

CASE No.  
242

SOUTHERN DISTRICT

MUNICIPAL LANDS GRANT "SANTA BARBARA"

COUNCIL OF SANTA BARBARA  
THE MAYOR AND COMMON  
CLAIMANT

Microfilm

42 SD

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LAND CASE 242 SD pgs. 140

MAR 14 1963

DEPT. OF AGRICULTURE  
SPECIAL COLLECTION SERVICE  
BIOLOGICAL SERVICE  
WASHINGTON, D.C.

BBC

PLOVER BOND

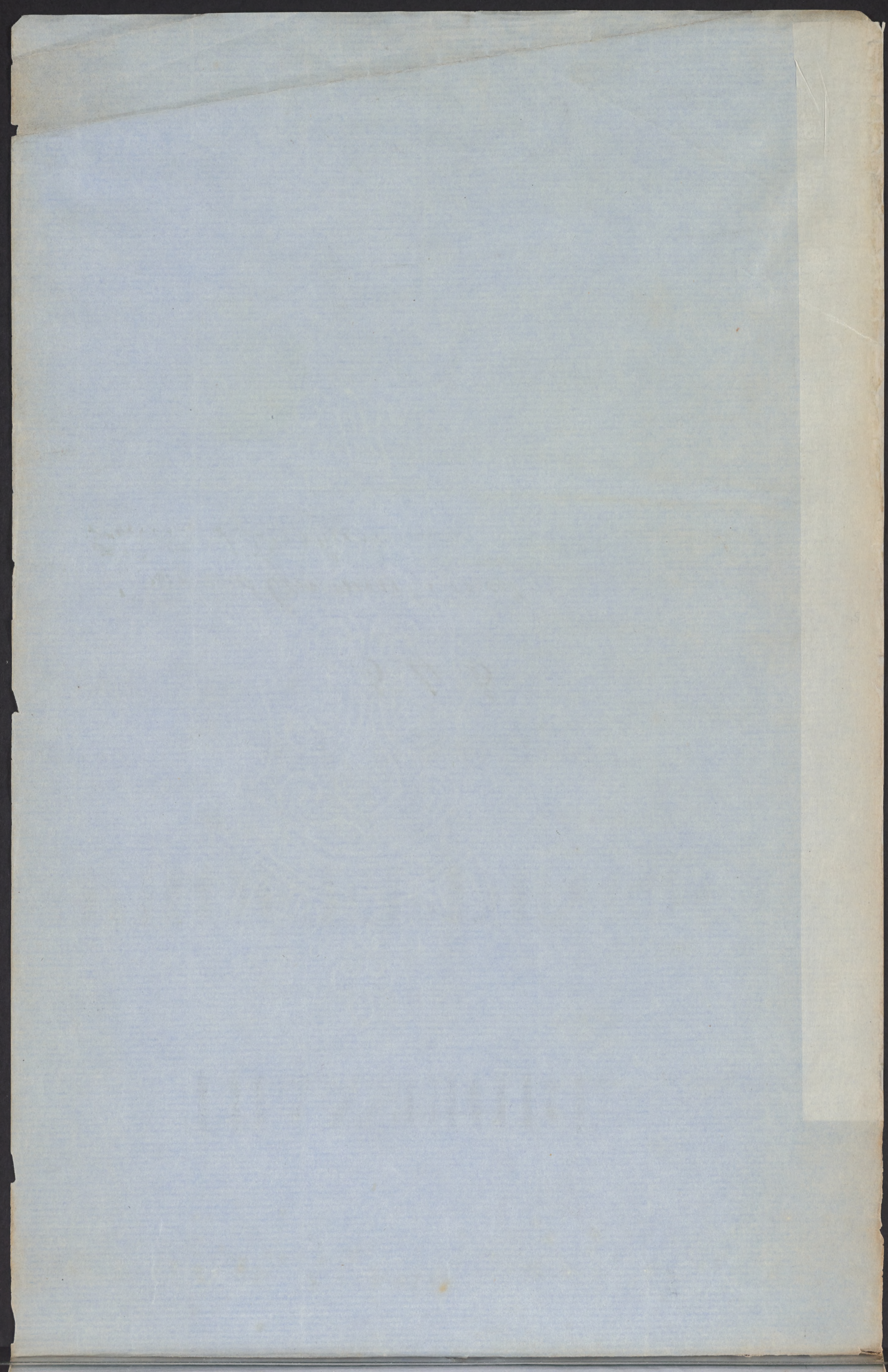
Souvenir

A found picture of  
Walter's house  
with a picture of them

Patented

543

2



# TRANSCRIPT

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PAGE 1

OF THE

# PROCEEDINGS

IN CASE

NO. 543.

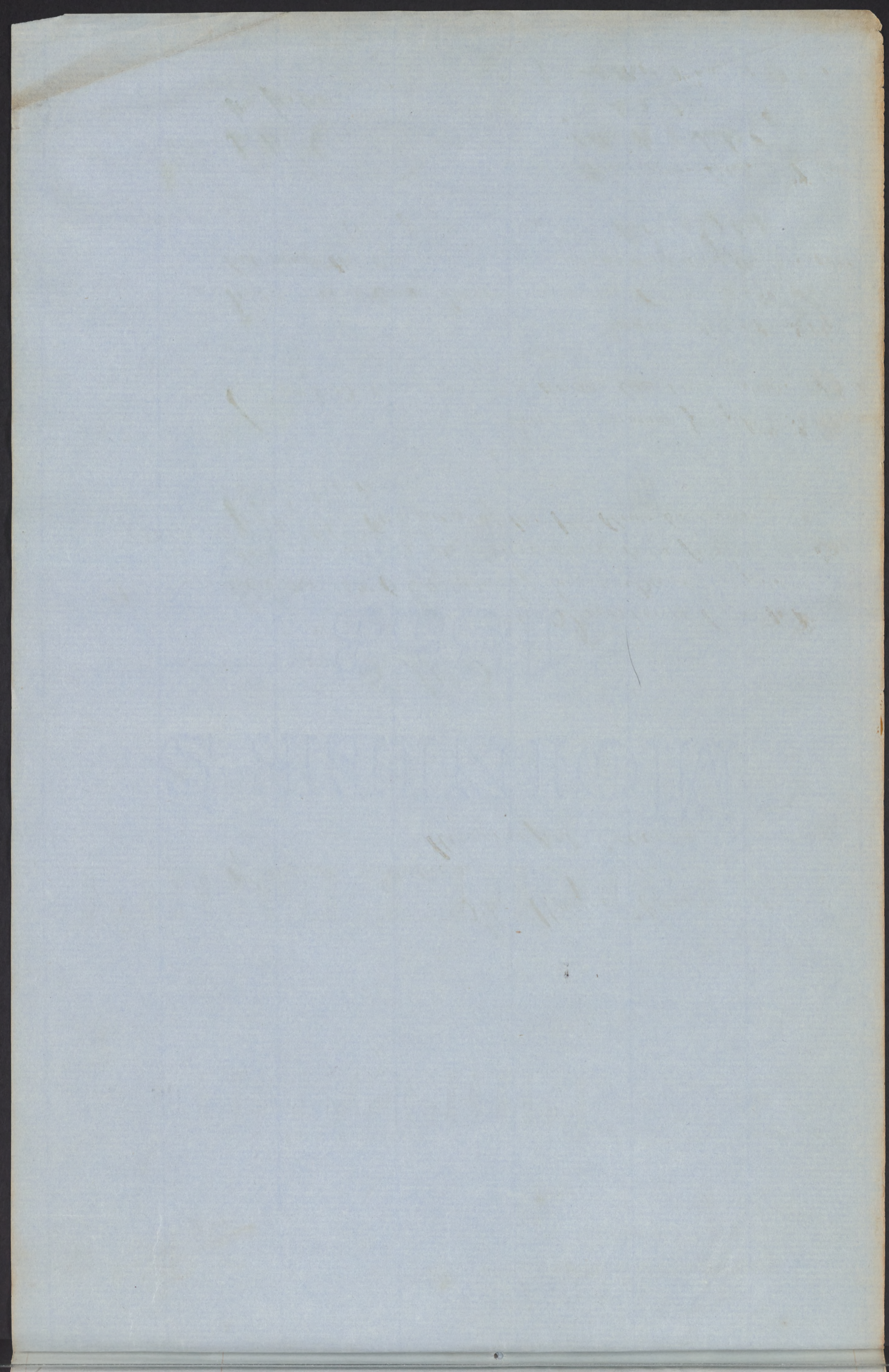
*The Mayor and Common Council  
of Santa Barbara* — CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*Municipal Lands.*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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PAGE 2

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

The Petition of *The Mayor & Common Council* of *Santa Barbara*, for the Place named "*Municipal Lands*" was presented, and ordered to be filed and docketed with No. 543 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 April 11<sup>th</sup> 1854.*  
Case no. 543, Authorities of Santa Barbara for the Municipal Lands, was ordered to be placed at the foot of the Calendar of the 1<sup>st</sup> Class Cases on the Trial Docket.

*San Francisco July 18<sup>th</sup> 1854.*  
Case no. 543 was submitted under the rule of March 21<sup>st</sup> 1854.

*San Francisco Aug. 1<sup>st</sup> 1854.*  
In the same case, Commissioner *Alpheus Felch* delivered the Opinion of the Board rejecting the Claim.  
(Vide page 7 of this Transcript.)

*San Francisco Aug. 15<sup>th</sup> 1854.*  
In the same case, on Motion of the U. S. Law Agent, the following order was made, to wit:  
(Vide page 9 of this Transcript.)





3  
To The Honorable Commissioners to settle Private  
Land Claims in California.

Petition

The Petitioners, the Mayor & Common  
Council of the City of Santa Barbara,  
respectfully represent;  
That in the year 1782, the  
Spanish Government established the Presidio  
or Pash of Santa Barbara, where the City  
of that name now is; that subsequently small  
tracts or lots of land were distributed at that  
place to settlers and discharged soldiers, by  
the several Military Commandants, and a  
settlement formed for the joint protection  
of the pash and neighboring Mission; that  
subsequently, this Presidio Settlement, was  
organised into a Pueblo or Municipality;  
with the usual Municipal officers;  
that this Municipality exercising the  
powers conferred on it by the Laws of  
Spain & Mexico not only recognized the  
grants made to its citizens by the  
former Commandants, but also made  
numerous grants of small parcels of  
land to other settlers; that the land  
belonging to this said Municipality the  
dominion and ownership of which it  
has held, from a long period of years,  
and which has for time immemorial  
been recognised by the former Governments  
of this Country as the property of this  
Municipality, begins at the mouth of the  
Arroyo called "El Burio", thence running  
N.E. to the South East corner of the  
Mission Garden, and thence in a straight  
line to the top of the Sierra, thence  
North East along the top of the Sierra to  
a point opposite the mouth of the Arroyo  
called "La Carpenteria" thence to the mouth of  
said Arroyo, along the dividing line between  
said Municipality and the Rancho called "El  
Rincon", granted to Leodoro Arceles, thence  
along the Sea Coast to the point of beginning  
all of which is shown by the map submitted

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PAGE 3

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herewith marked "A" and prayed to be taken as a part of this petition;

And the Petitioners further represent that this said Pueblo, City or Town of Santa Barbara existed on the 7<sup>th</sup> day of July 1846, and continues to exist at the present time

That a large portion of the lands thus claimed by this Municipality is rough & mountainous and of very little value; that a great portion of that which is of any value, was many years ago, divided out and granted for gardens and small tracts or farms to actual settlers, who hold their titles under this Municipality, and have for a long series, peaceably, quietly and in good faith, lived upon, and cultivated the same;

Wherefore, they pray Your Honorable Body to recognize & confirm their claim.

By their Atty's  
Hedrick Beachy & Billings.

Filed in Office July 1<sup>st</sup> 1853,  
Chas. Fisher  
Sec

---

Map followed

5-

No. 523.

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PAGE 5

Claim of Mayor & Common Council  
of  
Municipal Lands of Santa Barbara,  
To the U.S. Land Agent.

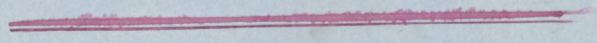
Withdrawal of  
Attorney's

sin Please take notice that we  
herely withdraw our names of Attorney's  
of record in the above entitled claim,  
San Francisco July 14<sup>th</sup> 1854.

Very Respectfully  
Your Obedt Servants  
Keeluck Peachy & Billings

Rec'd Notice R. Greenhow  
U.S. Land Agent.

Filed in Office July 14<sup>th</sup> 1854,  
See "Fisher" See



6

7

573.

The Mayor & Common Council of Santa Barbara  
vs  
The United States

For the Municipal Lands of Santa Barbara  
in Santa Barbara County.

Opinion  
by  
Alphens Delch.

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No effort has been made in this case to sustain any of the allegations contained in this case to sustain any of the allegations contained in the Petition by evidence.

In the absence of all proofs the claim cannot be confirmed. Rejected.

Filed in office

Aug. 1<sup>st</sup> 1854

Geo. Fisher  
Secy.

The Mayor & Common Council  
of Santa Barbara  
vs  
The United States

Decree

In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the said Petitioner is not valid, and it is therefore decreed, that their application for a confirmation thereof be denied.

Alphens Delch.  
R. Aug. Thompson  
S. B. Parwell.

Filed in Office Aug 1<sup>st</sup> 1854  
Geo. Fisher Secy.

8



1901

110 4

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And it appearing to the satisfaction of this Board that the land hereby adjudicated is situated in the Southern District of California it is hereby Ordered, that two Transcripts of the Proceedings and of the Decision in this case and of the papers and evidence upon which the same are founded, be made out, and duly certified, by the Secretary one of which Transcripts shall be filed with the Clerk of the United States District Court for the Southern 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,

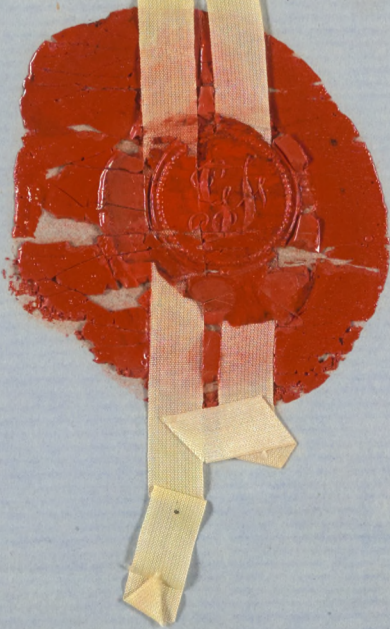
To ascertain and settle the Private Land Claims in the State of California.

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PAGE 8

*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 *Nine* pages, numbered from  
 1 to *9*, 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, *Case No. 543* on the Docket of the said Board,  
 wherein *The Mayor and Common Council*  
*of Santa Barbara* are  
 the Claimant against the United States, for the place known by  
 the name *Municipal Lands*

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. 1855, and of the Independence of the  
 United States of America the seventy-ninth.

*G. Fisher*  
 Secy



U. S. DISTRICT COURT,

*Southern* District of California.

No. 242.

242

THE UNITED STATES

vs.

*The Mayor & Common  
Council of Santa Barbara  
"Municipal Land"*

TRANSCRIPT OF THE RECORD

FROM THE  
242

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 543.

