

CASE No.

25

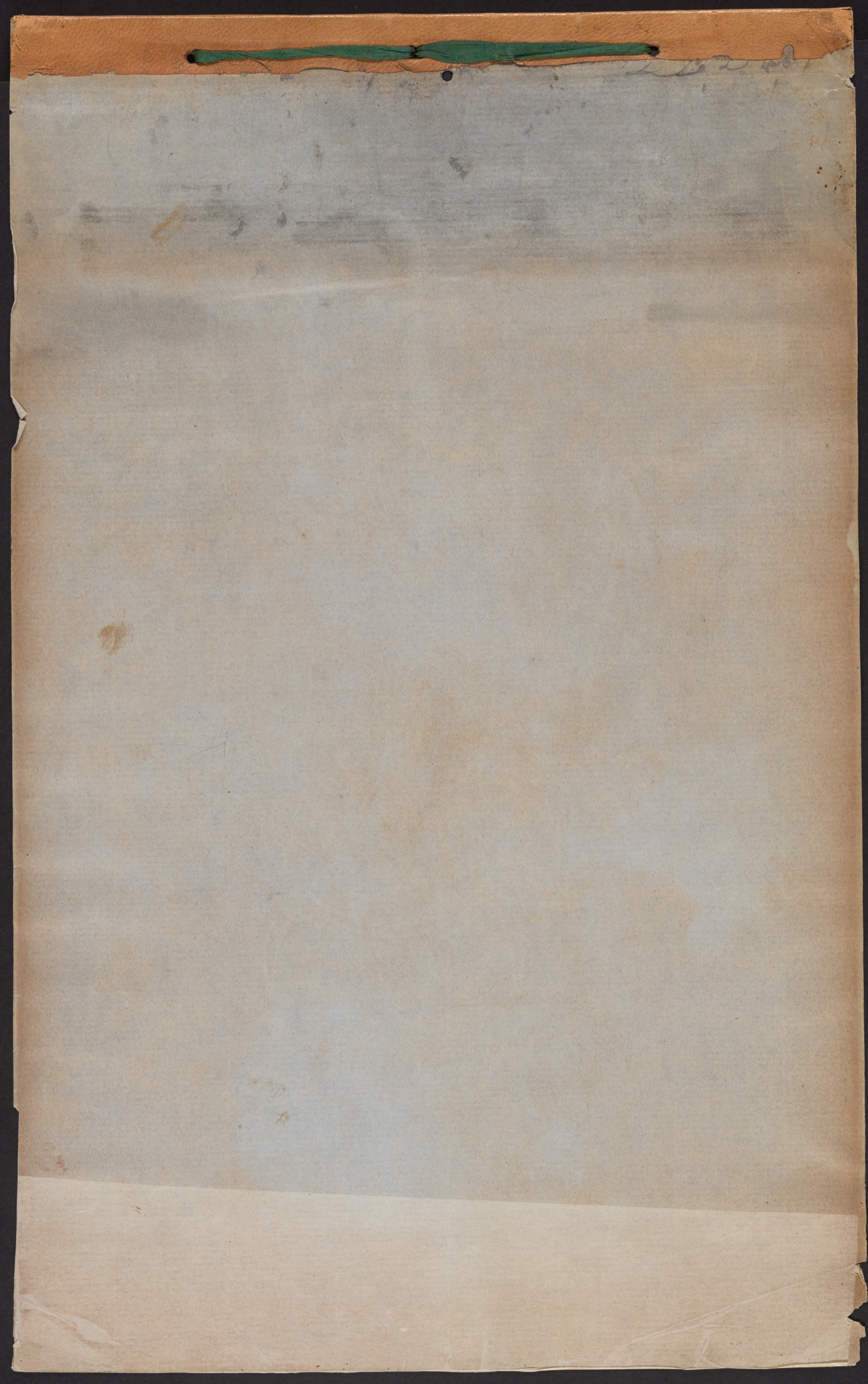
SOUTHERN DISTRICT

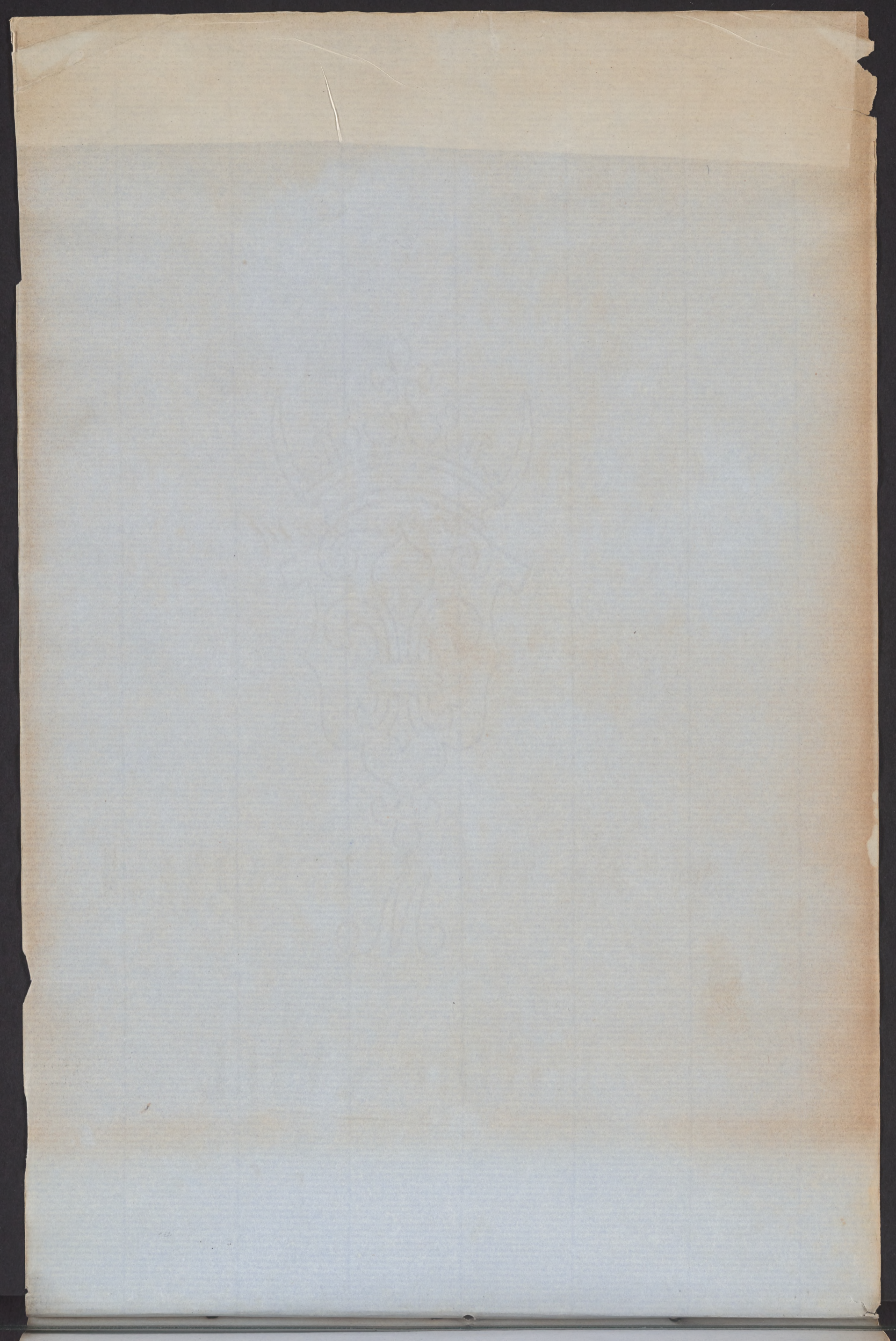
CANADA DEL CHORRO GRANT

JUAN WILSON
CLAIMANT

FEB 12 1963

U.S.A.
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BROKER BOND
Handwritten signature





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TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 221

