

CASE No.
239

SOUTHERN DISTRICT

CAMULOS GRANT

PEDRO C. CARRILLO

CLAIMANT

MAR 14 1963

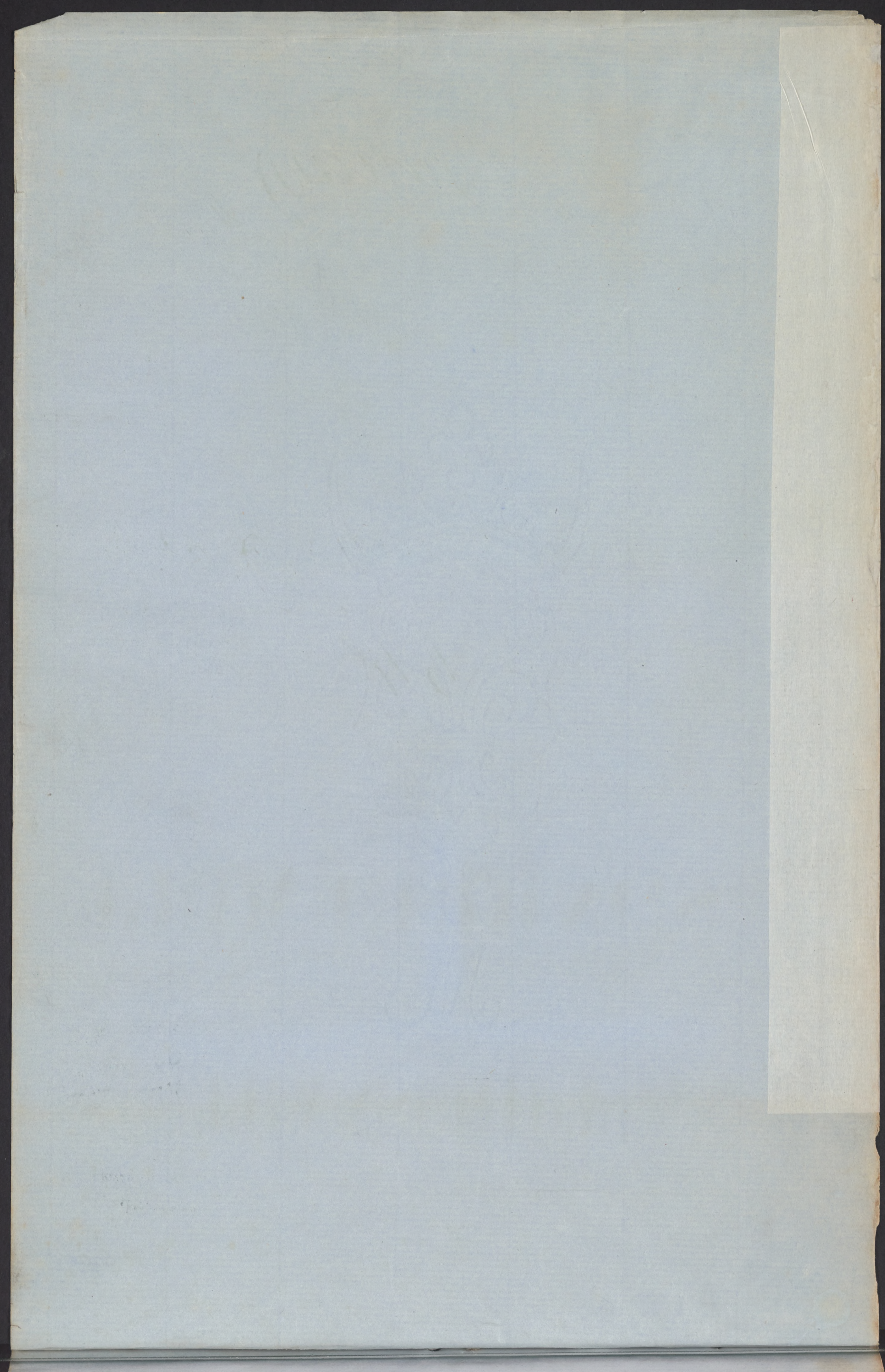
APR 5 1963

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
BROOKS BOND
MONTGOMERY, ALA.



491

[The main body of the page contains extremely faint and illegible text, likely bleed-through from the reverse side of the paper.]



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. *491.*

Pedro C. Carrillo CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Carrillos."

