

CASE No.  
156

SOUTHERN DISTRICT

JONATA GRANT

JOAQUIN CARRILLO, ET AL.

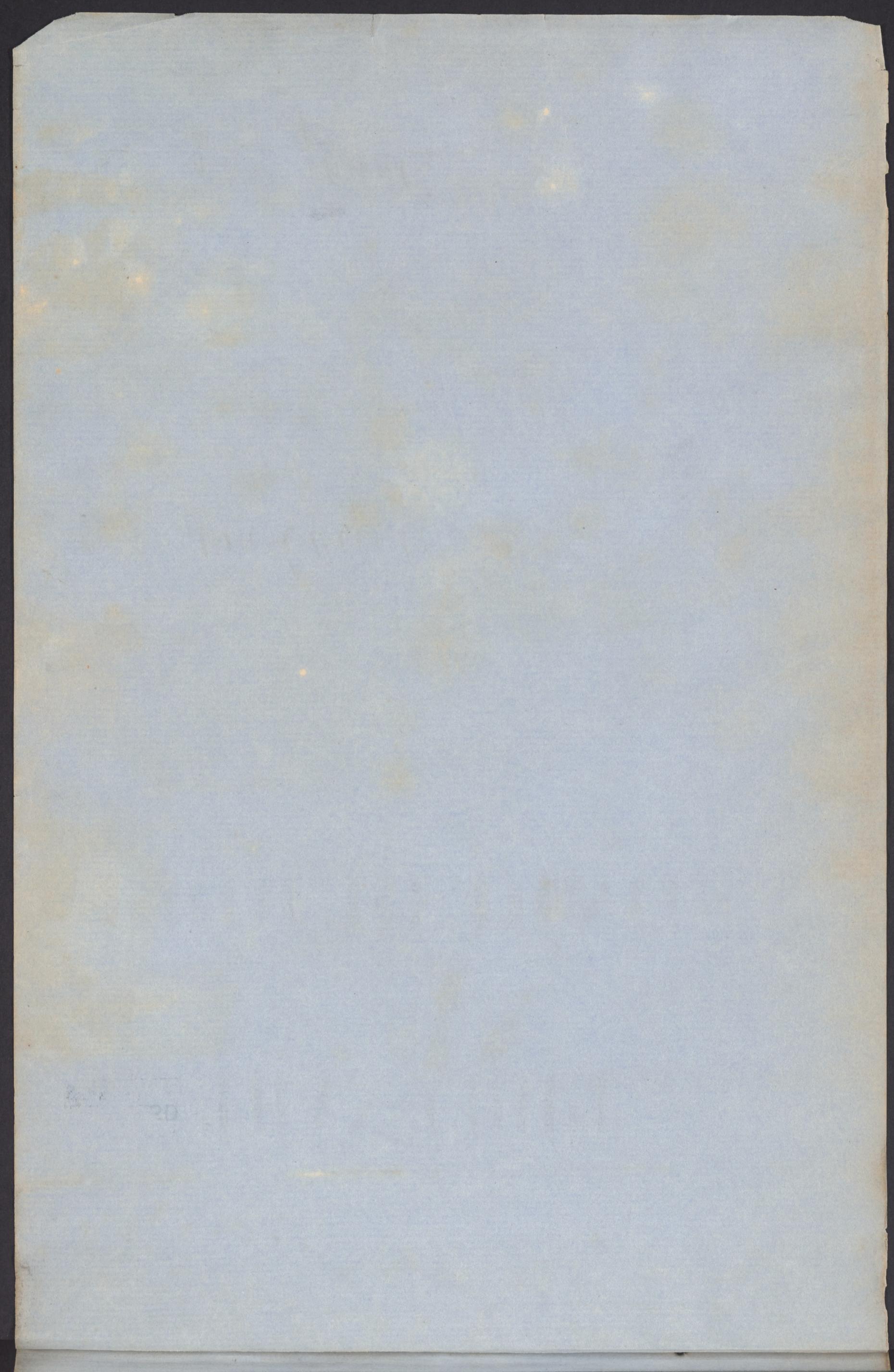
CLAIMANT

LAND CASE 156 SD pgs. 63

MAR 5 1963

USA  
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BOND  
BOND

534



156 SD  
PAGE 1

# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 334

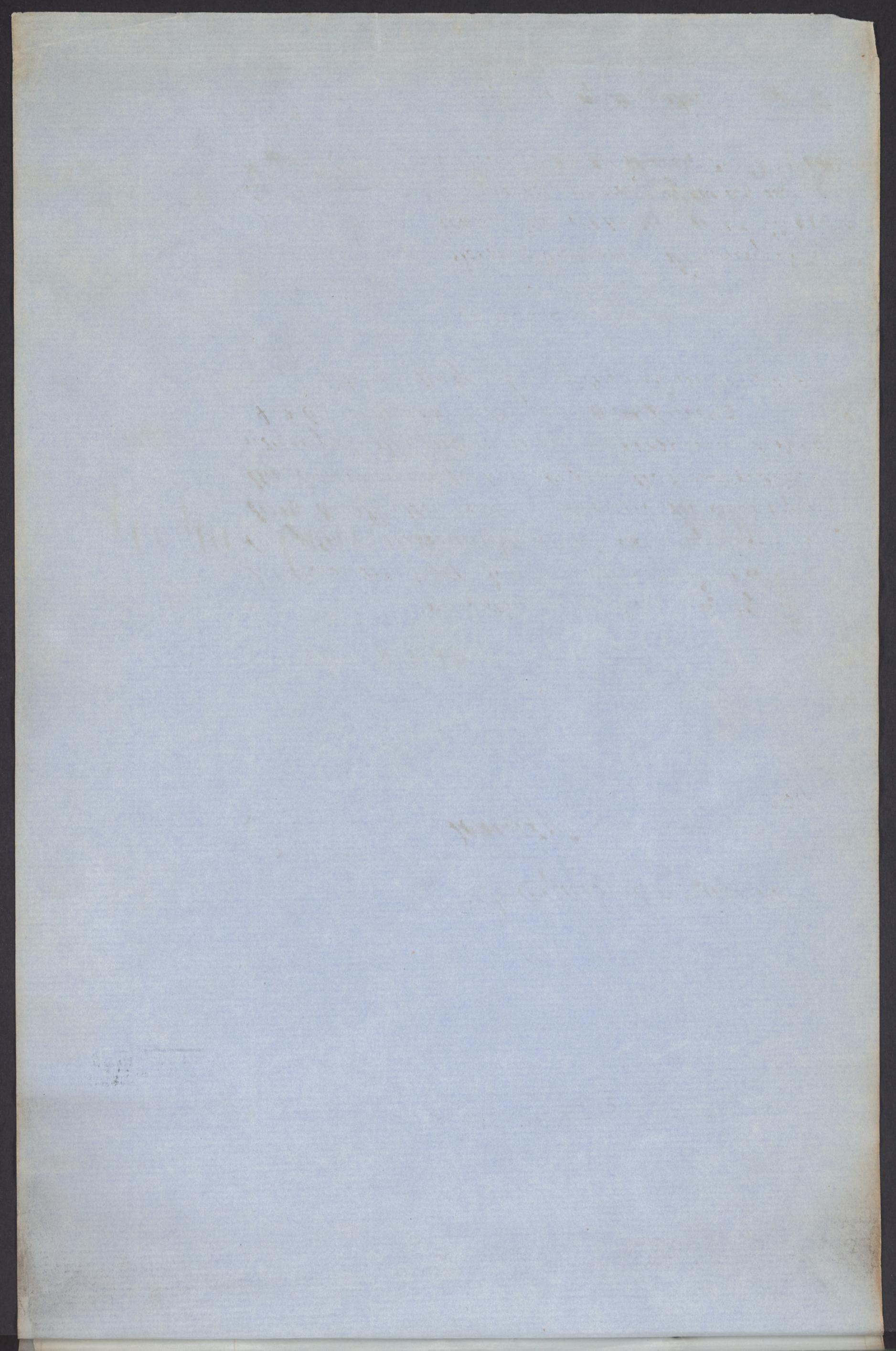
*Joaquin Canillo, et al,* CLAIMANT S

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"Jonatá"*



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 *twenty ninth day of January*, Anno Domini One Thousand Eight Hundred and Fifty-*Three*, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of *Joaquin Carrillo et al:*  
~~~~~ for the Place named  
~~~~~ *"Sonata"* ~~~~~  
was presented, and ordered to be filed and docketed with No. 534 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 January 29' 1853.*  
In Case no. 534 *Joaquin Carrillo et al:* for the place named "*Sonata*" the deposition of *Wm. E. P. Hartnell*, a witness in behalf of the claimants, taken before Commissioner *Mary J. Thornton* with documents marked *A. & Co.* annexed thereto, was filed;  
(Vide page 3 of this Transcript)

~~~~~  
*San Francisco February 12' 1853*  
In the same case the deposition of *Pablo de la Guerra*, a witness in behalf of the claimants, taken before Commissioner *Mary J. Thornton* was filed;

(Vide page 6 of this Transcript)

San Francisco, Sept. 28<sup>th</sup> 1853.