Filed,

*June 6<sup>th</sup>*

185

*J. E. ...*

*811 543*

In the United States District Court for  
the Southern District of the State of  
California — Los Angeles County.

The Mayor and Common Council  
of the City of Santa Barbara  
Appellants

vs.

The United States —

Appellee.

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Notice is hereby given that the  
Mayor and Common Council of the City of  
Santa Barbara will prosecute an Appeal from  
the final decree of "The Board of Land Commis-  
sioners to ascertain and settle private land  
claims in the State of California" in the case  
numbered 543 on the Docket of said Board  
May 31. 1855

To the Clerk of said Court.

A. F. Hitchman

Appellants' Attorney

No 242

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

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The Mayor & Common Council  
of the City of Santa Barbara.

vs.

The United States.

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Notice of Appeal.

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Filed June 7<sup>th</sup> 1880.

J. S. Jones  
Clerk.

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PAGE 10

In the United States District Court  
of the Southern District of  
the State of California.  
County of Los Angeles

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The Mayor and Common Council  
of Santa Barbara - Appellants.

vs.

The United States - Appellee.

To the Hon. United States District Court  
of the Southern District of California  
The Petition of said Appellants re-  
spectfully shews:

That The Mayor and Com-  
mon Council of Santa Barbara  
presented to The Board of Commiss-  
ioners to ascertain and settle pri-  
vate land <sup>claims</sup> in California, a claim  
for certain lands situate in the County  
of Santa Barbara and within the ju-  
risdiction of this Hon. Court. That  
afterwards ~~was on the~~ day of  
~~A. D.~~ said Board of Commissioners  
made a decree adverse to the claim  
of your Petitioners; that afterwards  
to wit on the 6th. day of June A. D. 1855  
a Transcript of all proceedings and

documents in said case was transmitted  
to the Clerk of this Honourable Court;  
That afterwards to wit on the 8th day  
of October A.D. 1855 a notice of  
Appeal from the decree of said Board  
was filed by your Petitioners with  
the Clerk of this Honourable Court.

For a more exact description of the  
lands claimed by your Petitioners in  
this case reference is respectfully  
made to the said Petition filed with  
said Board.

Your Petitioners respectfully pray  
that the decision or decree of said Board  
in this case may be reversed; and that  
your Petitioners' claim to said lands may  
be confirmed.

A. F. Weinckman  
Attorney for Appellants

Los Angeles  
October 6. 1855 }

U. S. Dist Court. Southern  
District of California

No. 242

The Mayor & Common Council  
of Santa Barbara

Appellants

vs.

The United States.

Appellee

Appellants' Petition  
for Review

Filed Oct<sup>r</sup> 8<sup>th</sup> 1855

D. E. Canack

By J. W. Ross Dep

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A. F. Hanchman  
Los Angeles Appellants Atty  
Octob. 1855



The Mayor and Common  
Council of Santa Barbara  
vs.  
The United States.

---

To the Clerk of United States District  
Court of the Southern District of  
California:

Notice is hereby given  
that The Mayor and Common Council  
of Santa Barbara appeal to The said  
District Court from the decision ~~made~~  
made by in this case by the Board  
of Commissioners to ascertain and  
settle private land claims in the  
State of California.

A. F. Hinckman

Attorney for Appellants

Los Angeles.

October 6. 1853. }

U. S. Dist Court Southern  
District of California

No. 242.

The Mayor and Common  
Council of Santa Barbara

Appellants

vs.

The United States  
Appellee

Notice of Appeal

Filed Oct. 8<sup>th</sup> 1853

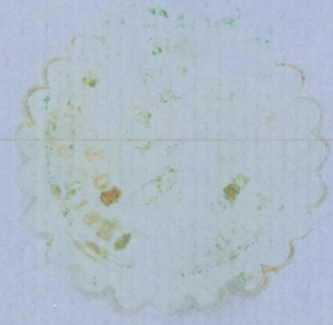
D. C. Carr Clerk

By W. R. Dep.

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A. F. Muehman  
Los Angeles Appellants Atty.  
October 6. 1853



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In the District Court of the United States  
for the Southern District of California,  
Hon Isaac S. T. Ogier Judge.  
The Mayor and Common Council  
of Santa Barbara, Appellants,

vs. } N. 242.

The United States, Appellee (Manuscript N. 5743)

The answer of Pacificus Ord, Attorney of  
the United States for the Southern District  
of California, for and in behalf of the  
United States, to the petition for review  
of said Appellants, says: That he  
denies all and singular the allegations  
in the said petition contained. And  
the said Respondent denies generally  
the validity of the alleged right or  
title of the said petitioners to the  
land claimed. And he prays that  
this Hon<sup>ble</sup> Court will affirm the  
decision of the Board of Land Commissioners,  
and decree the said alleged right or  
title of said petitioners to be invalid,  
And Costs and general Relief.

P. Ord  
Att. of the U. States  
for the Southern Dist. of Cal.

Manuscript cost  
\$3.00

I have this answer O A F Muchman  
Atty for appellants by delivering to  
him a copy of the same this  
13<sup>th</sup> day of Oct 1885

Edward Hunter  
U.S. Marshal

No 242.

The Prayed Common Council of  
San Francisco.

vs.

The United States.

Answer of the U.S.

Filed October 11<sup>th</sup> 1885

D. B. Conner  
By his attorneys

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Done at S.F. 20

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

The President of the United States,

TO

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SD

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*Pacifics Ord. United States District Atty;*  
*for the Southern District of California*

GREETING:

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

*The Mayor & Common Council*  
*of the City of Santa Barbara praying the said*  
*Court to review upon the grounds therein set forth*  
*the final decision of rejection of the Claim*  
*of said Mayor & Common Council for said*  
*City lands in the County of Santa Barbara*  
*Cal<sup>a</sup>. which said Claim was presented by the*  
*said Petitioners to said Commissioners and begs*  
*them rejected*

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

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this *Eighth* day of *October* in the year of our Lord one thousand eight hundred and fifty-*5*, at Los Angeles aforesaid.



*C. C. Carr* - Clerk.  
*By John N. Robt Deputy*

Marshall Court

Copying Summons .90  
Printing " 3.00  
Fetters 3.00  
6.90

No 242

United States of America,  
Southern District of California,  
U. S. District Court.

Mayor and Common  
Council of Santa Barbara  
Appellants  
vs.

The United States  
Appellee

SUMMONS.

Read Oct 8-1855

Edward Hunter  
U.S. Marshal

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I served this summons along with the proper copy of the petition upon *Read U.S. District atty* by delivering to him a copy of the same

at *Los Angeles* in the Southern District of California or  
the *Eight* day of *October* A. D. 185 *5*

Sworn to and subscribed before me,

Clerk. }

*Edward Hunter*  
U.S. Marshal

United States District Court  
Southern Judicial District of California  
Los Angeles County

The Mayor & Common Council  
of Santa Barbara - Appellants

vs  
The United States - Appellee

242

On motion of Appellants' Coun-  
sel - Ordered, That additional testimony  
may be taken.

242 SD October 8. 1853

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The Mayor & Common  
Council of Santa  
Barbara - Appellants

vs

The United States  
Appellee

Order to take ad-  
ditional testimony.

Filed Oct 8th 1835,

J. E. Fair,  
Clerk.

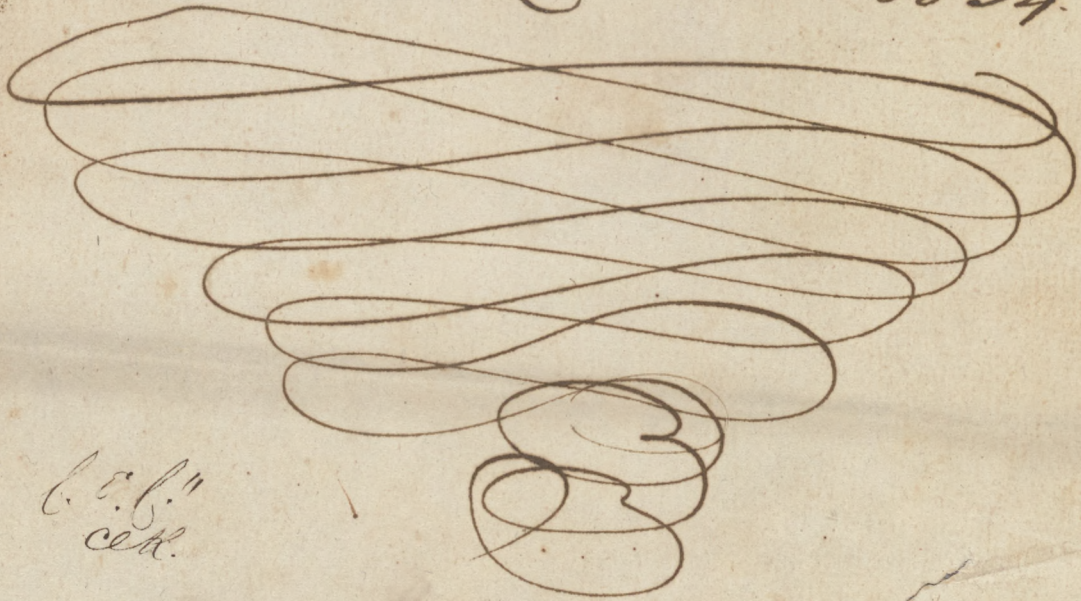
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1  
Expediente q. contiene la Decision  
de Ayuntamiento para el ano  
de 1835 Compuesto de Diez y siete  
Docum.<sup>tos</sup> relativos a esta Decision

Sta. Barb. <sup>no</sup> Mayo 25 de 1834



"No 1. C. S. C."  
C. S. C.

2

Appointe J. Antoine de la Roche  
de l'Academie Françoise de Paris  
le 17 Mars 1685  
J. Antoine de la Roche

Le 17 Mars 1685

*[Faint, illegible cursive handwriting, likely bleed-through from the reverse side of the page. The text is mostly mirrored and difficult to decipher.]*

Junta Electoral  
Secundaria

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PAGE 23

2

63  
160  
172

Enemigo el honor  
de acompañar a U.S. test  
monio de la Acta. celebrada  
p. esta Junta Electoral  
el Nombram<sup>to</sup> de un Ab  
calde tri Verdoy y un  
Procurador Indio q. de  
ben renovar este Ayunta  
miento el Venio Inter  
te

Y en cumplimiento de lo  
prevenido de la Ley de Elec  
ciony de 12 de Julio de  
1834. lo avisamos a los  
oprecendos Vtroz Represent  
y Consideracion

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*[Faint mirrored handwriting, likely bleed-through from the reverse side]*

y Libertus Acil Barb.  
Dij. 21. de 18 34

*[Mirrored signature]*  
Farrino  
Farrino

Farrino  
Farrino  
Farrino

Scopia  
*[Large flourish]*

Al Sr. Jefe Voluntario  
Civ. Jose Francisco





7

In el Pto. de Sta Barb. a los veyntey un dias  
del mes de Dto de mil ochocientos treinta y cuatro, Reunidos en la  
Casa del Alcalde Constitucional de este Pueblo. C.<sup>no</sup> Juan M.<sup>o</sup> San-  
cia los Electores C.<sup>nos</sup> Carlos Ant.<sup>o</sup> Carrillo. Presidente los Señores.  
Joaq.<sup>o</sup> Carrillo Jacinto Llanuzana con los de yqual clase Antonio  
Alba Mig.<sup>o</sup> Valencia Esteban Ortega Jac.<sup>o</sup> Roman Luis Lugo  
y Ant.<sup>o</sup> Rodrig.<sup>o</sup> se prosedio a la votacion de un Alcalde tres  
Regidores y un Procurador Sindico p.<sup>o</sup> la renovacion del actual  
Ayuntamiento y habiendo comenzado con el 1.<sup>o</sup> resultado electo para  
Alcalde el C.<sup>no</sup> Juan M.<sup>o</sup> Coto con siete votos p.<sup>o</sup> 2.<sup>o</sup> Regidor el C.<sup>no</sup>  
Man.<sup>o</sup> Coto con seis v. p.<sup>o</sup> 3.<sup>o</sup> el C.<sup>no</sup> Fernando Tico con ocho  
v. y p.<sup>o</sup> 4.<sup>o</sup> el C.<sup>no</sup> Ant.<sup>o</sup> Rodrig.<sup>o</sup> con seis v. p.<sup>o</sup> procurador  
Sindico el C.<sup>no</sup> Ant.<sup>o</sup> Rocha con siete v. y publicada la votacion  
p.<sup>o</sup> el Presid.<sup>te</sup> se dio p.<sup>o</sup> concluido el acto q.<sup>o</sup> dando citados los electos  
a prestar su Juram.<sup>to</sup> el dia 1.<sup>o</sup> de Lu.<sup>o</sup> del entrante y lo firmo  
con los dos Secretarios Ayudados

Joaq.<sup>o</sup> Carrillo  
Carrillo  
Presid.<sup>te</sup>  
Joaq.<sup>o</sup> Carrillo  
Secret.<sup>o</sup>  
Escopia







*[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]*

*[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]*

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Junta 2.<sup>a</sup> Electoral  
7.<sup>o</sup> 3.<sup>o</sup> Domingo  
Año de 834.

11

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Habiendo se verificado  
cada día en la  
eleccion de Alcalde, Regi-  
doro, y sindico pro-  
curador p.<sup>a</sup> la renova-  
cion del actual Ayun-  
tamiento de 834. te-  
nemos la satisfacion  
a partir por el. q. ha-  
sido electo p.<sup>a</sup> esta Jun-  
ta p.<sup>a</sup> Alcalde Constitu-  
cional a este Pueblo -  
Con Siebenberg, abrian-  
dole al. Con oportuni-  
dad p.<sup>a</sup> q. represente en  
este a prestar su Ju-  
ram.<sup>to</sup> el 1.<sup>o</sup> de Julio p.<sup>a</sup> q.  
ejerce sus funciones  
como lo ordena la  
Ley.

Dios

7 Libertad Sta.  
Baro. 2 de 21 de  
1834.

Señor  
Sr. D. Juan  
Sr. D. Juan  
Sr. D. Juan  
Sr. D. Juan

Señor Don

Secret,  
Copias

Señor Alcalde Constituido  
del C.º Fran.º

Señor

*[Faint handwritten text, possibly bleed-through from the reverse side of the page]*

*[Faint handwritten text, possibly bleed-through from the reverse side of the page]*

18

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PAGE 30

En el Puerto de Sta Marta a las  
 Catorce dias del mes de Dize, de mil  
 ochocientos treinta y Cuatro, Reu-  
 nidos los C.ros Electores, y C. Com-  
 ponen esta Junta, se procedio  
 conforme al articulo primero  
 y segundo de la Ley de Dize de Junio  
 de ochocientos treinta, presidida  
 p.<sup>a</sup> el Alcalde Corregidor, y C. Dize  
 las bases de Jefe Politico Subalterno  
 p.<sup>a</sup> el nombramiento de un Presidente  
 y Reayo en el C.ros C.ros Estrecho  
 Carrillo, y habiendo tomado este el  
 acuerdo, en seguida se procedio al  
 nombramiento de dos Secret. y resulta  
 con, p.<sup>a</sup> Dize, encargos en los C.ros  
 Joaquin Carrillo, y Domingo Lorenzana,

En el mismo acto, se nombra  
 ron dos Comisioneros, Comprometidos cada  
 uno de tres individuos, p.<sup>a</sup> el Reo  
 Dize, y Reacion, de las Actas, y Cre-  
 denciales, p.<sup>a</sup> la 1.<sup>a</sup> Salieron los  
 debidos, Joaquin Carrillo, Estrecho de  
 Dize, y el Sr. Valencia, y p.<sup>a</sup> la se-  
 gunda, Estrecho Olivera, Estrecho  
 Tego, y Luis Lugo, Cuyos nombra-  
 mientos se publicaron p.<sup>a</sup> el Pre-  
 sidente, y no habiendo habido  
 Objecion alguna en todo



el Alto q' daban a las 7 de  
el Domingo teniendo de Mo.  
ria, y x Comis. se quedaron elec  
tos, y aprobados, con lo q' ese  
día p' concluido el acto, q'  
firmaron el Pres. Dey Secret.

