

CASE No.

15

SOUTHERN DISTRICT

LOMPOC GRANT

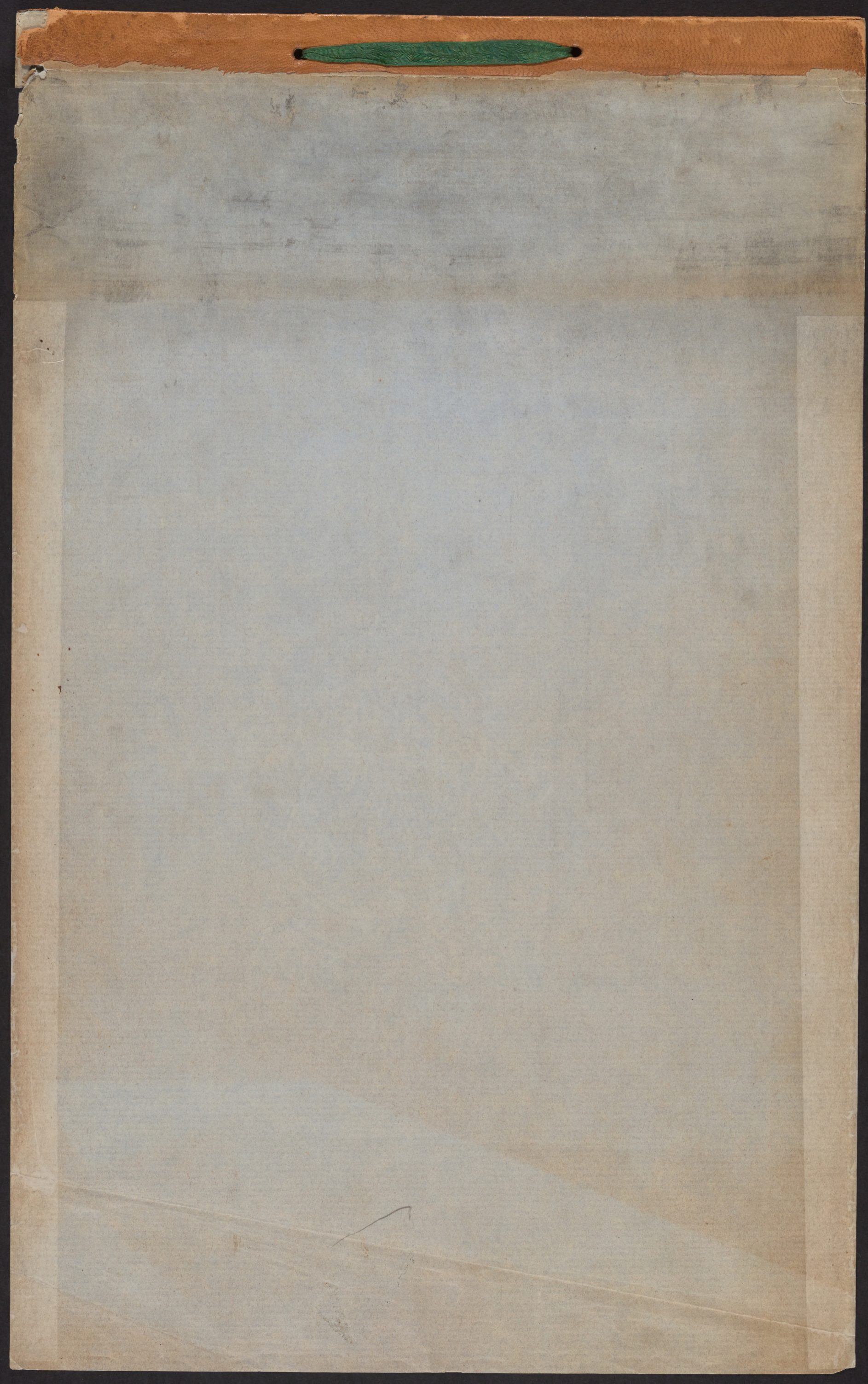
JOAQUIN AND JOSE ANTONIO CARRILLO

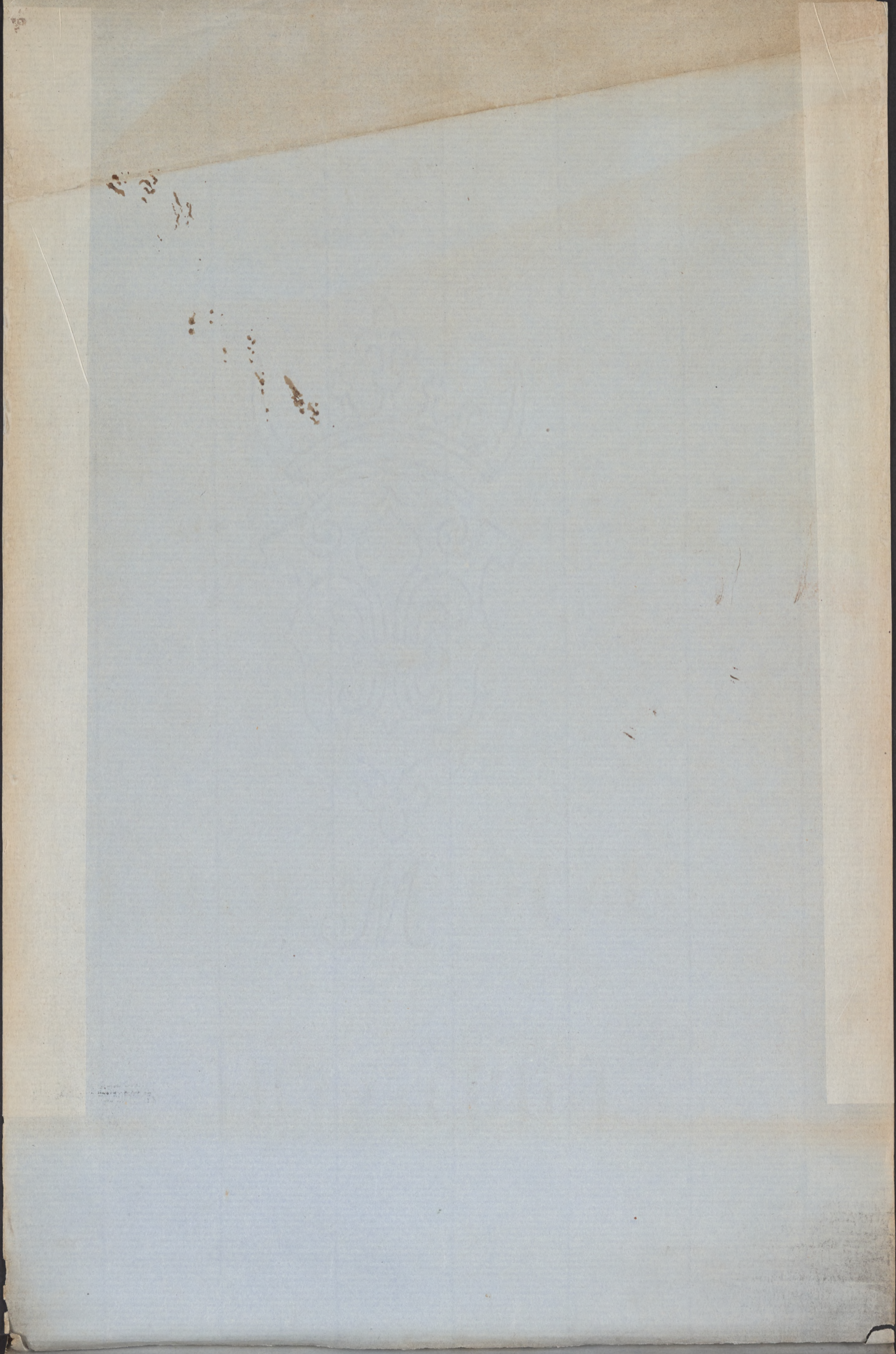
CLAIMANT

LAND CASE 15 SD PAGES 57

FEB 11 1963

Government
FLOWER BOND
50% COTTON BLEND
U.S.A.





TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 153

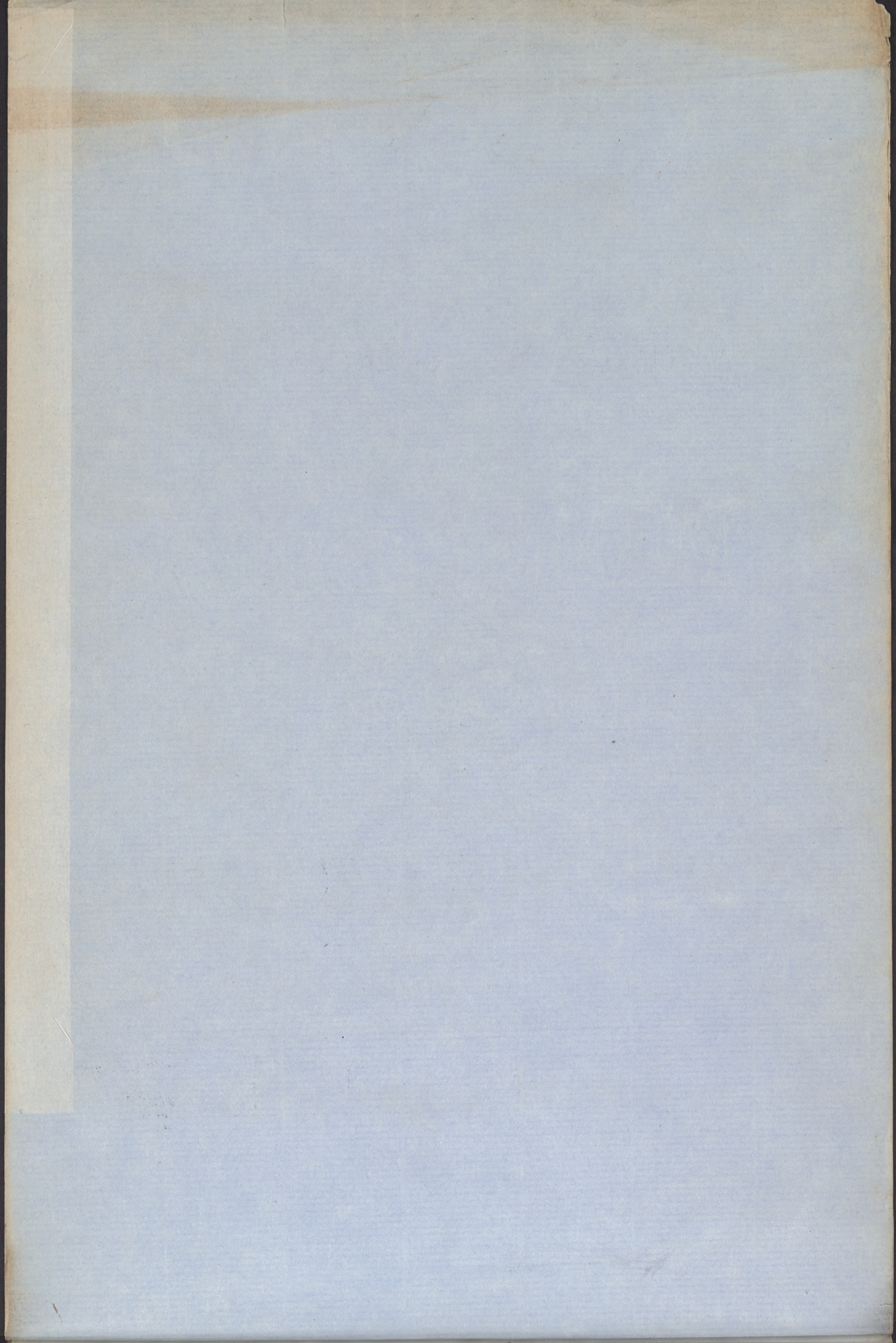
Joaquin and José Antonio Carrillo CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Sonora



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 second 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 Joaquin Carrillo & Jose Antonio Carrillo for the Place named "Lompoc,

was presented, and ordered to be filed and docketed with No. 15 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

Las Angeles Sept^r 4th 1852

In case No 15 Joaquin & Jose Antonio Carrillo for the place called "Lompoc", the deposition of Pablo de la Guerra a witness in behalf of the claimants taken before Commissioner Melana Keall was filed and is in the words and figures as follows to wit

(Vide page 4 of this Transcript)

Las Angeles October 11th 1852

In case No 15 the counsel for the claimants moved to place the same on the Trial docket Motion taken under advisement

2
San Francisco Feby 28th 1853

On Motion of the United States Associate Law Agent
it was Ordered that the following case be placed
on the Trial Docket to wit No 15, Joaquin
Leaville Et al "Lompoc",

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San Francisco Mar 8th 1853

In Case No 15, Joaquin Leaville & Jose' Anto-
nio Leaville for the place named "Lompoc",
the counsel for the claimants filed the following
Stipulation to wit

(Vide page 6 of this Transcript)

San Francisco March 26th 1853

Case No 15, Joaquin & Jose' A Leaville for the
place named "Lompoc", Calia, the counsel for
the claimants Mr Wallack read the Petition
and Papers in Evidence. The U.S. Associate Law
Agent read and filed his Verdict: Submitted
and taken under advisement by the Board

San Francisco April 11th 1853

In Case No 15, Joaquin and Jose' Leaville for
the place named "Lompoc", Commissioner Henry
J Thornton delivered the Opinion and the decree of
final confirmation of the Board

Ordered that the said Opinion and Decree of final
confirmation be Recorded on the Record of this Board
Which Opinion and decree are as follows
to wit

(Vide page 20 of this Transcript)

To the Honorable Commissioners to settle Treaties
James Gains in California.

The petitioners Joaquin, Carlos, and Jose
Antonio Carrillo respectfully show.

Petition

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That on the fifteenth day of April AD one
thousand Eight Hundred and thirty seven Juan B. Alvarado
Governor of California by virtue of the Authority of his office
granted to the petitioners, the tract of land known by the name
of "Lempoe" situate in the then Jurisdiction of Santa Barbara
and in the now County of Santa Barbara Comprised within the
boundaries designated in the map accompanying this pe-
tition -

That on the nineteenth day of April AD one
thousand Eight hundred and thirty seven the Deputation
of California approved the said grant in due form of law.

