

CASE No.  
220

SOUTHERN DISTRICT

---

LOS PAICINES GRANT

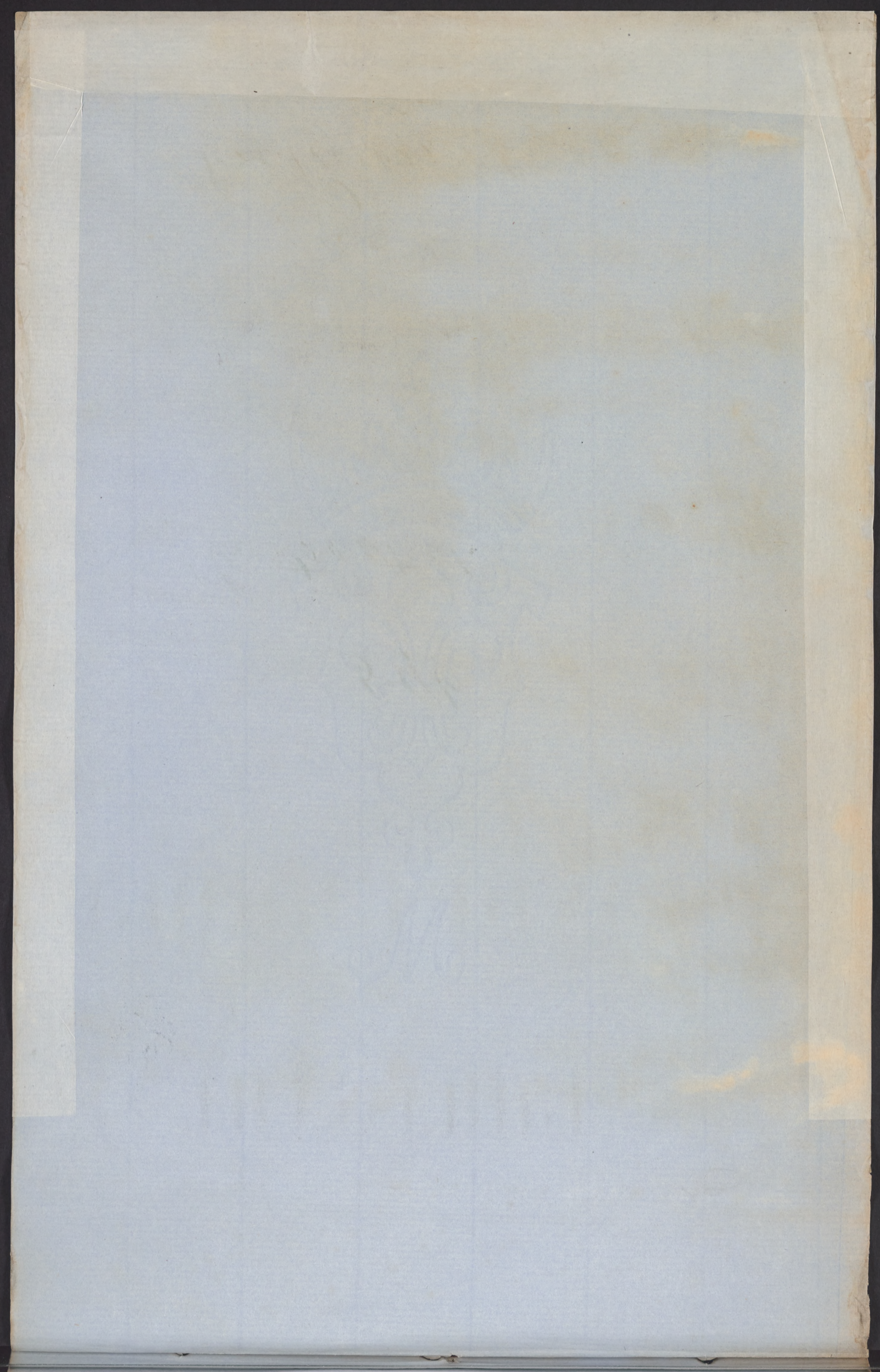
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ANGEL CASTRO, ET AL  
CLAIMANT

MAR 13 1963

135  
52% COTTON FIBER  
BLOOMER BOND  
Bloomer Bond

596



# TRANSCRIPT

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PAGE 1

OF THE

# PROCEEDINGS

IN CASE

NO. *5-96*

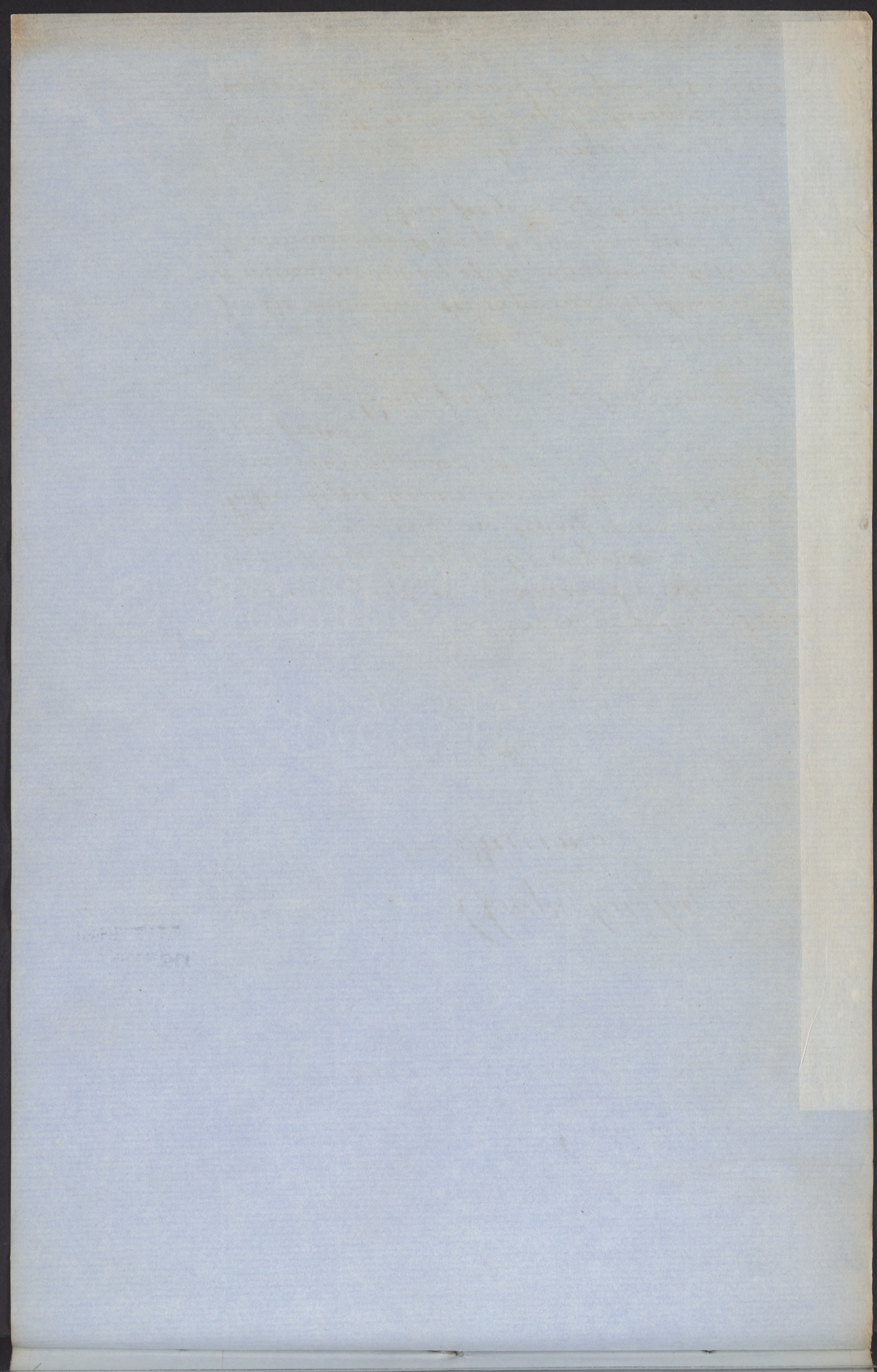
*Angel Castro, et al,* CLAIMANTS.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*Los Pinos*



