being
interpreted by the Secretary.

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Deposition of
José M^o Covarrubias.

The U.S. Associate Saw a gent was present.

In answer to enquiries by Com^{rs} for the claimant
and the witness testified as follows,

My name is José María Covarrubias; my
age is 44 years; I reside in Santa Barbara and
have lived in California 18 years.

I have examined the document before
me marked D. H. no. 1; I am acquainted
with the signatures of Rafael Pico, Jacinto
Lorenzana, José de la Guerra y Noriega, Valentín
Cota, Raymundo Carrillo, José Carrillo, Miguel
Valencia and Santiago Lugo; their signatures
to this document are genuine.

I know the rancho of Simi; it has
to my knowledge, been occupied by José de
la Guerra y Noriega, with cattle & horses, and
a house, for 18 years.

(Signed) José M^o Covarrubias,
Sworn Subscribed
before me

(Signed) Steliana Hall,
Commissioner.

Filed in Office December 31 1852

(Signed) Geo. Fisher, Secy.

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N.º 1.

Sor Go.^{ra}

Doc. N.º 1
Annexed to the
Deposition of
S. Argiuello.

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Patricio Pico, Javier Pico y Miguel Pico
 todos los nombrados hermanos se pre-
 sentan con el debido respeto y sumision
 que el derecho les permite á V.S. Por to-
 dos tres hermanos presentamos á su
 Cénorica los parajes nombrados y le-
 guas poco mas ó menos de este ran-
 cho de San Jac de Gracia y Simi son
 los siguientes el 1.º q. es para el oriente
 o de Oriente á mi casa de mi mora-
 da se yaman los bajos de la Sierra
 de Santa Susana su distancia dos
 y media leguas 2.º de la ya dicha
 casa al poniente se nombra el Resple
 Solo su distancia lo mismo dos y
 media leguas 3.º de la dicha casa pa-
 ra el Sur nombrado el Toblar del Sau-
 sito su distancia dos leguas 4.º de
 la dicha casa para el norte nombra-
 do el Bolean de asufre y Tajo en len-
 gua de gentiles su distancia dos y
 medio leguas.

Por estos son los parajes y
 leguas deste sitio q. se deino V.S.
 pedirmelos para destendernos este
 papel pues este dicho rancho esta
 dado por el Sor. Go.^{ra} Dn. Diego de Buzica
 q. de dios gose el año de 1795. A. V.º
 pidan y suplicamos reveridamente se
 digne condescender á todos la sucesion
 del mencionado rancho por unirse en
 un mandad todos hasta q. su divina
 Mage.^{sa} sea servido ya si Sor espera-

mos de su piadoso corason les con-
ceda como piden q. de culla gracia le
viviran a gradecidos estos sus me-
nors subditos q. rendidamente S.
M. B. Sr. Jca de Gracia y Simy.
26 de Feb^{ro} de 1821

Patricio Pico
Javier Pico
Miguel Pico

Monteney 8 de marzo de 1821.

Como Gov.^o Polit. y Militar
q. soy de esta Gov.^a teniendo en consi-
deracion lo dispuesto p.^o mi antecesor
el Sr Coronel D. Diego de Borieu en
favor de Patricio Pico Javier Pico y
Miguel Pico del rancho nombrado
Simi q. poseen hace la epoca de vein-
te y seis años les ratifico este mis-
mo y p.^o resguardo y constancia de
los agraciados lo firmo en la expre-
sada fecha.

Sola.

Filed in Office Sept. 1st 1852
(Signed) Geo. Fisher,
Secy.

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N. N. N.º 1

Sello 1º

Doc. N. N. N.º 1
amp.º to the
Deps of José
M. Covarrubias.

Hereditas provisional. p.º esta Comis.
Subalterna del Pto de Sta Barbara p.º los
años de 1832 y 1833.

José Ant. de la Guerra.

Corregido

Pubric

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En el Puerto de Santa Barbara á veinte
días del mes de Noviembre de mil ochocientos
treinta y dos. Ante mi Jacinto Lerruzano
Regidor encargado de Justicia de esta Vicinda-
ria presento los testigos de mi asistencia con
quienes actuo por falta de escritura y no la
hay segun derechos y los instrumentos que al
fin se denominarán, comparecieron perso-
nalmente - Rafael Pico de esta Vicindia y el
Capitán Don José de la Guerra y Noriega
tambien radicado en este Puerto á quienes
doz fué conoseo, y el primero presento tres
personas de sus tíos y hermana, Miguel Pico,
Javier Pico y Simona Pico, extendidos en
debida forma cuyo tenor es el siguiente =
En el Puerto de Santa Barbara á los seis
días del mes de Octubre de mil ochocientos
treinta y dos. Ante mi José Antonio de la
Guerra Alcalde de dho Puerto y los testi-
gos de mi asistencia con quienes actuo en
la forma ordinaria segun dro. y los instru-
mentos que al fin se denominarán com-
pareció presente Miguel Pico Soldado invalido
de esta Vicindia á quien doz fué conoseo. Dijo
que habiendo concertado con las Sobrinas
Rafael Pico y Simona Pico y con su her-
mano Javier Pico el vender el primero Ra-
fael Pico para el comun aprovechamiento
el Rancho nombrado San José de Gracia
(a) Sini con la viña y demas pertenen-

cios, entradas y salidas, usos y costumbres
 en los terminos que lo han precedido, de su po-
 der especial bastante cuanto legalmente
 se requiere y necesario sea al expresado
 su sobrino Rafael Pico para que efectue dha.
 venta en los terminos que tengo por convenientes,
 para lo cual le da todo su poder y se obliga
 en toda forma presente y sus sucesores y he-
 rederos a la verdad, seguridad y sume-
 rimiento de el y cuanto hiciero relativo a di-
 cha venta y lo autoriza igualmente p^o que
 otorgue la escritura y documentos que se es-
 timen convenientes para la validacion
 y firmeza de dha. venta, que para todo y
 lo incidente y dependiente le da poder con-
 lito, franca y general administracion =
 Y al cumplimiento de lo referido y de
 cuanto se obrase en virtud del presente por
 el dicho su apoderado obligo el otorgante
 su persona y bienes habidos y por haber
 con sumision a los tribunales y Justi-
 cias que de la indicada venta y sus re-
 sultados, fueren y deban conocer para que
 a su observancia la estriben y apremien
 por todo rigor como si fuese por sen-
 tencia pasada en autoridad de cosa
 juzgada, consentida y no apelada. Re-
 nuncio en forma su domicilio y vecindad
 y todas las leyes y privilegios a su fa-
 vor con la general del derecho en forma.
 Asi lo otorgo y por no saber escribir fir-
 ma a su suceso el Ciudadano Anastasio
 Benillo y los de mi asistencia presentes
 los instrumentales que lo fueron los Ciudadanos Valentin

Sello N^o

Habilitado provisionalmente en esta Comis.^a
Subalterna del Pto de Sta Barbara N^o los
años de 1832 y 1833.

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Jose Ant^o de la Guerra.
= Costa, Raymundo Carrillo, y Jose Carrillo de esta vecindad = Jose Antonio de la Guerra y Carrillo = a ruego del interesado = Anastasio Carrillo = Valentin Costa = Raymundo Carrillo = Jose Carrillo = De asistencia = Miguel Valencia = De asistencia = Santiago Lugo = Corresponde el anterior testimonio al poder original que se halla en el Protocolo de instrumentos publicos de este juzgado al que me refiero de donde se sacó fiel y legalmente hoy día de su otorgamiento. Va perfectamente corregido y consuntado en dos fojas del sello siguiendo lo que autorizo y firmo con los testigos de mi asistencia con quienes actúo en la forma ordinaria según derecho = Jose Antonio de la Guerra y Carrillo = De asistencia = Miguel Valencia = De asistencia = Santiago Lugo =

En el Puerto de Santa Barbara a los seis días del mes de Octubre de mil ochocientos treinta y dos. Ante mí Jose Antonio de la Guerra Alcalde de dicho Puerto, y los testigos de mi asistencia con quienes actúo en la forma ordinaria según derecho, y los instrumentales que al fin se denominarían, comparecieron presentes Simona Pico, mayor de veinte años, con Jose Antonio Lugo su legitimo marido ambos de esta

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Vecindad, á quienes doy fe couoseo; y la primera usando de la venia ó licencia marital que el derecho previene que de haber sido pedida, concedida y aceptada respectivamente por ambos doy fe. Digo que habiendo concertado con su hermano Rafael Pico de acuerdo con sus tíos Miguel y Javier Pico el vender para el comun aprovechamiento el rancho nombrado San José de Gracia (a) Simi con la Vina y demas pertenencias, entradas y salidas usos y costumbres, en los terminos que lo han poseido, de su poder especial bastante cuanto legalmente se requiere y necesario sea al expresado su hermano Rafael Pico para que efectue dha. Venta en los terminos que tenga por convenientes para lo cual le da todo su poder y se obliga en toda forma por sí y sus sucesores y herederos á la evicción, seguridad y saneamiento de el y cuanto hicier relativo á dha. Venta, y lo autoriza igualmente para que otorgue la escritura ó documentos que se estimen necesarios, y renuncie las leyes que se estimen convenientes para la validacion y firmeza de dha. Venta, que para todo y lo incidente y dependiente le da poder con libre franquea y general administracion - Y al cumplimiento de lo referido y de cuanto se obrare en virtud del presente por el dicho su apoderado obligado la otorgante -
 Sello N.º

Habilitado provisionalmente N.º esta Com.º

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Subalterna del Pto. de Sta Barbara p^{ta}
los años de 1832 y 1833.

Jose Ant: de la Guerra.

= su persona y bienes habidos y por
haber con sumision á los tribunales y
Justicias que de la indicada Venta y
sus resultados pueden y deben conocer
para que á su observancia la estrechen
y apremien por todo rigor como si fuese
por sentencia pasada en autoridad de
cosa juzgada, consentida y no apelada.
Renuncia en forma su Domicilio y ve-
cindad y goza las leyes y privilegios
á su favor con la general del d^{to}. en
forma. Asi lo otorgo y por no saber es-
cribir firmo á su ruego Jose Maria Gar-
cia y su marido conmigo y los de mi asis-
tencia presentes los instrumentales que
lo fueron los Ciudadanos Valentin Cota,
Raymundo Carrillo, y Jose Carrillo, de
esta Vicindad = Jose Antonio de la Guerra
y Carrillo = A ruego de la interesada
= Jose Maria Garcia = Antonio Leyva
= Valentin Cota = Raymundo Carrillo
= Jose Carrillo = De asistencia = Ma-
quel Valencin = De asistencia = Santi-
ago Lugo = Corresponde el ante-
rior testimonio al poder original que
se halla en el Protocolo de instru-
mentos publicos de este Juzgado al
que me refiero de donde se sacó fiel
y legalmente hoy dia de su otorga-
miento. Va perfectamente corregido y
consertado en dos fojas del Libro Se-
gundo lo que autorizo y firmo con

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los testigos de mi asistencia con quienes actuo en la forma ordinaria segun derecho = Jose Antonio de la Guerra y Carrillo = De asistencia = Miguel Valenciu = De asistencia = Santiago Lugo =

En el Punto de Santa Barbara a los seis dias del mes de Octubre de mil ochocientos treinta y dos. Ante mi Jose Antonio de la Guerra Alcalde de dicho Punto y los testigos de mi asistencia con quienes actuo en la forma ordinaria segun derecho y los instrumentales y al fin se denominaran, compareció presente Javier Pico, solado inculido de esta Ciudad a quien doy fe conozer. Dijo que habiendo concertado con sus sobrinos Rafael Pico y Simona Pico y con su hermano Miguel Pico el vender el primer Rafael Pico para el comun aprovechamiento el Rancho nombrado San Jose de Graio (a) Simi, con la viña y demas pertenencias entradas y salidas usos y costumbres en los terminos que lo han poseido, de su poder especial, bastante cuanto legalmente se requiera y necesario sea al expresado su sobrino Rafael Pico para que efectue dho. Venta en los terminos que tenga por convenientes para lo cual le da todo su poder y se obliga en toda forma por si y sus sucesores y herederos a la viccion, seguridad y su cumplimiento de el y cuanto hicieron relativo a dicha venta y lo autorizo igualmente para que otorgue la escritura y documentos que se estimen convenientes p^a

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la validacion y firmaza de dicha venta
que para todo y lo incidente y dependi-
ente le da poder con libre, franca y gene-
ral administracion = Val cumplimiento
de lo referido y de cuanto se obrase
en virtud del pre =

Dillo 1º

Exaltado Provisional. p. esta Comis.
Subalterna del Pto de Sta. Barbara p.
los años de 1832 y 1833.