THE UNITED STATES DEPARTMENT OF THE INTERIOR

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

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The Petition of Pedro C. Carrillo, *claimant*
for the Place named
"Carrillos,"
was presented, and ordered to be filed and docketed with No. 491 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 3^d 1853.
In Case no. 491, Pedro C. Carrillo for the place named "Carrillos", the deposition of W^m E. P. Martrell, a witness in behalf of the Claimant, taken before Commissioner Melinda Hall, with document marked W. H. No. 1, annexed thereto, was filed;
(Vide page 3 of this Transcript)

San Francisco, Sept. 23 1853.
Case no. 491, on motion of the Counsel for the claimant, ordered to the foot of the Docket.

San Francisco Sept. 19 1854.
Case no. 491, on motion of the Counsel for the claimant, with the consent of the U. S. San Agent was ordered to be placed at the foot of the 2^d class cases on the Trial Docket.

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San Francisco October 31' 1854.
Case no. 491 was submitted under the Rule
of March 21st. 1854.

San Francisco November 7' 1854.
In the same case Commissioner R. Aug. Thompson
delivered the opinion of the Board rejecting the
claim:

(Vide page 11 of this Transcript.)

and the following order was made to wit:

(Vide page 12 of this Transcript.)

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Petition

To the Honorable Commissioners to settle Private Land Claims in California
 The Petitioner Pedro C. Canullo respectfully shows
 That on the 2nd day of October A.D. 1843 Manuel
 Quintanilla Governor of California by virtue of
 authority in him vested granted to the Petitioner
 the tract of land called Canullo's situated in
 the present County of Santa Barbara containing
 six thousand four hundred and eighty
 square leagues with the boundaries
 described in the Grant and Map which are
 submitted herewith marked A with Francisco
 Torres marked B.

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That he has been for several
 years and now is in the possession of said
 tract of land

That he relies for Confirmation
 of title upon the original papers submitted
 herewith upon the Notes and Records in the
 Archives of the former Government now in
 charge of the United States Surveyor General
 and upon such other and further proofs as he
 may be advised are necessary
 Wherefore he prays the Commissioners to con-
 firm to him the said tract of land

By his Attorney
 Halluk Peckay & Billing

Filed in Office December 13th 1852

Geo. Justice

Secretary

Recorded in Record of Petitions Volume
 Page 453

Geo. Justice

Secretary

Opposition of
 Wm. E. P.
 Hartwell

San Francisco February 3. 1853

On this day before me Commissioner Helmut Hall
 came William E. P. Hartwell and in behalf
 of the Claimant Pedro C. Canullo Petitioner No 491
 and was duly sworn his evidence being given in
 English

The U.S. Associate Law Agent was present
 My name is William E. P. Hartwell my age is fifty
 five years reside in Monterey and have lived in

H

California thirty years I am acquainted with the
signatures of Manuel Nieto and Manuel
Garcia their signatures to the paper before me bear
- his H H Nos and have attached all their genuine
signatures

To E. P. Hartwell
Germ and Subscribed before me
Beland Hall
Commissioner

Public Office February 3rd 1853

To Fisher

Numbered in Evidence B. Volume 2 Page 333
George Fisher
Secretary

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5-
Sello Segundo Cuatro pesos.

Habilitado provisionalmt^o. por la Aduana Ma-
ritima del puerto de Monterey, en el Depar-
tamento de las Californias, para el año ocho-
cientos cuarenta y tres.

Micheltorena

Manuel Castañares

Sello Manuel Micheltorena General de
Brigada del Ejercito Mexicano Goberna-
dor y Comandante General del Depar-
tamento de Californias.

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Por cuanto D. Pedro Carrillo ha pretendido p^o-
su beneficio personal y el de su familia el terre-
no conocido con el nombre de Camulos siendo los
limites desde el Temascal que esta en la ba-
ñada de Vri hasta las Buchillas de las Lome-
nas de Lapo, Cañada de Camulos, el portezuelo
las Lomas que se comprenden al Norte de la
Cañada principal y colindante con el Rancho
de Don Jacmeis e y Don Cayetano: practicadas
previament^o. las diligencias y averiguaciones con-
cernientes segun lo dispuesto por leyes y Regla-
mentos de la Materia; usando de las facultades
que me son conferidas a nombre de la Nacion
Mexicana he venido en concederle el terreno men-
cionado declarandole la propiedad de el por las
presentes letras sujetandose a la aprobacion de
de la ~~Coma~~ Junta Departamental y bajo las
condiciones siguientes.

1^o podra cercarlo sin perjudicar las travesias
caminos y servidumbres; lo disputara libre y
exclusivamente destinandolo al uso y cultivo
que mas le acomode; pero dentro de un año fa-
bricara casa y estara habitada.