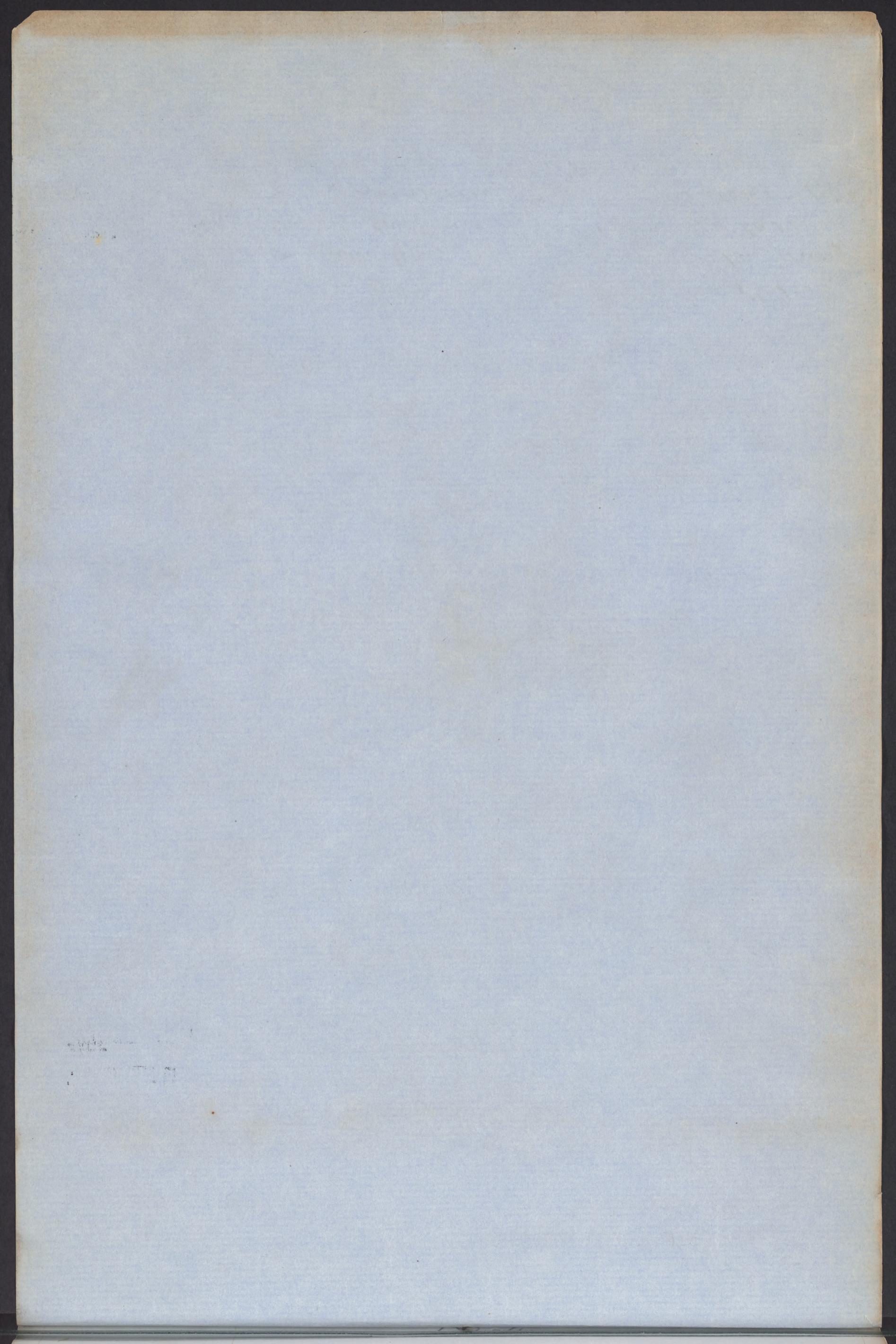
Juan Wilson, CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Academia del Chorro,



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 *Seventh day of May*, 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 Juan Wilson

for the Place named "*Canada del Cerro*," was presented, and ordered to be filed and docketed with No. 220 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco May 10th 1852

In case N^o 220 Juan Wilson the Deposition of Pablo de la Guerra a witness in behalf of the claimant taken before Commissioner Henry J. Thornton was filed and is in the words and figures as follows to wit (Vide page 5 of this Transcript)

San Francisco Jan 4th 1853

In the same case the deposition of John Young a witness in behalf of the claimant, taken before Commissioner Henry J. Thornton was filed; (Vide page 6 of this Transcript)

San Francisco March 8th 1853

In the same the Counsel for the Claimant
filed the following Stipulation, to wit:
(Vide page 24 of this Transcript)

~~~~~

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San Francisco April 8<sup>th</sup> 1853.

In the same case the Counsel for the Claimant  
filed the following Stipulation to wit:  
(Vide page 24 of this Transcript)

~~~~~

San Francisco April 11th 1853

On motion of the Associate Law agent Case
no. 220 was traced to be placed on the
Final Docket

~~~~~

San Francisco April 11<sup>th</sup> 1853.

Case No. 220 called: the Counsel for the Claimant,  
Mr. Mallock, read the petition and the papers in  
evidence; the United States Associate Law agent  
filed his Brief; submitted and taken under  
advice by the Board.

~~~~~

San Francisco Apt. 22nd 1853.

A Statement was read by Commissioner Nelson
Hall, in behalf of the Board, accompanied
with the Opinion and the Decree of final
Confirmation in Case No. 220, and others
therein mentioned; which statement is as
follows, to wit:

(Vide page 27 of this Transcript)

And which Opinion and Decree are as follows,
to wit: (Vide page 29 of this Transcript)

To the Honorable Commissioners to settle Private Land Claims in California

Petition of John
Wilson

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The petitioner John Wilson respectfully shows - That on the 10th day of October A.D. 1845 Pico Pico Governor of California, by virtue of authority in him vested, granted to the petitioner jointly with his partner in business James Scott the land called "Cana de del Chorro" in the present County of San Luis Obispo containing about one square league of land with the boundaries described in the grant and set forth in the corresponding map: which said grant was approved by the Assembly of California on the 8th day of July A.D. 1846 a copy of which grant and certificate of approval is submitted herewith marked "A" with a translation marked "B"

That on the 15th day of May A.D. 1846 the said tract of land was duly surveyed and the judicial possession of it given to the said James Scott and the petitioner, his partner in business in due form of law: a copy of which act of survey and possession is submitted herewith marked "C" with a translation marked "D"

That on the 1st day of June 1848 the said Scott sold and conveyed his right and interest in the said tract of land to the petitioner. a copy of which conveyance is submitted herewith marked "E" with a translation marked "F". And the petitioner further shows that the said tract of land has not been surveyed by the Surveyor General of the United States but that it was duly surveyed and its boundaries marked at the time of giving the judicial possession of it in 1846 as aforesaid and since been surveyed by the County Surveyor of the County of San Luis Obispo, a copy of a plat of which survey is submitted herewith marked "G"

That petitioner has been ever since and before the date

of the grant aforesaid and now is in the quiet peaceful
and undisputed possession of the said tract of land
that he knows of no conflicting claim

That he relies for confirmation of title upon the original
papers, copies of which are submitted herewith

And upon the records and minutes in the archives of
under the charge of the Surveyor General: and upon
such other and further proofs as he may be advised
are necessary

Wherefore he prays the Commissioners to confirm to him the
said tract of land

By his atty
Halleck Deacy & Bulling

Filed in office May 7th 1852

Recd. Justice Secy

Office of the Board of Land
Commissioners for California

San Francisco May 10th 1852

Deposition of
Pablo de la Guerra

On this day before me Henry J. Thornton 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 claimant John
Wilson whose petition is No. 220 in the the docket of
said Commission and after being duly testified
as follows - The Law Agent of the United States was
duly notified and attended -

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1st Question. What is your name age and place of residence
Answer. My name is Pablo de la Guerra, my age is 32
years - I reside in Santa Barbara and have
resided in California all my life

2nd Question. Are you acquainted with the signatures
of Pio Pico, Jose Maria Canarrabias, Narcisco Botello,
Jose de Jesus Pico, J. Mariano Bwillo, Pedro C. Car-
ullo, James Scott, John Wilson, & Thomas M. Robbins
and if so say whether their signatures to the documents
before you are genuine and whether the documents
themselves are genuine and original, and whether the
papers in Exhibits "A" "C" & "E" filed in ~~the~~ claim 220
in the office of the Secretary of the Commission are
correct copies of these originals

Answer. I am acquainted with the signatures of Pio
Pico, Jose Maria Canarrabias, Narcisco Botello, Jose
de Jesus Pico, J. Mariano Bwillo, Pedro C. Carullo
James Scott Juan Wilson & Thomas M. Robbins
These signatures to the documents before me are
genuine, the documents themselves are genuine
and original - I have compared them with Exhibits
"A" "C" & "E" filed in claim No 220 in the office of the
Secretary of the Commission and the latter to be
correct copies of these originals.

The U.S. Law Agent present } Pablo de la Guerra
sworn to and subscribed }
before me this 10th of May }
1853. } Harry J. Thornton Comr

Filed in Office May 10th 1853

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Deposition of
Jno. Young

San Francisco Jan 4th 1853
On this day before me Comr. Harry J. Thornton
Came John Young a witness in behalf of the
Claimant Juan Wilson. Petition 220 and was
duly sworn his evidence being given in English
The U.S. Law Agent was present

Questions by Claimants Counsel

My Name is John Young, My age is 28 years. I
reside in Santa Clara County and have lived
in California 9 years - I am acquainted with
the "Canada del Chorro" it is situated in the
County of San Luis Obispo, it has been occupied
by John Wilson the present Claimant since
1845 with cattle and horses, and a part of it
was cultivated, he has a house on it the present
time and occupies the land

Sworn to and subscribed } John Young
before me this 4th of Jan 1853

Harry J. Thornton

Filed in Office Jan 4th 1853

Geo. Fisher Secy

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Año de 1846.

Expediente formado en la posesión
Jurídica q^e se dio a Don Juan
Wilson "en el terreno q^e en los
autos se verá.

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Pío Pico Vocal decano de la Asamblea departamental y Gobernador provisional de las Californias por ministerio constitucional.

Doc: A. & C. annos Don Juan Wilson han pretendido para su Deposition of beneficio personal y el de sus familias Pablo de la Guerra el terreno conocido con el nombre de Cañada del Chorro, que se encuentra al lado entre tierras de Guadalupe Cantua de los Indígenas Romualdo y Toribio y del Rancho de la Cañada de los Osos; practicadas previamente las averiguaciones concernientes segun lo dispuesto por leyes y reglamentos de la materia usando de las facultades que me son conferidas a nombre de la Nacion Mexicana, he venido por decreto de este dia en concederles el espresado terreno, declarandoles la propiedad de el por las presentes letras de conformidad con la ley de 18 de Agosto de 1824. y reglamento de 21 de Noviembre de 1828. a reserva de la aprobacion de la Excm^a Asamblea y bajo las condiciones siguientes

1^a Podrán cercarlo sin perjudicar las travesias, caminos, y Servidumbres y lo disputaran libre y exclusivamente destinandole al uso y cultivo que mas les acomode, en la inteligencia que se les concede en complicacion del terreno que poseen nombrado Cañada de los Osos.