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PAGE 31

Auto Ant.  
Domingo  
1710

yo J. de los Rios  
Secretario

Fac. Lorenzo  
Secret.

17

loc  
C  
P  
L  
A

W



En el Puerto de San Barbara a los siete  
días del mes de Diciembre de 1831. Reunido en  
la casa del Ciudadano Juan Mellan, los Ciu-  
dadanos de la Segunda Maniana, que forma  
esta Poblacion a invitacion del Comisionado de  
ella Ciudadano Jose Ant. de la Guerra y la  
cuyo se procedio ala votacion de un Presidente  
y Cuatro Secretariz conforme al articulo diez  
y Nueve de la Ley de Jose de Surrut de 1830  
y Recaldeen Estos en Cargos 1.º Presidente el Sr.  
Ant. M. Olvera y 2.º Secretariz los Ciui-  
dano Jose M. Valenzuela, Jose de la Comision  
Numero Cecilian Ortega y Luis Lugo. y en segui-  
do se procedio ala votacion de Cuatro Secre-  
tes de Reunidos a los de la 1.ª Maniana Reve-  
ran Nombra el Alcalde Regidor y Simas  
que deben Venbar este Ayuntamiento y Secre-  
tarios. Con la Mayoria de Votos los Ciudadanos  
Cecilian Ortega con diez y ocho, Votos, Ant.  
M. Olvera con diez y siete, Jose de la  
Comision Numero con diez y seis, Luis Lugo  
con catorce, cuyos Nombramientos fueron  
Publicados por el Presidente y no habiendo habido  
Objecion alguna en todo el acto que daron por  
Consiguiente Votos y aprobados p.º. Clorico

Con lo qe se dio por concluso este acto qe firmaron el Presidente y secretario.

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PAGE 33

Ante mí  
Pres.  
B

José Romo  
Fro.

José M. Valenzuela

Estevan Ortega  
Fro.

Secret.

Seis Legg  
Fro.

*in*

*o*

*o*

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242 SD  
PAGE 34

En el Puerto de Sta. Marta a los  
 siete dias del mes de Dize de mil  
 ochocientos Treinta y Cuatro, reu-  
 nidos en la Casa del Cuadrante  
 Carrillo, los Causales P. y Man-  
 rana q. forma esta poblacion  
 a invitacion del Comis. de ella  
 Caus. Joaquin Carrillo, se proce-  
 dio a la Potacion de un Pres. de  
 Cuatro Jrios. Conforme al ar-  
 ticulo diez y nueve de la Ley  
 de Dize de Julio de mil ochocientos  
 Treinta, y recalleron otros encargos  
 p. Pres. te el Caus. Sr. M. P. y p.  
 Jrios los Caus. Joaquin Carrillo, Ja-  
 cinto Loreman, Jose Rodriguez,  
 Estanislao Rodriguez, y en seguida  
 se prosedio a la Potacion de cinco  
 Electores q. reunidos a las de la 2.<sup>a</sup>  
 Manana, debieran nombrar el ete.  
 calle, Residores, y Jirvidos q. deben  
 Veroban este Ayuntamiento, y mul-  
 taron con la mayoria de votos  
 los Caus. Joaquin Carrillo, con diez  
 y seis votos, Mig. Valencia, con  
 diez y seis, Estanislao Rodriguez, con  
 Patore, Jacinto Loreman, con  
 once, y Carlos Carrillo con diez,  
 Cuyos nombramientos se hacen pu-



licitados; por el Pres. te y no ha-  
biendo habido objecion alguna  
en todo el acto, quedaron p.<sup>o</sup>  
Consig. te elector y aprobados p.<sup>o</sup>  
electores, con lo q. se dio p.<sup>o</sup> con-  
cluido, este acto, q. se firmaron el  
Pres. te y Jrios.

242 SD  
PAGE 35

José M.<sup>a</sup> Holo  
y José Carrillo  
Secretario

José Rodríguez  
Secretario

Juan Hernandez  
Secretario

José Lorenzo  
Secretario

a.  
a  
a  
a  
a

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242 SD  
PAGE 36

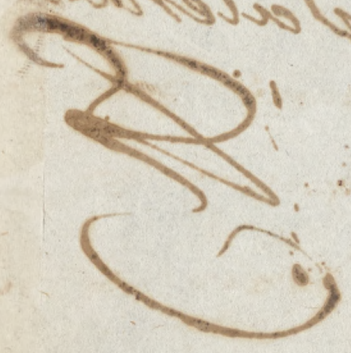
La primera Comision nombrada  
 por la Junta Electoral para que  
 informe sobre las endencias de  
 la 2.ª Manzana informo q. por  
 los Respetos a las Endencias de la  
 Ciudad Manza 2.ª las encuentra con  
 total arreglo a la Ley de 12 de Julio  
 de 1830 y por consiguiente dignas de ser  
 admitidas para que obran en es-  
 ta Junta arreglado a dicha Ley  
 Sta Barb. 16 de Dbre 1834

José Carrillo Antonio Romo  
 Miguel Valeruela

La primera Comisión nombrada  
 por el Poder Ejecutivo para que  
 informase sobre las condiciones de  
 la 2.ª Legislatura en forma de  
 los reportes a las Comisiones de  
 Códigos y de la 2.ª Legislatura en  
 total ejemplo del Ley de 18 de Julio  
 de 1830 y se han cumplido algunas de las  
 obligaciones para que se han en el  
 de los Poderes Ejecutivo y Legislativo  
 de los Poderes Ejecutivo y Legislativo

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 PAGE 37

Juan Manuel Rodríguez  
 Jefe de la Comandancia



La segunda Comision nombrada por  
 la Junta Electoral p.<sup>o</sup> q.<sup>o</sup> informe sobre  
 las Credenenciales de la 1.<sup>a</sup> Manzana, infor  
 ma q.<sup>o</sup> por lo q.<sup>o</sup> respecta a las Credenenciales  
 de las citadas Manzana 1.<sup>a</sup> las encuentra  
 con total arreglo a la Ley de 12 de Julio  
 de 830 y por lo q.<sup>o</sup> dignas de ser admi  
 tidas para q.<sup>o</sup> obran en esta Junta a  
 reglado a dho. Ley.

Sta. Barb. Dho 17 de /  
 1834.

Arzq.<sup>o</sup> Obisepa Luis Sugo  
 Inter am D. H. C.

242 SD  
 PAGE 38

La segunda comision nombrada por  
 la Junta Electoral de 1.º de Mayo de 1808  
 las ordenadas de la 1.ª Municipalidad  
 por el Sr. D. Juan de los Rios y  
 otros señores de la Junta Electoral  
 en virtud de un Real Decreto de 15 de Mayo  
 de 1808 y por el Sr. D. Juan de los Rios  
 y otros señores de la Junta Electoral  
 y de la 1.ª Municipalidad.

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 PAGE 39

Juan de los Rios y  
 Juan de los Rios y  
 Juan de los Rios y

B

1823  
PAGE

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Junta 1.<sup>a</sup> Manzana  
Primera

242 SD  
PAGE 40

31.

En Junta celebrada  
el día de hoy de conformi-  
dad con las Leyes de  
la materia hasalada  
V. de elector nombrado  
en esta manzana p.<sup>o</sup>  
la renovación de este  
Ayuntamiento p.<sup>o</sup>  
el año entrante Lo  
f. tenemos el honor de  
participar así.

Dios y Libertad.

Sta Barb. Don 7 de  
Año M.<sup>o</sup> 1834

C.<sup>no</sup> Carlos Carrillo  
Vector de la 1.<sup>a</sup>  
Manzana

José M.<sup>o</sup> Carrillo  
Secretario



32

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Junta de...  
Primer...

an Alexander  
Secret

Jose Rodriguez  
Secret

José Lorenzo

Secret

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Junta 1.ª Nacional  
Primera

Comandante J. J. de  
L. J. J. J.

J. J. J. J. J. J.  
J. J. J. J. J. J.

Comandante J. J. J. J.

1808

En Junta celebrada  
el día de hoy de confen-  
midad con las leyes  
la materia tratada  
D. de electos con todo  
acuerdo mancomunado  
la aprobación de este  
Ayuntamiento para  
el año de 1808  
firmados el cual  
participa a V.

Dios y Libertad.

En San 5.º de Mayo de 1808

Carlos Canales  
Secretario de la 1.ª  
C. Mangano

J. J. J. J. J. J.  
J. J. J. J. J. J.

38

Junta 1.<sup>a</sup> Manzanao  
Primeras

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13.5

En junta celebrada el  
Día de hoy de conformi-  
dad con las Leyes de la  
materia hasalido S.  
de Spector nombrado  
en esta Manzanao  
p.<sup>o</sup> la renovación  
de este Ayuntamiento  
p.<sup>o</sup> el año en tran-  
te hoy tenemos el  
onor de participar a  
S.

Dios y L. Sta Bar  
6.<sup>o</sup> Dbr 7 de 1834

José M<sup>o</sup> Vela  
D<sup>o</sup> de  
S.  
S.

José Cuervo  
Secretario

C.<sup>no</sup> Ant.<sup>o</sup> Rodríguez  
Spector de la 1.<sup>a</sup>  
Manzanao

an Hernandez  
Secret

Jose Rodriguez  
Secret

Jac. <sup>to</sup> Linera  
Secret <sup>to</sup>

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an of ...

The ...

The ...

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...

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Junta 1.<sup>a</sup> Manzana

Primera

Junta celebrada  
el día de hoy de conformidad con las Leyes de la materia habiéndose V. de Uector nombrado en esta Manzana p.<sup>o</sup> la renovación de este Ayuntamiento p.<sup>o</sup> el año entrante loq. tenemos el honor de participar a V.

Dios y L. Nos Bona  
6.<sup>o</sup> Dto 7 1834

José N.<sup>o</sup> Moya  
~~Secretario~~

C. Jacinto Lorenzana  
Uector de la 1.<sup>a</sup>  
Manzana

José Casimiro  
Secretario  
Juan Hernandez  
Secretario



40

20

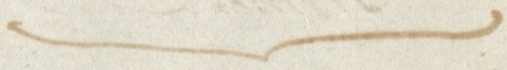
PAGE

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SD

PAGE

46



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to Rodriguez  
Secret<sup>o</sup>

Jac<sup>to</sup> Lorenzana  
Secret<sup>o</sup>

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Junta 1.<sup>o</sup> Manzana  
Primera

43

Inyunta celebrada  
el dia de hoy de confor  
midad con las Leyes  
de la materia hasa  
vido V. de Uector nomo  
brado en esta Manzana  
a p.<sup>o</sup> la renovacion  
de este Ayuntamiento  
p.<sup>o</sup> el año entrante  
lo q. tenemos el honor  
de participas a S.  
Dios y L. S. de Ban  
6.<sup>o</sup> de Mayo 1834

Jose M. de  
[Signature]  
[Signature]  
[Signature]  
Secretario

C.<sup>no</sup> Mig. Valencia  
etor de los 1.<sup>o</sup>  
Manzana

*Monte de Montano*  
*Primer*

*Imposta del dolo*  
*de las cosas de compra*  
*no sea con las cosas*  
*de las matanzas de*  
*las cosas de la tierra*  
*de las cosas de la tierra*  
*de las cosas de la tierra*  
*de las cosas de la tierra*  
*de las cosas de la tierra*  
*de las cosas de la tierra*  
*de las cosas de la tierra*

*Don Fernando*  
*Secret*

*Jose Rodriguez*  
*Secret*

*Jos. Larrauri*  
*Secret*

*Don M. de la Cruz*  
*Secret*

*Don M. de la Cruz*  
*Secret*

carta de la  
 de la ley de  
 doo con las Leyes  
 de las naciones  
 de 2. de Mayo  
 brado en esta mansi-  
 a p<sup>a</sup> la de  
 p<sup>a</sup> el año  
 de participacion  
 de los  
 1-1834

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C. de Valenciana  
 de 100 l.  
 (Faint handwritten notes)

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Junta 1.<sup>a</sup> Manzana  
Primera

En Junta celebrada el Dia  
de hoy de conformidad con las  
Leyes de la materia hasalido  
V. de Uector nombrado en esta  
Manzana p.<sup>o</sup> la renovacion  
de este Ayuntamiento p.<sup>o</sup> el año  
entrante los tenemos el honor  
de partici par a V.

Dios y Libertad Ato Ban  
6. 7 de Dto de 1834.

José M. Moya

José Carrillo  
Secretario

Juan Hernandez  
Secret.

José Rodriguez  
Secret.

José Rodriguez  
Secret.

Secret.