Jose A. de la Guerra.

= Ante por el dicho su apoderado, obligan
otorgante su persona y bienes habidos y por
haber con sumision a los tribunales y jus-
ticias que de la indicada venta y sus
resultados pudiesen y deban conocer p.
que a su observancia la estrechen y a-
primen por todo rigor como si fuese
por sentencia pasada en autoridad de
cosa juzgada, consentida y no apelada,
Pronuncia en forma su domicilio y vecin-
dad y todas las leyes y privilegios a
su favor con la general de derecho en
forma. Asi lo otorgó y por no saber escri-
bir firmo a su ruego el Ciudadano Anas-
tasio Carrillo y los de mi asistencia pre-
sentes los instrumentos que lo fueron
los Ciudadanos Valentin Costa, Raymundo
Carrillo y Jose Carrillo, de esta vecindad
= Jose Antonio de la Guerra y Carrillo =
A ruego del interesado = Anastasio Carrillo
= Valentin Costa = Raymundo Carrillo =
Jose Carrillo = De asistencia = Miguel
Valencia = De asistencia = Santiago Lago.
= Corresponde el anterior testimonio al

poner original que se halla en el Protocolo de instrumentos públicos de este Juzgado al que me refiero de donde se sacó fiel y legalmente hoy día de su otorgamiento: Va perfeccionado corregido y consentado en dos fojas del sello seguido lo que autorizo y firmo con los testigos de mi asistencia con quien me actúo en la forma ordinaria según derecho = José Antonio de la Guerra y Carillo = De asistencia = Miguel Valencia = De asistencia Santiago Lugo =

Y a virtud de ellos y por la facultad que por ellos le es concedida, dijo: que por la presente vende y traspasa por sí y sus socios cuyos poderes ha presentado, y en nombre de los sucesores y herederos suyos y de sus poderdantes en venta solemn y enajenación perpetua para siempre firmas al nominado Don Noriega y le quita su derecho representado, un Rancho llamado San José de Gracia (a) Lima que graciosamente obtuvo del Gobierno del Territorio antiguamente el abuelo paterno del vendedor Santiago Pico, y posteriormente se ratificó la concesión por el mismo Gobierno a su difunto padre Patricio Pico y sus esposados, de cuyo papel original hace entrega al expresado Noriega. Y el referido Rancho está al Este de este Puerto entre las Misiones de San Buenaventura y San Fernando y sus linderos son hacia el Este los bajos de la Sierra de Santa Susana á el Oeste el Roble Solo á el Sur el Roble del Saviato y á el Norte el Volcan de Azupó; con

los cuales una fueguina Vieja que tiene y
consta de mi cepas, y con todas las entra-
das y salidas, usos, costumbres y servidum-
bras y todo lo demas que le pertenece y
puede pertenecer de hecho y de derecho lo da
en venta como dicho al expresado Sr. Mo-
ruga libre de todo gravamen y portal se
lo asegura por el precio de mil y diez y
nueve pesos que tiene recibidos los ocho
cientos y diez y nueve pesos en plata a
cunada y el resto en efectos a =

Sello 1^o.

Habilitado provisionalm^{te} p^{ta} esta Comis^o.
Subalterna del P^{to} de Sta. Barbara p^{ta} los
años de 1832 y 1833.

Jose Ant^o. de la G^{ra}.

= su satisfaccion, y ademas queda a la
responsabilidad del Sr. Moruga el dar satis-
faccion a la Misiva de San Gabriel
por ochocientas cabezas de ganado va-
cuno que el Vendedor tenia recibidos hace
tres años a medias de procreo, y dandose
de todo por satisfecho renuncia las leyes
de la non momento pecunia entrega é
prueba, y dice que juzgando Valeroso el
dicho Vendedor en las cantidades referidas,
de su demacia en poca ó mucha suma
hace gracia y donacion, por si y sus so-
cios, al referido Sr. Moruga perfecta é
irrevocable entre vivos con consignacion
y las demas firmas legales. Renun-
cia la Ley 1^a tit. 11. L. 5 de la Recopilacion
que trata de los contratos de venta
y demas en que haya lesion en mas ó
menos de la mitad del justo precio, y

los cuatro años que profina para pedir
 su rescion ó suplemento á su justo va-
 lor, y las demas leyes que con ella con-
 cuerden los que da por pasados como
 si efectivamente lo estuviesen. Asimismo
 declara que desde hoy en adelante y p^{te}
 siempre se desapodera, desista y apar-
 ta de los derechos de posesion y propiedad
 de que han gozado el Vendedor y sus po-
 derdantes en el Mencionado Rancho, y sus
 pertenencias, y todo con las acciones perso-
 nales y demas que demandando la ley los cede
 y transmite por si y sus socios á favor del
 comprador para que como dueño legitimo
 de el y sin restriccion alguna lo goze,
 cambie, enageno y disponga de el á
 su arbitrio, como de bienes propios ad-
 quiridos con justo titulo. Le da poder
 necesario por si y sus socios para que
 judicial ó extra judicialmente se apodere
 del expresado Rancho, y de el tome la
 posesion que por derecho le compete, y
 para que no necesite tomarla le da co-
 pia autorizada de esta escritura, con la
 cual y sin otro acto ha de ser visto ha-
 berla tomado legitimamente; constituy-
 endose intretanto el Vendedor y sus so-
 cios por sus inquilinos tenedores y prec-
 carios poseedores, en legal forma. Ulti-
 mamente declara y asegura p^{te} si y sus
 poderdantes que la venta del referido ran-
 cho con la venta y demas pertenencias
 sera cierta y efectiva al expresado Capitan
 Don Jose de la Guerra y Monique y que
 sobre su posesion ó propiedad nadie le

inquietará ni moverá pleyto, pero que si lo uno, ó lo otro, sucediere, reconvenido que sea conforme á dño. Saldrá á la disputa, y la continuará hasta dejarlo en quieta y pacífica posesion del repetido rancho, y en el evento de no poderlo conseguir, le restituirá las cantidades que por él le ha dado, y ademas le pagará las mejoras que haya hecho y perjuicios que se le originen á lo cual se le ha de apremiar por la via ejecutiva, en virtud de esta escritura y se-

Sello 1^o

Revistado provisionalm^{te}. p^a. esta Comis^a. Subalterna del T^o. de Santa Barbara p^a. los años de 1832 y 1833.

José A. de la Y^{ma}.

= que aunque al difunto Capitan Don Romualdo Pacheco se le permitió por el Sr. Vitoria Comandante general que p^a. de este Territorio, poner en pertenencias del mismo rancho un poco de ganado, esto fue solo provisionalmente y fortuitivam^{te}, pero con la circunstancia de que no pasase perjuicio y transmitiendo al Sr. Noriega como por la presente transmite todos sus derechos, el tolerará ó repleará los dichos Bienes del finado Pacheco cuando y como lo creyere oportuno.

El Comprador expuso que aceptaba esta escritura en todo y por todo segun se ha referido y recibe en venta el dicho Rancho de cuya propiedad y posesion se da por entregado á su voluntad y que en efecto queda á la responsabilidad del ganado de la Misión de San Gabriel

y que es su voluntad permitir por ahora el ganado del finado Pacheco por res- pecto á su viuda y huérfanos pero que usará de su derecho cuando lo estime con- veniente.

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Y á la firmeza y observancia de lo que ambos han expuesto, obligan sus personas y bienes presentes y futuros con sumision á los Señores Jueces que de este negocio deban conocer conforme á de- recho, para que á su cumplimiento los apremien como por sentencia definitiva de Juez competente pasada en autoridad de cosa juzgada, consentida y no apelada. Renuncia el fuero de su domicilio y ve- cinidad, la Ley sic convenirit con la ge- neral del derecho en forma. Asi lo otor- garon y firmaron conmigo en este pro- tocolo de instrumentos publicos siendo testigos instrumentales los Ciudadanos Valentin Cota, Raymundo Carrillo y José Carrillo, de esta vecindad, amas de los de mi asistencia con quienes actuo.

Don fee.

Jacinto Lorenzana. Rafael Pico
Jose de la Guerra y -
Noriega. Raym. Carrillo.

De asist.^a

Miguel Valencia.

Valentin Cota.
Jose Carrillo.

De asist.^a

Santiago Lugo.

(N.º 38)

Filed in Office Dec. 31st 1832.

(Signed) Geo. Fisher
Scrij.

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Doc N.º 2.
Anexo to the
Deposition of
S. Argüello

Delo primero Sis Pios.
Habilitado provisionalmente por la
Aduana Maritima de Monterey para
los años de 1842 y 1843
Alvarado. Antonio Mt. Esio.

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J. P. 3
Juan B. Alvarado Gober-
nador Constitucional del
Departamento de las Californias.

Por cuanto el Ciudadano Capitan José de la Guerra y Noriega ha denunciado como baldios los sitios de que se compone el Rancho de Simi que obtuvo de sus anteriores poseedores por título de compra, desde el año de 1833, como acredita la escritura que obra en el expediente que se promovió á su instancia: he venido en concederle para si, sus herederos y subeisosos el referido rancho de Simi con los linderos que manifiesta el diccño que presentó: usando de las facultades que me son conferidas en uso de las cuales le declaro el dominio y propiedad de él ~~de~~ nombre de la Nacion Mexicana rectificandosele en la posesion que ha tenido y tiene, pudiendo solicitar la juridica del Juez á quien corresponda con la precisa advertencia de que el terreno de que se hace donacion es puramente el contenido dentro de los linderos que se demarcan en el diccño que corre agregado al expediente

del que se da copia legalizada á
 él que deberá arreglarse el Juiz
 que posecionase al interesado.

En consecuencia mando que
 sirviendole de titulo el presente y te-
 niendose por firme y valedero se fo-
 me razon en el libro que corresponde
 y se entregue al agraciado para su
 resguardo y demas fines. Dado en
 Monterrey á veinte y cinco de Abril
 de mil ochocientos cuarenta y dos.
 Juan B. Alvarado

Mano Jimeno
 Srto.

Queda formada razon de este des-
 pacho en el libro de acientos sobre
 adjudicacion de terrenos baldios
 á p. 11.

Jimeno.

Filed in Office Sept 1st 1852
 (Signed) Geo. Fisher
 Secy.

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Doc. Annuncio
to the Depo. of
Yg. del Valle.

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Sello Quinto un Real.

Habilitado provisionalmente por la Aduana
Maritima del Puerto de Monterey en el
Departamento de las Californias para
los años de mil ochocientos cuarenta
y tres.

Micheltorres. Manuel Castaneros

El Sr. Juez de Paz de este partido

El Sr. Jose de la Guerra y Moriega Capitan retirado de Caballeria
establecido en este Presidio ante V. hace
presente que desuando obtiene la posesion
judicial del Rancho de Simi, que ocupa
hacia tres años, mereceria á V. se sirva
darla en su nombre á su hija Don
Francisco con arreglo al titulo y diseño
que presentará á V. del referido rancho
y sus pertenencias.

Por tanto á V. suplica se sir-
va acceder á la solicitud recibiendo la
en esta del Sello quinto por no haber
del castro en este destino.

Santa Barbara. Abril 24 de 1843.

Jose de la Guerra y
Moriega.

Santa Barbara. Abril 25 de 1843.

Como lo pide: pasare por mi el
dia 28 del presente al terreno de Simi y
desde la posesion judicial de él á Don
Francisco de la Guerra apoderado de la
parte que representa, librare boletos de
comparados á los estandartes de dicho ter-

Vino á fin de que presenciam la posesion
que se dará por mí el referido día —
Don Joaquin Carrillo Juez de Paz propie-
tario del partido de Santa Barbara, ac-
tuando por respectiva con los testigos de
su asistencia, así lo mandé proveer y
firmó.