2^o Solicitara del juez respectivo que le de posesion
juridica en virtud de este despacho por el cual
se demarcaran los linderos en cuyos limites pon-
dra a las mojoneras correspond^{tes} y algunos arbo-
les frutales o silvestres de alguna utilidad.

3^o El terreno de que se hace donacion es de
cuatro sitios de ganado mayor segun esplica el
diseño que corre en el Expediente.

El juez que diere la posesion lo hara medor con-
forme a Ordenanza que daudo el sobrante q^o.

resulte à la Nation para los usos convenientes.
2.ª Si con haberie à estas condiciones perder à
su derecho al terreno y sera denunciabile por oho.

En consecuencia mando que sirviendole el
presente por firme y vale de ro titulo se tome razon
de el en el libro respectivo y se entegue al interes
do para su resguardo y demas fines.

Dado en Monterey à dos de Octubre de mil ocho
cientos cuarenta y tres.

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Man. Michelena

Man. Jimeno Serio.

Queda tomada razon de este despacho en el
Libro respectivo à f.ª 1.ª

Jimeno.

Dello Quarto Dos Reales: Habilitado provi-
sionalmt. por la Aduana maritima del puerto
de Monterey en el Departamento de las Cali-
fornias para el año de mil ocho cientos cuaren-
ta y tres.

Michelena

Manuel Castañares

Selle.

{ Here follows
{ Map. }

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El que suscribe Cmo del Gobno del Departamto
de California certifica. Que el diseno que se de
muestra a la vuelta es igual al Original que
existen en la Oficina de mi cargo.
Monterey 2. de Obre de 1843.
Manl. Jimeno

Filed in Office Dec: 13th 1852
Geo. Fisher Secy.

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map 17

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B.
Translation
Of
Title

Stamp Second Four Dollars

Provisionally authorized by the Marine Customs
House of the Post of Monterey in the Department
of the Californias for the year eighteen hundred
and forty three

Seal of the Mexican Army General

Seal of the Mexican Army General
and Commanding General of the Department
of Californias

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Thomas Don Pedro Leanic has for his own per-
sonal benefit and that of his family asked
for the land known by the name of Camulos
the limits being from the Timisco which is
in the Cañada of San to the ridge of the hills
of Tajo the Cañada of Camulos the Portuguese

The hills which are included on the North of the
principal Cañada and adjoining with another
of San Francisco and San Cayetano the proper
measures and examinations being previously
made as required by Law and Regulations
on the matter

As being the persons who all
concerned on the name of the Mexican
Nation have granted him the aforesaid
land claiming therein the ownership of it
by these presents subject to the approval of
the Most Excellent Departmental Junta
and to the conditions following viz

1 He may enclose it without prejudice to
the crossings roads and limits he may
occupy it fully and exclusively applying it
to the use or cultivation which may best suit
him but within one year he will build a house
on it and it shall be inhabited

2nd He will request the proper Magistrate
to give him the judicial possession in virtue
of this Patent by whom the boundaries will
be marked out in the limits of which he will
plant the corresponding bounds and some
fruit or fruit trees of moderate utility

3rd The land of which donation is made is

four square leagues as shown by the map
which was in the expediente the Magistrate
who may give the possession will cause it
to be measured in conformity with the order
and leaving the surplus which may result
to the Nation for its common use

If he continues these conditions he will
lose his right to the land and it will be
subject to be given away by another person
In

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consequence In order that this present survey
be in force and valid the note be made
over in the proper book and it be delivered to
the person entrusted for his security and other
purposes

Given in Monterey on the 2nd of Oct
one thousand eight hundred and fifty three
Seignior Manuel Micheltrean
Seignior Manuel Jimeno

