

CASE No.  
175

SOUTHERN DISTRICT

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CORRALITOS GRANT

---

JOSE AMESTI

CLAIMANT

Corralitos

52



LAND CASE 175 SD pgs. 119

MAR 7 1963

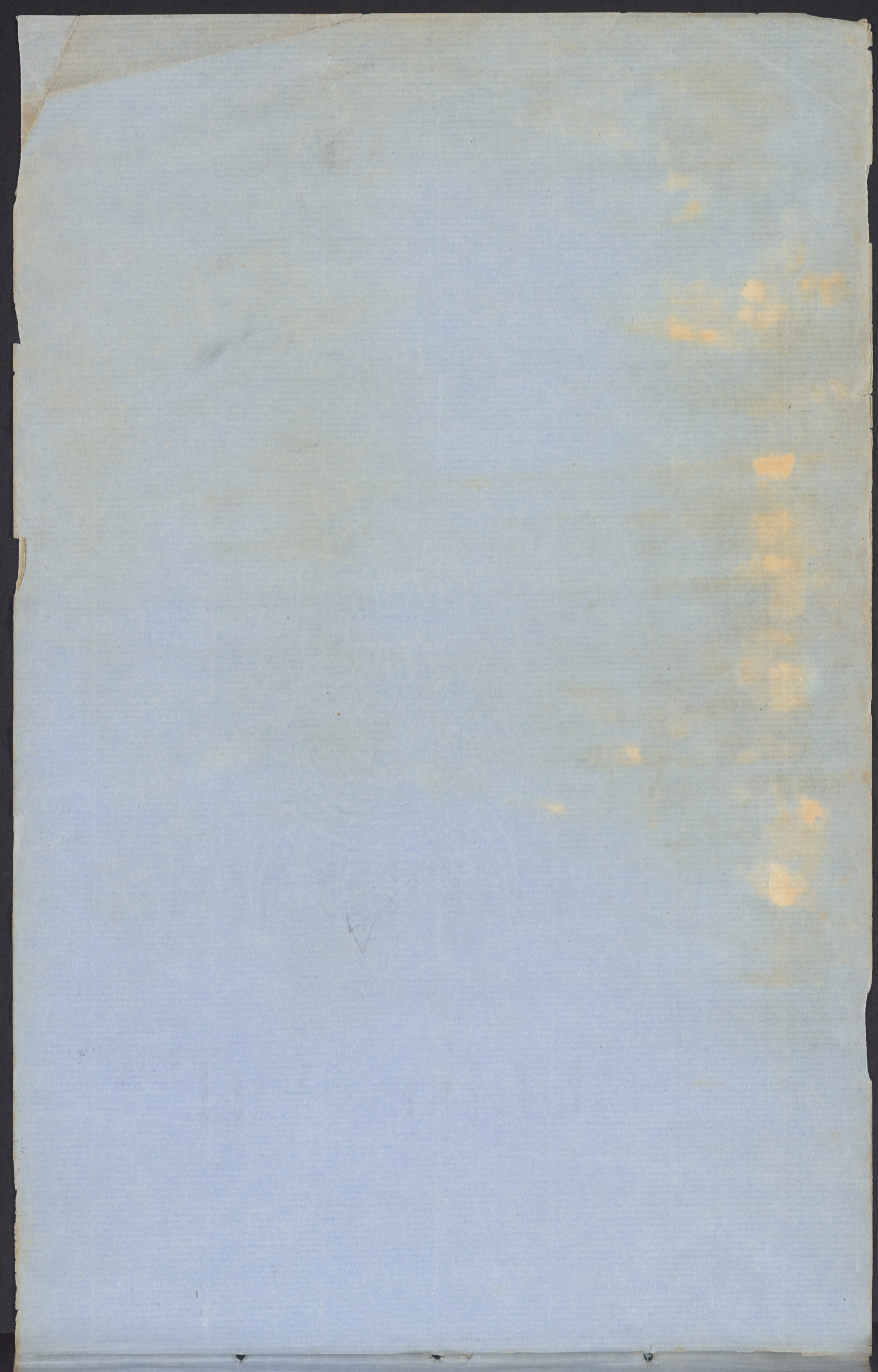
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BROKEN BOND  
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174. ... 175







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# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 174

*Jose Amesti*, CLAIMANT

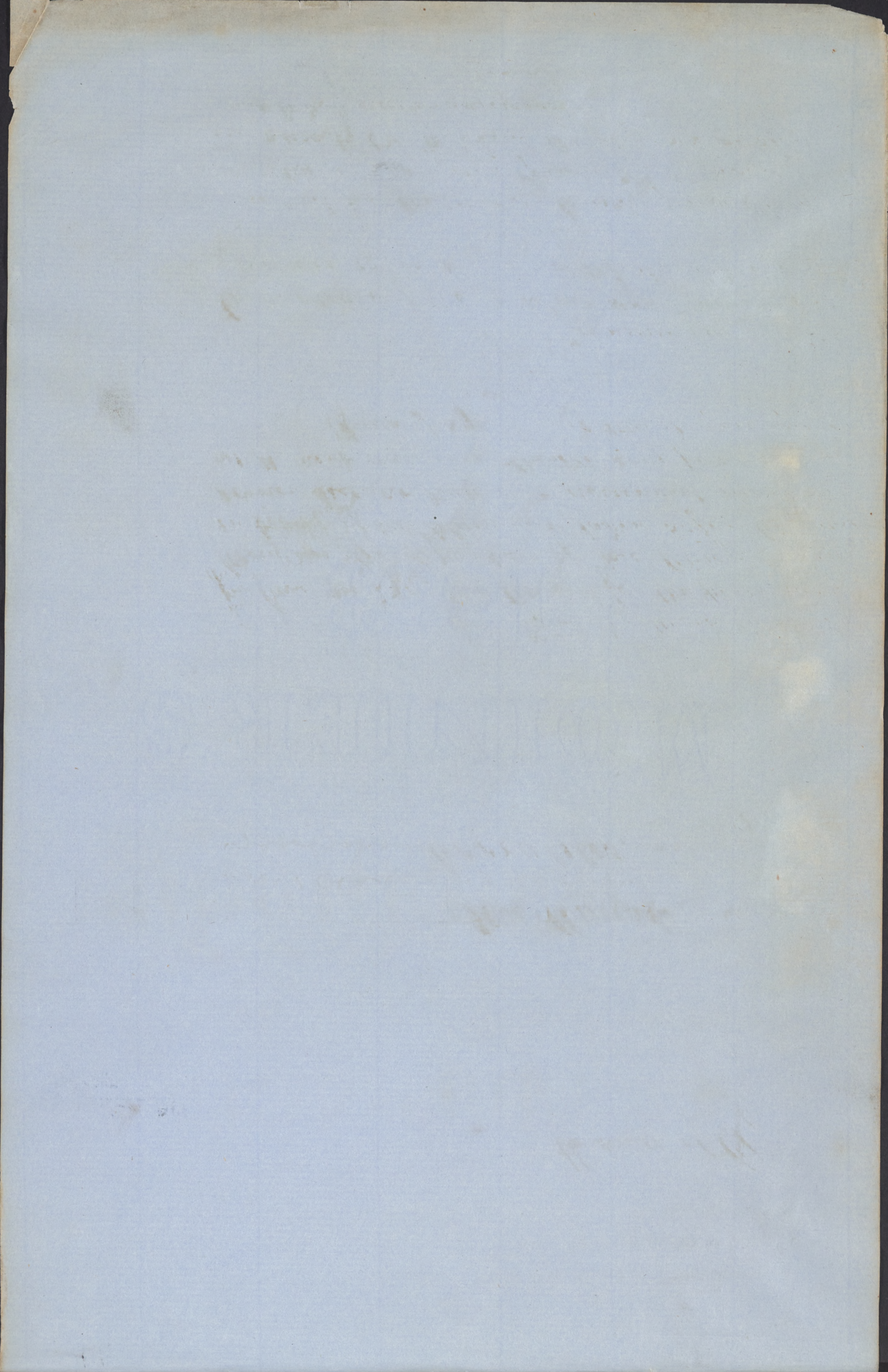
VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"Corralitos."*







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 *thirteenth of April*, 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 *Jose Amesti*,  
for the Place named  
*"Corralitos"*,  
was presented, and ordered to be filed and docketed with No. 174, 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 March 23<sup>o</sup> 1853.*

In Case no. 174, *Jose Amesti* for the place named "*Corralitos*", the deposition of *Jose Abrego*, a witness in behalf of the Claimant, taken before Commissioner *Richard Hall*, with document marked *D. H. no. 1* annexed thereto was filed;

(Vide page 5 of this Transcript.)

*San Francisco Aug 9<sup>o</sup> 1853.*

On motion of the *W. S. Law Agent*, Case no. 174 was ordered to be placed on the Trial Docket.

Case no. 174, called; The Counsel for the Claimant read the evidence, and opened the argument; answered by the *W. S. Law Agent* - Case submitted and taken under advisement.



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San Francisco May 2<sup>d</sup> 1854.  
In the same case Commissioner R. Aug. Thompson  
delivered the opinion of the Board confirming  
the claim.

(Vide page 79 of this Transcript)

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San Francisco Aug 15 1854  
In the same case, on motion of the U. S. Law  
Agent, the following order was made, to wit:  
(Vide page 81 of this Transcript)

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To the U. S. Land Commission for the ascertaining and setting of private land claims in the State of California.

Petition.

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The petition of Don José Amador respectfully sheweth; that herebefore, to wit on the 17<sup>th</sup> of April A. D. 1823, he made & presented his petition in writing to Don Alzule, then Governor of California, soliciting for himself a grant of a tract of land, known under the name of Los Corralitos, containing two square leagues more or less, a definite description of which will be given hereafter.

That said Governor on the 18<sup>th</sup> of April 1823 gave him the permission to occupy said land, & granted the same to him under the condition, that your petitioner should solicit & obtain the possession thereof, when the Colonial law on this subject should have been published.

That your petitioner on the 21<sup>st</sup> of May & after the publication of said law presented an other petition to said Governor praying for the issuance of a grant in accordance with the formalities of such law. Whereupon said Governor appointed one José Estrada to measure said land & give the judicial possession thereof to your petitioner; & that such was done accordingly in the presence of witnesses on the 22<sup>d</sup> of May 1823 & sufficient land marks placed on the points designated by said Estrada.

And your petitioner further saith, that about the year 1844, various persons applied to Michelmina, then Governor of California praying for tracts of land belonging to, & comprised within the boundaries of said Rancho de los Corralitos, under the protest, that the boundaries & possession as given by José Estrada in the year 1822, enclosed and contained more land than your petitioner was entitled to by the terms of his grant. And your petitioner thereupon addressed another petition to said Governor, setting forth that according to a recent survey said land really contained four square leagues instead of the two mentioned in the documents of the year 1822, but praying at the same time, to give to himself the preference, if any new grant should be made of such surplus land, as he was in possession of the same for the last twenty five years, & as the judicial possession given to him by José Estrada called for the whole parcel of land.

That Manuel Jimeno, then Secretary of State, on the 24<sup>th</sup> of March recommended the issuance of such grant of the four square leagues by said Governor.

Whereupon Governor Michelmina on the 27<sup>th</sup> of



March A. D. 1844 by virtue of the authority vested on him as Constitutional Governor of California, declared your petitioner the owner of the whole tract of land, comprising four square leagues, & decided the proper documents to be executed.

That a formal grant issued to your petitioner on the first day of April A. D. 1844.

That in the month of June 1846 he obtained judicial possession under the last mentioned grant in compliance with all the formalities of the law.

And your petitioner further saith, that all the petitions, references, reports, the documents of judicial possession given by Estrada, the concessions of the various Governors, & a copy of Micheltoune's grant, are on file in the archives of California, now in the possession of the U. S. Surveyor General for the State of California, & that duly certified copies & translations of the same are herewith submitted & prayed to be made a part of this petition. That the original grant from Micheltoune to your petitioner, together with the documents of judicial possession & the original maps of the premises, are in the hands of your petitioner, and ready to be offered in evidence whenever required.

And your petitioner further states, that said tract of land is situate in the present County of Monterey, between the City of Santa Cruz & the river Pajaro, that it contains four square leagues, more or less, is known under the name of los Corralitos & bounded as follows -

Commencing at a point called Salismeder, thence South  $82^{\circ}$  W.  $2039\frac{4}{10}$  varas, thence South  $35^{\circ}$  W.  $2744\frac{22}{100}$  varas, thence along the low water mark of the Estuary East of the land to the Cañada de Cierro, thence in a straight line to a point, where the road to Santa Cruz strikes the Eastern boundary line of the Laguna de los, thence along said road of Santa Cruz to a point called Cuatro Leguas, thence North  $33\frac{3}{4}$  East  $1191\frac{24}{100}$  varas, thence North  $\frac{1}{2}$  East  $2067$  varas, thence North  $64^{\circ}$  East  $8204\frac{32}{100}$  varas, to a large stone, called Woca, thence to another stone of the same name South  $58\frac{1}{2}$  East  $1948\frac{32}{100}$  varas, thence South  $3\frac{1}{2}$  West  $2138\frac{4}{100}$  varas, thence South  $16^{\circ}$  East  $1339\frac{9}{100}$  varas, thence South  $28\frac{1}{2}$  West  $1488\frac{24}{100}$  varas, thence South  $27\frac{1}{4}$  East  $1028\frac{32}{100}$  varas to a point called Alora, thence South  $26\frac{3}{4}$  East  $986$  varas, thence South  $9\frac{1}{2}$  East  $1569\frac{16}{100}$  varas, running through the

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Laguna Grande, thence South 42° East to the most South-  
-ern point in the shore of said Laguna Grande, thence on a  
straight line to the place of beginning.

And your petitioners further saith, that he has  
been in the quiet & undisturbed possession of said land  
since the year 1822, & is not aware of the existence of any  
title conflicting with or paramount to his own.

He therefore claims to be the legal owner of the  
same & prays, that your Honorable Body will conform &  
validate his claim & title thereto.

Clarke, Taylor & Beckwith.  
Attys for Urresti.

Filed in Office April 13<sup>th</sup> 1852.

Geo. Fisher,  
Secy.

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Deposition of  
Jose Abrego

San Francisco March 23<sup>rd</sup> 1853.

On this day before Court Island Hall, came  
Jose Abrego, a witness in behalf of the claimant Jose  
Urresti, petition No 174, & was duly sworn, his evidence  
being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

Questions by Claimant.

Quest 1<sup>st</sup>. What is your name, age & place of residence.

Ans. My name is Jose Abrego, my age forty years &  
I reside at Monterey.

Ques. Look at the document now shown you, being first  
a petition by claimant dated 17<sup>th</sup> of April 1823, and a  
commission of possession & occupancy written on the margin  
by Arguillo, followed by acts of judicial possession; second  
a grant by Alvarado, dated January 2<sup>d</sup> 1841, followed  
by acts of judicial possession, & lastly a grant from Michel-  
-borna dated April 1844. State what you know in regard  
to the genuineness of said documents & the signatures thereto.

Ans. I have no doubt of the genuineness of said documents:  
I am well acquainted with the hand writings of all of those  
whose signatures are on said documents, with the exception  
of that of Arguillo, having often seen them write. All of said



signatures I know to be genuine, except that of Arguello. Said papers are hereto attached & severally marked H. H. No. 1.  
 Quest 3<sup>d</sup> Are you acquainted with the land petitioned for, if so, state what you know in regard to its possession & occupancy.  
 Ans. I have known said parcel of land for twenty years, during all that time it has been in the exclusive occupation of the petitioner, he having lived upon it with his family, cultivated & otherwise improved said land during the whole of said period, using it for agricultural & grazing purposes.

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Question by the Associate Law Agent.

What lands did you understand were conceded to Amesti by the different grants before referred to.

Answer. I understand Arguello granted two leagues by the name of Comalito. By the grant of Alvarado I understand six hundred varas square in addition to the former tract & adjoining to it were granted. By the title from Micheltineo I understand four leagues were granted including the two former tracts to make up the quantity of four leagues.

José Abrego.

Shown & subscribed  
 Before me

Richard Hull.  
 Comr.

Filed in Office March 23<sup>d</sup> 1853.

Geo. Fisher,  
 Secy.





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1. S. D. K.

1844

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*Expediente*

*promovido por D. Jose Amesti en  
pretencion del terreno nombrado  
Los Corralitos*

25

367



2 S. D. K.

Señor Jefe Superior Político y Militar de la Alta California = 9º Jefe de Armada Natural de la Ciudad de San Sebastian, Provincia de Guipuzcoa en los Reynos de España, y residente en Monterey de la Alta California, Provincia del Imperio Mexicano: ante V. S. se presenta se presenta exponiendo lo q. sigue: que habiendo sido el principal objeto de mi venida a esta Provincia con el fin de hacerme uno de sus habitantes en los futuros años de su existencia, y decidido aminorar que arbitrar en ella tambien su subsistencia temporal para este efecto

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B.  
Expediente

particulares q. me combengan, y me pueda combenir desde esta epoca en que ya me considero como tal habitador de estos suelos no puedo menos que siendo mi decision particular ser uno de sus pobladores de sus campos ocurrir a las facultades q. se adornan a V. S. a fin de que en uso de ellas se digne concederme el paraje nombrado los Corralitos en el terreno de San Esteban de ganado mayor p.ª poder poblarlo de ganado, labranza y demas renglones convenientes a la edificacion de un rancho para asegurar mi establecimiento y progresos anexos no solo a mi bien particular sino q. puedan ser en beneficio de esta Provincia y sus habitantes en las epocas subsesivas, pues no es otro mi designio que es ayudar en el fomento de estos

3 S. D. K.

suelos como un interesado por su beneficio el qual siendo de su superior agrado espero me sea concedido aunque sea interinamente; la ley Colonial establece las reglas de esta materia, en que espero lograr la legitimidad de esta posesion que es a lo que espero confirmandoseme para ello el provido q. me haga tal poseedor sin intruccion, y para que este me pueda servir de patentizacion y resguardo en el entretanto se me conceda oho paraje que de antes tengo solicitado con los fines indicados. Por tanto a V. S. con el mayor respeto rendidamente Suplico se sirva proveer

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4 S. D. K.