Joaq^{ta} Carrillo
De casa. De casa.
Jose M^{te} Covarrubias. Pacifico Ortega

En cumplimiento del auto q. anterior,
se libraron por mí el juez, bolitos de com-
parando á los bolos antes de Simi C. C.
Jose Carrillo, Jose Ruiz, Jose Lorenzana
e Ygnacio del Valle; y para que conste
lo pongo por diligencia.

Joaq^{ta} Carrillo
De casa. De casa.
Jose M^{te} Covarrubias. Pacifico Ortega.

En el término de Simi á lo veintiocho
días del mes de Abril de mil ochocientos
cuarenta y tres, siendo como nueve ho-
ras de la mañana, yo Joaquin Carrillo
Juez de Paz del partido de Santa Barbara
acompañado de los testigos de mi asis-
tencia con quienes quedo, en cumpli-
miento del auto de 25 de Abril del corri-
ente año constituí personalmente á Don
Francisco de la Guerra apoderado del
Señor su padre Don Juan de la Guerra
en el expresado término para ponerlo en
la posesion que en dho. auto se ordena,
quien manifestó el título de concesion

revisado por el Suor Gobernador del Departamento en 25 de Abril del año 1843 y dicho arbitramento certificado el 12 de Mayo del mismo año del predicho terreno de Lini; y estando presentes los C. B. colindantes Jose Carrillo y Jose Ruiz, dijo este que protestaba contra la posesion que se estaba dando en virtud de que pretendia que los linderos que demarca el referido terreno, no son exactos en la parte colindante con el rancho de Bayaguas de su propiedad, cuya protesta le fue admitida por mi el Juez, y en consecuencia mandé se suspendiese la posesion de Lini, mientras las partes de Don Jose de la Guerra y Jose Ruiz quedaban conformes en el señalamiento de linderos. Y para constancia lo firmo con los testigos de asistencia de que doy fe.

Jose Carrillo. La casa.
De casa. La casa.
Jose M^o Covarrubias. Pacifico Ortega

Santa Barbara, Noviembre 15 de 1843.

Habiendo manifestado la parte de Don Jose de la Guerra y Porizaga que por conciliacion celebrada =

Delo Quinto un Real
Habilitado por el Real cedula por la Adm-
ana Maritima del puerto de Monterrey
en el Departamento de las Californias para
el año de mil ochocientos cuarenta y tres
Micheltorino. Manuel Bestaneros.

Por disposicion del Excmo. Sr.
C. B. 3 =

nos Gobernador del Departamento en el
 Juzgado de Paz de este Puerto el 30 de
 Julio del corriente año, como consta de lo
 siguiente respectivo, habia convenido con
 el Ciudadano Don Ruiz que se fijaran
 los linderos de Simi en el lugar que el
 Juez que dió la posesion de Bayaguas
 los fijó para este parage; hagase de
 nuevo citacion de colindantes y pasase
 por mi el Rancho de Simi para poner
 en posesion de el el Señor Don Jose de
 la Guerra, hagase igualmente con
 parecer en aquel lugar al Ciudadano
 Antonio Rodriguez quien dió como Juez
 de Paz que era de este Puerto la posesion
 judicial de Bayaguas el año de mil
 ochocientos treinta y nueve para que em-
 ponga del lugar en que fijó los linderos
 de Bayaguas por la parte de Simi. Don
 Joaquin Carrillo Juez de Paz propietario
 del Puerto de Santa Barbara, actuando
 con los testigos de su asistencia ordina-
 ria, así lo mandó, ~~firmó~~ y firmó.

Joaqⁿ Carrillo.

Pasa.

Pasa.

José M^{te} Covarrubias. Pacifico Ortega.

Santa Barbara Abre. 7 de 1843.

En virtud del auto que antecede
 se libraron boletos de comparendo á los
 C. b. Don Ruiz, Jose Carrillo, Jose Ser-
 vianza y Jose Ygnacio del Valle, para
 que como colindantes presenten la pose-
 sion judicial de Simi el día diez
 y ocho del presente mes, y se citó igual-

mante para el mismo día á Don Antonio Rodríguez para los efectos prevenidos en dho. auto; lo que pongo por diligencia firmandolo con los de mi asistencia.

Joag^e Carrillo.

P. Lassa.

P. Lassa.

Juan M^{te} Covarrubias. Pascual Ortega.

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En el rancho de Simi á los diez y ocho días del mes de Diciembre del año de mil ochocientos cuarenta y tres, siendo como nueve horas de la mañana yo Joaquin Carrillo Juez de Paz del partido de Santa Barbara acompañado de los testigos de mi asistencia en quince actos por falta de escribanos en cumplimiento del auto de quince de Noviembre pasado, constituí personalmente á Don Francisco de la Guerra, vecino del Puerto de Santa Barbara en el expresado rancho de Simi, quien manifestó de nuevo el título de concesión de dicho rancho, expedido por el Señor Gobernador del Departamento en 25 de Abril de 1842 a favor del Señor Don Jose de la Guerra y el desino debidamente certificado el doce de Mayo del mismo año del predicho terreno de Simi, y estando presentes los ciudadanos colindantes Juan Carrillo, y Baltazar Ruiz, apoderado de su padre Jose Ruiz, y Don Antonio Rodríguez, dicho Don Francisco de la Guerra como apoderado de su padre Don Jose de la Guerra, entró y pasó por las tierras de Simi arrancar yerbas, esparró puñados

de tierra rompió ramas de los arboles,
 é hizo otras ceremonias en señal de la
 verdadera, real, corporal y actual posesi-
 cion que de dicho rancho de Sini toma-
 ba un virtud de su poder, la cual se fue
 dada quita y pacificamte. Sin contradic-
 cion de persona alguna en la que yo el
 Juez dije le acompañe y ampare para
 no ser jamas despojado. Y habiéndose
 en seguida procedido al señalamiento de
 linderos quedaron fijados conforme al
 diseño ya citado mandándose se fusi-
 eran profonuras en los puntos necesarios
 quedando segun el informe dado por
 Don Antonio Rodriguez señalados para lin-
 deros de Bayaguas y Sini la linea
 norte al Norte desde un Croston de gran-
 des piedras que se halla al finiente de
 Sini entro la boca del Salto y aguaje
 de Santa Rosa, hasta la cumbre de la
 Loma que divide Bayaguas y las Posas

Y para la conservacion y futura
 memoria de esta posesion judicial, lo
 firmaron conmigo y los testigos de mi
 asistencia los predichos D. Francisco de
 la Guerra, Ciudadanos Jose Carrillo y
 Antonio Rodriguez =

Elle Quinto fu Real.
 Habilitado provisionalmente por la Aduana
 Maritima del Puerto de Monterrey
 en el Departamento de las Californias
 para el año de mil ochocientos cuarenta
 y tres.

Nicheltoma. Manuel Castaneros.
 = no haciendole el expresado Baltazar

Buiz por no saber prescribir, de que doy
fe. Franc^{co} de la Guerra

Jose Carrillo.

Antonio Rodriguez

Joaq^{te} Corrallo.

Asistencia

Asistencia

Jose (Ma) Covarrubias. Pacifico Ortega

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En el punto de Santa Barbara á los
veintidos dias del mes de Diciembre de
mil ochocientos cuarenta y tres, yo el
Juez de estos autos hice comparecer an-
te mi y los de mi asistencia á Don Jo-
se del Valle y á Jose Toranzo cita-
dos como consta en la diligencia respectiva
de hito del corriente mes para que co-
mo encargados, el primero del Rancho
de San Francisco y el segundo de mi
parte del del Conejo, comparecieran
á presenciar la fincion del terreno de
Simi; y habiendoles manifestado lo
hecho ahora actuado, el título y diseños
que constan en este expediente, y di-
choles si se conformaban con la fincion
dada al Señor Don Jose de la Guerra
y Moniga, y si tenían por justos los
linderos de Simi demarcados en el
dicho diseño; que dijeron conformes
en la fincion dada al Señor Don Jose
de la Guerra y Moniga, y que ren-
unciaban que los linderos de Simi, de-
marcados en el diseño que se les ha
manifestado, son justos y exactos, por
lo que respecta á los Ranchos de San
Francisco y del Conejo. Y para con-
stancia lo firmé con mis y los de

mi asistencia el predicho Don Ygnacio
del Valle, no haciéndolo el expresado Loren-
zana por no saber escribir, de que doy fe.
Hizo por el su padre, P. Jaimé.

Act. Lorenzana
Ygnacio del Valle. Joaqr. Corrallo.
Asistencia Asistencia
Jose M^o. Covarrubias. Pacifico Ortega.

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Santa Barbara. Diciembre 23 de
1843.

Entregamos original el presente
Documento a la parte de Don Jose de
la Guerra y Moriza para su resguardar
en un este papel del sello quinto por
no haber en este lugar del sello que
corresponde.

Joaqr. Corrallo.

No. 1. = N. 38 = Jose de la Guerra y Moriza =
San Jose de Garcia = Document annexed to the
Disposition of Ygnacio del Valle before N. Hall =

Filed in Office, Sept. 2. 1852.
Signed Geo. Fisher
Scrij.

[Decorative flourish]

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Doc. N^o 3
Annexed to the
Deposition of
S. Argüello

Pío Pico Gobernador ~~interino~~ del Depar-
tamento de las Californias.

La Exma Asamblea Departamen-
tal en sesion de hoy, ha acordado lo
siguiente.

Se aprueba la concesion hecha
por el Gobierno Departamental en favor
del Sr Capitán Don José de la Guerra
y Noriega, del paraje conocido por el
nombre de Simi, por título legalmen-
te librado en 23 de Abril de 1842 y con
total arreglo á las leyes de la materia.

Y para resguardo de la parte de Don
Jose de la Guerra y Noriega, lo hago
asi saber. Dado en este papel comun
por no haber del sellado que corresponde
en la Ciudad de los Angeles á 26 de
Setiembre de 1845.

Pío Pico.

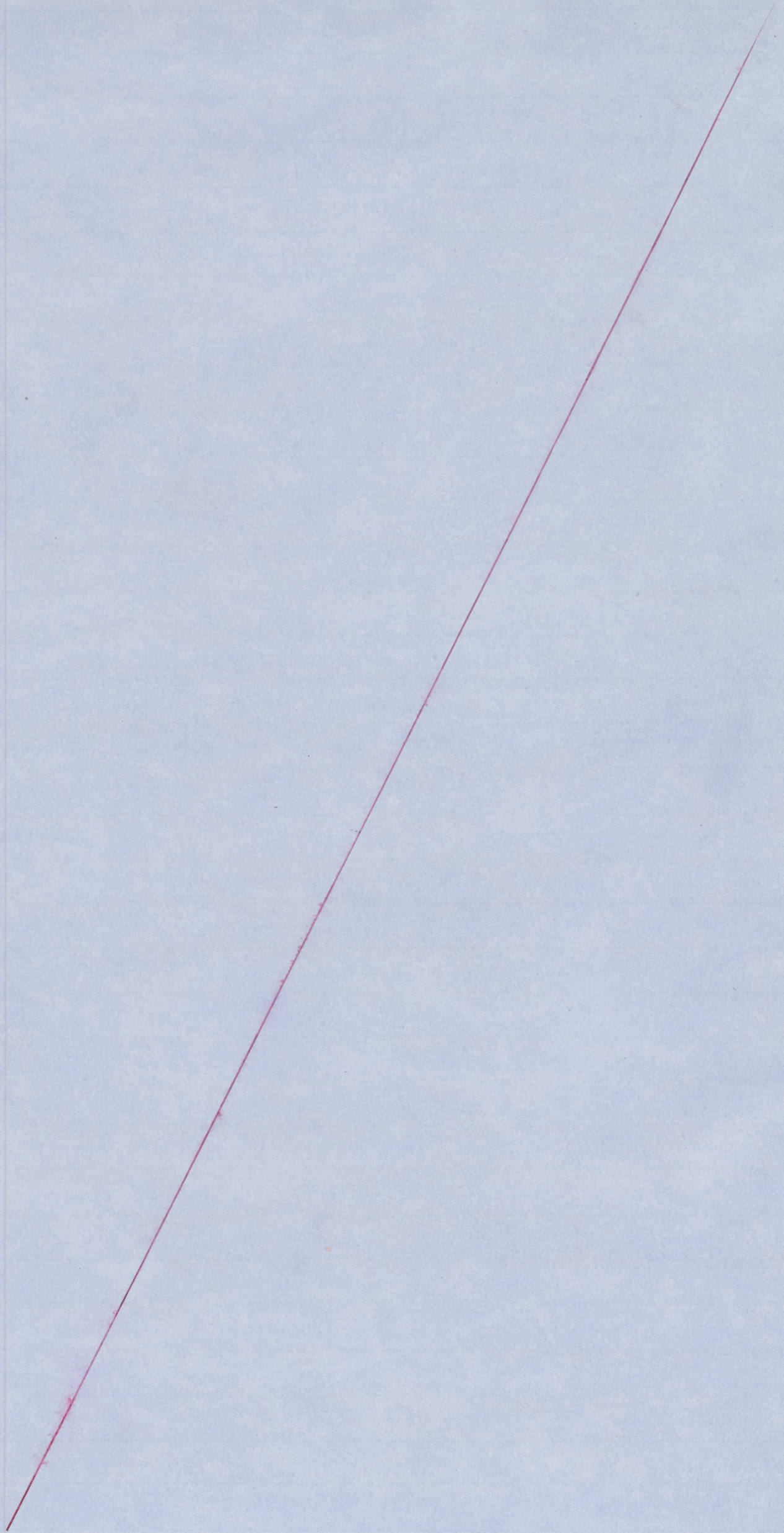
Jose M^o Covarrubias
Srio.