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 *Seventeenth 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;

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The Petition of *Angel Castro et al;*  
for the Place named  
*"Los Paicines,"*  
was presented, and ordered to be filed and docketed with No. 596, 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 February 17<sup>th</sup> 1853.*  
In Case no. 596, *Angel Castro et al;* for the place  
named *"Los Paicines,"* the deposition of *Wm. E. P.*  
*Martnell,* a witness in behalf of the Claimants,  
taken before Commissioner *Wesland Wall,* with  
document marked *N. N. no. 1,* annexed thereto  
was filed:

(Vide page 5 of this Transcript.)

*San Francisco, February 24<sup>th</sup> 1853.*  
In the same case the deposition of *Mmanuel Sarios,*  
a witness in behalf of the Claimant, taken before  
Commissioner *Mary J. Prointon,* was filed;

(Vide page 5 of this Transcript.)

*San Francisco Sept. 28<sup>th</sup> 1853,*  
Case no. 596, on motion of the Counsel for the  
Claimant, was ordered to the foot of the Docket.

San Francisco June 26' 1854.

In the same case the deposition of Francisco Diaz, a witness in behalf of the claimant, taken before Commissioner Peter Satt, was filed;

(Vide page 7 of this Transcript.)

San Francisco July 12' 1854.

In the same case the deposition of Jose Maria Espinosa, a witness in behalf of the claimant, taken before Commissioner Peter Satt, was filed;

(Vide page 6 of this Transcript.)

San Francisco Sept. 26' 1854.

Case no. 596, was submitted without argument.

In the same case the Counsel for the Claimants filed the following motion, to wit:

(Vide page 27 of this Transcript.)

which, having been considered, was granted.

San Francisco October 14' 1854.

In the same case Commissioner R. Aug. Thompson delivered the opinion of the Board confirming the claim;

(Vide page 29 of this Transcript.)

And the following order was made, to wit:

(Vide page 32 of this Transcript.)

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Petition

To the "Honorable Commissioners to settle private land  
claims in California"

The petitioners Angel Castro and the heirs of Jose  
Antonio Rodriguez respectfully represent -

That on the 5th day of October A.D. 1842 Juan B  
Alvarado Governor of California by virtue of  
Authority in him vested granted to the said Angel  
Castro and Jose Antonio Rodriguez the tract of land  
called "Benega de los Paicones" in the District of  
Monterey containing two square leagues of land  
a little more or less, with the boundaries described  
in the title and corresponding map which original  
title is submitted herewith marked "A" with  
a translation marked "B"

That since Jose Antonio Rodriguez died on the  
day of 184 leaving the petitioners

That the petitioners have been for some ten years  
and now are in the quiet and undisputed posses-  
sion of said tract of land and know of no con-  
flicting claim

That they rely for confirmation of title upon the  
original grant and upon the notes and minutes  
in the archives of the former Government and  
upon such other and further proofs as they  
may be advised are necessary  
Wherefore they pray the Commissioners to confirm  
to them the aforesaid tract of land

By their Attys.  
Halleck Peachy & Bellings

Filed in Office 17<sup>th</sup> Feb'y 1853

Geo. Fisher Secy

Recorded in Vol 1 of Petitions on pages 582-  
583

Geo. Fisher Secy

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5-

San Francisco Feb 17. 1853

Deposition of  
W. E. P. Hartnell

On this day before Comr Island Hall came Comr  
P. Hartnell a witness in behalf of the claimants  
Angel Custio et al petition No 596 and was duly  
sworn his evidence being given in English

The U.S. Associate Loco Agent was present

My name is W. E. P. Hartnell, my age is 53 years  
I reside in Monterey and have lived in California  
30 years

I am acquainted with the hand writing of Juan B  
Alencado, Manuel Jimeno, and Manuel Michello  
and having often seen them write their signa-  
tures to the paper before me marked S. S. No 1  
and attached to this deposition are their genuine  
signatures

Sworn and subscribed W. E. P. Hartnell

Before me Island Hall Comr

Filed in office Feb 17. 1853 Geo. Fisha Secy  
Recorded in Ev. B Vol 3 p 593 Geo. Fisha Secy

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San Francisco Feb 24. 1853

Deposition of  
Manl. Lucas

On this day before Comr Harry J Shannon came  
Manuel Lucas a witness in behalf of the claimants  
Angel Custio et al petition No. 596 and was duly  
sworn his evidence being interpreted by the Secy  
Questions by claimants

Q. What is your name age and place of residence  
Ans. My name is Manuel Lucas, my age is 56 years  
and I have lived in and near San Juan about  
20 years

Q. Say whether you are acquainted with the Rancho  
of Los Paeones claimed by Angel Custio and heirs  
of Jose Antonio Rodriguez and what you know  
of the possession and occupation of it by the claimants

Ans. I know the Rancho of Los Paeones claimed by  
Angel Custio and the heirs of Jose Antonio Rodriguez  
and the heirs of Jose Antonio Rodriguez  
and the possession of it was given in the usual  
form, about the year 1842 or 1843 by the Alcalde  
Jose Diaz; the Secretary was Jose Manuel Prado  
the measurers Capitanes Lopez and Jose Vasquez;  
I was present as Colondante, in the Rancho of  
Santa Ana, the boundaries are definite and well  
known; they are from the Sierrita on the West to the  
arroyo called "El Puato" del Rosario on the East and  
from a "Yanal" on a little hill to a marked white

oak near the junction of the Arroyos - A wooden house  
was built on the land before the possession was given  
and it was at that time occupied with cattle &  
horses; the occupation was afterwards discontinued  
at times on account of the incursions of the Indians  
but for three years past it has been constantly occup-  
ied and is at present a

3<sup>rd</sup> Were you acquainted with Jose Rodriguez Nohae  
do you know of his family

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Ans. I was acquainted with Jose Antonio Rodriguez  
one of the grantees in this case; he was drowned in  
in Monterey some years ago. He left a widow Melana  
Castro de Rodriguez and three children Leonso  
Rodriguez, Isabel Rodriguez, and I don't know the  
name of the third.