450

en justicia lo que fuere de Su Superior agrado en la gracia  
 que solicito en que espero recibir. En el Presidio de  
 Monterey de la Alta California a 17 de Abril de  
 1823 = Don de Amesti = Monterey 18 de Abril  
 de 1823 = Concedo a esta parte el Sitio que solicita para  
 que pueda poner en el sus vienes habidos y por haber  
 interinamente de publicar la ley Colonial a que se Sujeta  
 para darle despues la posesion segun la misma ley = Aguiello  
 = Señor Jefe Superior Politico y Militar = Don  
 Don de Amesti, vecino de la Ciudad de San Sebastian,  
 Provincia de Guisuzcoa en lo Reyno de España y residente  
 en esta Provincia de la Alta California del Imperio  
 Mexicano: ante V. S. con el mayor respeto se presenta  
 exponiendo q. habiendole sido concedido por Superior  
 decreto de V. S. de 18 de Abril del presente año q.  
 origino la representacion de 17 del mismo Abril y año,  
 el paraje nombrado los Corralitos en atencion de  
 dos Citios para lo que en ella indique; como dho paraje  
 solo le fue interinamente Concedido hasta entanto fue  
 publicada la Ley Colonial en esta Provincia a cuyas  
 reglas me somete, y sujeto dho Superior decreto:  
 En vista de que ya es publicada, enterado de lo que prescribe,  
 ocurro de nuevo a las amplias facultades de V. S.  
 a fin de que el uso de ellas y de su recta justicia se  
 Sirva Concederme la propiedad de dho paraje, y  
 mandar se me de su legitima posesion de el segun  
 y en la forma q. merezca la Confianza de V. S. para  
 el caso y que merezca punto en ella con la solemnidad  
 q. Convienga segun arte previa la correspondiente  
 medida de los referidos dos Citios. Portanto = a  
 V. S. rendidamente Duplico se digno proveer en  
 justicia lo q. juzgue de Su Superior agrado. Presidio  
 de Monterey de la Alta California Mayo 21  
 de 1823 = Don de Amesti = Monterey 22  
 de Mayo de 1823. Por presentado y admitido  
 el escrito que antecede, y en vista de lo que esta



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J. S. D. K.

parte suide, pongase en posesion de los dos Citios de ganado vacuno y caballar nombrado los Corralitos en el Estado de Sonora; para lo qual nombro y autorizo á D. José Estrada, Teniente graduado de la Compañia de Caballeria Presidencial de Monterey para que personalmente pase á los mencionados citios, y ponga en posesion de ellos al referido D. José de Sonora; asi lo provei, mande y firmé yo D. Luis Antonio Argüello Jefe Superior Político y Militar de esta Provincia de la Alta California con los testigos de asistencia con quienes actuo por receptoria a falta de todo escribano, Doy fe = Luis Antonio Argüello = de asistencia Francisco de Haro = de asistencia = Don Joaquin de la Torre = Auto = En los Citios nombrados los Corralitos, jurisdiccion de Monterey, en 22 dias del mes de Mayo de 1823 años, Yo D. José de Estrada, Teniente graduado de la Compañia de Caballeria Presidencial de Monterey, Comisionado por el Capitan D. Luis Antonio de Argüello, Jefe Superior Político y Militar de esta Provincia; habiendo visto el antecedente decreto presentado por D. José de Sonora, y en lo mandado por el expresado Sr. Jefe Superior Capitan Don Luis Antonio Argüello, dije se guarde y cumpla lo resuelto por S. S. y en su puntual y debido cumplimiento debi de mandar y mandose ponga en posesion y goce de los susodichos dos Citios á D. José de Sonora asi por este auto de obediimiento lo provide, mande y firmé con los testigos de asistencia con quienes actuo por receptoria a falta de todo escribano, Doy fe = Don Estrada = De asistencia = Francisco de Haro = De asistencia Don Dolores Pico. = Diligencia de posesion = En dho Citios, dia mes y año, yo el Comisionado acompañado de los testigos de asistencia, y de algunos de los vecinos q. viven por dhas inmediaciones cercanos a los dos Citios nombrados los Corralitos a efecto

300



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13  
D. L. K.

de darles la posesion que manda el Sr. Jefe Superior  
Capitan Don Luis Antonio Argüello en su decreto de  
22 de Mayo del presente año, y estando en otros  
litos lo tome de las manos y lo pasee por ellos, hize  
que tomara posesion real y personal, la que tomé quieto  
y pacíficamente, y en señal de verdadera posesion  
hize piedras por los quatro riantos, arrancó yerbas  
i hizo otros actos de verdadera posesion. Yo el  
escribano Juan Comisionado mandé a nombre de S.  
M. C. / L. D. G. / que ninguna persona inquiete  
en manera alguna en la citada posesion de otros dos  
litos de los Corralitos que el susodho D. Sr. de Anasti  
tiene tomada, y de ella no sea despojado sin ser  
primero hoydo por fuera de derecho vencido, bajo  
la pena de doscientos p. en que desde luego condeno  
al que asi lo hiciera aplicados a pena de Camara  
y gastos de Justicia, de cuyo auto fueron testigos  
algunos de los vecinos del Presidio de Monterrey y  
Villa de Franciforte, y los de mi asistencia actuando  
por receptoria en la forma ordinaria. Doy fe =  
Por letrada = de asistencia = Francisco Astora  
= de asistencia = Don Dolores Pico.

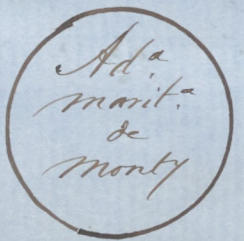
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Es copia a la letra del original q. se devolvió  
a la parte p. habiéndolo solicitado. Monterrey 20  
de Dbre de 830  
Chandia

7  
D. L. K.

Dello quinto un real  
Habilitado provisionalmente por la Aduana maritima  
del puerto de Monterrey en el Departamento de las  
Californias, para los años de mil ocho cientos cuarenta  
y cuatro y mil ocho cientos cuarenta y cinco  
Micheltorona Pablo de la Guerra



Como Sr. Gobernador  
Jacinto Rodriguez, Alcaide



de la Compañía de Caballería Presidencial de Monterrey, natural  
 de este Departamento, ante V. E.  
 Monterrey Feb. 24 de 1844  
 Infe. il. S. Sr. del Despacho  
 Micheltá

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de este Departamento, ante V. E.  
 con el debido respeto y en representación  
 de mi padre D. Sebastian Rodriguez  
 hago presente; q. habiendo hecho  
 por el Gobierno la Concesion de dos  
 Citeros de ganado mayor, para beneficio  
 de mi Padre y familia, en el paraje  
 del Pajaro, se ocurrio al Jefe  
 de este lugar, D. Estevan Munras, para q. se diese  
 la respectiva posesion juridica, y al verificarse resul-  
 taron por las medidas, menor atencion de lo q.  
 el Gobierno Concedio, segun consta en el diseño  
 correspondiente. Esta menor atencion q. resulto, dimanó  
 de q. reputando los linderos q. reconociamos por de  
 D. Jose Amesti, quien tambien aun no lo manifiesto,  
 tuvimos q. dejar para otra oportunidad el señalamiento  
 de linderos q. entonces se nos habia hecho, por no haber  
 mas lugar donde entenderse las medidas, por el respeto  
 del linderos ya dho, y como ahora sabemos q. se  
 ha hecho denuncia del Sobrante q. dicen hay en el  
 rancho del Sr. Amesti, me encuentro en la posicion  
 de dirigir a V. E. la presente, haciendole valer el  
 derecho q. tiene mi Padre para que se le complete  
 el sitio q. se le tiene Concedido por el Gobierno, pues  
 no es razon ni justicia q. habiendo Sobrante como  
 se dice en un terreno q. esta unido al de mi Padre  
 no se complete la atencion concedida hace muchos  
 años, a virtud de los Servicios q. mi Padre ha prestado  
 al pais, como es publico y notorio de ser un antiguo  
 militar q. ha sabido merecer aun la gratitud del  
 Supremo Gobierno, como se ve en sus despachos  
 competentes. Por tal motivo a V. E. Suplico  
 q. se suspenda la denuncia q. se ha hecho hasta  
 q. se concluya el asunto de D. Jose Amesti pendiente  
 en los Tribunales, para que si llegare a resultar

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S. J. K



2<sup>a</sup>  
4<sup>a</sup>  
174

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algun sobrante, se complete la Comision hecha a mi padre  
por tener derecho antes q<sup>o</sup> otro por las razones ya dichas  
Por tanto a V. E. suplico acceda a mi  
Solicitud fundada en justicia, de lo q<sup>o</sup> recibire merced y  
gracia, jurando no ser de malicia y lo necesario  
Monterey Febro 24 de 1844,  
Jacinto Rodriguez

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9 S. I. K.

Si al Sr D<sup>o</sup> Amsti se le Confirma  
por el Gobierno el terreno q. se ha reconocido bajo su dominio,  
desisto de mi pretension, y de lo contrario digo en pie  
mi precedente instancia para los recursos q<sup>o</sup> a mi derecho  
convenza.  
Monterey Marzo 21 de 1844  
Jacinto Rodriguez

Almo Sr Gobernador

Permitiendo el Sr Rodriguez de su pretension  
a la condicional de si el Gobierno le Confirma al Sr  
Amsti su posesion y ocupacion del terreno que obtiene,  
creo que esta instancia se puede dar por concluida,  
si se favorece la del Sr Amsti.  
Monterey Marzo 24 de 1844  
Man. Jimeno

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Monterey Marzo 27 de 1844

Conf. Entregase al Sr. Amsti  
este docum<sup>to</sup> p<sup>o</sup> su resguardo  
Michelt<sup>a</sup>

10 S. I. K.

Delo Cuarto de reales  
Habilitado provisionalmente por la Aduana maritima  
del puerto de Monterrey en el departamento de la  
California, para los años de mil ochocientos cuarenta  
y cuatro y mil ochocientos cuarenta y cinco  
Micheltorona Pello de la Guerra



Ada  
marita  
de  
monty

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Monterrey  
Feb. 2 de 1844  
D. J. el S.  
Dio del Despacho  
tomando previa-  
-mente y  
los q. necesitare  
al efecto.  
Michelt.

Ignacio Plaza Teniente de la C. A.  
Compañia del Bat. Permant. Fijo  
de California, ante V. E. con el  
devido respeto y como mejor Combina  
espone: que sabiendo por noticias ciertas  
que entre el rancho de D. Juan Amate  
y el de D. Jacinto Rodriguez, hay un  
terreno sobrante el cual legalmente  
no ha sido Concedido a ninguno de estos  
Señores; y teniendo el que suscribe  
Comodidad p.ª Cultivarlo por si, espera  
de V. E. se digna mandar medir  
la estension de ambos Ranchos segun  
sus respectivos titulos y diseños y el terreno  
que resultare sobrante Concederlo al  
Suplicante p.ª el objeto indicado

Por tanto V. E. Suplico se digna acceder  
a mi pedido en lo que recibiere gracia.

Monterrey Febrero 1.º de 1844  
Ygn. Plaza

11 S. D. K.

Informe el Alcalde 1.º de la villa de Branciforte  
Sobre el contenido de la precedente instancia.

Monterrey Febrero 5 de 1844  
Man. Jimeno

280

Sr Secret. del Despacho - Contestando  
al S. suplico q. habiendo tomado informes con  
algunos particulares, y Sr. Sebastian Rodriguez  
Sobre el terreno q. se menciona, lo qual digo a  
V. E. q. no hay sobrante ninguno.

Sta Cruz 13 de Fe. 1844

M. Rodriguez

Vrmo Señor Gobernador



2<sup>a</sup> 5  
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Segun el informe que da el Sr. de la villa de  
Francisco, manifiesta no haber ningun sobrante de terreno  
por donde se pretende, y ni yo conozco que lo pueda  
haber, por que el rancho de Sr. Don Truete está  
medido por el Sr. Cambuston y de la Señores  
Rodriguez tambien lo está cuando se les dió posesion  
juridica, por lo que entiendo no haber terreno ninguno  
por en rumbo para poderse considerar alguna representada  
Monterrey 17 de Febro de 1844  
Mano Simuno

12 S. D. K.  
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Monterrey Feb. 19 de 1844  
Sr. D. Cambuston con verdad y  
bajo su responsabilidad lo q. sepa p. haber practicado  
la medicion de orden de este Gov.  
Michell

Monterrey Febrero 22 de 1844

250

13 S. D. K.

Exmo Señor Gobernador  
Contatando al decreto de V. E. digo: que despues  
de haber levantado el plano, el cual hic segun las indicaciones  
que me hizo el Sr. D. Sebastian Rodriguez, aparece en el  
plano 8864 varas en Cuadro que son poco menos de Cuatro  
Sitios  
H. Cambuston

Monterrey Feb. 23 de 44

Habiendo pedido verbalmente el interesado  
informe el Sr. Teniente Cor. D. Jose Castro como Prefecto  
lo que fue y con conocimiento del terreno en cuestion, pade  
este p. q. lo verifique  
Michell

Exmo Sr. Gobernador  
En virtud del Superior decreto de V. E. digo que el



terreno de que se me pide informe no sé si hay en el Sobrante  
Don Castro

Monterrey Feb. 24 de 1844

14 S. D. K. Estando en el Juzgado 2.º el plano de  
de este terreno, informe d. S. Serrano si hay sobrante,  
tomando los q. creyere necesarios a aclarar la verdad  
michelt.

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Monterrey Feb. 26 / 844

Para dar cumpl.º q. antecede del E. S.  
Gobernador y Comand.º G.º, informan el S. D. Rafael  
Castro y el S. D. Rafael Ruiz de la Mota, el  
primero como Alcalde q. fue el año p.º p.º en la  
jurisdicción de la villa de y el segundo como Comisionado  
q. fue p.º del S. Prefecto p. las medidas q. por  
orden Superior hicieron en los terrenos del Sr. Amati  
y del Sr. Rodriguez, diciendo con verdad y bajo su  
responsabilidad el terreno q. aparece sobrante y bulva  
a este Juzgado p.º certificar lo q. seg.º estos informes  
resulte

Francisco Serrano

15 S. D. K.

Sr. Juez de 1.º Inst.º

270 En contestacion al decreto de V. S. q. antecede,  
digo: que cuando procedi a hacer las medidas, solam.º  
verifiqué las del rancho del Sr. Amati, y no las del  
de Sr. Sebastian Rodriguez: p.º q.º en la orden  
Sup.º q. recibí, no se me mandó hacer otras medidas.  
En tal virtud, no habiendome señalado limite  
o lindero alguno a lo largo, con cortiza, tire la medida  
de longitud de Sur a Norte, desde el paraje nombrado  
las Bolsas, q.º colinda con el terreno del Sr. Castro,  
hasta la cumbre de la primera loma antes  
de llegar a la Sierra, y salieron doscientos ochenta  
y siete cordeleros de a cincuenta varas cada cordel



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6  
174

19

16 S. D. K.

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PAGE 18

Alo ancho se tiraron las medidas de oriente á Poniente desde el Arroyo nombrado Salisfuedes, Colindante con D. Manuel Jimeno, y Corrieron los Cordel, hasta la Laguna de las Calabazas, Colindante con el rancho de los Hernandez q. es lo q. se me dió a conocer con certeza p. el Sr. Rodriguez y el testigo Vitorino Almirano p. lindero de D. Jose Amesti; y Salieron ciento sesenta y seis Cordel de a cincuenta varas cada Cordel.

Estas medidas fueron hechas a calculo, p. q. despues de no tener ningun conocimiento en la materia no habia aguja p. donde Siquiera medio poder dirigi-  
-gimos.

En cuanto a las medidas del rancho del Sr. Rodriguez ya digo á V. S. no haberlas practicado p. no tener ninguna orden Sup. p. ello.

Es cuanto puedo informar á V. S. sobre el particular q. me pide.

Sta Cruz, Marzo 12. 1844  
Rafael Castro

300

Otro si: donde dice Vitorino Almirano ha de ser Vitorino Martin, R. Castro

17 S. D. K.

Certifico como Comisionado p. haber ido á la medicion del rancho de D. Jose Amesti acompañando al Sr. Alcalde de la villa D. Rafael Castro, quien dispuso medir desde el paraje de las Bolas p. el Sr. a las primeras lomas lomas p. el norte y semidireccion oriente ochenta y siete Cordel de a cincuenta varas cada uno; y del paraje nombrado arrollo de Salisfuedes p. el oriente a la laguna de las Calabazas, p. el Poniente se midieron ciento sesenta y seis Cordel; y en testimonio de la verdad doi el presente en este rancho del Pajaro a 28 de marzo 1844



Rafael Ruiz de la Hota

Monterrey Abril 19 de 1844

Exmo. Sr

Incumplim<sup>to</sup> de lo dispuesto p<sup>o</sup>. V. C. con fecha 24 de Febrero del corriente año, despues de haber tomado los informes q. anteceden dire: q<sup>o</sup>. Segun despus<sup>o</sup> promovido p<sup>o</sup> Felipe Hernandez el año de 1833, q<sup>o</sup>. existe en este jurgado y tengo a la vista; le fue concedido a don Hernandez poco menor de un sitio de ganado mayor, segun una solicitud hecha p<sup>o</sup> don Amunátegui ante la Prefectura del 1<sup>o</sup> Distrito el año de 1840 aparece q<sup>o</sup>. teniendo Concedidos dos sitios de ganado ma

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18 S. D. K.

Delo Cuarto dos reales  
Habilitado provisionalmente por la Aduana marítima del puerto de Monterrey, en el Departamento de la California, para los años de mil ochocientos Cuarenta y Cuatro y mil ochocientos Cuarenta y cinco  
Micheltorina Pablo de la Guerra

Ad.  
marit.  
de  
Monty

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— Elor, pidió el aumento de quinientos o seis Cientos varas y le fue concedido: el Sr Cambuston dice en su informe q. al formar el plano resultaron 8864 var. en cuadro q<sup>o</sup>. Son poco menor de Cuatro Sitios: p<sup>o</sup>. todo lo expuesto puede V. C. calcular si hay o no sobrante.  
Florencio Serrano.

Monterrey Mayo 2 de 1844

Agregarse al Expediente relativo por haberse Concedido el terreno sobrante al Sr. Amunátegui.  
Micheltorina

19 S. D. K.

Delo Cuarto Dos Reales  
Habilitado provisionalmente por la Aduana marítima



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7  
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del puerto de Monterrey, en el Departamento de las  
Californias, para los años de mil ochocientos cuarenta y cuatro  
y mil ochocientos cuarenta y cinco.  
Micheltorna Pablo de la Guerra

Ad.  
marit.  
de  
mondy

En  
Como Sr. Gobernador

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PAGE 20

Monterrey  
Feb. 26 de 1844  
Pase al Sr. Srío  
del despacho p.º q.  
terga presente este  
escrito al informar  
la intancia del  
D. Rodriguez  
Michelt.  

---

Que Amate, aveciñtado en este  
Departamento ante V. E. con el debido  
respeto digo: q. habiendo llegado á mi  
noticia q. una persona ha pedido el  
Sobante q.º dice ha resultado en mi  
rancho de los Corralitos, y como tengo  
q.º pueden sorprender la buena intencion  
del V. E., esto me obliga hacer presente  
con tiempo lo siguiente: Que desde  
el año de 23 se me concedió por un  
de S. M. I. un Sitio de ganado mayor

y q. a consecuencia de esta concesion, se procedió á  
darse me la posesion civil, fijandose limites segun la  
medicion q.º hizo á su entender la autoridad q. me la  
dió, y desde entonces han sido reconocidos por mis  
colindantes y por cuantas personas viven por aquel rumbo,  
y yo he ocupado todo el terreno con brios, labores y  
casas de bastante valor viviendo como lleno referido  
desde el año 23 en una pacifica posesion sin q.  
ninguno me halla inquietado, y la posesion es muy  
Clara, por el dominio y modo legal con que he  
ocupado el paraje, y si acaso me faltare el quinto  
del titulo de una demasia q. dicen tengo del terreno  
mencionado, es de justicia q. yo mas bien lo adquiere  
q. no ninguno otro por ser el q. ocupa el paraje  
y haberme señalado mis linderos los que siempre  
he reconocido y los he cuidado como si q. soy de  
todo el terreno, y por lo mismo siempre he emprendido  
grandes gastos para su fomento, y por ser el unico

330

Lo S. D. K.



ramo a q. me he dedicado para el mantenimiento y bien utar de mi familia como es notorio y supongo q. V.E. entara sin impuesto de ello.

Como conozco q. estoy en la obligacion de hacer presente a V.E. el derecho q. me asiste en este asunto, quiero q. Si V.E. gusta en vista de la posesion q. se me dio, y del informe q. di, la persona q. medio la referida posesion como tambien de los q. asistieron a ella y de mis colindantes verá V.E. q. justifico q. soy el dueño del dho paraje de los Corrales, el cual no excede de cuatro Sitios de ganado mayor segun la ultima medida q. hizo el Sr. Cambuston, y esto parece q. no es una extension considerable, y ni llega a la mitad de lo q. la Ley puede conceder a un solo particular; por todas estas razones y consideraciones y por ser muchos los bienes q. tengo y no se donde ponerlos espero de la justificacion de V.E. se me confirme el dominio q. tengo en mi terreno, y se defienda mi antigua posesion q. de hecho y de derecho tengo hace 21 años y de lo q. las leyes mismas me amparan como primer poseedor de buena fe, y por lo q. adquiri se me dicula posesion civil, cuyo acto en derecho es el mas justo y se sobrepone a toda concesion posterior q. se intente hacer favoreciendome tambien en este caso las Leyes de Colonizacion aplicables a este asunto, con especialidad la de 18 de Agosto de 824 q. en la q. rige en la nacion

J. J. A. V. E. undidam. Duplico se digno conacordar la Confirmacion de la posesion q. hace 21 años q. se me dio del terreno mencionado de lo q. recibire gracia y justicia, jurando no ser de mala fe y lo necesario &c.

Montreux Febró 26 de 1844  
Soñ de Arrioste

Yo Sr. Gobernador

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21 S. J. K.

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23

In mi Concepto todas las razones manifestadas en el precedente escrito son dignas de tomarse en Consideracion, y tanto por las Concesiones q. se han hecho al Sr Amuti, como por la ocupacion y posesion que obtiene de su terreno, entiendo que no hay ningun inconveniente p. q. V. E. se sirva confirmarle la propiedad del terreno de los Corralitos, bajo la estension que demuestra el dicho levantado por el Sr Cambutor, sin comprehender una corta parte de la Cañada verde. El Superior discernim<sup>to</sup> de V. E. resolvera lo que juzgue por conveniente.

22 S. D. K.

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Monterey Marzo 24 de 1844  
Man. Simons

Monterey Mayo 27 de 1844  
Conforme  
Michelt

Monterey 27 de Marzo de 1844  
Vista la peticion con que da principio este expediente, los informes que preceden, con todo lo demas que se tubo presente y ver convenio, de conformidad con las leyes y reglamentos de la materia, declaro a D<sup>o</sup> Jose Amuti dueño en propiedad del paraje nombrado los Corralitos, extension de cuatro sitios de ganado mayor, colindante con el Rancho del Sr Rafael Castro, hasta las cuatro leguas que nombran, con el de D<sup>o</sup> Sebastian Rodriguez hasta el otro y el sitio inmediato al Arroyo de Salchuedes y con el de D<sup>o</sup> Manuel Simons con el Arroyo de Salchuedes, la Laguna grande con el Sauzal que a continuacion esta, tomando linea recta hasta la Sierra, siendo los limites de la parte de la Cañada Verde los terrenos inmediatos a la Sierra por el mismo rumbo del Norte. Libre el correspondiente despacho, tomara razon en el libro respectivo. El Sr. Gobernador

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23 S. D. K.



lo decreto y firmo, dirigiendose este expediente a la E<sup>ma</sup> Asamblea Departamental para su aprobacion, doy fe.