Case no. 534 called; Submitted on briefs on both sides and taken under advisement by the Board.

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San Francisco January 31<sup>st</sup> 1854.

In the same case Commissioner Phelps Felch declared the opinion of the Board confirming the claim;

(Vide page 36 of this Transcript)

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San Francisco

January 11<sup>th</sup> 1854

In Case N<sup>o</sup> 534 Joaquin Carrillo et al. for the place named "Donato" the Deposition of Jose Antonio de la Guerra y Carrillo a witness in behalf of the claimants taken before Com<sup>r</sup>. R. Aug. Thompson, was filed

(Vide page 7 of this Transcript)

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Petition

To the Honorable Commissioners to settle Private  
Land Claims in California

The petitioners Joaquin Canillo and Jose Maria  
Coranubas respectfully represent  
That on the 24th day of September A.D. 1845  
His Most Excellent Governor of California by virtue of au-  
thority in him vested granted to these petitioners  
the tract of land called San Carlos de Sonata  
situate in the present County of Santa Barbara  
containing six square leagues more or less  
as described in the title papers and represented  
in the accompanying map and which grant  
was duly approved on the 21st day of October 1845,  
all of which is shown in the original Expediente  
submitted herewith and marked "A", with a  
translation marked "B". They also submit  
herewith the original title map and approval  
marked "C", with a translation marked "D". They  
also represent that they receive peaceful pos-  
session of the said tract of land in due form and  
have occupied it for more than seven years  
That they know of no conflicting claim  
That they rely for confirmation of title upon  
the original papers submitted herewith upon  
the minutes and records in the Archives of  
the former Government now in charge of the  
Surveyor General and upon such other  
and further proofs as they may be advised  
and necessary

Wherefore they pray the Commissioners to  
confirm to them the aforesaid tract of land

By their Attys

Hall K. Pinsky & Billing

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Filed in Office Aug 29th 1853  
Geo Fisher  
Secretary

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2/5/34

J

San Francisco Aug 29th 1853

On this day before Court Henry J Thornton  
Deposition of came Mr E. P. Hartwell a witness produced  
Mr E. P. Hartwell on behalf of the claimants Joaquin Canillo  
et al petition No 534 and was duly sworn  
his evidence being given in English

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In answer to questions propounded by Counsel  
for Claimants the witness testified as follows

My name is Mr E. P. Hartwell my age is 55  
years and I have lived in California 30 years  
I am acquainted with the signatures of Pio Pico  
Joaquin Canillo Jose Maria Covarrubias  
Andres Pico Juan M. Sanchez Joaquin Jimeno  
Nicolas A. De la Guerra Alonzo, Their signatures  
to the paper before me marked A and B and  
filed in with me genuine

E. P. Hartwell

W. S. Law Agent present

Sworn to and subscribed before me this 29th<sup>day</sup> of  
Aug 1853

Henry J Thornton  
Court &c

Filed in Office Aug 29th 1853

Geo Fisher  
Secretary

San Francisco July 12th 1853

On this day before Leon H. J. Thornton came  
 Deposition of Pablo de la Guerra a witness in behalf of the  
 Pablo de la Guerra and against Joaquin Canillo et al petition No 34  
 and was duly sworn his evidence being given in  
 English

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The U.S. Associate Law Agent was present  
 in answer to questions propounded by claimant  
 and because the witness testified as follows

My name is Pablo de la Guerra my age is 33  
 years, I reside in Santa Barbara and was born  
 in California upon the Rancho called Sonata  
 claimed by Joaquin Canillo and Jose Maria  
 Covarrubias it is in Santa Barbara County it  
 has been occupied by the claimants Canillo &  
 Covarrubias since 1845; they have had a house  
 and a considerable number of cattle and  
 horses on the land

Pablo de la Guerra

U.S. Law Agent present

Sworn to and subscribed before me this 12th  
 of July 1853

Henry J. Thornton  
 Commissioner

Filed in Office July 12th 1853  
 Geo. Fisher  
 Secretary

7  
Deposition of  
Jose Antonio de  
la Guerray  
Carrillo

Case No 534

United States Land Commission  
San Francisco Aug 11. 1854

On this day before A. May Thompson Comm  
issioner came Jose Antonio de la Guerray  
Carrillo a witness in behalf of the Claimants  
Joaquin Carrillo et al Case No 534 who after  
being duly sworn deposed as follows his evidence  
being interrupted by the Secretary

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Present Claimants Atty & M. S. Assote Land Agent

Witness states his name is Jose Antonio de la Gu  
erray Carrillo his age forty eight years and  
his residence the County of Santa Barbara

Questions by Claimants Attorney

Do you know the Rancho of Sonata if so where  
is it situated

Answer

I know said Rancho, It is situated in the County  
of Santa Barbara near adjoining my Rancho  
of Los Alamos on the South

Question by Same

Were you ever present when said Rancho was given if so state  
what you know about it

Answer

I was when such possession was given by Don  
Nicolas De la Cruz about the month of September  
in 1843, to Don Joaquin Carrillo and Jose  
Mariano Covarrubias, I was only present during  
the running of the line between my Rancho and  
that of Sonata

Jose Antonio de la Guerray Carrillo

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Sworn to and Subscribed Before me on July 11. 1854  
R. Aug. Thompson  
Clerk

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Filed in Office July 11. 1854  
Geo. Foster  
Secretary

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1845

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Expediente promovido por los Ciudadanos  
Joaquin Carrillo y José M.<sup>a</sup> Covarrubias  
en sujeción del terreno de  
San Carlos de Sonata

25

Como Sr. Gobernador

Angeles Junio 20 de 1845  
 Informe la Comi-  
 sion de Misiones  
 Circunstanciada-  
 mente sobre el contenido  
 en esta instancia,  
 y vuelva al Gobier-  
 no para resolver  
 lo q. Convienga  
 Pico

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Espediente  
A

Joaquin Carrillo y Jose M. Covarrubias, ante la justificacion de V.E.  
 presenten y dicen, q. necessitando de  
 un terreno para fomentar y aumentar  
 nuestros viños de campo, como inda-  
 gado q. el Conocido con el nombre  
 de San Carlos de Sonata, inculcado  
 a Sta Ines se halla valdido, y de  
 Consequente en estado de darse por el  
 Gob. en Colonizacion; q. por lo  
 q. hemos manifestado, Suplicamos  
 a V.E. se digne considerarnos la  
 propiedad de dho terreno, de con-  
 firmidad con el dibujo q. acompa-  
 ñamos y bajo el supuesto q. indemnizaremos a la  
 Mision de Sta Ines la utilidad q. con el tiempo  
 pudiera dar el terreno q. pretendemos con doscientas  
 Reses q. entregaremos o su valor en Cueros y sebos,  
 si V.E. lo estimare por justo. Por tanto  
 a V.E. pedimos se sirva proveer como Solisi-  
 tomos en lo q. recibiremos justicia. Juramos no  
 proceder con malicia y lo necesario f. y suplicamos  
 se nos admita en este papel por falta del Sello  
 q. corresponde.

Sta Barbara Junio 16 de 1845  
 Joaquin Carrillo Jose M. Covarrubias

Como Sr

La Comision de Misiones al cumplir con el  
 Superior decreto de V.E. del 20 de Junio ultimo,  
 tiene el honor de hacer presente a V.E. que el  
 terreno de Sonata que los interesados solicitan no

782

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es a lo presente de utilidad al establecimiento de esta Misión, en virtud de que ya no posee mas que un numero muy corto de ganado mayor; que la oferta de dos Cientos reses, o su equivalente en esquilmos que hacen los que representan en nuestro sentir indemnizaran suficientemente el valor del terreno y que no parece si se puede conceder por V.E. a los Suplicantes la propiedad que de el pretenden.