That on the seventh day of October AD
one thousand Eight hundred and thirty seven the petitioners
applied to the proper authority for the Judicial possession
of the said tract of land, and that on the second day of Novem-
ber of the same year the aforesaid tract of land, was duly
surveyed and the boundaries properly designated, and
marked out and the Judicial possession of it given to the
petitioners, in due form of law, that before that time they were
and ever since have been and now are in actual possession
and occupation of the aforesaid tract of land, Copies of the
said grant, approval, map, and act of Judicial possession
being hereto annexed marked A, with translations marked
B. That the petitioners have been and performed
all the requirements of the said grant necessary to make
the grant aforesaid, full perfect and absolute.

That they know of no conflicting claim,
That the land has not been surveyed by the Surveyor
General of the United States, but the same was surveyed
at the time of giving the Judicial possession, and that
the boundaries are definite and well known.

The petitioners rely for Confirmation of
title upon the original papers, copies of which are hereto
annexed upon the Acemments and Minutes Concerning
the same, in the Archives in the possession of the Surveyor
General, and such other proofs, as they are advised are

Companes

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necessary. Wherefore they the Commissioners to decide upon the validity of said grant to the petitioners and to confirm the same.

By their Attorneys
Walters, Peachy & Billings

Filed in Office Feb 2nd 1852.

(Signed)
Geo Fisher Secy.

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Deposition
of
Guerra.

Office of the Board of Land
Commissioners for California
Los Angeles Sept 11th 1852.

On this day before the said Board one of the Commissioners for ascertaining and settling private land claims in California, came Pablo de la Guerra, a Witness produced in behalf of the Claimants Jaquim Jose Antonio Carrillo & Co. on the Commissioners Record, and after being duly sworn testified as follows his Confined. Conjugium in the Spanish Language and interpreted by Geo Fisher Secretary.

The U. S. Law Agent, was duly notified and attended.

In answer to questions by the Counsel for the Claimant the Witness testified as follows.

My name is Pablo de la Guerra, my age thirty two years, my residence is at Santa Barbara and I am a native of California.

I am acquainted with the hand writing & Signatures of Juan B Alvarado, Victor Pruden Manuel Jimeno Antonio Rodriguez Jaquin Carrillo & Luis Carrillo.

I have examined the Signatures of these several persons appearing upon a paper now shown me purporting to be the title & Judicial possession to the Claimants to the Rancho Limpoe & I have no

about they are their genuine signatures. Said paper is hereto attached & marked No 1.

I was at the Rancho of the Claimants in 1838, There was a small house, then for servants & they had Cattle & horses there. They resided on another place adjoining called La Pansino. They have continued their occupation ever since.

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In Answer to questions by the Law Agent the Witness says he thinks it was in the latter part of the year 1835, that he was at the place. I know nothing of the Cutover of the land.

Pablo de la Guerra.

Sworn & Subscribed

Before me

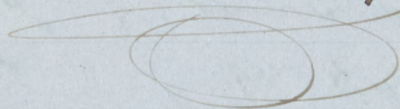
Niland Hall.

Comr.

Filed in Office Sept 4th 1852.

(Signed)

Geo Fisher Secy



N^o 13

Before the Board of U. S. Land Commission

In the claims of Joaquin Carrillo and Jose Antonio Carrillo To San Pedro

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It is agreed between the Counsel for the Claimant in this case and the Law Agent of the United States that all the Laws and Decrees, ordinances and regulations whether of Spain or Mexico and especially the colonization law of Mexico passed on the 18th August 1824 and the regulations made by the Supreme Executive Power of Mexico on the 21. November 1828 shall be considered as having been offered in evidence in this case and duly proven

Walter P. Peachy & Billings
Counsel for Claimant

J. Breckinridge
Att. Law Agent

Filed in Office March 8th 1833

George Fisher
Secy

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El ciudadano Juan Bautista Morando, Gobernador Del Estado, Coronel á la Militia civil y Presidente De la Exma. Diputacion Del mismo.

Por quanto los ciudadanos Joaquin y José Antonio Carrillo, han pretendido para su beneficio personal y el de sus familias el terreno conuido con el nombre De Sompoe dentro de los linderos Del Dicho que acompañaron á su solicitud; practicadas previamente estas Diligencias concernientes segun lo Dispuesto por las leyes y reglamentos De la materia, usando de las facultades que me son conferidas á nombre de la Nacion Mexicana he venido en concederles el terreno mencionado declarando les la propiedad De él por las presentes letras; en cumplimiento de la mencionada Disposicion con entera conformidad á las leyes á reserva De la aprobacion ó Desaprobacion De la Exma. Diputacion y bajo las condiciones siguientes.

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1^a X

1^o Los agraciados ni sus herederos podrán dividir ni enagenar el que se les adjudicó. Imponerle censo, vinculo, fianza, hipoteca, ni otro gravamen aunque sea por causa piedadosa, ni parcelarlo á manos muertas.

2^o Podrán cercarlo sin perjudicar las traversias, caminos y servidumbres: lo Disfrazarán libre y esclusivamente destinandolo al uso ó cultivo que mejor les convenga.

2. X

3^o Cuando se les cupiera la propiedad Solicitaran Del Juy respectivo les De la posesion jurisdiccion en virtud de este Despacho, por el cual se Demarcaran los linderos y pondran sus mojoneras.

4^o El terreno De que se hace Donacion es puramente el que se expresa en la solicitud de los interesados y se Demarca en el Dicho que lo va agregado al Expediente; y el Juy que las poseerue, pasará aviso á este Gobierno del numero De sitios que comprende.

In consecuencia mando que se vincule les De titulo el presente y teniendose por firmé y valedero, se tome razon en el libro que correspondo

8

3

y se entregue a los interesados para su resguardo y demas fines convenientes.

Dado en la H. Abisyon de Sta Barbara a 15 de abril de 1837.

Juan B. Alvarado.

Victor Prudon Jefe Int^o

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Santa Barbara Abril. 19. de 1837.

En sesion de hoy aprobo la Sr^{ma} Diputacion la proposicion Del Dictamen de la comision de teneos, validos que a la letra es como sigue.

Se concede a los Ciudadanos Joaquin y Jose Antonio Carrillo el paraje nombrado Compupe por tener los requisitos necesarios conforme a la ley de 18 de agosto de 1824 y el articulo 5^o del reglamento de 21 de noviembre de 1828. Jose Antonio De la Guerra y Carrillo. =

Juan Bautista Alvarado = Antonio Buelna
Alvarado Victor Prudon.
Presidente Jefe Int^o

Las partes interesadas han protestado respower el papel con un pleigo del sello que corresponde que taryado se agregara a este titulo o Despacho.
Victor Prudon.

Handwritten signature or note, possibly "Juan B. Alvarado"

Manuel Jimeno Casaris primer vocal de la Junta
Junta Del Departamento De las Californias en ejercicio
Del Gab.^o Del mismo.

{ sea } certifico que la copia Del Decreto que aparece
{ a la vuelta es igual al q. corre agregado
en el Expediente que existe en la Secretaria del Gobierno
pertenciente a D. Juagⁿ Carrillo sobre el parage nom-
brado Lompoe.

Monteney. Agosto. 1^o de 1839.
Manuel Jimeno.