2^a El terreno de que se les hace donacion es de la estension de un sitio de ganado mayor o algo menos, segun demuestre.

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el diseño que ora en el expediente; El Juez res-
-pectivo les dará la posesion juridica en Vir-
-tuda de este despacho y demarcara los linderos
con las mojoneras necessarios.

En consecuencia mando que teniendo
el presente titulo por firme y valedero se
tome razon de el en el libro respectivo y se
entregue a los interesados para su resque-
-rdo y demas fines. Dado en la Ciudad de
de los Angeles, en este papel comun por
falta del Sellado que corresponde, a
diez de Octubre de mil ochocientos cuaren-
-ta y cinco

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Pio. Pico

Jose M. Covarrubias. Seco

Queda tomada razon de este titulo en el
libro respectivo. Angeles fecha ut Supra
Covarrubias.

Narciso Botello: Diputado Secretario
de la Il. Asamblea Departamental
de California.

Certifico q. en sesion de este dia aprobo
la Honra Asamblea la concesion hecha
p. el Gobierno Departamental a favor de
Dn. Diego Gott, y D. Juan Wilson del
paraje del Chorro, en estension de un
sitio de ganado Mayor algo menos en
ampliacion al q. Prosen, segun titulo li-
-brado a su Veneficio y el de sus familias
con fha 10 de Octubre ultimo y para q. los
interesados puedan acudir al C. J
Gobernador p. el titulo de aprobacion
Respectivo, libro la presente en cumpli-
-miento al Acuerdo de dicha - C -

110 3
Asamblea; en la Ciudad de los Angeles a
8 de Junio de 1846

Narciso Bottella.

José Inez de Paz.

San Luis Obispo
Mayo 13 de 1846
De conformidad con lo pedido pre-
=veia citacion de los colindantes
para el Viernes 15 del corriente
se le dara al interesado la
posesion juridica qe pretende
Asi lo decretò y firmeyo el Jefe
de Paz de esta Demarcacion
Pico.

Juan Wilson vecino del
Partido de Santa Barbara
ante V. como mejor proceda
dijo: que en virtud de
Haberseme concedido p:
el Excmo Jor Gobernador
de este Departamento un
terreno el cual se vera
p: el Título q: debidamente
acompaño. solicito tenga
V. a bien darme posesion
juridica del terreno indi-
=cado, sirvendose al
efecto, citar el dia y hora
en que pueda verificarse
Por tanto.

A. V. suplico acceda a mi favor
en lo q: recibire gracia y quedare reconocido.
y dispensandome este papel comun
p: falta de Sellado.

San Luis Obispo Mayo 13 de 1846

Scott & Wilson.

En el pueblo de San Luis Obispo a los tres
dias del mes de mayo del Año de mil
ocho cientos cuarenta y seis siendo presen-
=te Dⁿ Juan Wilson le fue saber el
Cunto anterior y dijo: lo Oye y es conforme
de lo q: doy fei con los testigos de asistencia

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P.^a falta de Escribano.

as.^a J. de Jesus p^{re} as.^a
Jose Garcia J. Mar^{no} Bonilla

San Luis Obispo Mayo 14 de 1846
Con esta p^{ta}: se citaron a los Señores Dⁿ
Guadalupe Cantúa Dⁿ Victor Inares y Dⁿ
Mariano Bonilla, el primero colindante
con el terreno concedido a Dⁿ Juan
Wilson p^r: la parte del O. cuarta N.
Oy el segundo representando en lugar
del Sr. Chibiti. tambien colindante con
el expresado terreno y el tercero p^r
q^l. Señale el termino y limites de las tierras
de Torbes y Romualdo p^a que concurren
al parage conocido con el nombre del
chorro el dia 15 de Mayo a las once
del dia y se asentó p^r: diligencia q^l. firmó
con los de asistencia:

as.^a J. de Jesus p^{re}. as.^a
Jose Garcia J. Mar^{no} Bonilla.

En el parage del Chorro a los quince dias
del mes de Mayo del año de mil y ochocientos
cuarenta y seis siendo presente yo el Juez
de Paz y los de asistencia llegaron los Señores
Guadalupe Cantúa, Victor Inares y José
Mariano Bonilla p^a la cita con q^l se les hizo
y se asentó p^r: diligencias q^l. rubrique.
En el mismo parage, dia, mes, y año yo
el Juez de Paz de la Demarcacion de
San Luis Obispo acompañado de los
de asistencia y siendo presente Dⁿ
Juan Wilson p^r: falta de un punto
agrimensón dispuse nombrar dos medi-
dores cordeleros, y al efecto nombre

de los concurrentes á los Individuos Agustin Martínez y Vicente Teclor á quienes habiéndose aceptado el encargo les tome juramento q^o hicieron p^o Dios nro: Sr y la Santa Cruz, de desempeñar fielmente su nombramiento y lo asente p^o diligencia q^o firmó con los de Asistencia

as^o J. de Jesus Pico
 José García J. Mar^o Bonilla

En seguida en el mismo parage, día, mes y año y el Juez de Paz de la Demarcación de San Luis Obispo con los de mi Asistencia dispuse se midiera á un Cordel de cien varas para con el efecto se midió un Cordel de Pita de cien varas castellanas y en sus extremos se ataron dos estacas lo cual asente p^o diligencia q^o firmé con los de Asistencia

J. de Jesus Pico
 as^o José García as^o J. Mar^o Bonilla

A continuación en el mismo parage día, mes y año y el Juez de la Demarcación de San Luis Obispo acompañado de los de Asistencia y concurrentes y citados con objeto de condecar las medidas pasamos á donde se encuentra el linderio del Rancho de los Osos y el de D^o Guadalupe Bantua cuyo punto queda demarcado con el nombre de la piedra grande q^o está al pie del serro q^o llaman de Romualdo, tomando los Cordeleros el Cordel para sus extremos se comenzó á medir hacia el rumbo de N. cuarta N. E. hasta llegar á unos

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encinos a se ben en la cuchilla mas inme-
 -diata a la Sierra del funeral cuyo punto que-
 -da de ~~se~~ marcado p^o un portestelo q^o se haya
 al frente en el espinado de la citada Sierra
 y hasta alli se contarán cincuenta cordeles:
 y se continuo la medida p^o el rumbo E. O. hiet
 cuarta S. E. hasta llegar a los linderos de Olmito
 y queda señalado este lugar con una caña-
 -da de donde comienza el arroyo q^o llaman
 del Chorro en lo q^o se contaron veinte y
 nueve Cordelcs. Se siguieron las medidas
 p^o toda la Culla del mencionado Arroyo
 hasta colindar con las tierras de Romualdo
 al rumbo de S. cuarta S. O. en donde
 se contaron treinta cordeles de alli se
 continuo al poniente y termino con la
 misma piedra de donde se comenzo:
 a la midicion del citado terreno y se
 contaron veinte y nueve cordelcs; con
 lo que fueron concluidas las medidas
 y señalados los terminos y linderos bajo
 la circunferencia de tres mil ochocientos
 vasas: Concluidas de este modo
 las referidas medidas y siendo conformes
 los colindantes no habiendo oposicion p^o
 ninguno p^o perfeccionar el acto en presen-
 -cia de todos los concurrentes tomé para
 la Man. a Dⁿ. Juan Wilson y en voz
 clara le dije: En Nombre de la Nacion
 mexicana doy a V. posesion del terreno
 q^o se le ha concedido a V. y q^o ahora
 se ha medido y mandandole q^o hi-
 -ciese alguna demonstracion de haber
 adquirido el dominio util y directo

y con tal la propiedad de aquel terreno
como dueño mismo de el carb la tierra
arranco yerbas y toró piedras con lo cual
se concluyó el acto, habiendo pedido a
este tiempo Dr. Juan Wilson se le en-
-tregaren estas diligencias originales
Originales p^a cuya constancia lo
firmé con los de Asistencia

J. D. Jesus Pico

a d^{no}

a ssa

José Garcia J. Mariano Bonilla
San Luis Obispo Mayo 16 de 1846.

Deberbare estas diligencias al intere-
-resado originales p^a testimonio de
adquisición de propiedad y el uso q^e
mejor le convenga y tomese razon en el
libro correspondiente.

Pico.

San Luis Obispo Mayo 17 de 1846
Atendido el acto anterior se le devolvieron
al interesado estas diligencias originales
en siete folios utiles y lo asenté p^a dili-
-gencia q^e rubrique

Queda tomada razon en el libro respec-
-tivo de este Juzgado a folios 5. 6. 7 y 8
fha ut supra.

J. de Jesus Pico.

Filed in Office Dec. 29th 1852

Geo. Fisher Secy.

Pro. Pico Jona Vocal of the Departmental Assembly
and in officio provisional Governor of the California

Translation of
Titulo &c

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Whereas Don Diego Scott and Don Juan Wilson have for their personal benefit and that of their families petitioned for the land known by the name of "Canada del Chorro" which is vacant between the lands of Guadalupe between those of the Indians Romualdo and Jacobo and for the Rancho of the Canada de los Osos, the necessary examinations having previously been made as required by laws and regulations on the matter, using the faculties which are conferred on me in the name of the Mexican Nation I have in decree of this day granted them the aforesaid land declaring to them the ownership of it by these presents in conformity with the laws of August-18th 1824 and regulations of Nov. 21st 1828 subject to the approval to the approval of the most Excellent Assembly and under the following conditions viz

1^o They may inclose it without prejudice to the crop roads and servitudes and enjoy it freely and exclusively making such use and cultivation of it as they may see fit with the understanding that this is granted as an extension of the land which they possess called Canada de los Osos

2^o The land thus granted in donation is in extent one sitio de ganaderia mayor (One sq League) or some what less as shown on the map, which goes with the Espectante; the proper Magistrate will give them judicial possession in virtue of this order and will make out the boundaries with the necessary land marks

In consequence I order that this title being held as firm and valid, note be made of it in the proper

book and it be delivered to the parties interested for
their security and other purposes
Given in the City of Los Angeles on this Common paper
for want of the Stampes which correspond on the
10th day of October One thousand eight hundred
and forty five

(Signed) Narciso Botello Secy (Sgd) Pio Pico

Note has been taken of this title in the proper book
Date as above.