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Sta Ines Julio 26 de 1845  
Andrés Pico Juan Manso

Gob.  
de Depto.  
de California

Angel Setiembre 24 de 1845

Gob.  
de Depto.  
de California

Vista la Solicitud con que da principio este expediente, el informe de la Comision de Misiones, los pareceres del R. P. Ministro de la Misión de Santa Barbara, con todo lo demas que se tuvo presente y ver convenir; de conformidad con la ley de 24 de Agosto de 1824 y reglam. de 21 de Nbre de 1828, declaro a los Señores Jn. Joaquin Carrillo y D. José M. Covarrubias dueños del terreno nombrado San Carlos de Sonata segun esta demostrado en el diseño que obra en este expediente, y bajo las condiciones siguientes: 1.ª entregaran al Establecim. de Sta Ines cincuenta vaquillas, cincuenta toros, cincuenta vacas y cincuenta melloz, o pagaran a los acredores a dho establecimiento la cantidad de seis Cientos Veinticinco pesos, cuya entrega o pago haran contar con los documentos al efecto necesarios: 2.ª No molestaran en manera alguna el ganado mayor que actualmente tiene en el terreno que se le concede la Misión de Sta Ines, reservando el derecho a esta de mantener en dho terreno el expresado ganado y su procreo

320

Mientras que se reúne la presente Comunidad. En Con-  
-secuencia librese a los agraciados el título correspondiente  
y pase este expediente a la S<sup>ta</sup> Junta Departamental para su apro-  
-vacion. D<sup>o</sup> Pío Pico, G<sup>o</sup>ber-  
-nador interino del Departamento de las Californias,  
asi lo mande', decerte y firme', de que doy fe  
D<sup>o</sup> Pío

Jose M.<sup>a</sup> Covarrubias S<sup>ro</sup>

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*[Faint, illegible handwritten text]*

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Vamo Sr Gobernador

mop 4

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Impuesto de que el Sr. D. Joaquin Carrillo  
pretende el paraje de esta Misión llamado Sonata  
digo a V. E. que si lo tiene a bien solo puede conceder  
con la precisa condicion de que el rancho de ganado  
mayor que alli existe no sea molestado interior  
haya tal ganado, y que la Misión queda siempre  
que le convenga tomar del ganado mestizo que se  
haya en el Chamisal

Sta Ynes Junio 13 de 1842  
Fr. Don Joaquin Jimeno

Nicolas A. Lin, Alcalde 1.º de Santa  
Barbara y su demarcacion 2.ª

Vamo Sr. Gobernador

En vista del antecedente documento firmado  
por el P. Ministro de la Misión de Santa Ynes, en  
el cual se dice que se le puede conceder a don Joaquin  
Carrillo el paraje de Sonata. Digo a V. E.  
que si lo tiene a bien, puede concederse al interesado  
dho paraje, bajo las dos condiciones que asiunta el  
Padre en su documento, lo que tengo el honor de decir  
a V. E. por via de informe. Santa Barbara Junio  
16 de 1842

Nicolas A. Lin

Fr. Don Joaquin Jimeno, Ministro  
de la Misión de Sta Ynes

Certifico que en esta Misión existe un  
documento firmado por el Sr. D. Joaquin Carrillo  
en el que consta que dho Sr. se obliga a entregar  
esta Misión doscientas cabezas de ganado vacuno  
entre grande y chico, en caso que el Gobierno le

250

Conceda el sitio nombrado Ponata en los terminos convenidos entre el referido Sr y la Misión, que es conforme a lo expresado en el informe que aqui se interdio.

Y para que conste lo firmo en esta Misión a 21 de Junio de 1845

Fr. Jose Joaquin Jimeno

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Angelos Suo 24 de 1845

Dado cuenta en sesion de hoy con este expediente a la Santa Asamblea Departamental, mandando pasar a la Comision de terrenos baldios.

Pio Pico  
Preside.

Agustin Alvarez  
Srio

Como Sr

La Comision de terrenos baldios se ha hecho cargo del expediente promovido por los Señores Joaquin Carrillo y Sr. Don M. Covarrubias, en solicitud del terreno conocido con el nombre de San Carlos de Ponata, que les ha sido Concedido por el Superior Gobierno de este Departamento, en titulo librado con fecha de 24 del presente mes, y satisfecha la Comision de que la expresada Concesion es conforme a lo que sobre el particular disponen las leyes de la materia, Sujeta a la aprobacion de V. E. la siguiente proposicion:

290  
Se aprueba la Concesion hecha por el Superior Gobierno de este Departamento el 24 del presente mes a favor de los Señores Joaquin Carrillo y Sr. Don M. Covarrubias de sus sitios de ganado mayor, poco mas o menos, en el terreno conocido con el nombre de San Carlos de Ponata, Sujeta a las condiciones que expresa el titulo y de conformidad con la Ley de 18 de Agosto de 1824 y reglamento de 21 de Noviembre de 1828

Sala de Comisiones en la Ciudad de los Angeles

15

á 20 de Setiembre de 1845

Fran.<sup>co</sup> de la Guerra

Narciso Botello

Angeles, Octubre 1.<sup>o</sup> de 1845

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En sesion de hoy se aprobó por la E. A. Departam.<sup>l</sup> la proposicion del presidente dictaminando se devuelva el exped.<sup>te</sup> original al E. S. Gobi.<sup>o</sup> para los fines convenientes.

Pio Pico

Presid.<sup>te</sup>

Agustin Rivera

Srio

Pio Pico, Vocal mas antiguo de la Cámara Asamblea, y encargado por el ministerio de la Ley del Gobierno del Departamento de las Californias.

Por cuanto los Señores Don Joaquin Carrillo y Don Jose Maria Covarrubias, han pretendido para su beneficio personal y el de sus familias el terreno conocido con el nombre de San Carlos de Sonata, colindante con el rio de Sta. Ines, tierras de S.<sup>ta</sup> Francisco Cota, de S.<sup>ta</sup> Antonio de la Guerra, de los indigenas Antonino y Marcelino y de la mision de Sta. Ines; practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos, en uso de las facultades que me son conferidas á nombre de la Nacion Mexicana he venido por decreto de este dia en concederles el expresado terreno de San Carlos de Sonata declarandoles la propiedad de el por las presentes letras, de entera 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 Cámara Asamblea Departamental y bajo las condiciones siguientes.

1.<sup>a</sup> Integran por via de indemnizacion

300

al Establecimiento de Santa Cruz cincuenta vaquillas,  
cincuenta toros, cincuenta vacas y cincuenta novillos,  
o pagaran a los acreedores a dicho establecimiento la  
cantidad de seiscientos veinticinco pesos, cuya entrega  
o pago haran en sus con los documentos al efecto suscritos.

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2ª No moluraran en mancha alguna el  
ganado mayor que actualmente tiene en el terreno que  
se le concede la Misión de Sta Cruz, reservando a  
esta el derecho de mantener en dicho terreno el expresado  
ganado y sus proceros, mientras dure recorrida su presente  
Comunidad.

3ª Podran cercarlo sin perjudicar las travas  
y caminos; lo disputaran libre y exclusivamente destinan-  
do al uso y cultivo que mas les acomode.

4ª Solicitaran del Jux respectivo les  
de la posesion juridica en virtud de este despacho, por  
el cual se demarcaran los linderos con las mojeras  
necesarias.

5ª El terreno de que se le hace donacion  
es el que demuestra el diseño que oba en el expediente  
respectivo, y de la extension de sus sitios de ganado  
mayor poco mas o menos. El Jux que lo poseiere  
lo hara medir con arreglo a ordenanza.

En consecuencia mando que teniendo  
el presente titulo por firme y valdero, se tome razon  
de el en el libro a que corresponde y se entregue a  
los interesados para su resguardo y demas fines.

Dado en la Ciudad de Los Angeles a veinticuatro  
de Setiembre de mil ochocientos Cuarenta y cinco.

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pero en todo lo que concierne a rotos y demas  
trabajos, se sujetara la expresada Misión a las reglas  
y Costumbres establecidas en el pais, y no podra bajo  
ningun pretexto establecer bimas raires de ninguna clase

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incl terreno Concedido

Filed in office Jan 29. 1853  
Geo: Fisher  
Sec

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1865

1865

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To his Excellency the Governor

Angels since 21st day of June 1845, Maria Covarrubias before you  
 Let the Committee Excellency justify in appearance  
 on Missions report and say that being in want of a  
 translation of the circumstances and to encourage & increase  
 relating to the cow on cattle we have as contained  
 tent of this petition that known by the name of  
 and will be returned San Carlos de Bonafate be vacated  
 to the Government and consequently in a condition  
 to decide what may be granted by the Government  
 be proper in colonization, and for the sea  
 Signed Pico now we have shown we pray  
 you Excellency to have the good  
 mes to grant us the ownership of said land in  
 conformity with the map which we transmit  
 herewith and with the means standing that  
 we will indemnify the Mission of Santa Inez  
 for the value which in time, the land we peti-  
 tion for might acquire with two horn and head  
 of cattle which or their value in hides and tallow  
 we will give, if your Excellency should think  
 it just, Wherefore we pray your Excellency to  
 be pleased to provide as we request, in which  
 we will receive Justice, We swear that as we  
 do not act with evil intent, and whatever  
 else may be necessary, and we pray that  
 this be admitted on this paper for some  
 of the conception and stamped

Santa Barbara June 16th 1845

(Signed) Joaquin Camillo  
 / " / Jose Maria Covarrubias

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Translation of the circumstances  
 Espec. into  
 "B"

Most Excellent Sir

The Committee on Missions in compliance with the Superior Decree of Your Excellency of the 20th June last has the honor to represent to you Excellency that the land of Sonata which those interested ask for is not at present of any use to the establishment of this Mission, for the reason that it owns but a very small number of head cattle that the offer of two <sup>head</sup> humans of cattle or its equivalent in produce made by the petitioners in our opinion is amply sufficient for the care of the land and it seems to us, that the ownership of it which is sought for may be granted by your Excellency to the petitioners

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Santa Cruz July 26th 1845.