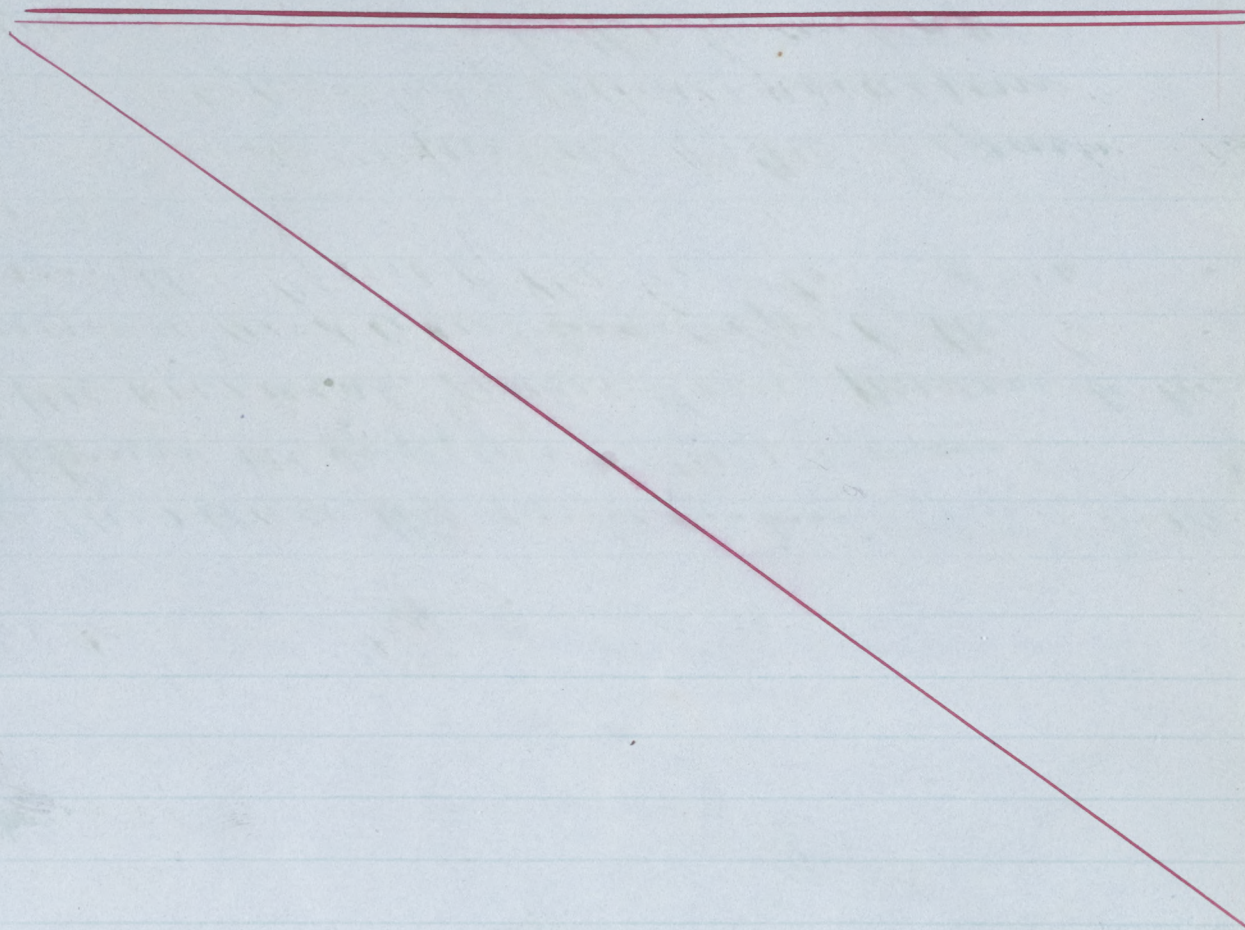
Secretary
Note has been made of this Patent in the pro-
per book on pages

Seignior Jimeno

Filed in Office December 13th 1852

Geo Foster

Secretary



11
Opinion of
the Board

No 491
Pedro Le Caunilo

vs
The United States } Caunilo

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In this case the only evidence filed by the
Petitioner in support of this claim consists
of the original Grant and by reference to the
Survey and a certified copy of the map
from the Office of the Secretary of the Gov-
ernment

No approval of the Departmental
Assembly and no judicial possession or meas-
urement as required by the Grant appear to
have been had

In cases of this description the
Commission has uniformly decided that the
conditions of occupation or cultivation being
the consideration upon which the Grant was made

Proof
of this performance was essential in order to es-
tablish such an equitable right in the cla-
imant as would entitle him to a confirmation
of his claim

No proof on this point has been
introduced in this case nor does it appear that
the party ever was in possession or occupation
of the land in any manner
The claimant therefore being rejected

Filed in Office November 7th 1854
George Fisher
Secretary

Done

Number 491
Pedro Le Caunilo

vs
The United States

In this case containing
the proofs and allegations
it is adjudged by the Commission that the claim
of the Petitioner is not valid. It is therefore decreed
that his application for a confirmation thereof
be denied


Alphens Felch
R. Aug Thompson
G. B. Howell Commission

Filed in Office November 4th 1854
 George Fisher
 Secretary

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 U. S. District Court for the Southern District of California and the other be transmitted to the attorney General of the U. S.