José Carrillo  
Uector de la 1.<sup>a</sup>  
Manzana





Junta S.<sup>a</sup> Municipal  
Pinar del Rio

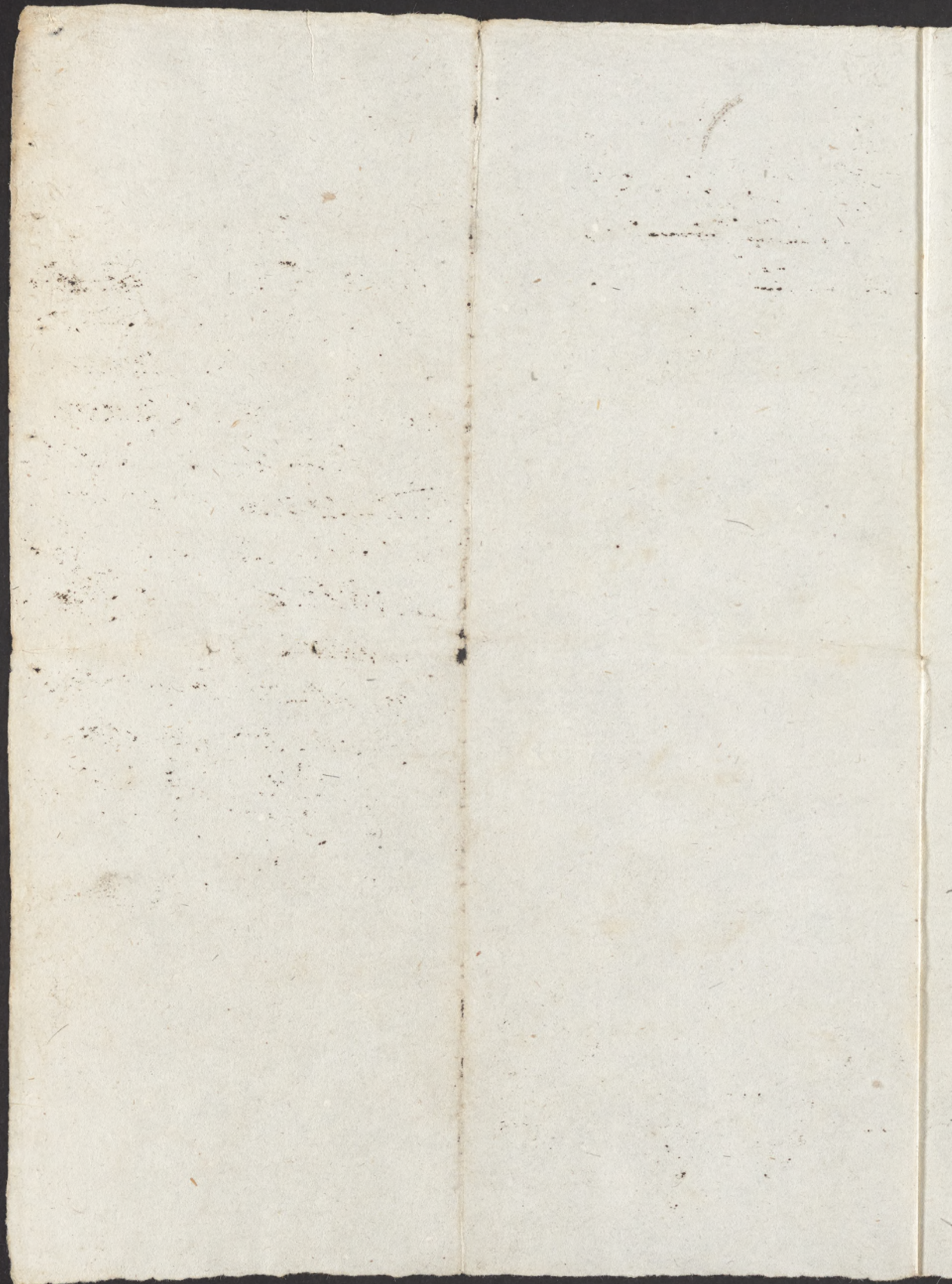
Los Señores electores de este  
de hoy de cada una de las  
Leyes de la constitución de  
el de electores nombrados en esta  
Municipalidad p.<sup>a</sup> la revolución  
de este Ayuntamiento p.<sup>a</sup> el voto  
entrevista los señores el voto  
de parte para a S.

Dios y Libertad Sto. Domingo  
1.<sup>o</sup> de Mayo de 1836.

Yo el Sr. Jefe  
de la  
Jefe Municipal  
Juan Francisco  
Secretario

Com. Jefe  
Com. Jefe  
Electores de la S.<sup>a</sup>  
Municipalidad

al Sr. Gobernador  
Secretario



Junta 1.<sup>a</sup> Manca  
No. 2.<sup>a</sup>

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PAGE 50.

En Junta celebrada el día de hoy de conformidad con las Leyes de la materia ha Salido el Elector nombrado en esta Alcancía viz. p.<sup>o</sup> la Renovación de este Ayuntamiento p.<sup>o</sup> el vino entrante. Lo q. tiene por el honor de participar a V.

Dio

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PAGE 51

by Libertad A. B...  
Baro Dir. Feb 1834

Ant. Obispo  
p. r. d. x  
Jose M. Valenciano  
Secret.?

Luis Lugo  
Caud Antonio Ome  
ra Oector de la  
2a. Manana

Jose Romero  
Frio. S  
Estevan Ortega  
Frio

57

54

302

34

34

58

Junta. P. Murrano

52

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PAGE 52

En Junta celebrada  
el día de hoy de con-  
formidad con las leyes  
de la materia por saci-  
do V. de Elector nom-  
brado en esta Man-  
zana p. la Renova-  
cion de este ayun-  
tam. p. el año en-  
trante los f. tem-  
porales el honor de  
participar a V.

Die



56.

Libertad No.  
Barb. Dec. 9 de 1834  
Int.º Olibrag  
prev.º.  
Jac. M. Valenzuela

Secret.  
Luis Lugo  
Joaquín  
Joaquín  
Joaquín  
Estevan Ortega  
Joaquín

Luis Lugo  
Director de la 2.  
Mamano

573

62

Junta 1.<sup>a</sup> Manca  
na 2.<sup>a</sup>

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En una Celebrada  
el dia de hoy de Com  
formidad con las Leyes  
de la materia ha Sa  
do V. de Clezar nom  
brado en esta Manca  
para la renovacion de  
este Ayuntamiento pa  
el año entrante lo  
que tenemos el honor de  
participar a V. S.  
y libertad Sta Barb.  
A quince de Dic de 1834  
Ano. Oliburg  
Presid.º  
Jose M. Oliburg  
Secret.º

Com. Celeban Ortega  
Clezar de la Manca  
2.<sup>a</sup>

Luis Sagg  
Jefe  
Jose Romero  
Secret.  
Celeban Ortega  
Jefe



67

66

Junta 1.<sup>a</sup> Manana  
na 2.<sup>a</sup>

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La Junta celebrada el día de hoy de conformidad con las Leyes de la materia ha salido V. de elector nombrando en una Manana y por la aprobación de este Ayuntamiento y.º el año entrante lo que tiene unq el amor de participar a V. Dios y libertad.  
Fea Barb.º Diciembre 7 de 834.

Anto. Olivaroz  
previo.  
Jose M. Valenzuela  
secretario

Don José de la Concepción  
Don Nemesio. Elector  
de la 2.<sup>a</sup> Manana

Don Luis Lucero  
Don  
Don Jose Romero  
Don Esteban Ortega  
Don



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*MS. 20  
Page 72*

*Handwritten text block, possibly a signature or a specific note.*

*Handwritten text block at the bottom left, possibly a signature or a name.*

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65

70 if

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242 SD  
PAGE 56

En el expediente promovido por el Sr.  
Dn Juan Cota sobre nulidad en su eleccion  
de Alcalde de este Ayuntamiento he por  
el decreto que sigue.

" Sta. Barbara 27 de Mayo de  
1835 = En vista de los antecedentes infor-  
me resulta que el Sr. Dn Juan Cota no  
tiene vivienda en este pueblo por estar  
radicado mas ha de un año en Sta. Cruz.

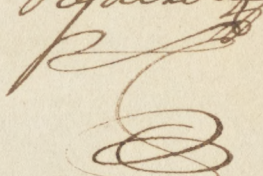
Por lo mismo se se declara nula la  
eleccion que se hizo a su persona por Alcalde  
de y en consecuencia procedera arreglado a  
las leyes y la materia a nueva eleccion:

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PAGE 57

  
 Libre orden al Alcalde en tuano p.<sup>o</sup>  
 y combogue a los doctores y una ins-  
 ta en junta el día domingo 31 de  
 presente. El Sr. D.<sup>o</sup> José Figueroa  
 General a Brigada Comand.<sup>te</sup> Gene-  
 ral y Jefe Político de la Alta Ca-  
 lifornia hace lo mando secreto y fir-  
 mo a 7 de Mayo de 1835.

Y lo inserto a V.<sup>o</sup> p.<sup>o</sup> en punta-  
 al cumplim.<sup>to</sup>

Dios y Libertad P.<sup>ta</sup>  
 Barana Mayo 27 de 1835

José Figueroa  


Sr. Sr.<sup>o</sup> Pujeda D.<sup>o</sup> Sr. M.<sup>o</sup> Valenzuela.

sta  
6  
rexa  
ene  
Ca  
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PAGE 58

Amigos el honor de  
acompañar al Sr. Testi-  
monio en la Acta de la  
Junta p<sup>a</sup> esta Junta Electro-  
ral p<sup>a</sup> el nombramien-  
to de un Alcalde p<sup>a</sup> mu-  
lidad del electo p<sup>a</sup> el día  
1<sup>o</sup> de En<sup>o</sup> del presente año.  
y resulto Electo el Sr.  
Nafael Gonzalez.

Y en cumplimiento  
de lo prevenido en la Ley de  
elecciones a 12 de Julio  
de 1830 lo abisamos a  
V. S. expresándole nues-  
tro Respeto y amor de  
variosos.

Don y Libertad Sr.  
Don Barba Borrero a 1835.  
Don Antonio  
Danzillo  
Don José  
Don José Carrillo  
Don Pedro  
Señor

Al Sr. Jefe Político.  
C. Don Figueroa



248 20  
83

I have been thinking of you  
 very much lately and wondering  
 how you are getting on. I hope  
 you are well and happy. I  
 have not much news to write  
 at present. The weather is  
 very pleasant here now.  
 I have been to the  
 theatre several times and  
 enjoyed it very much. I  
 have also been to the  
 park and seen the  
 flowers. They are all  
 in bloom now and  
 very beautiful. I  
 have also been to the  
 museum and seen  
 the new exhibition.  
 It is very interesting  
 and well arranged.  
 I have also been to  
 the library and seen  
 the new books.  
 They are all very  
 good and I have  
 borrowed several.  
 I have also been to  
 the concert and  
 enjoyed it very much.  
 The music was  
 very beautiful and  
 the singing was  
 excellent. I have  
 also been to the  
 opera and seen  
 the new opera.  
 It is very good  
 and well acted.  
 I have also been to  
 the play and seen  
 the new play.  
 It is very good  
 and well acted.  
 I have also been to  
 the concert and  
 enjoyed it very much.  
 The music was  
 very beautiful and  
 the singing was  
 excellent. I have  
 also been to the  
 opera and seen  
 the new opera.  
 It is very good  
 and well acted.  
 I have also been to  
 the play and seen  
 the new play.  
 It is very good  
 and well acted.

My dear Mother,  
 I have just received  
 your letter and  
 was very glad to  
 hear from you.  
 I am well and  
 hope these few  
 lines will find  
 you the same.  
 I have not much  
 news to write  
 at present. I  
 have been to  
 the theatre and  
 enjoyed it very  
 much. I have  
 also been to the  
 park and seen  
 the flowers. They  
 are all in bloom  
 now and very  
 beautiful. I have  
 also been to the  
 museum and seen  
 the new exhibition.  
 It is very  
 interesting and  
 well arranged.  
 I have also been  
 to the library and  
 seen the new  
 books. They are  
 all very good  
 and I have  
 borrowed several.  
 I have also been  
 to the concert  
 and enjoyed it  
 very much. The  
 music was very  
 beautiful and  
 the singing was  
 excellent. I have  
 also been to the  
 opera and seen  
 the new opera.  
 It is very good  
 and well acted.  
 I have also been  
 to the play and  
 seen the new  
 play. It is very  
 good and well  
 acted.

70

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131

C

78

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In el Pto. de Sta. Fe a los 31. Dias del  
mes de Mayo de 1835. reunidos en el Juzgado  
de este Pueblo los Electores Carlos A. Carrillo  
P.<sup>to</sup> los secretarios Joaquin Carrillo y Ant. Rodrigue  
quez con los de igual clase Ant. Olivera  
Mig. Valencia Esteban Ortega Jose Romero  
y Luis Lugo se procedio a la votacion  
de un Alcalde por nulidad del electo p.<sup>o</sup>  
el Dia 1.<sup>o</sup> de En.<sup>o</sup> del presente año y resul  
to electo p.<sup>o</sup> Alcalde el C. Rafael Gon  
zales con cinco v.<sup>o</sup> publicada la votacion  
por el P.<sup>to</sup> y dio por concluido el acto.  
q.<sup>e</sup> dando citados dho. nombrado p.<sup>o</sup> q.<sup>e</sup> se pre  
sente a protestar su Juam.<sup>to</sup> el Dia 7. del  
proximo Junio y lo firmo con los dos secre  
tarios

Carlos A. Carrillo  
P.<sup>to</sup>  
Joaquin Carrillo  
Secretario  
Ant. Rodriguez  
Secretario



88  
1

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82

St  
A  
S

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PAGE 60

Alcaldre benificado  
el dia de hoy Nueva  
Eleccion de Alcal-  
de p. disposición  
del Sr. Jefe Politi-  
co p. necesidad del  
nombro el dia 1.º de  
Enero del presente año.  
a saber V. Electo G.  
Mafunta para Al-  
calde de este Pueblo -  
con cinco votos, abri-  
sando la vía con oportu-  
nidad p. que se  
presente el dia 7 de  
proximo junio apre-  
tar sus juramentos.  
p. def. cerca sus  
familiares como lo  
ordena la ley.

Dio y Libertad  
Año Dato. 31 de Mayo  
de 1835.

Ante  
Carriño  
presid.

Ante  
Indigo

Sr. Alcalde Comisi-  
onario C. Rafael  
Gonzales



MS. A. 9. 2. 10

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above mentioned matter. I am sorry to hear that you are not satisfied with the result of the proceedings. I will endeavor to do all in my power to rectify the same. I am, Sir, very respectfully,  
 Your obedient servant,  
 J. M. [Name]

Received of [Name] the sum of [Amount] Dollars for [Purpose] this [Date] 18[Year].  
 J. M. [Name]



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*11. de Mayo de 1834.*

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No 242.

U. S. Ck.  
South Dist of Cal.

---

Mayor & Com Coun  
of Santa Barbara  
appth

vs.

The United States,  
appes

---

Expediente.

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

J. S. [unclear]  
[unclear]

EX 242 1

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The Citizen Manuel Micheltoena  
Brigadier General of the Mexican  
Army, Adjutant General of the Staff  
of the same, Governor, General  
Commandant and Inspector of the  
Department of the Californias:

E. S.

Although there have been es-  
tablished in the Pueblos of this  
Department Justices of the Peace  
in conformity to the law of the 20th.  
of March 1837, which bestows on them  
the same powers and imposes on them  
the same duties which belong to A-  
yuntamientos, nevertheless it is ob-  
served that, in the offices of Justices  
in the principal towns of the Districts,  
there daily occurs business of various kinds  
which hinders the Justices from devoting  
themselves to the duties which belong  
to them in consequence of there being no  
Ayuntamientos; as moreover the Pre-  
fectures of this Department must ex-  
pire in the coming year, and as the  
most Excellent Departmental Junta  
by virtue of the powers given them by the  
fundamental law have passed a resolution  
on this subject, I have ordered that  
there be carried into execution the last law  
concerning Elections passed on the  
27th. of April 1837, under the following  
rules:

1st. There shall be held in Monterey and in The City of Los Angeles as principal towns of the district, elections for Ayuntamientos, each one composed of 1st. and 2nd. Alcaldes four Regidores and one Syndic.

2nd. In the Pueblos of San Diego Santa Barbara, San Juan Villa de Branciforte, Pueblo de San José, San Francisco and Sonoma, there shall be held elections to choose two Alcaldes of the first & second grade

3rd. Therefore on the second Sunday of the next December, the inhabitants in their respective Pueblos will elect in one section seven Electors, who shall assemble on the Friday previous to the third Sunday in December, presided over by public authorities of the place, for the purpose of electing the Ayuntamientos and Alcaldes as the foregoing articles provide, observing in the essential parts the provisions of the law of Elections passed June 19. of the present year, under the title of Secondary Elections and the other articles of the same which may be appropriate to the purpose.