(Signed) Andres Pico

(") Juan Manso

(Angels September 24th 1845.

(Govt of the Dept of California) Having seen the petition with which this expediente commences, the report of the Committee on Missions the opinions of the Reverend Father Minister of the Mission of Santa Cruz and of the Senior Sr Alcalde of Santa Barbara with all other things which were represented and proper to be considered in conformity with the laws of August 18th 1824, and a regulation of November 21st 1828, I declare the Seniores Don Joaquin Carrillo and Don Jose Marin Coombe's owners of the land named San Carlos de Sonata as shown on the map which is at in the Expediente and under the following conditions

1st They shall deliver to the Establishment of Santa Cruz 50 heifers fifty young bulls fifty cows, and fifty steers or pay to the curators of said establishment the sum of six hundred and twenty five dollars which delivery or payment, they will cause to appear with the documents to the necessary effect

2nd They will not molest in any manner the neat cattle which the Mission of Santa Cruz actually has in the land granted herein viz to the latter the right of maintaining on said land the cattle aforesaid and its increase while the Mexican Community in appearance united in consequence let the course pending be used to the granted and let this expediente pass to the most Excellent Departmental Assembly for its Appraisal Pio Pico Governor and in terms of the Department of the California as thus ordered and signed and to which I certify

(Signed) Pio  
(Signed) Jose Maria Comandante  
Secretary

To His Excellency the Governor

Having understood that Don Joaquin Barillo has asked for the place of this Mission called Sonata I beg to your Excellency that if you think proper it can be granted to him with the necessary condition that the neat cattle which exist there be not molested while there may be such cattle and that the Mission can when ever it suits it, take the neat cattle which may be found on the thickets

Santa Cruz June 13th 1845

(Signed) Juan Jose Joaquin Jimeno

Nicolas A. Don Alcaide of Santa Barbara  
and its demarcation

To His Excellency the Governor

In view of the foregoing documents signed by the Father Minister of the Mission of Santa Cruz in which he says that the peace of Sonata can be granted to Don Joaquin Carrillo May to your Excellency that if you think proper there may be granted to the person interested the said place under the conditions set forth by the Padre in his document which I have the honor to send to your Excellency as a report

Santa Barbara June 16th 1845,  
(Signed) Nicolas A. Don

Don Jose Joaquin Jimini Minister of the  
Mission of Santa Cruz

I certify that in this Mission there exists a document signed by Don Joaquin Carrillo by which it appears that said Don Carrillo himself took on to this Mission two hundred head of near cattle large and small to lease the Government grants herein the place named Sonata in the terms agreed on between the aforesaid Don and the Mission which is agreeable to what was expressed in the report which was made on this

and in testimony I sign it in this Mission  
the 21st of June 1845.

(Signed) Don Jose Joaquin Jimini

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1845  
Mexico September 24th 1845

In session of this  
day this expediente was reported to the Most Ex-  
-cellent Departmental Assembly and was or-  
-dred to pass to the Committee on vacant Lands  
(Signed) Pio Pico  
Agustin Olvera President

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Most Excellent Sir

The Committee on vacant  
Lands has taken charge of the expediente  
promoted by the Señores Don Joaquin Canillo  
and Don Jose Maria Covarrubias petition-  
-ing for the land known by the name of San  
Carlos de Jonata which has been granted by  
the Superior Government of this Department  
in title issued with date the 24th of the present  
month and the Committee satisfied that the  
said grant is agreeable to that required by the laws  
on the matter presents for the approval of you  
excellency the following proposition  
Approve the grant made by the Superior  
Government of this Department on the 24th  
of the present month in favor of the Señores  
Don Joaquin Canillo and Don Jose Maria  
Covarrubias of six square leagues of land in  
the place known by the name of San Carlos  
de Jonata subject to the conditions expe-  
-ried in the title and in conformity with  
the law of August 18th 1824 and the regu-  
-lation of November 21st 1828  
Hall of the Committee in the city of Los  
Angeles on the 26th of September 1845

(Signed) Francisco de Guzman  
( ) Narciso Botello

Mexico October 1st 1845

In session of this day  
there was approved by the Most Excellent Dep-  
artmental Assembly the proposition of the  
Secretary reporting that the original  
expediente be returned to his Excellency  
the Governor for the proper purposes

Signed Pio Pico

President

(Signed) Agustín Olvera

Secretary

For transcription of title see Exhibit D

Filed in office Jan'y 29th 1853

Geo. Fisher

Secretary

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Ello primero ochopesos  
Habilitado provisionalmente por la Aduana marítima  
del puerto de Monterey, en el Departamento de las  
Californias, para los años de mil ocho cientos cuarenta  
y Cuatro y mil ocho cientos Cuarenta y Cinco  
Micheltorona Pueblo de la Guerra

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Title, map  
& approval  
/ /

Ad.  
marit.  
de  
Montry

Pío Pico, Vocal mas antiguo de la  
tama Asamblea, y encargado por el  
ministerio de la Ley del Gobierno del depar-  
tamento de las Californias

Exhibit marked  
C to the deposi.  
of W. E. P.  
Hartnell

Por cuanto los Señores Don Joaquin Carrillo  
y Don Jose Maria Covarrubias, han pretendido para  
su beneficio personal y el de sus familias, el terreno  
conocido con el nombre de San Carlos de Sonata,  
colindante con el rio de Santa Ines, tierras de Don  
Francisco Cota, de Don José Antonio de la Guerra,  
de los indigenas Antonino y Marcelino, y de la  
Mision de Santa Ines; practicadas previamente las  
diligencias y averiguaciones concernientes segun lo  
dispuesto por leyes y reglamentos, en uso de las facul-  
tades que me son conferidas a nombre de la Nacion  
Mexicana, he venido por decreto de este dia en concederles  
dicho terreno de San Carlos de Sonata, declarandoles  
la propiedad de él por las presentes letras, de entera confor-  
midad con la ley de 18 de Agosto de 1824 y regla-  
mento de 21 de Noviembre de 1828, á reserva de la  
aprobacion de la tama Asamblea Departamental y bajo  
las condiciones siguientes:

1.<sup>a</sup> Entregaran, por via de indemnizacion  
al Establecimiento de Santa Ines cincuenta vaquillas,  
cincuenta toros, cincuenta vacas y cincuenta novillos,  
o pagaran a los acreedores á dicho establecimiento la  
cantidad de seis cientos veinticinco pesos, cuya entrega

300

ó pago haran contar con documentos al efecto necesarios.

2.<sup>a</sup> No molestaran en manna alguna el ganado mayor que actualmente tiene en el terreno que se le concede, la Misión de Santa Cruz, reservando a esta el derecho de mantener en dicho terreno el espresado ganado y sus procreos, mientras dure reunida su presente Comunidad; pero en todo lo que concierne a rodeos y demás trabajos, se sujetará la espresada Misión a las reglas y costumbres establecidas en el país, y no podrá bajo ningún pretexto establecer bienes raíces de ninguna clase en el terreno concedido.

3.<sup>a</sup> Podrán cercarlo sin perjudicar las travesías y caminos; lo disfrutaran libre y exclusivamente destinándolo al uso y cultivo que mas les acomode.

4.<sup>a</sup> Solicitaran del Auz respectivo los de la posesion jurídica en virtud de este despacho, para el cual se demarcaran los linderos con las mojeras necesarias.

5.<sup>a</sup> El terreno de que se le hace donacion es el que demuestra el diseño que obra en el expediente respectivo, y de la extension de diez sitios de ganado mayor, poco mas o menos. El Auz que lo poseiere lo hará medir con arreglo a ordenanza.

En consecuencia mando que teniendo el presente título por firme y valdero, se tome raxon de él en el libro que corresponde y se entregue a los interesados para su resguardo y demás fines. Dado en la Ciudad de los Angeles a veinticuatro de Setiembre de mil ochocientos Cuarenta y cinco.

Pío Pico

José M. Covarrubias  
Srío

Queda tomada raxon de este superior despacho en el libro respectivo. Angeles fecha ut supra

26

mex 5

Corarrubias

El que Suscribe Secretario del Despacho de Gobierno del Departamento de las Californias.

Certifico que el presente diseño es copia fiel del original que obra en la Secretaria de mi cargo y en el expediente promovido por Don Joaquin Carrillo y Don Juan Maria Corarrubias en pretension del terreno nombrado San Carlos de Sonata.

Angel, Setiembre 24 de 1845

Juan M<sup>a</sup> Corarrubias

H. B.  
Pico

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PAGE 27

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*[Faint handwritten signature or scribble]*

Pío Pico, Gobernador interino del Departamento de las Californias.