Sgd Covarrubias

Narciso Botello Deputy Secretary of the excellent Departmen-
tal Assembly of the California.

I certify that in session of this day the most Excellent
Assembly approved the grant made by the Departmental
Government in favour of Don Diego Scott and Don Juan
Weldon of the place of the Chorro in extent one sitio de
Lanadao mayor (One sq league) or somewhat less
in addition to that which they possess, according to
the title executed for their benefit and that of their
Families dated 10th October 1846 and that the parties
interested may apply to his Excellency the Governor for
the respective title of approbation. I give them these
presentes in compliance with the order of said Assembly
in the City of Los Angeles July 8th 1846

(Signed) Narciso Botello

I hereby certify that the foregoing to be a true and
correct translation from the Original Spanish Docum-
ent on file in this Office in case 220 Juan Weldon
for the place named Lanadao del Chorro marked
A & C annexed to the deposition of Pablo de la Guerra
Geo. Fisher Secy

Filed May 7th 1852 Geo Fisher Secy

Translation of
Judicial possession

San Luis Obispo May 13 1846

To the Justice of the peace
Juan Wilson resident

In compliance with this
petition, on Friday the 15th
inst. Judicial possession
will be given as requested
the Colondantes being present
usly cited. Thus I the
Justice of the Peace of
this demarcation decreed
and signed

in the partido of Santa Barbara
before you in the proper manner
represents that in virtue of his
the Governor of this
Department having granted him
a piece of land as will be seen
by the title which he duly transmits
here with, he prays that you will
see fit to give him the judicial
possession of said land and be
pleased to name the day and
hour on which to do so
Therefore he prays you to grant
as he requests by which he will
receive grace and will acknow-
ledge the favour & excusing
this common paper for want of
stamped paper

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(Signed) Pico

San Luis Obispo May 13th 1846

In the pueblo of San Luis Obispo ^{Summ'd} ^{Scott & Wilson} on the thirteenth day of
of the month of May in the year one thousand eight
hundred and forty six Don Juan Wilson being present
informed him of the preceding order and he acknow-
ledged a notice which I certify with the assisting
Witnesses for want of a notary

Witnesses
Signed Jose Garcia
(Signed) J. Mus. Bonello.
(Signed) Jose de Jesus Pico

San Luis Obispo May 14th 1846

On this day we summoned Don. Guadalupe Cantua
Don Victor Laneros and Don. Mariano Bonello the

Just Colindante with the land granted to Don. Juan Wilson on the West quarter North West, the second representing Sena Olivet, also a Colindante with the said land, and the third to show the boundaries and limits of the lands of Toribio and Romulo, that they should meet at the place known by the name of the Chono the 15th day of May at eleven O'clock and I made it Officially and signed with those of assistance

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Asisting Witnesses
(Sg) Jose Garcia } (Sga) J. de Jesus Pico
(Sgd) Mariano Bonello }

In the place of the Chono on the 15th day of the month of May one thousand eight hundred and fifty two present I the Justice of the Peace and Asisting Witnesses, there arrived the Senores Guadalupe Cantero Victor Linares, and Jose Mariano Bonello, for the summons which was made them, and I made official note of it, which I signed in Rubric

(Rubric of J. de J. Pico)

In the same ^{place} day month & year I the Justice of the Peace of the demarcation of San Luis Obispo accompanied by those of my assistance and being present Don Juan Wilson; for want of a professional surveyor, I decide to appoint two measuring rope bearers, and did appoint from the bystanders the individuals Augustin Martinez and Vicente Felix, of whom after having accepted the office, I required an oath which they made by God our Lord and the Holy cross to discharge faithfully their appointment, and I made official note of it and signed it with the asisting witnesses

Asisting Witnesses (Sga) J. de Jesus Pico
(Sg) Jose Garcia
(Sgd) J. Mariano Bonello

In continuation in the same place day month and year I the Justice of the peace of the demarcation of San Luis Obispo with the assisting witnesses used as a cord to be measured one hundred Varas long with which to make the measures of the land and a rope of pita (grass rope) was measured one hundred Spanish Varas long and two stakes were tied to its extremities which I noted officially and signed with assisting witnesses

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Asstg. Witnesses (signed) Jose de Jesus Pico
Sr. Jose Garcia
Sr. Jose Mariano Bonillo

In continuation in the same place day month and year & the Magistrate of the demarcation of San Luis Obispo accompanied by those of assistance and bystanders before mentioned for the purpose of commencing the survey we went to the place where meet the boundaries of Rancho of Los Osos and that of San Guadalupe Continuo which place is designated by the name of Piedra grande which is at the foot of the Cerro which is called Romualdo and the rope being taking the Cordel by its extremities and stakes commenced to measure N^o 1/4 E to some Oaks which are seen on the ridge nearest to the "Sierra del pinal" which point is marked by a portezuelo which is opposite to it on the main ridge of Saca Sierra distant fifty Cordels, thence the measurement was continued E 1/4 S. E to the boundaries of Olivet and this place is marked by a Cornalio in which ^{the} Arroyo which is called of the Chino commences, distant twenty nine Cordels. Thence they measured down the Saca Arroyo to the boundaries of the lands of Romualdo in the direction S 1/4 S. W distant thirty Cordels, Thence it was continued westerly and ended at the same rock where the measurements

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were commenced of said land, distant twenty nine
Cordels with which the measurements were finished
and the boundaries designated, the sum of which
was thirteen thousand eight hundred Varas said
survey being thus finished and the Colindantes
opening, and there no opposition of any person, to
perfect the act, in the presence of all the bystanders
I took by the hand Don Juan Wilson and in a
loud voice said to him. In the name of the Mexican
Nation I give you possession of the land which
has granted to you, and now measured, and
having directed him to make some demonstration
of having acquired the useful and direct dominion
and with it the ownership of said land as the
sole lord of it, he dug up earth, pulled up grass
three staves with which the act was finished.
Don Juan Wilson having at this time, requested that
these Original ^{Documents} be delivered to him, in testimo-
ny of which I signed with those of Apurhancos
(Signed) Jose de Jesus Pico

Opening Witnesses
D^o Jose Garcia
D^o J. Mariano Bonilla

San Luis Obispo May 16th 1846

Let these Original Official documents be delivered to the
party interested in testimony of acquisition of ownership
and the use he may think proper and let note be
taken in the corresponding book

(Signed) Pico

San Luis Obispo May 17th 1846

In compliance with the foregoing order the Original
Official papers were returned to the party interested

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in seven folios and I made official note of it which
I signed in Rubric

(Rubric of J. Pico)

Note has been made in the propo book in this office
in folios 5, 6, 7 and 8

(Agua) Jose de Jesus Pico

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I certify the foregoing to be a true and correct trans-
lation from the original Spanish document on
file in this office in case No. 220 Juan Wilson
for the place named Canada del Chono being a
part of Doc. Marked A & C and annexed to the
deposition of Pablo de la Guerra May 10th 1853

Geo. Fisher Sec'y

Filed in office May 20th 1853

Geo. Fisher Sec'y

Before the U.S. Land Commission

Stipulation

In the claim of John Wilson to the Canada del Chorro

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In this case it is agreed between the Counsel for the claimant and the Law Agent of the United States that all the laws decrees Ordinances and regulations whether of Spain or Mexico and especially the Colonization Law of Mexico passed August 18th 1824 and the regulations made by the Supreme Executive power of Mexico on the 21st of November 1828 shall be considered as having been offered in evidence in this case and duly proved

Hallish Peachy & Bellings
Counsel for claimant

R Greenhow
Asst. Law Agent

Filed in Office March 8th 1853

Geo. Fisher Secy

Before the U.S. Land Commission

In the case of John Wilson to "Canada del Chorro" No. 220. on Commissioners Docket

Stipulation

The Law Agent on the part of the United States admits the genuineness and the execution of the original deed of transfer of James Scott to John Wilson of his right in the land called "Canada del Chorro" dated June 1st 1848 and filed in this case, marked E Robert Greenhow, Asst. Law Agent

Filed in Office April 8th 1853

Geo. Fisher Secy

25

En el Pueblo de Santa Barbara a pri-
 mer de junio de mil ochocientos cuarenta y
 ocho, Comparecieron ante mi Pedro C. Carrillo
 juez de primera instancia de dicho pueblo
 y su jurisdiccion los Señores Don Digo
 Scott y Don Juan Wilson y dejaron
 que Digo Scott cede a favor de Don
 Juan Wilson todo su derecho que tiene
 en los parajes conocidos con el nom-
 bre de Canada de los Bos y el Chorro
 en la jurisdiccion de San Luis Obispo
 igualmente obligandose Don Juan
 Wilson al divido y exacto cumpli-
 miento de los articulos siete y nueve
 del Contrato celebrado y ratificado
 en este juzgado entre ambos en
 esta misma fecha. Hoy feo.

E

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Santa Barbara junio 1^o de 1848
 Firmado Pedro C. Carrillo
 Firmado James Scott
 Firmado James Wilson

an^a
 Firmado Edward A King an^a
 Tomas M. Robbins

Filed in Office May 7th 1852
 Geo. Fisher
 Secy.