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 Office of the Board of Commissioners,

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

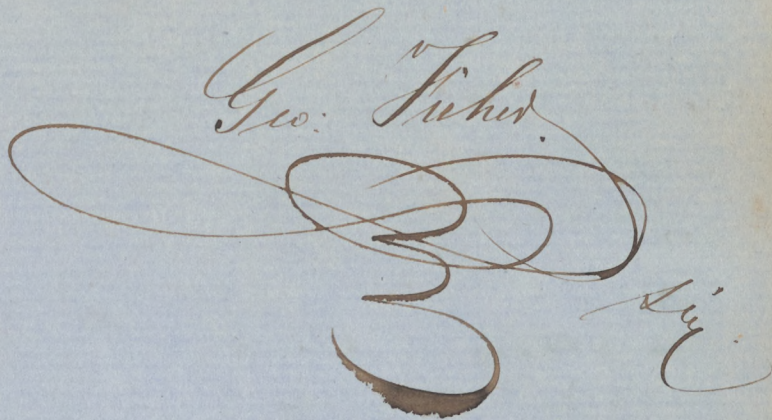
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I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Twelve* pages, numbered from
1 to *12*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. *491* on the Docket of the said Board,
wherewith *Pedro C. Carrillo* is

the Claimant against the United States, for the place known by
the name of "*Carmelos*"

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Twenty fifth day of *May*
A. D. *1853*, and of the Independence of the
United States of America the seventy=*ninth*.



Geo. Fisher


U. S. DISTRICT COURT,

Santhum District of California.

No. 239.

Coek

THE UNITED STATES,

239

Pedro B. Cassillo
"Camulos."

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *491*

Filed, *Amc*

6th

1855,

J. E. fan.
cek.

239

No 491

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

Pedro C. Carrillo

Case N^o 239

Appellant

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The United States

Transcript N^o 491

Appellee

"Carmelos".

Appeal from the decision of the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California taken on the 5th day of June, 1853, by the said Board having filed with the Clerk of the above Court a certified Transcript of their proceedings and decision in the said Cause, and of the Papers and Evidence upon which the same are founded, said Cause being N^o 491 on the Docket of said Board.

Notice is hereby given, that Pedro C. Carrillo, Appellant in the above entitled Cause, and Claimant before the said Board in a Claim for a tract of Land called "Carmelos", situate in the Southern District of California, filed before said Board on the 13th day of December 1852, and being N^o 491 on its Docket, will prosecute the appeal herein from the final Judgment of said Board, entered on the 7th day of November, 1854, against said Claimant and Appellant.

Attorney for Appellant

Case No. 239.
U. S. Dist. Court. Southern
District of California

Pedro C. Carrillo
Appellant

vs
The United States
Appellee.

Notice of Appeal.

Filed Oct 27. 1855
J. E. Jones
clerk.

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

Pedro C. Carrillo -
Appellant

vs

or

The United States
Appellees

Case No 239

Transcript No 491
"Carrillos"

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On motion of Jonathan R. Scott, Counsel
for the Appellant, it is by the Court

Ordered -

That further testimony may be
taken in the above entitled cause by either
party.

Case No. 239 -
U.S. Dist. Court, South²
District of California

Pedro C. Carrillo
Appellant

vs
The United States
Appellee.

Order for further testimony

Filed Oct. 21st 1885
P. C. Carrillo
By W. R. Rinsch

United States District Court
Southern District of California

Pedro C. Carrillo
Appellant No 239 AC

vs

Camulos

The United States } No 491 Land Commission
Appellee

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J. P. Scott Esq
Att. for Appellant
Sir

You will take
notice that on the 7th Inst a motion
was filed in said Court on behalf
of the appellee to dismiss the
above entitled cause from the docket
for want of prosecution, - and that
by order of the Court the same will
be heard on Thursday the 20th of
January 1859

J. P. Mitchell
U. S. Dist. Atty

U. S. Atty's office
Dec 15th 1858

I served the within notice on S. R. Scott
by giving him personally a copy of the same
on Dec. 17th 1858 in the City of Los Angeles
James C. Penne
U. S. Marshal for the
Southth Dist of California

No 239

U. S. Dist Court
Southern Dist of California

John C. Penne

Appellant

vs
The United States

Appellee

Notice of Motion to dismiss

Filed Dec. 18, 1858

J. Sims, J. H.
by W. S. Patton
Attorney

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

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Pedro C. Carrillo } Case 239
Appellant }
vs. } "Carrillos"
The United States }
Appellee } Manuscript 491.

To/
The Hon. Isaac S. K. Ogier, District Judge of the United States for the Southern District of California.