4th. The first Alcaldes of whom mention is here made will perform the duties which belong to Judges of the first Instance according to

The decree of July 15, 1839, and will also take charge of the Prefectures in their respective Districts

5th. On the 1st of January of the coming year, the newly elected officers will take possession of their offices, and will receive from those going out of office an exact inventory of all the "expedientes" books and whatever belongs to said corporation, transmitting a copy thereof to the Governor that he may remit it to the Departmental Assembly.

And in order that all may be advised I order that it be published by Proclamation in the Pueblos of the Department and that it be posted in the usual places.

Monterey 14 November 1843  
Manuel Micheltona.  
Manuel Jimeno Sec'y.

A Copy  
Angeles December 4. 1843  
Manuel Dominguez  
Marcos Botello

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U. S. Dist Court

Southern Dist of Cal.

Mayor & Com. Council  
of San Jose  
Appets

vs

The United States  
Appellee

Translation of doc  
filed in this case  
& marked "No 2. C. 2. C."

Filed Dec 11<sup>th</sup> 1855

J. E. Lave  
Clerk

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El Ciudadano Manuel Micheltorena General de Brigada del Ejército Mexicano, Ayudante General de la Plaza Mayor del mismo, Gobernador Comandante General e Inspector del Departamento de las Californias.



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Aunque se han establecido Jueces de Paz en Pueblos de este Departamento conforme a la ley de 20 de Marzo de 1834, la que les da las facultades y obligaciones que tienen los Ayuntamientos, pero se observan que en los Jueces de las Cabereras de los Distritos, se ven diariamente asuntos de Justicia Civil que les impide a los Jueces dedicarse a las atribuciones que les corresponden por falta de Ayuntamiento; debiendo a mas de esto extinguirse para el año entrante las Prefecturas de este Departamento, y como sobre este particular ha tenido un acuerdo la Exma. Junta Departamental por las facultades que les conceden las bases organicas, he dispuesto se ponga en ejecucion la ultima ley de Elecciones de Ayuntamientos de 27 de Abril de 1834, bajo las reglas siguientes.

- 1<sup>a</sup> Se procederá a verificarse en espontaneo y en la Ciudad de los Angeles como Caberera de Distrito, las Elecciones para Ayuntamiento compuesto de cada uno de 1<sup>o</sup> y 2<sup>o</sup> Alcaldes, Cuatro Regidores y un Sindico.
- 2<sup>a</sup> En los pueblos de San Diego, Sta. Barbara, San Juan Villa de Guadalupe, Pueblo de San Jose, San Francisco y Sonoma, se harán elecciones para nombrar los Alcaldes de 1<sup>o</sup> y 2<sup>o</sup> nominacion.
- 3<sup>a</sup> En consecuencia, el segundo Domingo del presente Diciembre, los vecinos en sus respectivos pueblos nombraran en una Eleccion, siete Comisionarios de

te Diciembre, los Jueces en sus respectivos pueblos  
nombraran en una sesion, siete Compromisarios, los  
que se reuniran el viernes anterior al tercer Domini-  
go de Diciembre precedido por la autoridad politica  
del lugar, a fin de elegir el Ayuntamiento y Alcal-  
des como disponen los articulos anteriores, obseruan-  
do en la parte necesaria lo que dispone la ley de  
elecciones de 19 de Junio del corriente ano bajo el tu-  
do de elecciones secundarias y los demas articulos de la  
misma que sean conducentes al intento.

4<sup>a</sup> Los Alcaldes primeros de que hablan estas dispo-  
siciones, desempeñaran las funciones que les corres-  
ponde a los Jueces de primera instancia en con-  
formidad al decreto de 15 de Julio de 1839, como an-  
teriormente se encargaron de las Prefecturas de sus respec-  
tivos Distritos.

5<sup>a</sup> El dia 1<sup>o</sup> de Enero del ano que entra tomara  
posesion de sus empleos los jueces nombrados quienes  
recibiran de los Jueces un inventario exacto de to-  
dos los expedientes, libros y papeles que pertenecen  
te a dichas Corporaciones, pasando copia de él al Go-  
bierno para pasarlo a la Asamblea Departamen-  
tal. = Y para que llegue a noticia de todos, man-  
do se publique por bando en los pueblos del Depar-  
tamento y se fije en los parages acostumbrados. =  
= Montevideo 14 de Noviembre del 843. = Ma-  
nuel Michel. = Manuel Jimenez. = Seco. =

El Copia. Angeles Diciembre 4 del 843.

Man. Dominguez

Manuel Michel

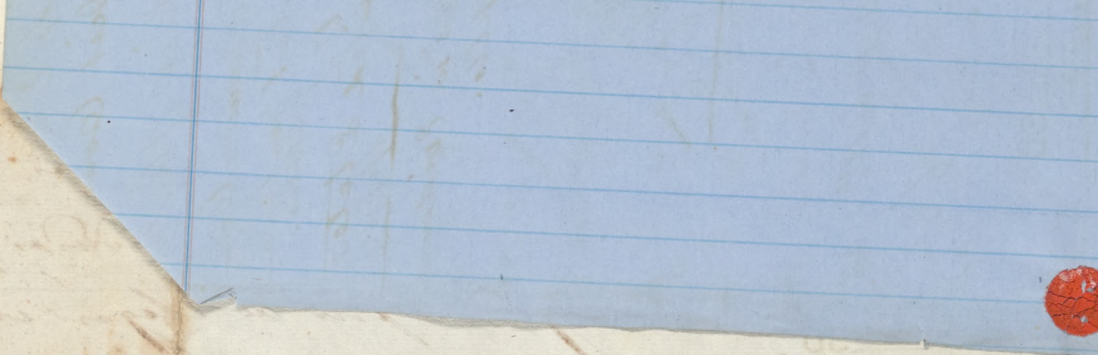
242  
U.S. Dist Court  
South. Dist. of Cal.  
Mayor & Common Council  
of Santa Barbara  
Applts.  
vs  
The United States  
Appellee.  
Doc. put in evidence  
by Applts.

"No. 2"  
"F. E. C."

Filed Dec 11<sup>th</sup> 1885  
F. E. C.  
Att.

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



*[Handwritten signature or initials in the bottom right corner]*

Espediente containing the Election  
of the Ayuntamiento for the year 1835,  
composed of different documents relating  
to said Election

Sto Barbara 21 Dec. 1834.

Secondary  
Electoral  
Junta

We have the honor of presenting to  
you evidence of the act performed  
by this Electoral Junta for the election  
of one "Alcalde", three "Regidores", and  
one "Procurador Sindico", who must form  
anew this Ayuntamiento for the coming  
two years.

And in compliance with the pro-  
visions of the law concerning elections,  
of 12th. July 1830 we give you notice,  
offering our respects and consideration.  
God and Liberty. Dec. 21, 1834

Carlos Antonio Carrillo. President  
Joaquin Carrillo Secretary  
Jacinto Lorenzana Secretary  
To the Political Chief, José Figueroa

(A Copy)

In the Port of Santa Barbara on  
the 21<sup>st</sup>. day of December 1834, there  
being assembled in the house of the Con-  
stitutional Alcalde of this Pueblo, Citizen  
Jose Maria Garcia, the electors, citizens  
Carlos Antonio Carrillo, President, and  
Joaquin Carrillo, Jacinto Lorezana,  
Secretaries, and the following of the same  
rank, Antonio Oliveira, Miguel Valencia,  
Esteban Ortega, Jose Romero, Luis Lugo,  
and Antonio Rodriguez, they proceed-  
ed to vote for an Alcalde, three  
Regidores, and one Procurador Sindico  
to take the place of the present Ayun-  
tamiento; and beginning with the first  
there was elected Citizen Francisco Cota  
with seven votes as Alcalde, and  
secondly for Regidores there were elected  
Citizen Manuel Cota with six votes, Citizen  
Fernando Pico with eight votes and Citizen  
Antonio Rodriguez with six votes, and  
Citizen Antonio Rochoa was elected Proc-  
urador Sindico with seven votes. And  
the votes having been announced by the  
President, the business was concluded,  
the parties elect being summoned to  
take the oath on the 1<sup>st</sup> day of  
January next, and I sign the same  
with the two named Secretaries.

Carlos Antonio Carrillo, President  
Joaquin Carrillo & Jacinto Lorezana. Secretaries  
(A la ley)

2nd Elec-  
toral Junta  
of the 3rd  
Sunday of  
December  
1834

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There having this day been held an  
election for Alcalde, Regidores and  
Judice Procurador, for the renewal  
of the Ayuntamiento of 1834, we have  
the pleasure of announcing to you  
that you have been elected <sup>by this Junta</sup> Constitu-  
tional Alcalde of this Pueblo, with seven  
votes, and we give you timely notice  
that you may present yourself to take  
the oath on the 1st of January, in  
order to perform the duties according  
to law

God and Liberty. Santa Barbara Dec. 21. 1834  
Carlos Antonio Carrillo, President  
Joaquin Carrillo & Jacinto Lorenzana Secretaries  
(A Copy)  
To the Constitutional Alcalde, Citizen Francisco Coto

In the Port of No Barbara on the  
14th. of December 1834, there being assem-  
bled the Electors who compose this Junta  
They proceeded according to the ~~12th.~~ 51st  
article of the law of the 12th. July 1830,  
presided over by the Constitutional Alcalde  
who takes the place of the subordinate Po-  
litical chief, to the election of a Pres-  
ident, and choice fell on the Citizen  
Carlos Antonio Carrillo, and he having  
taken the chair, they proceeded to

elect two Secretaries, and to fill those offices there were elected Joaquin Carrillo and Jacinto Lorenzana.

And at the same time there were appointed two commissions, composed each of three members, to examine and revise the proceedings and credentials; for the first were appointed Joaquin Carrillo, Antonio Rodriguez and Miguel Valencia; and for the second Auto. Oliveira, Esteban Ortega and Luis Lugo, whose appointment was announced by the President and there being no obstacle in the whole business, they were cited for the third Sunday; consequently they were elected and approved, and the proceedings were concluded, and the President and Secretaries signed them.

Carlos Auto. Carrillo, President.

Joaquin Carrillo & Jacinto Lorenzana Secretaries.

---

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In the Port of Santo Domingo on the 7th. of Dec. 1834, in the house of Citizen Francisco Arellanes, the Citizens of the second <sup>(madrugada)</sup> ward of this town (poblacion) assembled at the request of the Ward Commissioner, José Auto de la Encarnación y Carrillo, they proceeded to elect a President and four Secretaries, according



to article 19 of the law of the 12th. of July 1830; and there were elected to said offices, 1st. for President, Citizen Auto. Ma. Oliveira, & 2nd. for Secretaries Citizens José Ma. Valenzuela, José Dela C. Romero, Esteban Ortega and Luis Lugo. They then proceeded to elect four Electors, who, joined with those of the 1st. Ward, must elect an Alcalde, Regidores and Syndic, who must renew this Ayuntamiento; and there were elected by a majority of the votes, Citizen Esteban Ortega with 18 votes, Cit. Auto. Ma. Oliveira with 17 votes, José Dela C. Romero with 17 votes, Luis Lugo with 14 votes, whose election was announced by the President, and there being no obstacle in the whole business, they were consequently elected and approved as Electors. Therefore the proceedings were concluded and ~~and~~ the President and Secretaries signed them.

Antonio Oliveira. President  
José Romero }  
José Ma. Valenzuela } Secretaries  
Luis Lugo }  
Esteban Ortega }

---

In the Port of Sta Barbara on  
The 7th. of Dec. 1834 in the house  
of Anastasio Carrillo, the citizens of  
of the 1st. Ward (manzana) of the  
town (poblacion) assembled at the re-  
quest of the Ward commissioner, Ray-  
mundo Carrillo, proceeded to elect  
a President and four Secretaries  
according to the 19th. article of the  
law of July 12. 1830, and said  
offices were conferred on the following  
Jose Ma Rojo for President, and  
Joaquin Carrillo, Jacinto Lorenzana,  
Jose Rodriguez and Antonio Rodri-  
gues for Secretaries, They then  
proceeded to elect 5 Electors  
who, joined with those of the 2nd.  
Ward (manzana), must elect the Al-  
calde, Regidores and Syndic to renew  
this Ayuntamiento, and there were  
elected by a majority of the votes,  
Joaquin Carrillo with 16 votes, Miguel  
Valencia with 16 votes, Antonio Rodriguez  
with 14 votes, Jacinto Lorenzana with  
11 votes and Carlos Carrillo with 10 votes,  
whose election was announced by the  
President and there being no obstacle  
in the whole business, they remained  
elected and approved as Electors, with which  
thing the proceedings were concluded  
and the President and Secretaries  
signed them

José Ma. Rojo - President  
Joaquín Carrillo - Secretary  
Juan Hernandez " "  
José Rodríguez " "  
Jacinto Lorente " "

---

The 1st. Commission appointed by the Electoral Junta to examine the credentials of the 2nd Ward (mañana), Report that with respect to the credentials of the said Ward (mañana) they find them entirely in accordance with the law of the 12 July 1830, and consequently worthy of being admitted as valid by this Junta in conformity to said law

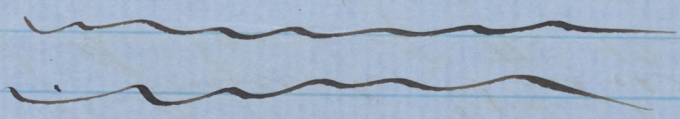
Sto Domingo 16th. December 1834

Joaquín Carrillo  
Antonio Rodríguez  
Miguel Valencia.

---

The second Commission appointed by the Electoral Junta to report on the credentials of the 1st Ward (maorana) report that with respect to the credentials of the said Ward (maorana) they find them ~~to~~ entirely in accordance with the law of the 1st. of July 1830, and consequently worthy of being admitted as valid by this Junta in conformity with said law

Santa Barbara Dec. 17. 1834  
Antonio Oliveira  
Esteban Ortega  
Luis Lugo



Junta of the 1st Ward } In Junta held to day in conform-  
ity with the laws on the subject you  
have been appointed Elector of this  
Ward for the renewal of this Ayuntamiento  
for the coming year, which we  
have the honor to announce to you  
God & Liberty!

Santa Barbara Dec 7 1834

Jose Ma Rojo - President

Josquin Carrillo Secretario

To Citizens

Carlos Carrillo

Juan Hernandez "

Electors of 1st Ward

Jose Rodriguez "

Jacinto Sorensen "

Junta of  
the 1st Ward

In Junta of to day held in  
conformity with laws on the sub-  
ject you were elected Elector  
of this Ward for the renewal of  
the Ayuntamiento for the coming  
year which we have the honor to  
announce to you

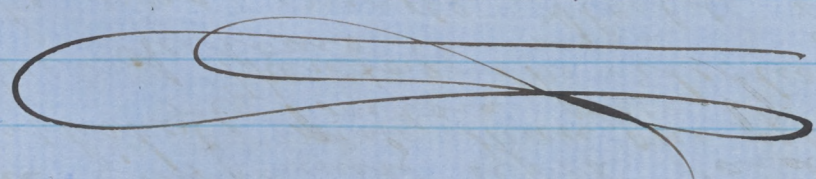
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God & Liberty.