U. S. Law Agent present Manuel <sup>his</sup> Lucas  
Sworn to and the record made <sup>made</sup>  
of the Mexican record before me this 24<sup>th</sup> of  
February 1853

Harry J. Thornton Comptroller  
Filed in Office Feb 24<sup>th</sup> 1853 Geo. Fishu Secy  
Recorded in Ev. B Vol 3 p 603 Geo. Fishu Secy

United States of America &c.  
State of California Bay

San Francisco July 12. 1854

Deposition of  
Jose M. Espinosa

This day personally came before Peter Lotz Commissioner  
of U. S. Land Commission of said State Jose Maria  
Espinosa, a Mexican on behalf the claimants Angel  
Castro et al in case No. 596, on the Doctee of said  
Board, and said Mexican being duly sworn deposes  
in Spanish which was interpreted by the interpre-  
ter to said Board as follows.

The U. S. Associate Law Agent is present

Questions by Claimants Counsel

1<sup>st</sup> Question. What is your name age and place of  
residence?

Answer. My name is Jose Maria Espinosa, my age  
35 years, my residence Monterey County California

2<sup>nd</sup> Question - Are you acquainted with Angel Castro  
and the other claimants of the Rancho of Los Pae-  
nes and with said Rancho, if you state what  
you <sup>know</sup> of the occupation and improvement of said  
claimants or any of them

7  
Answer. I am acquainted with the claimants and with the Rancho - In the year 1843 I think that was the year I was on Sae's Rancho, and saw Jose Antonio Rodriguez living on Sae's place with his family, he had a wooden house, 2 Corral, one of stone enclosure and one of poles - there was also an enclosure cultivated - he had horses and cattle that which I saw, but I do not know how many I did not see them together

3<sup>d</sup> Question. When did Juan Rodriguez die, did he leave a widow and children, if yes, state their names?

Answer. He died about 1845 and left a widow named Silaree Basto, and three children yuba, Leoncio and Maria Dolores. The eldest is about 13 years old he left no other children or descendants of such

4<sup>th</sup> Question. Did Juan Rodriguez leave a will?

Answer. I never knew of any, he was drowned, and I think he did not leave any will

5<sup>th</sup> Question. In what county in California does Sae's Rancho of Los Picones, lie?

Answer. It is about seven leagues a little more or less in a South Eastern direction from San Juan in Monterey County

Subscribed and sworn to his verbe " " " " before me on this 12<sup>th</sup> day of July A D 1854

Peter Lotte Commissioner of

Filed in Office July 13. 1854 Geo. Fisher Secy

Recorded in Ev. 13 Vol 5 p 151 Geo. Fisher Secy

United States of America }  
State of California }  
San Francisco June 26<sup>th</sup> 1854

Deposition of  
Francisco Diaz

This day personally came before Peter Lotte a Commissioner of the Court of the County of Santa Clara in the State of California a witness on behalf of the claimants Angel Leas et al in case No. 596 on the Doctree of Sae's Rancho and Sae's Will being duly sworn, On oath deposed in Spanish which was interpreted by the interpreter to Sae's Rancho into English as follows, to wit,

The U.S. Associate Law Agent is present

Testimony by claimants Counsel

1<sup>st</sup> Question. What is your name age and residence

Answer. My name is Francisco Diaz my age 53 years my residence Santa Clara County California -

8  
2d Question. Are you acquainted with the Rancho of "Paccinas" belonging to the claimants in this case, if you know long since you know it and what do you know of the Occupation and Cultivation of said Rancho by said claimants

Answer. I am acquainted with the said Rancho, I have known it ever since I went to give the possession of it in 1842 at that time (in 1842) Angel Casto had a small house, in which lived a man who was employed as employed there by them to take care of the stock, one one Leonal was on the place then. In 1843 Antonio Rodriguez a short time after I gave possession, went with his family and lived on the place. There was a large house on the place, which I saw as I passed the place some years before the Amaccans came, and there were several other houses on the place for the children of Angel Casto. I never saw any cultivation on the place

3d Question. When and to whom did you give the judicial possession of the place

Answer. I am not certain of the month, but it was in 1842 I gave judicial possession of the place to Angel Casto and Antonio Rodriguez

4th Question. What office did you hold when you gave the judicial possession?

Answer. I was Just Alcaide and Judge in charge of the Mepim of <sup>Son</sup> Juan Bantista

5th Question. Do you know the boundaries of the Rancho of Paccinas, if you please to state them

Answer. I know the boundaries which I gave. It is bounded on the North by the Rancho of Santa Anna on the East and South by the Range of mountains and on the West by the Rancho of San Justo.

6th Question. When you gave the judicial possession of said Rancho of Paccinas make a record of said act?

Answer. I did

7th Question. Do you remember the Contents of said said Record of possession?

Answer. It specified what was done in giving possession. We commenced measuring on the South part of the Rancho, and measured towards the North 10,000 varas. The Point at which we commenced was in a cañada, to which they gave no name we ran Northward, passing Santa Ana which is North

Easterly, and continued on up in a North Westerly course till we struck the Rancho of Santa Justo and the Seranca which runs down a portion of the Westerly side of the Ranch, this was all the measurement we made

8th. Question. How much Land was seen, in the record of possession, to be contained in said Rancho?

Answer. Two Titos de ganado Mayor -

9th. Question. Were any of the Colonizantes with you when you gave the possession?

Answer. Manuel Carcas, Owner of the Rancho of Santa Anna, was with us, he was the only one -

10. Question. Who were the assisting witnesses?

Answer. Jose Maria Bravo was the Secretary, Mariano Castano, Juan Arroyas and Claudio Vasquez were the assisting witnesses

11th. Question. In giving said possession did you establish any Land Marks on the boundaries

Answer. We did, in some places we marked trees and in others we placed up stones, we marked a tree where we commenced, a cross on an Oak tree, at the boundary of San Justo, we also made a cross on an Oak tree, and where we ran by Santa Anna we put up a heap of stones -

12th. Question. What did you do with the Record of said possession?

Answer. I sent it to the Governor by Rodriguez

13th. Question. Did you give a copy of the proceedings to either of the interested parties

Answer. I did not -

Cross Examined by the U. S. Associate Law Agent

1st. Question. Was your familiar with said Rancho before you gave the said possession?

Answer. No. I never had seen it before that -

2nd. Question. How often did you see said Rancho after you gave said possession?

Answer. I saw it but once after when I was passing by there -

3rd. Question. How do you know that Antonio Rodriguez and family lived on the place in 1843

Answer. I know it, because they were my friends and when they would come to map at San Juan they told me they lived there on said Rancho. I never saw them there, and only know it from information

4th. Question. What were the forms with which said possession was given?

Answer. We measured with a rope 50 Varas in length  
3 persons carried the rope, and was on foot  
5th Question. What was the name of the mountains  
on the South Side and East Side of said Rancho?  
Answer They called them Serranico I heard no other  
name

6th Question. Is that not a term generally used to  
signify a range of hills or mountains  
Answer. It means almost the same thing as Sierra

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7th Question. What separated the Rancho of Santa  
Anna and San Justo from Paccinas

Answer. The Mountain or Serranico separates Santa  
Anna from Paccinas, San Justo is in the valley with  
Paccinas and no natural object separates them

8th Question. What extent of land was ceded you in  
the grant by which you gave Juacae possession?

Answer. Two Sitios de ganados Mayas -

9th Question. In running north how far was the point  
at which you marked the tree, the end of the  
10,000 Varas, from the Santa Anna Rancho?

Answer. It was something over a half league more  
or less

10th Question. On how many sides were the land marks  
placed of which you speak to certify the bounda-  
ries of the Rancho of Paccinas -

Answer - On 3 sides and on one side the Serranico  
was a natural boundary

11th Question. Do you know of any Lesions in this  
case if you by whom was it made?