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Don Juez de Par Int^o

X
Sta Barbara. 26 de octubre Los ciudadanos Joaquin y José
de 1839. Ant^o Carrillo, arrendados en esta

Insta de la Jefe Municipal al auto V. como mejor
q^o hacen las interesados halla lugar en Dto. y al Juyo como
en esta instancia con lo que se presentan y dicen q. habi-
q^o comparecen el dia - en lo Solicitado Del Gobierno Del
2 de Noviembre p^a con Departamento la adquisicion Del
ceder la posesion q^o tenemos y expresa el Decreto adjunto
Solicitado Del parage se les concedio p^a Dto. Gobierno con
concediolo. -

Antonio Rodriguez, Juez p^a la Suma. Diputacion en 19 Del
de paz de esta Muni mismo mes y año como lo acredita
- igualdad asimismo el titulo que debi^o acompanya.

X
Decreto y firmo. en tal virtud y en la de su
Antonio Rodriguez. requisito de ley q^o para mayor
Seguridad de los interesados en
asunto de esta naturaleza Solicitan
Del Juez respectivo la posesion jur-
- ical, la impetran a la presente
las q. suscriben de la autoridad
q. V. representa.

Por tanto a. Suplican se suran tener
la bondad de pasar a Darles la referida posesion
Del mencionado parage en lo que recibieron gracia
y merced, serienolose admitir este en papel comun
p^a no haberlo Del sello q. corresponde, Jurando
no ser de malicia y lo necesario. Se. Sta Barbara a octubre
y de 1839. José Antonio - Juagⁿ Carrillo - Carrillo.

6.

7.

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In el Precedio de Sto Barbaru, à las veinte y ocho
 Dias Del mes De octubre De mil ochocientos treinta
 y nueve, anuente a lo solicitado De los ciudadanos
 Joaquin y José Antonio Carrillo a fin de que se les de
 la correspondiente posesion Del sitio llamado Lompoe
 concedido por el Gobierno De este Departamento y habi-
 -endo la falta de un Aguatamiento Agrimensor que
 para efecto De las medidas correspondientes debia comp-
 -arecer para que media el enunciado terreno lo hizo yo
 el primer nombrado Juez de Paz Ciudadano Antonio
 Rodriguez con total anexo a las primeras medidas
 que se han practicado luego Dicho se agregara
 al expediente. Pasose por mi y los testigos de asis-
 -tencia al expresado sitio y procedare a Dar la pos-
 -esion indicada anexas al titulo que se les ha
 concedido por el Excmo. Sn. Gobernador Del Depart-
 -amento con fha. quinze de abril de mil ochocientos
 treinta y siete. Yo el expresado Juez de este punto
 así lo Decete, mande y firme con los testigos de
 mi asistencia. Hoy fe. Antonio Rodriguez
 De asistencia José Maria Valenzuela. De asis-
 -tencia Anastasio Carrillo.

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X

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In el parage nombrado Lompoe a los veintea
 y un dia Del mes de otre de mil ochocientos
 treinta y nueve el Juez que suscribe habiendo
 oido la racion de colindantes, comparecieron otros
 que fueron los ciudadanos Anastasio Carrillo
 por el Manero nombrado punto de Concepcion
 y José M^a Valenzuela por el establecimiento de la
 Purissima y como Duño Del Manero De Jesus
 M^a les hizo saber el objeto con que me habia
 conuencido a hazer el parage y que en este caso
 presentasen los Documentos que respectivamente
 tubiesen sobre propiedad De aquel terreno pues
 habia a medirlo y poner en posesion De el a los
 ciudadanos Joaquin y José Antonio Carrillo
 y no habiendo obtenido presentarlo Documentos
 ningunas se impedian las medidas les dije
 que habia a proceder a ellas lo que prouyo por
 Diligencia autoriso y firme con los de asistencia.

X

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De asistencia José M^a Valenzuela. De asistencia

de asistencia, segun Derecho. Antonio Rodriguez.
De asistencia. Jose Ma^a Valenzuela. De asistencia
Mariano Carrillo.

En el referido lugar a los Dos dias
del mes de noviembre de mil novecientos treinta y nueve
yo el propio Juez para la practica de estas diligencias
nombré Dos oficiales medidores y los coroleros a
quienes les hice saber su nombramiento el que acept
aron bajo el juramento que otorgaron a presencia
Desempañan preliminarmente su encargo bague autorizado
y firmo con los testigos de mi asistencia segun
Derecho. Antonio Rodriguez = De asistencia
Jose Maria Valenzuela. De asistencia - Mariano
Carrillo.

En el mismo dia, mes y año estando en el
paraje nombrado Lompue Lugo, lo linda al Nte
con la Misión De la Purísima al Norte con el rancho
de Jesus Maria y al Sur con el de la Punta de Lon
-cepion a efecto de regular las medietas y
posesion que corresponde a los ciudadanos Joaquin
y Jose Antonio Carrillo Del sitio nombrado Lom
-pue, prebiendo todas las requiridas de la ley y estando
ante mi los testigos de asistencia, los oficiales m
-edidores, los coroleros y yo el Juez de paz, Ciudad
-adano Antonio Rodriguez y hice medir un
coronel que contiene la siguiente forma a cual
fue examinado y reconocido y habiendolo a su
extremos iguales Lances de madera y por mi dis
-posicion se tiro el coronel rumbo al Sur desde
la mesa que queda al Oeste De la Esparada Mis
-ion De la Purísima en cuyo lugar se elabo un
palo en señal de mojoneo y habiendolo medido
legua y media remato en el alto De la Sierra de
San Miguelito en donde estan unas arboles cilin
-dricas de encino blanco que son las mas visibles
y subieron De mojoneo y en prosecucion se tiro
el coronel rumbo al Oeste y habiendolo medido
legua y cuarto remato en un sereno que queda
en la orilla del Sarmar en donde se elabo un
palo en señal de mojoneo, y en seguirlo

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por mi Disposicion se tiro el toroel rumbo al Norte
 y habiendolo medido tres cuartos de legua remato la
 medida en la bola del rio de la expresada Misión de
 la Purisima en Doube se clavo un palo en señal de
 moysera en conclusion y por mi Disposicion se tiro
 el toroel rumbo al Este y habiendolo medido Dos
 leguas y medio remato la medida en Doube de
 Comercio la primera y se concluyeron estas a satisfaccion
 del interesado lo que pongo por Diligencia y autorizo
 y firmo con las testigos indicadas. Antonio Rod-
 riguez = De asistencia - Jose Ma Valenzuela =
 De asistencia. Anastasio Carrillo.

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X El ciudadano Antonio Rodriguez Juez de Paz de la
 Municipalidad de Sta Barbara.

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Certifico que la antecedente copia es sacada
 fielmente a la letra de su original cuya obra
 en el archivo de este Juzgado de mi cargo.

Antonio Rodriguez.
 Luis Carrillo.

Sebastian Pulverio.

Filed in Office. Sept. 4th 1852.

Geo. Fisher.

Secretary.

17. Tobias;

Citizen Juan Bautista Alvarado, Governor of the State, Colonel of the Militia and President of the Most Excellent Reputation of the Same.