25 SD
PAGE 25

In the Pueblo of Santa Barbara on the first of June
Eighteen hundred and forty eight, before Pedro le
Canello Judge of First Instance of said Pueblo and
its jurisdiction, appeared Don Diego Scott and Don
Juan Wilson and said: that Diego Scott comes in
in favour of Don Juan Wilson all the right which
he has to the places known by the names of "Canales
de los Osos" and "el Chorro" in the jurisdiction of San

J.
Translation Luis Obispo. Don Juan Wilson also binding himself
to the due and exact compliance of the twenty and
Transfer from with articles of the Contract executed and ratified
Scott to Wilson in this Court between them both on this day
I certify

Santa Barbara June 15th 1848

(Signed) Pedro le Canello

(Signed) James Scott

(Signed) John Wilson

Assisting Witnesses

(Signed) Edwin A King

(Signed) Thomas M Robbins

I certify the foregoing to be a true and correct
translation from a Spanish document filed in
this office in case No 220. Juan Wilson for the
place named "Canales del Chorro"

Geo. Fisher Secy

Filed in office May 7th 1850

Geo. Fisher Secy

The following cases were submitted for our decision as Commissioners of California Land Claims on the 11th day of April 1853, viz:

Statement.	No 16	Heirs of Henry D. Fitch	Claimants
	" 164	Heirs of F. Guerrero	do
	" 166	Heirs of Edward A. Bale & others	do
	" 218	John Wilson	do
	" 146	Samuel Morris	do
	" 49	José Carrillo & others	do
	" 165	Jacob P. Leese	do
	" 220	John Wilson	do
	" 86	Jasper C. Howell	do

25 SD

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In all of these cases Opinions & Decrees were formed and written out by us as Commissioners & signed by the Commissioner who wrote them, prior to any notice whatever of our removal, and were held up for delivery until Monday the 18th instant (the day appointed by us) for their entry when according to our established course of doing business, the blanks which had been left for the dates would have been filled up, & the signature, if not before made, of the other Commissioners would have been appended.

On the 15th instant the Mail Steamer arrived bringing newspapers stating that we had been removed from office & our successors appointed, and on the 19th instant a notice purporting to be signed by the Chief Clerk of the Department of the Interior, stating our removal and the appointment of our successors was also seen by us in the National Intelligencer. No other knowledge or notice of our removal has come to us. Under

this state of facts we this 22nd day of April 1853, complete the signatures of said Decrees as of the day they were intended to have been made and file them with the Secretary of the Board, filing also with the Secretary this statement for the information of all concerned.

Willard Keall

Henry J. Thornton

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Dated in Office April 22nd 1853.

As: Fisher Secy

DATE
APR 20

John Wilson Claimant vs. U. S. Land Commission for California San Francisco
 No. 220 "Canada del Horro"
 The United States Opinion by Commissioner A. J. Thornton.

Opinion of Board

25 SD
 PAGE 28

The claim in this case presented, is founded upon a grant made by Pio Pico Governor of California to the claimant, and one (Grego) James Scott in virtue of the decree of the 18th of August 1834 of the Ordinance of the 31st of November 1838 of the Mexican Government. The grant is for one square league or somewhat less which alternative terms are inoperative or insignificant except as they intimate a restriction of the grant within the boundaries of the decree. By a statement of the Custodian of the Archives of the former Governments of the Country which is agreed to be taken as evidence: by the production of the Original Documentary evidence of title, and by the other testimony in the case it satisfactorily appears that the grant was duly made by Competent Authority on the 10th of October 1845. That it was approved by the Departmental Assembly on the 8th of July 1846. That a measurement and judicial possession was had of the premises in May 1846; that the requirement of the Law and of the grant as Occupation or Cultivation was fully complied with, and that the interest of the joint grantees Scott was regularly conveyed to the claimant. Having decided already in many cases, that the approval by the Departmental Assembly of the grant of the Governor did not constitute such a necessary ingredient in the investiture of any right or title, as that the failure of the Governor to procure it would prevent a Confirmation, under the Act of the 3rd March 1857, it is not thought necessary to do more than merely advert to the fact that the approval in this case was made after the 7th of July 1846 the day on which the American flag was hoisted and the rule of the

25 SD
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Country apated, by the authority of the United States.
In accordance with the principles laid down for our
government in the 11th Section of the Act of the 3rd of
March 1851 and with decisions previously made by this
Board, the claim, the claim is held to be valid and
we proceed to enter the following decree of Confirma-
tion. Commissioner Hall concurs in the result

Harry J Thornton

Decree of
Confirmation

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 we
proceed to make, and does hereby make the following
decree or report of final Confirmation viz: It is decreed
that the said claim be confirmed to the claimant to
the extent and quantity of one square league, and
if no more, being the same land described in the grant
and espediente to which the grant refers, and of which
the claimant has had and enjoyed the possession under
the said grant: provided that the said quantity of
land granted and now here confirmed, be contained
within the boundaries called for in the grant, and maps
referred to therein; and if there be less than the said
above named quantity within the said bounds, then
we confirm to the claimant that less quantity, it being
apparent that said quantity exceeds the minimum
of two hundred Varas as prescribed by the Ordinance
of the 21st of November 1828. Witness our hands this 18th
day of April 1853

Hiland Hall }
Harry J Thornton } Commissioners

Filed in Office April 22nd 1853

Geo. Fisher Sec'y

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 *Thirty (30)* pages, numbered from
1 to *30*, 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. *220* on the Docket of the said Board,
wherein

Juan Wilson is

the Claimant against the United States, for the place known by
the name of *"Canada del Cerro."*

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

Geo. Fisher.

25

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

No. *25* Docket

THE UNITED STATES, *Appl.*

25

Juan Wilson

For El Chorro
1/4 League - S. Luis Obispo Co.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *220*

Recd Aug. 12. 1854

Filed 19 August 1854

A. S. Taylor
Clk.

25

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PAGE 31

Office of the Attorney General of the United States,

Washington, 11th September 1854.

Isaac Wilson

vs.

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 June 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 25.}
U. S. District Court.
Southern District of California.

Juan Wilson

vs
The United States.

Notice of Appeal from City Secs.

Filed Nov 4th 1834.

J. S. Jan
Clerk.

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In the District Court of the United States for the
Southern District of California.
Los Angeles County.

Juan Wilson
Att
The United States } No. 220.
}

To the Honorable Isaac S. K. Ogier Judge of the
District Court of the United States for the South-
ern District of California.

The petition of Pacificus Ord (of Monterey County)
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 his proper person, in the name and behalf of the
United States, represents as follows.

That heretofore, to wit, on or about the 7th day of
May AD 1852, John Wilson presented a petition to
the Commissioners to ascertain and settle the private
land claims in the State of California, claiming a
tract of land called, "Canada del Chorro" in San Luis
Obispo County, in words and figures following, viz.

"The petitioner John Wilson respectfully shows, That on
"the 10th day of October AD 1845 Pio Pico Governor of
"California, by virtue of authority in him vested,
"granted to the petitioner jointly with his partner
"in business James Scott the land called "Canada
"del Chorro" in the present County of San Luis
"Obispo containing about one square league of
"land with the boundaries described in the grant
"and set forth in the corresponding map; which
"said grant was approved by the Assembly of

California on the 8th day of July A.D. 1846 a copy
 of which grant and certificate of approval is
 submitted herewith marked "A" with a transla-
 tion marked "B" That on the 15th day of May A.D.
 1846 the said tract of land was duly surveyed
 and the Judicial possession of it given to the said
 James Scott and the petitioner, his partner in
 business in due form of law; a copy of which act
 of survey and possession is submitted herewith
 marked "C" with a translation marked "D" That
 on the 1st day of June 1848 the said Scott sold and
 conveyed his right and interest in the said tract
 of land to the petitioner, a copy of which Con-
 veyance is submitted herewith marked "E" with
 a translation marked "F". And the petitioner further
 shows that the said tract of land has not been sur-
 veyed by the Surveyor General of the United States
 but that it was duly surveyed and its boundaries
 marked at the time of giving the Judicial possession
 of it in 1846 as aforesaid and since been surveyed
 by the County Surveyor of the County of San Luis
 Obispo, a copy of a plat of which survey is sub-
 mitted herewith marked "G" That petitioner has been
 ever since and before the date of the grant aforesaid
 and now is in the quiet peaceful and undisputed
 possession of the said tract of land That he knows
 of no conflicting claim That he relies for Confirmation
 of title upon the original papers, Copies of which are
 submitted herewith And upon the records and min-
 utes in the Archives of under the charge of the
 Surveyor General; and upon such other and further
 proofs, as he may be advised are necessary Wherefore
 he prays the Commissioners to confirm to him the said tract of land"

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Your petitioner further represents that there after

Your petitioner further represents that thereafter,
to wit, on the 18th day of April AD 1853, the said
Commissioners, confirmed by final decree the said
claim of the said John Wilson, in the words and
figures following, to wit. "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
" proceeds to make, and does hereby make the following
" decree or report of final Confirmation viz; It is
" decreed that the said claim be confirmed to the
" Claimant to the extent and quantity of one square
" league, and for no more, being the same land de-
" scribed in the grant and expediente to which the
" grant refers, and of which the Claimant has had
" and enjoyed the possession under the said grant;
" provided that the said quantity of land granted
" and now here confirmed, be contained within the
" boundaries called for in the grant, and map referred
" to therein; And if there be less than the said above
" named quantity within the said bounds, then we
" confirm to the Claimant that less quantity, it being
" apparent that said quantity exceeds the minimum
" of two hundred varas as prescribed by the Ordinance
" of the 21st of November 1828. Witness our hands this 18th
" day of April 1853." (Signed) "Hiland Hall } Commis-
" " } Harry J Thornton } sioners."