The Petition of Pedro C. Carrillo, the above named Appellant, respectfully represents unto Your Honor,

That he is the owner in fee of a certain tract of land known as "Carrillos", in the County of Santa Barbara, in the Southern District of the State of California and within the jurisdiction of Your Honorable Court, under and by virtue of a Grant of the same made to him by Manuel Michelmorena, Governor of the Department of the Californias, of date October 2nd 1843.

That on the 13th December 1832
he filed his Petition claiming said
lands, before the United States Board
of Land Commissioners to ascer-
tain and settle the private land
claims in the State of California,
while sitting as a Board; to which
Petition and to the documentary and
parole evidence offered in support
thereof and to the proceedings and
decision of said Board thereon had,
and rendered; reference is hereby
especially made for further descrip-
tion of said lands.

That thereafter, on November 7.
1834, the said Board by its Decree
rejected the said claim of your Pe-
titioner for said lands, and decreed
the same to be invalid.

That thereafter on the 5th day of
June, 1835, an appeal was taken from
said decision of said Board by the
Secretary of said Board filing in the
office of the Clerk of your Honorable
Court, a certified Transcript of the
Proceedings and Decision of said
Board and of the Papers and Evi-
dence upon which the said ^{decision} was

founded; which Transcript the Petitioner prays to make a part of this Petition;

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PAGE 22 That hereafter, on the 23^d day of October 1855, and within six months after the filing of the Transcript aforesaid, ^{he} filed in said Clerk's office a notice of his intention to prosecute said Appeal.

And therefore your Petitioner, averring that the said decision of said Board was erroneous, and that the claim of Petitioner upon said land of "Cannillo" is good and valid, prays that the said Proceedings of said Commissioners may be reviewed, and their decision in all things reversed, and that the claim of the Appellant may be decreed to be valid and said land confirmed to him, and for costs, and such other and further or general relief as shall be agreeable to Equity and Conscience or the Case may require.

And as in duty he -

Scott & Lander
Attys of Appellant

Case No. 239
For the Dist. Court of
the U.S. South & Dist.
California

Pearce C. Canfield
Appellant

By

The United States
Appraiser.

Petition for Review.

Filed for filing 17/1/1859.

J. W. H. Storer
No. 239 SD (1859)

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Scott & Lander

I hereby certify that I served the within
Petition on J R Gitchell U. S. Atty by giving
him personally a copy of the same on the
24th day of Jan^r 1859 in the City of Los Angeles
James C Pennie
U. S. Marshal

United States District Court for
the Southern Dist of California

Pedro C Carrillo
vs
The United States

Appeal from Land Commission
No 239

Transcript No 491

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Now comes J Pritchett attorney
for the United States for the Southern District
of California and for and in behalf of
the United States for answer to the
petition of Pedro C Carrillo for review of the
decision of Land Commissioners. Says that
he denies all and singular each and
every allegation in said petition contained

And farther this respondent denies
generally the validity of the alleged
title of the Claimant to the lands claimed
by him

And the said respondent prays that
this Hon^{ble} Court will affirm the decision
of the said United States Land Commissioners
in said case and decree the said
alleged title to be invalid, and for
general relief

J Pritchett

Att^y for the Southern
Dist of California

No 239

Pedro C Carrillo

U
The United States

Answer

Filed Jan'y 27, 1889.
P. Sims. Clk.
for W. H. Stearns, A. P. C.

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W. H. Stearns
U. S. Atty

U S District Court
Southern District of
California

no
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Pedro C. Corrallo
vs
The United States

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Now on this day comes
the United States by J. R. Mitchell
U S District Attorney and the
appellants failing to appear
either in person or by attorney
on motion of J. R. Mitchell U
S District Attorney. It is ordered
adjudged and decreed that
the decree of the United States Bureau
of Land Commissioners rendered
in this cause be affirmed and
held as a final decree and that
this cause be and the same is
hereby dismissed for want of
prosecution.

