CASE NO.
198

SOUTHERN DISTRICT

CANADA DE LA CARPENTERIA GRANT

JOAQUIN SOTO

CLAIMANT

LAND CASE 198 SD pgs. 55

MAR 11 1963

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 651

Joaquin Soto CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Cañada de la Carpintería"

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Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this Twenty eighth day of February Anno Domini One Thousand Eight Hundred and Fifty-three, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of Joaquin Soto, for the Place named "Cañada de la Carpentria," was presented, and ordered to be filed and docketed with No. 650, 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 26 1853.

In Case No. 650, Joaquin Soto for the place named "Cañada de la Carpenteria," the deposition of Antonio Maria Pico, a witness in behalf of the Claimant, taken before Commissioner Leland Hale, was filed;

(Vide page 5 of this Transcript.)

San Francisco Aug. 15th 1853.

In the same Case the deposition of Antonio Mª Pico a witness in behalf of the Claimant, taken before Commissioner Alpheus Beck, with document marked No. 1 A.F. annexed thereto was filed;

(Vide page 7 of this Transcript.)

San Francisco May 9 1854.

Case No. 650 was called; on motion of the Counsel for the Claimant, was ordered to be placed at the foot of the Calender of the 1st Class Cases on the Trial Docket.

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San Francisco June 27' 1854.

In the same case the deposition of Antonio Maria Pico, a witness in behalf of the Claimant, taken before Commissioner Peter Lott, was filed:

(Vide page 5 of this Transcript.)

San Francisco Aug. 4' 1854.

Case No. 650 was submitted without argument.

San Francisco Aug. 15' 1854.

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

(Vide page 43 of this Transcript.)

San Francisco Aug. 29' 1854.

In the same case, on motion of the U. S. Land Agent, the following order was made, to wit:

(Vide page 44 of this Transcript.)

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Petition

To the Hon. Board of U. S Land Commissioners appointed to settle private Land claims in California
The petition of Joaquin Solo respectfully represents
That on or about the 25th day of September A.D. 1835 Jose Castro Governor ad interim of California in the name of the Mexican Nation by virtue of authority in him vested, the various laws of Mexico then in force the laws usages and customs of the Country authorizing grants of Land in California, granted in full property to your petitioner the Lands and Rancho known by the name of Canada de la Carpentaria containing about One leagues of land, and more particularly mentioned and described in the papers and maps relating to said grant of land said papers hereafter to be produced and proved before your Hon. Board

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And your petitioner further shows that he is informed & believes said grant was duly approved by the Departmental assembly of California the evidence of which your petitioner expects to show from the Archives now in custody of the U. S Surveyor Genl. for California and as soon as the same can be procured and translated, your petitioner prays leave to file in part of this petition —
And your petitioner further shows that he was placed in Juridical possession of said Lands and Rancho by the proper Officer having jurisdiction of such subject matters
And your petitioner further shows that ever since the date of said grant up to the present time he has been in the peaceable and quiet possession of said Land & Rancho cultivating some portions of the same and occupying it with his stock
And your petitioner further shows that Copies of the Original papers and maps in his possession with a translation of the same will be filed as part of this petition so soon as the same can be prepared. and the Originals produced and proved before your Hon'l Board
There is no conflicting claim known to your petitioner and said Lands have not been surveyed by the U. S Surveyor General for California the evidence upon which your petitioner relies in support of this claim consists of the records of the same in the Archives now in custody of the U. S Surveyor Genl of California Original papers & maps in the possession of your petitioner to be produced and proved before your Hon'l. Board — And the testimony of witnesses to be produced before your Hon'l Board —

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All of which your petitioner respectfully submits for such action as the justice and nature of the claim may require

E. O. Crosby
of Counsel

Filed in Office Feby 28/53
Geo. Fisher
Secy

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Deposition of A. M. Pico

San Francisco March 26. 1853

On this day before Wm Hall came Antonio Ma. Pico a witness in behalf of the claimant Joaquin Soto and was duly sworn his evidence being interpreted by the Secretary —

The U. S. Law agent was present

In answer to inquiries by Counsel for the claimant the witness testified as follows

My name is Antonio Ma. Pico My age is forty four years and I reside at San Jose —

I know a tract of land called Cañada de la Carpintería. It is situated about three leagues in a North Western direction from the Mission of San Juan Bautista It is on the Monterey side of the Pajaro river

Joaquin Soto had peaceable possession given him of the land soon after it was granted. I have seen the papers relating to such possession. He immediately occupied it with cattle and horses, and by cultivating the land. He had a house on the land in which he lived & he & his family have continued living on the land, and thus occupying it to the present time. He died some three or four years ago and his family have resided on the land since his decease

Antonio Ma Pico

Sworn & subscribed before me

Wm Hall Com —

Filed in Office March 26th 1853

Geo. Fisher Secy

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Deposition of A. M. Pico

United States of America. State of California

San Francisco. June 27. 1854

This day personally came before me Peter Tait a Commissioner for taking testimony to be used before the Board of U. S Land Commissioners in said State Antonio Maria Pico a witness on behalf of the claimant Joaquin Soto, in Case No. 650 - On the Docket of said Board, and said witness being duly sworn & examined in Spanish which was interpreted into English by the interpreter of said Board as follows to wit;

The U. S Associate Agent is present

Questions by claimants Counsel

1. st Question. What is your name age and residence

Answer. My name is Antonio Maria Pico my age 45 years my residence Santa Clara County California —

2d Question. Do you know the wife and children of the late Joaquin Soto, if you state their names and where

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they now reside

Answer. I know them, the widow's name is Juana Bustin de Solo - I know the family very well - I know the Children Joaquin Solo, Melesio Solo, Antonio Solo, Barba Solo, Dona Solo, Adelaida Solo, Maria Solo, Maria Ignacia Solo, Salvadora Solo, Pilar Solo, and an infant not named. The children all live with their Mother on the Rancho of Guadalupe de la Carpintera, in Monterey County where they have always lived

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Cross examined by the U. S. Associate Law. Agent

1st Question. When did you first know the family of which you have spoken?

Answer. I have known Joaquin Solo about 30 years and have been acquainted with the family all the time -

2d Question. What has been the character of your intercourse with them since you first knew them?

Answer. I was always upon intimate terms with them have frequently visited the house, and slept all night as I would be passing. The deceased Joaquin Solo was an uncle of mine, he died a short time before the Americans took possession of the country tho I am not certain as to the time

Antonio Ma. Pico

Subscribed and Sworn to
before me on this 27th day of June A.D. 1854
Peter Soule. Commissioner
for taking testimony &c

Filed in Office June 27. 1854

Geo. Fisher
Secy

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Deposition of A. M. Pico

Office of the Commissioners of California Land claim
San Francisco Aug. 13. 1853
This day before Com Alpheus Felch one of the Commissioners to ascertain and settle private Land claims in California came Antonio Maria Pico a witness in behalf of claimant Joaquin Soto Case No 650 and after being duly sworn deposes as follows
Question by Mr Crosby Attorney for claimant
Question. What are your name age & place of residence
Answer. My name is Antonio Maria Pico, my age forty three and I reside at San Jose Santa Clara County in the State of California
2d Question. Look on the paper here presented marked Exhibit No. 1 with the initials "A F" purporting to be a title from, Jose Castro to Joaquin Soto to a tract of land called "Canada de la Carpintera" with the Map and act of Judicial possession of the said land, which documents are hereto ~~annexed~~ attached, and say which of any of the signatures thereunto attached, you recognize as genuine
Answer. I have examined the paper and recognize the signatures thereto of Jose Castro, Francisco de Castro Miguel Juan Miguel Angel Jose Maria Castanares, Jose Rafael Gonzales, Inocente Garcia, and Juan Machado I know all said individuals, and am acquainted with their hand writing. The signatures appearing in said documents are their true and genuine signatures
3d Question. Do you know the land described in these papers? If you where is it situated and how occupied and improved
Answer. I know the land perfectly well. It lies about a league north west of San Juan Bautista. It has been occupied by the claimant Joaquin Soto ever since he obtained the grant of it. He has been on the land, and tilled it and kept cattle on it ever since that time. He built a house on the land of Adobes as soon as the grant was made, with corrals and gardens. He put on cattle and kept the Rancho always in good condition
Antonio Ma. Pico
Mr Greenhow Assistant Sur. Genl was present at the taking of this deposition but declined to interrogate the witness. The testimony was given in the Spanish language. Mr Greenhow by consent of parties acting as interpreter.

