

CASE No.

310

SOUTHERN DISTRICT

SISQUOC GRANT

JAMES B. HUIE

CLAIMANT

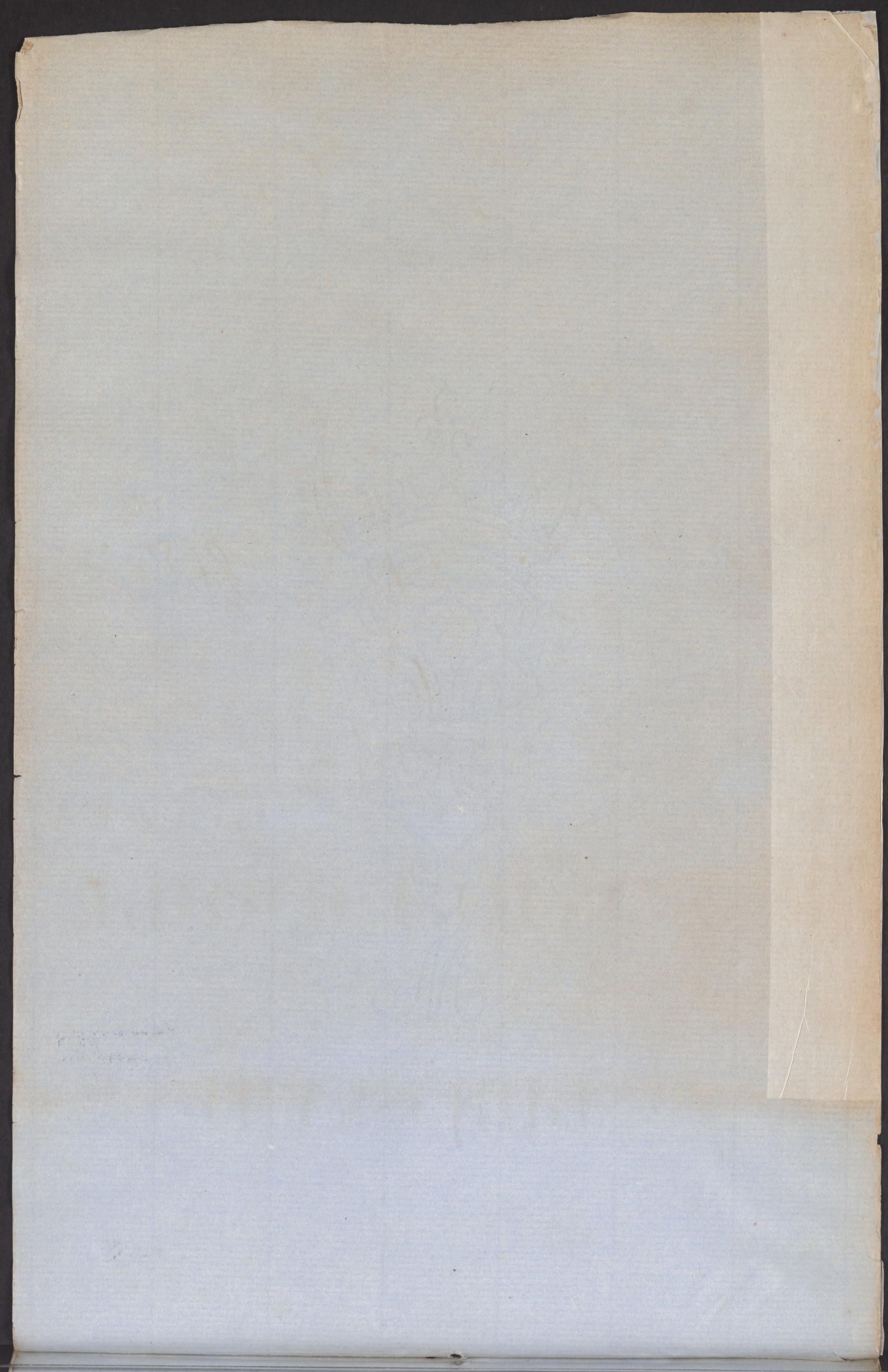
MAR 21 1963

LAND CASE 310 SD 43 pgs.

Countdown
FLOWER BOND
52% COTTON FIBER
U.S.A.