24 S. D. N.

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PAGE 23

El Ciudadano Manuel Micheltorena  
General de Brigada del Ejercito Mexicano, Ayudante  
General de la Plaza Mayor del mismo, Gobernador  
Comandante General del Departamento de las Californias  
Por cuanto D.<sup>o</sup> Don Amsti ha pretendido  
para su beneficio personal y el de su familia, la confirmacion  
del terreno nombrado los Corrales que tiene ocupado con  
sus bienes desde el año de 823 por Concesion que  
obtuvo del Gobierno, y habiendose practicado los informes  
correspondientes he venido a nombre de la Nacion  
Mexicana, declararle la propiedad de cuatro sitios  
de ganado mayor debiendo ser los limites con el  
Rancho de D.<sup>o</sup> Rafael Castro hasta el lugar donde  
se nombra las Cuatro leguas; con el Rancho de D.<sup>o</sup>  
Sebastian Rodriguez hasta donde se encuentra un  
ltero y el Encino unico que mira al Arroyo que en  
el lado inmediato llamado Palsipuedes, y con el  
Rancho de D.<sup>o</sup> Manuel Jimeno, con el arroyo del  
mismo nombre de Palsipuedes, la Laguna Grande,  
con el Sausal que a continuacion esta tomando  
linea recta rumbo al Norte hasta la Sierra, siendo  
los limites de la parte de la Cañada Berde, las Sombras  
inmediatas a la Sierra, sujetandose a la aprobacion  
de la E<sup>ma</sup> Asamblea Departamental y bajo las  
condiciones siguientes.

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25 S. D. N.

1.<sup>a</sup> No podrá venderlo, enajenarlo ni  
hipotecarlo, imponer censo, vinculo, fianza, hipoteca,  
ni otro gravamen alguno.

2.<sup>a</sup> Podrá cercarlo sin perjudicar las trancias,  
Comunas y Servidumbres; lo disfrutara libre y exclusi-  
vamente destinandolo al uso o cultivo que mas  
le acomode.

3.<sup>a</sup> Solicitara del Suo respectivo que le



9<sup>to</sup> 9  
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de la posesion juridica en virtud de este Despacho por el  
Cual se demarcaran los lindes en cuyos limites podria  
haber de sus montañas algunos arboles frutales o  
Sibentes de alguna utilidad.

4<sup>a</sup> El terreno de que se hace mencion es  
de Cuatro Sitios de ganado mayor segun explica el  
diseño que corre agregado en el expediente respectivo.  
El Que que dice la posesion lo medirá con arreglo  
al plan que formó el agrimensor D. Enrique  
Cambuzer dejando el sobrante que resulte á la Nación  
para los usos convenientes.

5<sup>a</sup> En consecuencia mando que sirviendole  
de titulo el presente y tomendole por firme y verdadero  
se tome razon de el en el libro a que corresponde  
y se entregue al interesado para su resguardo y demas  
fines. Dado en Monterrey a primero de Abril  
de mil ochocientos cuarenta y cuatro. Manuel  
Micheltorera = Manuel Jimeno Secretario  
= queda tomada razon de esta Concesion en el  
Libro respectivo a f. 8 = Jimeno = Nota =  
El lindero con la Srta. Castron deberá ser la  
Cañada del Surro segun explica el diseño.  
= Manuel Micheltorera = Manuel Jimeno  
Secretario

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PAGE 24

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Office of the Surveyor General of the United  
States for California

I, Samuel D. King, Surveyor General  
of the United States for the State of California,  
and as such, now having in my office and under  
my charge and custody, a portion of the archives  
of the former Spanish and Mexican Territory  
or Department of Upper California, do hereby



Certify that the twenty five preceding and hereunto annexed pages of tracing paper, numbered from one to twenty five inclusive, and each of which is verified by my initials (S. D. K.) exhibit a true and accurate copy of a document now on file and forming a part of the said archives in my office.

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PAGE 25

In testimony whereof I have hereunto signed my name officially, and affixed my private seal (not having a seal of office) at the City of San Francisco this 2<sup>d</sup> day of January 1852

Saml D King  
Sur Gen Cal

Filed in office April 13<sup>th</sup> 1852  
Geo. Fisher  
Sec

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1 S. D. K.

# Delo quinto unreal

Habilitado provisionalmente por la Aduana maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

Micheltorena Pabola Guerra

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Abandonment of Claim by Jacinto Rodriguez in favor of Sr. Amati

Ad.  
marit  
de  
Monty

Monterey Feb. 24 de 1844  
D. J. S.  
Dro del despacho Michelt<sup>a</sup>

## Como Sr. Sobor

Jacinto Rodriguez, Alfé de la Comp.<sup>a</sup> de Caballeria Presidencial de Monterey, natural de este Departamento, ante V. E. con el debido respeto y en representacion de mi Padre D. Sebastian Rodriguez hago presente: q. habiendon hecho por el Gobierno la Concesion de dos Sitios de ganado mayor, para beneficio de mi Padre y familia, en el paraje del Pajaro:

Se ocurrió al Sr. de este lugar D. Estevan Munras, para q. se diera la respectiva posesion juridica, y al verificarse, resultaron por las medidas, una atencion de lo q. el Gobierno conania, segun consta en el diseño correspondte. Esta menor atencion q. resultó dimanó de q. reputando los linderos que reconociamos por de D. Jose Amati, quien tambien asi nos lo manifestó, tuvimos q. dejar para otra oportunidad el señalamiento de limites q. entonces se nos habia hecho, por no haber mas lugar donde entender las medidas, por el respeto de linderos ya otros y como ahora sabemos q. se ha hecho denuncia del Sobrante q. dicen hay en el rancho del Sr. Amati, me excusento en la precision de dirigir a V. E. la presente, haciendole ver el derecho q. tiene mi padre para que se complete el sitio q. se le tiene Concedido por el Gobierno, pues no es razon ni

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2 S. D. K.



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PAGE 27

justicia q. habiendo sobrado como se dice en un terreno  
q. está unido al de mi Padre, me he cumplido la  
extensión Concedida hace muchos años, a virtud de los  
Servicios q. mi Padre ha prestado al país, como  
es público y notorio de ser un antiguo militar q.  
ha sabido merecer aun la gratitud del Supremo Gobierno,  
como se ve en sus despachos competentes. Por tal  
motivo a V. E. Suplico q. se suspenda la denuncia  
q. se ha hecho hasta q. se concluya el asunto de  
D. Don Amesti pendiente en los Tribunales, para  
que si llegare a resultar algún sobrado se cumpla  
la concesión hecha a mi Padre por tener derecho antes  
q. otro por las razones ya dichas. Por tanto  
A. V. E. Suplico acceda a mi solicitud  
fundada en justicia de lo que recibí merced y gracia  
jurando no ser de malicia y lo necesario  
Monterey Febr 24 de 1844  
Jacinto Rodríguez

J. S. L. K.

Si al Sr. D. Don Amesti se le confirma  
por el Gobierno el terreno q. se ha reconocido bajo su  
dominio derivado de mi pretensión, y al contrario  
dejo en pie mi precedente instancia para los efectos  
q. a mi derecho convenga  
Monterey Mayo 21 de 1844  
Jacinto Rodríguez

Por Sr. Gobernador

Distiendo al Sr. Rodríguez de su  
pretensión con la condicional de si el Gobierno le  
confirma al Sr. Amesti su posesión y ocupación  
del terreno que obtiene, creo que esta instancia se  
puede dar por concluida, si se favorece la del Sr.  
Amesti.

Monterey Marzo 24 de 1844  
Man Simón

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Montroy No 27 de 844  
Confe. Entregues als. Ameste  
etc. Documentos pasur guardos  
Nichols.

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PAGE 28

Office of the Surveyor General of the  
United States for California

I Samuel D. King, Surveyor  
General of the United States for the State of California,  
and as such, now having in my office and under  
my charge and custody, a portion of the archives  
of the former Spanish and Mexican Territory or  
Department of Upper California, do hereby certify  
that the three preceding and hereunto annexed pages  
of tracing paper numbered from one to three inclusive  
and each of which is verified by my initials (S.D.K.)  
exhibit true and accurate copies of certain documents  
now on file and forming part of the said archives in  
my office.

In testimony whereof I have hereunto  
signed my name, officially, and affixed my private  
Seal (not having a seal of office) at the City of  
San Francisco this 13<sup>th</sup> day of December 1851  
Sam. D. King  
Sur<sup>r</sup> Gen<sup>l</sup> Cal

200

( originals with Exped. n.º 367 )

Filed in Office March 17: 1853  
Geo: Fisher  
Secy



1875  
1876





1844. Expediente formed at the request of Don José Amati claiming the tract of land called Los Carralitos.  
367.

To his Honor the Superior Political Military Chief of Upper California.

C  
Incumbent.

Don José de Amati, native of the city of San Sebastian province of Guipuzcoa, Kingdom of Spain, now residing at Monterey, Alta California province of the Mexican Empire, presents himself before your Honor setting forth the following: That his principal object in coming to this province is to settle for life as one of its future inhabitants & with the intention also to obtain for himself a temporal subsistence & to do such other business as may suit his purposes as an inhabitant of this country which he now considers himself, such being his decision & in such capacity of settler on the soil, he comes before your Honor to ask for the exercise of those powers which your Honor is invested with the view that the land known as the Carralitos covering 2 square leagues be granted to him so that he may stock it with cattle, with buildings & other necessaries relating to a Rancho for the protection of his Establishment & such future improvement as he may make, not only for his own good but also for the benefit of this Province & its inhabitants in future time but as it is designed at once to improve these lands, he solicits of your Honor the grant altho it maybe but for the time being. The colonial law established the order by which the legitimacy of the possession to which he aspires, shall be conforming, & for his protection in the uninterrupted possession, the grant of said lands so before demanded will be his patent & his safeguard.

With the greatest respect he repeats the supplication that your Honor will grant in justice what he demands & hopes to receive from your superior Kindness. At the Garrison of Monterey, Alta California 17<sup>th</sup> April 1823.

José de Amati.

Monterey 18<sup>th</sup> April 1823.

I grant to this party the land demanded in order that he may occupy it with his present property & that which he may have in future in terms the publication of the colonial law to which this is subject, afterwards possession will be given according to said law.

Arguello.

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To the Political & Military Chief.

Don José de Amesti, native of the City of San Sebastian in the province of Guipuzcoa, Kingdom of Spain, now resident in this province of Alta California of the Mexican Empire presents himself before your honor with the greatest respect, stating forth that by your honor's superior decree of the 18<sup>th</sup> April of the present year originated by the petition of the 17<sup>th</sup> of April of said year the land known as the Corralitos to the extent of two square leagues intended for the purpose stated in said petition has been granted to me for the time being until the Colonial law shall have been published in this province to the rules of which I submitted myself & to which the superior decree is subject. Now said law having been published & aware as I am of the necessary steps to be taken, I come before your honor, asking the employment of the ample powers conferred to you to the end that you will concede to me the property of said land, & that you will direct to be given to me the legitimate possession thereof in such manner as may be most proper, commissioning the person to whom you may submit said duty, that I shall be placed in possession with the proper solemnity of the two leagues as referred to in said decree, I therefore petition that your honor will order the same to be done as you shall deem most proper.

Garrison of Monterey, Alta California May 21<sup>st</sup> of 1823.

José de Amesti.

Monterey, 22 May 1823.

The foregoing petition having been presented & admitted, & in view of what it requests, I order that he be placed in possession of the two square leagues of grazing land known as the Corralitos, I further appoint & authorize, Don José Estrada, First Lieutenant of Cavalry, now quartered at Monterey, to personally pass to said lands, & there place in possession of said lands, the said Don José de Amesti, I should desire, order & sign I D<sup>n</sup> Luis Antonio Arguello Political & Military Governor of the province of Alta California in presence of the witnesses with whom I act by delegate power in the absence of a Notary, to which I certify.

Luis Antonio Arguello.

Witnesses.



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Francisco de Haro.  
Jose Joaquin de la Torre. 3

Decree on the lands called the Corralitos. Jurisdiction of Monterey on the 22 May of 1823.

I, Don Jose Estrada, First Lieutenant of the Company of Cavalry, now quartered in the Garrison of Monterey, Commissioner Judge, by Captain Don Luis Antonio Arguello, Political & Military Governor of this Province having seen the preceding decree, presented to me by Don Jose de Arce, & the order of the aforementioned Governor Captain Don Luis Antonio de Arguello, do resolve on the punctual fulfillment of said duty & order, that said Don Jose de Arce be placed in possession & enjoy the said two square leagues of land thus in compliance with the aforesaid provision I ordered & signed with the witnesses with whom I act by delegate power, for want of a Notary Public, to which certify.

(Signed) Jose Estrada.

Witnesses  
Francisco de Haro.  
Jose Dolores Pico.

Record of Possession.

On the above lands on the aforesaid day, month & year accompanied by the above witnesses, & by some of the neighbors thereof we went to the two square leagues of land known as the Corralitos with the aim to give possession as ordered by the Governor Captain Don Luis Antonio de Arguello in his decree of 22 May of the present year & being there I took said Arce by the hand & ordered him to walk on said land & take real & corporal possession of it which he did take quietly & peacefully & in evidence of true possession he threw stones to the four points, pulled up grass & did other acts of true possession. I the said Commissioner appointed in the name of His Imperial Majesty (whom God protect) that no one should disturb said Arce in the quiet possession of said two square leagues of land known as the Corralitos which the said Don Jose de Arce has taken possession of & of which he shall not be dispossessed without being first heard & condemned by law; under the fine of two hundred dollars to which I condemn the person who may interfere; which sum shall be applied to Government expenses & fees of justice, & of this act I shall give notice to the witnesses, who reside in the Garrison of Monterey & in the Town of Branciforte, besides

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those other official witnesses with whom I act by delegate power - or in the ordinary form, for want of a Notary. In proof whereof I sign.

Jose Estrada.

Witness.

Francisco de Haro.  
Jose Dolores Pico.

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This is a literal copy of the original which has been delivered to the owner, on demand made therefor.  
Montevideo 20<sup>th</sup> December 1830.  
Echeandria.

(Seal)  
Montevideo Febry 24<sup>th</sup>  
1844.  
Let the Secretary in Montevideo & nature of this Department of State report.  
(Signed) Micheltonna.

Most Excellent Sir & Governor.  
Jacinto Rodriguez, Ensign in the Company of Cavalry now in Garrison comes before your Excellency with due respect, & as representative of my father Don Sebastian Rodriguez makes known, that a grant of two leagues of land known as the Pagan having been made by the Government for the

benefit of my father & family, he has had recourse to Don Estevan Marraz, Judge of this place that he should give him the necessary judicial possession & on verifying the same it has resulted from the measurement that he should give him land than the Government granted, as is proved by the corresponding diagram. This short coming of our quantity arose from the fact of having respected the limits we believed of Don Jose Urzua who informed us so also, we had therefore to leave the limits which had been made for us to be fixed on a future occasion not having now room to extend our measurements on account of the aforesaid boundaries & as we now learn that a donation has been made for the sobrante (surplus) which it is said to be in said Sr Director's Rancho, I deem it right to direct this to your Excellency to show the right which my father has to a complete re-measurement of the land granted to him by the Government, since there is neither reason nor justice that there being a sobrante as it is said & adjoining the Rancho of my father, the grant to my father made many years ago



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should not be completed in virtue of the services which my father has rendered to the country, it being notorious that he is an old soldier who has known how to merit from the gratitude of the Supreme Government, as may be seen by the proper despatches. With these views, I petition your Excellency to suspend the denunciation which has been made under the affair of Don Jose Amesti now pending in the Tribunals shall have been completed, in order that should any suspicion remain the grant to my father as a prior right, shall be completed for the reasons before stated. Wherefore I solicit your Excellency to accede to my request, founded as it is in justice by which he will receive kindness & favor; he swears it is not out of malice, & whatever may be necessary.

Montreux 24<sup>th</sup> February 1844.

Jacinto Rodriguez.

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If Government confirm to Sr Jose Amesti the right to all the land now in his possession, I shall desert from my pretensions to the same, if not I still obtain the foregoing petition standing in order to proceed as it may best suit my right.

Montreux 21 March 1844.

Jacinto Rodriguez.

Most Excellent Governor.

Senior Rodriguez desisting from his pretensions in case that Government may confirm to Sr Amesti the possession & occupation of the land now under his control, I think this application may be considered as terminated if you should favor that of Mr Amesti.

Montreux 24<sup>th</sup> March 1844.

Manuel Jimeno.

Montreux 27 March 1844.

Casparre it.

Deliver this document to Sr Amesti for his security.

Michellorina.

Most Excellent Governor

Ignacio Plaza, Lieutenant of the 6<sup>th</sup> Company of the permanent Battalion of the California comes before your Excellency with all due respect & begs to set forth. That having reliable information, that between



(seal)

Montreux 2<sup>nd</sup> Feby  
1844.

Let the Secretary  
of State report, taking  
previously if he chooses  
the necessary infor-  
-mation to that effect.

(Signed)

Michel Laroche.

the Rancho of Don Jose de Almada  
& Don Facundo Rodriguez there is surplus  
land which is not yet legally granted to  
any of said parties, & the petitioner hav-  
-ing it in his power to cultivate the  
same, now requests that your Excel-  
-lency will order the extent of both the  
Ranches to be defined according to  
their respective titles & so much ground  
as shall be found in excess to grant to  
the undersigned for the purposes afore-  
-mentioned.

Whence I beg your Excel-  
-lency to accede to my wishes, by  
which I shall receive a favor.

Montreux February 1<sup>st</sup> 1844.

Ignacio Payer.

Let the 1<sup>st</sup> Alcalde of the Town of Branasorte report  
on the contents of the foregoing petition.

Montreux Feby 5<sup>th</sup> 1844.

Manuel Jimeno.

To the Secretary of State.

In reply to your honor I state, that  
I have informed myself from several individuals &  
from Sr Sebastian Rodriguez about the land above men-  
-tioned & that there is no obstacle within the same.

Santa Cruz. 13<sup>th</sup> February 1844.

M. Rodriguez.

Most Excellent Governor.

According to the report made by the  
Judge of the Town of Branasorte, it appears that there is  
no surplus land as is pretended, & I do not know how  
there could be any, since the Rancho of Don Jose de  
Almada was measured by Sr Cambuston & also that of  
Messrs Rodriguez was also measured when judi-  
-cial possession was given, from which I infer there  
is no surplus land in that direction which may be  
granted to petitioner.

Montreux 17<sup>th</sup> February 1844.

Manuel Jimeno.



Montevideo February 12<sup>th</sup> 1844.

Let Mr Chamberlain report truly and under his responsibility, what he knows, he having measured said land by order of this Government.

Micheltonna.

Montevideo February 22<sup>nd</sup> 1844.

Most Excellent Sir & Governor.

In answer to the decree of your Excellency I have to say that having made the survey according to the limits pointed out to me by Sr D<sup>o</sup> Sebastian Rodriguez, there appears by said survey 8864 yards square which are a little less than four square leagues.

H. Chamberlain.

Montevideo February 23<sup>rd</sup> 1844.

The party interested having verbally denied that Lieutenant Colonel Don Jose Castro as Prefect of a former acquaintance with the land in question should report: Let this be passed to him for that purpose.

Micheltonna.

Montevideo 23<sup>rd</sup> February 1844.

Most Excellent Sir & Governor.

In virtue of the decree of your Excellency, I state, that I do not know whether there be suspicion or not; in the land on which I am ordered to report.

Jose Castro.

Montevideo, February 24<sup>th</sup> 1844.

The survey of said lands being deposited in the court of D<sup>o</sup> D<sup>o</sup> and of Sr Serrano report whether there be any obstacle & take the necessary steps to ascertain the truth.

Micheltonna.

Montevideo 26<sup>th</sup> February 1844.

In order to comply with the preceding decree of His Excel the Governor & Comandante in Chief let Don Rafael Castro & D<sup>o</sup> Don Rafael Reindel. Monta, the first as Alcalde last year in jurisdiction of the Town & the second as Commissioner named by the Prefect to measure the lands of Don Jose de Armisti & of Sr Rodriguez report on truth & under their responsibility about the lands which appear to be obstacle & let it be returned to this court that the results of these reports



may be certified.