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Subscribed and sworn to before me at San Francisco
this thirteenth day of August A.D. 1853

Alpheus Felch

Questions by Mr Greenhow Assistant Surv Genl

Question. Is the land within ten leagues of the sea

Answer. I think it is about Eight leagues from the sea

Filed in Office Aug. 13. 1853

Geo. Fisher
Secy

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Espediente del Ciudadano
Joaqn. Soto. Cañada
de la
"Carpinteria"

Dello primero seis pesos: Habilitado provisionalmente por la administracion de la Aduana maritima de Monterey de la Alta California para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco.

Figueroa A. Ramirez.

José Castro primer vocal de la C. Diputacion Territorial i Lefe L. politico interino de la Alta California.

Por cuanto Joaquin Soto Mexicano p.r nacimiento ha pretendido p.a su beneficio personal i el de su familia el terreno conocido con el nombre de Cañada de la carpintera cuyos linderos son los del C.no David Littlejohn i los demas q.e espresa el diseño: practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto p.r leyes i reglamentos usando de las facultades que me son conferidas i en conformidad con lo dispuesto p.r la C. Diputacion Territorial en decreto de Veinte i siete de Agosto de este año aprovando la concesion del terreno cañada de la carpinteria al C.no Joaquin Soto he venido en conferirle à Nombre de la Nacion Mexicana el terreno mencionado declarandole à la propiedad de el p.r las presentas le hago sugeto à las condiciones siguientes.

1.a Que se someterà à las q.e estableciere el reglamento q.e se ha de formar p.a la distribucion de terrenos baldios i q.e entre tanto ni el agraciado ni sus herederos podràn dividir ni enagenar el q.e se les adjudica imponer sensos vinculo fianza ipoteca ni otro gravamen aunque sea p.r causa piadosa ni pasarlo à manos muertas

2.a Podrà cercarlo sin perjudicar las travesias caminos i servidumbres, lo disfrutarà libre y

esclusivamente destinandolo al uso ò cultivo q.e mas le acomode; p.a dentro de un año à lo mas fabricarà casa y estara cerrada. 3.a Solicitara del juez respectivo q.e le de posecion juridica en virtud de este Despacho p.a el cual se demarcaran los linderos en cuyos limites pondran à mas de las mohoneras algunos arboles frutales ò silvestres de alguna utilidad. 4.a El terreno de q.e se hace mencion es de una legua de sud-Este à Nor-oeste, i seiscientos varas de Nor-deste à sud-este q.e todo equivale à poca menos de medio sitios de ganado mayor segun Dros 20 p.s) espuesto el diseño q.e corre en el espediente. El juez q.e diere la posecion lo hara mediante conforme à Ordenanza p.a señalar los linderos quedando el sobrante q.e resulte à favor de la Nacion p.a los usos convenientes. 5.a Si contravniere à estas condiciones perderà su derecho al terreno i sera denunciable p.r otro. En consecuencia mando q.e sirviendole de titulo el presente i teniendose p.r firme y valedero se tome razon de el en el libro q.e corresponde y se entregue al interesado p.a su resguardo i demas fines. Dado en Monterrey à veinte i cinco de Sbre de mil ocho cientos treinta y cinco.

José Castro

Fran.co del Castillo Negrete. Secrio.

Queda tomada razon de este despacho à fojas setenta y tres señalado con el No. setenta i uno del libro respectivo, en la secretaria de mi cargo. Monterey Setiembre 25 de 1835.

Dros 10 p.s). Castillo.

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Here follows map

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Sello tercero Dos Reales: Habilitado provisionalmte por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco.

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Castro.

Angel Ramorez
Sn. Alcalde constitucional.

Joaquin Soto, Ciudo. Mexicano: Dice. Que habiendo obtenido la concesion propia del Terreno conocido con el Nombre de Cañada de la Carpinteria, Ocurre à V. para qe. se sirba darle la posecion juridica conforme esta prebenido en el Artlo. 3o. del titulo de dho terreno qe. se me espidio con fha 25 de Dbre. pdo. y devidamte acompaño igualmte. la conformacion respectiba y desolucion de estos documtos. p.a los usos qe. me conbengan. Por tanto A. V. suplico se sirba ponerme en la posecion que solicito en lo qe. recibiria merced y justicia

Monterey Octbre. 20 de 1835.

A Ruego del interesado por no saber firmar
Juan Mig.l Anzar.

Monterey Octbre. 20 de 1835.

Por presentado y admitido procedan à dar la posecion que se solicita à cuyo efecto se señala el dia Veinte y nueve en el que se citen à los colindantes p.a dho dia y nombres se prebiamente medidores y contadores à quienes se les harà saber p.a su aceptacion y Juramento. Asi y el Ciudo. Josè Rafael Gonzales lo decretè firmè y mandè con los de mi asoa. del mañana tachado no vale | veinte y nueve vale.

Josè Rafael Gonzales.

Josè Maria Castañares. Juan Mig.l Anzar asoa.

Derechos 28 $ / En la fha presente el C. Joaquin Soto se le notifico el auto que antecede dijo

lo oyc y que se da por citado, no firmando por
que dyo no saver lo hice yo con los de asistc.
segun dro. Gonzales
M. Juan Mig.l Anzar Dc asto # Inocente Garcia. Dc asto
Sello Tercero Dos Reales: Habilitado provisional
mte. por la Administracion de la Aduana Ma
=ritima de Monterey de la Alta California,
para los años de mil ochocientos treinta y cua
tro y mil ochocientos treinta y cinco.
Castro. Angel Ramirez
En la misma fha. se libraron las voletas de
comparendo en cumplimto. de lo mandado
en el antecedente auto para la citacion de los
colindantes y para constancia lo anoto y ru
R. brico
En el Rancho nombrado Cañada
de la Carpinteria à los Veinte y ocho dias del
mes de Octubre de mil ochocientos treinta y cin
co, yo el Alcalde 2.º constitucional de la Capi
tal del territorio. notifiquè à los Colindantes
David Littlejohn, y Juan Miguel Anzar q.e
se hallan presentes el auto anterior y enten=
didos lo firmaron con migo y los de asista: no
asistiendo el colindante C. Joaquin Gomes
J. Juan Rafael Gonzales
Como colindante. Juan Miguel Anzar
Juan Miguel Anzar Dc asto # Inocente Garcia Dc asto
En el mismo Rancho dia, mes y año yo el re=
ferido Alcalde en cumplimiento del auto de
20 del corriente presente los citados colindan
tes, para la midicion señalamto. de linderos
y posecion judicial, nombrè por medidores
à los ciudad.os Canuto Borondo y Antonio Lo=
mas quienes previa la aceptacion y juramento
procederon al desempeño de su encargo. Asi
yo el nominado Alcalde lo decretè y formè

J. con los testigos de asoa.

De asoa Josè Rafael Gonzalez

Juan Mig.l Anzar # Inocente Garcia. De asoa

En la misma fha y en el espresado Rancho se les notifico su nombramto. à los C.C. Canuto Bo ronda y Ant.o Germano y dijeron q.e aceptaban y aceptaron dho encargo y juraron por Dios nro Sor y la señal de la Santa Cruz de cumplir fiel y legalmente à todo su leal saber y entender sin fraude contra persona alg.a y no firmaron p.r q.e dijeron no saber lo hizè yo el presente juez con los de asoa. Josè Rafael Gonzalez.