Filed in Office Sept 1st 1852.

(Signed) Geo. Fisher
Scriy.

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3152
WESTERN UNION



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Exhibit N.º 1.
Anexo to Depo.
of Jg.º del Valle.

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Corregido
(Rubric)

Sello Seg.º

Habilitado provisionalmente p.º esta Com.º
Subalterna del Puerto de Sta Barbara p.º
los años de 1832 y 1833.

Carille.

Jose A. de la Guerra.

En el Puerto de Sta Barbara a seis
dias del mes de Octubre de mil ochocientos
treinta y dos ante mi Jose Antonio de la
Guerra Alcalde de dho Puerto y los tes-
tigos de mi asistencia con quienes actúo
en la forma ordinaria segun derecho y
los instrumentales q. al al fin se denomina
inaron compareció presente Miguel Pio
Soldado invalido de esta Vicinidad á
quien voy fe conoseo Dijo q. habiendo
concertado con sus sobrinos Rafael Pio y
Simona Pio y con su hermano Javier
Pio el vender el Prim.º Rafael Pio p.º
el comun aprovechamiento el Rancho men-
brado San Jaco de Gracia (a) Semi con
la Vina y demas pertenencias intradas
y salidas usos y costumbres en los ter-
minos q. lo han poseido de su poder so-
ficial bastante cuanto legalmente se
requiera y necesario sea al expresado
su Sobrino Rafael Pio p.º q. efectuó dho
venta en los terminos q. tenga p.º conve-
nientes para lo cual le da todo su poder
y se obliga en toda forma p.º si y sus
sucesores y herederos á la eviccion, se-
guridad y Sanceramiento de el y q.º his-
cien relativo á dha venta y lo autoriza i-
gualmente para q. otorgue la escritura y

documentos q. se estimen convenientes p^o la validacion y firmaza de d^{ha}. venta, q. p^o todo y lo incidente y dependiente se da favor con libre franca y general administracion.

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Por cumplimiento de lo referido y de cuanto le obrase en virtud del presente p^o el d^{ho}. su apoderado obligo al otorgante su persona y bienes haviendo y p^o haber con sumision a los tribunales y justicias q. de la indicada venta y sus resultados. p^o sean y oren conocer p^o q. a su obrar^o la estrecha y apremio p^o todo rigor como si fuere p^o sentencia pasada en autoridad juzgada consentida y no apelada. Venencia en

Sello Segundo.

Havida provicionalm^{te}. p^o esta Com^o. Subalterna del punto de Sta Barbara p^o los años de 1832 y 1833.

Carrillo. Jose A. de la Guerra.
— forma su domicilio y vecindad y todas las leyes y privilegios a su favor con la general del Derecho en forma. Asi lo otorgo y p^o no saber escribir firmo a su ruego el Ciudad^o. Anastasio Carrillo y los de mi asist^o. presentes los instrumentales q. lo fueron los Ciudad^{os}. Valentin Cota, Raymundo Carrillo y Jose Carrillo de esta vecindad

Jose Antonio de la Guerra y Carrillo

A ruego del interesado

Valentin Cota.

Anast^o. Carrillo.

Jose Carrillo.

Raym^o. Carrillo.

De asist^o.

De asist^o.

Miguel Valencia.

Santiago Lugo.

Sello D.

Hereditado provisionalmente por esta Comiseria
Subalterna del Puerto de Sta. Barbara por los
años de 1832 y 1833.

Carrillo.

Jose Ant. de la Guerra.

103 SD
PAGE 40Compro
Cubric.

En el Puerto de Sta. Barbara a seis dias
del mes de Oct.^o de mil ochocientos treinta y
dos, ante mi Jose Antonio de la Guerra. Al-
calde de dho. Puerto, y los testigos de mi asis-
tencia con quienes actué en la forma ordina-
ria segun derecho y los instrumentos q. al
fin se anoninaron comparecieron presentes
Simon Pico, mayor de veinte y cinco años,
con Jose Antonio Leyba, su legitimo ma-
rido, á quienes doy fé conores y la primera
usanza de la venia ó licencia marital q. el
derecho previene q. de haber sido pedida
concedida y aceptada respectivamente por
ambos. Doy fé asis q. habiendo consen-
tado con su hermano Rafael Pico, de a-
cueros con sus tíos, Mig.^o y Savill Pico,
el poder por el comun aprovecham.^o el
rancho nombrado San Jose de Gracia
(a) Situ con la Vinya y otras
pertenenias, entradas, y salidas usos
y costumbres en los terminos q. lo han
posedo de su poder especial bastante
cuanto legalmente se requiere y necesario
sea el representado su hermano, Rafael
Pico, por q. se tiene dho. venta en los ter-
minos q. tenga por convenientes por lo cual
le da todo su poder, y se obliga en toda
forma por si y sus sucesores y herede-
ros á la viccion seguridad y sane-

rente de ella y cuanto hiciera relativo
a dicha venta. y lo autoriza igualmente p.^{ta}
q. otorgue la escritura y documentos q.
se estimen necesarios y renuncia las le-
yes q. se estimen convenientes, y para la
validacion y firmiga de dicha venta q. p.^{ta}
todo, y lo incidente y dependiente le da
poder con libre franca y q. adminis.^{ra}
= Ello 2.^o

Exhibido provisionalmente p. esta Com.^{ta}
Subalterna del Puerto de Sta. Bart.^a
p.^{ta} los años en 1832 y 1833.

Comillo. Jose Ant.^o de la Guerra.

= Y al cumplimiento de lo referido y
de cuanto se obrase en virtud del presente
p.^{ta} el dho. su apoderado, obliga la otorgante
su persona, y bienes auidos, y p.^{ta} ha-
ver con sumis.^{ra} a los tribunales y jus-
ticias q. de la indicada venta y sus
resultados, pueden y deben conocer
p.^{ta} q. a su obediencia la estrecha y
apremio p.^{ta} todo rigor como si fuese
p.^{ta} sentencia pasada en autoridad de
cosa juzgada consentada y no apue-
lada renuncia en forma su domi-
cilio y vecindad y todas las leyes y
privilegios a su favor con la gene-
ral del derecho en forma. Asi lo otor-
go y p.^{ta} no sabe escribir firmo a su
cargo Jose M.^a Garcia y su marido
conmigo y los de mi asistencia pre-
sentes los instrumentales q. lo fueron
los C.^{os} Valentin Cota, y Jose Comillo,
de esta vecindad.

Jose Antonio de la Guerra y Comillo.

Antonio Leyba.
Valentin Costa.
Jose Carrillo.
de asist.^o
Miguel Valencia.

A ruego de la interesada
Jose M^o Garcia.
Raym^o Carrillo.
de asist.^o
Santiago Lugo.

Yo el D^o
Habilidad provisional al^o p^o esta com.
Subalterna del Pto de Sta Barb^o p^o los
años de 1832 y 1833.
Jose Antonio Guerra.

Compadre
Guerra.

En el Puerto de Sta Barb^o a los
fios dias del mes de Octu^o de mil ochos
cientos treinta y dos. ante mi Jose Anto-
nio de la Gr^a Alcalde de dho Pto. y
los testigos de mi asistencia con quienes
actua en la forma ordinaria segun de
sueho y los instrumentales q^o al fin se
denominaran comparecio presente Javier
Pico, Solado invalido de esta Vicindad
a quien aoy fue conoseo. Dijo q^o ha
viedo consentado con sus sobrinos Ra-
fael Pico, y Simona Pico y con su
hermano Mig^o Pico, el vender el primer
Rafael Pico, p^o el comun aprovecham^o
el Rancho nombrado S^o Jose de Gracia
Caj Semi con la vna y demas parte-
nencias entradas y salidas usos y cos-
tumbres en los terminos q^o lo han poseido
p^o su p^ocau especial bastante cuanto
legalm^o se requiera y necesario sea
al expresado su sobrino Rafael Pico

p^o q. efecto dicha venta en los terminos
 q. tenga p^o consentimiento p^o lo cual le da
 todo su poder y se obliga en toda forma,
 p^o si y sus sucesores y herederos a la
 coición, seguridad y saneamiento de
 el y cuanto hiciera relativo a dicha venta
 y lo autoriza igualmente para q. otorgue la
 escritura y documento q. se estimen con-
 veni^o p^o la validación y firmaza de d^o
 venta q. para todo y lo incitante y de-
 pendiente le da poder con libre franquea y
 administrac^o. Y al cumplim^o de lo referido
 y de cuanto se obrase en virtud del presente
 p^o d^o su apoderado obligo el otorgante
 su persona y bienes habidos y p^o haber
 con jurisdiccion a los tribunales y justi-
 cias q. de la indicada venta, y sus re-
 sultados pudiesen y deban conocer p^o q.
 a su obstruccion la estreche y apre-
 miar p^o todo rigor como si fuese p^o
 sentencia pasada en autoridad de co-
 sa juzgada consentida y no apelada =

Selle D^o

Havilitado provisionalm^o p^o esta Com^o
 Subalterna del Puerto de Sta Bar^o p^o los
 años de 1832 y 1833.

Jose Ant^o Guerra,

= renuncio en forma su domicilio
 y vivienda a su favor con la q. de
 derechos en forma. Asilo otorgó y p^o no
 saber escribir firmó a su cargo el
 Sr. Anastasio Carrillo y los de mi
 asistencia presentes los instrumentales
 q. lo fueron los Sr^{es} Valentin Cota,
 Raymundo Carrillo y Jose Carrillo de

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Verisimilitud.

Jose Ant.º de la Guerra y
Carrillo

Valentin Corta.

Amigo del interesado

Jose Carrillo.

Anast.º Carrillo.

de asist.º

Raym.º Carrillo.