Flournois Sorrens.

To the Judge of 1<sup>st</sup> Instance.

In reply to your honors preceding decree, I say, that when I proceeded to effect the measurement of the land, I only measured the Rancho of Don José Amesti, & not that of Don Sebastián Rodríguez, because in the order which I received, I was not commanded to measure such other land. In consequence having no other limits or boundaries ascertained, I measured the length from South to North from the spot called the Bolso, which bounds on the property of Messrs Castro, up to the top of the first hillock before arriving at the mountain covered with trees which proved to be 287 cordels of 50 varas each; In breadth the measurements were from East to West from the stream called Salispaude, on the boundaries of Don Manuel Sorrens & the cordel was drawn towards the Lagoon of Calabogay, bordering on the Rancho of Messrs Hernandez, which I was on duty informed by Don Rodríguez & the witness Victor Altamirano to be the boundary of Don José de Amesti, amounting to be one hundred & eighty six cordels of fifty varas each.

These measurements were all effected by calculation because besides wanting information on the subject I had no compass by which to direct the measurement.

As regards the measurements of the Rancho of the Sr. Rodríguez, I report to your Honor that having no order from the Government to that effect I did not measure it. This is all I can report to your honor on the subject referred to.

Santa Cruz March 12 1844.

Rafael Castro.

Note. Where the name of Victor Altamirano appears, it should read Victor Martínez.

R. Castro.

I certify as Commissioner appointed to assist in the measurement of the Rancho of Don José Amesti accompanying the Sr. Alcalde of the Town Don Rafael Castro; that the measurements effected were from the spot called the Bolso, on the South to the first hillock, in a northerly direction covering two hundred & eighty seven



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cordils of fifty varas each, & that from the point called the stream of Salupmedes on the east, to that Lagoon of Calabazas, on the west they measured one hundred & eighty one cordils. In testimony whereof I sign this, at the Ranchos of the Pajaros on 28<sup>th</sup> March 1844.

Rafael Ruiz de la Mota.

Montevideo 19<sup>th</sup> April 1844.  
Most Excellent Sir.

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In compliance with the decree of your Excellency dated 24<sup>th</sup> February present year, after having taken the preceding evidence, I will further say that according to the expediente founded at the request of Don Felipe Hernandez, in the year 1833, & which exists in this court, & is now before me, there was granted to said Hernandez, a little less than one square league of land. That according to the petition of Sr Don Jose de Arnesti made to the Prefect of 1<sup>st</sup> District in the year 1840 it appears that having already a grant for two square leagues he asked for a further increase of five to six hundred varas, which also was granted to him. Sr Cambalton says that in his survey there resulted to be 8864 varas square which is a little less than 4 square leagues, by all which your Excellency will readily see, whether there be or not a surplus.

Florencia Soriano.

Montevideo 2<sup>nd</sup> May 1844.

Let it be annexed to the respective expediente, the lands said to be surplus, being granted to Sr Arnesti.

(Signed) Michel Soriano.

(Seal)  
Montevideo, Feb 26 1844.

Let this petition be referred to the Secretary of State that he may bear it in mind when he shall report on the petition of Sr Rodriguez.

(Signed) Michel Soriano.

Most Excellent Sir & Governor.

Don Arnesti residing in this Department, comes before your Excellency & with due respect says; that it having reached my notice that some other person is seeking to obtain the lands said to be of surplus to my grant of the Rancho known as the Corralitas & fearing that the good intentions of your Excellency might be frustrated, I feel it my duty



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to at once address to you the following statement. That since the year 1823, 2 square leagues were granted to me, by order of his Imperial Majesty, & that in consequence of such grant, the civil possession was handed over to me limits having been fixed by the same authority, which delivered it to me, & which have always since been recognized as my boundaries by my surrounding neighbors & by all parties living in that quarter. That I have always occupied said land, covering it with my property, my stock & my houses of considerable value, living there as I have before stated since 1823 in quiet possession without molestation from any one, for the evident reason that I own & possess, legally said land, & should it prove that I have no good title to the excess of land they say I possess, it is but justice that such further title should be granted to me in preference to any one else, not only because I have occupied it, but also because it is within those limits which have always been recognized as mine, & because I have always taken care of it as owner of the soil & have made large expenditures, & because this is the only branch of business to which I have dedicated myself for the future well being of myself & family, as is notorious I suppose even to your Excellency's self.

As I know it to be my duty to bring before your Excellency the right by which I claim this property I would offer to prove should your Excellency wish it, the passport given to me, the report of the person who gave me said possession, as also the witnesses who aided at the ceremony, as well as the evidence of my adjoining neighbors, by which your Excellency will find that I am rightful owner of the Rancho of Corralito, which does not exceed four square leagues according to the last survey made by Sr Carbunston, & this is by no means an excessive size since it does not reach one half of what the land allows to be given to one single individual. For all these reasons & on account of the extensive property which covers it, & which likewise I should not know where to place; I hope your Excellency will consider yourself justified in confirming to me the right to this land, & that you will defend me in my ancient possession, now had for more than 21 years & with which I am endowed by the laws as first possessor in good faith & by which I obtained



The civil possession, which act in law is the most just, and takes precedence of all future grants which could be made. The laws of colonization applicable to this case, especially that of 18<sup>th</sup> August 1824 which is in force in this country are favorable to my case.

I therefore pray your Excellency may deign to grant me confirmation of the possession which I have had for 21 years & to give to me the land mentioned, by which I shall receive favor & justice, meaning not out of malice what may be necessary.

Monterey 26 February 1844.

Don José de Arce.

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Most Excellent Sir & Governor.

In my opinion all the reasons set forth in the preceding document are worthy of consideration, on account of the grants already made to Sr. Arce, as well as by reason of his occupation & possession of said land. I did not know of any obstacle to your confirmation to him of the property in the land of the Corralitos, to the extent shown by the survey of Mr Cambuston, without including a small part of Canada Norte. The superior judgment of your Excellency will decide what may be proper.

Monterey March 24<sup>th</sup> 1844.

(Signed) Manuel Jimeno.

Monterey March 27<sup>th</sup> 1844.

I approve it.  
Micheltona.

Monterey 27<sup>th</sup> March 1844.

In view of the petition which commences this expediente, the preceding testimony with all further investigations taken, in conformity with the laws & regulations thereto relating, the property known as the Corralitos, comprising 4 square leagues is declared to belong to Don José Arce. Its bounds on the Rancho of Sr. Don Rafael Castro with that of D<sup>o</sup> Sebastian Redonquez, as far as the river (color) & the oak tree adjoining the stream of Salasmedis, & with that of Don Manuel Jimeno, at the stream of Salasmedis the great lagoon with the canal, adjoining the lagoon taking a straight line towards the mountains, the limits being on the side of the Canada verde, the hillside close by the mountain in the direction of the north. Let a corresponding title be issued



& note thereof be taken in the respective book.

His Excellency the Governor has desired & signed the same decree, this up to be forwarded to the Most Excellent Departmental Assembly for its approval, which I wish to.

Citizen Manuel Michelena, General of Brigade of the Mexican Army, Adjutant General of the Staff of the same, Governor & Commander in Chief of the Department of the Californias

Whereas Don José Arce has brought for his personal benefit & that of his family, a confirmation of the grant of the land known as the Ceballos which is now enclosed with his property, & has been since the year 1823 when it was ceded to him by the Government, & having taken all necessary information relative thereto, in the name of the Mexican Nation I declare him owner of four square leagues (sitios de ganado mayor) bounding on the Rancho of Don Rafael Castro up to a spot called the four leagues with the Rancho of Don Sebastian Rodriguez up to a spot where there is an mill & an oak tree, the only one looking unto the stream running by it called Salsipuedes, & with the Rancho of Don Manuel Jimenez with the arroyo of the same name Salsipuedes, the great lagoon, with the Santal, which has in confirmation taking a straight line direct north up to the mountains, the boundaries on the of the Cañada Verde, being the hillside adjoining the mountains, subject to the approval of the Most Excellent Assembly of the Department & on the following conditions.

- 1<sup>st</sup> He shall not sell it, alienate it, mortgage it, lay on it any tax, entail, pledge, mortgage or other incumbrance.
- 2<sup>d</sup> He may enclose it, without prejudice to the commons made & established, he shall enjoy it fully & exclusively, appropriating it to the use of cultivation which may best suit him.
- 3<sup>d</sup> He shall select of the proper Justice judicial possession in virtue of this decree, by whom the boundaries shall be marked out at the limits of which besides the customary marks, there shall be planted some fruit or other trees of utility.
- 4<sup>th</sup> The land of which mention is made is of four square leagues as is shown by the survey which is added to the

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respective Expediente. The Justice who shall give possession shall measure the same in accordance with the survey made by the Surveyor Don Enrique Cambresin, the easements which may result belonging to the Nation for its further use.

5th In consequence I command that these patents among him as a title, & being held as firm & valid, the same be entered in the proper book, & be delivered to the party interested for his safe guard & further purposes.

Given in Monterey this 1st day of April 1844.

Manuel Jimeno. (Signed) Manuel Micheltona.  
Secretary.

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This patent has been entered in the respective Book folio 8.  
Jimeno.

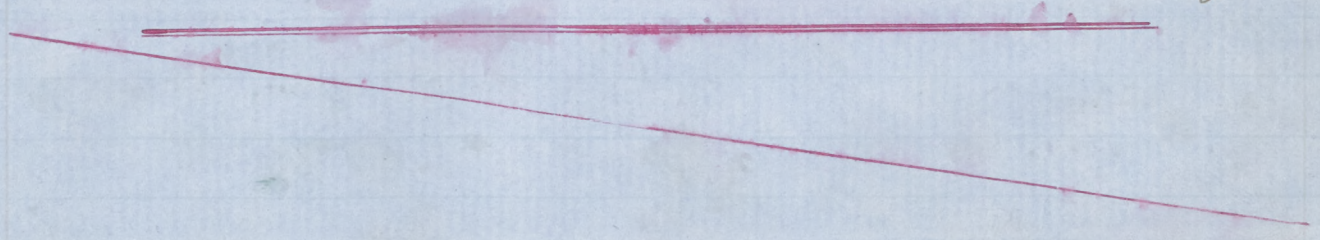
Note. The boundary line with Messrs. Castro is that of the Canada del Cebiro as shown by the survey.

Manuel Jimeno. Manuel Micheltona.  
Secretary.

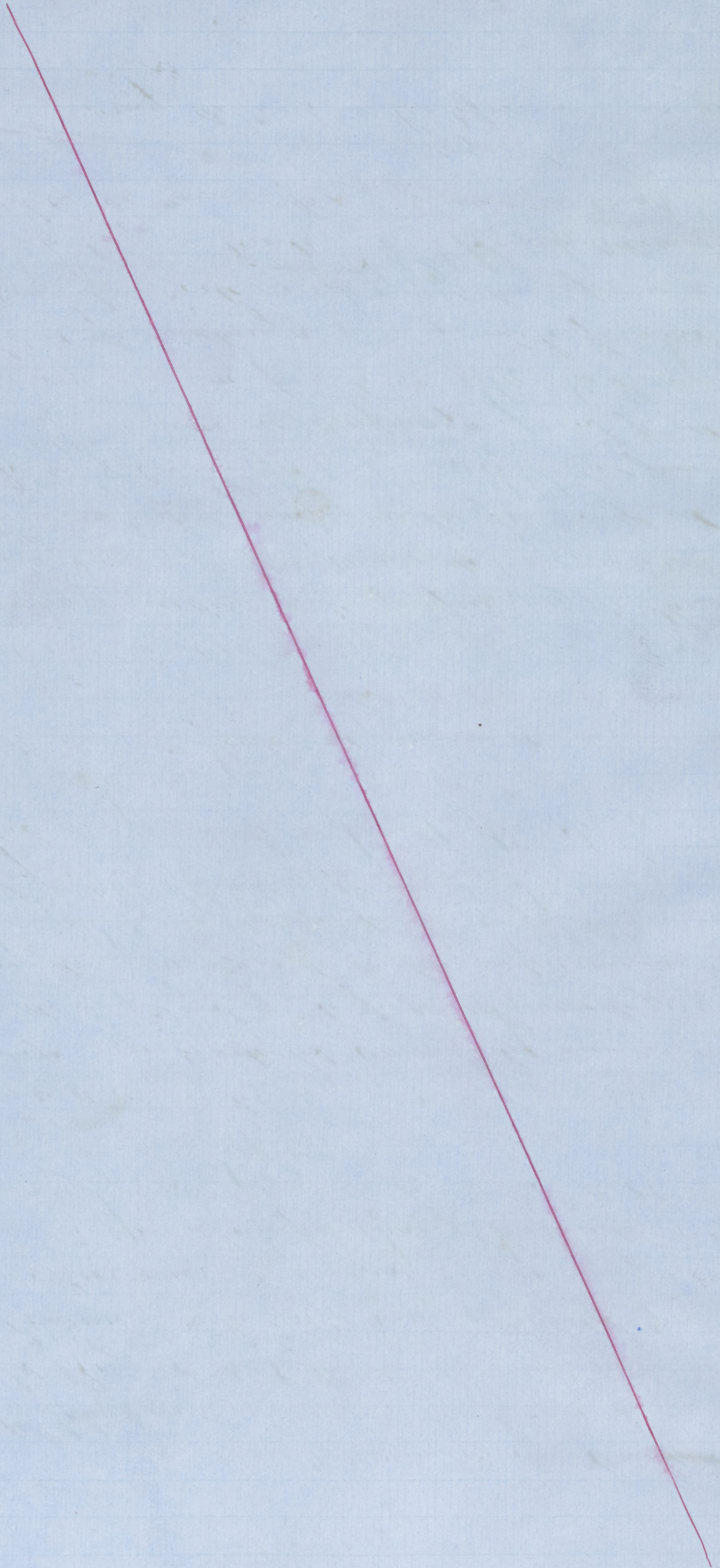
I certify the foregoing to be a true & correct translation from an authenticated copy of the original Spanish document on file in the office of the U. S. Surveyor General for California, which authenticated copy is on file in this office in case No 174.  
U. S. Land Commission in California.  
San Francisco July 26th 1852.

Geo. Fisher.  
Secy.

Filed in Office July 26 1852.  
Geo. Fisher.  
Secy.









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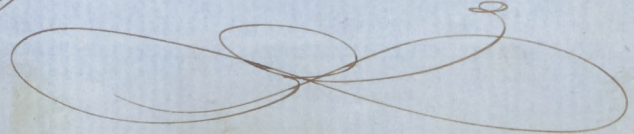
Por Lije Superior Obispo y Militar

Doc. H. H.  
No. 1 anexo to  
the deposition of  
Jose Abrego

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D.<sup>m</sup> Jose de Amesti Vecino de la Ciudad de S.<sup>m</sup> Sebastian Provincia de Guipuzcoa en los Reynos de España, y residente en esta Provincia de la Alta California del Ymperio Mexicano: Ante V. S. con el mayor respeto se presenta exponiendo q. habiendole sido concedido p.<sup>r</sup> Superior decreto de V. S. de 18 de Abril del presente año que origina la representación de 07 del mismo Abril y año; el paraje nombrado los Borrallitos en esta Cien de dos citias q.<sup>u</sup> lo q. en ella indique, como dho paraje solo lo fue interinamente concedido hasta en tanto fuese publicada la ley. Colonial en esta Provincia a cuyas reglas me someto, y regite dho superior decreto: En vista de q. ya es publicada, enterado de lo q. prescribe, ourre de nuevo a las amplias facultades de V. S. a fin de q. el uso de ellas y de su recta justicia se sirva concederme la propiedad de dho paraje, y mandas de me de su legitima posesion de el segun y en la forma q. al efecto mas combenga comisionando la persona q. mereca la confianza de V. S. p.<sup>a</sup> el caso, y q. me sea puesto en ella con la solenidad q. combenga segun estilo porvia la Correspondiente medida de los referidos dos citias; por tanto A. V. S. en didamente suplico se digne proveer en justicia lo q. juzque de su superior agrado. Prouido de Monterey de la Alta California Mayo 21 de 1823

Jose de Amesti





Monterrey 22 de Mayo de 1823

Por presentado y admitido el escrito q<sup>o</sup> antecede, y en vista de lo q<sup>o</sup> esta parte pide póngase en posesion de los dos citos p<sup>o</sup> Ganado Vacuno y Caballas nombrados los Corralitos a D<sup>o</sup> Jue<sup>o</sup> de Amesti p<sup>o</sup> lo qual nombro y autorizo a D<sup>o</sup> Jue<sup>o</sup> Estrada Teniente graduado de la Compañia de Caballeria Prusidial de Monterrey p<sup>o</sup> q<sup>o</sup> personalmente pua a los mencionados citos y ponga en posesion de ellos al referido D<sup>o</sup> Jue<sup>o</sup> de Amesti; asi lo p<sup>o</sup>vi mande y firme yo D<sup>o</sup> Luis Antonio Arguëllo Jefe Superior Político y Militar de esta Provincia de la Alta California con los testigos de mi asistencia con quienes actuo p<sup>o</sup> exceptoria a falta de todo Escrivano  
Doy fe

Luis Antonio Arguëllo

Asa  
Francisco de Haro Jue<sup>o</sup> Juaq<sup>o</sup> de la Torre

En los citos nombrados los Corralitos jurisdiccion de Monterrey; en 22 dias del mes de Mayo de 1823 años Yo D<sup>o</sup> Jue<sup>o</sup> de Estrada Teniente Graduado de la Compañia de Caballeria Prusidial de Monterrey Jue<sup>o</sup> Comisionado p<sup>o</sup> el Capitan D<sup>o</sup> Luis Antonio de Arguëllo Jefe Superior Político y Militar de dha. Provincia; habiende visto la antecendente decro presentado por D<sup>o</sup> Jue<sup>o</sup> de Amesti y en el lo mandado p<sup>o</sup> el expresado Sr. Jefe Superior Cap<sup>o</sup> D<sup>o</sup> Luis Antonio



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Arguello, Dije se guarde y Cumpla lo  
Escrito por S.S. y en su puntual y due-  
do cumplimiento debia de mandar y  
mando se ponga en posesion y goce de  
los susodichos dos sitios a D.<sup>o</sup> Jue de  
Amute; asi por este auto de obediencia  
lo previne mande y firme con los test-  
gos de asistencia con quienes actuo p.<sup>o</sup> ex-  
ceptoria a falta de todo Escrivano Doy fe  
Joa Estrada

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De una De una  
Francisco de Maro Jue Delors Pico

Deligencias En dichas Citas dia mes y  
de posesion 3 año yo el Comisionado acom-  
pañado de los testigos de asistencia, y al-  
gunos de los vecinos q.<sup>o</sup> vivian p.<sup>o</sup> dichas in-  
mediaciones paramos a las dos Citas nom-  
brados los Corralitos a efecto de darles la  
posesion q.<sup>o</sup> manda el Sr. Jefe Superior  
Capitan D Luis Antonio Arguello en  
su decreto de 22 de Mayo del presente  
año, y estando en dichas Citas lo tome  
de las manos y lo poseo por ellos haze  
q.<sup>o</sup> tomara posesion real y personal  
la q.<sup>o</sup> tome quieta y pacificamente y en  
senal de verdadera posesion tiro piedras  
& por los cuatros Buntos, arrancos yerbas  
e hizo otros actos de verdadera posesion.  
Yo el expresado Juez Comisionado mande  
a nombre de S. M. G. (L. D. G.) q.<sup>o</sup> ninguna  
persona inquiete en manera alguna en la  
Citada posesion de estos dos Citas de los Corra-  
litos q.<sup>o</sup> el susodicho D.<sup>o</sup> Jue de Amute tiene  
tomada, y de ella no sea despojado sin ser  
primero oido por fuero de derecho unido



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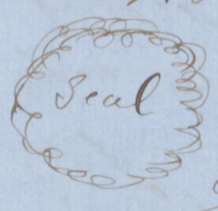
vajo la pena de doscientos pesos en q<sup>ta</sup> desde  
luego cuando al q<sup>ta</sup> ai lo homine aplicados  
a pena de Camara, y q<sup>ta</sup> de justicia  
de cuyo auto fueron testigos algunos de  
los vecinos del Presidio de Monterey y  
villa de Blancifort, y lo de mi existencia  
actuando por excepcion en la forma or-  
dinaria doy fee  
Jose Estrada

de una  
Francisco de Haro Jose Dolores Pico

Sello Suro Dos Reales

Habilitado provisionalmente por la Aduana  
Maritima del puerto de Monterey, en el  
Departamento de las Californias para los años  
de mil ochocientos cuarenta y mil ochocientos cuarenta y uno  
Simone Antonio Maria Osio

Revalidado para los años de 1841 y 1842  
Alvarado Antonio M. Osio



Juan B. Alvarado Gobernador  
Constitucional del Departamento  
de las Californias

Por cuanto D<sup>no</sup> Jose Amos  
Ti ha postulado para su beneficio per-  
sonal y el de su familia, el aumento  
a su parcela de los berratos de un  
terreno que se halla por la parte del  
rancho de D<sup>no</sup> Rafael Castro, en estension  
de seiscientas varas poco mas o menos  
segun manifiesta el expediente y de cuyo  
expediente: practicadas provisionalmente las  
diligencias y averiguaciones convenientes  
segun lo dispuesto por leyes y reglamentos  
mandos de las facultades que me son



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Confirmando á nombre de la Nación Mexi-  
cana, he tenido en concederle el aumento  
del terreno indicado, declarandole la pro-  
piedad de él por los presentes libros, su-  
getandole á la aprobacion de la Exma  
Junta Departamental y á las condi-  
ciones siguientes.