J

Juan Mig.l Anzar. De asoa # Inocente Garcia. De asoa

Sello tercero Dos Reales: Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California, para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco

Castro Angel Ramirez

Incontinente y o el referido Alcalde mandè traer à mi presencia el cordel con q.e han de medir las tierras y que los medidores lo midan de cincuenta v.s y en presencia de los colindantes lo tomaron dhos medidores y con una vara de medir usual mejicana teniendola en la mano midieron cincuenta v.s para hacer la referida medida y lo firmo con los de asoa

M. De asoa Gonzales. De asoa

Juan Mig.l Anzar # Inocente Garcia

En el mismo parage, dia mes y año siendo à las diez del dia, yo el primero Alcalde mandè à los medidores nombrados se pongan para las medidas de tierras q.e se han de hacer al C. Joaquin Soto en la casa de este. Se comenzo la medida des-de este punto teniendose el Cordel hasta la Loma en que se hallan

los linderos de David Littlejohn para el Norneste, dies y siete cordeles de à cincuenta varas desde esta parte al Este cien cordeles de la misma medida; para el Sur igual cantidad y de aqui para la misma casa donde se empezo la midicion ciento sesenta cordeles de las referidas cincuenta varas. El terreno q.e resulta medido es poco mas ò menos de medio sitio de Ganado mayor. En cuya constancia lo firmo con los de asistencia.

José Rafael Gonzales.

Juan Mig.l Anzar. De asse. Inocente Garcia. De asse.

En el Rancho, Cañada de la Carpinteria à los veinte y ocho dias del mes de Octubre de mil ocho cientos treinta y cinco; Yo el alcalde Constitucional de segunda nominacion en la municipalidad de Monterey despues de practicadas las medidas del mencionado Rancho conforme se demuestra en la antecedente midicion presentes los colindantes, David Littlejohn y Juan Miguel Anzar que fueron conformes con todo lo mas que ver convino, mandè entarse en posecion del Rancho el C. Joaquin Soto bajo las midi=das citadas y formalidades acostumbradas en casos semejantes lo que verifico arrancando yervas y haciendo demostraciones como dueño del terreno que se le ha dado en posecion y propiedad cuya validacion lo autorizo y firmo con los espresados colindantes y testigos de asistencia: no haciendolo el C. Sello Tercero Dos Reales: Habilitado provisionalm.te por la Administracion de la Aduana Maritima de Monterey de la Alta California, para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y

cinco.

Castro Angel Ramirez

Josè Joaquin Gomes. doy fee.

R. Entre renglones dotovale / todo tachado no vale

Juan Mig.l De Ansa Anzar. # Inocente De Ansa Garcia.

Como Colindante. Juan Mig.l Anzar

Monterrey Novieembre 7. de 1835.

Tomese razon en el libro de posesiones y devuelvase original este espediente al interesado para que le sirva de titulo. Asi yo el Alcalde 2.o lo

J determinè, mandè, y firmè con los de Ass.o

Josè Rafael Gonzales.

Juan Madariaga De Ansa # Inocente De Ansa Garcia.

En la misma fecha se tomo razon en la foja 1.a y 2 Vt.a del libro respectivo y se devolvio el espediente en fojas utiles en cumplimiento del antecedente auto y para constancia

R. lo anoto y rubrico.

Filed in Office Aug: 13th 1853.

Geo: Fisher Deery.

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Translation of Exhibit No 1 A. F. Dep

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Expediente of the Citizen Joaquin Soto
Canada de la Carpintera
José Castro First Member of the Excellent Territorial Deputation Senior Superior Political Chief ad interim of Upper California
(Stamps)
Whereas Joaquin Soto a Mexican by birth has claimed for his personal benefit and that of his family the land the Land known by the name of Canada de la Carpintera, the boundaries whereof are those of the Citizen Davis in Septem and those Others Expressed in the map after having previously taken the necessary action and made the necessary investigations according to the requirements of law and regulations, in Exercise of the powers vested in me and in Conformity with the provisions of the Excellent Territorial Deputation, in decree of 27th August this year, approving the grant of the land called Canada de la Carpintera to the Citizen Joaquin Soto - I have Concluded in the name of the Mexican Nation to vest in him the Mentioned land, declaring it his property by the present letters patent on the following Conditions
1st That he shall be subject to the Conditions which shall be established in the regulations to be formed for the distribution of vacant lands, and that in the meanwhile neither the grantee nor his heirs shall have the power to divide or alienate what hereby is conceded to them nor to subject it to rent under any mortgage or any other incumbrance though it be for a charitable purpose, nor to convert it into Mortmain
2d He may fence it without prejudice to the crossings roads and servitudes. He will enjoy it freely and Exclusively, appropriating it to the use a Cattle farm that best may suit him, but within a year at most, he will build a house to be established
3d He will solicit of the respective Judge to give him juridical possession in virtue of this document by whom the boundaries will be marked, on the Extremities of which besides the Land marks, he will put some fruit trees or wild ones of some utility
4th The Land mentioned is One Leagues from South West to North East and six hundred Varas from North East to South West, all which is Equivalent to a little less than a half a Square Leagues as is shown in the plot attached to the Expediente. The Judge who shall give the possession will cause it to be measured conformable to Ordinance

for making of boundaries, leaving the surplus that may result in favor of the Nation for convenient purposes 5th If he shall violate these conditions he will lose his right to the land, and may be denounced by some other party – Consequently I order that this passing serving him as a title deed, and being held as firm and valid it be entered in the Corresponding book and delivered to the interested party for his security and other purposes given in Monterey On the 25th day of October 1835 –

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Francisco del Castillo Negrete Jose Castro
Secretary

Fees $10.

This document has been entered on folio 73 marked with the number 71 of the respective book kept in the Secretary Office in my charge –

Fees $10 – Monterey September 25th 1835. 1835 Castillo
Sr Constitutional Alcalde

Joaquin Soto a Mexican citizen says: that having obtained a proper grant of the Land known by the name of Cana de la Carpintera, he supplicates you to be pleased to give him juridical possession conformable to the provision in the 3rd article in the Decree of said Land issued to me under date 25th of February last which I duly accompany, as well as the respective Confirmation and return of these documents for purposes to suit me – Therefore I pray you to be pleased to put me in the possession solicited, whereby I shall receive favor and justice Monterey October 20th 1835 – On request of the interested party who does not know how to sign.

Juan Miguel Anzar

Monterey October 20th 1835 –
This having been presented and admitted, let there be proceeded to the possession solicited to which effect I set aside the 29th day of this month – Let the bordering land owners be summoned for said day and measurers and Compeers previously appointed who will be made acquainted therewith for their acceptance and Oath. Thus decreed I the Citizen Jose Rafael Gonzalez decree sign and order with the Attesting Witnesses – The erasure of "Manana" is invalid and substituted by "recinto by record" –

Jose Rafael Gonzalez
Ass. Jose Maria Castanares Juan Miguel Anzar

Under the same date Joaquin Soto being present, he was notified of the foregoing decree, and having had an understanding thereof, he declared to have heard it and that he admits of service – Not subscribing because

Fees $28-

he said he did not know how I did do with the assistants — M Gonzales
Ass. Juan Miguel Anzar. Innocente Garcia
Under the same date, the summons ordered in the foregoing decree was given for the citation of the bordering land owners, and in obedience thereof I delivered my flourish (Flourish)
On the Rancho called Canada de la Carpentera on the 28th day of the month of October 1835 I the 2d constitutional Alcalde in the capital of the Territory, notified the bordering land owners Don Cayetano and Juan Miguel Anzar who were present, of the foregoing decree and having heard an understanding thereof, they signed with me and the assistants, the bordering land owner Joaquin Gomez not being present. Jose Rafael Gonzales
as. Bordering land-owner Juan Migl. Anzar
Ass. Juan Miguel Anzar. Innocente Garcia
On the same Rancho day month and year I the said Alcalde in compliance with the Decree of the 20th instant, the bordering land owners being summoned being present for the measurement, marking of boundaries and peaceful possession — I appointed as measurers the citizens Candido Brandon and Antonio German, who, after a previous acceptance and oath well proceed to the discharge of their office — Thus done I the appointed Alcalde dated and sign with the attending witnesses — José Rafael Gonzales
Ass. Juan Migl. Anzar Innocente Garcia
Under the same date and on the same Rancho the citizens Canito Brandon and Antonio German were notified of this appointment and they declared that they accepted and did accept said office and they swore by God Our Lord and the sign of the holy cross to fulfil it faithfully and legally to the best of their knowledge and understanding without favor against any person, and they did not sign because they said that they did not know how — I the present Judge did so with the witnesses. José Rafael Gonzales
Juan Miguel Anzar Inocente García
In continuance, I the said Alcalde, ordered the line where with the measurement of lands is to be made, to be brought to my presence, and that the measuring measure of forty varas and in presence of the bordering land owners — The said measurers took it and with a usual Mexican vara measure holding it in the hand