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Deep



TRANSCRIPT

310 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. *111*

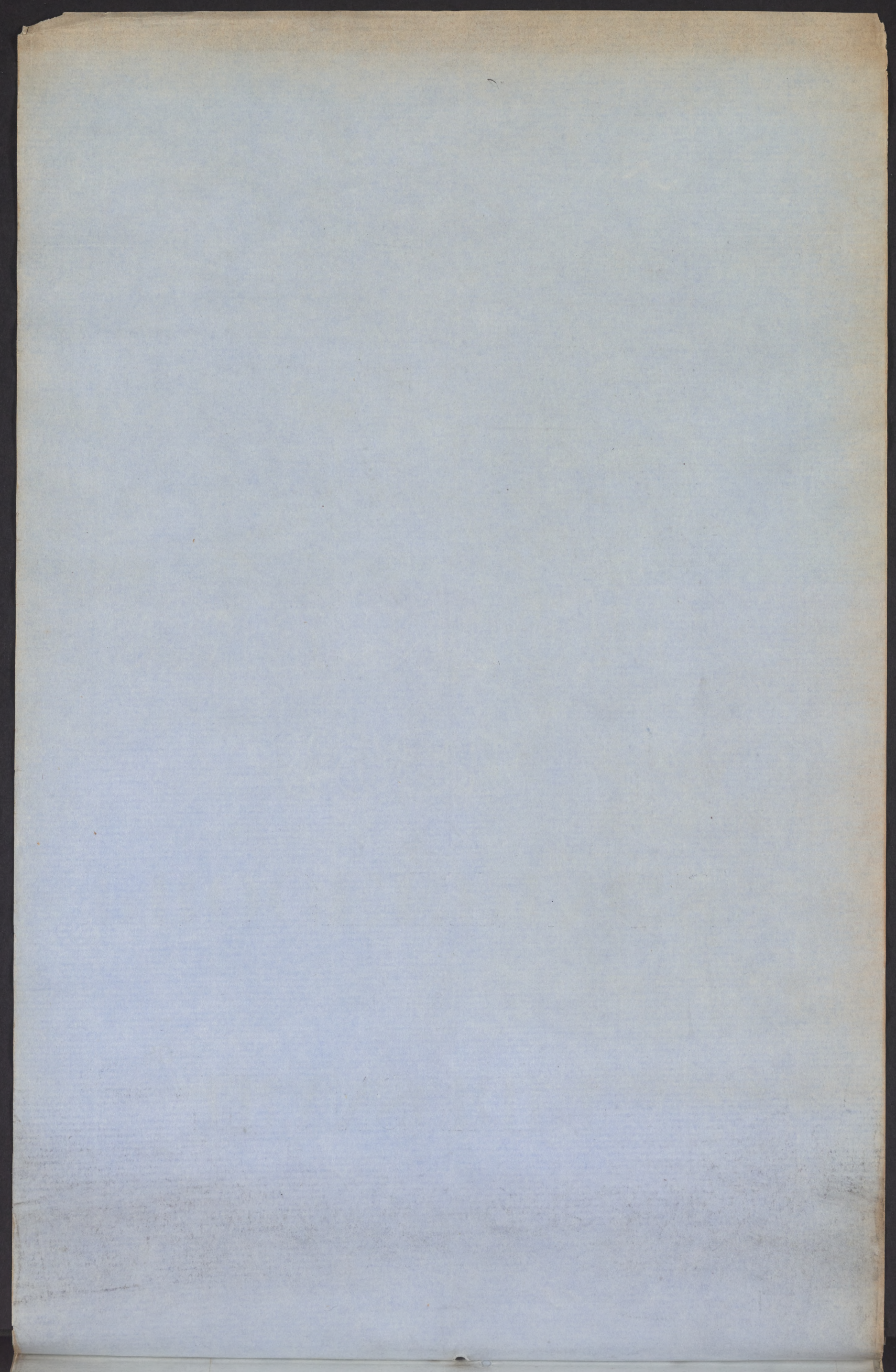
James B. Harris, et al — CLAIMANT *S.*

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Disquoc"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

310 SD
PAGE 2

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

The Petition of *James B. Huie et al.*
for the Place named
"Sisquoc,"
was presented, and ordered to be filed and docketed with No. *111* 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 1, 1853.

In Case No. 111 James B. Huie for the place named "Sisquoc," the deposition of Joaquin Valenzuela, a wit. upon behalf of the claimant, taken before Commissioner Henry J. Thornton, was filed;

(Vide page *6* of this Transcript.)

San Francisco November 21, 1854.

Case No. 111 was submitted without argument and taken under advisement by the Board.

San Francisco April 24, 1855.

In the same case, Commissioner S. B. Farwell delivered the opinion of the Board confirming the claim.

(Vide page *33* of this Transcript.)

And the following order was made, to wit.

(Vide page *34* of this Transcript.)

Petition.

State of California
City & County of San Francisco } } p:

To the Honorable Hiland Hall, Harry J. Thomson and James Wilson, sitting as a Board to ascertain and settle the private Land Claims of the State of California.