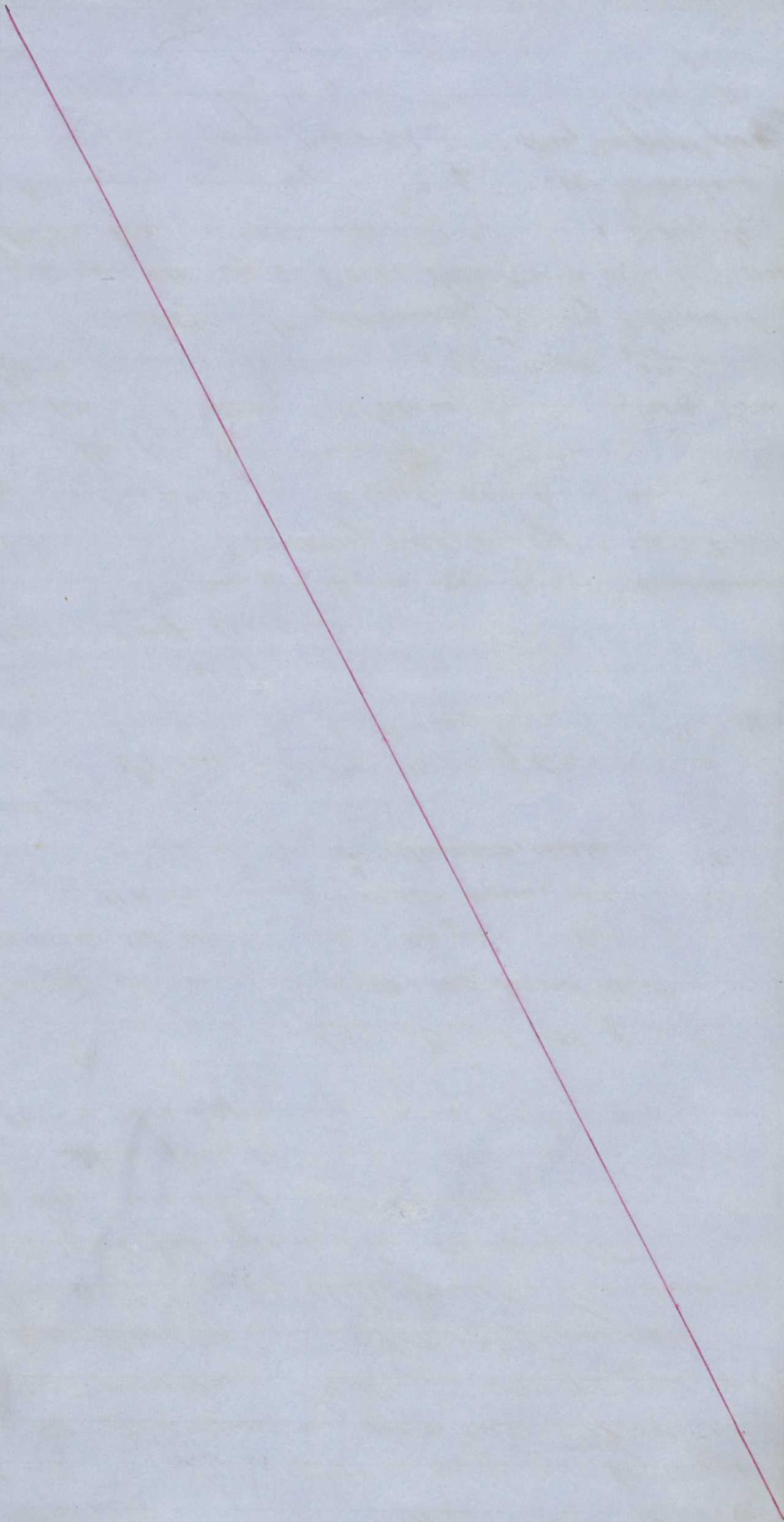
Miguel Valencia.

de asist.º

Santiago Lugo.

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Filed in Office Sept. 3^d 1859.
(Signed) Geo. Fisher.
Sug.



To His Excellency the Governor

Francis Pico, James Pico

B. and Miguel Pico, brothers, present themselves before Your Excellency with due respect and titles, powers of attorney, the submissions which the law permits, and sale, approval and representation make, that the names of the possessions,

places (bounding) and the dimensions a little more or less, of the rancho San José de Guadalupe y Simi, are the following; viz;

First that East of their dwelling house is called "Los Baños de la Sierra" distant two and a half leagues.

Second: That to the West of said house is called "El Roble Solo" at the same distance, that is two and a half leagues.

Third - South of the house is the place named "El Roblar del Saucito", distance two leagues.

Fourth, To the North of the house is the place known as "El Volcan de Azufre" and in the language of the Indians "Tajo" distance two and a half leagues.

These are the boundaries and distances which Your Excellency had the goodness to ask them to point out in order to issue to them the title for said rancho, which was granted by his Excellency the Governor Don Diego Borica (who rests in Heaven) in the year 1795.

Therefore they earnestly pray & beseech your Excellency to have the goodness to grant them the succession of said Rancho, to occupy it jointly as long as his Divine Majesty may please; and they expect from the pious heart of your Excellency that you will comply with their request, and they the least of your Excellency's subjects, will

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remain grateful for this favor. (Kissing your hands)

San José de Gracia y Simi, Feb. 26th 1821

(Signed) Patricio Pico.

(Signed) Javier Pico.

(Signed) Miguel Pico.

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Montevideo March 8th 1821

As civil and military Governor of this province, taking into consideration the disposition made by my predecessor, Colonel Don Diego Bonica, in favor of Patricio Pico, Javier Pico and Miguel Pico of the Rancho named "Simi," which for twenty six years they have possessed, I ratify the same to them, and for the security of the grantees I sign it on the date of this date.

(Signed) Sold.

B.

In the Port of Santa Barbara on the twentieth day of November one thousand eight hundred and thirty two, before me Jacinto Lorenzana, Ardemar, acting as Justice of this neighborhood, present the witnesses of my assistance with whom I act, according to law, for want of a Notary, ~~and~~ the witnesses to the instrument, who will at the end be named, personally appeared Rafael Pico, of this vicinity and Capt. Don José de la Guerra y Noriega, also established in this place, whom I certify I know, and the former presented three powers-of-attorney, executed by his uncles, Miguel Pico and Javier, and his sister Simona Pico, in proper form, as follows:

"Stamp Second"

Provisionally authorized by this sub-altern Comissariat of the Port of Santa Barbara for the years 1832 and 1833.

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(Signed) Anatasio Carillo, (signed) José A. de la Guerra,
(with rubric)

In the Port of Santa Barbara on the sixth day of the month of October one thousand eight hundred and thirty two, before me José Antonio de la Guerra, Alcalde of said Port and the assisting witnesses, with whom I act in the ordinary form, according to law, and the witnesses to the instrument who will be named at the end, appeared present Miguel Pico, an invalid soldier of this vicinity whom I certify I know, and said that having a deed with his nephew, Rafael Pico, his niece Simona Pico and with his brother James Pico, that the first named Rafael Pico should sell, for their common benefit, the rancho named San José de Gracia a Simi, with the vineyard and other appurtenances, the rights of entry and exit, the uses and customs, in the terms in which they have possessed it, he gives to his nephew aforesaid Rafael Pico special power, as much as may legally be required and found necessary to execute said sale in the terms he may judge proper, for which purpose he gives him full power and formally binds himself in his own name, and that of his successor and him to guarantee, confirm and make good said sale, and whatsoever else he may perform relating to it; and he also authorizes him to execute the writing and documents that may be deemed proper for the validity and security of said sale; and for all incidents and contingencies he gives him authority with free, full and general administration.

And for the fulfillment

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of the foregoing, and whatever else may be performed by his aforesaid Attorney-in-fact, in virtue of these presents, the maker binds his person and property, now in possession or which he may hereafter obtain, submitting himself to the tribunals and Courts that can and ought to take cognizance of the said sale and its results, that they may rigorously force and compel him to comply with it, as if it were a sentence passed in Authority of *in jure*, consented to and not appealed, he formally renounces (the rights of) his dwelling and residence, and all the laws and privileges in his favor with the legal exceptions in form. He thus authorizes and as he did not know how to write Citizen Anastasio Carrillo signed for him at his request, as did those of my assistance in the presence of the witnesses to the instrument who were Citizens Valentin Cota, Raymundo Carrillo, and Jose Carrillo of this vicinity.

(Signed) Jose Antonio de la Suenza, Camilo
at the request of the person mentioned

(Signed) Valentin Cota, (signed) Anastasio Carrillo,
" Jose Carrillo

Assisting Witnesses

(signed) Miguel Valencia,

(signed) Santiago Lugo,

Stamp 2nd.

"Provisionally authorized by this Subalterne Comissariat of the Port of Santa Barbara for the years 1832 and 1833.

(with rubric) (signed) Jose Antonio de la Suenza,

"In the Port of Santa Barbara on the sixth day of the month of October One thousand

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Eight hundred and thirty two, before me, José Antonio de la Buerca, Alcalde of said Port, and the Assisting witnesses with whom I act in the ordinary form according to law, and the witnesses to the instrument who will be named at the end, appeared present Javier Pico, an invalid Soldier of this vicinity, whom I certify I know, and said: that having agreed with his nephew Rafael Pico, his niece Simona Pico and with his brother Miguel Pico, that the first Rafael Pico, should sell for the common benefit, the rancho named San José de Gracia a Simi, with the banyara and other appurtenances, the rights of entry and exit, the uses and customs, in the terms in which they have possessed it, he gives special power and as much as may be legally required and found necessary, to his nephew Agnesaid Rafael Pico, to execute said sale, in the terms he may think proper, for which purpose he gives him full power, and formally binds himself in his own name and in that of his successors and heirs to guaranty, confirm, and make good the said sale and whatever he may do relative to it, and he also authorizes him to execute the writing and documents, which may be deemed proper for the validity and security of said sale, and for all incidents and contingencies he gives him authority with full and full administration.

"And for his compliance with the foregoing and whatever else may be performed by his said Attorney in virtue of these presents, he, the maker, binds his person and his property, in present possession or which he may hereafter obtain, submitting

to the tribunals and courts that can and ought to take cognizance of the said sale and its results, that they may force and vigorously compel him to their observance as if it were a sentence passed in authority of us judicata, consented to and not appealed, and he renounces the rights of his dwelling and residence and all the laws and privileges in his favor with the legal exceptions in form. Thus he Authorized and not knowing how to write Citizen Anastasio Carrillo signed for him at his request, together with the witnesses of my assistance, present the witnesses to the instrument who were Citizens Valentin Corta, Raymundo Carrillo and José Carrillo of this vicinity.

(Signed) José Antonio de la Guerra, Carrillo

(Signed) Valentin Corta, at the request of the person intended,

(Signed) Raymundo Carrillo, (Signed) Anastasio Carrillo,

(Signed) José Carrillo.

Assisting Witnesses

(Signed) Miguel Valencia,

(Signed) Santiago Lugo.

Stamp I na.

Provisionally authorized by the subaltern Commissariat of the Port of Santa Barbara for the years 1832 and 1833.

(Signed) José Carrillo, (Signed) José Antonio de la Guerra,

(with rubric)

In the port of Santa Barbara on the sixth of the month of October, one thousand eight hundred and thirty two, before me, José Antonio de la Guerra, Alcalde of said port and the Assisting witnesses, with whom I act in the usual form according to law, and the witnesses

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to the instrument - who will be named at the end,
appeared present Simona Pico, more than twenty
five years of age, and Jose Antonio Leyba her
lawful husband, both of this vicinity, and the
former using the right legacy pertaining to the
husband, which I certify was asked for, granted
and accepted by the parties respectively, said, that
having agreed with her brother Rafael Pico, and
with the consent of her uncles, Maguel and Jovian
Pico, that the Rancho Cacao San José de Gracia
d' Simi should be sold for the common benefit,
together with the vineyard and other appurtenan-
ces, the rights of entry and exit, the uses and
customs in the terms in which they have
possessed it, she gives special and sufficient
power, as much as may be legally required and
found necessary to her brother aforesaid Rafael
Pico, to execute said sale in the terms he may
think proper, for which purpose she gives
him full power, and formally binds herself
in her own name and in that of her suc-
cession and heirs to guaranty, confirm, and
make good said sale, and whatever he may
do relative to it, and she also authorizes him
to execute the writing and documents which
may be deemed necessary, and she renounces
the laws which may be deemed convenient for
the validity and security of said sale, and
for all accidents and contingencies, she
gives him full power with free, full and
general administration.

And for the fulfillment of all the
foregoing and whatever else may be done
by her said Attorney in virtue of those
presents, she, the Maker, binds her person and
property in present possession or which she

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may hereafter obtain, submitting to the tribunals and courts which can and ought to take cognizance of this sale and its result, that they may rigorously enforce and compel her to their observance, as if it were by sentence passed in Authority of *res judicata*, consented to and not appealed, and she renounces in form the rights of her dwelling and residence, and all the laws and privileges in her favor with the legal exceptions in form."

"He thus authorized, and not knowing how to write, José María Borrero signed for her at her request, and her husband, with me and those of my assistance in the presence of the witnesses to the instrument who were citizens Valentin Cota, Raymundo Canillo, and José Canillo of this vicinity."