Santo Barbara 7th Dec 1834

- José Maria Rojas - President
- Joaquín Carrillo Secretary
- Juan Hernandez "
- José Rodríguez "
- Jacinto Lorenzana "

To Criteren Antonio Rodriguez,  
Elector of the 1st Ward



The following 30 <sup>in</sup> pages contain seven certificates  
almost precisely similar

Note by the Translator A.F.H.

In the original document, pages from No 36  
to No 67 contain seven certificates almost pre-  
cisely similar to the two preceding, and set forth  
that the following persons were chosen Electors in the  
1st or 2nd Wards, They are therefore not translated in full

- |                   |                 |
|-------------------|-----------------|
| Jacinto Lorenzana | Luis Lugo       |
| Miguel Valencia   | Esteban Ortega  |
| Joaquín Carrillo  | José C. Romero. |
| Antonio Oliveira  |                 |

N. S.

In the expediente drawn up for Francisco Cota, with respect to the nullity of his Election as Alcalde of this Ayuntamiento, I have placed the following decree:

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Santa Barbara 27<sup>th</sup> of May 1835.  
From the foregoing reports it appears that Francisco Cota has not a residence in this presidio, because he has been established more than one year in Santa Ynez. Therefore the election whereby he was made Alcalde is declared void, and consequently according to the laws on this subject a new election will take place. Let an order be issued to the substituted Alcalde to convoke the Electors, and that they convene their junta on Sunday the 31<sup>st</sup> of the present month.

Don José Figueroa, General of Brigade, Commandant General, and Political Chief of Alta California has so ordered, decreed and signed, of which I certify."

And I send <sup>it</sup> to you that it may be fully complied with

God & Liberty! Santa Barbara May 27. 1835  
José Figueroa

To The 1<sup>st</sup> Regidor

Don José Ma. Valenzuela

We have the honor of presenting  
to your Excellency the record of pro-  
ceedings had by this electoral Junta  
for the election of an Alcalde on  
account of the nullity of the ~~null~~  
(election held of him who was) elected  
for the 1st of January of the present  
year. The result is that Citizen  
Rafael Gonsales is elected.

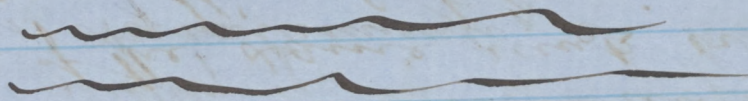
And in compliance with the pro-  
visions of the law of elections of  
12th. July 1830, we advise your  
Excellency of it, offering our respects  
and consideration.

God & Liberty. El Estorion. May 31. 1835

Carlos Antonio Carrillo  
President

Joaquin Carrillo }  
Antonio Rodriguez } Secretaries -

To his Excellency the Political Chief  
Citizen José Figueroa.

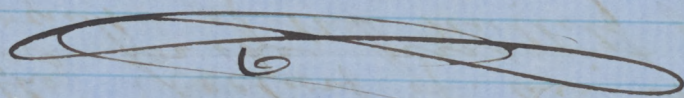


In the Port of Santa Barbara on  
the 31. of May 1835, assembled in <sup>the</sup> Court  
House of this Pueblo the Electors, Carlos  
A. Carrillo President, the Secretaries Joaquin  
Carrillo and Antonio Rodriguez, and  
those of the same rank viz. Antonio  
Olivera, Miguel Valencia, Esteban  
Ortega, Jose Romero and Luis Lugo.  
They proceeded to the election of an  
Alcalde on account of the nullity  
of the (election of him) elected for  
the 1st. of January of the present  
year, and there resulted the election  
of Rafael Gonzalez as Alcalde  
with five votes. The election having  
been announced by the President,  
the proceedings were concluded,  
the said person elected being cited  
to present himself and take the  
oath on the 7th. of June next; and  
this I sign with the two Secretaries

Carlos Antonio Carrillo

President

Joaquin Carrillo }  
Antonio Rodriguez } Secretaries





There having been this day held a new election for Alcalde by order of the Political Chief in consequence of the nullity of the (election of him) elected for the first of January of the present year, you have been elected by this Junta Alcalde of this Pueblo with five votes. We give you timely notice of this, that you may present yourself on the 7th. of June next to take the oath, in order that you may perform your duties as the law prescribes.

God & Liberty.

Santo Barbara 31. May 1835

Carlos Antonio Carrillo  
President

Antonio Rodriguez

To the Constitutional Alcalde  
Citizen Rafael Courtes



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U. S. Dist. Court  
South. Dist. Mecker

The Mayor & Common  
Council of Santa Barbara  
~~vs~~ Appels.

The United States  
Appella

Translation of  
Doc. put in Evidence  
by Appels & marked  
"No 1. G. C. C. Cell."

Filed Dec 11<sup>th</sup> 1855.  
C. E. Jan  
Cock

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PAGE 83

The Mayor & Common Council  
of Santa Barbara, appellants }  
~~vs~~ } No 242.  
The United States, appellee }

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PAGE 84

Deposition of Pablo de la Guerra, a witness  
for appellants taken in Open Court in the  
above case. ~~Given~~ Dec 11<sup>th</sup> 1855. at  
Los Angeles. Present R. D. N. as atty  
and A. H. Kirshman Counsel for appellants.  
Pablo de la Guerra being first duly sworn  
answers to questions of Counsel for the  
several parties as follows

ques. What is your name age and place  
of residence?

ans. My name is Pablo de la Guerra, my  
age 36. my residence Santa Barbara.

ques. How long have you resided in  
Santa Barbara?

ans. All my life time except about  
Eight years that I lived in Monterey.

ques. State what you know of the nature  
and history of the local Government of  
Santa Barbara from the time when you  
first remember it, until the 1<sup>st</sup> day  
of July 1846.

ans. It was first a Military Post gov-  
erned by a Comandante, a military  
Government. Afterwards it was created  
a Pueblo, I believe this occurred about  
from 1828, and 1829 or 1830, and it was  
considered a Pueblo until the 1<sup>st</sup> day of July 1846.

ques. After it was formed into a Pueblo  
was it always designated by the inhabitants  
of Santa Barbara by the name of Pueblo  
or by some other name, and if so by

what other name?

ans. - It was indiscriminately called Pueblo, Presidio or Fort.

ques. After it was formed into a Pueblo what was the place called in Public Documents.

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ans. It was indiscriminately <sup>called</sup> by the three names I have already stated. ques. Now is the <sup>Town</sup> of Santa Barbara generally called by the <sup>residents</sup> of the County living outside of the City limits at this present time.

ans. - Most generally it is designated as the Presidio by the Spanish population, and Town by Americans.

ques. - Look at the document marked "No. 1. C. E. C. CLK" and state if you have seen it before and if so under what circumstances.

ans. - I have seen this document ~~we have~~ <sup>was</sup> found ~~it~~ among some old papers of my father, by my brother Antonio Maida.

ques. Is it now in the same condition in which you saw it immediately after its discovery

ans. I do not notice any alteration in it except the paging

ques. Explain how a document of that nature should be found at this time in the possession of your father.

ans. There are many public documents in the possession of my father he being an officer in that place for many years and some of my brothers also who lived in the same house. The

Archives of the place were badly kept,  
So the officials used to keep in their  
offices many documents.

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PAGE 86  
Ques. Look at the signatures of the  
various papers and state which of  
them you know to be the handwriting  
of those persons whose signatures they  
purport to be.

Ans. I find the signatures of Don  
Carlos Canillo, Don Basilio Canillo, Antonio  
Oliveira, Jose Maria Valenzuela, Luis Lugo,  
Jose Maria Rojas, Antonio Rodriguez, Miguel  
Valencio, & José Figueroa, wherever they  
occur, as genuine.

Ques. Look at the paper now shown  
you marked "No 2. C & C." examine  
the signatures thereto, and state whether  
you know the parties' handwriting of the  
parties, and if they are their genuine  
signatures.

Ans. — I know Manuel Dominguez and  
Narciso Botello, and these are  
their genuine signatures.

Ques. What are generally reputed to  
have been the boundaries of the Pueblo  
of Santa Barbara (question operated  
by the US atty. — taken under  
advice of the Court)

Ans. By the ~~East~~ West the Arroyo de la  
Carpenteria — by the South the Ocean,  
by the ~~North~~ <sup>West</sup> a line commencing  
at the mouth of the Arroyo de Boud in  
a northeasterly direction to the top  
of the high hills, and from there  
running along the hills to <sup>a point opposite the</sup> the Arroyo  
de la Carpenteria, th

ques. - How far is it from the western boundary line to the eastern boundary line as you have described it.

Ans. - About 4 leagues.

ques. - What is the average distance from the Coast, the Southern boundary, to the foot of the Sierra -

Ans. - An average of perhaps four miles.

ques. - From the old Presidio, meaning the building, of the Santa Barbara how far is it in a South westerly direction to the sea?

Ans. - About a mile and half ~~not~~ <sup>quite</sup> or two miles.

ques. - How far is it to the sea in a southerly direction,

Ans. - Less than a mile.

ques. - How far in a southeasterly direction?

Ans. - Less than a mile.

~~ques. - How far in an easterly direction?~~

ques. - How far is it from the Presidio to the western boundary line of the Pueblo at the nearest point

Ans. - Less than a mile.

Cross Examined by the U.S. Atty.

ques. - What are your sources of information in regard to the boundary you have described.

Ans. - I remember to have seen a fence when I was a child, perhaps in 1824 or 1825. Along the western boundary, dividing the lands of the Mission from those of the Presidio. and from that time to the authorities

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used to exercise jurisdiction and  
make grants within the boundaries  
I have described, which were universally  
recognized by every body — And the  
Governors have recognized the  
authority exercised by the local authorities  
within those limits.

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Ques. Are those the only sources of  
information you have

Ans. ~~Yes~~ They are

~~Examined by Counsel for Claimant.~~

~~Ques. Have you always~~

Pablo de la Guerra

Sworn to & subscribed  
before me, Dec 11<sup>th</sup> 1857

J. J. Lang  
Clerk.

No 242.

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

---

Mayor Herman Council  
of Santa Barbara  
appels

vs

The United States  
app<sup>ees</sup>

---

Deposition of Pablo de la Guerra

---

Filed Dec 15 1855

J. C. Carr  
clerk

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Mayor & Common Council of Santa Barbara

vs.

No 242.

The United States, appellee  
Deposition of Alpheus B. Thompson, a witness  
for appellants in the above case, taken at  
Los Angeles Dec 15<sup>th</sup> 1835. before C. E.  
Carr U.S. Court for the South District  
California. Present P. D. Usally,

A. F. Amickman atty for appellants.

A. B. Thompson being duly sworn, answers to questions of Counsel for the  
parties as follows viz

ques. What is your name age and place of residence

ans. My name is Alpheus B. Thompson, my  
age 50 years, my residence Santa Barbara.

ques. How long have you resided in  
Santa Barbara.

ans. Since the year 1834.

ques. State what you know of the  
History and nature of the local Govern-  
ment of Santa Barbara, between 1834 &  
the year of July 1846. (objected to by the  
Usally.)

ans. It was military & civil, the civil  
consisted of an Alcalde and Ayuntamiento  
with all its officers down to a Syndico.

ques. What was the name of the Civil Govern-  
ment of which you have spoken.

ans. The Illustrious Ayuntamiento.

ques. By what name was the place  
designated, when describing its political  
character.

Ans. The place was known as the Presidio of Santa Barbara, and is known by that name to this day.

Ques. Was it <sup>ever</sup> called by any other name than Presidio.

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Ans. Among foreigners it was called Puebloques. What have you always understood the boundaries of the Pueblo of Santa Barbara to be. (objected to by the United States Atty.)

Ans. From the best information which I have been able to get on the subject, <sup>being</sup> ~~and~~ from hearsay. From the town, the line I have always understood ran to the corner of the Mission Garden, from thence on westerly until you came to the Arroyo Bouro about 2 miles, & a half from the old Presidio Wall. From thence eastwardly to the Arroyo de Carpentena, a distance, I suppose, of about Eleven miles.

Ques. Describe more particularly the boundaries on the north & south (objected)

Ans. By the Sea Coast on the south and foot of the Sierra on the north.

Ques. What is the average distance of the Sea Coast from the foot of the Sierra at that place.

Ans. I think it would average about three miles and a half.

Ques. Are the boundaries you have described those which have always been generally reputed to be the boundaries of the Pueblo of Santa Barbara.

(Question objected to by U.S. Atty. as to form and substance)

res of the Pueblo of Santa Barbara.

(question repeated to by U.S. Atty. as to form and substance)

Ans. I have always understood them to be repeated

~~cross examined by U.S. Atty.~~

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sworn to & subscribed

before me this 13<sup>th</sup> day Dec 1833.

J. E. Jan.

U.S. Comm.

A. B. Morrison

1211

No 242.

US Dist Court  
South Dist of Cal.

Mayor & Common Council  
of Santa Barbara  
appth

vs.

The United States  
appres.

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Deputation of A. B.  
Thompson —

Filed Dec 13<sup>th</sup> 1835.

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J. E. Lang  
clerk

In the District

Maya Comm Council of St. Barbara }  
appellants } N<sup>o</sup>  
13  
The United States

David Spence a witness produced in behalf of the United States, after being duly sworn, deposed as follows.

Ques. Please state your name, age, and place of residence.

Ans. My name is David Spence my age fifty seven resident at Monterey, Cal.

Ques. How long have you resided in California

Ans. Thirty one years

Ques. Have you or not any knowledge of the names, foundation, establishments, limits, and progress of the Pueblo, town and Precidio of Upper California; particularly Santa Barbara. And if you state generally what you know on the subject of question objected to by <sup>appellants</sup> ~~Defendants~~

Ans. When I arrived in California in 1824 I found in Monterey a Precidio and a few houses irregularly built outside of the Precidio with families in them. This was the commencement of the town which gradually

increased so as to form a stry. I visited Santa Barbara and San Diego in the year 1825 and found both places about the same as Monterey. I think, however, to the best of my recollection that there was more houses and families outside of the Presidio of Santa Barbara than in Monterey. I visited said place several times after and found it each time increasing in houses and population.

As regards the limits of the towns or Pueblos I have understood that no law existed in Mexico requiring the permission of Government to form Pueblos on public land. When a few families congregated together on Gov. land they had a right to form a pueblo and take possession of one half league of land measuring each way from the center of the pueblo (one league in length and one in breadth), for building purposes, and could be disposed of by the Alcalde Ayuntamiento or Juoz or Paz where no Aldeya Ayuntamiento existed (in lots of one hundred varas), and I have lately understood that four leagues was allowed for public lands (Ejidios). This was at the disposal of the Ayuntamiento and could be let out to the citizens by paying a certain tax (Censos). In 1836 when this became a Department then the ~~public~~ public lands of the Pueblos in the Jurisdiction of the Prefecto were entirely at their disposal and they could divide them out as they considered most advantageous (a mas a favor) but the

~~Comunidades de frutes, but the~~

(Como uso frutes, but the above mentioned half league from the centre of the Pueblo remained as before at the disposal of the Alcaldes, Ayuntamiento or Jueces de Paz, where no Ayuntamiento existed.

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Before any Alcaldes or Ayuntamiento were elected, I have heard that the Military Commandants in these Jurisdiction give provisional grants of lands near to the Pueblos by what Authority I do not know.