Caustic Ogden
U S District Judge
for the S. Div. of Cal

No 239

W & Bie & Co

Fredo Carrillo

The United States

Secrecy of Dismissal

Filed in office

10th Sept 1860

C. M. S.
etc

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Pedro Garrillo } U.S. District Court South
The United States } Dist. California

Petition of T. Wallace Moore

Nearry Moore & S

Alex. P. Moore } respectfully

showeth that they are the owners by title deraign-
ed from Pedro Garrillo of the land, described
in the Grant of which Confirmation is sought in
this cause,

That said Garrillo filed before the Board of
United States Land Commissioners (in pursuance of the
Act of Congress 1851) on the 13th day of December
1852 his petition for a Confirmation of said lands
& supported the same by the deposition of W^m
E. P. Martnell, who proved the genuineness and au-
thenticity of said grant,

That transcript on appeal was certified
to this Court on the 25th May 1855, and filed June
6th 1855

That Notice of appeal on behalf of said
Claimant was filed on 23rd day of October 1855,
Order for taking further testimony was filed
Oct^r 24 1855

Petition for a Review served on the U
S Dist Atty January 24th 1859

Answer of Dist Atty thereto filed Jan'y
24th 1859

December 14th 1858 Notice of motion to
dismiss cause for want of prosecution was
served on appellants Attorney S. R. Scott

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and the hearing of which by the Court, was set
for January 20th 1859.

That such motion was not heard on said
day nor was the same continued to any other
day.

That no new notice of motion of dismissal
was ever served upon the Claimant, nor upon
his Counsel or attorneys.

That on the 8th day of August 1860 the Cause
was stricken from the Docket and dismissed on
motion of the District Attorney for the want of
prosecution in the absence of Claimant or his
attorney.

That as Petitioners are advised and
believe, said order was wholly Ex-parte and
the Claimants had no opportunity of being
heard in opposition thereto.

That the Grant of which Confirmation
is made is genuine, and that the evidence
which was taken in support thereof was
sufficient to entitle the same to Confirmation.

Patterson Wallace & Snow
Attys for Claimant

State of California
County of Monterey

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H. W. Wallace being sworn, says that he has read the foregoing deposition and has with the Clerk of this Court examined the Minutes and Records thereof relating to the above entitled Case and that the matters stated in the foregoing Petition are true.

Given to and subscribed before me this 7th day of June 1864
John Whalen
Clerk of said Court

Due Swiss of a copy above admitted, and consented that the hearing of said petition be set for Wednesday June 8th 1864.

R. Co. Whiting
U. S. Attorney

No 239
W. J. Duffout
Smt Duffout

Pedro Lannells

vs
The United States

P.
Petition & affidavit
for reinstatement of
Cause

Filed June 8/64
John O. Wheeler
Clk

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United States District Court

Southern District of California

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The United States

Pedro C. Canillo

EE
EE
EE

No 239

for Lands called
Camulos

On reading the petition of J. Wallace More and others, and
due proof of service thereof on the United States District
Attorney It is ordered - that the order and decision
made on the 8th day of August 1864, and signed and
filed on the 10th day of August 1864, be and the same
is hereby in all things vacated and set aside - and it is
further ordered that this cause be restored to and placed on the
Calendar for further proceeding.

and it is further ordered that the hearing
of this case be continued until the 20th day of July 1864.
and it is further ordered that J. Wallace More, A. P. More
and Henry More said petitioners be substituted as parties,
claimants and appellants in place of said Pedro Canillo.

No 239
U. S. Dist Court
South Dist of Cal

Pedro Carnillo

^{vs}
The United States

Order for
Reinstatement
Continuance
& Substitution

Filed June 8/84
John Whalen
Clerk

United States District Court, Southern District of
California

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Pedro L. Carnillo

vs, Appet

The United States

Applee

N^o 239

I John O. Wheeler, Clerk of the United States District
Court for the Southern District of California, do hereby Certify
That I have carefully Examined the Papers on file and
the Records of said Court in the above entitled Cause from
the 18th day of December A.D. 1858, up to and including the
8th day of August A.D. 1860. And that there is not among
said Files or in said Minutes any order Continuing
the Motion to dismiss the said Cause for want of
Prosecution. And I further Certify that said
Motion was not heard on the 20th day of January
A.D. 1859.



In testimony whereof I hereunto set my
hand and affix the Seal of said Court
at Monterey this 4th day of June
A.D. 1864

John O. Wheeler
Clerk of said Dist. Court

No 239
U. S. District
S. Dist Cal

Pedro C Carrillo

vs

The United States

Affidavit of John Whelan

Filed June 8, 1864
John D. Whelan
Clerk

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United States District Court South District of California
Pedro Carrillo
The United States

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Deposition of Pedro Carrillo a witness on behalf of the United States in the above entitled Cause now pending in the U.S. District Court South District of California, taken before me on the 9th day of August A.D. 1864, at the Court Room in the City of Monterey, and to be used in said Cause,

Present: W. H. Patterson Atty. for Claimant
and J. L. Whitney of Dist. Atty.