B

Promission

Title

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Thomas Citizens Jaquim, and Jose Antonio Canillo have for their own personal benefit and that of their Families, petitioned for the land known by the name of Lempue within the Comedonia shown in the map which they transmitted with their petition, the necessary measures having previously been taken as required by laws and regulations on the matter, using the powers conferred on me in the name of the Mexican Nation I have granted them the aforesaid land, declaring to them the ownership of it by these presents, said grant being understood to be in entire conformity with the laws subject to the approval or disapproval of the Most Excellent Reputation and under the following conditions viz:

1. Neither the grantees, nor their heirs, can divide or alienate that which is granted, nor subject it to any tax, entail bond mortgage, or any other incumbrance, for any purpose, nor convey it in mortmain.
2. They may enclose it, without prejudice to the crossings roads and servitudes, and occupy freely and exclusively making such use and cultivation of it as they may see fit.
3. When this property shall be confirmed to them, they will ask the proper Magistrate to give them judicial possession in virtue of this patent, by whom the boundaries will be marked out and the land marks placed.
4. The land granted in donation is only that described in the petition of the parties interested, and marked on the map which goes with the record of proceedings and the Magistrate who may give them the possession will inform this Government of the number of sitios which it contains.

In consequence of law that being therefor a patent thus presents, and being held and firm and valid, they shall be entered in the corresponding book and they be delivered to the parties interested for their security and other convenient purposes.

Given in the Co. Mission of Santa Barbara on the 15th of April 1837

(Signed)

Juan B. Alvarado

(Sgd) Victor Pruden

Secretary ad interim.

Santa Barbara, April 19th 1837.

In session of this day, the most Excellent Deputation approved the proposition of the Report of the Committee on vacant lands, which is literally as follows.

The place named Longwe is granted to the Citizens, Joaquin and Jose Antonio Carrillo, having performed what is required by the law of August 18th 1824 and the 5th Article of the Regulation of November 21st 1828 (Signed) Jose Antonio de la Guerra Carrillo (Signed) Juan Bautista Alvarado, (Signed) Antonio Pruden.

(Signed) Alvarado, President.

(Signed) Victor Pruden.

Secretary ad interim.

The parties interested have promised to procure a sheet of paper of the proper stamp will be affixed and attached to this patent.

(Signed) Victor Pruden.

Santa Barbara Oct. 26. 1839

Having seen the petition of the parties interested in this instance, and as soon as they shall appear on the 1st day of November for giving the possession which they ask of the place granted.

Antonio Rodriguez Justice of the Peace of this Municipality, thus ordered, decreed and signed.

(Signed)

Antonio Rodriguez

To the Justice of the Peace

ad interim.

Citizens Joaquin and Jose Antonio Carrillo residents of this Municipality, before you with the most proper and due respect appear and represent that having petitioned the Government of the Department for the grant of the land represented in the annexed map, it was granted by said Government on the 15th day of April 1837, and approved by the most Excellent Deputation on the 19th of the same month and year as shown by the patent which we duly transmit herewith.

In virtue of this, and in accordance

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with which the requisites of the Law, that for the greater security of the persons interested in a matter of this kind they should ask of the respective Magistrate the Judicial possession, the Subscribers ask it at present of the authority which you represent.

Wherefore they pray that you will give them the possession referred to, of said place in which they will receive Grace and favor. Be pleased to admit this on common paper, there being none of the corresponding stamp and they make oath that this is not with any evil intention as required by law.

Santa Barbara, October 7th 1839.
(Signed) Jaquin Conillo
(Signed) Jose Antonio Conillo.

In the presidio of Santa Barbara on the twenty eighth day of the month of October one thousand eight hundred and thirty nine, in accordance with the request of Citizens Jaquin and Jose Antonio Conillo that the corresponding possession be given them of the place called Lempoc, granted by the Government of this Department, and there being no profession at Sanayor, who ought to be present to measure the said land I Citizen Antonio Rodriguez, the first Justice of the Place, did it in entire conformity with the measurements previously made, the map of which will be annexed to this Record of proceedings. I and the assisting witnesses will go to the said place and proceed to give the possession referred to, confirming to the title which has been given them by His Excellency the Governor of the Department dated April fifteenth, one thousand eight hundred and thirty seven.

I the aforesaid Justice of this precinct, do and ordain and sign so, with the as witnesses of assistance to which I certify.

(Signed) Antonio Rodriguez.
Assisting witnesses
(Sgd) Jose Ma Valenzuela
(Sgd) Anastasio Conillo

In the place called Lempoc, on the thirty first day of the month of October one thousand eight hundred and thirty nine, I the Magistrate who Subscribers, having

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Summoned the Co-terminous Neighbors, Citizens Anastasio Canillo for the Rancho called punta de Concepcion and Jose Maria Valenzuela for the Establecimiento of the Península and also as owner of the Rancho of Jesus Maria, they appeared and I let them know the purpose with which I had come to that place and that they should present the documents which they might have relative to the ownership of that Land, for I was going to measure it and put in possession of its citizens Joaquin and Jose Antonio Canillo and as they presented no papers which could hinder the measurements, I said that I would proceed to them, which I now officially authenticate and sign with the assisting witnesses according to law.

(Signed) Antonio Rodriguez.

Assisting witnesses.

(Sgd) Jose Ma Valenzuela
(Sgd) Anastasio Canillo.

In the above said place on the second day of the month of November one thousand eight hundred and thirty five I the proper Magistrate for the performance of these acts appointed two Surveyors and two Lope Clearers, whom I informed of their appointment which they accepted, offering me an oath to discharge faithfully the duties of their office which I authenticate and sign, with my assisting witnesses according to law.

(Signed) Antonio Rodriguez.

Assisting witnesses

(Sgd) Jose Maria Valenzuela
(Sgd) Anastasio Canillo.

On the same day month and year being in the place called Tompo, which is bounded on the East by the Mission of La Península, on the North by the Rancho of Jesus Maria, and on the South by that of La Punta de Concepcion for the purpose of verifying the measurements and possession which correspond to citizens Joaquin and Jose Antonio Canillo of the place named Tompo, all legal requisites having been previously complied with, being present

the assisting witnesses the Surveyors the Luper Carriers
 and the Magistrate, Citizen Antonio Rodriguez, I
 caused to be measured a cord which contained fifty
 varas, which was examined and recognized and
 staves tied to its extremities, then by my direction the
 Cord was drawn South from the flat of the Mountain
 which lies to the East of the said Mission of the Puri-
 sima in which place a stake was driven as a land
 mark to the top of the Mountain covered with trees de
 San Miguelito, where are several wild white oak
 trees the most easily distinguishable, and which served
 as a land mark, distant one and a half leagues, thence
 the line was drawn, west to a little hill on the Sea shore
 where a stake was driven as a land mark, distant
 one and a quarter leagues, then by my direction, the
 line was drawn to the North and terminated in the mouth
 of the River of said Mission of La Purisima, where a
 Stake was driven as a land mark distant three quar-
 ters of a league, finally and by my orders the line was
 drawn to the East and the measurement terminated at
 the place of beginning, distant two and a half leagues
 and thus the measures were finished to the satisfac-
 tion of the interested parties which I officially note
 and authenticate and sign with the assisting witnesses.

(Signed) Antonio Rodriguez.

Asstg. witnesses.
 (sgd) Jose Ma Valenzuela
 (sgd) Anastasio Carrillo

Citizen Antonio Rodriguez Justice of the Peace
 of the Municipality of Santa Barbara
 Certifies that the preceding copy
 is faithfully made and literally from the original Archival
 on file in the (Office) under his Charge.