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they measured off fifty varas, so as to perform said measurement, and I signed with the attesting Witnesses Gonzalez
Ass. Juan Meguel Anzar Innocente Garcia
In the same place on the same day month and year at 10 o'clock in the morning I the said Alcalde Ordered the appointed measurers to place themselves for the measurement of the land to be made for the Joaquin Solo in his house
The measurement was commenced from this point stretching the line to the hill on which are the boundaries of David Selchin to the Northwest seven ten cordas of fifty varas - From this point to the East One hundred cordas of the same measure, to the South an Equal quantity, and from hence towards the same house, where the measurement was commenced One hundred and sixty cordas of the aforesaid fifty varas each. The land so measured is a little more or less than half a square league (Sitio de ganado Mayor) In Witness whereof I subscribe with the attesting Witnesses -
Jose Rafael Gonzales
Ass. Juan Meguel Anzar. Innocente Garcia
On the Rancho Canada de la Carpenteria on the 28th day of October 1835 I the Constitutional Alcalde of second nomination in the Municipality of Monterey after having performed the measurement of said Rancho as is set forth in the foregoing survey the bordering land owners David Selchin and Juan Meguel Anzar being present, with all that was expedient to have in view, have ordered Joaquin Solo, to enter into possession of the Rancho under the aforesaid measurements and the formalities customary in similar cases, which he carried into Effect by pulling up grass and making demonstrations as Owner of the land of which possession and ownership has been given, the validity of which I authenticate and I subscribe with the said bordering land owners and the attesting witnesses. Jose Joaquin Gomez not being present I attest it. The interlineation of "Solo" is valid, the obliteration not valid (Flourish)
Asst. Juan Meguel Anzar. Innocente Garcia
as bordering land owner Juan Meguel Anzar

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Monterey November 7th 1835.
Let it be entered in the Book of Posesiones and return this Expediente in Original to the interested party, that it may serve him as a title deed.
Thus did I the Dn Alcalde aforesaid, order and sign together with the attesting Witnesses
Jose Rafael Gonzales
Ass. Juan Mudarriaga – Innocente Garcia

Under the same date an Entry was made hereon folio 1st and 2d reverse in the respective book and the Expediente was returned consisting of ' full folios in Compliance with the foregoing decree and in Attestation thereof I subscribed my flourish

(Flourish)

Filed in Office

25-

1.S.D.12 Jurisdiccion de

Monterey — Año de 1884.

Espediente

Sobre el parage nombrado Cañada de la Carpinteria solicitado por el Cno.

Joaquin Soto.

21.

2. $. D. R. Sello Tercero Dos Reales: Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco.

Seguerra — Rafael Gonzalez

Sor Gefe Sup.r Politico

Monterey Julio 3. de 1834.

De conformidad con las leyes de la materia informe el Ilustre Ayuntamiento de esta Capital si el interesado en esta instancia obtiene los requisitos prevenidos para ser atendido en su solicitud: si el terreno que pretende esta comprendido en las 20 leguas limitofes ó diez litorales que espresa la ley de 18 de Agosto de 1824: si el de regadio tenoporal ó abrevadero si pertenece à la propiedad de algun particular, corporacion, mision ó Pueblo con todo lo demas que crea conducente à ilustrar la materia. El Sor Don Josè Seguerra general de Brigada comandante General Inspector y Gefe superior Politico del Territorio de la Alta California, asi lo mando decretó y firmo y que doy fee.

Josè Seguerra
Agustin V. Zamorana
Srio.

Joaquin Soto, de la Division de este Puerto ante V. S. en debida forma se presenta y espone: que haviendo solicitado de la superioridad de esta Gefatura Politica el 16 de Julio de 1831. como vera V. S. p.r el memorial adjunto de la misma fha la concesion de la Cañada de la Carpinteria y sus Aguages: y cumplido los tramites que creyo conviniente darle à esta solicitud dha Gefatura Politica; en efecto me fue concedida, mas haviendo sido provisionalmte: En tal Virtud y siendo el parage dho el mismo q.e ocupo aun con mis labores Bienes de Campo: y basa acogiendome à las leyes de Colonizacion y demas de la Materia: ocurro à la recta justicia de V. S. à fin de que en uso de sus facultades, se digne agraciarme con la propiedad del mencionado parage cuyo terreno, es el mismo que comprende el diseño que para el superior conocim.to de V. S. acompaño

Por Tanto. A. V. S. supli co prove-

Por. Santo. A. V. S. suplico prove

27 S.S.D.R segun juzgue de justicia en lo que recibirè gra
cia y pido lo necesario. Monterey Jun.º 28 de
1834.

Joaquin Soto

En sesion de este dia se acordo por el Y. Ayun
tamiento pase este espediente à la comision
de Colonizacion.
Monterey 9 de Julio de 1834.

José Aguilar V. Secretario

4. S.D.R Sello Quarto una Quartilla. Habilitado pro
vicionalmente por la Comisaria provicional
de la Alta California para el año de 1831.
Victoria

Bandini.

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Sor Lefe Dip.º Polit.º y Militar

Monterey Octb.º 3 de 1831. El R. P. Ministro de la Mision de S.º Juan Bautista se servirà informar acerca de lo que se pretende en esta solicitud
Victoria

Joaquin Soto vecino del Rancho de la Natividad de la pertenen
cia de los ciudadanos Manuel Buron y Nicolas Albisa ante V. S. con el respeto debido conforme haya lugar en derecho hace pre=
sente: que hallandose con el deseo de aumentar algunos bie
nes que tiene aunque en corta cantidad en el dia p.º falta de sitio en donde ponerlos y estando valdio sin ni
guno vecino y sin pertenecer à ning.º individuo
x y ojo de agua el sitio conocido con el nombre de Cañada de la Carpinteria en medio del Chamisal que co
=linda con la Mision de S. Juan distante tres leguas con los Ranchos del Pajaro cuatro à cinco leguas y con el de la Natividad otras tres leguas: ocurre à V. S. con el fin de que se digne p.º un efecto de su bondad y recta justificacion (tan conocida ya en estos havitantes) concederle dicho sitio en la intelligencia q.º aunque p.º ahora no metarà mas q.º dichos cortos bienes q.º con
sisten en treinta Cabezas de Ganado Bacuno una manada de Yeguas con el mismo num.º cinco Juntas de Bueyes aperados con Jugos Ara
dos, y carretas y tener tambien quinientos p.º en metallico p.ª el fomento de otro sitio adonde espera si la dignacion de V. S. se lo concedo po
=ner Huerta, y Viña y sembrar, como q.º supral Oficio de Labrador. No expondre à V. S. nada

en mi conducta p.r q.e es bien conocida en esta pu=
risdiccion y otras p.r tube el honor de servir Diez
y siete años à la Nacion y à mas ser hijo de uno
de los primeros fundadores de este Territorio y
q.e tuvo catorce hijos varones y todos menos uno
empleados en el servicio. y cinco mujeres q.e toda
casaron en la Provincia y Yo tener tambien cinco
hijos p.r cuyo motivo p.a el sostenimiento de esta
mi familia molesto la ocupada atencion de V.
S. D. K. D. en la intelligencia que muy pronto se vera
fomentado dho sitio si V. S. como lleno suplico
do accede à mi peticion. Por tanto. A. V. S.
pido y suplico se digne mirar con adhesion
esta mi suplica se la hallare en justicia en
q.e recibirè gracia y merced.

Monterey 16. de Julio de 1831.

B. L. M. de V. S. su señor subd.o

Joaquin Soto.

6. S. D. K. Mision de S. Juan Bautista y Octubre 4 de 1835.
No hallò inconveniente p.a q.e el vecino Joaquin
Soto deje de ocupar el sitio q.e aqui se dice, y
el pretende con las circunstancias q.e me ha
esplicado por ser asi y porque conste lo firmo

Fe.: Felipe Arroyo de la Cuesta.

Monterey Octubre 12 de 1831.
Permito al interesado provisionalm.te haga
labores y plantios en el terreno à que se remite
en esta instancia prevenido de que no resulte
en ningun caso perjuicio à la mision inme
diata y à las propiedades de particulares q.e
tiene vecinos.