Answer. Yes there was and made by Jose Maria  
Bravo my Secretary who assisted in giving the  
Juradeal possession. It was made on the same  
day said possession was given -

12th Question. What guided you in making the meas-  
urement of said Rancho so as to embrace two leagues?

Answer. The measurements themselves made two  
leagues -

13th Question. How far is it on a direct line across the  
Rancho of Paccinas in a westerly course from the pile  
of stones, you placed at the boundary of the Santa  
Anna Rancho, to the Serranico on the West Side  
of said Rancho of Paccinas?

Answer. About one league

13th Question. What was the shape of the Rancho of  
Paccinas?



11  
Answer. The shape was something like an oval form corresponding with the natural shape of the Canada in which it lies.

14th Question. How did you know when you struck the boundary of the Rancho of San Justo?

Answer. I knew by the directions which the Padre of the Mission had given me. It was marked by low hills & Mountains (Somos Montas)

15th Question. How many days were you in making the measurement?

Answer. A day and a half.

16th Question. Why did you not summon all the colonias?

Answer. Because I had received no instructions to do so.

17th Question. How did you know who to measure Saca Land?

Answer. I was directed by the Governor to ascertain whether the land was vacant and report the fact to him. I informed myself, and found the land was vacant and so reported. I obtained my information of the particular location and limits of the land asked for from the interested parties themselves (This answer objected to by Law Agent as not responsive)

18th Question. How did you measure the land in accordance with the directions of the interested parties?

Answer. I measured it by the direction of Rodriguez. I measured by the limits of the Saca as Lucas and Rodriguez showed me the boundary of the Rancho of Santa Anna. I then commenced the measurement in the Canada. We commenced in the Canada because it was easier, it was near the middle of the day and very hot.

19th Question. Had you any papers with you when you made the measurement if you what?

Answer. Yes we had the Order from the Governor which was afterwards sent to the Archives of the Court (Juzgado) that was all the documents we had.

20th Question. State the Contents of the Governor's Order?

Answer. The Order specified what land was asked for and directed me to give formal possession of it to Sr. Rodriguez Huelto. It was the same Order which directed me to inform myself whether the land was vacant, it was signed by Governor Alvarado was made in 1842. The place was described as the

as the place called Tacinas petitioned for by the petitioners

21<sup>st</sup> Question. Why did you not give the interested party a copy of the record of possession?

Answer. Because they did not ask for it.

22<sup>nd</sup> Question. Who made the calculation of the measurement

Answer. The Secretary Bravo made it first and I and the assisting Altitnepes kept an account of the measurements

23<sup>rd</sup> Question. Why did you not measure all around the Land?

Answer. It was impossible on account of the steepness of precipices in the Mountains and it was unnecessary

24<sup>th</sup> Question. How could you make the calculation without so measuring?

Answer. We made it by what was measured

25<sup>th</sup> Question. What was the length of the true measure, the longest way on a direct line through it

Answer about 9,000 Varas

26<sup>th</sup> Question. What is the average width of the tract

Answer. We estimated it one league across

(Reexamined by Claimant's Counsel)

1<sup>st</sup> Question. Look at the Document marked "A" Title filed in this case Feb. 17. 1853 and annexed to deposition of William E P Martineau and state whether you ever saw it before, if yes, where?

(This question objected to by U. S. Law Agent as not being a proper examination)

Answer. I saw it in the hands of the Sacerdote Rodriguez at the time I gave judicial possession of the Rancho in question. This is the same paper I have spoken of in this deposition, there was a discrepancy at there, but there is not here

2<sup>nd</sup> Question. When did Rodriguez die, and state if you know what children or heirs he left?

Answer. I do not remember the year, he was drowned in the wrecking of a vessel at Monterey

I do not know how many children he left I think two I do not know their names. He left a widow, who is still living. Do not remember her name

3<sup>rd</sup> Question. In what court (Juzgado) was the record of possession placed or recorded?

Answer. A copy of it was placed in the Archives of San Juan Bautista when I was Alcalde there

4th Question. Where are the papers of those Archives now?

Answer. I delivered the Archives over to my Successor  
Quintan Ortega, and these papers ought still to be among them  
keep Examined by U. S. Sup. Agent

1st. Question. When did you first see the paper men-  
tioned in 1st Question of the Reexamination in this  
Case?

Answer. I saw it before I gave my depositions  
Sometime in 1842 -

2<sup>nd</sup> Question. Did you read it at the time you first  
saw it?

Answer. I did, it was then in the possession of Antonio  
Rodriguez

3<sup>rd</sup> Question. When where and in whose possession did  
you next see it?

Answer. I think I saw it again at San Juan Bon-  
tate in that same year, in the hands of Juan  
Rodriguez, and I next saw it here to day

4th Question. How do you know this is the same  
Document?

Answer. I know its contents

Subscribed and sworn to before  
me on this 26th day of June A.D. 1854

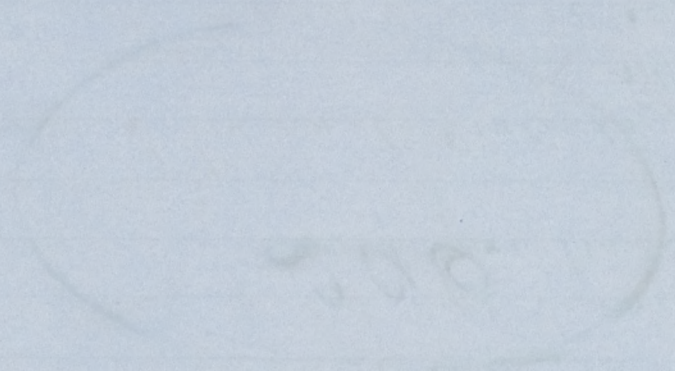
José Lott Comisario for  
taking Testimony &c

Taken in office June 26. 1854

Geo. Fisher  
Secy

Recorded in Ev. B Vol 4 p 674

Geo. Fisher  
Secy



Faint, illegible text or markings at the bottom of the page, possibly bleed-through from the reverse side.

Expediente promovido por D<sup>no</sup>  
Angel Castro y D<sup>no</sup> José Antonio Rodríguez  
en solicitud del paraje conocido con el  
Nombre de Ciénega de los  
"Pucinos"

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296.

2 Dello Tercero Dos Reales:

Habilitado provisionalmente por la Aduana  
maritima del puerto de Monterrey en el Departa-  
mento de las Californias, para los años de mil  
ochocientos cuarenta y mil ochocientos cuarenta  
y uno.

Dimeño

Antonio Maria Coio.

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Revalidado p: los años de 1842 y 1843.

Alvarado

Antonio Maria Coio.

Monterrey Dcho 3 de  
1842. Pase al Sir-je  
pecto del 1<sup>o</sup> Distrito lo  
continuo.

Excmo. Sr.

Los Cuid. Angel Castro y José  
Antonio Rodriguez ante la justo-  
peasion de V. E. manifiestan

Alvarado.

q: habiendose aumentado los bienes del primero no  
le es bastante el pequeño terreno q: hoy posee y el  
2<sup>o</sup> no ser dueño en propiedad de otro alguno p:  
el progreso de los suyos y mantencion de una nume-  
rosa familia.