(Signed) José Antonio de la Suen y Canillo,

(Signed) Valentin Cota, at the request of the person interested
(Signed) José Canillo, (Signed) José María Borrero,
(Signed) Raymundo Canillo, (Signed) Antonio Seyba,

Assisting Witnesses,

(Signed) Miguel Valencia
(Signed) Santiago Lugo,

And in virtue of the foregoing and of the power granted in them, he said: that by these persons he sells and transfers in solemn sale and perpetual alienation, forever in his own name and in that of his partners, whose letters of attorney he has presented, and in the name of his and their heirs and successors, to the aforesaid Señor Noriega or whoever may represent him, a Rancho called "San Jac de Bracia a Simi" which Santiago Pico the paternal grandfather of the vendor, gratuitously obtained, formerly, from the Government of the

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Territory, which grant was subsequently ratified
 by the same Government to his deceased father,
 Patricio Pico and his uncles aforesaid, which
 paper he claims original to the aforesaid Noriega,
 Said Rancho is to the East of this part between
 the Missions of San Buenaventura and San
 Fernando, and its boundaries are on the East
 "Los Bajos de Santa Susana," on the West "El Roble
 Solo," on the South "El Roblar del Saucito," and on
 the North "El Volcan de Azupre," and together
 with a small vineyard which contains and is
 composed of a thousand vines, and all the
 rights of entry and of exit, the uses, customs,
 and servitudes, and whatever else belongs or may
 belong by fact and right to it, he sells as
 aforesaid to Señor Noriega, free from all incum-
 brance and as such he assures it for the price
 of One thousand and nineteen dollars, which
 he has received Eight hundred and nineteen
 in coin and the rest in goods to his satisfaction,
 besides which, Señor Noriega takes the responsibil-
 ity of making satisfaction to the Mission of
 San Gabriel for eight hundred head of neat
 Cattle which the Vendor received three years ago
 to take care of for one half the increase, and
 acknowledging himself entirely satisfied, he
 renounces the laws of "non numerata pecunia,
entrega y precio" and says that, judging the
 value of the aforesaid rancho to be the above
 mentioned amounts, if it should be worth more,
 he in his own name and that of his partners
 makes of the surplus to Señor Noriega, gift and
 donation, perfect and irrevocable, "entre vivos,"
 with judicial intervention and other legal for-
 malities. He also renounces Law 1, title 11,
 Book 5 of the "re compilacion," which treats of Contracts

of sale and others in which there may be lesion in more or less than half the just value, and he considers as past, ^{as if they actually were} the four years specified in it, in which to demand restitution of the property or what was wanting of its full value, and the other laws which relate to it. And he also declares that from this time forth forever, in his own name and that of the persons empowering him, the vendor gives up possession, access and uses from the rights of possession and ownership which he and they have enjoyed, in the aforementioned ranch and its appurtenances, and with all the personal and other actions which the law requires, he conveys and transmits them, for himself and his partners in favor of the purchaser, that as lawful owner of it, and without any restriction he may enjoy, exchange, alienate and dispose of it at his will, as of his own property acquired with just titles. And he for himself and his partners, gives him the necessary power that judicially or extra-judicially he may possess himself of the aforesaid ranch and of it take the possession which legally belongs to him. And that it may not be necessary for him to take it, he gives him an authenticated copy of this writing, by which without any other act, that he has lawfully taken it, the vendor and his partners being constituted his tenants, and temporary possessors in due form. And lastly he declares and assures for himself and in the name of those empowering him, that the sale of the said ranch with the vineyard and other appurtenances, shall be certain and effective to the said Captain Don José de la

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Guerra y Noriega, and that with respect to his possession or ownership, no one shall molest him, or bring suit against him, but if the one or the other should should happen, he being required in conformity with law, will come forward in defense of it, and will continue it until he leave (the purchaser) in quiet and peaceable possession of said rancho, and in the event of not being able to accomplish it, he will restore the sums which have been given him for it, and will also pay for the improvements which he may have made and the damages which may accrue to him, to which he may be compelled by the "via ejecutiva" in virtue of this writing; It is to be observed that although the deceased Captain Don Romualdo Pacheco was permitted by Señor Victoria, at that time Commanding General of this Territory, to place a few Cattle on a part of this rancho, this was only done provisionally and with the condition that no damage should ensue, and all the rights of the Vendor and his partners being transmitted, as they are by these presents, to Señor Noriega, he will tolerate or eject said property of the deceased Pacheco, when and in the manner he may think best.

The purchaser said that he accepted this writing in and with all its (conditions) as herein mentioned, and received in sale said rancho, the ownership and possession of which he acknowledged to have been delivered to him to his satisfaction, and that he has taken the responsibility of the Cattle of the Mission of San Gabriel, and that it is his intention to permit for the present, the Cattle of the deceased Pacheco in the rancho, on account of the widows and Orphans, but that he will use

his right when he may think proper.

And for the security and fulfillment of that which both have authorized, they bind their persons and property, present & future, submitting to the magistrates who of this matter ought to take cognizance in conformity with law, that they may force them to comply with it as with a definite sentence of a competent Judge passed in authority of *res judicata*, consented to and not appealed, and they renounce the rights of their dwelling and residence, the *law sic convenit* with the legal exceptions in form. Thus they authorize and signed with me in this protocol of public instruments, the witnesses to the instrument being Citizens Valentin Corta, Raymundo Carrillo, and Jose Carrillo of this residence, besides those of my assistance with whom I act, to which I certify.

(Signed) Jacinto Lorenzana

(sgd) Valentin Corta

(Signed) Rafael Pico,

(sgd) Raymundo Carrillo.

(Signed) Irise de la Guerra y Noriega,

(sgd) Jose Carrillo.

Assisting witnesses

(Signed) Miguel Valencia.

(Signed) Santiago Lugo,

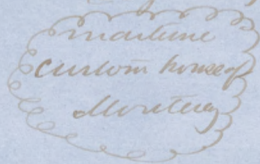
B.

Stamp First Six Dollars.

Provisionally authorized by the Maritime Custom House of Monterey for the years 1842 and 1843.

(Signed) Alvarado.

(Signed) Antonio Maudslowi.



John B. Alvarado, Constitutional Governor of the Department of California.

Whereas citizen Captain Irise de la Guerra y Noriega

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has denounced as vacant the places which compose the rancho of Simi which he obtained from its previous owners by title of purchase in the year 1832 as is shown by the writing which exists in the Record of proceedings made out at his request, I have granted him for himself, his heirs and successors the aforesaid rancho of Simi, within the boundaries shown on the map which he presented, and in virtue of the powers conferred on me, I declare to him the ownership and dominion of it in the name of the Mexican Nation, ratifying to him the possession which he has held and holds, and he may solicit the judicial possession from the magistrate who ought to give it, and it is necessary to observe that the land of which donation is made is solely that contained within the boundaries marked on the map which goes attached to the record of proceedings, an authorized copy of which is given, to which the magistrate who may give the possession will conform.

In consequence I order that these presents serving for a title, and being held as firm and valid, shall be entered in the corresponding book and they be delivered to the grantee for his security and other purposes.

Given in Monterey on the twenty fifth of April one thousand eight hundred and forty two.

(Signed) Juan B. Alvarado,

(Signed) Manuel Jimeno,

Secretary,

This patent has been deposited in the book of Entries of grants of vacant lands at folio 11.

(Signed) Jimeno,

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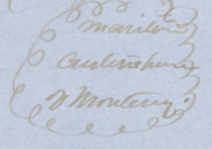
B.

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Stamp Fifth. One real.

Provisionally authorized by the Mexican Custom house
of the port of Monterey in the Department of the Californias
for the year one thousand eight hundred and forty three.

(Signed) Micheltorena, (Signed) Manuel Coutuarez,



To the Justice of the Peace of this District,

Citizen Jose de la Buena
y Noriega, a retired Captain of Cavalry, resident in
this Pueblo, before your Honor representation makes,
that desiring to obtain judicial possession of the
ranchero of Simi which he has occupied for thirteen
years, he will thank you to have the goodness to
give it in his name to his son Don Francisco,
in conformity with the title and map which
he will present to you of the said rancho and its
appurtenances.

Wherefore he requests you will be pleased
to comply with his petition and receive it on this
paper of the fifth stamp, there being none of
the fourth in this place.

Santa Barbara April 25th 1843.

(Signed) Jose de la Buena y Noriega,

Santa Barbara April 25th 1843,

In conformity with the foregoing petition, I
will, on the 28th instant, go to the rancho of Simi,
and give the judicial possession of it to Don
Francisco de la Buena, attorney in fact of the
party petitioning; let written summonses be issued
to the extrajurisdictional neighbors of said land to be
present at the possession which I will give
on the aforesaid day. Don Traquin Canilla,
regular Justice of the Peace of this District of
Santa Barbara, acting in virtue of his office
with assisting witnesses thus named, directed

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and signed.

Assisting witnesses. (Signed) Joaquin Carrillo,
(signed) José María Covarrubias,
(signed) Pacifico Ortega.

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In compliance with the preceding order,
written summons were issued by me to the
co-terminous neighbors of Simi, citizens José
Carrillo, José Ruiz, José Lorenzana, and Ygnacio
del Valle, and in testimony I sign it officially.

Assisting witnesses (Signed) Joaquin Carrillo,
(signed) José María Covarrubias,
(signed) Pacifico Ortega.

In the land of Simi on the twenty eighth day
of the month of April one thousand eight hun-
dred and forty three, about noon O'Clock in the
morning, I, Joaquin Carrillo, Justice of the Peace
of the district of Santa Barbara accompanied
by the assisting witnesses with whom I act, in
compliance with the order of the 25th of April of this
year placed Don Francisco de la Guerra, Attorney
in fact of his father Don José de la Guerra, in said
land, to give him the possession which was directed
to be given in said order. He then showed the
title of grant issued by his Excellency the Gov-
ernor of the Department on the 25th of April
of last year, and the map duly certified on
the 12th of May of the same year, both of the
aprendida land of Simi; and there being present
the co-terminous neighbors, citizens José Carrillo,
and José Ruiz, the latter said that he protested
against the possession which was being given,
claiming that the boundaries marked on the
said map are not correct on the side ad-
joining the rancho of Cayeguas, his property,

which protest was admitted by me, the magistrate, and I consequently ordered, that the possession of Simi be suspended, until the parties Don José de la Guerra y José Ruiz, agree upon the boundary. And in testimony I signed this with the assisting witnesses to which I certify.

Assisting witnesses. (signed) Joaquin Carrillo,
(signed) José María Covarrubias.
(signed) Pacifico Ortega.

Santa Barbara Nevada 15/1843.

Don José de la Guerra y Noriega having informed that by a suit of conciliation caused on by decision of His Excellency the Governor of the Department, in the Court of the Justice of the Peace of this port on the 30th of July of the present year as appears by the respective record of proceeding, he had agreed with citizen José Ruiz that the boundaries of Simi should be fixed in the place which the magistrate who gave the possession of Cayeguas designated as those of the latter. I will again summon the concerned neighbors and proceed to the rancho of Simi to put into possession of it Don José de la Guerra, and will also cause citizen Antonio Rodriguez to appear at that place, to show the spot which he designated as the boundary of Cayeguas on the part next to Simi, when as Justice of the Peace of this Port, he gave the judicial possession of the former in the year One thousand Eight hundred and thirty nine. Don Joaquin Carrillo, regular Justice of the Peace of this District of Santa Barbara Acting with the witnesses of his ordinary assistance thus ordered, directed and signed,
Assisting witnesses. (signed) Joaquin Carrillo,

Co.

(Signed) José María Covarrubias.
(Signed) Pacifico Ortega.

Santa Barbara December 7th 1843

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In compliance with the preceding order written summons were issued to citizens José Ruiz, José Canello, José Lorenzana and José Ignacio del Valle, that, as co-terminous neighbors they may be present at the judicial possession of Simi on the 18th inst., and Don Antonio Rodríguez was also summoned to appear on the same day for the purposes set forth in said order. And I note it officially, signing with those of my assistance

Assisting witnesses. (Signed) Joaquín Canillo
(Signed) José María Covarrubias.
(Signed) Pacifico Ortega.