Victoria

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5. S. D. K.

6. S. D. K.

Here follows map

29 8. S. D. 12 Sello Tercero Dos Reales. Habilitado provcion almte. por la Administracion de la Aduana Maritima de Monterey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa Rafael Gonzalez

Ilustre Ayunt.o Constitucional

La Comision Encargada de Colonizacion y Terrenos Baldios a visto la solicitud que presenta el C. Joaq.n Soto relativo à que se conceda en propiedad el paraje nombrado la Cañada de la Carpinteria en cumplimiento del Sup.r decreto q.e acompaña, opina esta comision q.e el referido Soto es C. Mexicano p.r nacimiento en el ejercicio de sus derechos, q.e el terreno q.e pretende no esta comprendido en las veinte leguas Limitrofes y si en las diez litorales q.e espresa la Ley de 18 de Agosto de 1824. Es de Temporal y Abrevaderos y no pertenece à propiedad particular Corporacion, Mision ni Pueblo por cuyo motivo la Comision opina à la deliberacion de este I. Ayuntamiento las proposiciones siguientes.

1.a Puede adjudicarsele el terreno pretendido al C. Joaquin Soto en Razon de considerarse Baldido. Monterey 19 de Julio de 1834.

Josè Antonio Romero # Josè Aguila

9. S. D. 12 Sor Gefè Superior Politico.

El I. Ayuntamiento de esta Capital con el objeto de dar à V. S. informe que se sirve pedir en su superior Decreto de 3 de Julio pasado esta solicitud à la Comision de Colonizacion quien presento el dictamen que antecede. Y como su contenido es lo que en el particular debe informar. Esta corporacion acordò en sesion de hoy se devuelva el espediente à las superiores manos de V. S. reproduciendo aquel en todas sus partes.

Monterey 6 de Agosto de 1834.

Manuel Jimeno Casarin.

Josè Aguila Secret.o

10. S. D. 12 Sello Tercero Dos Reales. Habilitado provicionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta

650-2

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Alta California, para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco
Yeguerova A. Ramorez
Lo Fachado no Vale. Castillo.
Monterrey Agosto 19 de 1835.
Pase al Alcalde de esta Capital ante quien la parte de Joaquin Soto producira una informacion de tres testigos idoneos que seran interrogados sobre los puntos siguientes. Primero si el solicitante es Ciudadano Mejicano por nacimiento si es casado i tiene hijos i si es de buena conducta. Segundo si el terreno q.e pretende pertenece à la propiedad de algun particular, mision pueblo ò corporacion si es de regadio temporal ò abrevadero i que estencion tendra. Tercero si tiene bienes de campo con que poblarlo ò posibilidad de adquirirlos. Evacuadas estas diligencias vuelva el espediente p.a su resolucion El S. D. José Yeguerova General de Brigada Comandte. Gral Inspector y Gefe superior Politico del Territorio de la Alta California asi lo mando decreto y formò. de lo que doy fee.

José Yeguerova.

Y.o del Castillo negrete secretario.

11. S. D. R Dios y (p.o) Monterey Agosto 20 de 1835
Notifiquese al interesado en esto, presente los testigos q.e se han de escaminar sobre los puntos q.e comprehende el superior decreto de 1.o del presente q.e antecede y fho, recivase la informacion, devolviendo en consecuencia este espediente al S. Gefe superior, politico para que junta los efectos q.e haya lugar. Asi yo el Alcalde 1.o constitucional lo decretè mandè y formè con los que Ass.a

Daniel Spence

José Maria Maldonado # José Arcaria. As.a
En la fha presente el C. Joaquin Soto se le notifico el auto que antecede y entendido Dijo lo Oyo y q.e presenta à los C. C. Marcelino Escobar Carlos Castro y Felipe Vazquez y no firmo p.r no saver.

Dcaso Spence Dcaso

José M.a Maldonado. # José Arcaria.

José Mª Maldonado. ## José Arana.

31 12. S.D. R Sello Tercero Dos Reales: Habilitado provision almte por la Administracion de la Aduana Maritima de Monterey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco

Teiguera Rafael Gonzales

En el mismo dia presente el C. Marcelino Escobar Yo el Alcalde le recivi juramento q. hizo en forma de dho por el cual ofrecio decir la verdad en lo q. supiere y fuere preguntada, y siendolo p. su nombre, estado, edad, y patria y religion dijo: llamarse como queda dho que es casado de treinta y ocho años natural de Tepic jurisdiccion del Estado de Jalisco y C. A. R. Preguntado, al tenor del interrogativo q. se indica en el interior sup. decreto dijo: A lo primero, Que el solicitante es C. Mejicano: que es casado. tiene hijos y tiene buena conducta, y responde. A lo segdo Que el terreno q. presende no save que pertenesca à ningun particular, Mision Pueblo ò corporacion y q. solo save lo posee el solicitante hace algn. tiempo y responde que es de temporal y q. su estencion sera de una legua de largo y media de ancho poco mas ò menos y responde. A lo tercero. Que tiene brenes de campo con q. poblar lo y q. lo dicho es la verdad à cargo del juram.to q. tiene hecho en el q. se afirmo y ratifico leida q. le fue su declaracion y lo firmo conmigo y los de Assa.

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Ve assa. Dav Spence. Marcelino Cocoba
José Maria Maldonado ## José Arana. de Assa

13. S.D. R En la misma fha presente el C. Felipe Vasquez se le recivio juramento q. hizo en forma p. el cual ofrecio decir verdad en lo q. supiere y fuere preguntado y siendolo p. su nombre, estado, edad patria y religion dijo. se llama como queda referido: que es casado, de cincuenta y cuatro años de edad y C. A. R.

Preguntado. Vajo el mismo interrogativo q. lo que el prim.o testigo Dijo. A lo 1.o Que el solicitante es C. Mejicano pr nacimiento q. es casado tiene hijos y es de buena conducta y responde. A lo 2.o Que el terreno que pretende le parece no pertenece à la propiedad de ningun particular Mision

mueblo ò corporacion y q. yo le ha conocido en posecion: que es de temporal y un poco de Regadio y q. en estencion serà de una legua de largo y media de ancho y responde. A lo 8º Que tiene ureno de campo y posibilidad de adquirir los suficientes p.a poblarlo: que lo dicho es la verdad à cargo del juramto. que tiene hecho en el que se afirmò y ratifico leida q. le fuè su declaracion y no firmo por no saver, lo hice yo con los de asa.

J. De asa. Dav Spence
Josè Maria Maldonado # Josè Arana. De Asa.
En concontinente, presente el C. Carlos Castro y el Alcalde le recivi juramento en forma de dro. por el cual apercio de ci verdad en lo q. supiere y fuere preguntado y siendolo p.a su nombre esta do edad patria y religion dijo llamarse como-
H. S. D. R dicho esta: Casado de sesenta años, natural de la Villa del fuerte en el Estado de Sonora y C. R. R. Preguntado. En los mismos terminos q. los anteriores dijo. A lo 1º Que el interesado es Ciudo. Mexicano p.r nacim.to que es casado y tiene hijo y q. su conducta es buena y responde à lo 2º Que el terreno q. pretende no pertenece à la propiedad de ningun particular pueblo o corporacion y q. saive lo posee hace tiempo p.r a C. Victoria que es de temporal y q. su potencion serà de una y media legua poco mas ò menos. y responde. A lo 3º Que tiene los suficientes ureno de campo con q. poblarlo y posibilidad p.a adquirir mas: q. lo dho es la verdad à cargo del juramto. q. tiene hecho en el q. se afirmo y ratifico leida q. le fuè su declaracion y la firmo con migo y los de Asa.

Y De asa. Davd. Spence # Carlos Castro
Josè Maria Maldonado # Josè Arana. De asa.
En la fha concluda la informacion q. se pide se devuelve al C. Lefe Politico este espediente en cumplimto. de lo mandado en el auto ante cedente y lo anoto p.a constancia y subrco.
R
15. S. D. R Dello tercero Dos Reales: Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey para los años de mil ochocientos treinta y cinco y mil ochocientos treinta y cinco. Figueroa # Rafael Gonzales

Monterey Sonora 2 de 1885.