La Santa Asamblea de este Departamento en Sesión de hoy, ha tenido a bien acordar lo siguiente:

"Se aprueba la Concesion hecha por el Superior Gobierno de este Departamento el 24 del presente mes a favor de los Señores D. Joaquin Carrillo y D. Don M. Covarrubias de seis sitios de ganado mayor, poco mas o menos, en el terreno conocido con el nombre de San Carlos de Sonata, Sujeta a las Condiciones que expresa el titulo, y de conformidad con la ley de 18 de Agosto de 1824 y reglamento de 21 de Noviembre de 1828"

Y para resguardo de las partes de D. Joaquin Carrillo y D. Don M. Covarrubias, asi lo hago saber. Dado en la Ciudad de los Angeles a principios de Octubre de mil ochocientos cuarenta y cinco

Pío Pico

Don M. Covarrubias

Srio

Exhibit marked C to the deposition of W. E. P. Hartnell, taken in no. 534

H. J. T.

Filed in Office Jan 29. 1853

Geo: Fisher

Sec

28

Stamp First Eight Dollars

Translation  
of Title and  
Approval

Provisionally authorized by the Maritime Customs  
House of the Port of Monterey in the Department  
of the Californias for the years eighteen hundred  
and forty four and eighteen hundred and forty five  
Luzia Micheltorena (signed) Patti de la Guerra  
(Seal of Monterey)

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(Custom House) His Pci Senior member of the  
most Excellent Assembly, an *ex officio* charged  
with the Government of the Department of the  
Californias

Where as the Señores Don Joaquin Camillo and  
Don Jose Maria Covarrubias have for their own  
personal benefit and that of their families Peti-  
tioned for the land known by the name of San  
Carlos de Sonata bounded by the river of Santa  
Inez lands of Don Francisco Cota, of Don Jose  
Antonio de la Guerra of the Indians Antonio  
and Manuel and of the Mission of Santa

Inez the proper measures and examinations  
being previously made as required by laws  
and regulations in use of the powers which are  
conferred on me in the name of the Mexican  
Nation I have granted them the appraisement  
of San Carlos de Sonata declaring to them the  
ownership of it by these presents in entire con-  
formity with the law of August 18th 1824 and  
the Regulation of November 24th 1828 subject to the  
approval of the most Excellent Departmental Assem-  
bly and under the following conditions

That he will deliver as an indemnity to the esta-  
-blishment of Santa Inez fifty horses fifty young  
bulls fifty cows and fifty steers or they will pay  
to the creditors of said Establishment

the sum of six hundred and twenty five dollars which delivery or payment they will cause to appear by documents for the necessary purpose 2d He shall not molest in any manner the near cattle which the Mission of Santa Fe has at present in the land granted reserving to (the Mission) the right of maintaining in said land the aforesaid cattle and its increase while the present community remains united but in everything concerning roads and other lands the said Mission will be subject to the rules and customs established in the country and cannot under any pretext establish real estate of any kind in the land granted

3d. They will enclose it without prejudice to the crossings roads and servitudes and enjoy it fully and exclusively dedicating it to the use or cultivation which they may see fit

4th They shall require the respective Magistrate to give them judicial possession in virtue of this patent by whom the sound and will be measured out with the necessary bounds

5th The land of which donation is made is that which is shown on the map which exists in the respective expediente and is of the extent of six square leagues a little more or less The Magistrate who may put them in possession will cause it to be measured in conformity with the Ordinance

In consequence of order that the present title being held as firm and valid note be made of it in the proper book and it be delivered to the persons interested for their security and other purposes Given in the City of Los Angeles on the 24th of September 1845.

(Signed) Jose Maria Covarrubias (Signed) Pio Pico  
Secretary

Note has been made of this Superior Patent  
in the proper book

Wages date as above

Signia Covarrubias

Pio Pico Governor and intendant of the Department  
of the Californias

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PAGE 31

The most Excellent Assembly  
of this Department, in session of this day has  
thought proper to resolve as follows

Approved the grant  
made by the Superior Government of this Dep-  
artment on the 24th of the present month in fa-  
vor of the Señores Don Joaquin Canello and  
Don Jose Maria Covarrubias of his same  
leguas of Lina a little more or less in the  
land known by the name of San Carlos de  
Donata subject to the conditions expressed in the  
title and in conformity with the law of Aug-  
ust 18th 1824 and regulation of November  
21st 1828

And for the security of the parties Don Joaquin  
Canello and Don Jose Maria Covarrubias thus  
make it known

Given in the city of Los Angeles on the first of  
October eighteen hundred and forty five

Signia Pio Pico

Jose Maria Covarrubias

Secretary

Filed in Office Aug 29th 1853

Geo Fisher

Secretary

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

*[Faint, illegible handwriting]*

JUL 20

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The Law Agent, on the part of the United States, Consents that the annexed Certified Copy of record of grant from the Office of the Surveyor General be filed as evidence in this case

Robert Greenhow  
Asst. Law Agent

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Record  
of  
Title

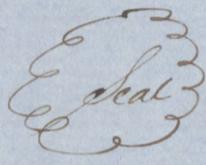
~~303~~ 294 In 24 de Setiembre de 1845 Se les libro título a los Srs D<sup>o</sup> Joaquin Carrillo y D<sup>o</sup> Jose M. Cora = rruchas del terreno nombrado San Carlos de Pomata.

Office of Surveyor General of the United States for California

I John C. Hayes, 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 preceding and hereunto annexed page of tracing paper, numbered one, exhibits a true

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and accurate copy of an extract from a half bound book, without a title, wherein appears to be noted some grants, in the years 1844 & 1845 — now in file and forming a part of the said archives in this office.



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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 eighteenth day of November 1853

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

Filed in Office Nov. 21. 1853  
Geo. Fisher  
Secy

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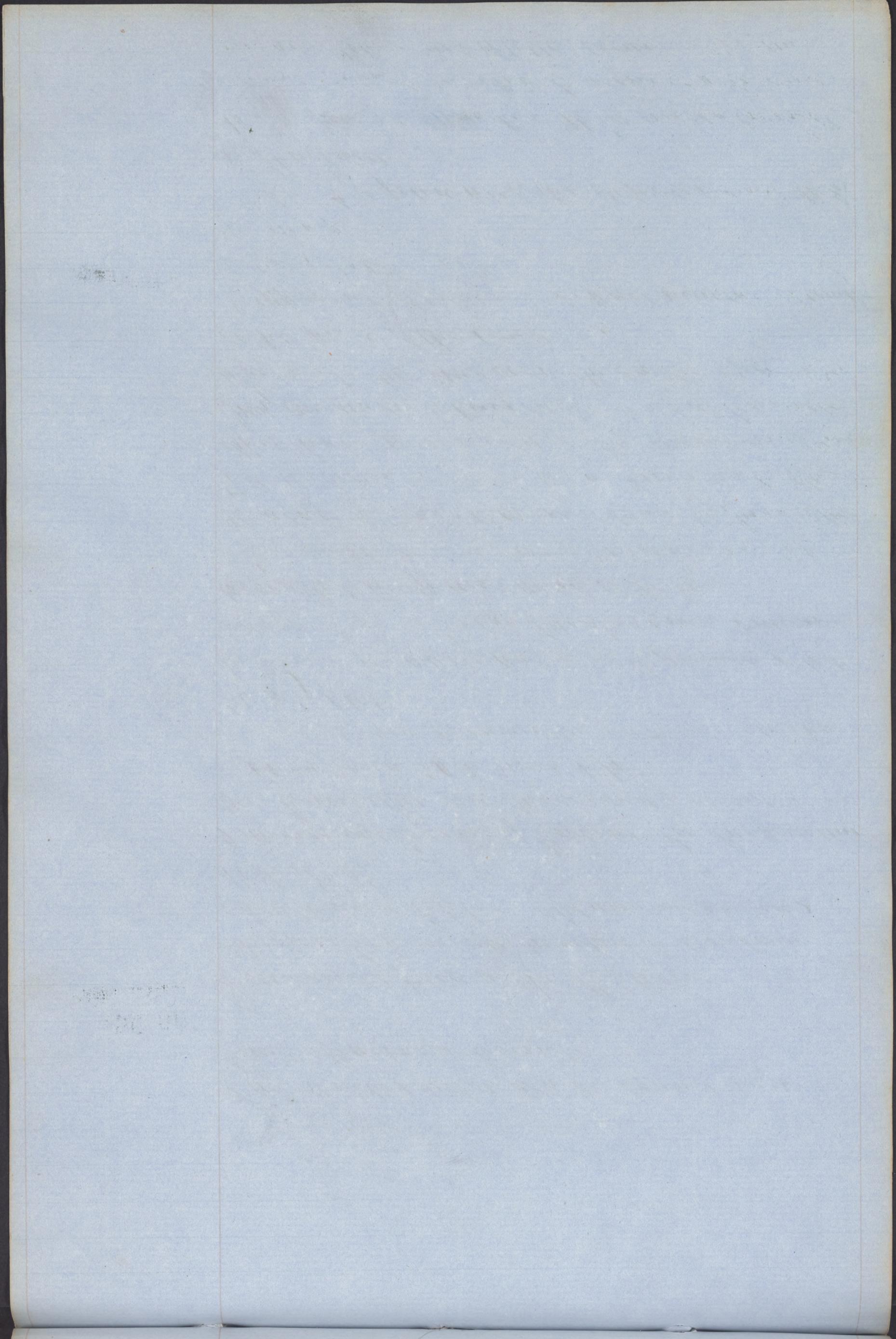
33

Translation  
of Records

Translation of Records  
On the 24th of September 1853, title was issued  
to Señores Don Joaquin Camillo and Don  
Jose Maria Coarumbas for the Encomienda  
San Carlos de Sonata

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Filed in Office November 21st 1853  
Geo Fisher  
Secretary



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Statement of No 534

Case

— Joaquin Canillo

— J. M. Covarrubias

San Carlos de Sonata by square leagues in  
Santa Barbara County

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Documents filed in the Petition

1 Original Especimante marked A containing  
shortening Petition of Claimants dated June  
16th 1845

2 Marginal Decree of Governor Pio Pico directing  
the Committee on Missions to report on the  
Petition dated 20th June 1845