In the Rancho of Simi on the Eighteenth day of the month of December in the year one thousand eight hundred and forty three, at nine o'clock in the morning, I, Joaquín Canillo, Justice of the Peace of the District of Santa Barbara, accompanied by the assisting witnesses with whom I act for want of a notary, in compliance with the order of November 15th inst. I established personally Don Francisco de la Guerra resident of the part of Santa Barbara, on the said Rancho of Simi, and he again exhibited the title of grant of said Rancho issued by his Excellency the Governor of the Department on the 25th of April 1842 in favor of Don José de la Guerra, and the map duly certified on the twelfth of May of the same year, also of the Rancho of Simi, and there being present the co-terminous neighbors, Citizens José

Camillo, and Baltazar Ruiz, attorney-in-fact
 of his father José Ruiz, and Don Antonio Rodri-
 guez, the aporain Don Francisco de la Buena
 attorney-in-fact of his father Don José de la
 Buena, entered upon and walked over the
 lands of Simi, pulled up grass, scattered hand-
 ful of earth, broke of branches of trees and
 performed other acts, in sign of the true, real,
 corporal and actual possession which he took
 of said land of Simi in virtue of his authority,
 which possession was given to him quietly and
 peaceably without opposition from any person,
 and I, the magistrate, said that I assisted and
 would assist him in it that he should never
 be ejected. And in continuation, having pro-
 ceeded to the designation of boundaries they
 were fixed in conformity with the map refer-
 to, and landmarks were ordered to be placed
 in the necessary points, and the boundary
 between Simi and Cayezmas was fixed accord-
 ing to the statement made by Don Antonio
 Rodriguez, on the right line from the top of
 a pile of large stones which is to the West of
 Simi, South between the mouth of the Falls
 ("El Salto") and the waters of Santa Rosa to the
 top of the hill which divides Cayezmas from
 "Las Pozas". And for the preservation and future
 testimony of this peaceful possession, the aporain
 Don Francisco de la Buena, citizens José Camillo
 and Antonio Rodriguez, signed with me and
 my assisting witnesses, Baltazar Ruiz not
 doing so because he did not know how to
 write; to which I certify.

Assisting witnesses, (signed) Francisco de la Buena,
 (29) José María Carramón, (signed) Antonio Rodriguez,
 (29) Pacifico Ortega, (signed) Joaquín Camillo.

CR

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In the Port of Santa Barbara on the twenty second day of the month of December, One thousand eight hundred and forty three I, the Magistrate of these parts caused to appear before me and those of my assistance, Don Ignacio del Valle and Jose Lorenzana, summoned as appears by the respective Order of the 7th inst, that, as in charge, the first, of the rancho of "San Francisco" and the second of a part of that of "el Conejo" (the Rabbit) they should appear to be present at the possession of the land of Simi; and having made known to them that which had been done in the matter, together with the title and map which appears in this Record of proceedings, and asked them if they were satisfied with the possession given to Don Jose de la Guerra y Noriega and if they ^{considered the} boundaries of Simi as marked on the map aforesaid to be just and correct, they said that they were satisfied with the possession given to Don Jose de la Guerra y Noriega and that the boundaries marked on the map which had been shown them were sincere and just with respect to the ranchos of "San Francisco", and "el Conejo" (the Rabbit). In testimony of which Don Ignacio del Valle signed with me and those of my assistance, the ofrendado Lorenzana not doing so because he could not write; to which I certify. His father Don Jacinto did so for him.

Assisting witnesses, (Signed) Jacinto Lorenzana,
 (sgd) Don M^o Corambis, (signed) Ignacio del Valle,
 (sgd) Pacifico Ortega, (signed) Traqueu Coruelo.

B.

Pro Seco, Governor an incursion of the Department of the Californias
 The most Excellent Departmental

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Assembly, in session of this day, has resolved as follows:

"The grant made by the departmental Government in favor of Captain Don José de la Guerra y Noriega, of the place known by the name of Simi, by title issued on the 25th of April 1842, and in entire conformity with the laws on the subject is approved.

And for the security of the party, Don José de la Guerra y Noriega I thus make it known.

Given on Common paper for want of that of the corresponding stamp, in the City of Los Angeles on the 26th of September 1845.

(Signed) José Pico.

(Signed) José María Covarrubias.

Secretary.

E. & C.

R. P.

Filed in Office February 12th 1852.

(Signed) Gen. Fisher,

Secretary.

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José de la Buena y Noriega

vs

The United States

For the place called "Simi" in Santa Barbara County.

Opinion of the Board delivered by Commissioner Alpheus Felch.

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PAGE 65

The petitioner has given in evidence an original document, duly authenticated, containing a petition for a grant of the land in question signed by Patricio, Javier and Miguel Pico, with a concession thereunder written signed by Governor Solá. In these documents it is recited that a previous concession of the premises had been made to them by Governor Brice in 1795, and in consideration of this and of the possession of the premises by them for twenty six years, the decree of the Governor ratifies the same to them. This decree bears date March 8th 1821.

The Claimant has also given in evidence, duly proved, the original conveyance of said estate made before proper Authority, by Rafael Pico conveying the interest of his uncles Miguel Pico and Javier Pico, and his sister Simona Pico to José de la Buena y Noriega, the present claimant. This sale was made under powers of Attorney from the persons last named and is shown by the documents to have been a family arrangement, by which the two surviving grantees and the two children, Rafael and Simona, of the deceased grantee joined in the sale of the property. The several letters of Attorney authorizing Rafael to execute the conveyance were taken before an Alcalde, and recited at full length in the conveyance to Noriega. The testimony shows that the premises were occupied by Santiago Pico from a period anterior to 1807 until

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his death and after that by his sons, the persons who obtained the ratification of the title from Governor Solá, and that they were succeeded in the possession by the present claimant who still retains it. These several persons cultivated portions of the land, had stock upon it and lived on the premises. The conveyance of the property to Noriega by Rafael Pico bears date November 20th 1832.

Subsequently to obtaining the conveyance of the equitable interest of the former proprietors Noriega applied for a new grant under the Mexican Authorities, which was issued to him by Governor Alvarado on the 25th day of April 1842, and approved by the Departmental Assembly on the 26th day of September 1845. Judicial possession of the premises was given to him under this grant December 18th 1843. The original grant, Certificate of Approval, and testimonial of the act of Judicial possession are given in evidence.

The only question presenting a doubt as to the propriety of entering a decree of confirmation in this case is that relative to the boundaries. The quantity of the land is not stated, and the grant is intended to be one by specified bounds. The original concession by the old Authorities under Spanish Domination give a description by naming four objects, one in ^{the} line of each side of the premises, the distance of each of which from the house on the premises is stated. The four sides of the land granted it would seem were to be defined by drawing lines to the Cardinal points, through the respective objects specified for each. A map accompanied the grant

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made by Alvarado which is a corrupted copy of the one belonging to the expediente, and is made a part of the testimonial of judicial possession. The land is described in the grant to be solely that contained within the boundaries marked on the map which goes attached to the expediente, an authorized copy of which is given, to which the magistrate who may give the possession will conform." This map is made evidently to represent the land according to the old concession, and although the objects called for in the former description are not all named upon it, there is still enough to give material aid in locating the land. The judicial possession was given under Alvarado's grant with this map in the hands of the officiating officer. A dispute arose in giving the possession as to the line constituting the western boundary and this line as settled is fully described in the record of the act of possession. The other lines of the premises were permitted to remain as under the old concession. The record however shows who were the owners of the adjoining lands and thus enables us by reference to their lines then established to avoid encroachment on the premises of others. With these several aids presented by the record I think the land may be regarded as defined with sufficient certainty to segregate it, and submit the party to a confirmation. Proof of the position of the surrounding ranchos, the places called for in the documents and especially those specified in the map, together with a statement of their relative locations and the distances between them, would have added very materially

in a correct understanding of the case. Their absence has thrown a doubt over the case which appears otherwise to be clearly mentioned. On a careful examination of the whole case, however, we are of opinion that the location can be made and a decree of confirmation will be entered describing the premises according to the best means which the documents and the proofs put in our power.

Decree.

Inse de la Guerra
y Muega
vs
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 hereby decreed that the same be confirmed.

The land of which confirmation is hereby made is known by the name of Simi, situated in the Corregimiento of Santa Barbara, and is now in the occupation of said Muega; and is bounded and described as follows to wit; Bounded on the North by a line drawn east and west through the place known as "El Vulcan de Anzures", and in the language of the Indians "Tapi"; on the South by a line drawn parallel to said North line through the place named "El Pollar del Suncito", on the East by a line drawn North and South through the place called Los Bojos de la Sierra de Santa Luciana; and on the West by

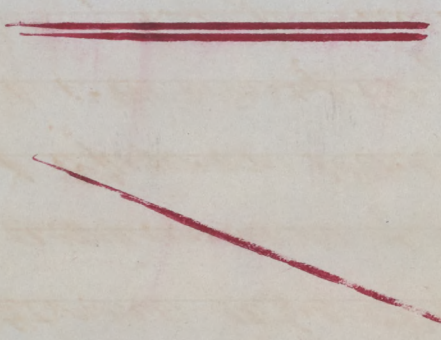
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a right line from the top of a pile of large stones which is to the west of said north between the mouth of the Falls (El Salto) and the waters of Santa Rosa to the top of the hill which divides Celayguas from San Pozos, the said line being the Eastern boundary boundary line of said Celayguas as fixed by the juridical measurement thereof heretofore made excepting and reserving however from the above described premises and this confirmation any and all lands constituting a part of the ranchos claimed and possessed in December 1843 by José Canillo, José Lorenzana, and Ignacio de Valle, or either of them which lie within the boundaries above described, if any are found to be embraced therein, and where such encroachment takes place (and not otherwise) the limits of said Ranchos shall constitute the limits and boundaries of the premises hereby confirmed instead of the lines and limits first above specified.

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(Signed) Alpheus Felch,
 (Signed) Thompson Campbell,
 (Signed) P. Aug. Thompson,
 Commissioners

Filed in Office March 14th 1854,
 (Signed) Geo. Fisher
 Secretary.



And in appearing to the Gates faction of this
Board that the Land hereby adjudicated is situ-
-ated in the Southern District of California it is
- hereby ordered that two Transcripts of the Proceed-
- ings and of the Decision in this case and of the
papers and evidence upon which the same
are founded be made out and duly certified
by the Clerks one of which Transcripts shall be
filed with the Clerk of the United States District
Court for the Southern District of California
and the other be transmitted to the Attorney
General of the United States

Office of the Board of Commissioners,

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

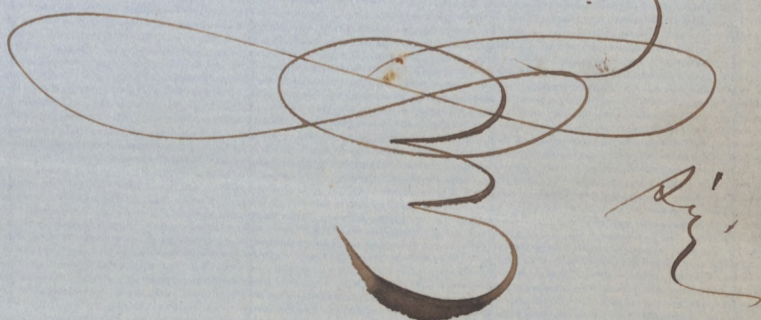
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I, *George Fisher*, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *sixty eight* pages, numbered from 1 to *68*, both inclusive, to contain a true, correct and full Transcript 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. *38* on the Docket of the said Board, wherein *José de la Guerra y Noriega* is —

the Claimant against the United States, for the place known by the name of *San José de Graciu, alias Simi*.

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* day of *October* A. D. 1854 and of the Independence of the United States of America the seventy=*ninth*.

Geo. Fisher



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

No. 103. *Docket*

THE UNITED STATES,

^{vs.} 103

José de la Guerra y Norrey
"San José de Gracia, alias Simi."

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,
In Case No. 38.

Filed, *November 8th*, 1854,

C. E. Farr
Clerk.

12-2-54 103

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In the District Court of the United States
in and for the Southern District of
California

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José de la Cruz Doriga } Case 103
Appellee }
vs } "Simi or San José de
The United States } "Gracia"
Appellants } Transcript 38.

On motion of P. Ord, District Attorney of the United States for said Southern District of California; J. Lancaster Brent, Attorney of Appellee, being present in open court and consenting thereto, and on suggestion to the Court that it is not the intention of the United States to prosecute further the appeal heretofore taken in said cause on the 8th day of November 1854, and in which a copy of the decision of the United States Board of Land Commissioners, and in which a notice of the intention of the United States to prosecute said appeal, was filed with the Clerk of this Court on the 27th day of February 1855.