El diseño q: respetuosamente acom-  
pañamos es de un terreno de dos sitios de ganado  
mayor por como o menos no ha pertenecido a este  
blecimiento alguno es enteramente baldio y se  
encuentra situado p: donde hacen sus incursio-  
nes los Barbaros; colinda al Norte con el ran-  
cho de Santa Anna de la propiedad de D<sup>o</sup>  
Juan Anzar; al Sur con la Sierra; al Oriente  
con otra Sierra y al poniente con el Rancho de  
D<sup>o</sup> Justo del D<sup>o</sup> D<sup>o</sup> José Castro.

Confiadospues en la bondad de V. E. le suplica-  
mos se sirva concedernos la propiedad del  
mencionado terreno cuya solicitud hace cinco  
años hizo el primero de los q: suscribimos.

Monterrey Det: 6 de 1842.

Excmo Sr.

José Antonio Rodriguez. Angel M<sup>a</sup> de Castro.

4. Dello Tercero Dos Reales: Habilitado provisio-  
almt: por la Aduana maritima del puerto de  
Monterrey en el Departamento de las Californias  
para los años de mil ochocientos cuarenta y mil  
ochocientos cuarenta y uno.

Dimeño

Antonio M<sup>a</sup> Coio

Revalidado p<sup>o</sup> los años de 1842 y 1843.

Alvarado.

Antonio Maria Pico.

Excmo Sr

Los Cuidos Angel Castro y José Antonio Rodriguez solicitan en esta instancia se sirva V. E. concederles la propiedad del terreno, nombrado p<sup>o</sup> el 1<sup>o</sup> de los pretendientes, Don Gerardo del Rosario.

Don notorio las circunstancias que adunan a los solicitantes, así como q<sup>d</sup> el terreno mencionado no ha pretendido a ningún establecim<sup>to</sup> y q<sup>d</sup> encontrándose situado p<sup>o</sup> el umbral donde ha cesado sus incursiones los barbaros resulta la ventaja para q<sup>d</sup> estendiéndose p<sup>o</sup> la población se impediría con el tiempo el paso de aquellos a los ranchos donde causan tanto daño.

Esta es la opinión de esta prefectura mas V. E. con su acostumbrado resolverá lo q<sup>d</sup> fuere de su Sup<sup>ta</sup> agrado.

5 Prefectura del 1<sup>er</sup> Distrito. Monterrey C. M. 4 de 1842. José R. Echada.

Monterrey 5 de Octubre de 1842.

Vista la petición con que da principio este expediente los informes que preceden con todo lo demás que se tubo presente y ver conbinado de conformidad con leyes y reglamentos de la materia declaró a los Ciudadanos Angel Castro y José Ant<sup>o</sup>. Rodriguez dueño en propiedad del terreno conocido con el nombre de Ciénega de los Pavones, colindante al norte con el Rancho de Santa Ana, al Oriente y al sur con las Denegaciones y Poniente con el Rancho de Don Justo. Libre de el correspondiente despacho tomese razon en el libro respectivo, y dirijase este exped<sup>te</sup> a la Excm<sup>ta</sup> Junta Departamental, El Excmo Sr Gobernador así lo decretó y firmo de que doy fee.

Q. Dello Cuarto <sup>Place of a</sup> <sup>(Stamp in</sup> una Cuartilla <sup>the Original)</sup> para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

Revalidado para los años de 1842 y 1843.

Antonio M. Pico.

b.

Here follows  
Map

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19  
y Juan B. Alvarado Gobernador Constitucional  
del Departamento de las Californias.

Por cuanto los Ciudadanos Angel Castro  
y José Linto Rodríguez han pretendido para su  
beneficio personal y el de sus familias el terreno  
conocido con el nombre de la Ciénega de los pai-  
anes, colindante al Norte con el Rancho de Sta  
Ana, al Oriente y al Sur con las Terrencias y al  
poniente con el Rancho de San Justo. practica-  
das previamente las diligencias y averiguaciones  
concernientes según lo dispuesto por leyes y re-  
glamentos, usando de las facultades que me  
son conferidas à nombre de la Nación Mexicana  
he venido en considerar el terreno mencionado  
declarándole la propiedad de él por las pres-  
entes lehas sujetándose à la aprobación de  
la Comisión Junta Departamental y à las condi-  
ciones siguientes.

1.ª podrá cercarlo sin perjudicar las travecias  
caminos y servidumbres, lo disputará libre y ex-  
clusivamente destinándolo al uso ó cultivo que  
8 mas le acomode pero dentro de un año fabricará  
casa y estará habitada.

2.ª Solicitará del juez respectivo que les de posesion  
juridica en virtud de este despacho por el cual  
se demarcarán los linderos, en cuyos límites pon-  
drá à mano de las mojoneras algunos árboles su-  
tales ó silvestres de alguna utilidad.

3.ª El terreno de que se hace donacion es de do-  
sitios de ganado mayor pero mas ó menos según  
explique el diceño que corre agregado en el Expediente  
respectivo. El juez que diere la posesion lo hará me-  
div conforme à Ordenanza quedando el sobrante  
que resulte à la Nación para los usos que  
mas le convengan.

4.ª Si contraviniere à estas condiciones perde-  
rá su derecho al terreno y sera denunciado  
por otro.

En consecuencia mando q. te-  
niéndose por firme y valiendo este titulo se tome  
razon de él en el libro respectivo y se entregue al  
interesado para su resguardo y de otros fines  
Dado en Monterey à cinco de Octubre de mil ochocientos  
cuarenta y dos.

map 7  
220 SD  
PAGE 17

Office of Surveyor General of the United States  
for California.

I, John C. Hays, Surveyor General  
of the United States for the State of California  
and as such, having in my Office and in my  
charge and custody a portion of the Archives  
of the former Spanish and Mexican Territory  
or Department of Upper California by virtue  
of the power vested in me by law, Do hereby  
certify that the nine preceding, and here  
unto annexed pages of tracing paper numbe  
ed from one to nine inclusive, exhibit a true  
and accurate copy of a certain document now  
on file and forming a part of said Archives  
in this Office

220 SD  
PAGE 18

In Testimony whereof I have  
hereunto signed my Name officially  
and caused my Seal of Office to be  
affixed at the City of San Francisco, this third  
day of October 1853.

John C. Hays

U. S. Surveyor Gen. for Cal.

Filed in Office Sept. 15<sup>th</sup> 1854

Geo. Fisher Deery

Translation of  
Expediente —

Expediente moved by Don Angel Leastro and Don Jose Antonio Rodriguez, asked for the place known by the name of "Ciencia de los Paccenes" — No 296

Stamp Three. Two Reals

Provisionally authorized by the Maritime Customhouse of the Port of Monterey in the Department of the head of news for the years 1840 and 1841

Simons

Antonio Maria Osio

Reauthorized for the years 1842 and 1843

Alvarado

Antonio Maria Osio

Most Excellent Señor

Citizens Angel Leastro and Jose Antonio Rodriguez before the justification of your Excellency show: That the property of the first having increased so that the small land which he now possesses is not sufficient and that the same is not owned in fees of any land for the increase of his (property) and the support of his numerous family —

Most Excellent Señor. The map which they respectfully submit herewith is of two square leagues of land a little more or less; it belongs to no Establishment is entirely vacant, and is situated where barbaros (Wild Indians) make their incursions; it is bounded on the North by the Rancho of Santa Anna belonging to Don Juan Ansa on the South by the Sea; on the East by another Sea, and on the West by the Rancho of San Justo belonging to Dona Doña Jose Leastro.