D. H. Price

Sworn to & subscribed before me  
this 24<sup>th</sup> day of December AD 1855

~~C. E. Farr~~

~~by A. Morgan~~

C. E. Farr  
U.S. Comr

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No 242

U. S. Dist Court  
Southern Dist of Cal

The Mayor & Council  
of St. Barbara —  
appellants

vs  
The United States  
appellees

deposition of David Spurr

Filed Dec 24. 1855

C. E. Carr  
Clerk

By Morgan  
Deputy

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No 242  
U S Dist Court

Mayor & Common Council  
of Santa Barbara  
of  
The United States

Secretary of the Court

Filed in office  
this 8<sup>th</sup> of Sept  
1860

Chas  
R

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N<sup>o</sup> 242.

Mayor and Common Council of Santa  
Barbara

Appls.

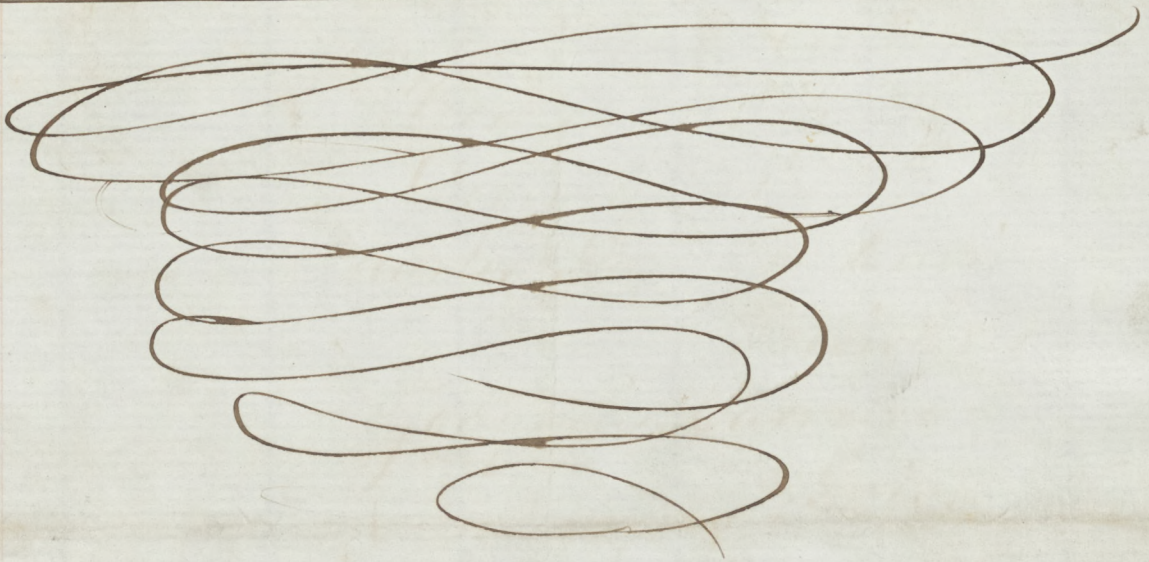
vs.

United States

Appls.

Proceedings that authorize the  
Municipal election of 1835.  
Composed of Seventeen Documents  
relative to said election.  
Santa Barbara Dec. 21. 1834.

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Secondary Electoral  
Convention.

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We have the honor to trans-  
mit to your Excellency the proceedings  
had and celebrated by this Electoral  
Convention, in the election of one Alcalde,  
three members of the Common Council and  
one City Attorney, who are to take office  
and renew this town Council at the  
next regular period of installment

And in fulfillment of the pro-  
visions of the law relative to elections  
with date July 12<sup>th</sup> A.D. 1830 we notify  
your Excellency, tendering at the same  
time our respects and consideration.

God and Liberty, Santa  
Barbara, December 21<sup>st</sup> A.D. 1834.

Carlos Antonio Carrillo

President

Joaquin Carrillo

Scrio.

Jacinto Lorenzano

(This is a copy) Secretary

To His Political Chief  
Citizen Jose Figueroa.

(Pages 3 & 4.)

Page. (7)

In the Port of Santa Barbara on Decem-  
ber 21<sup>st</sup> A.D. 1834, convened in the house  
of the Constitutional Alcalde of this  
Pueblo Jose Maria Garcia, the Electors,  
citizens ~~Carlos Antonio Carrillo~~, President,  
Secretaries, Joaquin Carrillo, Jacinto  
Sorenzana, with those of equal class,  
Antonio Olibera, Miguel Valencia, Esteban  
Ortega, Jose Romero, Luis Sugo, and  
Antonio Rodriguez. The convention pro-  
ceeded to cast its votes, <sup>for</sup> one Alcalde, three  
Aldermen, and City Attorney. for the re-  
newal of the town Council; and having  
began with the first named officer  
it resulted in the election for Alcalde,  
the Citizen Francisco Gota, with seven  
votes, in the second place for Aldermen,  
Manuel Gota, with six votes, 3<sup>rdly</sup> the Citizen  
Fernando Tico, with eight votes, Fourthly  
the Citizen Antonio Rodriguez with six  
votes - and for City Attorney, the Citizen  
Antonio Rocha, with seven votes. And the  
President declaring the result of the election  
the proceedings were concluded, the persons  
elected being notified that they must  
take the oath of Office on the 1<sup>st</sup> day  
of January Next - In Witness

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Whereof I have signed the same  
with the two Secretaries above  
mentioned.

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Carlos Antonio Carrillo  
President  
Joaquin Carrillo  
Secretary  
Jacinto Lorenzano  
Secretary

{This is a copy}

(Page 11)

Secondary Electoral  
Convention

3<sup>rd</sup> Sunday, Dec.  
1834.

This day, having  
verified the election  
for Alcalde, Councilmen and City  
Attorney, for the renewal of the actual  
City Authorities A.D. 1834. We have the  
satisfaction to inform you, that this elec-  
toral Convention has elected as Alcalde  
Constitutional of this Pueblo, with seven  
votes. Advising you at an early date  
that you may present yourself in this  
place, in order to take the oath of Office  
on the 1<sup>st</sup> day of January next, so that  
you may discharge your duty accor-  
ding to law.

God and Liberty, Santa

Barbara, December 21<sup>st</sup> A.D. 1834.

Carlos Antonio Carrillo

President

Joaquin Carrillo  
Secretary

Jacinto Lorenzana (This is a copy)  
Secretary.

To the Constitutional  
Alcalde. Francisco  
Cota.

(Page 15,

In the Port of Santa Barbara on the 14<sup>th</sup> day  
of Dec. A.D. 1834. The electors composing this  
Convention having convened, they proceeded  
in conformity with article 51. of the Law of  
12<sup>th</sup> June A.D. 1830, presiding over the same  
the Constitutional Alcalde, who performed  
the duties of Subaltern Political Chief,  
for the appointment of a President, which  
resulted in that of the citizen Carlos Antonio  
Carrillo, and he having taken his seat,  
in continuation the convention proceeded  
to the appointment of two Secretaries, which  
resulted in the appointment of the citizens,  
Joaquin Carrillo and Jacinto Lorenzana,  
At the same time two





(Page 19)

In the Port of Santa Barbara on the 7<sup>th</sup> day of December A.D. 1834. Convened in the house of the Citizen Francisco Arellano, the citizens of the second Block, which composes this population, at the invitation of the Commissioner of the same, Jose Antonio de la Guerra and Carrillo, they proceeded to vote for a President and four Secretaries, in conformity to Article 19<sup>th</sup> of the law of 12<sup>th</sup> June A.D. 1830.

And the said employments fell upon for President, the Citizen Antonio Maria Olivera, that of Secretaries upon the Citizens Jose Maria Valenzuela, Jose de la Consuncion Romero, Esteban Ortega and Luis Lugo. And in continuation they proceeded to vote for four Electors, who ~~are~~ reunited with those of the 1<sup>st</sup> Block, will proceed to elect the Alcalde, Aldermen and City Attorney, who are to succeed the present Town Council: which election produced a Majority of votes for the Citizens, Esteban Ortega, with Eighteen votes, Antonio Maria Olivera, with seventeen votes, Jose de la Consuncion Romero, with sixteen votes, and Luis Lugo with fourteen votes. Which election having been published by the President, and no objection whatever having

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TOP

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been made in the course of the proceedings  
Consequently they were elected and approved  
for electors, with which, these proceedings  
were concluded and signed by the  
President and Secretaries.

Antonio Olivera

Joaquín Valenzuela  
Secretary

President

José Romero

Luis Lugo

Secretary

Secretary

Esteban Ortega

Secretary

Page 23.

In the Port of Santa Barbara, on the 7<sup>th</sup> day  
of Dec. A.D. 1834, Convened in the house of  
the Citizen Antonio Carrillo, the Citizens  
of the 1<sup>st</sup> Block or ward, who form the  
inhabitants of this place, at the invita-  
tion of the Commissioner of the same, the  
Citizen Raymundo Carrillo. They pro-  
ceeded to elect a President and four  
Secretaries, in conformity to Article  
19<sup>th</sup> of the law of 12<sup>th</sup> July A.D. 1830. which  
resulted in the election for President  
the Citizen José María Rojo, Secretaries  
the Citizens, Joaquín Carrillo, Jacinto  
Sorenzana, José Rodríguez, and Antonio  
Rodríguez, immediately thereafter five  
Electors were elected; who having united

with those of the 2<sup>nd</sup> Block or Ward,  
whose duty it will be to elect the Alcalde,  
Councilmen and City Attorney; who will  
constitute the next Municipal Authority.  
The following gentlemen had the number  
of votes as follows; Joaquin Carrillo 16  
votes; Miguel Valencia, 16 votes; Antonio  
Rodriguez, 14 votes; Jacinto Lorenz and  
11 votes; and Carlos Carrillo, 10 votes; Where-  
upon the President published said election  
and there appearing no objection whatever,  
in the whole proceedings, consequently they  
were elected <sup>Electors</sup> and the same approved  
whereupon the business of the convention was  
closed and signed by the President  
and Secretaries.

Jose Maria Rojo,  
President

Joaquin Carrillo  
Secretary

Jose Rodriguez  
Secretary

Juan Hernandez  
Secretary

Jose Lorenzana  
Secretary

(Page 27.)

The first Committee appointed by the Electoral Convention, for to report upon the Credentials of the 1<sup>st</sup> and 2<sup>nd</sup> Blocks, report that relative to the credentials of the before mentioned Block N<sup>o</sup> 2. They are found to be in entire conformity with the law of 12<sup>th</sup> of July A.D. 1830, and consequently deserve to be admitted in order that they may partake and work with this convention according to said law.

Santa Barbara Dec. 16 A.D. 1834

Joaquin Carrillo, Antonio Rodriguez  
Miguel Valencia.

(Page 29)

The second Committee appointed by the Electoral Convention, to report upon the Credentials of the 1<sup>st</sup> Block, report that relative to the Credentials of the aforesaid Block N<sup>o</sup> 1. They are found to be in entire conformity with the law of 12<sup>th</sup> July A.D. 1830, and consequently are entitled to be admitted as members of this convention according to said law.

Antonio Olibero Luis Lugo  
Estevan Ortega.

(Page 31.)

1<sup>st</sup> Convention

1<sup>st</sup> Block

In Convention of this day, in conformity with the Laws upon the subject, you have been elected an Elector of this Block, for the renewal of the Town Council for the incoming year, all of which we have the honor to communicate to you

God and Liberty Santa  
Barbara Dec. 7<sup>th</sup> A.D. 1834.

Jose Maria Rojo, President  
Joaquin Carrillo, Juan Hernandez, Jose  
Rodriguez, Jacinto Lorenzana, Secretaries.  
To Mr. Carlos Carrillo  
Elector of 1<sup>st</sup> Block

(Page 35.)

1<sup>st</sup> Convention

1<sup>st</sup> Block

In Convention of this day, in conformity with the Laws upon the subject matter, you have been elected an Elector of this Block, for the renewal of the Town Council for the incoming year, all of which we have the honor to communicate to you.

God and Liberty, Santa

Barbara, Dec. 4<sup>th</sup> A.D. 1834.

	Jose Maria Rojo	President
	Joaquin Carrillo	Secy.
To	Juan Hernandez	"
Mr. Antonio Rodriguez	Jose Rodriguez	"
Elect of 1 <sup>st</sup> Block	Jacinto Lorenzana	"

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PAGE 111

(Page 39.)

1<sup>st</sup> Convention  
1<sup>st</sup> Block

In Convention of this day, in conformity with the Laws upon the subject matter, you have been elected an Elector in this Block, for the renewal of the Town Council for the incoming year, all of which we have the honor to communicate to you.

God and Liberty Santa  
Barbara Dec. 7<sup>th</sup> A.D. 1834.

	Jose Maria Rojo	President.
	Juan Hernandez	Secy.
	Jose Rodriguez	"
To	Jacinto Lorenzana	"
Mr. Jacinto Lorenzana	Joaquin Carrillo	"
Elect of 1 <sup>st</sup> Block		

(Page 43.)

1<sup>st</sup> Convention  
1<sup>st</sup> Block

In Convention of this day, in conformity with the Laws upon the subject matter, you have been elected an Elector of this Block, for the renewal of the Town Council of the incoming year, all which we have the honor to communicate to you.

Jose Maria Rojo President

Joaquin Carrillo, Secy.

To Juan Hernandez "

Mr. Miguel Jose Rodriguez "

Valencia's Elector Jacinto Lorenzana "

of 1st Block.

(Page 47.)

1st Convention

1st Block.

In Convention of this day, in conformity with the Laws upon the subject matter, you have been elected an Elector of this Block, for the renewal of the Town Council for the incoming year, all of which we have the honor to communicate to you.

God and Liberty, Santa Barbara

7<sup>th</sup> Dec. A.D. 1834. Jose Maria Rojo, President.

Joaquin Carrillo, Juan Hernandez, Jose Rodriguez  
And Jacinto Lorenzana, Secretaries.

To Mr. Joaquin Carrillo  
Elector of 1st Block

(Page 51.)

1<sup>st</sup> Conventions  
2<sup>nd</sup> Block

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In Convention of this day in conformity with the laws upon the subject matter, you have been elected an Elector for this Block, for the renewal of this Town Council for the incoming year, - all of which I have the honor to Communicate to you

God and Liberty Santa Barbara  
Dec. 7<sup>th</sup> A.D. 1834.

Antonio Olivera, President.

Jose Maria Valenzuela Secy.

To Luis Suga "

Mr. Antonio Olivera, Jose Romero "

Elector of 2<sup>nd</sup> Block. Esteven Ortega "

(Page 55.)

1<sup>st</sup> Conventions  
2<sup>nd</sup> Block

In Convention of this day in conformity with the Laws upon the subject matter, you have been elected an Elector of this Block, for the renewal of this Town Council for the incoming year, - all of which we have the honor to Communicate to you.

God and Liberty, Santa Barbara,  
Dec. 7<sup>th</sup> A.D. 1834.

Antonio Olivera, President.

Jose Maria Valenzuela Secy.



Antonio Olibera, President.

Jose Maria Valenzuela Secy.  
Luis Sugo "  
Jose Romero "  
Esteven Ortega "

To  
Mr. Luis Sugo  
Electer of 3<sup>rd</sup> Block

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(Page 59.)