(Signed) Antonio Rodriguez.

(sgd) Luis Carrillo
 Secretary Administrator

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I Certify the foregoing to be a true and correct
 translation from the original Spanish document on
 file in this Office in Case No 15, Don Juan José Antonio
 Canido for the place named Lempoc.
 Geo Fisher Secy.

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Filed in Office July 2, 1852.
 (Signed)
 Geo Fisher Secy.

Joaquin Camello &

José Antonio Cardo Claimants

vs

The United States

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Lompoc.

Opinion by Comrs.

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Opinion

The Claim presented in this case is founded upon a grant issued to the Claimants by Juan B. Alvarado, Governor of California, on the 15th of April 1837 for a tract of land by the name of "Lompoc". The grant is for the tract by the limits and bounds designated in the map or disegno accompanying the petition, without any mention of quantity and is made under the authority of the 18th of August 1824, and of the ordinance of the 21st of November 1828 of the Mexican Government. The grant, contains no reservation of any sobrante or exceso, within the limits of the map. But the Magistrate who may measure the land is required to report the quantity or contents contained within it. The grant itself in this as in all cases was given to the Magistrate who made the measurement and the presumption is that he did as required, report to the Governor. But as we have already decided in other cases of like kind, his failure to do so would not work a forfeiture of the title of the grantee. The Confirmation of the grant by the Territorial Deputation was made on the 19th of April 1837 and the Judicial possession and measurement was on the 30th of October 1839, the grantees having occupied the premises from this latter period to the present time without molestation. The Execution and genuineness of the grant are fully proved and the authority of the Governor to make it is not controverted. The statement of the Sargento General which is admitted as evidence in the case shows that the Archives of the former Government contain the proof of its issuance. In accordance with the principles of decision pronounced for our Government by the 11th section of the act of the 3rd of March 1851. The claim is held to be valid and ought to be confirmed. Commissioner New Orleans in the result.

The following is the Decree of Confirmation.
 Henry J. Thornton;

This Board upon full Consideration of the various grounds affecting the validity of the said Claim having come to the Conclusion that the same is valid Therefore now proceed to make and do hereby make the following Decree or report of final Confirmation.

It is decreed that the said Claim be confirmed to the said Claimants to the extent and quantity contained in the map referred to in the grant, being the same land described in the said grant and of which the Claimants were put in possession under the same.

Provided nevertheless that in the event the said map contain more than Eleven square leagues of land then there is hereby confirmed to them only Eleven square leagues within the same and no more.

Witness Our hands this 11th day of April
 1853.

Atland Hall } Commissioners
 Henry J. Thornton }

Filed in Office April 11. 1853.

(Signed)
 Geo. Fisher Secy

Office of the Board of Commissioners,

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

15 SD
PAGE 22

I, *George Fisher* Secretary to
Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *twenty one* pages, numbered from
to *21*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. *B* on the Docket of the said Board,
in

Joaquin and José Antonio Carrillo

Claimant against the United States, for the place known by
name of "*Sompoc*"

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
twenty first day of *June*
A. D. *1854*, and of the Independence of the
United States of America the seventy=*eight*

Geo. Fisher

G. Fisher
Sy.



15

15

*U.S. Coast
Survey
Chart*

15



15



Inayni & Josi A. Carnillo }
advs, ~~Appellants~~ } N. 15. for
The United States ~~Appellants~~ } Lempoe.

15 SD
PAGE 23

In the District Court of the United States for the
Southern District of California, Dec. term 1854.
Hon. Judge T. G. Geary Judge
On Motion of T. O. D. Attorney of the
United States for the Southern District of
California, it is ordered ^{by the Court} ~~that the Appellants~~ ^{appellants},
in the above entitled ^{case} ~~case~~, show cause
on the first day of the next Special Term
of this Court ^{or as soon thereafter as the same can be heard} ~~(if not held on the first day)~~
~~why the United States, appellants~~
should not have 120 days ~~for~~ ^{time} in extension
of the six months allowed by law, within
which to file a Petition of intention to pro-
secute the appeal ^{in said case} ~~now pending in this~~
~~Court in said case, and that the Appellants~~
and that the ~~the~~ said Appellants have ^{due} notice
of this order & that a copy of the affidavit
upon which it is founded.

~~T. O. D.~~ T. O. D.

Also
Allowed by The Court.

No. 15

U. S. District Court
Southern Dist of Cal.

Joaquin & Jose A Camillo.

vs.

The United States.

Entered

Filed Dec 15th 1884.

J. E. San
all.

15 SD
PAGE 24

Joaquin & Iria A Carrillo

vs.

No. 15.

The United States.

for 'Lumpoc'

In the District Court of the United States for the Southern District of California, City of Los Angeles. Dec. Term 1854.

Am. 24th Feb. 1854. H. Ogden Judge.

Jacques Dod, Attorney of the United States for the Southern District of California, on

behalf of the United States, being duly sworn says, that he is informed and believes that a notice of intention of the United States to prosecute the appeal ~~to~~ in the District Court of the Southern District of California from the decision of the Commissioners to ~~ascertain~~ ascertain and settle the private land claims in the State of California, was duly made by the Hon^{ble}. Caleb Cushing Attorney General of the United States, and sent by mail to J H McKame Esq. US Law Agent of said Commissioners, and received by him, and thereafter sent by him by mail to the District Clerk of the ^{of the United States} District Court, of said Southern District of California, in due time and within the six months prescribed by law; and that the said notice of intention to prosecute the said appeal in said cause should have been received by said Clerk at his Office in Los Angeles Cal^o, within the said six months; but that from some cause unknown to this affiant, the said notice of intention was not so received by said Clerk & has not ~~been~~ yet been received by him, as it should have been, and your affiant therefore believes that the said notice has

15 SD
PAGE 25D

been lost, and cannot be found. And
 This affiant has been informed and believes
 that the said Attorney General, and J. H.
 McKune, and the said Clerk of said Court
 have all used due diligence in the matter;
 And that this affiant has also used due
 diligence in searching for said said notice
 of intention to prosecute the said appeal
 in said cause, and that it could not be
 found. And that the application this day
 made for further time within which to have
 the said notice filed with said Clerk of said
 Court, is not made for delay } J. O. W.
 but for the ends of justice. Attorney of the United States
 sworn to & subscribed before me this 13th Dec 1884, for the Southern District of
 California
 J. E. Lamm, att.

No 15
 U.S. District Court
 Southern Dist. of California
 Joaquin vs Jose A. Carrillo.
 vs
 The United States.

sworn to Marshal
 March 13. 88
 Filed Dec 13th 1884.
 J. E. Lamm, att.

United States }
 vs }
 Joaquina Loae }
 & Carrillo } In the U.S. Dist. Court
 } for the Southern
 } Dist for the State
 } of California

15 SD
 PAGE 27

And now appear the said Joa-
~~quina & Jose U. Carrillo~~
~~in the above case,~~ or in answer
 to an order made at the last
 December Term of this Court; but
 requiring them to show cause
 why the United States appellants
 should not have one hundred or
 twenty (20) days for extension of the
 six months allowed by Law, within
 which to file a notice of intention
 to prosecute the appeal in this case
 say that this Court can have
~~no~~ no jurisdiction over
 them in virtue of the premises
 or of any matter set forth by the
 said appellants

I am in the Court
 atty for Joaquina
 & J. U. Carrillo -

15
United States

Joaquin & J. A. Farwell

—
Exception to
jurisdiction
upon order to
show cause
—

1
Filed April 23^d 1855

J. C. Farwell
CLK.

15 SD
PAGE 28

Attorney General's Office

26th December 1854.