310 SD
PAGE 3

Your petitioner, James B. Huie, gives notice that he claims and owns a tract of land called "Sisquoc", granted to Doña Maria Antonia Dominguez de Caballero, on the 17th of April 1845, by Pio Pico, then and there Governor of Upper California, fully empowered by the Mexican Laws to grant lands in the said California, which is bounded on the West by the lands of Tomas Olivera, on the South East, by those of Julian Fosetas, on the South by those of the Indian, Antonio, and which is fully laid down and marked out by the plan which is attached to the Expediente and which remains of Record in the Archives now remaining in the Surveyor General's Office in San Francisco, and whereof a traced and certified copy is made a part of this petition, marked "A", with a Translation, marked "B"; and on the 18th of April 1845, said Pico, as Governor as aforesaid, issued to the said Doña Maria Antonia Dominguez de Caballero a title in form, here made a part of this petition, marked "C", and a translation thereof, marked "D"; and on the 22^d day of May, 1846, the Departmental Assembly of the said Upper California duly approved the same, fully as granted.

The land is called "Sisquoc", and lies in the County, Santa Barbara in this State; there has been no survey made of the same, and all has been done by the said grantee to fulfil on her part all the conditions required by the laws and the grant, within the time expressed.

Your petitioner further shows, that, afterwards, on the 21st day of July, 1851, the said Doña Maria and her husband, Francisco Caballero, made a power of Attorney to Nicolas

4.

Moorehon, making him their lawful Attorney
 in fact to sell the same, as will more fully
 appear by the said power, duly executed, ack-
 nowledged and recorded in the proper office, which
 is here made part of this marked "E"; and af-
 terwards, on the 1st day of October, 1851, and on the
 4th day of November, 1851, your petitioners bought the
 said Tract of land, as their deeds will show, mark-
 ed "F", here made a part of this petition, made
 by them through and by their said duly authorized
 Attorney, which is also properly recorded in the prop-
 er office, whereby your petitioners is the full and
 entire owner thereof, and prays this Honorable
 Board that the title to the same may be confirmed
 to him and relies on the documents already re-
 ferred to, such as he may hereafter discover and
 such other testimony as he can produce upon the
 hearing, as in duty bound he will ever pray.

John Wilson
 Attorney for petitioners.

Filed in Office March 22^d 1852.
 Geo. Fisher,
 Secy.

Recorded Journal Vol. I pages 244 &
 245.
 Geo. Fisher
 Secy.

San Francisco March 5, 1853.

Deposition
of
Jose Castro.

On this day before A. J. Thornton came Jose Castro, a witness in behalf of the claimant, James B. Huie, Petition No. 111 and was duly sworn his evidence being interpreted by the Secretary.

310 SD
PAGE 5

Questions by Claimant:

1st Question. What is your name, age and place of residence?

Answer. My name is Jose Castro, my age is forty four years, my residence is Monterey California.

Quest. Look upon the document now here shown to you, marked "Exhibit No. 1" and filed with this deposition, and if you know the hand writing of Pio Pico, Juan Bandini, say whether or not their signatures where they occur in the said document are their genuine signatures?

Ans. I have looked upon the Exhibit and state that the hand writing of Pio Pico and of Juan Bandini written thereon are genuine.

U. S. Law Agent Present.

(Signed) Jose Castro.

Sworn and subscribed
before me this 5th of March
1853.

(Signed) Harry D. Thornton,
Commissioner.

Filed in Office March 5th 1853.

(Signed) Geo. Fisher
Clerk.

6
San Francisco April 1st 1853.

Deposition
of
Joaquín Valenzuela.

On this day before Com. W. S. Thornton came
Joaquín Valenzuela, a witness on behalf of the
Claimant, James B. Huie; Petition No. 111, and
was duly sworn, his evidence being interpreted by
the Secretary.

Questions by Claimant.

Question 1. What is your name, age and
place of residence?

Ans. My name is Joaquín Valenzuela,
my age is forty three, and my residence is Santa
Barbara, California.

Quest. 2. Are you acquainted with the
Rancho or place called "Sisquos", claimed in this
case, and if yes, state what you know of its
occupation or settlement.

Ans. I am acquainted with this place.
I took possession of this place in 1845 for and
under a contract with the grantee. I built a
house upon it and lived in it one year, but oc-
cupied it seven years from the month of July,
1845, under said contract as tenant of the grantee.
In 1845, I had stock upon the place and cultiva-
ted it.

Question by U. S. Law Agent.

Quest. 1. Who are the Claimants of this Rancho?

Ans. They are Julian Fox and Thomas Olivera.
U. S. Law Agent is present.

(Signed) Joaquín D Valenzuela.

Sworn to and subscribed
before me this 1st day of
April 1853, by his oath.

(Signed) Wm. S. Thornton, Comr.

Filed in office April 1st 1853. (Signed) Geo. Fisher, Secy.