Confiding then in the bounty of your Excellency we pray you to be so good as to grant us the fee of said Land, which was asked for five years ago by the first of the undersigned  
Monterey Sept. 6. 1842

Jose Antonio Rodriguez

Angel M<sup>a</sup> de Leastro

(In the Margin) Monterey Dec. 3. 1842

Pass this to the Prefect of the 1<sup>st</sup> District that he may report what is proper. Alvarado

Most Excellent Señor

Citizens Angel Leastro and Jose Antonio Rodriguez ask in this proceeding that your Excellency will be so good as to grant them in fees the land called by the first of the Petitioners "San Francisco del Rosario" The circumstances represented by the Petitioners are notorious

220 SD

PAGE 19

as also the Land mentioned belongs to no Establishment; and that it is Situate in the direction from which the Wild Indians make their incursions; the advantage will therefore result by Extending the Settlement that in time these (Indians) will be impeded in their passage to the Ranchos where they cause so much injury -

This is the opinion of this prefecture, but your Excellency with your usual discretion will determine what may be your Superior Will - Prefecture of the 1st District. Montevideo October 4th 1842

José R Estrada

220 SD

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Montevideo Oct. 5th 1842 -

Having seen the petition at the beginning of this "Expediente" the reports presented with all else presented, and proper to be examined in conformity with the Laws and regulations on the subject I decree Citizens Angel Leastro and Jose Antonio Rodriguez owners in fee of the Land known by the name of "Cienegu de los Paredes" bounded on the North by the Rancho of Santa Anna, on the East and South by the "Sierritas" (Mountains) and on the West by the Rancho of San Justo See the corresponding title issue, record it on the proper book, and direct this Expediente to the Most Excellent Departmental Junta. The Most Excellent Srn Governador thus decreed and signed of which I certify -

(Next follows the map, and then a copy of the formal title, the same as translated in Exhibit "B")

Filed in office Sept. 15. 1854

Sco. Fisher Secy

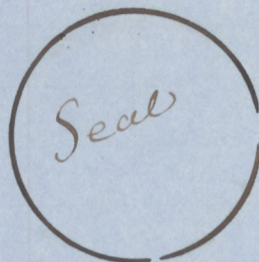
Dello 1º. Dais pesos:

Habilitado provisionalmente por la Aduana  
maritima de Monterey, para los años de 1839 y  
1840.

Alvarado Antonio M<sup>o</sup>. Osis.

Valga para los años de 1842.

Alvarado Antonio M<sup>o</sup>. Osis



Juan B. Alvarado Gobernador Consti-  
tucional del Departamento de las Cali-  
fornias.

Por cuanto los Ciudadanos  
Angel Castro y José Antonio Rodriguez, han preten-  
dido para sus beneficios personales y el de sus  
familias el terreno conocido con el nombre de Vie-  
negas de los Paicines, colindante al Norte con el  
Rancho de Santa Anna al Oriente y al Sur con  
Las Serranas y al poniente con el Rancho de O-  
justo. practicadas previamente las diligencias  
y averiguaciones consiguientes segun lo dispuesto  
por leyes y reglamentos; usando de las facultades  
que me son conferidas a nombre de la Nacion de Es-  
pana he venido en concederle el terreno menciona-  
do declarandole la propiedad de el por las pre-  
sentes lehas, sujetandose a la aprobacion de la  
Excm<sup>a</sup> Junta Departamental y bajo las condici-  
ones siguientes.

1ª Podrán cercarlo sin perjudicar las travesias  
caminos y servidumbres disputadas libre y exclusi-  
vamente destinandolo al uso o cultivo que mas le  
acomode pero dentro de un año fabricaran casa  
y estara habitada.

2ª Solicitaran del juez respectivo que les de la  
posesion juridica en virtud de este despacho p:  
el cual se demarcaran los linderos en cuyos limites  
pondran a mas de las mojoneras algunos arboles  
frutales o silvestres de alguna utilidad.

3ª El terreno de que se hace donacion es de dos  
sitios de ganado mayor poco mas o menos segun  
explica el disenno que corre agregado al Expediente  
respectivo. El juez que diere la posesion la hara  
medir conforme a Ordenanza quedando el so-  
brante a la Nacion para los usos convenientes.

4ª Si contravinieren a estas condiciones perderan

su derecho al terreno y seran denunciabile por oho

En consecuencia mando que temendose por firme y valiendo el presente titulo de toma razon de el en el libro a que corresponde y se entregue a los interesados para sus resguardos y de mas fines. Dado en Monterrey a cinco de Octubre de mil ochocientos cuarenta y dos.

Juan B. Alvarado.

Mand. Jimeno. Vero.

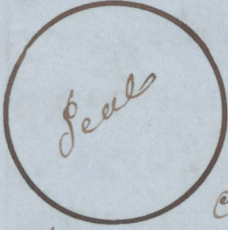
220 SD  
PAGE 22

Queda tomada razon de este Despacho en el Libro de asientos sobre adjudicacion de terrenos baldios a foja 15. Vuelta

Jimeno.

El Excmo Sr. Gobernador ha dispuesto de tomar razon de esta ~~consecucion~~ en la prefectura del 1<sup>o</sup> distrito.

Jimeno.

 Vistas las razones alegadas por D<sup>n</sup> José Anto. Rodriguez en de 1<sup>o</sup> del corriente, informe del Secretario del despacho y renuncia que hicieron los individuos que habian denunciado el parage de los Paicines he venido por decreto de hoy prorogar al mencionado Sr. Rodriguez por un año el tiempo para que ocupe el terreno mencionado.

Monterrey Febrero 3. de 1844

Mand. Michel<sup>ca</sup>

Filed in Office Feby 14<sup>th</sup> 1853

Geo. Fisher Secy.

Stamp 1st Six Dollars

Provisionally authorized by the Maritime Customhouse of the Port of Monterey for the years 1839 and 1840

Alvarado Antonio Maria Altes  
Goval for the year 1842  
Alvarado Antonio Maria Altes

{ Seal of }  
{ Customhouse } Juan B Alvarado Constitutional  
Governor of the Department of the  
Californias -

220 SD  
PAGE 23

Whereas Citizens Angel Custos and Jose Antonio Rodriguez have for their own personal benefit <sup>of</sup> that of their families petitioned for the Land known by the name of "Cienega de los Paccinos" bounded on the North by the Rancho of Santa Anna, on the East and South by the Mountain Range (Sierritas) and the West by the Rancho of San Justo; the proper Measures and Examinations being previous by much as required by Lawes and regulations using the powers conferred on me in the name of the Mexican Nation I have granted them the aforesaid Land declaring to them the ownership of it by their presents, subject to the approval of the Most Excellent Departmental Junta and under the following Conditions -

- 1st. They may Enclose it without prejudice to the cropping Roads and Arroyos; they will enjoy it freely and Exclusively, Making such use as Cultivation of it as they best see them, but within One Year, they will build a house and it shall be inhabited
- 2nd They will request the proper Magistrate to give them possession in virtue of this patent by whom the boundaries will be marked out in the limits of which they will place, besides the bounds, some fruit or fruit trees of a useful Character -
- 3rd The Land of which Donation is made is two Square Leagues, a little more or less as shown by the Maps which goes attached to the respective Especimto. The Magistrate who may give the possession will cause it to be measured in conformity with the Ordinance leaving the Scrips which may result to the Nation for the Government using