1<sup>st</sup> Convention  
of the Block

In Convention of this day, in conformity with the Laws upon the subject matter, you have been elected an Electer of this Block, for the Renewal of this Town Council for the incoming year, all of which we have the honor to communicate to you. God and Liberty, Santa Barbara Dec. 7<sup>th</sup> A.D. 1834.

Antonio Olibera, President.

Jose Maria Valenzuela, Secy.

To  
Mr. Esteven Ortega  
Electer of 3<sup>rd</sup> Block

Luis Sugo "  
Jose Romero "  
Esteven Ortega "

(Page 63.)

1<sup>st</sup> Convention  
of the Block

In Convention of this day, in conformity with the Laws upon the subject matter, you have been elected an Electer of this Block, for the Renewal of this Town Council, for the

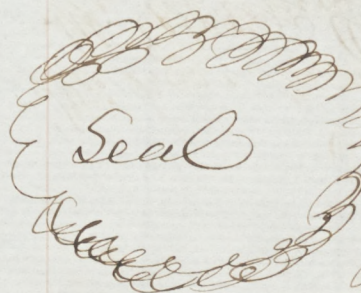
incoming year: - all of which we have the honor to communicate to you. God and Liberty, - Santa Barbara, Dec. 7<sup>th</sup> P.D. 1834.

Antonio Olivera, President,  
Jose Maria Valenzuela, Sectry,

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To Luis Sugo " "  
Mr. Jose de la Concepcion Jose Romero " "  
Romero, Elector 3 Estevan Ortega " "  
of 2<sup>nd</sup> Block. 3

 (Page 67.)  
Seal

In the proceedings commenced by Francisco Cota, upon the nullity of his election as Alcalde, of this Town Council; I have made the following decree:

"Santa Barbara, May 27<sup>th</sup> A.D. 1835.

In consequence of previous informations it turns out that Francisco Cota is not a resident in this Garrison, by having resided for more than one year at Santa Ynez; Therefore his election is declared null, and in consequence thereof you will in conformity with the Laws on the subject proceed to hold a new election:

Set an Order issued to the

Alcalde in turn, may convoke the Electors, and those to form their Convention, upon Sunday, 31<sup>st</sup> day of the present m<sup>o</sup>.

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Jose Figueroa, Brigadier General, Commanding General and Political Chief, of Upper California, Thus I Command, decreed and signed which I certify" and herewith I enclose it to you, for your punctual performance: = God and Liberty,  
Santa Barbara, May 27<sup>th</sup> A.D. 1835.

Jose Figueroa

To the President of the Town Council Don, Jose Maria Valenzuela.

(Page 71.)

We have the honor to transmit to your Excellency, the testimony of the proceedings of this Electoral Convention, for the Election of one Alcalde, owing to the nullity of the election for that Officer, on the 1<sup>st</sup> day of January of the present year, which present election resulted in the election of the Citizen Rafael Gonzales.

And in fulfillment of the provisions of the Law of Elections of July 12<sup>th</sup> A.D. 1830, we notify your Excellency.

of the fact at the same time in during  
our respect and consideration.

God and Liberty Santa  
Barbara, May 31<sup>st</sup> 1835.

Carlos Antonio Carrillo

Joaquin Carrillo

President

Antonio Rodriguez

Secretaries.

To His Excellency the Political Chief

Jose Figueroa.

(Page 75.)

In the Port of Santa Barbara, May 31<sup>st</sup> 1835  
Convened in the Alcaldes' Office, of this  
Pueblo, the Electors, Carlos Antonio  
Carrillo, President, the Secretaries  
Joaquin Carrillo, and Antonio Rodriguez,  
with those of equal class, Antonio Olibera  
Miguel Valencia, Estevan Ortega, Jose  
Romero, and Luis Sugo, they proceeded  
to the election of an Alcalde, owing  
to the nullity of the election for Alcalde  
the 1<sup>st</sup> day of January of this year, the  
present election resulted in the election  
as Alcalde, of the Citizen Rafael Gonzalez;  
with five votes in his favor. The

President published the result, which  
concluded the proceedings. Communi-  
cating to the person elect the fact of  
his election, and requesting him to  
present himself, to take the oath of  
office, on the 7<sup>th</sup> day of June next,

Which I sign with the Secretaries,  
Carlos Antonio Carrillo  
President  
Joaquin Carrillo Antonio Rodriguez  
Secy. Secy.

(Page 79.)

Having held a new election for Alcalde,  
by order of his Excellency, the Political Chief  
owing to the nullity of the election held on  
the 1<sup>st</sup> day of January of the present year,  
you have been elected by this Convention  
as Alcalde of this Pueblo, by five votes.  
Taking the earliest time to inform you of the  
same, in order that you may appear on  
the 7<sup>th</sup> day of June next, to take the oath  
of office, so that you may discharge  
your duties according to law.

God and Liberty Santa Barbara

May 31<sup>st</sup> A.D. 1835.

To the Constitutional Alcalde  
Rafael Gonzales

Carlos Antonio Carrillo, President  
Antonio Rodriguez

No. 242.

United States Dist Court  
Southern Dist of California

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Mayer & Com<sup>rs</sup> Council of  
Santa Barbara  
Appels

vs

The United States  
Appelus

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Translation of Expediente

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Filed Feb. 20, 1861  
G. L. Moxall  
J. S. M. Wheeler

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

242 SD  
PAGE 120

Morgan and Benjamin Sumner  
of Santa Barbara }  
Appellants }  
vs } No 242.  
The United States }  
Appellees }

This cause coming on to be heard on appeal from the decision of the United States Board of Land Commissioners to ascertain and settle private land claims in the State of California under the Act of Congress approved March 3, 1851 and a transcript of the proceedings, and the decision of said Board, and the papers and evidence upon which said decision was founded, and the other evidence adduced by the parties before this Court, and it appearing to the Court that said transcript had been duly filed according to law, and counsel for the respective parties having been heard. The Court finds that there is error in said decision of said Board of Land Commissioners, and it is ordered adjudged and decreed that the same be, and is hereby set aside and reversed, and that the claim of the appellants be held as good and valid and is hereby

confirmed as follows, to wit bounded on the  
east by the arroyo de Sanferreira, on the  
south by the sea shore, on the west by the  
Rancho of Los Buehlos, and on the north  
by the Sierra containing four leagues and  
no more within the boundaries aforesaid.

This done in open court, this 6<sup>th</sup> day  
of March A. D. 1861.

*Guadalupe*  
W. S. O'Connell  
for the Plaintiff



No 242.

U. S. Dist Court  
South Dist of Cal

The Mayor & Common Council  
of  
San Francisco

United States

Deer

Filed March 5, 1861

G. L. Voss Clerk  
of John D. Johnson Deputy

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

242 SD

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Mayor and Common Council  
of Santa Barbara

vs

Appellants

No. 272

The United States

Appellee

This Cause coming  
on to be heard on appeal from the decision of the Uni-  
ted States Board of Land Commissioners to ascertain  
and settle private Land Claims in the State of Califor-  
nia under the Act of Congress approved March 3, 1851  
on a Transcript of the proceedings, and the decision  
of said Board, and the papers and evidence upon  
which said decision was founded, and the other  
evidence adduced by the parties before this Court  
and it appearing to the Court that said Transcript  
had been duly filed according to law, and Counsel  
for the respective parties having been heard, The  
Court finds that there is error in said decision  
of said Board of Land Commissioners, and it  
is ordered, adjudged and decreed that the same  
be and is hereby set aside and reversed, and  
that the Claim of the Appellants be held as

good and valid and is hereby confirmed as follows: to wit bounded on the East by the Arroya de Carpentaria, on the South by the Seashore, on the West by the Rancho of Do Pueblos, and on the North by the Sierra containing four leagues and no more within the boundaries aforesaid.

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Thus done in open Court this 6<sup>th</sup> day of March A.D. 1861

Done at San Francisco  
at the Court of the District of California

Filed Feb 6/1861

J. J. Miller Clerk  
John O. Whelan Deputy

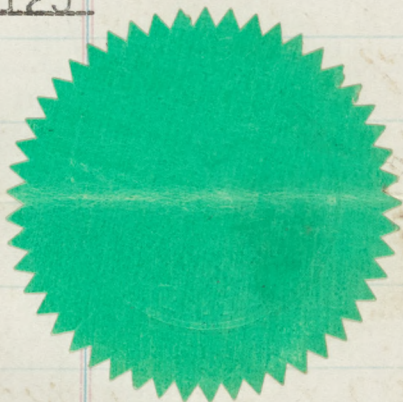
United States of America  
Southern District of California

I John O. Whelan Clerk  
of the United States District Court for the Southern  
District of California, hereby certify the above  
& foregoing to be a full true & correct copy of  
the original "Decree" in said case numbered  
#242 on the docket of said Court wherein the Mayor  
& Common Council of Santa Barbara are claimants

Against the United States for "Municipal Land"  
As the same appears on file in my office

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In Witness Whereof I have hereunto  
set my hand and affixed the seal  
of said Court at Monterey this  
28<sup>th</sup> day of August 1868  
J. M. Whelan  
Clerk of said Court

242 S.D.  
District Court of the  
United States for the  
Southern District of California

Mayor and Common  
Council of Santa Barbara

To

The United States.

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Decree of U. S. Dist Court  
South Dist Cal. in case  
No. 242, Santa Barbara vs  
the United States  
(filed by claimants)

Filed by consent  
in the above case  
Sept 2. 1862

W. D. Duvall  
Jno. P. Williams

Filed Sep 2. 1862  
W. D. Duvall,  
Clerk

In the District Court of the United States  
Eastern District of California

The United States

Appellees

vs  
The Mayor & Common Council  
of the City of Santa Barbara

Appellants

No 242

Isaac Hartman is hereby substituted as  
Attorney of record for the Claimants  
and Appellants in the above entitled cause,  
Los Angeles, Nov 12, 1860.

A. F. Kirchman  
Atty for Claimants & Appellants

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No 242

The United States

"

Morgan & Common Com-  
-mit of Santa Barbara

Substitution of Altys

Filed Nov 13/60

Amr clk  
J. J. Mullen

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THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District  
of California, before you, \_\_\_\_\_ in a cause  
between the Mayor and Common Council of Santa  
Barbara, appellants and the United States,  
appellees, wherein the decree of the said  
District Court confirming the claim of the  
appellants, was duly entered on the 5<sup>th</sup> day of  
March 1881. Whereupon the said appellees,  
by their counsel, prayed an appeal which was  
duly allowed by the said District Court to re-  
move the said cause to the Supreme Court of  
the United States \_\_\_\_\_



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as by the inspection of the ~~transcript of the record~~ *certificate of the clerk of said*  
*court under the seal* of the said *District*  
Court, which was brought into the Supreme Court of the United States, by virtue of \_\_\_\_\_

agreeably to the act of Congress, and the rules of the said *Supreme*  
*court* \_\_\_\_\_ in such case made and provided, fully and at large appears.

And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *Sixty two* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel: ~~On consideration whereof~~, and it appearing that the appellants have failed to have their cause filed and docketed in conformity to the rules of this court. It is now here ordered and decreed by this court, that this appeal from the District Court of the United States for the Southern district of California, taken by the United States, be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said District Court. - *10<sup>th</sup> Aug.*

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

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

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

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

~~Traced by~~

*Wm. H. Carroll*

Clerk of the Supreme Court of the United States.

No. 310, <sup>242</sup> December Term, 1862

MANDATE

SUPREME COURT UNITED STATES.

The U. States vs The Mayor  
of the City of Santa Barbara

Filed June 29, 63

*John D. Johnson*  
Clerk

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THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

Greeting:

Whereas lately, in the District Court of the United States for the Southern District  
of California before you, in a cause  
between Mayor and Common Council of Santa Barbara  
appellants and The United States, appellee, (No. 242,  
for "Municipal lands") wherein the decree was  
rendered in favor of the said appellants.



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as by the inspection of the transcript of the record \_\_\_\_\_  
\_\_\_\_\_ of the said *District*  
Court, which was brought into the Supreme Court of the United States by virtue of *an appeal*  
agreeably to the act of Congress, \_\_\_\_\_  
\_\_\_\_\_ in such case made and provided, fully and at large appears.

And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *sixty three* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and ~~was argued by counsel. On consideration whereof,~~ *on the motion of Mr Hartman of counsel for the appellees with the consent of Mr Attorney General Bates - it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed -*  
24 March

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

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

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

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

Duplicate

Tanney

Wm. Middleton

Clerk of the Supreme Court of the United States.

No. 259, December Term, 1863.  
242  
MANDATE  
SUPREME COURT UNITED STATES.

U. States vs. Prager & Co  
vs. Barbara

Filed December 1863  
Wm. L. Sherman  
By Wm. L. Sherman  
Att'y

Judge District Court of the United States for the  
District of California

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Mayor and Common Council of  
the City of Santa Barbara

vs

Appellees

The United States

Appellants

Now at this day come  
the appellees herein by their attorney, and presents  
the mandate of the Supreme Court of the United  
States dismissing the appeal sued out, and allowed  
the United States in the above entitled cause

Whereupon, it is now here ordered that said  
Mandate be filed and the said appeal dismissed  
and Claimants - and appellees allowed to proceed  
under the decree heretofore rendered by the late  
U. S. District Court for the Southern District of  
California confirming the claim to said appellees  
of the Municipal lands of Santa Barbara as a  
final decree

John W. Hoffman  
Dist. Judge



No 1111.

U.S. Dist. Court  
Dist of Cal.

The United States

vs  
Mayor & Santa Barbara

Order of  
Mandate

Filed Dec 8<sup>th</sup> 1866

Geo. C. Gorham Clerk  
By Nathl. Fullerton  
deputy

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

Mayor and Common Council of Santa Barbara  
ad  
The United States

Appellants

Appellees

242

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This Cause coming on to be heard on appeal from the decision of the United States Board of Land Commissioners to ascertain and settle private Land Claims in the State of California under the Act of Congress approved March 3, 1851 on a transcript of the proceedings, and the decision of said Board, and the papers and evidence upon which said decision was founded and the other evidence adduced by the parties before this Court, and it appearing to the Court that said transcript had been duly filed according to law, and Counsel for the respective parties having been heard the Court finds that there is error in said decision of said Board of Land Commissioners, and it is ordered, adjudged and decreed that the same be, and is hereby set aside and reversed, and that the claim of the appellants be held as firm and valid and is hereby confirmed as follows, to wit, bounded on the East by the Arroyo de Carpenteria on the South by the Sea Shore, on the West by the Rancho of Don Ruellos, and on the North by the Sierra, containing four leagues and no more within the bound-

daries aforesaid  
thus done in open Court this 6th day  
of March A.D. 1861

Wm S. Rogers  
W. D. Judge for the District of California  
Filed Feb 6. 1861  
G. L. Hix clerk  
J. J. Whelan Deput

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United States District Court, Southern  
District of California

Regular June Term 1863

June 12th, A.D. 1865  
Hon. F. M. Waught Judge

The Mayor and Common Council of  
Santa Barbara  
The United States

Vol. 2  
#242

In this case the Mandate of the  
Supreme Court of the United States having  
been filed and presented to the Court,  
And whereas at the