1ª- Podrá cercarlo sin perjudicar los  
traveros caminos y servidumbres, lo  
disfrutara libre y exclusivamente de man-  
dado al uso ó cultivo que mejor le convenga.

2ª- Solicitara del juez respectivo que  
le de la posesion juridica en virtud de  
este despacho, por el cual se demarcaran  
los linderos en cuyos limites pondra á  
mas de las maderas algunos arboles  
frutales ó si brotes de alguna utilidad.

3ª- El terreno de que se hace donacion  
es de seiscientas varas por mas ó menos.  
El juez que daie la posesion lo hara medir  
conforme á ordenanza, quedando el sobran-  
te que resulte á la nacion para los usos convenientes.

4ª- Si contravinere á estos condiciones per-  
dara su derecho al terreno y sera denun-  
ciable por otro.

En consecuencia mando que teniendose

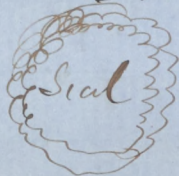
Sello Securo dos Reales

Habilitado provincialmente por la Aduana Mari-  
tima del puerto de Monterrey, en el Departamen-  
to de las Californias para los años de mil  
ochocientos cuarenta y mil ochocientos cuarenta y uno  
Deminio Antonio Maria Nio

Revalidado para los años de 1841 y 1842.

Abarado

Antonio Nio



por firme y valdero el presente  
título se tome en cuenta de él en el

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libro a que corresponde, y se entregue al in-  
terese para sus enaguado y demás fines.  
Dado en Monterey a veinte y dos de Enero  
de mil ochocientos Cuarenta y uno

Juan B. Alvarado

Man E Jimeno

Sros.

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Juda Tomada razon de este Despacha-  
cho en el libro de cuentas sobre adjudica-  
cion de terrenos baldios a favor de

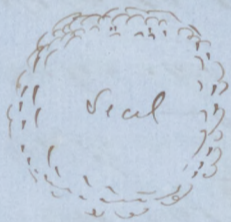
Jimeno

Sello Secura Dos Reales

Habilitado provisionalmente por la Aduana  
mantenida del Puerto de Monterey en el  
Departamento de las Californias para los años  
de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno

X Jimeno

Antonio Maria Mio



Sor. Juez de Paz de Sta Cruz

José de Anasti vecino del  
Puerto de Monterey ante vdm como  
mejor haya lugar en derecho hace presen-  
te que habiendole Concedido el Sor Gov<sup>or</sup>  
el terreno sobrante de sus linderos an-  
tigos hasta los del ciudadano Rafael  
Castro, Suplica se digna darle la pose-  
cion Judicial como expresa el decreto del  
Sor Gov<sup>or</sup> y tenerlo por presentado

P. tanto a vmd. pido y suplico se digna ha-  
cerlo quando guste. Corralitas 5 de Nov. de 1841

José de Anasti

En Rancho







En la fha y en privado Rancho se les notifico el auto que antecede a los medidores y entendidos dijeron q. aceptan y septaron dho Cargo de medidores

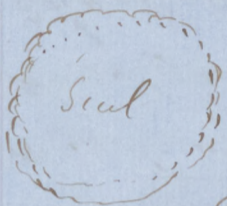
Sello Tercero Dos Reales

15 Habilidadado provisionalmente por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

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Ximeno

Antonio Maria Mio



Y juraron y legalmente a todo en se el saber y entender sin dolo gran de contra persona alguna, firmaron

Enmigo Con de assa

Jue Boho

Dinicio Salazar +  
Jue Olivas +

En el mismo y en la referida fha siendo como las diez de la mañana yo el juez presente mande a los medidores nombrados se pongan pa. las medidas de terreno q. han de hacer de d. Jue de Amesti, punto costal a W asta llegar los linderos del Cuido Rafael Cuatro, En donde se midieron mil varas, en donde se puso por mojenera los cuatro leguas que estan puntados en un pulo Colorado, desde dho pulo Colorado se puso la linea recta SW a N. E en donde vio unos pulos colorados declarando los dho medidores de haver acunento a su sitio p. ganado mayor. p. que conste lo firme con mi ana

Jue Boho

Dinicio Salazar +  
Jue Olivas +

En el referido Rancho en la fha.

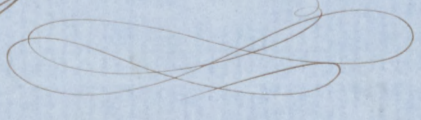


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D<sup>o</sup> Jue de Amesti vecino del sito de Mont-  
 tney, acompañado El juez de paz de la villa  
 de Branciforte y testigos de as<sup>a</sup> Dijo q<sup>e</sup> en  
 virtud de haverse medidos sus terrenos de este  
 Rancho, segun consta en las dilig<sup>as</sup> anteriores  
 tomava la verdadera Corporal y Real p<sup>ar</sup>te  
 del Esp<sup>er</sup>ado sitio y aum<sup>to</sup> de su sitio Como  
 punto el título obtiene de Encarion q<sup>e</sup> ella se he-  
 bo con fha veinte y dos de Enero de mil och-  
 oenta e cuanta, El Excmo Sr<sup>o</sup> gobernador  
 por las facultades que le son conferidas.  
 Entre y para por ella arranco y poner en par-  
 te suñados de terreno, he hizo otras sumo-  
 mas y actas de posesion en señal de lo que  
 dijo tomar y tomava dho terreno aum<sup>to</sup> de  
 su sitio y mande el citado juez que des-  
 de entonces lo tubiera y enveine en por  
 el verdadero señal y p<sup>ar</sup>tes de ella  
 de todo referido pidió dho D<sup>o</sup> Jue de  
 Amesti que para constancia y memoria  
 y consubacion de lo venidero de sus der-  
 chos por el referido juez le fue otorgado  
 una Constancia de lo que haci fue au-  
 toridad con testigos de as<sup>a</sup> con quienes  
 a entera En escritoria a falta de Ecri-  
 bano publico que no lo hay segun dere-  
 cho dry fee

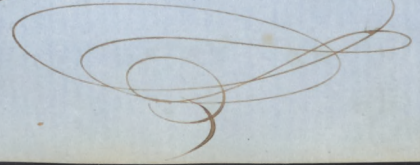
Jue Bolio



Donacio Salazar +  
 Jue Olivas +

Se devuelve al interesado en esta  
 fha con cuatro hojas hutilas

Jue Bolio





Sello Primero Ocho Pesos

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

Micheltorrea

Pallo de la Guerra

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El Ciudadano Manuel Micheltorrea General de Brigada del Ejercito Mexicano, Ayudante General de la Plaza Mayor del mismo Gobierno Comandante General e Inspector del Departamento de las Californias.

Por cuanto D.<sup>o</sup> Juan Amato ha pretendido para su beneficio personal y el de su familia, la confirmacion del terreno nombrado los Corralitos que tiene ocupado con sus bienes desde el año de 823 por concesion que obtuvo del Gobierno, y habiendose practicado los informes correspondientes ha venido a nombre de la Nacion Mexicana, declarandole la propiedad de cuatro sitios de ganado mayor debiendo ser los linderos con el Rancho de D.<sup>o</sup> Rafael Castro, hasta el lugar donde se nombra las cuatro leguas; con el rancho de D.<sup>o</sup> Sebastian Rodriguez hasta donde se encuentre un Estero y el mismo unico que mira al arroyo que en el esta inmediato llamado Salispuedes, y con el Rancho de D.<sup>o</sup> Manuel Jimeno con el Arroyo del mismo nombre de Salispuedes la Laguna Grande, con el Sacral que a continuacion esta tomando linea exacta rumbo al Norte hasta la Sierra siendo los limites de la parte de la Cana da Berde las Lomerias inmediatas a la Sierra suje-



55.

tandose a la aprobacion de la Exma Asamblea Departamental y bajo las condiciones siguientes.

1<sup>a</sup> = No pondra vendido enajenarlo, ni hipotecarlo ni imponer censo vinculo ni otro gravamen alguno.

2<sup>a</sup> = Podrá sercarlo sin perjudicar las tercias Caminos y servidumbres; lo disputará libre y esclusivamente destinandolo al uso ó cultivo que mas le acomode.

3<sup>a</sup> = Solicitara' del juez Espectivo que le de la posesion juridica en virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites pondra a mas de sus mojoneras algunos arboles frutales ó siembras de alguna utilidad.

4<sup>a</sup> = El terreno de que se hace mención es de cuatro sitios de ganado mayor, segun explica el diccionario que corre agregado en el expediente Espectivo. El juez que dare la posesion lo medira en arroyo al plano que formo' el Agrimensor D.<sup>n</sup> Enrique Camberton dejando el sobrante que resulte a la Nacion para los usos comunales.

5<sup>a</sup> = Si contraviniere a estas condiciones perderá su derecho al terreno y sera denunciabile por otro.

En consecuencia mando que se reordene de todo el presente y terminese por firme y validero, se haga en el Libro a que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterrey de Abril de mil ochocientos Cuarenta y cuatro.

Man<sup>e</sup> Michelt<sup>a</sup>

Man<sup>e</sup> Jimeno  
Srio.

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Queda tomada razon de esta concurrencia en el  
Libro respectivo a f. 8

Jimeno

El lindero con los Señores Castro debiera ser  
la Cañada del Siervo segun explica el dicho

Man. Michelt<sup>a</sup>

Man. Jimeno

Srio.

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Sr. Juez de 1.<sup>a</sup> Instancia

José de Anasti Ciudadano Mexicano y ve-  
cino de este Distrito ante V. Como mas haya  
lugas en D<sup>o</sup>. me permito y digo: Que  
habiendo obtenido titulo del Rancho llama-  
do las Corralitas y faltandome la posesion  
juridica aunque con anterioridad la tengo  
perdida al Sr. Juez anterior C. D.<sup>o</sup> Manuel  
Dias segun consta en una representacion  
que debe existir en el archivo de un juz-  
gado, y por no haber tenido tiempo D.<sup>o</sup>  
Manuel Jimeno p.<sup>a</sup> comparecer como recla-  
mante; no se me concedió por el mismo mo-  
tivo, y ahora nuevamente suplico a V. se  
sirva pasar al expresado Rancho para que  
previa la medicion que se haga con arreglo  
al titulo y plan que debidamente acompaño  
en tres fojas utiles, se me de la referida po-  
sicion que pretendo.

Por lo que suplico a V. se sirva proveer  
como lloro deho por Cuerdo asi de justicia  
de lo que recibire merced y fuere, jurando  
no ser de malicia y lo jurasario y a la vez  
pido se me admita la presente en papel co-  
mune por no haber en la actualidad del sellado Compañia  
Corralitas Junio 1.<sup>o</sup> de 1846 José de Anasti



57

Monterrey Junio 10 de 1846

Por presentada y admitida la presente instancia en cuanto ha lugar en Dio procedase a expedir las Correspondientes boletas de Compañando, para que el jueves diez y ocho del Corriente se presenten en el Rancho que se cita para proceder a la posesion juridica que se pide, los Señores Ciudadanos. Asi yo Ygnacio Esquer Regidor Decano del Dho Ayuntamiento y Alcalde Primero en turno de esta Municipalidad con funciones de juez de primera instancia lo proveyo y firmo con los testigos de asistencia  
 19 Con quienes actuo por Receptoria a falta absoluta de escribano Publico.

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A. Ygnacio Esquer A  
 Ambrosio Gomez Benito Diaz

A los doce dias del mismo mes y año en vista de haberse en este Puerto el C. Manuel Jimeno Ciudadano del Rancho de los Corralitos, se le entendio su boleta de Compañando quedando citado para el dia que se indica, y para que conste lo sento y firmo con los de asistencia

A. Ygnacio Esquer A  
 Ambrosio Gomez Benito Diaz

En el Rancho de los Corralitos a los diez y seis dias del mes de junio del año de mil ochocientos cuarenta y seis yo el juez actuante mande se citaran y se citaron a los Señores Sebastian Rodriguez, Guadalupe Castro y Rafael Castro para que el jueves proximo se presenten en este lugar a defender sus linderos en

20



proceion que tiene que darse. Lo que para  
 Constancia seinto y firmo en la de constancia  
 A. Y. Enq. A  
 Ambrosio Gomez Dionicio Salazar

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En el citado parage a los diez y ocho dias del  
 mismo mes y año siendo presente el Sr. D. Juan  
 D. Jose Anasti, el Sr. Agrimensor D. Hen-  
 rique Cambuston y los Señores Citados antes  
 que alla el auto anterior se medió a la me-  
 dicion señalamiento de linderos y puenos  
 juridica, nombrando para medidores a los  
 Señores Pedro Rodriguez y Jorge Zalazar  
 los que habiendo prestado el juramento de  
 oficio aceptaron y ofrecieron cumplir fiel-  
 mente con su encargo segun su leal saber  
 y entender firmando este auto con mi go  
 el Sr. Agrimensor y los de mi asistencia  
 A. Y. Enq.

Pedro Rodriguez H. Cambuston  
 Ambrosio Gomez Jorge Zalazar +  
 Dionicio Salazar +

En seguida presente D. Henrique Cam-  
 buston Agrimensor nombrado por este  
 juzgado se le tomó el juramento de of-  
 cio por el cual ofrecio cumplir religio-  
 samente con el encargo que se ha con-  
 ferido firmando con mi go y los de an.  
 Y. Enq.

A. H. Cambuston  
 Ambrosio Gomez A. Dionicio Salazar +

Yn continencia yo el Juez referido me  
 de tras un cordel de Canamo torcido que  
 los medidores midieron en presencia del



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Agrimenso, interado y Colindantes con una vara de medir usual Mexicana y resulto tener cincuenta varas. Lo que para constancia lo siento por diligencia y firmo en los de mis atribuciones

Y g<sup>no</sup>: Equis H. Cumbuctos  
A. A.

Amb.º Gomez Demicio Salazar

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Ynmediatamente habiendose Comensado las medidas de este Rancho en presencia de los Señores Colindantes Don Sebastian Rodriguez y D. Guadalupe Castro se oprimos este ultimo individuo alegando que la parte que se iba a medir era de su propiedad y para justificarlo presento un titulo del Gobierno con la aprobacion de la Exma. Diputacion Territorial y la prouision juridica que en el mes de Enero del Corriente año le dio el juez Segundo de Paz del Pueblo de Santa Cruz. Por lo que yo el presente juez le escriji a dho Castro presentara la representacion que se hizo para concederle el Rancho de San Andres, y otros documentos relativos a este, y habiendo Consultado que todos los documentos de su Rancho se edulcian a los que habia insinuado y que no tenia otros, mande se continuara la medicion con arreglo al titulo del Señor Amesti y al efecto recusandole y teniendo por nula y de ningun valor la prouision juridica que presento en razon a que el juez que la dio carece absolutamente de facultades segun la ley para encargarse de estos asuntos a lo que



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Contestó el expresado Castro que presentaría la  
 24 Ley que autorizaba a los jueces de Paz de los  
 Puntos como Santa Cruz para dar proce-  
 sion de Ranchos y al mismo tiempo pro-  
 testaba contra la que actualmente se le us-  
 taba dando por mi, al Señor Amesti,  
 e inmediatamente se retiró del lugar don-  
 de estábamos y el Sr. Agrimensor Comenzó  
 a desempeñar sus funciones en presen-  
 cia del interesado y de D.<sup>a</sup> Sebastian Ro-  
 driguez y los de mi asistencia no habiendo  
 asistido el Celidante D.<sup>a</sup> Rafael Castro  
 a pesar de la cita que se le mandó a la  
 que no contestó ni una palabra Todo lo  
 que para constancia se hizo por dili-  
 gencia y firmo con los de mi asistencia  
 Y g.<sup>no</sup> Esques H. Cambustor  
 A. A.

Ambrosio Gomez Dionisio Salazar

25 Y inmediatamente Comenzaron los medidores  
 sus funciones bajo la direccion del Sr.  
 Agrimensor D. Henrique Cambustor  
 quien dispuso se tomara una linea indis-  
 tintamente para que le sirviese de base, en  
 los Calculos geometricos que tenia que for-  
 mar y tomando el instrumento matemático  
 hizo sus observaciones por el rumbo S. S. E.  
 que llegaron hasta los esteros y la colina  
 donde no hubo necesidad de reconocer  
 linderos por demarcarlos la Mas que  
 está de por medio. Lo que para que  
 conste se hizo y firmo con el Sr.  
 Agrimensor Celidante y testigos  
 de asistencia, Y g.<sup>no</sup> Esques. H. Cambustor  
 A. Sebastian Rodriguez. Am.<sup>to</sup> Gomez. Dionisio Salazar



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En el Citado lugar a los diez y nueve dias del mismo mes y año, presente D. Manuel Jimeno Como Escribiente del presente Rancho, para reconocer sus limites, proveyo el Sr. Agrimensor sus observaciones en presencia de los Escribientes medidores y testigos de asistencia no habiendo llegado ese dia a lindero ninguno por no haber tenido tiempo y solo dijo que habia medido una linea por el Eumbo del N. E. Lo que seinto y firmo con los de mi asistencia y el Sr. Agrimensor

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Yg<sup>no</sup> Esques

A Il. Excmo. Sr. Don Ambrosio Gomez  
Don Dionicio Salazar

A los veinte dias del repetido mes y año yo el presente juez, Sr. Agrimensor Escribiente D. Sebastian Rodriguez y D. Manuel Jimeno con los de mi asistencia fuimos al reconocimiento de linderos y habiendo observado el Sr. Agrimensor por el Eumbo del N. llegamos hasta una laguna reconocida con anterioridad por lindero del presente Rancho con el de D. Manuel Jimeno, y luego siguiendo el Eumbo del E. llegamos al parage conocido con el nombre de Salripuedes tambien lindero del Sr. Jimeno, quien dijo que si aquel parage era Salripuedes, hasta hai llegaba su lindero, pero si despues de alguna aclaracion resultaba ser otro el parage conocido con ese nombre, lo reconoceria por su lindero, y habiendose entablado por esta causa una cuestion bastante acalorada entre el Sr. Jimeno y el Sr. Amesti, yo el presente juez he traído decidida al Sr. Jimeno que en virtud



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de no ser de ninguna utilidad el terreno que hubiere de diferencia en caso que fuere Salique des mas adentro del sitio, no dias Convinis en alguna manera, a lo que Con-  
tudo que estaba muy bien que quedaba Convinido en eiconces su lindero hasta el paraque que se le indico sin que en cui-  
gun tiempo hubiere lugar a reclamo, pues de todos modos el sitio la parte de terreno  
28 mencionada si por algun accidente habia diferencia, conformes ya ambos Colindantes, paramos a una linea inmediata que sirvio de lindero a D. Sebastian Rodriguez. Lo que firma con Camargo todos los Señores mencionados en este auto.

Yg.º Eques                      H. Cambustro  
Sebastian Rodriguez

A.                                      A.  
Ambrosio Gomez                      Donicio Salazar

A los vintena dias del mismo mes y año habiendo hecho sus observaciones el Sr. Agrimensor por el rumbo del N. N. llegamos hasta la lomeria inmediata a la Sierra que no habiendo Colindantes por un rumbo, le sirvio al interesado por limite toda aquella lomeria sin llegar a la Sierra. Lo que para Constancia se hizo por diligencia y firmo con el Sr. Agri-  
mensor y los Citados testigos de mi asistencia

29 Yg.º Eques                      H. Cambustro

A.                                      A.  
Ambrosio Gomez                      Donicio Salazar

A los vintidos dias del repetido mes y año el Sr. Agrimensor habiendo seguido



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sus observaciones en la misma forma que las anteriores tomamos el rumbo del O hasta llegar a la Cañada del Cierro la que le señalé por lindero con los S. S. Guadalupe Castro y hermanos, los que no habiendo estado presentes por los motivos que se hallan expresados en este expediente, me sugeté para este convenio al título del Sr. Ambrós para no dejar lugar a reclamo alguno. Todo lo que para constancia se dio por diligencia 30 y firmo con el Sr. Agrimensor y testigos de mi asistencia

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Yq.º Esques                      J. H. Cambustren  
A.    A.  
Ambrós Gomez                      Dionicio Salazar

A los veinte y tres días del enunciado mes y año proseguí el Sr. Agrimensor sus observaciones por el rumbo del N. O. sin haber llegado a lindero alguno por no haber tenido tiempo lo que se dio y firmo con el Sr. Agrimensor y testigos de asistencia.