4th If they shall continue these conditions they will lose their right to the Land and it may be done over by another

In consequence I order that this title being held as from and valid, note be taken of it in the paper Book and it be given to the persons interested for their security and other purposes

Given in Monterey on the fifth of October One thousand eight hundred and forty two

Signed Juan B. Edwards

(Signed) Manuel Jimeno

Secretary

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PAGE 24

Note has been made of this patent in the book of Entries of grants of Vacant Lands on leaf 15.000

(Signed) Jimeno

His Excellency the Governor directs that note be made of this grant in the Prefecture of the First District

(Signed) Jimeno

Gov Seal

Having seen the reasons alleged by Don Jose Antonio Rodriguez in his petition of the 1st inst. the report of the Secretary of my office and the renunciation made by the persons who have denounced the place of "Los Talcines" I have by decree of this day extended to the Duce Sosa Rodriguez, by one year the time in which to occupy the said Land

Monterey February 3. 1844

(Signed) Manuel Michellana

Filed in Office Feby 17. 1843

Geo Fisher

Secy



27

No. 596

In the claim of Alcedo and heirs of J. A. Rodriguez

To

"Los Paccenes"

Motion to amend  
petition

Moved that the petition in this case be amended by filling the blanks with the names of Mariana Alcedo de Rodriguez, widow and Leonida Rodriguez, Isabel Rodriguez and La China Rodriguez children of Jose Antonio Rodriguez deceased

Filed in Office Sept. 26. 1854

Geo. Fisher Secy

220 SD

PAGE 25

*[Faint, illegible handwriting covering the majority of the page]*

*[Small, faint markings or text]*

Angel Castro and the heirs of  
 Jose Antonio Rodriguez }  
 vs } Las Paeenas  
 The United States }

## Opinion

220 SD

PAGE 26

The petitioners in this case have put on record an Original grant from Governor Juan B. Alvarado to Angel Castro and the Ancestors of the other Claimants made on the 5th of October 1842 — the genuineness of which is duly proved. The grant is for two square leagues of land as shown by the map, with the usual reservation of the Sobrante to the Nation for its convenient use. No record of Judicial proceeding is produced but this is proved by the deposition of the Alcalde Francisco Diaz that such possession was duly given by him in the year 1842 and shortly after the grant was made; it also appears from the same testimony, that the tract of land claimed is about 9000 Varas in length by about 500 in breadth being a little less than the quantity named in the grant — The boundaries are described in the grant and delineated on the map with sufficient certainty to prevent any discrepancy in locating the land. It is in proof that the grantees had in the year 1842 a house and stock on the land, and that in the following year and shortly after the possession was given the grantee Rodriguez went to live on it, that he then had on the land a wooden house and two Corrales one enclosed with stone and the other with poles, and a piece of land enclosed and in cultivation. It is also proved that there were subsequently several other houses built on the place for the children of the other grantee Angel Castro —

José Antonio Rodriguez died intestate about the year 1845 leaving a widow Isabella Castro and three children — Ysabel Leonicio and Manuel Dolores — The evidence is considered sufficient to establish the validity of the claim and entitle the claimants to a confirmation according to their respective rights and interests to which effect a decree will be entered

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Filed in Office Oct. 17. 1854

Geo. Fisher  
Secy

220 SD  
PAGE 27

*[Faint, illegible handwriting covering the majority of the page]*

no. 570 ... and the news of

31 No. 596

Angel Casto and the heirs of  
Jose Antonio Rodriguez  
vs  
The United States

Linnequillas  
Paccones

Decree

In this case on hearing the proofs and allegations it is adjudged by the Comm<sup>rs</sup> Spain that the claim of the petitioners is valid and it is therefore decreed that the same be confirmed to them in the following shares and proportions to wit; To the said Angel Casto one undivided moiety of the Land hereby confirmed and to Helena Casto, widow, and Epab<sup>o</sup> de Leoncoco, and Marco Dolores, children and heirs of Jose Antonio Rodriguez dec<sup>d</sup>. the other moiety of said Land according to their respective interests. The Land of which confirmation is made is situate in the County of Monterey and is known by the name of "Linnequilla de los Paccones" being the same which was granted by Govern<sup>r</sup> Juan B Alvarado to Angel Casto and Jose Antonio Rodriguez by title bearing date on the 5th of October 1842 and which has been held and possessed by the said Casto and Rodriguez and the heirs of the latter since his death, and is bounded as follows - On the North by the Rancho of Santa Ana, On the East and South by the Mountain Ranges (Serranias) and West by the Rancho of San Cristo containing two square leagues a little more or less; For a more particular description reference to be had to the Original grant and map contained in the Expediente in the Archives in the Office of the United States Surveyor General and to the depositions of Francisco Diaz and Manuel Larios which are on file with the papers in the case

220 SD  
PAGE 28

Alpheus Felch  
A. Aug. Thompson  
S. B. Farwell

Commissioners

Filed in office Dec 17. 1854

Geo Fisher  
Secy

And it appearing to the satisfaction of the Board  
 that the Land hereby conveyed 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 District of California  
 and the other be transmitted to the Attorney  
 General of the United States

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Office of the Board of Commissioners,

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

George Fisher

Secretary to

the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *Thirty two* pages, numbered from 1 to *32*, 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. *596* on the Docket of the said Board, where

*Angel Castro, et al, are*

the Plaintiff against the United States, for the place known by the name of *Los Pinos*

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

Geo. Fisher  
*Geo. Fisher*

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U. S. DISTRICT COURT,

*Southern* District of California.

No. 220,

*220*  
*Book*

THE UNITED STATES,

*220*

vs.

*Angel Castro*

*"Los Paicines"*

*220*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *596*.

Filed, *April 10th* 1855,

*W. E. Farr.*  
*clerk.*

*220*

*46-5-96*



Office of the Attorney General of the United States,

Washington, June 13<sup>th</sup> 1855.

220 SD

PAGE 31

596.) Los Pinos :

Angel Castro et al, Claimants.

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 15<sup>th</sup> day of March 1855, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Very Respectfully  
Cushing

Attorney General.

No. 220

W. S. District Court  
Southern Dist of Cal<sup>y</sup>

United States

vs

Angel Castro et al;

Notice of Appeal

in Case no. 596.

Filed July 21, 1885  
G. E. Leary  
Clerk

By A. H. Clark  
Deputy

220 SD

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

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



Angel Castro, appellee

vs

220 SD United States, Appellant.

Docket No. 220

Transcript No. 596

PAGE 38

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

The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 17<sup>th</sup> day of February A. D. 1853; Angel Castro

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called Los Paines in the County of Monterey State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 17<sup>th</sup> day of October A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 5<sup>th</sup> day of February A. D. 1855, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 596; reference to which it is prayed may be had and made part of this petition. That on or about the 16<sup>th</sup> day of March A. D. 1855, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: <sup>or about</sup> on the 21<sup>st</sup> day of July — A. D. 1855, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

220 SD  
PAGE 34

And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the

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

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

*P. Ord.*

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

N. 220.

Taken this 5th January  
A.D. 1857  
C. S. M. Clerk  
J. B. Holman  
Sup

UNITED STATES OF AMERICA, }  
Southern District of California, } SS.