3 Report of said Committee favorable on the  
26 July 1845.

4 Decree for a title dated 24 September 1845

5 Report from Fr. Juan Jose Joaquin Jimin  
favorable to the grant dated 13th June 1845

6 Favorable report from Antonio Juan  
Alcalde of Santa Barbara dated 16 June 1845

7 A Certificate from Fr. Jimin to the  
effect that there exists in the Mission of Santa  
Juz. one man taking on the part of Canillo  
to deliver to the Mission the cattle agreed upon  
as the price of the land

8 Approval of grant by Departmental Assembly  
dated 1 October 1845

9 Map

Paper A is filed with the deposition of M. E.  
A. Hartwell

10 Document marked B Translation "A"  
11 Document marked C original title and  
for all documents of title issued after and

Secretary approval dated 1st October 1845  
 IV Document marked D Translation of paper  
 C

Evidence

1 Document A the original Expediente  
 2 Document C original papers title and  
 final documents of title issued after and secretary  
 approval

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3 Deposition of M<sup>o</sup>. P. Hurtado proving  
 genuineness of signatures to papers A & C  
 annexed to the Deposition

4 Deposition of Pablo de la Guerra proving that  
 claimants have occupied the land since 1845  
 and have had a house on it

5 Copy of Kuora cutefia by Amador Guerra  
 6 Translation of Kuora

Filed in Office November 21st 1853

Geo Fisher

Secretary

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Memorandum

Joaquin Benavente

Jose Maria Covarrubias

vs

The United States

} For the place  
} called Sonata  
} in Santa Barbara  
} County containing six  
} square leagues of land

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PAGE 37

The land claimed by the Petitioners was granted to them by Governor Pio Pico on the 24th day of September 1845, as appears by the original document of title which is given in evidence duly authenticated by proof.

A Document is also given in evidence purporting to be the original Expediente in the proceedings to obtain the grant, the signatures to which are proved to be genuine by the deposition of M & P Hantwell, the approval of the Departmental Assembly is shown to have been obtained on the first day of October 1845. Proof is also given of the occupancy of the premises by the grantee since 1845 the year of the grant having a house and a considerable number of cattle and horses on the place. The grant contains a condition that the grantee should pay to the Mission of Santa Inez two hundred head of neat cattle and the certificate of Fr. Fr. Jose Joaquin Jimenez which is made a part of the Expediente shows that that establishment had received the written obligation of said Benavente for the same appreciably with the proposition of the Mission. The land <sup>granted</sup> is described in the title paper as bounded by the river of Santa Inez Lucas of Don

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From a cedula of Don Jose Antonio de la Guerra  
of the Indians Antonio Juan Marcelino and  
of the Mission of Santa Ynez

It is alleged to contain six square leagues  
of land a little more or less and is that  
which is shown <sup>on</sup> the map which exists in the  
respective expediente. The map shows clearly  
the limits and boundaries of the land  
as described in the grant as that intended  
to be granted, and no doubt being res-  
erved by the terms of the grant the entire prem-  
ises within the boundaries described must pass  
under it to the grantee. There can be no dif-  
ficulty in locating the premises.  
A decree of Confirmation will be entered

Confirmed

Given in Office San Francisco 3<sup>rd</sup> Nov 1854  
Geo Fisher  
Secretary

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Decree Don Juan Canedo  
 Jose Maria Covarrubias  
 of  
 The United States

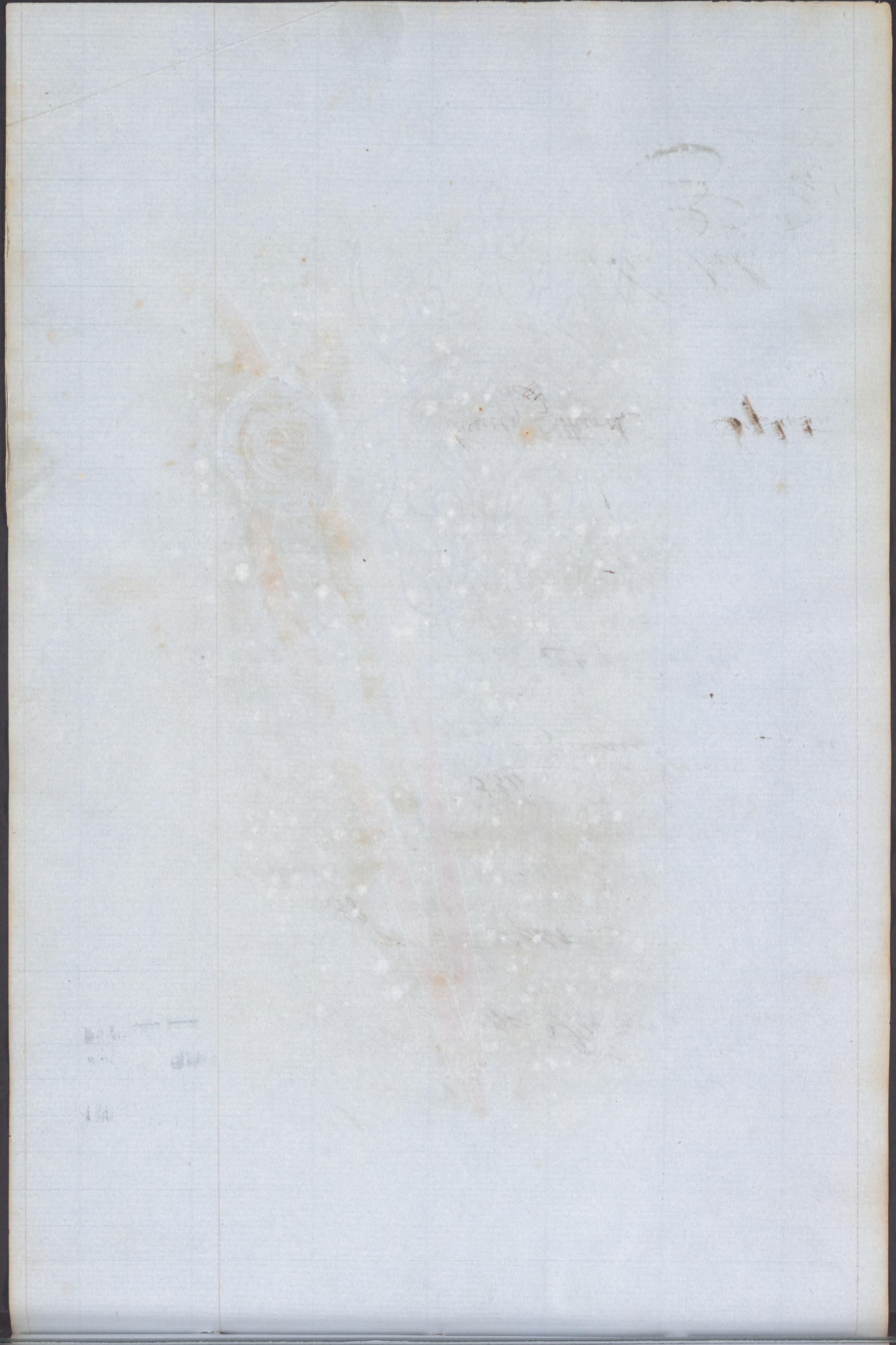
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 PAGE 39

In this case on hearing the proofs and alle-  
 gations it is adjudged by the Commission  
 That the said claim of the Petitioners is  
 void and is therefore decreed that the same  
 be confirmed

The land of which confirmation  
 is hereby made is that known by the name  
 of *Locata* situated in Santa Barbara County  
 and in the occupancy of said Petitioners and  
 bounded as follows to wit By the River of Santa  
 Ynez. The lands of Don Francisco Cota those  
 of Don Antonio de la Guerra, of the Indians  
 Antonio and Manuel and of the Mission  
 of Santa Ynez according to the map which  
 exists in the respective expediente which is on  
 file in this case and to which reference is to be  
 had in locating said land, the same con-  
 taining six square leagues of land a little more  
 or less

Alphons Felch  
 Thompson Campbell  
 R. W. Thompson  
 Leones

Filed in Office Jan'y 31st 1854  
 Geo Fisher  
 Secretary



Office of the Board of Commissioners,

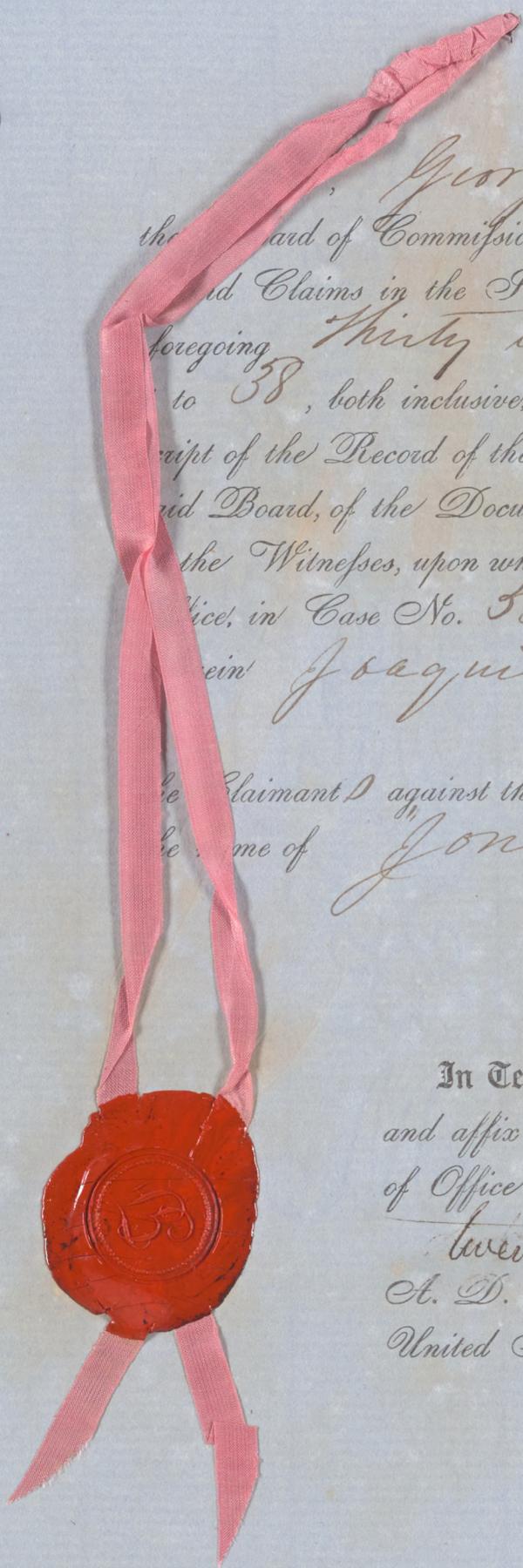
To ascertain and settle the Private Land Claims in the State of California.

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PAGE 40

*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 eight* pages, numbered from  
to *38*, 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. *534* on the Docket of the said Board,  
in *Joaquin Carrillo, et al,* are  
the Claimant against the United States, for the place known by  
the name of *"Jonata"*

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 third* day of *September*  
A. D. *1857*, and of the Independence of the  
United States of America the seventy-ninth.

*Geo. Fisher*  
*Geo. Fisher*



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

No. 156, Doc. 1

THE UNITED STATES,

vs. 156

*Joanna Carrillo et al*  
*"Jonata."*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 534.

Filed, November 8<sup>th</sup> 1854

*J. E. fan.*  
Clerk.