Yq.º Esques                      J. H. Cambustren  
A.    A.  
Ambrós Gomez                      Dionicio Salazar

A los veinte y cuatro días del mismo mes y año habiéndose continuado las observaciones en la forma expresada llegamos al paraje conocido con el nombre de Cuatro leguas cuyo sitio le señalé por lindero con el Rancho de D. Rafael Castro tomando con anterioridad el rumbo del O. S. O. Y habiendo oído al Sr. Agrimensor que hasta ahí habían concluido las medidas de todo el



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de los Corralitos, le ordené al interesado que lo mas pronto que le fuese posible presentase planos en los linderos que por mí se le habian señalado con arreglo al título que obtubo del Sup<sup>o</sup> Gobierno y se halla presente a nues-  
tra vista e inmediatamente procedió a tomar la posesion jurídica con arreglo a ordenanza para lo cual entro yorbas arranos eunas y espureio puñados de tierra con otras mas de-  
monstraciones de posesion y señorio firmando es-  
te auto con miyo el Sr. Agrimensor y los de  
mi casa.

Y q<sup>no</sup> Erques H. Cambuston  
Jue' de Amsti A.  
Dionicio Salazar Am<sup>bo</sup> Gomez

31

D. Enrique Cambuston

A los veinte y siete dias del referido mes  
y año presento ante mí el Sr. Agrimensor,  
el Plano que formo' del Rancho de los  
Corralitos por donde cuenta la medicion  
del terreno que resulto ser de cinco cuatro  
millones, cinco ochenta y dos mil ocho-  
cintas cuarenta y nueve varas cuadra-  
das, lo que forma diez mil doscientas siete  
varas en cuadro o' bien cuatro sitios de  
ganado mayor a mas un cuadro de  
dos mil cuarenta y dos varas por cada  
lado. Por lo que yo el juez actuante  
mande' se agregue a la presente po-  
sicion el Plano dicho, el diccionario y los  
demas documentos relativos al Rancho  
de los Corralitos y al mismo tiempo que  
formando todo esto en solo expediente  
se le entregue original al interesado D.  
Jue' de Amsti para su seguridad, fir-  
mando para que cuente el presente auto



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32 yo el Sr. Agrimensor y los de mi asistencia  
day fe'

A Yg<sup>no</sup> Esquet N. Cambuston  
A  
Ambrosio Gomez Dionicio Salazar +

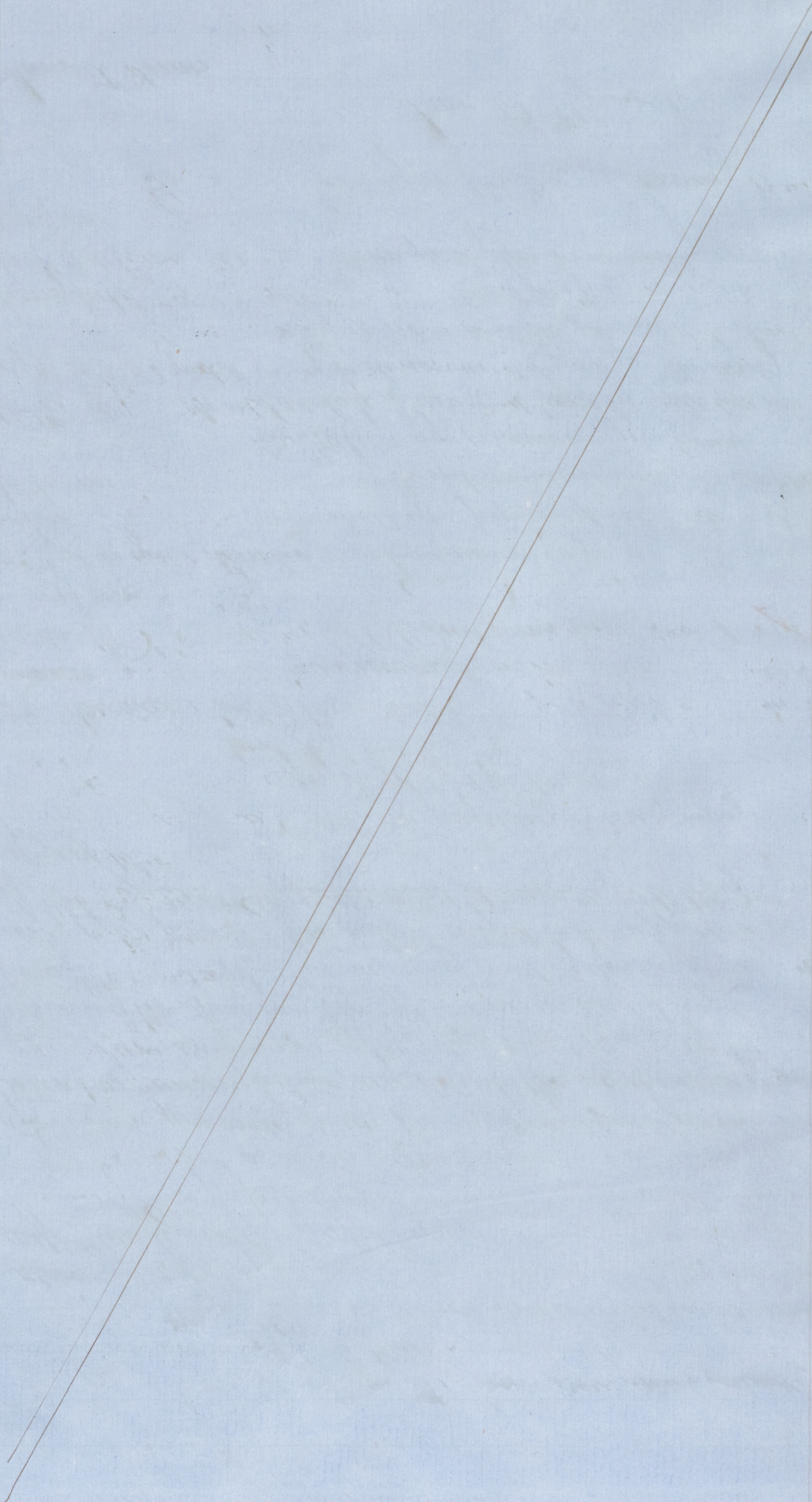
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En la misma fha paso este expediente con-  
tante de diez y nueve folios utiles y una en  
blanco a manos de D. Jue' de Sancho segun  
lo mandado en el auto anterior advirtiendo  
que lo que se hizo en este tiempo fue en papel  
comun por no haber de ningun sello. Lo  
que p<sup>a</sup> Constancia suinte y firmo con los  
de mi asistencia

A. Yg<sup>no</sup> Esquet A.  
Ambrosio Gomez Dionicio Salazar +

Filed in Office March 23<sup>d</sup> 1853  
Geo. Fisher  
Secy.





1908  
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1174

Juan B. Alvarado, Constitutional Governor of  
the Department of both Californias.

Translation of  
Document  
No. No. No. 1.

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Whence Don José Armada, has solicited for his personal benefit & that of his family, an enlargement to his location called Las Comedillas of a tract of land situate at the side of the Rancho of D<sup>no</sup> Rafael Castro, in extent one hundred varas, a little more or less, as shown on the Expediente & respective plot, after having previously made the necessary investigations, & taken the necessary action, according to the requirements of laws & regulations, in response of the petition made in me in the name of the Mexican Nation, I have concluded to grant him the indicated enlargement of land, declaring it his property by the present letters patent, subject to the approbation of the Excellent Departmental Assembly & to the following conditions:

- 1<sup>st</sup> He may fence it without prejudice to the crossings, roads & conduits, the well enjoy it freely & exclusively, appropriating it to the use or culture that best may exist therein.
- 2<sup>d</sup> He will solicit of the respective Judge to give him judicial possession in virtue of this document, on the extremities of which border the land marked, he will put some fruit tree or wild one of some utility.
- 3<sup>d</sup> The land donated is one hundred varas, a little more or less. The justice who shall give possession will cause it to be measured conformably to the ordinance, leaving the surplus that may result to the Nation for common purposes.
- 4<sup>th</sup> If he should violate these conditions he will lose his right to the land & may be denounced by any other party.

Consequently I order that the present letter deed being held firm & valid, it be entered in the corresponding book & delivered to the interested party for his security & other purposes.

Given in Monterey on the 22<sup>d</sup> of January 1841.

Juan B. Alvarado.

Manuel Jimeno.  
Secretary.

This document has been entered in the book of registry on adjudications of vacant lands on folio 4.

Jimeno.



To the Justice of the Peace of Santa Cruz.

José de Amesti, a resident of the Post of Monterey, appears before you in a manner best consistent with law: That the Governor having granted me the vacant land of my former boundaries to that of the citizen Rafael Castro, I pray you to be pleased to give me the judicial possession as set forth in the Governor's decree & to bear it in mind.

Therefore I ask & pray you to be pleased to do so whenever you like.

Corralitos 5<sup>th</sup> of April 1841.

José de Amesti.

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Rancho de Corralitos 6<sup>th</sup> April 1841.

In view of the foregoing solicitation, I, the Justice proceeded to the measurement, marking of boundaries & judicial possession, the interested party, and this expedient designating its execution for to day - wherefore the bounding land owners will be called to appear on the said Rancho.

Thus did I the said Justice, decree, order & sign it with the assistants with whom I act as delegate Judge for want of a Notary Public, according to law; I attest it.

José Bolcoff. José Olivás.

Dionicio Salazar.

Under the same date José de Amesti was notified of the foregoing decree, & having had an understanding of it, he said he had heard it, & that he accepted same, & signed it with me & the assistants, in established form. I attest it.

José Bolcoff.  
José Olivás.

Dionicio Salazar.

José de Amesti.

On the Rancho de los Corralitos to day 1841. In compliance with the decree of the day's date, the bounding land owner Rafael Castro, Juan José Castro, Sebastian Rodriguez, assembled on this Rancho, being summoned for the measurement, marking of boundaries & possession, I appointed as measurers the citizens Dionicio Salazar & José Olivás, who will jointly accept of & make oath for the discharge of their office. Thus did I, the Justice decree, order & sign it.

José Bolcoff. José Olivás.

Dionicio Salazar.



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Under the same date & on the said Rancho the measurers were notified of the foregoing decree, & having had an understanding of it, they said that they accepted & did accept said charge as measurers, & they undertook to fulfill it legally & to the best of their knowledge & understanding without fraud against any person. They signed with me & the assistants.

Donnicio Salazar.  
Doni Belcoff. Doni Olivas.

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In the same place & on the said day at about ten o'clock in the morning, I the present Justice, ordered the The Translator appointed measurers to set about the measurement of land must here observe, they have to make of Don de Arce, a line being put to that the language of - words West - (W) little reaching the boundaries of Rafael this Justice being a Castro, in which place (undoubtedly) they measured one thousand defective he is not - sand varas, in which place was put a land mark for sure whether he has the four leagues which are marked on a colored pole, from his - the right way. This said colored pole it was set in a right line of south west (S. W) to North east, where were seen some colored poles, the the measurers declaring it to be an enlargement to his who for black cattle; in attestations of which I signed with the assistants.

Donnicio Salazar.  
Doni Belcoff. Doni Olivas.

On the said Rancho & on the same day, Don Jose de Arce a resident of the Post of Monterey, accompanied by the Justice of the Peace of the town of Branifforte & assisting witnesses said, that in virtue of his lands of this Rancho having been measured, as is shown in the foregoing act, he took true, corporal & real possession of the said Rancho and enlargement of his Rancho, as set forth in the title deed of consensus he obtained under date 22 of January 1840 of the Governor through the power vested in him. He entered upon the possession, pulling up grass, water-irrigating about four acres of earth & made other common acts of possession, in token of which he said he took & did take possession of said land as enlargement to his title, & I the said Justice ordered that from thence it be held & recognized as a true title & possession of it. In reference to all of which Don Jose de Arce, requested that for the sake of attestation & remembrance and conservation of his rights in future, the said Judge would make out a certificate of it, which I do on my authority with assisting witnesses, with whom I act as delegate



Judge for want of a Notary Public, who is not to be had according to law. I attest it.

José Bolcoff. José Olivas. Domingo Salazar.

Returned to the interested party on this day, consisting of four filled folios.

José Bolcoff.

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The Citizen Manuel Michelozano, Brigadier General of the Mexican Army, Adjutant General of the Plaza Mayor of the same, Governor, Commander General, & Inspector of the Department of both Californias.

Whereas D<sup>o</sup>. José Amisti has solicited for his personal benefit & that of his family, the confirmation of the land called Las Corralitas which he holds, occupied with his stock since the year '823 through a grant he obtained of the Government & having taken the necessary reports, I have concluded in the name of the Mexican Nation to declare him the ownership of four square leagues (sitios de ganado mayor) the boundaries of which ought to be on the Rancho of D<sup>o</sup>. Rafael Castro to the place upon it is called Las Cuatro Leguas, on the Rancho of Don Sebastian Rodriguez to a place where is found an arroyo & the only well that fronts on the Arroyo which is immediate to it, & called Salismeder, & on the Rancho of Don Manuel Jimeno, on the Arroyo of the same name of Salismeder, la Laguna grande, on the willow growth (Sanzal) that in continuation is taking a right line in a Northern course to the Surria, the limits on the side of la Canada Verde being the highlands immediate to the Surria, - subject to the approbation of the Excellent Departmental Assembly & under the following conditions.

1<sup>o</sup>. He shall not have the power to sell, alienate or mortgage it, nor subject it to rent, entail, bond, mortgage or any other encumbrance.

2<sup>o</sup>. He may fence it without prejudice to the crossings, roads & servitudes; he will enjoy it freely & exclusively appropriating it to the use or culture that best may suit him.

3<sup>o</sup>. He will solicit of the respective Judge to give him judicial possession in virtue of this document; by whom the boundaries are to be marked, on the extremities of which, besides its landmarks he will put some fruit trees or wild ones of some utility.



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4<sup>th</sup> The land mentioned is four square leagues (setos de ganado mayor) as shown in the plot attached to the respective Expediente. The Judge who shall give the possession will measure it in accordance with the plan adopted by the land surveyor D<sup>n</sup> Enrique Cambuston, leaving the surplus that may result to the Nation for common purposes.

5<sup>th</sup> If he should violate these conditions he will lose his right to the land & may be denounced by some other party.

Consequently, I order, that these presents serving him as a title deed & being held firm & valid, it be entered in the respective book & returned to the interested party for his security & other purposes.

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Given in Monterey (date blotted out in the original)  
April 1844.

Manuel Jimeno.  
Secretary.  
Manuel Micheltona.

This grant has been entered in the respective book on folio 8.  
Jimeno.

Postscriptum. The boundary on the Castro's ought to be la Cañada del Siervo, as expressed in the sketch.  
Manuel Micheltona.

Manuel Jimeno.  
Secretary.

Sir Justice of the 1<sup>st</sup> Instance.  
I Don de Urzua, a Mexican Citizen and resident of this district in a manner best consistent with law represent myself before you & say: That having obtained a title deed of the Rancho called Los Corales & being, in need of the judicial possession, although I have previously asked for it of the justice, your predecessor Don Manuel Diaz as appears in a representation which must exist in the archives of this Justice's Court, & on account of that Don Manuel Jimeno has not had time to appear as bordering land owner, it was not granted me for this very same reason, & now I pray you anew to be pleased to go to the said Rancho, that after a previous measurement to be made in accordance with the title deed & plan which I duly accompany, consisting of three filled folios, I may be given the said possession solicited.

Wherefore I pray you to be pleased to provide



as I have stated in my belief of it to be in accordance with justice, whereby I shall receive money & favor, ensuring there is no malice therein & to what else is necessary, & at the same time I beg you to admit this on common paper on account of there being actually no corresponding paper to be had.  
Corralitos June 1<sup>st</sup> 1846.

José de Anasti.

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Monday June 10<sup>th</sup> 1846.

This present instance having been presented & admitted in as far as is consistent with law, let there be proceeded to make out the corresponding writ of summons, that on Thursday the 18<sup>th</sup> instant, the bordering land owner named present themselves on the Rancho, to proceed to the judicial possession asked for. Thus did I, Ignacio Esquer, senior Alderman of the Illustrations Ayuntamiento & First Alcalde by provision in this municipality, acting as Justice of the first instance, provide & sign it with the attesting witnesses, with whom I act as delegate Judge for absolute want of a Notary Public.

Ambrosio Gomez. Ignacio Esquer.  
Benito Diaz.

On the 12<sup>th</sup> day of the same month and year, in view of the citizen Manuel Jimeno, bordering land owner to las Corralitos being in this Port, there was made out a writ of summons for him, by which he was cited for the day indicated. And in attestation of it I recorded & signed it with the assistants.

Ambrosio Gomez. Ignacio Esquer.  
Benito Diaz.

On the Rancho de los Corralitos on the 16<sup>th</sup> day on the month of June in the year 1846, I, the acting Justice, ordered that Sebastian Rodriguez, Guadalupe Castro & Rafael Castro, be summoned, & they were comm-  
-menced to present themselves in this place on Thursday next to defend their boundaries under the possession to be given. Which I for attestation record & sign with the assistants.

Ambrosio Gomez. Ignacio Esquer.  
Domingo Salazar.



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In the said place on the 18<sup>th</sup> day of the same month & year, Sr. Jos<sup>e</sup> Amos, the Land Surveyor Sr. Enrique Cambuston & the bordering land owners spoken of in the foregoing deed, being present, I proceeded to the measurement, marking of boundaries & juridical possession, appointing as measurers Pedro Rodriguez & Jorge Zalazar, who having taken the customary oath, accepted & offered to fulfill faithfully their office according to their true knowledge & understanding, the Surveyor signing this entry with me & the assistants.

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J. Esquivel.  
Pedro Rodriguez. N. Cambuston. Jorge Zalazar.  
Ambrosio Gomez. Domingo Zalazar.

Thereupon the Surveyor appointed by this Court, Sr. Henrique Cambuston, being present, the customary oath was administered to him, whereby he promised to fulfill conscientiously the office conferred on him, signing with me & the assistants.

J. Esquivel.  
N. Cambuston. Ambrosio Gomez. Domingo Zalazar.

In continuance, I, the said Justice ordered a line of twisted hemp to be brought, which the measurers measured in presence of the Surveyor, interested party and bordering land owners, with a small Mexican vara measure & it resulted to be fifty varas, which I in attestation, put on record as an act & sign it with my assistant.

N. Cambuston. J. Esquivel.  
Ambrosio Gomez. Domingo Zalazar.

Thereupon having commenced the measurement of this Rancho in the presence of the bordering land owners Don Sebastian Rodriguez & D. Guadalupe Castro, this last individual opposed it, alleging that the party sought to be measured, was his property, & to justify it he presented a title deed from the Government with the approval of the Excellent Territorial Deputation & the juridical possession given him in the month of February this year by the Second Justice of the Peace of the Pueblo of Santa Cruz. On account thereof, the present Justice demanded of said Castro to present the representation he made to be granted the Rancho de San Andres, & other documents relative thereto, & having answered, that all the documents about his Rancho are reduced to three



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he had shown & that he had no others, I ordered the measure-  
-ment to be continued in accordance with Mr Amesti's letter  
-dud, & in consequence refusing to admit of, annulling, and  
-invalidating the judicial possession he presented, on the  
-ground, that the Justice who gave it is absolutely devoid of  
-power according to law, to take cognizance of these matters  
-to which the said Castro responded, that he would present the  
-law which authorized the Justice of the Peace in such places  
-as Santa Cruz to give possession of Ranchos, & at the same  
-time he protested against that which was being given by me  
-to Mr Amesti, & immediately he retired from the place  
-where we were, & the Surveyor commenced to discharge his  
-functions in the presence of myself, the interested party &  
-Don Sebastian Rodriguez & my assistants, the bordering  
-land owner D. Rafael Castro not having appeared in spite  
-of the summons sent him, to which he not even answered a  
-word. All of which, in attestation, I put on record as exact  
-& sign it with my assistants.

Dn. Esquez. H. Cambuston.  
Ambrosio Gomez. Donicio Salazar.