That thereafter, to wit, on the 19th day of August AD 1854
a duly certified transcript of the said decree and
proceedings, and the papers and evidence on which
it was founded, in said Cause, was filed in the
Office of the clerk of the District Court of the
United States for the Southern District of California,

and marked N^o 230 reference to which it is prayed may be had and made a part of this petition.

That on the 30th day of June A.D. 1854, the Honorable Caleb Cushing Attorney General of the United States, received a duly certified duplicate of said transcript of said final decree and proceedings of said Commissioners in said Cause, (N^o 230) and the papers and evidence on which said decree was founded.

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That thereafter, to wit, on the 7th day of November A.D. 1854, the said Attorney General of the United States, filed, or caused to be filed, on behalf of the United States, a Notice with the said clerk of said District Court for the Southern District of California, that the Appeal in said Cause of Juan Wilson vs the United States from the decision of the said Commissioners to ascertain and settle the private land claims in the State of California, 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 said land claimed as aforesaid, is within the Jurisdiction of this Honorable Court.

And your petitioner further represents and insists that the said decree 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 said cause, now on appeal from said Commissioners to this Honorable Court.

And your petitioner further represents that the said claim is invalid, and the said decree erroneous, on the following grounds.

1. That the said John Wilson shows no valid title to the said land claimed by him as aforesaid; and

1. That the said Court Mason shows no valid title to the said land claimed by him as aforesaid; and it is denied that he has any.

2. That the said alleged grant of Pio Pico, was made in violation of the 4th Article of the Colonization Law of the 18th of August AD 1824, in this, that the land granted, as alleged by claimant, was within ten leagues of the Sea Coast, there being no evidence by Claimant, that the Supreme General Executive power previously approved of the Colonization of the lands of California, within ten leagues of the Coast; and it is denied that such previous consent of said Supreme General Executive power of Mexico, in such case was ever had.

3. That at the date of the said alleged grant, the said land claimed as aforesaid, was occupied by the Missions of California, and particularly by the Mission of San Luis Obispo; and could not therefore be Colonized.

4. That the said alleged grant has not the Conditions required by, and is not made in entire conformity with the law of the 18th of August AD 1824, and the regulations of the 21st of November AD 1828.

5. That the land is not described sufficiently in the grant, so that it can be identified; that there is no term fixed within which the Grantee should be bound to cultivate or occupy the land; and it is not upon the legal stamped paper.

6. That there is no legal evidence of the approval of the grant, by the Departmental Assembly of California; That the certificate of Bonilla is insufficient, and there is no evidence that said Bonilla was Deputy Secretary of the Departmental Assembly on the 8th of July AD 1846. That the American Flag was raised in California

on the 7th of July AD 1846, And all acts of said Departmental Assembly after that date were void.

7. That the original maps referred to in the grant, and which forms a part thereof is not shown; that the land can not be identified and surveyed without it.

8 That no definitive title was given the said alleged grantees; that the Judicial possession and survey of Pico, of the date of the 15th of May AD 1846, was illegal without such definitive title.

9. That said Judicial survey and possession was not made according to the Calls and boundaries of the alleged original grant and map; and that said survey is vague and indefinite; and there is no evidence that said Pico was a magistrate on the 15th of May AD 1846, with lawful authority and Jurisdiction in the premises.

10. That the grantees have not proved that they built a house on the land within a year from the date of the grant, and that it was occupied, and that they cultivated the land. And it is denied that they built a house on the land claimed within a year from the date of the grant, and that it was occupied, and that they cultivated the land, as required by law.

11. And it is alleged that the said Diego Scott and Juan Wilson, grantees, as alleged, at the date of said grant by said Pico, were not either of them, by birth, Citizens of Mexico, and that they were foreigners, and were not naturalized Citizens of Mexico, and could not therefore at that time lawfully acquire, or hold lands in fee in California.

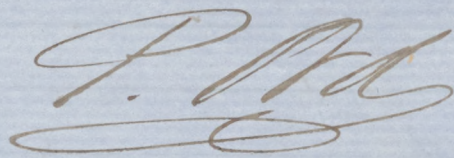
And no proof having been made by said Claimant

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of the allegations of his said petition

of the allegations of his said petition, or in support of his said claim filed as aforesaid, no decree ought to have been made or grounded thereon, but the said petition, ought to have been dismissed and said claim rejected by said Commissioners, upon the grounds aforesaid.

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 the laws and Statutes in such case made and provided, prays that the said John Wilson, or his Attorney, may be served with a copy of this petition, and that this Honorable Court will review the said decision or final decree of Confirmation of said Commissioners to ascertain and settle the private land claims in the State of California, and decide on the validity of the said claim of said John Wilson for said land claimed and confirmed as aforesaid, and that the same may be decreed invalid, and all such other Orders, Judgments or decrees as may be just. With Costs, and general relief.



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

25

N. 25

Juan Wilson
Ad.

The United States.

Petition of Mr. Wilson for
review &c.

Filed Dec 21. 1854.

25 SD

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J. E. Carr
clerk.

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

TO

The President of the United States,

Inan Wilson

25 SD

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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 *twenty first* day of *December* in the year of our Lord one thousand eight hundred and fifty-*four* at the City and County of Los Angeles, in said District, by

Pacificus Ord, Attorney of the United States for the Southern District of California, in behalf of the United States, praying the said Court to review, upon the grounds therein set forth, the decision of final confirmation of the Commissioners to ascertain and settle the private land claims in the State of California, of the claim of Inan Wilson, for the tract of land called Canada del Chorro, in the County of San Luis Obispo, California, to the extent of about one square league; which said claim was presented, by ^{you} petition, to said Commissioners, on or about the 4th of May A.D. 1852, and by them confirmed, on or about the 18th of April A.D. 1853.

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 aforesaid therein.*

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

J. E. Far,
Clerk.

No 25

Manuel Cost

Copying Summons 1,00
Serving Petition 4,00
Serving Summons 4,00
Actual Traveling

expenses 12 00
\$120,00

United States of America,
Southern District of California,
U. S. District Court.

Juan Wilson

adv. \$

The United States,

SUMMONS.
Return Feb'y 5th 1855
Edward Hunter
U.S. Marshal

I served this summons along with the proper copy of the petition upon Juan Wilson the defendant by delivering them personally a true copy of the summons and petition at his Rancho in the County of San Luis Obispo the twenty second day of February in the Southern District of California on A. D. 1855.

Sworn to and subscribed before me, this 10th of March, 1855. J. C. Farris Clerk.

Edoardo Hunter
U.S. Marshal.
D. J. [Signature]

In the United States District Court
for the Southern District of California
County of Los Angeles.

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John Wilson
Appellee } No 220.
ads } Cañada del Chorro.
The United States
Appellant.

The answer of John Wilson to the petition filed
in behalf of the United States by the District Attorney
of the Southern District of California, on appeal from the
decree of the U. S. Land Commissioners, respectfully shews
to this Honorable Court.

That on the 10th day of October A.D. 1845,
Pío Pico Governor of California, by virtue of authority
in him vested, granted to the said John Wilson the
appellee, jointly with his partner in business James
Scott, the land called "Cañada del Chorro" in the present
County of San Luis Obispo, containing about one square
league of land, with the boundaries described in the
grant, and set forth in the corresponding map; which
grant was approved by the Departmental Assembly of
California, on or about the eighth day of July 1846.

That on or about the 15th day of May 1846,
the said tract of land was duly surveyed by the
proper officers, and the juridical possession of it
given to the said James Scott and the appellee,
in due form of law.

That on or about the 1st day of June 1848
the said Scott sold and conveyed his right, title,
and interest in the said tract of land to the appellee.

That the appellee and the said James Scott
faithfully performed all the conditions annexed to
said grant -

No

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

25 SD

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The United States appellant }
vs } Claim for "El Choro"
Juan Millson appellee }

And now on the 12th day of June 1885 the
parties appear, the appellant by P. Ord, U.S. Dist
Atty for the Southern Dist of California, and the
appellee by his atty H. W. Hakala, and on motion
of appellee's atty it is ordered that either party
may take such further testimony as they may
wish in the above entitled cause.

✓ No 25
U.S. Dist Court for the
Southern Dist of Cal.

The United States
appellant
vs
Juan Wilson
appellee

Motion to take testimony

Filed June 13th 1853.

J. E. Jones
clerk

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

Juan Wilson

Appellee

and

The United States

Appellant

No 25.

"El Chorro"

25 SD
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To Juan Wilson or his attorneys,
Take notice that the above
entitled cause will be brought to a
hearing by the United States on
Friday the 19th day of October A.D.
1855, or as soon thereafter as the
same can be heard by the Court,
Los Angeles October 11. 1855

J. P. M.
C. D. J. S. A. B.

No 25.
Juan Wilson

vs

The United States

Notice of hearing
by U. States

Filed Oct 10th 1855.
J. E. Jones
clerk.

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P. O. U. S. Atty.

1845

Espediente moved by Señores Scott and Wilson
in application for the "Cañada del Chorro."

474.

Most Excellent Señor Governour.

Diego Scott and Juan Wilson ~~brothers~~
residentes in the Port of Santa Barbara
before the justification of your Excellency
in due form appear saying:

That being possessors of a small piece
of land in the vicinity of the Ex Mission of
San Luis Obispo, and having the necessity
of increasing the requisite pasture in
proportion to our numerous cattle, we
come to ask of your Excellency to be
so good as to grant us in fee the
place known by the name of the
Cañada del Chorro with the extension
which the map expresses which we have
the honor to submit here with.