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*No. 534*



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Office of the Attorney General of the United States,

Washington, 17th January 1855.

Joaquin Carillo et al. }  
vs. } 534.  
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 13th day of September 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.

s.c

N<sup>o</sup> 156

U.S. District Court  
Southern District

The United States

vs.

Joaquin Carrillo et  
al.

Notice of Appeal from Atty. Gen.

Filed Feb<sup>y</sup> 27<sup>th</sup> 1855

C. E. Farr  
Clerk.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

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Joaquin Canillo et al. }  
 vs. } 5-34.  
 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  
 13th day of September 1854, the appeal  
 in the district court of the United States for the ~~\_\_\_\_\_~~  
 Southern district of California will be prosecuted by the  
 United States.

*Clarking*

Attorney General.

No 156.

U. S. District Court,  
Southern District of Cal.

The United States

vs.

Joaquin Carrillo, et al.

Appeal Notice.

Filed March 8<sup>th</sup> 1885.

J. E. Farr.  
Clerk.

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

CITY AND COUNTY OF LOS ANGELES--STATE OF CALIFORNIA.

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Joaquin Carrillo, et al. app<sup>rs</sup>

Docket No. 156.

vs  
The United States, app<sup>t</sup>

Transcript No. 534.

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

The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 29<sup>th</sup> day of January A. D. 1853, Joaquin Carrillo & Jose Maria Covarrubias,

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called San Carlos de Sonata situate in the County of Santa Barbara State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 31<sup>st</sup> day of January A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioners. That thereafter, to wit: on or about the 8<sup>th</sup> day of November A. D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 534; reference to which it is prayed may be had and made part of this petition. That on or about the 13<sup>th</sup> day of September A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit:  
<sup>or about</sup> on the 27<sup>th</sup> day of February A. D. 1855, the said  
Attorney-General of the United States filed, or caused to be filed, in  
behalf of the United States, a notice with the Clerk of said District  
Court of the United States, that the appeal in said cause from the said  
decision of the said Commissioners, in the District Court of the United  
States for the Southern District of California, would be prosecuted by the  
United States. Your petitioner further represents, that the land claimed,  
as aforesaid, is situate in the Southern District of California, and within  
the jurisdiction of this Honorable Court. Your petitioner further represents  
and insists, that the said claim is invalid; and the said decision of said  
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for  
many errors and imperfections of law and evidence, apparent in said certified  
transcript of the proceedings and decisions of said Commissioners in said  
cause, filed and appealed from as aforesaid. And your petitioner denies all  
and singular, each and every allegation in the said petition of said claimants  
presented as aforesaid to said Commissioners. And your petitioner further  
denies that the said claimants ~~has~~ <sup>have</sup> any valid right or title to said land claimed,  
as aforesaid, or any part thereof.

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

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

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

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

No. 156

U.S. Dist Court  
Southern Dist. of Cal

Joaquin Carrillo et al  
appellees

vs.

The United States  
Appellant

Petition for Review

Filed Nov. 8<sup>th</sup> 1855

J. E. Carr  
Clerk

J. Ord. U.S. Attorney

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

TO

The President of the United States,

Joaquin Carrillo and José María Carrubias

156 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 *8<sup>th</sup>* day of *November* in the year of our Lord one thousand eight hundred and fifty-five at the City and County of Los Angeles, in said District, by

*P. Ord. Atty. of the U.S. for the Southern District of California, in behalf of the United States, praying said Court to review the decisions of the U.S. Land Commissioners of the 31<sup>st</sup> day of January A. D. 1854 confirming your claim to the land called San Carlos de Donatu situate in the County of Santa Barbara and appealed by the Attorney Gen<sup>l</sup>. of the United States*

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

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

*J. E. Farr*  
Clerk.

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Marshal Court.  
Copying Amunon 60.  
Serving do 3.  
Petition 3.  
Travelling Expenses 22.  
Horse hire & Day, \$4 per day 32.  
\$60.00.

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

Joaquin Carrillo, et al. Apples

vs. No. 156,

The United States, applt.

SUMMONS.

Recd Nov 13<sup>th</sup> 1855  
Edward Hunter  
U.S. Marshal

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I served this summons along with the proper copy of the petition upon *Joaquin Carrillo*  
by delivering to him personally a true copy of  
the Original Summons

at *Santa Barbara County of Santa Barbara* in the Southern District of California on  
the *5<sup>th</sup>* day of *December* A. D. 1855.

Sworn to and subscribed before me, this *7<sup>th</sup>*  
of *December* 1855 C. C. Carr Clerk.

*Edward Hunter*  
U.S. Marshal.

By *James R. Sumner*  
Depty.

by *W. L. Goodman*  
Deputy.