Veinta y cinco. Figueroa # Rafael Gonzales

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Monterey Agosto 27 de 1835.
Vista la peticion con que da principio este expediente la instancia que en diez i seis de Julio de 831 presento al comandte militar el informe del R. P. Ministro de la Mision de S. Juan Bta. el del Y. Juntamiento de esta Capital la esposicion de testigos con todo lo demas que se tuvo presente y ver convino de conformidad con lo dispuesto p. las leyes i reglamentos de la materia se declara al C. Joaquin Soto dueño en propiedad del Paraje conocido con el nombre de Cañada de la Carpinteria quedando sugeto à las condiciones q. se estipularen
Dirijase este espediente à la Excma Diputacion i aprovado q. sea librese el despacho correspondiente; tomese razon de el en el libro respectivo i hagasele saber al interesado este decreto:
El C. D. Josè Figueroa Gefè Politico del Territorio de la Alta California asi lo mando decreto i firmo de lo q. doy fee. Secto.
Josè Figueroa # Fco. del Castillo Negrete

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16. S. D. R Excmo Sor.
La Comision de Terrenos Baldios impuesta del espediente que se mando practicar la peticion del ciudadano Joaquin Soto p. el Terreno nombrado Cañada de la Carpinteria no encontrando en el objeccion alguna que hacer ciendo en todo conforme à la Ley de 18 de Agto. de 1824. como al Artlo. 5 del reglamto. de 21 de Nbre. de 1828. Opese à la deliberacion de V. E. la siguiente proposicion.
Se aprueba la Concesion echa al ciudadano Joaquin Soto del Terreno nombrado Cañada de la Carpinteria concedido en 27 de Agosto de 1835. Monterey 2 de Septbre. de 1835.
Salvio Lain
Monterey Septbre 5 de 1835.
En sesion de este dia aprovò la Excma Diputacion la proposicion del dictamen antecedente determinacion que devuelva el espediente al Sor Gefè Politco. por los fines consiguientes.
Castro.

17. S. D. R Sello Tercero Dos Reales: Habilitado provicionalmente por la administracion de Monterey

de la Alta California para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco

Castro. Angel Ramirez

Monterrey Setiembre 18 de 1835.
En vista de la aprovacion otorgada el dia cinco del corriente por la E. Diputacion Territorial librese el documento prevenido especificando en el la aprovacion de la E. Diputacion
El S. D. José Castro primer vocal de la E. Diputacion Territorial i Jefe Politico interino del Territorio de la Alta California asi lo mando decreto y firmo de lo que doy fee.
José Castro: Franco. del Castillo Negrete
Queda tomada razon à fojas 73.

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 Custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the seventeen preceeding and hereunto annexed pages of tracing paper numbered from One to seventeen inclusive and each of which is verified by my initials (S. D. K.) exhibit true and accurate Copies of certain documents on file and forming part of the said Archives.

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, Cal. the 26th day of January 1853

Saml. D. King
Survy. Genl. Cal.

Filed in Office Aug. 31. 1853.
Geo. Fisher Deery

35-

Jurisdiction of Monterey year 1834
Record of Proceedings
On the location called Canada de la Carpintera
Solicited by the citizen Joaquin Soto
4

Sr Political Chief: Joaquin Soto of the jurisdiction of this place presents himself before you in due form and shows: That having solicited of this Superior Political Chief under the 16th of July 1831 as you will see by the accompanied Memorial of the same date, the grant of the Canada de la Carpintera and its cements, and such Political Chief having taken the proceedings that he believed convenient to give to this solicitation in effect (of which) it was granted me but it having been provisionally in such virtue and the same location being the same I still occupy with my husbandry and stock and housing, referring myself to the Laws of colonization and others upon the subject, I apply myself to your high justice, in order that in exercise of your powers, you will please to grant me in Ownership, the mentioned location which land is the same, and is comprised in the sketch I hereby annex for your superior information
Therefore I pray you to provide according to process whereby I shall receive a favor and I swear to all necessary — Monterey June 28th 1834
(Signed) Joaquin Soto
(In the Margin) Monterey July 3d 1834
In conformity to the laws On the subject let the Illustrious Ayuntamiento of this capital report whether the interested party in this instance has the necessary requisites in order that his solicitation can be attended to, whether the land he solicits is comprised in the so limiting or ten leagues mentioned in the law of 18th of August 1834 whether it is irrigated seasonably or by any receptacle of water, whether it belongs to any one particularly corporation mission or Pueblo, with what else you may think conducive to illustrate the matter
The Sr Dr Jose Figueroa, Brigadier General Commandante General Inspector and Superior Political Chief of the Territory of Upper California thus decreed and sign of which I give testimony. Jose Figueroa
Augustin Zerecano Secretary —

Translation

Exhibit No 2.

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31

In this day's Sesion it was agreed by the Illustrious Ayuntamiento to transmit this Expediente to the Commission On Colonization. Monterey 9 July 1834

(Signed) Jose Aguilar

Sr Superior Political and Military Chief

Joaquin Soto, a resident of the Rancho de la Natividad Owned by the Citizen Manuel Burton and Nicholas Alviso represents to you, with due respect and conformably to Law, That being desirous to Augment some Stock he has, though in a small number at present because in want of a "Sitio" where to put it, and the "Sitio" known by the name of Canada y ojo de Agua de la Carpentera, between Chamizal which borders On the Mission de San Juan distant three leagues on the Ranchos del Pajaro four to five leagues and on the Rancho de la Natividad Other three leagues being vacant without any Stock and without belonging to any individual, applies to you with the Object, that you will please by and out of your goodness and high justification so well known between amongst these inhabitants to grant him such Sitio in the circumstancing that though as yet he cannot put in more than the said small Stock Consisting of thirty heads of Cattle, a flock of Mares of the same number five Yokes of Oxen Carts with plough Yokes and Tools and having also five hundred dollars in metal for the support of said Sitio, where he Expects, if you will condescend to grant it him, to put an Orchard, Vinyard and Corn fields, as it becomes the profession of a farmer. I shall not represent to you any thing of my circumstances because it is well known in this District and elsewhere I had the honor to serve the Nation seventeen years and besides to be a Son of One of the first Settlers of the Territory, and who has fourteen Male Offspring and all but One employed in the service and five females, who all married in the province, and I also have five Sons by reason of which and for the Sustenance of this my family I trouble you in Occupying your Attention with assuring that said Sitio very soon will be seen improved, if you will accede to my petition as prayed for. Therefore I ask and pray you to be pleased to look with adhesion to this my supplication if you shall find it just, whereby I shall receive favor and mercy

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Monterey 10 July 1834

you shall grant it just, whereby I shall receive favor

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Monterey 16th July 1830

I kiss your hands and am your humble Servant

Joaquin Soto x

Monterey October 3d 1831

The Reverend Minister of the Mission of San Juan Bautista will please to report about what is set forth in this Solicitation Victoria

Mission of San Juan Bautista October 4th 1831

I do not find it inconvenient that the resident Joaquin Soto can occupy the sitio here named, and he solicits it under circumstances that he has explained to be the facts and to attest it I sign

(Signed) Fr Felipe Arroyo de la Cuesta

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Monterey October 12th 1831

I permit the interested party provisionally to make works and plantations on the land mentioned in this instance provided that in no case there results any prejudice to the immediate Mission and particular properties that the residents have

(Signed) Victoria

Illustrious Constitutional Ayuntamiento

The Commission charged with the Colonization and Vacant Lands, on the Inspection of the Solicitation which the citizen Joaquin Soto presents relative to be granted in Ownership, the location called the Canada de la Carpintera, in compliance with the annexed Superior decree, this Commission is of Opinion that the said Soto is a Mexican citizen by birth in the Exercise of his rights, that the land solicited is not comprised in the twenty leaguing leagues nor in the ten billiard leagues mentioned in the law of 18th August 1824 is irrigated seasonably and by Water receptacles and not belonging to the property of any one in particular, Corporation Mission or pueblo, by reason of which the Commission submits to the deliberation of this Illustrious Ayuntamiento the following Propositions.