It is ordered by the Court, that
the said Appeal be dismissed
P. Ord
Dist. Atty. }

Case 103

In the U.S. Dist Court
South. Dist. Califor^a.

José de la G. Noriega
Appellee

vs
The United States
Appellants.

Order dismissing Appeal.

Filed Dec 20th 1854

Wm
Chas

J. W. McFarland

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1854

Office of the Attorney General of the United States,

Washington, 17th January 1855.

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José de la Guerra y Noriega }
vs. } 38.
The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of October 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No 103.

U.S. District Court
Southern District

The United States
vs -
José de la Guerra
y Noriega

Notice of Appeal from Atty. Gen.

Filed Feb 27th 1855.

J. E. Farr,
Clerk.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

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PAGE *Recd. of #74*

José de la Guerra y Noriega {
vs. { 38.
The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of October 1854, the appeal in the district court of the United States for the district of California will be prosecuted by the United States.

Cushing

Attorney General.

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José de la Guerra y Noriega, app^{ee}
vs.

The United States app^t

Docket No. 103.

Transcript No. 38.

TO THE HON. ISAAC S. K. OGIER, JUDGE :

The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 12th day of February A. D. 1852, José de la Guerra y Noriega,

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called Simi, ~~San José de Guadalupe~~ ~~Situale~~ in the County of Santa Barbara State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 14th day of March A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 8th day of November A. D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 38; reference to which it is prayed may be had and made part of this petition. That on or about the 30th day of October A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit:
on ^{or about} the 23rd day of September A. D. 1854, the said
Attorney-General of the United States filed, or caused to be filed, in
behalf of the United States, a notice with the Clerk of said District
Court of the United States, that the appeal in said cause from the said
decision of the said Commissioners, in the District Court of the United
States for the Southern District of California, would be prosecuted by the
United States. Your petitioner further represents, that the land claimed,
as aforesaid, is situate in the Southern District of California, and within
the jurisdiction of this Honorable Court. Your petitioner further represents
and insists, that the said claim is invalid; and the said decision of said
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for
many errors and imperfections of law and evidence, apparent in said certified
transcript of the proceedings and decisions of said Commissioners in said
cause, filed and appealed from as aforesaid. And your petitioner denies all
and singular, each and every allegation in the said petition of said claimant,
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimant has any valid right or title to said land claimed
as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said pe-
tition to said Commissioners, or in support of the said claim, no decision con-
firming the same should have been made by said Commissioners; but the

said claim should have been rejected by them. And the said claimant, having no valid right or title derived from the Spanish or Mexican Governments, to the land claimed as aforesaid, the lawful right and title in and to the said land was acquired by, and it now belongs to the United States, by virtue of conquest, and the Treaty of peace, friendship, limits and settlement, between the United States and the Republic of Mexico, made at the City of Guadalupe Hidalgo, February 2d, A. D. 1848.

Wherefore, the said Pacificus Ord, Attorney of the United States for the Southern District of California, for and in behalf of the United States, by reason of the premises, and in pursuance of the Act of Congress, entitled "An Act to ascertain and settle the Private Land Claims in the State of California," approved March 3d, A. D. 1851, and the laws and statutes in such case made and provided, prays that the said claimant, or his attorney may be served with a copy of this petition; and that this Honorable Court will review the said decision of said Commissioners, and reverse the same; and decide on the validity of the same, and decree the alleged title to be invalid: with costs and general relief.

P. Ord

Attorney of the United States for
the Southern District of California.

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No 103.

U S Dist Court,
South. Dist. of Cal.

José de la Guerra &
Bonija. Appell
ads.

The United States,
appell.

Petition for Review.

Filed Nov. 8th 1835.

C. E. San
J. K.

103 SD

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P. M. Realty.

United States of America, }
Southern District of California. } SS.

TO

The President of the United States,

Jos de la Guerra y Noriega

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GREETING :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against you, ~~and each of you~~, in the District Court of the United States, in and for the Southern District of California, on the *8th* day of *November* in the year of our Lord one thousand eight hundred and fifty-five at the City and County of Los Angeles, in said District, by

J. Ord U. S. Atty. for the Southern District of California in behalf of the United States praying said Court to review the decision of the U. S. Land Commissioners of the 14th day of March A. D. 1854, confirming your claim to the land called "Simi" situate in the County of Santa Barbara and State of California, and appealed by the Attorney General of the United States.

and that you, ~~and each of you~~, are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said petition, or that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs. *The plaintiff will apply to the*

Court for the relief demanded therein

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this *tenth* day of *November* in the year of our Lord one thousand eight hundred and fifty-five at Los Angeles aforesaid.

C. E. Carr.

Clerk.



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Marshall's Cost

Copying Summons - 60

Serving do 3. -

Petition 3. -

Mileage 124 Miles

and for Summons

and Petition 21. 60

\$ 28. 20

United States of America,
Southern District of California,
U. S. DISTRICT COURT.

Jose de la Guerra y Noriega, appellee,

vs. } 103

The United States, appellee.

SUMMONS.

Now Nover 13th 1855

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I served this summons along with the proper copy of the petition upon Jose de la Guerra y Noriega by delivering to him personally a true Copy of the Original Summons at Santa Barbara County of Santa Barbara in the Southern District of California on the 1st day of December A. D. 1855

Sworn to and subscribed before me, this 7th day of December 1855 C. C. Canby Clerk

By J. M. Drummer Depty.

Edward Hunter U.S. Marshal

By M. L. Goodman Deputy

In the District Court of the United States
for the Southern District of California

José de la G. y Noriega } Case N^o 103.

Appellee

vs

The United States

Appellants

Manuscript 38.

"Sini etc."

103 SD

PAGE 81-A

And now comes the above named
Appellee, by Lancaster Brent, his At-
torney, and for answer to the Petition
for Review filed in this case by the Ap-
pellants, says

That his title to the lands claimed
in this case is good and valid -

Wherefore he prays the Judgment
of this Honorable Court that the deci-
sion of the United States Board of Land
Commissioners may be affirmed, and
his title to said lands may be decreed
to be valid, and for his costs herein ex-
pended, and for such other or further
and general relief as to Equity and
good conscience belong and the na-
ture of his case shall require

Lancaster Brent
Attorney for Appellee

I have served this Answer on P. O. U. S. Atty by
delivering to him personally a true Copy of the same
at Los Angeles Dec 24th 1855.

Edward Hunter

W. S. Marshal

Per M. L. Goodman
Deputy

Cause No 103.
U. S. Dist. Court, Southern
Dist. of California

José de la S. y Soriega
Appellee

vs
The United States
Appellant

Answer

Filed Dec 12th 1855
J. E. San
Atk.

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J. L. Brent.

Marshals Court

Serving Answer of J. S. 10

California Land Claims.

Attorney General's Office

29 September 1856,

103 SD

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Sir,

On the case of the claim of José de la Guerra y Noriega, confirmed to the claimant by the Commissioners, case no. thirty-eight (38), appeal, will not be prosecuted by the United States.

I am

Respectfully
Ours

Pacificus Ord Esq.

U. S. Attorney

San Angeles.

V

103

Jose de la Gama y Noriega

38

(Not signed Dist Court)

Deimised Dec. 20. 56

Filed this 20 Dec. 1856
Attest
J. H. Coleman
Clerk

103 SD

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Re J Nov 4 1836

In the District Court of the United States
for the Southern District of California

José de la Guerra y Noriega } Case No 103
Appellee. }

vs.

The United States }
Appellants }

Transcript 38.

"Jimi" or "San Jo-
se de Gracia".

On this case, it being suggested to the Court, by J. Lancaster Brent, Attorney for the Appellee, that the Transcript of the Record of the United States Board of Land Commissioners is imperfect, in this, that the certified copy of a Map, or its certificate, referred to in the second deposition of Ignacio del Valle, at pages 9 & 10, does not appear in said Transcript; It is by the Court,

Ordered, - The United States District Attorney being notified and consenting thereto, that the original Transcript be returned by the Clerk of this Court to the Office of the Secretary of said Board, in order that the same may be amended, and a perfect copy of the original documents may be presented to this Court.

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Case No. 103.
U.S. Dist. Court, Southern
Dist. of California.

José de la C. y Noriega
Appellee -

vs

The United States
Appellants.

Order to return Transcript.

Filed Dec 17th 1837

W. J. [Signature]

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Office of the Surveyor General of the United States, }
FOR CALIFORNIA. }

103 SD

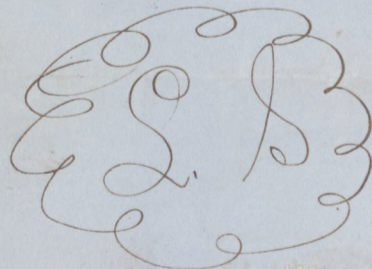
PAGE 87

E. F. Beale

I, ~~J. W. MANDEVILLE~~, United States Surveyor General, for the State
of California, do hereby certify that the Rancho "Simi"

confirmed to J. de la Guerra y Noriega
has been surveyed by this office, and that the survey and plat was approved by
the U. S. Surveyor General, on the 19th day of March
1861; that I have caused to be published, once a week, for four weeks suc-
cessively, in two newspapers, to wit: the Visalia Delta
published in the County of Tulare
being the newspaper published nearest to where the said Rancho is located, the
first publication being on the first day of January 1863,
and the last, on the twenty-ninth day of January 1863; also, in the
Southern News
a newspaper published in the City and County of Los
Angeles

the first publication being on the 19th day of September 1862,
and the last on the 17th day of October 1862, a notice
that the said land had been surveyed, and a plat made thereof, and the survey
and plat approved by me. And I do further certify, that the said survey
and plat were retained in my office during all of said four weeks, and until the
expiration thereof, subject to inspection; and I further certify, that no order
for the return thereof to the U. S. District Court, has been served upon me.



In Testimony Whereof, I have hereunto signed my name
officially, and caused my Seal of office to be affixed, at the City
of San Francisco, this second day of
February 1863

E. F. Beale -

U. S. Surveyor General for California.

U. S. San. Genl's Office
San Francisco Aug 26/63

A true full and correct copy -

L. L. Lippson
U. S. San Genl



W.



Filed Aug³¹, 1864
John White
Clk



Office of the Surveyor General of the United States, }
FOR CALIFORNIA.

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E. J. Beale

I, J. W. MANDEVILLE, United States Surveyor General, for the State of California, do hereby certify that the Rancho "*Amis*"

confirmed to *J. de la Guerra y Torija*, has been surveyed by this office, and that the survey and plat was approved by the U. S. Surveyor General, on the *19th* day of *March*, 1861; that I have caused to be published, once a week, for four weeks successively, in two newspapers, to wit: the *Visalia Delta*, published in the County of *Tulare, State of California*, being the newspaper published nearest to where the said Rancho is located, the first publication being on the *1st* day of *January*, 1863, and the last, on the *29th* day of *January*, 1863; also, in the *Southern News*, a newspaper published in the *City and County of Los Angeles*, the first publication being on the *19th* day of *September*, 1862, and the last on the *17th* day of *October*, 1862, a notice that the said land had been surveyed, and a plat made thereof, and the survey and plat approved by me. And I do further certify, that the said survey and plat were retained in my office during all of said four weeks, and until the expiration thereof, subject to inspection; and I further certify, that no order for the return thereof to the U. S. District Court, has been served upon me.

In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of office to be affixed, at the City of San Francisco, this *second* day of *February*, 1863

E. J. Beale

U. S. Surveyor General for California.



Office of the Surveyor General, }
Of the United States, for California. }

L. Upson,
I, **E. F. BEALE**, Surveyor General of the United States for the State of California, and as such, having in my office, and in my charge and custody, the papers of the late Board of Commissioners to ascertain and settle the private land claims in California; by virtue of the power vested in me by law, Do hereby Certify, that the next preceding, and hereunto annexed page, numbered from one to _____ inclusive, exhibits a true, full, and correct copy, of the original certificate, as the same appears of record in this office.



In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of office to be affixed, at the City of San Francisco, this 18th day of January 1865,

L. Upson

U. S. Surveyor General, for California.

No 103

J. De La Guayabana

vs

The United States

filed Jan'y 20th 1865

John D. Wheeler Clk

for

Robert Haught Sep

Simi



103 SD

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