Immediately thereafter the measure com-  
-menced their functions under the direction of the Sur-  
-veyor D. Henrique Cambuston who decided a line (course)  
-to be taken indiscriminately, that it might serve as a base  
-in the geometrical calculations he had to form, & taking  
-the mathematical instrument he made his observations  
-at a curve of S. S. W. which reached up to the estuaries  
-(los esteros) de los Cobos where there was no necessity of ac-  
-knowing boundaries as the sea marks them out by itself.  
-Which, in attestation I put on record & sign with the Sur-  
-veyor, bordering land owner & attesting witnesses.

Dn. Esquez. H. Cambuston.  
Sebastian Rodriguez. Donicio Salazar.  
Ambrosio Gomez.

In the same place on the 19<sup>th</sup> day of the same  
-month & year. Don Manuel Ferrero, as bordering land  
-owner to the present Rancho, being present in order to ac-  
-cognize its limits, the Surveyor finished his observations in  
-presence of the bordering land owner, measure & attesting  
-witnesses, not having this day reached any boundaries,  
-on account of not having had time, & he only said, that



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he had measured in a line at the course of North east, which I  
 put on record of a sign with my assistants & the surveyor.  
 Dn. Esquez. H. Cambuston.  
 Ambrosio Gomez. Dimas Salazar.

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On the 20<sup>th</sup> day of the same month & year, I  
 the present Justice, the Surveyor, the bordering land owner,  
 Don Sebastian Rodriguez & Don Manuel Jimenez, with my  
 attesting witnesses went to the recognition of boundaries &  
 the Surveyor having made his observations in a Northern course  
 we arrived up to a lagoon, previously recognized as boundary  
 of the present Rancho on that of Don Manuel Jimenez and  
 then taking an Eastern course we came to the location known  
 by the name of Salsipuedes, also boundary of Don Jimenez,  
 who said, that if that location was Salsipuedes, his boundary  
 reached to him, but after some explanation, it resulted that  
 the location known by this name is another one, he would  
 recognize it for his boundary, & it having for this reason  
 brought about a question pretty warm between D<sup>o</sup>. Jimenez  
 & D. Amesti, I the present Justice settled it, telling Don  
 Jimenez that the land in dispute being him of no useful-  
 -ness in case Salsipuedes should be further within the  
 site, they could agree in some way or other, to which he  
 replied, that it was required that it become agreed on, in  
 recognizing his boundaries up to the location which was in-  
 -dicated him, but at any time there should not be occasion  
 for a reclamation, for by all means he ceded the part of  
 the mentioned land, if by any accident there was any dif-  
 -ference. Both bordering land owners having now agreed  
 we proceeded to an oak nearby, which served as boundary  
 for D. Sebastian Rodriguez. Which all the gentlemen  
 mentioned in this entry signed with me.  
 Dn. Esquez. H. Cambuston.  
 Sebastian Rodriguez.  
 Ambrosio Gomez. Dimas Salazar.

On the 21<sup>st</sup> day of the same month and  
 year, the Surveyor having made his observations in a  
 course of N. N. we came up to the highland near to the  
 Surrio & there being no bordering land owner in this course,  
 all that highland was made to serve the interested party  
 as limit without reaching to the Surrio. Which in  
 attestation I put on record as an act & sign with the  
 Surveyor & the said attesting witnesses.  
 Dn. Esquez.



H. Cambuston.

Ambrosio Gomez. Dionicio Salazar.

On the 22<sup>d</sup> day of the same month & year, the Surveyor having followed up his observations in the same form as the foregoing ones, we took a short course till reaching the Cantada del Cuervo, which I marked out as the boundary on Guadalupe Castro & Brothers, who not having been present for the reasons expressed in this schedule, I submitted this recognition to Mr Amestis' title deed, so as not to give place for any relation. All of which in attestation I put on record as an act & sign with the Surveyor & my attesting witnesses.

Ign. Esquivel.

H. Cambuston.

Ambrosio Gomez. Dionicio Salazar.

On the 23<sup>d</sup> day of the same month & year, the Surveyor pursued his observations in a North East course without having reached any boundary on account of not having had time. Which I put on record & sign with the Surveyor & attesting witnesses.

Ign. Esquivel.

H. Cambuston.

Ambrosio Gomez. Dionicio Salazar.

On the 24<sup>th</sup> day of the same month and year, the observations having been continued in the same form, we came to the location known by the name of cuatro leguas, which site was assigned as the boundary on the Rancho of D<sup>o</sup> Rafael Castro, taking previously the course to West, South West. And the Surveyor having said that hence the measurement of the whole of the Rancho de las Conaltas was concluded, I ordered the interested party, that as soon as possible he should put land marks in the boundaries designed him by me in accordance with the title deed he obtained of the Superior Government & which is laid before us for inspection, and thereupon he proceeded to take the judicial possession in accordance with ordinance, to which purpose he cut down grass, pulled off branches, & scattered about handfuls of earth with other more demonstrations of possession & dominion, signing this entry with me the Surveyor & my assistants.

Ign. Esquivel.

H. Cambuston



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José de Amuña. Domicio Salazar. Ambrosio Gomez.

On the 27<sup>th</sup> day of the month & year before named, the Surveyor Don Henrique Cambuston presented before me the plan he had formed of the Rancho de los Corralitos, whereby the measurement of the land is shown, which results to be one hundred & four millones, hundred & eighty two thousand eight hundred & forty nine square varas, which forms a square of four equal angles of ten thousand, two hundred & seven varas or rather four square leagues (partes de ganado mayor) besides a square of ten thousand, forty two varas on each side. Wherefore I, the acting Justice, ordered that the said plan, the sketch & other documents relative to the Rancho de los Corralitos be attached to the present proceeding, & at the same time that all this is to form one sole Expediente; it be delivered in original to the interested party Don José de Amuña, for his security, & to attest this entry, I the Surveyor & my assistants sign it, of which I bear testimony.

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Jgn. Esquiv. H. Cambuston.  
Ambrosio Gomez. Domicio Salazar

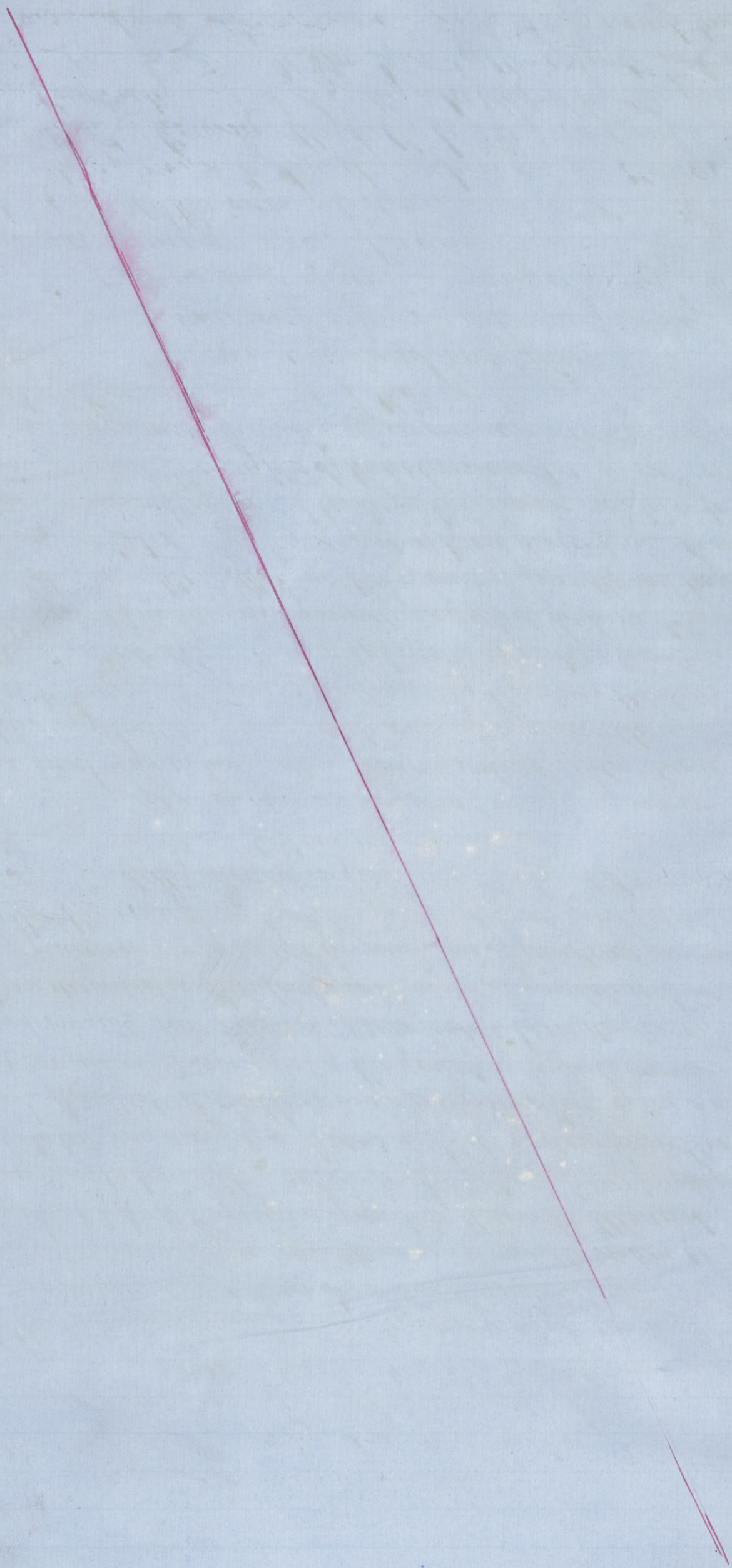
On the same day, this Expediente consisting of minutes filled folios of one blank, was delivered over in the hands of Don José de Amuña, as ordered in the foregoing entry, remarking that all that which was done this time was made out on common paper, as there was no stamped paper to be had. Which by way of attestation, I put on record & sign with my assistants.

Jgn. Esquiv. Ambrosio Gomez.  
Domicio Salazar.

Filed in Office Sept 30 '53

Geo: Fisher. Secy.





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Case No 174.

Josi Amesti  
vs  
The United States. 3 4 sq. Leagues, Monterey County.  
Los Corralitos

Opinion of the Board by Comr his title 1<sup>st</sup> from an ancient provincial right of occupation 18<sup>th</sup> Aug. Thompson for two leagues of land known as Los Corralitos,

The claimant in the present case derives  
to him by Governor Don Luis Antonio Arguella on the 18<sup>th</sup> of April 1823; 2<sup>d</sup> from a grant by Governor Alvarado, in augmentation of the same to the extent of six hundred varas dated January 22<sup>d</sup> 1841, & 3<sup>d</sup> A grant from Governor Manuel Micheltuna in confirmation of the ancient concession & increasing the quantity to four square leagues in all dated April 1844. The boundaries of the tract are described in this last grant with unusual minuteness & precision - & a long & formal act of judicial possession filed in the case show that the lines were all well marked & the grantee duly placed in possession in accordance therewith.

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The documentary evidence in my voluminous showings efforts on the part of several individuals to obtain a grant of the sobrante or surplus resulting from the first concession to the claimant by Governor Arguella in 1823, which after a long & laborious investigation before the Prefect & the Governor finally resulted in his obtaining from Governor Micheltuna the grant of four square leagues as already stated - As the records of these proceedings do not in any degree affect the merits of the claim except so far as they establish the rights of the claimant it is not considered necessary to enter upon an examination of them - The evidence shows that for the last twenty years the land has been in the exclusive occupation of the petitioner; that he has lived upon it with his family, cultivated & otherwise improved it, using it for agricultural & grazing purposes. The genuineness of the signatures to all the original documents filed in the case is duly proven by the deposition of Josi Abrego, except that of Governor Arguella to the first grant & the authenticity of that, is fully established by the proceedings in relation to the two latter grants contained in the Expediente, the original of which appear to have been delivered to the grantee, a copy only being retained



in the archives.

The boundaries are described in the last grant & in the act of judicial possession made under it with sufficient exactness & precision to prevent any difficulty in the location & survey of the land. The right of the petitioner to a confirmation of his claim is clearly established, & a decree will be entered accordingly.

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Filed in Office May 2 '1854.

Geo: Fisher. Secy.

No 174.

Decree of Confirmation Jose Amesti

vs  
The United States.

In this case on hearing the proofs & allegations it is adjudged by the Commission that the claim of the petitioner is valid, & it is therefore decreed that the same be confirmed. The land of which confirmation is made, is situated in the County of Monterey, & is known by the name of Los Corralitos, being the same now held & occupied by the claimant & is bounded as follows: on the Rancho of Don Rafael Castro up to a spot called Cuatro Signas (four leagues) with the Rancho of Don Sebastian Rodriguez up to a spot where there is an inlet & an oak tree, the only one looking onto the stream running by it called Salispueder, & with the Rancho of Don Manuel Ferrero and the arroyo of the same name Salispueder. The great Lagoon, the Sausal, taking a direct north line to the mountain. The boundaries on the side next the Canada Verde, being the low hills adjoining the mountain, & on that next to the Messrs Castro the Canada de Oro, containing four square leagues of land. Reference for a more particular description to be had to the original grants & records of judicial possession all of which are on file in the case.

Alpheus Felch.

Thompson Campbell.

R. Aug. Thompson

Commissioners.

Filed in Office May 2 '1854. Geo: Fisher. Secy.



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And it appearing to the satisfaction of this  
Board that the Laguna Heavy adjudicator is  
situated in the Southern District of California  
it is hereby ordered that two transcripts of the  
proceedings and of the decision in this case  
and of the maps and evidence upon which  
the same are founded be made out and duly  
certified by the Secretary one of which transcripts  
shall be filed with the clerk of the United  
States District Court for the Southern District  
of California and the other be transmitted  
to the Attorney General of the United States





*[Faint, illegible text or markings, possibly bleed-through from the reverse side of the page.]*



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 *Eighty two (82)* pages, numbered from  
1 to 82, 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. 174 on the Docket of the said Board,  
wherein *Jos Amesto* is

the Claimant against the United States, for the place known by  
the name of *Corralitos.*

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



*Geo. Fisher*  
*Secretary*



District Court  
Southern District of California.

175

No. 175. Docket  
The United States.

vs.

Jose Amesti

"Corralito"

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Transcript of the Record  
from the  
Board of U.S. Land Commissioners  
In Case No. 174.

Filed Dec. 19<sup>th</sup> 1854.  
G. C. Farr,  
Clk.

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No. 174.





Office of the Attorney General of the United States,

Washington, 10th February 1855.

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*Jose Amesti*

vs.

*The United States.*

174.

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 25th day of November 1854, the appeal in the district court of the United States for the Southern Judicial district of California will be prosecuted by the United States.

*Claiborne*

Attorney General.



175  
U. S. District Court for  
Southern District, Cal.

The United States

vs  
Jose Amesti.

Appeal Notice.

Filed April 10<sup>th</sup> 1835.

J. E. San  
Clerk.

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Office of the Attorney General of the United States,

Washington, 10th February 1855.

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*Jose Amador*

vs.

*The United States.*

} 174.

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 25th day of November 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.



cc.  
No 175.

U.S.D. Court S. Dist.

The United States

vs.

José Amesti.

Appeal Notice.

Filed May 11<sup>th</sup> 1855.

J. E. Jones  
clerk.

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Ascencio Mendia,  
Francisco Arango,  
& Prudencio Vallejo  
d' Anisti, Executors  
of Jon d' Anisti  
(deceased)  
Appellants

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

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The United States  
Appellants

Case no 175  
(From no. 174)

Claim for the place called "Car-  
salitos", situate in the County of  
Santa Cruz, State of aforesaid.

On motion of D. S.  
Gregory, Counsel for the above  
named Executors of the will of  
Jon d' Anisti, the original claim,  
and in this case -

And it verifactorily appearing  
from the proceedings had on the  
Probate of the said will, in the  
Probate Court of Monterey County  
& State of aforesaid, that the said  
Jon d' Anisti departed this life  
in said Monterey County, on the  
twentyth day of August last: and



that he died, leaving a will which has been duly admitted to Probate in the said Probate Court. And it further appearing from the said attornment and the said proceedings had thereon as aforesaid, and from a certified order of the said Probate Court, that the said Ascensio Mendia, Francisco Arons, have been appointed executors, and the said Prudencia Valero d'Amesta has been appointed by the said Court, Executor, of the last will and testament of the deceased;

It is therefore ordered by the Court, the United States District Attorney for said Southern District being present, and after hearing Counsel, that the said Ascensio Mendia and Francisco Arons, Executors, and the said Prudencia Valero d'Amesta, Executor as aforesaid, he and they are hereby substituted as parties appellees, in this cause, in place of the said Jose d'Amesta deceased, with leave to appear in the said Court on the pronouncement of said appeal.



Aseucio Mendia  
Francisco Arana  
& Prudencia Vallejo  
de Arista.

Executors  
of last will

(deceased)

Appellants

United States  
District Court  
for the Southern  
District of  
California.

No. 175

The United States,  
Appellees.

(Exempt No. 174)

Claim for

the place called "Corralitos", sit-  
uated in Santa Cruz County, erro-  
neously stated in the petition to be  
in Monterey County -

The said Aseucio Men-  
dia, Francisco Arana, and Pru-  
dencia Vallejo de Arista exe-  
cutors of the last will of Jose d'  
Arista, the original claimant  
in the above cause, move the  
said Court that they, as such ex-  
ecutors, be substituted on the record  
as parties appellants, herein; the  
said original claimant having  
deceased this life in Monterey County

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ty, California, showing appoin-  
ted the said Mendocino, Aramco &  
the said Prudencia the execution  
of his last will & testament, here-  
with presented -

D. J. Gregory  
Executor Attorney.

No. 175

Executors of last

& testament

vs

The United States

Appellant.

U. S. Dist. Court

Southern District

motion & order for distribution of assets

Filed Aug 18th 1881.

J. C. Lams

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D. J. Gregory



Alejo Mendia  
Francisco Arano,  
& Prudencia Gallego de Arano  
Executors of the will of  
Jose d' Arnesti (deceased)  
Appellants

United States Dis-  
trict Court for  
the Southern Dis-  
trict of California  
December Term  
A.D. 1856.

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vs.  
The United States  
Appellant.  
Transcript no. 174.

Docket no 175.

"Carralitos."

In pursuance of a notice from  
the United States Attorney General annex-  
ed hereto, it is hereby stipulated and  
agreed, that no further proceedings on  
the appeal of said Cause, shall be tak-  
ing on the part of the United States  
or of the appellants, that the said ap-  
peal herein be dismissed, that the  
said appellants have leave to proceed  
under the decree of the said lower  
tribunal, heretofore rendered in said  
Cause, confirming the said claim,  
as under a final decree.

J. M.  
District Ct.

D. J. Gregory  
Clerk for appellants



No 175.

Memoria et al

vs

The United States

Subpoena

Filed July 28<sup>th</sup> 1857  
Circuit  
Ct.

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Alejo de Mendra  
Francisco Arano  
& Prudencia Ballio  
d' Anestis, Executor  
of Jose d' Anestis (decd)

appellants

vs.

The United States

appellant.

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

Docket no. 175.

Transcript No. 174.

Rancho "Carrizitos"

175 SD

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The said appellant appearing in open Court by P. Ord. United States District Attorney, & the said appellants by their attorney D. Gregory & on filing in Court a notice of the United States Attorney General of his intention not to prosecute further, an appeal heretofore taken in this cause, to this Court from the decision of the Land Commission, to ascertain & settle private land claims in California, and on filing a stipulation signed by the said District Attorney & by the said Gregory, to the effect that the said appeal be dismissed, and that the said appellants have come to proceed under the decree of the said Commission, heretofore rendered in said cause, confirming the claim - as under a final decree -

It is therefore on motion of the said District Attorney, the said appellants by attorney Constantino Mendez, ordered and decreed by the Court that the said appeal be & the same is hereby dismissed, & that the said Executors, have come to proceed under said decree of said Commission, as under a final decree.

James M. Quinn  
W. S. Smith, Judge  
for the S. Dist. of Cal.



175

Order Dismiss 9 appub

re

Filed July 28<sup>th</sup> 1889

James  
C. B.

175 SD

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

The United States } Los Corralitas  
vs }  
Jose Amesto }

N<sup>o</sup> 175

175 SD

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Now comes the  
United States by J. R. Mitchell their  
attorney and represents to this  
Honorable Court, that the final survey  
made and approved by the United  
States Surveyor General, for the State  
of California for the above entitled  
cause is not made in conformity  
with the final decree in said  
cause - and that the United States  
will be injured thereby - And therefore  
moves the Court for an order on the  
said Surveyor General directing him  
to return said survey into this Court for  
its further action

J. R. Mitchell  
Attorney at Law



No 175

Wt District Court

The United States

vs  
Jose Amesto

Motion for Return of  
Survey

Filed in Office  
this 15<sup>th</sup> March 1860

C. J. M. C. R.

175 SD

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

*The United States*

*vs*

*Case Amisti*

No. *175-*

*"Las Comalatas"*

*175 SD*

PAGE *82*

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

*States* on application of *E. K. Gitchell U.S. District Attorney*

it is ordered that the said Surveyor General return to this Court *for return* the plat of said survey, and that the *United States*

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

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

I, C. Sims, Clerk of the United States District Court for the Southern District of California, do hereby certify that the above and foregoing is a full true and correct copy of the original order, made and entered on the *15<sup>th</sup>* day of *March*, 1860, in said case, No. *175-* on the docket of said Court, wherein *Case Amisti* claimant against the United States, as appears of record in my office.