Said land is bounded by our said
Rancho on the south, by that of Señor
Guadalupe Cantrea on the ~~south~~^{east}, by the
(Sierra) mountain on the north.

Wherefore we ask and pray your
Excellency to be so good as to give us
as we ask, hoping you will admit this
on common paper, for want of stamped.

We swear it is not in malice, & in due form.

Santa Barbara April 20th 1845

Scott & Wilson

In compliance with the preceding decree;
there is no objection to granting to the petitioners

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Angels April
28th 1845

The political
authority of Santa
Barbara will
report on the contents
of this petition
and afterwards
return it to this
Government for
such action as
it may determine.

Pio

20

the land which they ask in this case,
as according to the best information which
this Sub-Prefecture has of the said place
it is in fact vacant land between Don
Guadalupe Cantua and the Indians
Romualdo & Toribio, and by the same
it is repeated that there is no obstacle
known to these subscribers undersigned.

Santa Barbara September 17th 1845.

Anastasio Carrillo

25 SD
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Angels October 10th 1845.

Having seen the petition with which
this Expediente begins; the report of
the Sub-Prefect of Santa Barbara;
with all else presented and proper to be
seen: In conformity with the Law
of August 18th 1824, and the Regulation
of November 21st 1828, I declare Don
Diego Scott and Don Juan Wilson owners
in fee of the land known by the name
of the "Canada del Chorro"; that they
may add it to that which they already
possess called "Canada de los Osos". Let
the respective title be made out to
the grantees, reserving the present expediente
to submit it to the approbation of the
Most Excellent Departmental Assembly.

Don Pio Pico, Governor Provisional, by
virtue of the Constitution ^{of the Californias}, thus ordered,
decreed and signed; of which I certify.

Pio Pico.

Pío Pío, Señor Vocal of the Departmental Assembly, and Provisional Governor of the Californias, by virtue of the Constitution,

Whereas Don Diego Scott and Don Juan Wilson have asked, for their own personal benefit and that of their families, for the land known by the "Canada del Chorro," which is bounded nearest between the lands of Guadalupe Cantua, of the Indians Romualdo and Toribio, and of the Rancho of the "Canada de los Osos," the examinations concerning the matter being previously made according to what is directed by the laws and regulations on the subject, using the powers conferred on me in the name of the Mexican nation, I have by decree of this day granted to them the said land, declaring to them the ownership of it by these present letters, in conformity with the law of August 18th 1824 and the regulation of November 21st 1828, subject to the approbation of the Most Excellent Assembly, and under the following conditions:

- 1st They may enclose it without prejudice to the crossings, roads and easements, and enjoy it freely & exclusively, making the use and cultivation of it which may best suit them, with the understanding that it is granted to them as an addition to the land which they possess called "Canada de los Osos."
- 2^d The land which is granted is of the extent of one square league, or

a little less, as the map in the Expediente shows; the respective Judge will give the juridical paper in virtue of this despatch, and will mark the lines with the necessary land marks.

Wherefore I order that the present title being held as good & valid, note be taken of it in the proper book, and it be delivered to the parties interested for their security & other ends.

Given in the city of Los Angeles on this common paper for want of the corresponding stamped paper, this 10th day of October 1845.

Note is taken of this title in the corresponding books.

Angels May 8th 1846.

In virtue of this day this Expediente submitted to the most Excellent Departmental Assembly, and it was ordered to be passed to the Committee on lands.

Pio Pico

President

Agustine Olvera
Secretary Secretary.

Señor

The committee on vacant lands charged with examining the foregoing Expediente moved by Don Diego Scott and Don Juan Wilson relative to an addition to the place which they possess, called "El Chorro" in the jurisdiction of San Luis Obispo, which was granted by the superior Departmental Government

in accordance with the laws on the
matter, report for the deliberation of your
Honorable body the following proposition:

Approved the grant made in
favor of Don Diego Scott and Don Juan
Wilson of the addition to the land
which they possess, called "El Chorro", in
extent one square league, or a little
less, according to the title issued for their
benefit and that of their families under
date of the 10th of October last in accordance
with the law of August 18th 1824 and
Article 5th of the regulation of November
21st 1828.

Hall of Committees in the City of Los
Angeles July 4th 1846.

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No 25

The United States

vs.

John Wilson

Transation of Expediente

Filed Oct 19th 1855

J. E. Jones
Clerk

25 SD

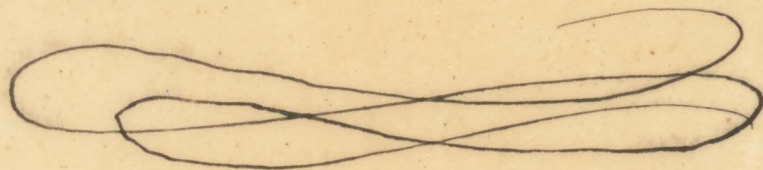
PAGE 54

Hallenbeck Pease & Billings
Attys for Appellee

Mr. Pouchy. \$15-

1845.

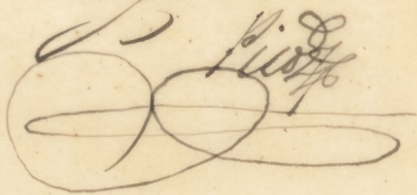
Expediente promovido por los Sres.
Scott y Wilson en pretension
a la Cañada del Cerro.



474

Exmo. Sr. Gobernador

Niego Scott y Juan Wilson ambos
Anglos Nacidos residentes en el Puerto de Santa Barbara
Por el 1845. ante la justificacion de V.E. como haya
Informe la au. mas lugar en derecho comparemos
Honradad politica diciendo: Que siendo poseedores de un
de Sta. Barbara corto terreno en las inmediaciones de
sobre lo contenido la Ex-Mision de San Luis Obispo; y
en esta instancia teniendo la necesidad de aumentarlo
y en seguida para proporcionar a nuestra cuantiosa
vuelta a este ganados los pastos necesarios: Venimos
Gobierno para en implorar de V.E. se sirva conceder
resolver lo que con nos en propiedad el paraje conocido
venga.

L. P. Scott


con el nombre de la Canada del Chorro
con la estension que expresa el diseño
que tenemos el honor de acompañar.

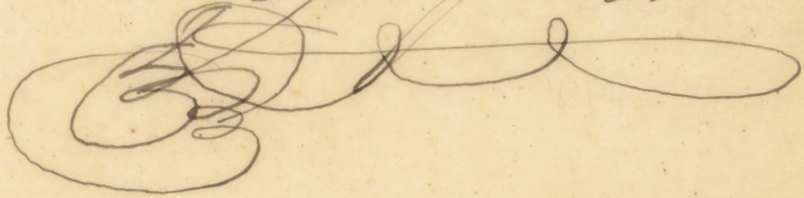
Dicho terreno esta colindante con
nuestro mencionado rancho por el Sur,
con el del Sr. Guadalupe Cantuas
por el este y con la Sierra por el
Norte, por tanto —

A. V. C.

Pedimos y Suplicamos se sirva
mandar proveer como pedimos, es-
perando se digno admitirnos en
papel comen por falta del sellado.
Jura^{mos} no ser de malicia y lo
necario & p.

San Barbara 20 de Abril 1845

Scotty Wilson



En cumplimiento del Superior
Decreto que antecede, no hay embarazo
en concederles a los interesados el
terreno que solicitan en la presente instan-
cia, pues antes del conocimiento que
esta Sub-prefectura tiene del muncion-
ada paraje, es efectivo hallarse baldio
entre San Guadalupe Cantua, y los Indijinas
Romualdo y Toribio, y por lo mismo se
repito que no hay inconveniente en
obsequiar a la parte que suscribe

San Barbara Septiembre 4 de 1845.

Anast. Carrillo

3

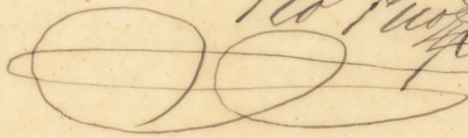
4.

Angela Octubre 10. de 1845.

P. D. Vista tal solicitud con que da
 principio este expediente; el infor-
 me del Sub-Prefeto ad Est^a
 Barbara, con lo demas que se
 tuvo presente y consideras como
 De conformidad con tal ley de
 18 del Agosto de 1824 y reglamento
 de 21 del Noviembre de 1828, de-
 claró a D^o Diego Scott y al
 D^o Juan Wilson dueños de
 propiedad del terreno conve-
 niendo con el nombre de la Cañada
 del Chorro para que lo agre-
 guen al que ya poseen llamado
 Cañada de los Osos; estanda-
 se a los agraviados el título res-
 pectivo, y reservo el presente
 expediente para someterlo
 a la aprobacion de la
 Excm^a. Asamblea departa-
 mental. D^o Pio Pio -
 Gobernador provisional, por
 ministerio Constitucional, del

15

Las Californias, así lo mandé
decrete y firmé según doy
fe.

P. P. P. P.




(6)

Don Pedro Real decano de la Asamblea Departamental y Gobernador Provisional de la California por el Ministerio Constitucional.