1st The said solicited may be granted to the citizen Joaquin Soto by reason of being considered Vacant

Monterey 19th Jedy 1834 (Signed) Jose Antonio Romero

Jose Aguilar

Sr Political Superior Chief: The Ayuntamiento of this Capital with the Object to give you the report which you have been pleased to ask in your Superior decree of the 3d July transmitted this Solicitation to the Commis-

ipion on Colonization which presents the foregoing Opinion: and as its contents is what in this particular ought to be resolved, this Corporation agrees in two days sepcion to transmit the Expediente in your Superior hands reproducing in all its parts.

Monterey 6th August 1834 Manl. Jimeno Cassaren

Jose Aguilar Secretary

Monterey August 19th 1835

Let it pass to the Alcalde of this Capital before whom the party Joaquin Soto will produce an information of three resident Witnesses who will be interrogated upon the following points — First. Whether the Supplicant is a Mexican Citizen by birth, whether he is married and has sons and whether he is of a good character Second. Whether the lands he solicits belongs to the property of any one in particular, Messrs Pueblo or Corporation whether it is irrigated seasonably or by any receptacle of water and what extension it will have Third. Whether he has stock with which to cover it or possibility of acquiring it, this action complied return this Expediente in its resolution — Don Jose Figueroa Brigadier General Commandante General Inspector and Superior Political Chief of the Territory of Alta California thus dec Order and Sign of which testimony

(Signed) Jose Figueroa

Jose Castillo Negrete Secretary

Monterey August 20th 1835

Let the interested party in this instance be notified that he presents the Witnesses that are to be examined, upon the points contained in the foregoing Superior decree of the 19th Instant. and accomplished let the information be received returning in consequence this Expediente to the Superior Political Chief that it may serve the purposes to take place Thus dec I the first political Alcalde decree, act and sign with the attesting Witnesses — (Signed)

Assistants — Jose Maria Maldonado = Jose Anzar

Under the same date the Citizen Joaquin Soto was notified of the foregoing decree and having heard an understanding of it he stated he has heard it and that he presents the citizens Marcelino Escobar, Carlos Castro and Felipe Vasquez not signing because not knowing how (Signed) Spence

Assistants. Jose Maria Maldonado. Jose Anzar

On the same day the Citizen Marcelino Escobar being

On the same day the Citizen Marcelino Escobar being

present I the Alcalde administered Oath to him, which he made in due form whereby he promised to tell the truth in all that he might know and be interrogated about, and being asked about his name condition, age, native land and religion he says that he calls himself as stated, and is married, 38 years old native of Tepic resident of the State of Jalisco and a Catholic of the Roman Apostolic Church — Questioned about the tenor of the interrogatories indicated in the foregoing superior decree, he said — To the first — that the Supplicant is a Mexican Citizen, that he is married, has sons and has a good conduct, and answered — To the second — that the lands solicited, he is not aware of belonging to any one in particular, Mission Pueblo or Corporation, and that he only knows that the Supplicant possesses it since sometime, and he answered that it is seasonably irregular, and that its extent will be one league and a half in breadth little more or less, and he answered to the third — That he has stock with which to cover it and that this statement is the truth, chargeable to the Oath he has made, in which he was affirmed, and he ratified his declaration, it being read to him & he signed it with me and the assisting witnesses

(Signed) Marcelino Escobar

Asst. José Maria Maldonado José Arano

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Under the same date the Citizen Felipe Vasquez being present, was sworn, in strength of which formal Oath he promised to tell the truth and what he might know and be questioned about and being interrogated about his name, condition age native land, and religion he said he calls himself as stated, that he is married, fifty years old and a Catholic of the Roman Apostolic Church, being questioned under the same interrogatories as the first witness he said — To the first — that the Supplicant is a Mexican Citizen by birth, that he is married has sons and is of a good conduct — and he answered to the second — that the lands he solicits seems to him not to belong to the property of any one particularly, Mission, Pueblo, or Corporation, since that he has known him to be in possession thereof, that it is irregular seasonably and that it will be of an extent of one league in length and one half in breadth

and he answered to the third - That he has stock & possibility to acquire it sufficiently to carry it - That what he has said is true in strength of the Oath he has made, in which he was affirmed and he ratifies his declaration, after being read to him not signing because did not know how -
I did so with the Assistants
Jose Arano (Signed) Jose Maria Maldonado
In continuance, the Citizen Carlos Lasko being present I the Alcalde administered Oath in legal form in strength of which he promised to tell the truth in what he might know and be questioned, and being interrogated about his name condition age nativity and religion, he says he calls himself as stated, is married, sixty years old, a native of the Village del Fuerte in the State of Sonora and a Catholic of the Roman Apostolic Church, being questioned in the same manner as the foregoing one he said "To the First - That the interested party is a Mexican Citizen by birth, that he is married & has sons, and that his conduct is good, and he answered to the second - That the land he solicits does not belong to the property of any One particularly, pueblo or Corporation, and that he knows that he possesses it since the time of Victoria, that it is irrigated seasonably, and that its extent will be One and a half leagues little more or less - and he answered to the "Third - That he has sufficient stock with which to carry it and possibility to acquire more - That this Statement is true, in strength of the Oath he has made in which he was affirmed and he ratifies his declaration, it being read to him, and he signed it with me and the Assistants
(Signed) Carlos Lasko
Asst. Jose Maria Maldonado - Jose Arano
On the same day the information asked for being concluded this Expediente was transmitted to the Superior Political Chief in compliance with the Order in the foregoing decree and in attestation I subscribe my Flourish (Flourish)

Monterey August. 27th 1835
Having seen the petition with which this Expediente commences, the instance that the Military Commandante presented on the 16th of July 1831. The report of the

dante presente on the 16th of July 1831. The report of the

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Reverend Father Minister of the Mission of San Juan Bautista, that of the Ayuntamiento of this Capital the deposition of witnesses, with what else presents itself as was to the purpose in conformity with the regulements of Laws and regulations upon the subject the citizen Joaquin Solo's declaration given in his own right of the location known as the Name of Canada de la Carpintera, being subject to the conditions that may be stipulated, let the Expediente be directed to the Excellent Diputation and being approved upon the corresponding documents, let it be entered in the respective book and let this decree be known to the interested party. Don Jose Figueroa Political Chief of the Territory of California thus decreed decreed and signed of which I give testimony

Signed Jose Figueroa

Jose del Castillo Negrete Secretary

Excellent Sir: The commission on Vacant Lands has seen of the Expediente which has been ordered to be constituted on the petition of the citizen Joaquin Solo for the Land called Canada de la Carpintera, not finding therein any Objection to make being in conformity with the Laws of 18 August 1824 as well as with the 5th Article of the Regulations of 21st of November 1828 submits to your Excellency deliberation the following propositions.

It approves of the concession made to the citizen Joaquin Solo of the Land called Canada de la Carpintera granted on the 27th August 1835

Monterey 2d September 1835 (Signed) Sabino Tuna

Monterey September 5th 1835

In its day upon the Excellent Diputation approved of the proposition in the foregoing report delivering to return the Expediente to the Political Chief for convenient purposes (Signed) Castro

Monterey Sept 18. 1835

Having seen the approbation given on by the Excellent Territorial Diputation on the 5th Inst, let the necessary documents be issued, specifying in it the approbation of the Excellent Diputation. Don Manuel Jose Munoz of the Excellent Territorial Diputation and Political Chief ad interim of the Territory of Upper California thus decreed Order decree and sign of which I give testimony

(Signed) Jose Castro

Secretary Ignacio del Castillo Negrete

Entered on folio 73

Filed in office Aug 31. 1853 Geo. Fisher Secy

43 No. 650 U. S. Land Commission
Joaquin Soto Claimant

Motion

It is moved that this case be revived in the names of the heirs of said Joaquin Soto deceased to wit: Imelesio Soto, Antonia Soto, Barbara Soto, Dona Soto Adelaida Soto, Maria Soto, Marguerita Soto, Salvadora Soto, Pilar Soto, Vicenta Soto, Joaquin Soto and an infant not named Soto, and Juana Buelton Soto, the wife of the original claimant Joaquin Soto deceased

Filed in office May 9. 1854
Geo. Fisher Sec

E. O. Crosby
of Counsel for Claimants.

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Opinion

Heirs of Joaquin Soto deceased
vs
The United States

For the place called Sleanada de la Carpintera in Monterey County containing one half of a square league of land

The petition in this case was filed by Joaquin Soto but he having deceased the case was revived in the name of his widow and children who claim as his legal representatives. The death of said Soto and the relation of the present claimants to him are proved. The claim is based on a grant which is filed and proved in the case, made by the Acting Governor, Jose Castro, under date of October 25. 1835. The approval of the Territorial deputation was given before the issuing of the grant.