In witness whereof I herewith <sup>*with*</sup> set my hand and affix the seal of said Court this the *15<sup>th</sup>* day of *March*, 1860.

*C. Sims* Clerk.

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

THE PRESIDENT OF THE UNITED STATES,

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

You are hereby notified that the United States District Court, for the Southern District of California, at the *December* Term of said Court, 1860, in case No. *175-* on the docket of said Court, wherein *Case Amisti* claimant against the United States, made and caused to be entered an order, of which the above and foregoing is a certified copy herewith transmitted to you for your information, and you are hereby required to take notice of the same.

Witness the Hon. ISAAC S. K. OGIER, Judge of the United States District Court, for the Southern District of California, this the *15<sup>th</sup>* day of *March*, 1860.

Attest my hand and the seal of said Court the day and year last above written *C. Sims*, Clerk.



I Sewed a copy of the within Personally on J. W.  
Maudeville U. S. Surveyor General for California,  
in the City of San Francisco on the 25th day of March  
A. D. 1850

James Dennis  
U. S. Marshall  
W. A. M. Buchanan  
U. S. Marshall

Apr 195-

W. A. M. Buchanan

W. A. M. Buchanan

W. A. M. Buchanan

W. A. M. Buchanan

W. A. M. Buchanan

W. A. M. Buchanan

W. A. M. Buchanan



Jose Amesti

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vs. { United States district Court  
for the Southern dist. of Cal.  
Case No. 175.

The United States

Charles Morse

being sworn, states for the benefit of himself, John Humes, George Jenkins & others & also the children & heirs of Phillipe Hernandez deceased, the following facts, & claims for himself & them the right to intervene against a survey made in the above intitled cause because he says they will be greatly injured thereby, unless they are so allowed & therefore they pray the same may be annulled.

This affiant states that he is informed & believes there was a grant made by the government of Mexico to one Phillipe Hernandez that he died many years ago & left children as his only heirs & that these children have procured the said grant to their father to be confirmed to to them. in this court being case No. 293. to all of the papers, proofs,



orders & decrees of which, this affiant refers, as part of this affidavit & he states he is informed & believes the grant to Hernandez is older than the one to the said Amesti & this affiant states he with the said Haines, & Jenkins & others, have purchased interests from some of the children & heirs of the said Hernandez in the said tract so granted to him.

This affiant further says he is informed & believes the same to be true that the said Amesti his heirs or devisees have procured a survey to be made by the Surveyor General of California & who has approved the same in the above intitled cause & which survey takes in & covers the whole tract granted to the said Hernandez & also on all sides, takes in more land.

This affiant says the grant to the said Hernandez has been fully confirmed by this Court several years ago & that he



is informed & believes the United States have not taken an appeal in the said case to the supreme court of the United States & he charges the confirmation is final but no survey of the same had yet been made by the surveyor general of California & therefore this affiant cannot be more particular in pointing out the lines of the survey of the said Arnesti claim to which he & the others object; he prays a survey may be ordered by this court, ~~thereof~~ & whatsoever else is just & proper in the premises

Sworn to & subscribed  
before me this 4<sup>th</sup> day  
of October A.D. 1860

Charles M. [unclear]

Geo B Williams

U. S. Court

Dist. of Cal.



I R. Gilchell  
U.S. Dist Atto for Southern Dist. of  
Calif

attorney for the claimants  
in the above case.

Gentlemen take notice that the  
within exceptions have been  
filed in the within intitled  
cause & that the hearing thereof will  
be brought on before the Court in  
thirty days after the service of this  
as soon as counsel can be heard  
John Wilson for exceptions

No 175

Jose Amesti

vs

The United States

Filed Oct 10<sup>th</sup> 1860

Chms  
and

175SD

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STATE OF CALIFORNIA, County of LOS ANGELES—Ss

HENRY HAMILTON, being duly sworn, says that he is Publisher of the "LOS ANGELES STAR," a Newspaper printed and published in the aforesaid County, and that a Notice, of which the annexed is a copy, was published in said paper once a week, for *three* successive weeks.

The first insertion was on the *3<sup>d</sup> November* and the last on *17<sup>th</sup> November 1860*

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*H. Hamilton*

Subscribed and sworn before me, on this *10<sup>th</sup>* day of *December* A.D. 18*60*

District Court of the United States, Southern District of California.

The United States vs. José Amesti.—No 175—Los Corralitos.

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

Los Angeles, November 2, 1860.

nov 3 3

C. SIMS,

Clerk of U S. Dist. Court, Southern Dist. of Cal.

*Wm J. Keumark*  
Notary Public  
COUNTY CLERK



No 175

U S Dub South  
South Dub of Cala

For Account

United States

Field No 870

J. Sims etc

J. S. White etc

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COFFEE SALON



United States

vs

Jose Amador

} N<sup>o</sup> 175 - In the  
U. S. Dist. Court  
for the Southern  
District of California

175SD

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For the place called "Las Corralitas"

And now comes the claimant herein & moves the court that on order directing the entire plot of the survey approved by the Honorable W. Marshall U. S. Surveyor General for the Subj. area & filed herein on 13<sup>th</sup> June 1860 in obedience to the order of this Court of date 15<sup>th</sup> March 1860 directing him to return the same to this Court he returned to the said Surveyor General together with a notification that the same were approved by this Court as the final survey thereof in  
Assent  
Atty for Claimant



No 175

Wanted Slaves

by

Jose Amador

Motion to  
draw up order  
for survey of  
-----

Filed Dec 18, 1860

L. Sims clk

for John Whittaker

175SD

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In the U.S. District Court for the  
Southern District of California

United States } N<sup>o</sup> 175 for the place  
                  } called Los Corralitos  
Jose Amato }

175 SD

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In the above cause it appearing to the  
satisfaction of the Court, that the final Survey  
of the tract of Land Claimed herein, had  
been made, and approved by James H.  
Mauderly, U. S. Surveyor General of California,  
and that a certified Copy of said  
approved Survey had been filed in this  
Court on the 13<sup>th</sup> day of June A.D. 1860, by the  
said Surveyor General of California, in  
pursuance to the Order of this Court.

And it appearing further to the satisfac-  
tion of the Court, that all the publications  
required by the Rules of this Court and  
by the Act of Congress relative to ap-  
proved Surveys in California, approved  
24<sup>th</sup> June 1860, had been duly made and  
published, and it being further ~~known~~<sup>known</sup>  
to the Court, that no exceptions of the party  
applying for the return of the said Survey  
or by any other person, intervisor, or party  
whatsoever, has been filed in this Court, <sup>or</sup> objecting  
to the said Survey returned by the said  
Surveyor General, and the default of all  
parties being duly entered in this Court,



Whereupon ~~order~~ <sup>on</sup> motion of the Counsel for Claimants  
= auto

It is Ordered, adjudged, and decreed, that the final Survey returned into this Court, a certified Plat ordered was filed in this Court on the 13<sup>th</sup> day of June 1856, be deemed assented to, by all parties in interest, and the said final Survey stand approved by this Court, as made in conformity with the final decree herein.

And it is further Ordered, that the said certified Plat of final Survey filed as aforesaid be removed from the files of this Court, and be returned to said Surveyor General with a copy of this Order.

This done and signed in Open Court this  
day of November 1856

13<sup>th</sup> day of December 1856

James M. Quinn  
J. S. Davis  
for the S. O. of Cal.



No 175  
United States

Jose Amante

Order Dismissing

Filed Dec 18, 1860  
J. Smith  
J. John Whulakley

175 SD

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State of California  
Monterey County Probate Court

175 SD

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The last Will and Testament of  
Jose de Arnesto deceased a copy  
of which is hereto annexed  
having been proven and recorded  
in the Probate Court of the said  
County of Monterey, Prudencia  
Ballis de Arnesto (widow of the  
deceased) who is named therein  
is hereby appointed Executrix  
and Ascencio Mendia and  
Francisco Arana whom are  
named therein are hereby  
appointed executors of said  
Estate. Will and Testament  
Witness J. H. Gleason Clerk  
of the Probate Court of  
Monterey County with  
the seal of the Court  
affixed this the 13<sup>th</sup> day  
of August A. D. 1855

By order of the Court  
J. H. Gleason  
Probate Clerk  
Monterey County





Probate Court  
Monterey County

August 13. 1855

Estate of Jose de Arnesto decd

On the hearing of the

Probate of the will of decd

Testimony of witness Mariano Malarin  
being duly sworn deposed and said

Q — What is your name, age and place of residence

A — 28 years of age and residence Monterey  
County and name Mariano Malarin,

Q — State whether or not you was ac-  
quainted with Jose de Arnesto, if so  
state whether or not he is still living  
and if not when and where he died.

A — I was acquainted with Jose de  
Arnesto and he died at the Arroyo  
Seco in the County of Monterey  
about thirty days ago, more or less

Q — What was his age?

A — About sixty nine years.

Q — Look on document now shown to  
you marked A and purporting to be  
the Testament and last will of  
deceased and say whether or not  
you have seen it before if you have  
when and where

A — Have seen it before on the 12<sup>th</sup> day of  
June A.D. 1854 at the house of the



deceased in Monterey, and the same was presented to witness by the deceased. Knows that it is the same document because he witness saw the deceased sign his name at the bottom of the same will, and witness at the same time signed his name thereto to the certificate at the request of deceased.

Q - State who else was present at the signing of the will at that time,

A - David Spence, and Manuel Dias was present and they each subscribed their names to the will in my presence. And the same was signed by each in the presence of each other and at the request of deceased, each subscribed as subscribing witnesses to the will.

Q - State whether or not your signature to the will as a witness is genuine.

A - It is.

Q - What was the mental condition of the deceased at the time he signed the will.

A - It was good and that he knew what he was doing.



Q - State whether or not he was under any bodily restraint at that time

A - Saw no restraint and that the deceased declared to witness that he had done it voluntarily and also declared the document to be his last will and Testament.

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Mariano Mariani  
Subscribed and sworn to before me this 13<sup>th</sup> day of August A.D. 1855. the same having been read over to the witness before signing.

J. H. Gleason  
Clerk of the Probate Court  
Monterey County

Probate Court,  
Monterey County, } August 13, 1855  
Estate of Jose de Arnesto de S.,  
In the matter of the hearing  
of the Probate of the will of deceased  
Testimony of David Spence who being  
duly sworn deposes and saith,

Q - What is your name, age and place of residence,

A - David Spence name, age 36, and reside in Monterey, in Monterey County

Q - State whether or not you was acquainted



with Jose de Amesti, if you state whether or not he is still living and if not when and where he died

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PAGE 109

A - I was acquainted with him, and I was informed that or or about the 22<sup>d</sup> of July last he died at the Arroyo Seco, in the County of Monterey

Q - What was his age

A - I think he was nearly seventy years of age, and know that he was a resident of Monterey County at the time of his death

Q - Look on document now shown to you marked A and purporting to be the last will and Testament of deceased and say whether or not you have seen it before if so when & where

A - I have seen it before. I saw it on the day he signed it and accused asked witnesses to sign it as a witness, and I did so, and in the presence of Manuel Dias, Mariano Malvarin, and the deceased, and they also signed the same at that time as witnesses thereto in my presence and in the presence of deceased.

Q - State whether or not the deceased at the time of signing the will was of



sound mind and under any bodily restraint.

Q - He was of sound mind, and not under any bodily restraint, and he declared that he done it voluntarily, and my signature to the bottom of the certificate is genuine, and that the certificate over the signature of the witness was attached to the will at the time of its execution,

Q - Who is the nearest family relation to the deceased in California surviving?

A - His wife Prudenciana Vallejo de Anesti, Carmen, & Mariquita, & Saledonia three daughters of deceased and Tomasa an adopted daughter,

David Spence

Sworn to and subscribed before me this 13<sup>th</sup> day of August A.D. 1855, and the same was read over to the witness before signing.

J. H. Gleason

Clerk of the Probate Court  
Monterey County

Probate Court of  
Monterey County 3 August 13, 1855  
Estate of Jose de Anesti dec'd



In the matter of the hearing of  
the Probate of the will of deceased  
Testimony of Manuel Dias, who  
being duly sworn deposes and saith

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Q — What is your name, age, and place of residence?

A — My name is Manuel Dias, age 43 and reside in the County of Monterey,

Q — State whether or not you was acquainted with Jose de Arnesti, if you state whether or not he is still living and if not when and where he died

A — I was acquainted with him, and know that he died at the Arroyo Seco in the County of Monterey on the 22<sup>d</sup> day of last month

Q — Look on document now shown to you marked A and purporting to be the last will and testament of deceased and say whether or not you have seen it before, if so when and where, and under what circumstances?

A — I saw it in the month of June of last year in the house of Jose de Arnesti at the time that he Arnesti signed it, and that Jose Arnesti then asked witness to sign his



name thereto as a witness. I do so in the presence of Mariano Malanin and David Spence and the deceased, and that the deceased then at the same time of signing the will placed his seal thereto.

Q - State whether or not the deceased at the time of signing the will was of sound mind and under any bodily restraint

A - He was of sound mind, and not under any bodily restraint, and the deceased declared to witnesses that he had executed the same voluntarily.

— Maul Dias sworn to & subscribed before me this 13<sup>th</sup> day of August A.D. 1855 and the same was interpreted to witnesses by David Spence (who was duly sworn) before signing.

J. H. Pearson  
Clerk of the Probate Court  
Monterey County.



Copia

En el nombre de Dios todo Poderoso uno en  
 esencia y trino en Persona.

Yo José de Amesti natural de la Ciudad de San  
 Sebastian Provincia de Guipuzcoa en España, y vecino del Conda-  
 do y Ciudad de Monterrey Estado de California, Hijo legítimo  
 y de legítimo Matrimonio de Don Juan José de Amesti y de  
 D<sup>a</sup> María Cruz de Arguendi, ambos naturales que fueron de la mis-  
 ma Provincia de San Sebastian, la Madre vive, y el Padre ya Difunto,  
 hallandome por la gracia de Dios algo enfermo, pero en mi entero juicio  
 y verbal memoria creyendo como creo firmemente todos los Misterios  
 de nuestra Santa fe Católica, en cuya fe y creencia creo y protesto vivir  
 y morir; pero para cortar cualquiera interpretación en caso de una muerte  
 repentina hago y otorgo, y ordeno esta mi última voluntad, y testamento  
 en la forma siguiente

Primero = Encomiendo mi alma á Dios que la crió de la nada,  
 y mi cuerpo á la tierra de que fue formado

Segundo = Despues de mi muerte se me mandará decir una Misa de  
 Cuerpo presente si las circunstancias lo permiten.

Tercero = Declaro que soy casado y velado con Doña Pudenciana  
 Vallejo, y hemos procreado y tenemos tres hijas Carmen, Mariquita,  
 y Celedonia, y una adoptada que llama Tomasita Madariaga.

Cuarto = Reconozco por mis bienes un Rancho situado en el Condado  
 de Santa Cruz conocido por el nombre de los Corralitos que contiene  
 Cuatro sitios de Ganado Mayor, Dos mil trescientas reses pocas mas,  
 ó menos, en el Rancho de la Torca, en poder y bajo el cuidado de Don  
 José Laguna segun consta por un contrato que existe entre ambos  
 con fha 31 de Agosto de 1853, Ciento y cinco de Caballos y Seguas,  
 las casas, y corrales que haya en el Rancho de los Corralitos, y la  
 casa y solar en mi habitacion de Monterrey.

Quinto = Declaro, y es mi última voluntad que mi referida Esposa y  
 mis Cuatro Hijas sean mis unicas, y universales herederas, y que mi Es-  
 -posa será Dueña y gozará de la mitad de todos mis mencionados bienes,  
 y la otra mitad será dividida por iguales partes entre mis dichas hijas Carmen  
 Mariquita, Celedonia, y Tomasita.



Esto = Nombre por mis Albaceas á mi esposa Pudenciana Vallejo, Ascensio Mendia, y Francisco Arano (in solidum) y luego que me muera, ellos tomarán posesion de todos mis bienes conocidos, y pueden vender la parte necesaria para gastos de médicos, de funeral, ó cualquier otra deuda, ó asunto legal y necesario sin tener que pedir permiso de la Corte de Probate para hacerlo, ni rendir cuenta á dicha corte. Concluido el pago de todos los compromisos, ó deudas entonces harán las reparticiones como correspondan á cada uno de mis herederos.

El juez de Probate se servirá admitir esta mi ultima voluntad y testamento á Probate, y mandar extender Cartas de administracion á mis dichos albaceas sin escujiles ninguna clase de fianzas, pues tengo toda mi confianza en ellos.

Por ultimo = A mis hijas las recomiendo á su pobre Madre no solamente en cuidar á su Persona, pero tambien hacer cuanto puedan para el aumento de sus intereses, y si hacen asi tendrian la bendicion de Dios como ya tienen la mia. Firmado por mi en la Ciudad de Monterey Estado de California hoy 12 de Junio de 1854.

José de Arnesti

Nosotros los abajo firmados ciudadanos de los Estados Unidos y residentes del Condado y Ciudad de Monterey; certificamos, que la firma anexa á este documento de José de Arnesti fue hecha en nuestra presencia cuando dicho Señor estaba en su entero juicio, y declaró que contenia su ultima voluntad y testamento.

Mariano Malarin

W Spence

Manuel Diaz.

State of California  
County of Monterey

I James H. Gleason clerk  
of the Probate Court in and for the  
County and State aforesaid do hereby



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Certify the foregoing to be a true  
full and correct copy of the  
last Will and Testament of  
Jose de Arnesto deceased  
proven and recorded in said  
Court on the 13<sup>th</sup> day of August  
A.D. 1855

Witness my hand and  
the Seal of said Court  
affixed this 15<sup>th</sup> day of  
August, A.D. 1855

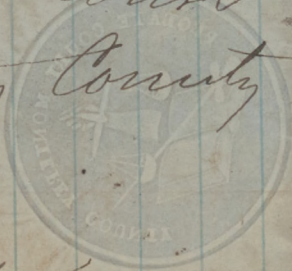
J. H. Gleason  
Clerk of the  
Probate Court  
Monterey County





175

Probate Court  
Monterey County



Estate of  
Jose de Anzures

Appointment of  
Executors  
& Copy of  
Will

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It is not necessary to derive  
Mr. G. under your view of  
the rules you need not do it.

C. Sims esq.

San Francisco.

4<sup>th</sup> Octr 1860.

175 SD

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Sir. Inclosed herewith please  
find exceptions to the Amnesti  
Survey. - case 175. I am unable  
to ascertain by the late rules  
exactly when I ought in this  
case file them, or whether I  
am compelled to file any as  
I have done so before. I send  
them however - Rule 5<sup>th</sup> it seems  
to me does not cover this case  
as the survey has been long since  
returned. The order of the 20<sup>th</sup> of  
August last, ~~seems~~ to cover it.  
As to your duty but does not  
define the duty of any body else  
under the circumstances of this  
case. as the Rule & practice is new  
under it, I suppose the Judge as  
he usually is in such cases will



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PAGE 118

be liberal - please file these excepting  
if our friend J. R. Gitchel desires  
it, give him a copy & charge the  
same & the rest of the cost to  
me & I will see you paid.  
I should like a line from you  
making such answers to my  
doubts as above expressed &  
do not forget to say who is the  
attn of Record to the Amesti  
case. If it is any one there  
give him a copy also - I have  
supposed it was Mr. Stow &  
so I will serve him myself.  
give me a little news as to  
the practice of these rules  
of & and any other matter  
or thing that is most interesting  
or amusing & oblige really  
that young American head, on  
shoulders of '71. who is a Bell  
& Everett man up to the hubble  
but intends as he is in & of Cal  
to vote for Douglass the next  
best Union man of the lot who  
aspires to the Presidency. Yours truly  
John Wilson



California Land Claim.  
Attorney General's Office  
14 Nov. 1856.

175 SD  
PAGE 119

Mr.

In the case of the claim of José  
Amesti, confirmed to the claimant by  
the Commissioners, case no. one hundred  
and seventy-four (174), appeal will not be  
prosecuted by the United States.

I am

Respectfully

Clint

Pacificus Ord Esq  
U.S. Attorney  
Los Angeles.