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

TO The President of the United States,

*Fraquin Carrillo and Jose Maria  
Cavarrubias*

156 SD

PAGE 51

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 *8<sup>th</sup>* day of *November* in the year of our Lord one thousand eight hundred and fifty-five at the City and County of Los Angeles, in said District, by

*J. Ord U.S. Attorney for the Southern  
District of California, in behalf of the United States  
praying said Court to review the decision of the  
U.S. Land Commissioners of the 31<sup>st</sup> day of January  
A. D. 1854 confirming your claim to the land called  
San Carlos de Donata situate in the County  
of Santa Barbara and appealed by the Attorney  
General of the United States*

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

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

*J. E. Carr,*  
Clerk.

Marshals Cost  
 Copying Summons — 60  
 Serving do 3.—  
 Petition 3.—  
 Mileage 120 miles each  
 for Summons and  
 Petition 21. 60  
 \$ 28.20

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

Joaquin Canillo, et al. aff'cs

vs.  
 The United States, app'ls.

SUMMONS.  
 Rec'd Nov-13 1855  
 Edward Hunter  
 U.S. Marshal

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I served this summons along with the proper copy of the petition upon *Jose Maria Covarubias* by delivering to him personally a true copy of the Original Summons at *Santa Barbara County of Santa Barbara* in the Southern District of California on the *14* day of *December* A. D. 1855.

Sworn to and subscribed before me, this 7<sup>th</sup> of December 1855  
 C. E. Carr Clerk.  
 By *Jam R Drummer* Deputy.

*Edward Hunter*  
 U.S. Marshal.  
 By *M. L Goodman* Deputy.

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

Joaquin Carillo et al

Appellees  
and

Case No. 156.

The United States

Appellants

"San Carlos de  
Sonata,"

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And now comes the said Appellees by  
Myron Norton their Attorney, and for  
answer to the petition for review filed  
by the District Attorney for the United  
States in this case, say,

That they have  
a good and valid title to the lands claimed  
in this case, and that the same ought  
to be confirmed.

Wherefore they pray  
that the decision of the United States  
Land Commissioners may be affirmed,  
and that their title to ~~the~~ lands claimed  
in this case may be decreed to be good  
and valid. And for such other or  
further and general relief in this  
premises as to this Honorable Court  
shall seem just and equitable.

Myron Norton  
att'y for Appellees

I have shown this answer upon P. O. to U.S. Atty  
by delivering to him a true Copy of the same  
at Los Angeles January 8<sup>th</sup> 1856

Edward Hunter  
U.S. Marshal  
J. W. M. Goodman  
Deputy

No 156,

U. S. Dist. Court  
South. Dist of California

Seabury Answer & C.

Jaquim Carillo vs  
Appellee  
vs

The United States  
Appellant

Answer

Filed Jan'y 7<sup>th</sup> 1856.

J. E. Jan  
D.

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Myra W. Proctor  
att'y for appellee.

In the District Court of the United States for  
the Southern District of California  
December Term A.D. 1856

The United States

appellants

No. 156

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Joaquin Carrillo et al  
appellees

"Sonata"

This cause coming on to be heard on appeal from the final decision of the Board of United States Land Commission "to ascertain and settle the private land claims in the State of California" under an act of Congress approved March 3<sup>d</sup> 1851, upon the Transcript of the proceedings, papers and evidence had and taken before the said Board; And it appearing that the said Transcript and a notice of the intention of the appellant to prosecute the said appeal have been duly filed with the Clerk of this Court; And counsel for the respective parties having been heard— It is ordered, adjudged and decreed by the court that the decision of the said Commissioners be affirmed, and that the title of the said appellees Joaquin Carrillo and J. M. Cobarrubias to the lands claimed in this case be and is hereby decreed to be good and valid.

The lands of which confirmation is hereby made are situated in the County of Santa Barbara, and are known by the name of "San Carlos de Sonata" and are the same which were granted to the said Carrillo and Cobarrubias on the twenty-fourth day of September A. D. 1845 by Pio Pico then Governor of California, and are bounded as follows— By the river of Santa Ynez, the land of Don Francisco Cota, of Don Jose Antonio de la Guerra, of the Indians Antonio and Marcelino, and of the Mission of Santa Ynez, and are confirmed to the extent marked out by the map which

exists in the respective expedients which is on  
file in this case, and for a more particular  
description of said land referred is herewith  
had to the said grant and map. The said  
lands being supposed to consist of six square  
leagues

*Sancho Lopez*  
*Alfonso Lopez*

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U. S. District Court  
Southern District of California

No. 156

The United States  
appellant  
vs  
Joaquin Carrillo et al  
appellee

Decree

Filed July 24<sup>th</sup> 1857  
Chas  
C. W.

Recorded on Page 239

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

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v.

Joaquin Corrallo & J. M. Corcoran

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The claimants above named by their attorney  
Albert Packard having produced and filed the  
Mandate of the Supreme Court of the United States  
affirming the decree of confirmation heretofore  
entered in this cause by the United States District  
Court for the Southern District of California on  
the 24<sup>th</sup> of February 1857, to the extent of six  
square leagues of land and no more within the  
exterior limits of the grant in this case.

Now on motion of their said Attorney Albert  
Packard it is hereby ordered that the claimants  
may proceed thereon to the extent of six  
square leagues of land and no more, within  
the exterior limits of the grant in this case  
as a final decree

Richard Hoffman  
Dist. Judge

No: 156. S.D.

U.S. District Court  
District of Cal

The United States

- vs -

Joaquin Carrillo, and  
Jose Maria Covarrubias

Order on filing Mandate  
from Supreme Court U.S.  
allowing Claimants to  
proceed as under final  
Decree

Filed September 3rd 1872

Edw B. Cotten Clerk

By W. D. Greenwood  
Deputy Clerk.

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*Edw B. Cotten*  
*W. D. Greenwood*

UNITED STATES OF AMERICA, ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,



To the Honorable the Judges of the District Court  
of the United States, for the Southern District  
of California

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GREETING:

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Whereas lately, in the District Court of the United States for the Southern  
District of California, before you,

in a cause between The United States, appellants, and  
Joaquin Carrillo and Jose Maria Covarrubias,  
appelles, the decree of the said District Court was  
in the following words, viz:

"This cause coming on to be heard on appeal  
from the final decision of the board of land  
Commissioners to ascertain and settle the private  
land claims in the State of California under an  
act of Congress approved March 3<sup>d</sup> 1851, upon  
the transcript of the proceedings, papers, and  
evidence, had and taken before the said board;  
and it appearing that the said transcript and  
a notice of the intention by the appellant to prosecute  
the said appeal have been duly filed with the  
Clerk of this Court and Counsel, for the respective  
parties having been heard, it is ordered, adjudged,  
and decreed by the Court that the decision of  
the said Commissioners be affirmed, and that  
the title of the said appellees, Joaquin Carrillo  
and J. M. Covarrubias, to the lands, in this case  
be and is hereby decreed to be good and valid.

The lands of which confirmation is hereby made  
are situated in the County of Santa Barbara and  
are known by the name of San Carlos de Jonata  
and are the same which were granted to

the said Carrillo and Covarrubias, on the twenty fourth day of September and are bounded as follows; By the River of Santa Inez, the land of Don Francisco Cota of Don José Antonio de la Guerra, of the Indians Antonio and Marcelino, and of the Mission of Santa Inez, and are confirmed to the extent marked out by the Map which exists in the respective expediente which is on file in this case; and for a more particular description of said land reference is herewith had to the said grant and Map, the said lands being supposed to consist of six square leagues"

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as by the inspection of the transcript of the record \_\_\_\_\_

of the said District \_\_\_\_\_

Court, which was brought into the Supreme Court of the United States by virtue of an appeal

agreeably to the Act of Congress, \_\_\_\_\_

in such case made and provided, fully and at large appears

And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *sixty three*, the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and ~~was argued by counsel.~~ ~~On consideration whereof,~~ ~~the stipulation~~ of counsel of the respective parties herein. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed to the extent of six square leagues of land and no more, within the exterior limits of the grant in this case, on payment of costs by appellees in this Court.

24<sup>th</sup> March

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You, therefore, are hereby commanded that such further proceedings be had in said cause,

as, according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding:

Witness the Honorable Roger B. Taney, Chief Justice of said Supreme Court, the first Monday of December, in the year of our Lord one thousand eight hundred and sixty three.

COSTS OF—  
Clerk . . . . \$ \_\_\_\_\_  
Attorney . . \$ \_\_\_\_\_  
\$ \_\_\_\_\_

H. W. Middleton

Treasurer

Clerk of the Supreme Court of the United States.

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No. 146, December Term, 1863.

MANDATE  
SUPREME COURT UNITED STATES.

U. States vs. Arnolds

Filed in open Court this  
3rd day of September 1874,  
on motion of Mr  
Richard Estney for  
Claimants.

Wm. W. Clark  
for Applicant  
vs  
Wm. W. Clark  
for Respondent