The testimony proves that said grantee built an adobe house on the premises immediately after the making of the grant made his family there, and lived there until his death and that his family has continued there to the present time. The premises have constantly been used for cultivation and stock raising.

On the 28th of October 1835 juridical possession was given under the grant, and a report of the Officers demarcation is before us.

A decree of confirmation will be entered.

Confirmed

Filed in office. Aug. 15. 1854
Geo. Fisher
Secy

44

No. 650 Heirs of Joaquin Soto deceased
vs
The United States

Decree

In this case on hearing the proofs and allegations it is agreed by the Commission that the claim of the said Juan Bautista Soto and the other heirs at law of said Joaquin Soto deceased is valid: and it is therefore decreed that the same be confirmed to them.

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The land of which confirmation is hereby made is that known by the name of Canada de la Garpontera, situate in Monterey County and now in the occupation of the claimants, and is bounded and described as follows, to wit; Commencing at the house occupied by said Joaquin Soto in 1835 thence running to the hill at the boundaries of David Littlejohn to the North West Eight hundred and fifty varas; thence to the East five thousand varas; thence to the South five thousand varas; thence to the same house at the place of beginning four Eight thousand varas including said house with said lands; containing One half a square league be the same more or less; reference therefor to be had to the testimony of Juan and papers on file in this case.

Alpheus Felch
R. Aug. Thompson
S. B. Farwell
Commissioners

Filed in Office Aug 15. 1854
Geo. Fisher Secy

And it appearing to the satisfaction of this Board that the land hereby adjudicated 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 papers 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 Judicial District of California and the Other be transmitted to the Attorney General of the United States.

Office of the Board of Commissioners,

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

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 Forty four — pages, numbered from 1 to 44, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 659 on the Docket of the said Board, wherein Joaquin Soto is —

the Claimant against the United States, for the place known by the name of "Cañada de la Carpintería" —

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this Thirty first — day of January A. D. 1855 —, and of the Independence of the United States of America the seventy-ninth.

Geo: Fisher

Sy.

U. S. District Court.
Southern District of California

198

No. 198. Over

The United States,

vs.

Joaquin Soto.

"Cañada de la Carpinteria".

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Transcript of the Record
from the
Board of U. S. Land Commissioners
in case No. 650.

Filed February 5th 1855.
J. E. Carr.

198

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Office of the Attorney General of the United States,

Washington, 7th March 1855.

Joaquin Soto
vs.
The United States.
} 650.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of December 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.

6.50

No. 198.

U.S.D. Court S.D.

United States
vs.
Joaquin Soto

Appeal Notice.

Filed April 21st 1855

J. E. Carr
Clk.

Office of the Attorney General of the United States,

Washington, 7th March 1855.

Joaquin Soto
vs.
The United States. } 650.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of December 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.

C.S.

No 198

U.S.D. Court S. Dist.

The United States
vs.
Joaquin Soto

Appeal Notice.

Filed May 11th 1855
J. E. Jan.
clk

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

~~The Heirs of~~ Joaquin Soto. (Heirs of)
ads } No. 198.
The United States } (Transcript No. 650.)

The petition of Pacificus Ord attorney of the United States for the Southern District of California, for and in behalf of the United States respectfully represents, That on or about the 28th day of February A.D. 1853 Joaquin Soto petitioned the United States Land Commissioners for the State of California - Claiming about one Square league of land called "Cañada de la Carpintería" situate in the County of Monterey State of California That on or about the 9th day of May 1854 the Heirs of said Joaquin Soto were made parties Claimants in this Cause by said Commis-sioners, on the suggestion of the death of said Joaquin Soto. That on or about the 15th day of August A.D. 1854 the said Commissioners con-firmed the said Claim. That thereafter to wit on or about the 30th day of December A.D. 1854, the Hon. Caleb Cushing Attorney General of the United States received a duly certified transcript of the proceedings with the evidence and decision of the said com-missioners in said cause. That thereafter to wit on or about the 21st day of April, A.D. 1855, the said Attorney General of the United States filed or caused to be filed with the clerk of this Hon. Court a notice of the intention of the United States to prose-cute the appeal in said cause. That on or about the 5th day of Febru-ary A.D. 1855, the said commissioners filed or caused to be filed in the office of the clerk of this Hon. Court a duly certified transcript of their proceedings with the evidence and decision in said cause. That the land claimed lies in the Southern District of California and within the jurisdiction of this Hon. Court.

And the petitioner denies generally that the said Claimant has any valid right or title to the said land. Wherefore the said petitioner prays that the said Heirs of Joaquin Soto may be served with a copy of this petition and that after due pro-ceedings had, the said decision of the said Commissioners may

be preserved inviolate, and that this Honl Court will decree the said claim or title to be invalid, and the said and general relief.

P. Ord
Atty for Petr
Southern Dist of Cal

No. 198.

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

The Heirs of Joaquin Soto
ads
The United States.

Petition for review by U States.

Filed Oct 11th 1858.
C. E. Carlton
By J. W. Robb Dep

P. Ord Atty for Pts.

No 198.

U. States. District Court for the Southern District of California

Heirs of Joaquin Soto.
ads
The United States

These respondents for answer to the petition filed in this cause answer and say. It is true that the land mentioned in said petition and in said transcript of the proceedings before the said Board of Commissioners lies within said Southern District of California and within the jurisdiction of this Court.

But these respondents deny that their title to the said lands is invalid - and aver that their title is valid - and pray that the decision of the said Board be affirmed and their title be decreed to be valid.

E. O. Crosby
of Counsel for respondents.

No. 198.

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

The Heirs of Joaquin Soto
ads
The United States.

answer.

Filed Oct. 11th 1855.
A. E. Carr clk
By W. Wolf Dep

E. O. Crosby
of Counsel for Respondents

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

Special Term Sept 1855.

Los Angeles.

Joaquin Soto (Heirs of) Appe.
vs.
The United States. Appe.

No. 198.
(Transcript No. 650.)

On motion of P. Ord Attorney of the United States for the Southern District of California, it is Ordered by the Court, that an appeal be granted the United States, to the Supreme Court of the United States, from the judgment of this Court against the United States, in the above entitled cause, rendered on or about the 12th day of October A D 1855.

P. Ord
Dist Atty.

No 198.

U. S. District Court
Sou Thn Dist. of Cali

The United States Appellee

vs

The Heirs of Joaquin Soto appellants

Order of Appeal to the Supreme Court on Motion of Pond. U. S. Atty.

Filed October 18th 1855
C. E. Carr clerk
By J. N. Rm Dep

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California Land Claims.

Attorney General's Office

11 September 1850.

Sir:

In the case of the claim of Joaquin Soto, confirmed to the claimant by the Commissioners, Case No. six hundred and fifty - (650), and also confirmed on appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am
Respectfully
Cushing

Pacificus Ord Esq
U. S. Atty for the
Southern Dist. of California

vv

198

Joaquin Soto
650

Filed 24th February 1857
C Soria clk
J H Coleman
Dep

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Rec'd Oct 21 1856

The United States appellants
vs
The Heirs of Joaquin Soto, appellees

The claim in this case is founded upon a grant from Jose Castro provisional Governor of upper California, to Joaquin Soto, and bearing date 25 Oct 1845.

The genuineness and authenticity of the grant is fully proven, the grant received the approval of the assembly, and juridical possession was given - the grant is for a little less than one half of a square league within certain described boundaries -

~~The appellees in this case are proven to be the children and legal heirs of the original grantee whose decease is proven.~~

The Original Grantee is proven to have deceased and the appellees are shown by the evidence to be his legal heirs.

The claim must be confirmed to the extent called for in the grant to wit one half of a league in extent from North West to South East and six hundred varas from North East to South West. a decree will be accordingly, affirming the decision of the Commissioners