Sir:

I have the honor to inform you in reply to your letter of the 25th ultimo that notices of appeal have been given in all cases, the transcripts of the record in which were received in this Office prior to September 1st 1854. There is not now time enough to send a duplicate notice in case no. 15. which was received here on the 30th of June last, and in which a notice of appeal was sent on the 11th of September. I will forward you duplicate notices in the cases mentioned in your

Pacificus Ord Esq.

letter as received in August.

I am, Sir,

Very respectfully

Your obed^t serv^t.

Channing

15 SD

PAGE

29-A

Let
C. Cushing
at New York.
Dec. 26. 1834.

Filed Sept 12. 1855.

J. E. Farr.
clerk.

Recd. Feb. 5. 1854

15 SD
PAGE 30

San Francisco

Dec 6th 1857

I P Oud say

15 SD

PAGE 31

Dr Sir

Your favor of the
12 inst^x is recd. The notice of
appeal was recd^d by me in the case
you mention and it must have been
addressed to the Clerk of the Southern
Dist. with a number of others if it
is not then I don't know where it has
gone

20

Respectfully
J. M. Kane

X asking for information in relation to notice of intention to prosecute the
appeal in case of Joaquin & Jose A Carrillo, for 'Lompoc',
No. 15, which was not to be found on file in Clerk's office &c.

Letter

J. H. McKune
and law agent.

Dec. 6. 1854.

Filed Sept 12. 1855.

J. E. Fenwick
clerk.

15 SD
PAGE 32

California Land Claims

Attorney General's Office

4 September 1856.

15 SD
PAGE 33

Sir,

In the case of the claims of Joquin Carrillo
and Jose Antonio Carrillo, confirmed to the claim-
ants by the Commissioner, ^{case no fifteen (15)} and also confirmed
on appeal by the District Court, appeal in the
Supreme Court will not be prosecuted by the
United States.

I am

Respectfully

Chauncy

Pacificus Ord Esq

U.S. Atty for the

Southern Dist. of Cal.

W 15

Jose Antonio Carillo

15

Recd 24th Feb'y 1857
C. Smith clerk
J. M. Coleman
Recd

15 SD
PAGE 34

Recd 1856

UNITED STATES DISTRICT COURT,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA. }

J & J A Carrillo
appellus

No. *15th*

The United States
appellants

15 SD
PAGE 35

It being suggested to the Court that the survey of the land claimed in this case, made under final decree, and approved by the U. S. Surveyor General for California, does not conform to said decree and is erroneous and that said survey will be to the injury of the Claimants

in this case
on application of J R Brent Atty of Claimants
it is ordered that the said Surveyor General return to this Court forthwith
the plat of said survey, and that the Claimants

be allowed _____ days, from and after the return thereof, to file exceptions thereto; and it is further ordered that a certified copy of this order be served upon the said Surveyor General for his information.
I. S. K. OGIER, U. S. District Judge.

UNITED STATES OF AMERICA, SOUTHERN DISTRICT OF CALIFORNIA. }
COUNTY OF LOS ANGELES. }

I, C. Sims, Clerk of the United States District Court for the Southern District of California, do hereby certify that the above and foregoing is a full true and correct copy of the original order, made and entered on the 11th day of September 1860, in said case, No. 15 on the docket of said Court, wherein J & J A Carrillo
are

claimants against the United States, as appears of record in my office.

In witness whereof I herewith set my hand and affix the seal of said Court this the 12th day of September 1860.

C. Sims, Clerk.

UNITED STATES OF AMERICA, }
SOUTHERN DISTRICT OF CALIFORNIA. }

THE PRESIDENT OF THE UNITED STATES,

To J. W. MANDAVILLE, U. S. Surveyor General, for California—Greeting:

You are hereby notified that the United States District Court, for the Southern District of California, at the Stated Term of said Court, 1860, in case No. 15 on the

docket of said Court, wherein J & J A Carrillo are claimants against the United States, made and caused to be entered an order, of which the above and foregoing is a certified copy herewith transmitted to you for your information, and you are hereby required to take notice of the same.

Witness the Hon. ISAAC S. K. OGIER, Judge of the United States District Court, for the Southern District of

California, this the 15th day of September 1860.

Attest my hand and the seal of said Court the day and year

last above written C. Sims, Clerk.

2015-

San Francisco Sept 17 1840

I hereby certify that I have this day made
personal service of this order on
J. W. Mandeville U.S. Surveyor General
for California by delivering to him
a certified copy of the same
James C. Pennington
U.S. Marshall
By A. W. Buchanan Deft
U.S. Marshall

Marshall's fees \$32.00

Order for return
of survey

Filed 22nd Sept
1840
C. Sims
ck

United States } In the District Court
 vs } of the U.S. District
 } for the Southern District
 of California
 J & J B. Farrell of Subpoena
 For a trial of land called Lompoc
 And now comes the claimants herein
 & suggests to the Court that that
 the final survey of the U.S. Gen-
 eral of the premises herein claim-
 ed is not in conformity with
 the final decree & that the Claimant
 will be injured thereby -

Ed Brent
 Atty for J. D. Moore
 Successor in interest
 of Claimants -

15 SD

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PAGE

20

No 15

U. S

vs

L. & J. B. Saville

Suggestion of
Clement for
return of Jury

Filed in office
this 11th Sept 1860

C. Jones

N^o 15
U. S. Dist Court
Dist of Cal

J. J. Chanell
The United States

Order of Court

Filed June 8, 1864

John Wheeler clk

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

J. ^{no} J. A. Canillo v for the Place called
The United States v "Lompoc"
No. 15

15 SD

PAGE 41

And now comes the claimants
and Confiners, and their Grantors Hollister and Dibble
and objects and Excepts to the Survey of the Land confirmed
made by Ralph W. Harris Deputy United States Surveyor
approved by J. H. Mandeville United States Surveyor
General on the 19 day of January 1840, and Specify the
following Exceptions and objections thereto.

I. The Lands granted and confirmed by the name of Lompoc
were granted and confirmed by boundaries as designated &
laid down on the map forming a part of the Expediente
and the said Survey, is confined wholly to the Southern
side of the River Las Piripennis and Jantofre, whereas the Grant
and said map or plan, makes the Starting point of the
Lands granted at the v on the northerly
side of said River, and runs from thence in a straight
line to v
whereas the Easterly line according to said Survey is not a
straight line, but is a line of different angles.

The clerical provision which was given in the year
183 v makes the Starting point on the
northerly side of the said River, and runs from thence to

II. The land granted has for its northerly boundary the line drawn from the mouth of the River (ie the centre of the mouth of the River La Purisima or Santo Ynez to the starting point on the northerly side of the River aforesaid - which would embrace lands between the Mesa or up Land to the north of the river, and the Bank of the River on the northerly side of the River.