Witness being duly sworn testified as follows to wit:

Questions by the Commissioners

What is Your Name age, occupation and Residence

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Pedro Carrillo. 46 years of age, a ranchman
& reside in Santa Barbara

Questions by Jm H Patterson atty for Plaintiff

Ques. Are you the Pedro Carrillo grantee for the
Cahuilla Rancho

Ans. Yes I am

Ques. After the Rancho was granted to you
and before the Cession of California to the United
States, did You use it for any purpose, & if so
What,

Ans. I was going to use it for the raising of
stock and Cultivation

Did you put any stock on it, & if so
What

I put a manada of mares on it in the
Year 1843

When did you live, in reference to this
Rancho

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I lived on the adjoining Rancho of which
belonging to my father

Ques. Was you prevented by any person - if so
by whom - from taking full possession of that Rancho

Ans. I applied to Don Per Diez not to be molested
in taking possession of the Rancho. He told me
that I could go. I made preparations to leave
for the Rancho, when I found out that Don Ygnacio
del Valle was in possession of the Rancho.

Micheltorena was the man who granted me
the Rancho, but when I went to take possession
I found that del Valle claimed a portion of it
as belonging to his Rancho - I could not then
proceed on account of the revolutions that
immediately took place, Micheltorena was
sent out of the Country and Rio became
Provisional Governor of the Country.

For what use is the land of Carrizos
Appropriate,

For pasturage, and a small patch of it
fitted for Cultivation - a few acres

What is it to be used for as it stands

What is its present value, as it stands,

It is not worth much, not over \$2000,
I would suppose

Ques. by Dist Atty

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What number of mares did you put
on this Ranch

About 50, mares, but with Colts, some
40 head,

Where did you take them from.

I took them from the adjoining Ranch
then belonging to my father; - the mares were
mine,

How far did you drive them,

The Ranch, adjoining, from my father's
house to the Cañon, is some 3 leagues

~~The~~
How far did you drive the mares
when you put them on to the Cañon

About 15 or 18 miles - from my father's

Rancho.

How many men were with you. ^{two}

Two Indian Vaqueros were with me
I was with them and went the whole
way. I built no corrals

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Did you leave anybody with them

No. there was no necessity for it

Did the Maes come back to your father's
Rancho

Sometimes, but we always drove
them back, they remained upon the
Cerrillos some 4 or 5 months, ranging
all over the Rancho

Did they range a part of that time on
your father's Rancho

Of course the Country being all open
they would sometimes cross over, they
could go where they pleased, when no one was
with them, but I always turned them back
as I wished to get them waywised to the Rancho

I was not

I would send a boy and drive them a
part of the way,

Was this before or after - this Circumstance
of driving Mares on to the Rancho - that
you went to see Rio Rico about being let alone

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It was before, and just after the Grant
was made to me

Ques Did you ever drive the Mares there
after you had the interview with Rio Rico

The Mares were there at that time - I never
drove them back afterwards, as del Valle was
there in possession & I could not keep them there
and paid no further attention to them, Del
Valle was building a corral there

J. P. Carrillo

Presented & subscribed before me
this 9th Day of August 1864

John Wheeler
T. K. ...
H. ...
S. ...

No 239
W. S. D. G. G. G.
North Dist. Cal.

Pedro C. Carnillo

^m
The United States

Department of
Pedro C. Carnillo

Filed Aug. 9th 1864

J. M. Wheeler
Clerk

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U. S. Dist Court South Dist California
Regular October Term 1864
Hon Wm Haight Judge

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Wallace Moore, Ad Moore No 229
& Henry Moore, substituted for
Pedro J. Garrido } appellants "Quintos"

The United States appellants

This Cause having been heretofore heard on appeal from
the decision of the Board of U. S. Land Commissioners to
ascertain & settle private Land Claims in California. On
a transcript of the decision and proceedings of said
Board, and the papers and evidence upon which said
decision was founded, and the evidence taken and
filed in this Court since said appeal. And it appearing
to the Court that the said transcript & Notice of appeal
have been duly filed according to law and Counsel
for the respective parties having been heard and
the same being fully understood and considered by
the Court. It is ordered, adjudged and deemed
that the decision of the said Board of Land Com-
missioners be affirmed, and the said Claim
of the appellants be and is hereby held as invalid
and the same is rejected

There don't signed in open Court
this 24th day of October A.D. 1864
Wm Haight
Judge of said Dist Court

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U. S. District Court
South District

J. M. Morehead
Subj. for Federal Criminals

United States

Decease

Filed Oct. 24, 1864

John Wheeler
Clerk

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Recorded PAGE 44