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Por quanto D.^{no} Diego Scott y D.^{no} Juan Wilson han pretendido para su beneficio personal y el de sus familias ~~las fincas~~ ~~de~~ ~~terrenos~~ conocidos con el nombre de Llanas del Pozo, que se encuentran baldías entre ^{de los indios} tierras de Guadalupe Cantoral, Hermualdo y Toribio ~~indianas~~ y del Rancho de ~~San~~ ~~Juan~~ ~~de~~ ~~los~~ ~~Rios~~ las Cañadas de los Rios, practicadas previamente las asignaciones convenientes segun lo dispone la Ley y Reglamento de las materias, como de las facultades que me son conferidas a nombre de la Nacion Mexicana, he venido por decreto de este dia en concordancia de expresado terreno, declarandolo ~~la~~ ~~propiedad~~ ~~de~~ ~~los~~ ~~señores~~ ~~Wilson~~ ~~y~~ ~~Scott~~ ~~por~~ ~~los~~ ~~presentes~~ ~~letras~~ ~~de~~ ~~conformidad~~ ~~con~~ ~~los~~ ~~decretos~~ ~~de~~ ~~18~~ ~~de~~ ~~Agosto~~ ~~del~~ ~~824~~ ~~y~~ ~~reglamento~~ ~~de~~ ~~21~~ ~~de~~ ~~Noviembre~~ ~~del~~ ~~828~~ ~~a~~ ~~reserva~~ ~~de~~ ~~la~~ ~~aprobacion~~ ~~de~~ ~~la~~ ~~Asamblea~~ ~~y~~ ~~de~~ ~~las~~ ~~condiciones~~ ~~siguientes~~.

1.^a Que para el efecto no perjudican las tierras, caminos y arroyos, y lo designaran libre y exclusivamente destinandolo

En la inteligencia que 17

al uso y cultivo que mas le aconviene de ~~su~~
 se les concede en ampliacion del terreno
 que poseen nombrado Canales de la Noe
 2.^a El terreno de que se la hace donacion es
 de la estension de un sitio de ganado mayor
 o algo menor, segun demuestre el dicho que
 obra en el expediente; el Juez respectivo le
 dara la posesion juridica en virtud de
 este Despacho, y demarcara los lindos con
 las personas necesarias.

En consecuencia mando que teniendo
 se de presente titulo por firma y valore,
 se tome razon de el en el libro respectivo y
 se entregue a los interesados para su regu-
 do y demas fines. Dado en la Ciudad de los
 Angeles, en este papel comun por falta
 del Alcaide que corresponde a diez de Oc-
 tubre de mil ochocientos cuarenta y cinco.

Queda tomada razon de este titulo
 en el libro a que corresponde

Angles Mayo 8 de 1846.

Dado cuenta en Sesion del
 hoy con este expediente a la Exma.
 Asamblea Departamental y
 mandó pasar a la comision de
 terreno.

Pro Rector
 P. Rioy

Agustin Obregón

Señor

(8.)

La Comision interina yalbio encargada a exa-
minar el antecedente Exped^{to} promovido p.
D. Diego Scott y D. Juan Wilson relativos al
parage en ampliacion al q^o posesn, nom-
brado el fhorro jurudiccion de S Luis Obpo.
q^o fué concedido p. el Sur. Gob. Departand
con arreglo a la ley en la materia, en este
concepto pone a la deliberacion de S. E. la
proposicion siguiente.

Se aprueve la concesion hecha en favor de don
Diego Scott, y D. Juan Wilson de la amplia-
cion al terreno q^o posesn nombrado el fhorro
en atencion de un sitio de ganado ma-
yor algo menor, segun titulo librado con
beneficio y el de sus familias con fecha 10 de
octubre ult. con arreglo a la ley de 18 de Sept.
de 1824 y art. 5.º del reglam. de 21 de Agosto de 28.

Hecho en la Ciudad de Bogota a los 4 de Julio de 1856.

L. Prielle

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

I, JOHN C. HAYS, Surveyor General of the United States for the State of California, and as such, having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, by virtue of the power vested in me by law, Do hereby Certify, that the Eight preceding, and hereunto annexed pages of tracing paper numbered from one to Eight inclusive, exhibit a true and accurate copy of a certain document now on file and forming part of the said Archives 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 *first* day of *October* 185*5*.



John C. Hays
U. S. Surveyor General for California.

Extract from the 2nd Section of the Act of Congress "providing for the Survey of Public Lands in California, and for other purposes." Approved, March 3d, 1853.

"The Secretary of the Interior is hereby authorized to cause an official Seal to be prepared for the Office of the said Surveyor General, [California] and any copy or extract from the plats, field notes and other records and documents on file in his office, when attested as such by the said Seal and the signature of the Surveyor General, shall, in all judicial matters, have the same force and effect as the original."

In the District Court of the United
States for the Southern District of
California. Special term Sept. 1835.
Los Angeles.

Sam Wilson } N. 25.,
ads. } (Manuscript N. 220)
The United States } on appeal from the
said Court.

On Motion of P. Ord, Attorney of the
United States for the Southern District
of California, it is Ordered by the
Court; That an appeal be granted
the United States, to the Supreme
Court of the United States, from the
judgment of this Court against the
United States in the above entitled
Cause, rendered on or about the
20th day of October A.D. 1835.

P. Ord

As Dist Atty

No 25.
U.S. Dist Court.
South Dist of Cal.

Juan Wilson
Appel
ads.

The United States
Appel

Order of Appeal to the
Supreme Court on
Motion of P. B. H. H. H.

Filed Oct 20. 1855.

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PAGE 65

J. E. Jones
Att.

California Land Claims.

Attorney General's Office

10 September 1856.

25 SD
PAGE 66

Sir:

In the case of the claim of Juan Wilson, confirmed to the claimant by the Commissioners, Case no. two hundred and twenty (220) 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

Clushing

Pacificus Ard Esq.

U. S. Atty for the

Southern Dist. of California.

25

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SD
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an Wilson

220

25 SD

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211836

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

Samuel S. K. C. Judge

December Term 1856

The United States
Appellants
vs
John Wilson
Appellee
Docket No 25

Transcript from the Board of Land Commissioners No 220

In pursuance of a letter from the Attorney General
of the United States, herewith annexed giving notice
that in the above cause the appeal in the Supreme
Court will not be prosecuted by the United States;
it is hereby stipulated and agreed by and between
the parties that the order granting an appeal to
the Supreme Court heretofore made in the above
cause be vacated, and that the decree heretofore
rendered in this cause may by order of the Court
be made final
P. M. D. D. D.

Walter B. Reed & Son,
attys of Appellee.

U.S. Dist Court
South Dist Cal.

No 25

The United States
Appellant

^{vs}
John Wilson
Appellee

Shpetation
to vacate order of
Appeal to Supreme Court

Filed this 5th February
1857
C. Smith Clerk
of the Court

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

Now Isaac S. W. Jew, Judge

Recor'ded Term 1856

The United States

Appellants

vs
John Wilson

Appellee

Booklet No 25

Transcript from the Record of said Commission No. 220

The Attorney General of the United States having given Notice that the Appeal to the Supreme Court from the Decision of this Court in the above entitled Cause will not be prosecuted by the United States and a Stipulation having been entered into by the United States District Attorney and the Attorneys of the Claimants that the Order granting an Appeal to the Supreme Court heretofore made in this Cause be vacated, and that the Decree of this Court heretofore rendered in this Cause may by Order of the Court be made final, it is
Ordered, adjudged and decreed that the

Order granting an Appeal to the Supreme Court
heretofore made in this Cause be and the same is
thereby vacated. And that the Claimant have leave
to proceed under the decree of this Court heretofore
rendered in this Cause as under a final decree
Charles K. Ogden
H S D & Hodge

U.S. Dist Court
South Dist Cal
No 25

The United States
Appellant
John Wilson
Appellee

Order
Vacating Appeal

Filed Feb 5th 1857
Grimm
Clerk

The United States Appellant }
vs }
John Wilson appellee }

The grant in this case, is for one square league. to the present claimant and one Diego Scott, the genuineness of the grant is fully proven. The oral evidence, shows a substantial compliance with the conditions of the grant; the evidence also shows a legal conveyance of the greater interest of Scott in the premises to the Appellee. He is therefore entitled to a confirmation of his claim and a decree will be entered affirming the decision of the Commission.

No 25

The United States, appellants vs. John Wilson

The Transcript contains

- I Petition to Commissioners pp 3 & 4.
- II Deposition of Pablo de la Guerra pp 5 & 6
 gives signatures to original grant, approval
 judicial possession, and deed of transfer
 from Scott to Wilson
- III Deposition of John Young p 6.
 gives occupation by Wilson with cattle
 horses & cultivation since 1845; he still
 occupies it & has a house on it.
- IV Title approval and judicial possession pp 7 to 14
- V Translation of title approval & possession pp 17 to 23
- VI Stipulation & transfer from Scott to Wilson.
 pp 24 & 25.
- VII Translation of transfer deed p 26
- VIII Statement & opinion of Commissioners pp 27 to 30
- IX Decree of confirmation p 30.

Proceedings in U.S. Dist Court.

- 1st Transcript filed Aug 19th 1854
- 2^d Notice of appeal " Nov 7th 1854
- 3^d Petition for Review " Dec 21st 1854
- 4th Answer " March 12th 1855.
- 5th Expediente from office of S.G. " Oct 19th 1855
- 6th Translation " " " "

The expediente contains petition, report of local authorities, decree of confirmation, copy of title & proceedings of approval. It appears that the map has been lost from the Expediente, which is otherwise imperfect. The description however in the grant is very complete & the quantity definite. The Dist Atty. alleges that the grantees.

were foreigners & not naturalized.
This allegation is denied, & no proof has
been offered to sustain the allegations.
The subprefect reported that there was no
legal obstacle to making the grant,
& the Governor recites in the grant that
the due examinations required by law
had been made. He is presumed by
law to have done his duty till
the contrary is proven. The Dist Atty
did not attempt to prove ~~the~~ any
incapacity in the grantees to take, and
the Atty for claimants deemed it unnecessary
to prove what the law presumes.

25 SD

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No 25

The New States

vs.

John Wilson

Judge of Cass.

25 SD

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