The President of the United States,

TO

*Angel Castro*

220 SD  
PAGE 37

Greeting :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *you* in the District Court of the United States, in and for the Southern District of California, on the *5th* day of *January*, in the year of our Lord one thousand eight hundred and fifty-~~seven~~, at the City and County of Los Angeles, in said District, by

*P. Ad. W. G. May. praying*  
*said Court to reverse the decision of the Board*  
*of United States Land Commissioners of*  
*the 17th of October A.D., 1854, confirming*  
*your claim to the land called*  
*'Las Pircinas'*

and that *you* are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said Petition, or the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *6th* day of *January* A. D. 185*7*

*C. J. Sims* CLERK.  
*J. McColman*  
*sep*

Marshal Cost

Copying Summons - 60  
Serving same 3 -  
Petition 3 -  
\$ 6.60

11. 2. 20

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

Angel Castro appellee  
vs  
The United States appellee

Filed on return this 10th January  
1857

C. Sims clk  
J. A. Coleman

SUMMONS.

Received January 10th 1857

220 SD  
Edward Hunter

U. S. MARSHAL.

Wm. H. Goodman  
Depty.

I served this Summons, together with a certified copy of the Petition, upon

F. Billings

att'y for appellee by him acknowledging  
service of same

at Los Angeles  
the 10th

day of January

in the Southern District of California, on  
A. D. 1857.

Sworn to and subscribed before me, this  
10th January 1857

C. Sims CLERK.  
J. A. Coleman  
sec

Edward Hunter  
U. S. MARSHAL.

Wm. H. Goodman  
Depty.



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

Hon. Isaac S. H. Ogden Judge

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December Term 1856.

The United States

Appellant

vs.

Angel Castro, and

Milania Castro de Rodriguez,

widow, and Demisia, Isabel

and La China, children

of Jose Antonio Rodriguez.

No. 220.

Transcript from the Board of Land  
Commissioners No. 595.

This cause coming on to be heard, on  
appeal from the decision of the Board  
of Land Commissioners to ascertain  
and settle private land claims in  
California, upon the transcript of  
the proceedings and decision of  
said Board and the documentary  
and other evidence upon which  
said decision was founded, and  
counsel for the respective parties  
having been heard, it is

Ordered, Adjudged and  
Decreed:

That the decision of said

220 SD  
PAGE 40

Board of Land Commissioners declaring valid and confirming the claim of the said appellants Angel Castro and others to the land set forth and described in their petition to said Board, and in the documentary and other evidence in this case be and the same hereby is affirmed, and that the title of the said appellants Angel Castro and others is a good and valid title to the said land.

The lands of which confirmation is hereby made is supposed to be situated in the County of Monterey, is known by the name of "Los Poicines" or "Ciénega de los Poicines", is of the extent of two square leagues and no more, is the same granted on the 5<sup>th</sup> day of October 1842 by Governor Juan B. Alvarado to Angel Castro and José Antonio Rodríguez, and is bounded on the North by the Rancho of Santa Anna on the East and South by the mountain range (serranias) and West by the Rancho of San Jute, according to the grant and <sup>the</sup> map <sup>referred to in the appants</sup> to which reference is had for the description.

If the land within said boundaries exceeds in quantity two square leagues, the confirmation hereby made is made to two square leagues and no more; but if the land within

220 SD  
PAGE 41

said boundaries is less in quantity than two separate layers, than the confirmation kindly made is made to such less quantity.

Quaclet Ogden  
N S D's Office  
for the S D's of Cal

No. 220.

The United States  
appellant

vs

Angel Castro and  
Hein of Rodriguez  
appellees.

Deceit.

Affirming decision of  
Lower court  
+ Confirming Claim

Remains in page 148

Filed Aug 20th 1857  
Claus  
clh

220 50

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

220 SD

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The United States  
Appellants  
vs.  
A. Castro and Heirs of Rodriguez  
Appellees

No. 220  
Transcript No. 596.

The said A. Castro and the said Heirs of Rodriguez  
appellees in the above entitled cause  
appear, by their Attorneys, and, for  
answer to the petition of the United  
States, for review, filed herein, say:  
That their title to the land  
called "Paienes", as set forth and  
described in the petition to the Board  
of Land Commissioners and in the  
documentary and other evidence filed  
in this case is a good and valid  
title. The land claimed is situated  
in the Southern District of California  
And they pray this Honorable  
Court to affirm the decision of the Commi-  
-sioners and decree their title to be valid  
Hulbeck Beach & Bellinger,  
Atty of Appellees.

No. 220

—

The United States  
Appellant

vs

A. Castro and Heirs  
of Rodriguez  
Appellee

—

Amicus of Appellee

Filed this 20th January  
1857

Cecilia clk  
J. Woodman  
clerk

Hallock & Pillsbury

Attorneys

220 5D

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No 220

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

Hon. J. S. T. Ogier, Judge.

June Term 1857.

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PAGE 45

The United States, appellants } N. 220  
vs. }  
Angel Castro et al, appellees }

Transcript from the Board of Com<sup>r</sup> No 596.

The Atty General of the United States having  
given notice that the appeal to the Supreme  
Court from the decision of this court in  
the above entitled cause will not be  
prosecuted by the United States, and a  
stipulation having been entered into by  
the United States District Atty, and the  
attorneys of the claimants that the order  
granting an appeal to the Supreme Court,  
heretofore made in this cause be vacated,  
and that the decree of this court heretofore  
rendered in this cause may by order of  
the Court be made final.

It is ordered, adjudged and decreed,  
that the order granting an appeal to the Supreme  
Court heretofore made in this cause be and  
the same is hereby vacated, and that the  
claimants have leave to proceed under the  
decree of this court heretofore rendered in this  
cause as under a final decree.

Sanuel H Ogier  
U S Dist Judge

No 220

In the U. S. Dist Court  
Southern Dist of Cal.

The United States, appellants  
and  
Amiel Castro et al. appellees  
Order dismissing appeal

Filed 4 June 1907  
W. Taylor  
Spt. Clk.

220 SD

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No 220

In the United States District Court in and for  
The Southern District of California.

The United States, appellants  
vs  
Angel Castro et al. appellees

Transcript No 596

No. 220,

220 SD

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Stipulation

The Attorney General of the United States  
having given notice that no appeal in  
the above entitled case will be  
prosecuted by the United States, it is hereby  
stipulated and agreed between the  
parties that the order heretofore made  
in this case granting an appeal to the  
supreme court of the United States be  
waived, and that the decree heretofore  
rendered in this case by this court be  
made final.

J. P. M.

Dist Atty.

Stallan Peachey & Pillsbury  
Attys for appellees.

No 220.  
In the U. S. Dist Court  
Southern Dist of Cal.

The United States  
appellants

vs  
Angel Castro et al  
appellees

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Stipulation

Filed 4 June 57  
at Taylor  
S. J. Clark

Paid 220 SD

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California Land Claims  
Attorney General's Office  
2 Feby. 1857.

Sir: In the case of the claim of  
Angel Castro et al., confirmed to the  
claimants by the Commissioners, Case  
no. five hundred and ninety-six, (596),  
appeal will not be prosecuted by the  
United States.

I am,  
Respectfully,  
Ours,

Pacificus Ord Esq  
U. S. Attorney,  
Los Angeles.

No 220

Filed this 5th March 1858  
C. Sims cler  
J. M. Colman  
per