15 SD
PAGE 42

III. The southerly line of the Rancho by said Survey does not follow the arroyo Honda, as specified in the decree of Confirmation Judicial proceedings and grant, and the map to which the grant refers. -

And the claimants and their grantees insist and aver that the Survey should include lands northerly of said River. And from the starting point on the north side of said River to the Oak trees, there should be a straight line drawn - and from thence to the sea. Thence to the middle of said river, thence in a straight line to the place of beginning crossing the River aforesaid.

Patterson Wallace of Torr
Attorney for Claimants, and for
Hollister and Dibble, grantees of
said claimants.

United States of America
State of California
County of Monterey

W O W Hollister being sworn
says that he in connection with

J. H. Hollister, & Albert Dibblee, are the owners of said
grantee by conveyance and from title derived from the
original grantee of the Rancho Limpic. That he has
read the foregoing Exception, and that the same and the
Exception therein contained are true to the best of his
knowledge and belief.

Given to before me

Mr. J. H. Hollister

August 10th 1844.

John Wheeler
Deputy Sheriff of Santa Fe

15 SD
PAGE 43

No 15
W. S. Dist Court,
South West Cal

J and J. A. Carnillo

vs
The United States

Additional Exceptions of
Claim to Survey filed
by permission of the Court

Filed Aug 10, 1864

John Wheeler
CLK

District Court of the U. S.,
Southern District of California.

The United States vs. J. & J. A. Carrillo.

"Lompra"—No. 15.

Notice is hereby given that the final survey of the lands claimed by the parties to the record in this case, has been returned into Court and objected to. All parties in interest in said lands, are therefore hereby admonished to appear and intervene for the protection of their interest, under the rules of the Court.
Monterey, Aug. 11th, 1864.

JOHN O. WHEELER, Clerk.

15 SD
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Monterey
Aug 11th 1864

I do hereby swear that J. F. W. Bassell, Publisher of the Monterey Gazette, and residing in the City of Monterey, Monterey County, State of California, did publish in said paper for three successive weeks, commencing August 11th the above notice in the case of the United States vs. J & J Carrillo, and that the amount (\$6,000) as stated in the bill, is correct.

J. F. W. Bassell

Subscribed before me this 11th day of Aug 1864

John O. Wheeler Clerk of said Court

No 15

affidavit

Filed Aug 11, 1864
John Wheeler
Clerk

15 SD
PAGE 46

United States District Court, Southern District of
California

J. and J. A. Garrills
ads
The United States

October
Regular Term AD 1864
" 21 # 15
For the place called
"Lompoc"

15 SD
PAGE 47

The Surveyor General of the State of California having in pursuance of an order of this Court filed on the 25th day of September AD 1860. his plat of the final survey of the lands confirmed in this case. And the Claimants having duly filed exceptions thereto on motion of Patterson Wallace & Stow of Counsel for Claimants, the District Attorney of the United States being present and having been heard.

It is Ordered, adjudged and decreed that the said Survey made by Ralph W. Norris Deputy U. S. Surveyor ~~and~~ be and the same is hereby rejected And it is further Ordered that the Surveyor General of the United States for the State of California make a new survey of said lands, in accordance with the ~~Desires of the Board of Land Commissioners and the~~ Map Accompanying the Grant and Expediente which new survey shall embrace and include the lands to the northerly side of the River La Purissima or Santa Ynez. And the Mesa de Jesus Maria and embracing the Cañada de S. Lucas as marked on the Descrio embraced in the Expediente ~~and~~ ~~limiting the quantity to Eleven square leagues~~

Has done and signed in open Court this the
24th day of October AD 1864

Walter M. Haight

U.S. Judge South Dakota

15 SD

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PAGE

15
U.S. Dist Court
South Dakota

J. J. Carnell
United States

Deeence for Resurvey

Filed Oct 24 1864

John Wheeler
Clerk

15 SD
PAGE 49

Recorded

W. J. District Court

J. A. Carrillo

v

Rancho Lompoc

The United States.

In the matter of the Survey

Joaquin Carrillo et al

v

Mission Vieja de la Purissima

The United States

In the matter of the Survey

Stipulated that the hearing in each of the above cases set for July 17th 1865. be postponed to August 16th 1865. at the opening of the Court on that day with the same effect as if proceeded with on 17th and said cases continued to same day -
July 12th 1865.

Allen W. Wallace & Son

Attorneys for claimants & their grantees.

A. Packard

Atty for L. V. Denton

Williams & Thornton

attys for Jones Adams & Guard

P. C. Whiting U. S.

Attorney - South Dist.

of California

U. S. Dist. Court
15

J. and J. A. Carrillo
— v —
The United States

Joaquin Carrillo
— et al —
— v —
The United States

Agreement
Stipulation

Filed July 15 1865
John Wheeler
clk

as said proceedings in the matter of
the said survey and location as con-
cerned be dismissed

Walter M. Wright
Attorney at Law

15 SD

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No 15
W. S. Dubouche
South Dubouche

J. J. Lannillo
" "
The United States

License vacating license
modifying survey

Filed Aug 49, 1865
J. M. Wheeler
Clerk

United States  Land Commissioners
for California.

Joaquin Camillo &
Jose Camillo

vs

The United States

Decree of Confirmation

In this case on hearing
the proofs and allegations it is adjudged by the
Commission that the claim of the said Petitioner
is valid & it is therefore decreed that the same be con-
firmed. The lands of which confirmation are hereby
made, are known by the name of "La Mission Vieja
de la Purisima, & are the same now occupied by
Joaquin Camillo & Jose Camillo and are bounded and
described as follows to wit. on the South by the Tinto,
Southeast by the top of the hills, east by the Piedras de
Lumbre, north by the Cañada de los Barros, & on the west
by the place called Lompoc containing in all one
square league. Reference for further description to be
had to the map marked document No 88 filed in
this case, the place being the same or what are
the ^(ruins) remains of the "old Mission La Purisima."

Alpheus Felch Commissioner

Thompson Campbell
R. Aug Thompson } Commissioner

Filed in office No 15th 1853

Geo Fisher

Secy

From Transcript from Land Commission filed in office
Clerk of U. S. Dist Court Dist Cal Aug 30th 1854

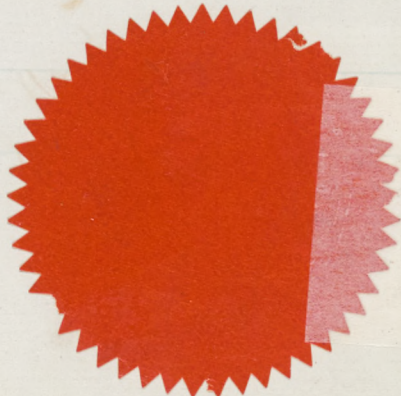
By W. Hunter

clerk

I John Wheeler Clerk
of the United States District Court for the
Southern District of California do hereby certify
the foregoing to be a full true and correct copy
of the Petition & the decree of the Land Commission
in the above case taken from the Transcript
of the proceedings & papers filed in the above case
before the said Board, duly certified by the sec-
retary thereof and on file in this office.

In Witness whereof I
have hereunto set my hand and affixed the seal
of the said Court this 8th day of January 1855

John Wheeler Clk
Robert Haight Secy



U. S. Dist Court Southern
District California

Joaquin Canillo
& Jose Canillo
vs

United States

No 15 - Lompo e'

Cert^o copias diseño &
decreo of Land Commission