7. I. G. D. K

1845

Jurisdiccion de
Sta Barbara

Expediente promovido
por D^a Maria Antonia Dominguez
de Caballero en pretencion del ^{el} dote
conocido con el nombre de

"Lisguwo"

442

310 SD
PAGE 7

u8at

8

2. G.D.R. Angeles Abril 8. de 1845

Como Sr. Gobernador
Maria Antonia Dominguez
Informe el R. P. Ministro de
la Mision de Sr. Ines sobre lo con
tenido en esta in
stancia y el Sr. Alcalde de
Barbara produ
cer a el Sr. ev-
cumstencial de
volvendo el Sr. a este Gobierno
pico.

310 SD
PAGE 8

Justificacion de D. B. como
mejor proceda comparecer y
Espongo. Que siendo dueña
de trescientas cabezas de
ganado mayor y Caballary
careciendo para su fomento
de un terreno ha indagado
que se haya un Valdivia
colindante con Go-
mas Olivera por el Oeste en
Julian Forster p. el Quel
=este con el Inca Antonio

Especte.

por el Sr. ev- acompaña a esta
solicitud.

En considerarse este situ Sr
Como no resulte gravado en manera alguna
ninguna comunidad ni particular
por no pertenecer a nadie y hallarse entera
mente Valdivia.

3. G.D.R.

por lo Espuesto y confiada en que R. B
procura el adelanto y bien del pais que
afortunadamte gobierna la esponente su-
plicar se digna concederle la propiedad
del enunciado sitio de Disguve.
Por tanto. A. D. E. pido y Ruego se sirva pro-
=beer de conformidad con esta solicitud
en lo que recibire justicia que imploro pero
no ser de malicia y lo necesario.

Sra Barbara Abril 5 de 1845.

En papel como por no haber del sellado
que corresponde.

Como Sr.
Maria Antonia Dominguez.

2. G.D.R.

Here follows
Map.

9 5. G. D. R

Excmo Sr Gobernador

El tenen de que habla esta instancia y esta del Otro lado de Este rion es Valdivia y solo hay en el algun ganado montano de esta rion y de la jurisdiccion del que un poco se tomo el año pasado.

Lo que dijo a V. E. en cumplimiento de su superior disposicion.

Sta Ines Abril 12 de 1845

H. José Joaquín Ansen

Excmo Sr Gobernador

El paraje que solicita en esta instancia esta sin ocupacion y no pertenece a propiedad alguna segun los informes que este juzgado a procurado de persona de probidad y conocimiento en el advirtiendo que la solicitante es casada con un individuo que es naturalizado es lo que puedo informar en obsequio de la justicia y en atencion al supor. marginal decreto de V. E. de 8 del presente.

6. G. D. R

Sta Ines abel 13 de 1844.

Nicolas Agustín Dero.

Angeles Abril 1^{ra} de 1845.

Vista la solicitud con que da principio este Expedite los informes del R. P. Ministro de Sta Ines y del Sr Alcalde P. de Sta Barbara con lo demas que ver comuio; se declara a D^{ca} Maria Antonia Dominguez de Caballeria dueña del tenen conocido con el nombre de Diaguve y demarcado en el disenio que oha en este Expedite bajo la reserva de la aprobacion de la Excmo Asamblea del Departamento. En consecuencia estienda se le el titulo correspondiente.

4. G. D. R

El Sr D^o Propio Sr Gobernador Interino del Departamento de California, asi lo mando decreto y firmo de que doy fe.

pre.

Juan Bonciani Dero.

Queda tomada Razon de Este titulo en el libro respectivo.

Angeles Mayo 8 de 1846

Dado cuenta en sesion de hoy con este

310 SD
PAGE 9

11

Especto a la Esma Asamblea Departamt.
se manda pasar a la Comision de Tenenos
Valdros.

Pi pieo Presdt.

Agustin Olvera D. J.

B. J.

S. L. D. N

310 SD
PAGE 10

La Comision de Tenenos Valdros a exami-
nado detenidamt. el presente Especto
numerado p. D^a Ma. Ant^a Dominguez
de Caballero relativo al paraje Disjive
que le fue concedido p. el sup^o G^obo De
partamt. con arreglo a las leyes de la materia
en esta virtud pone a la delivacion de
V. B. El siguiente proposicion.

Se aprueva la concesion hecha en favor del
D^a Maria Ant^a Dominguez de Caballero
del paraje nombrado "Disjive jurisdiccion
de St^a Barb^a" con la Estension que demara
el D^oseno que corre agregado a este Especto
segun el D. E. del G^obo de 1^o de Abril del
año p. p. y con arreglo de la ley de 1^o de
agosto de 1824 y Art^o 5^o del reglamento
de 21 de Nov^o de 1828.

Sala de Comio^oes en la Ciudad de Colm
giles Mayo 22 de 1846

D. Argiello

Office of the Surveyor General of the Uni
ted States for California.

I Samuel D. King Surveyor
General of the United States for the State
of California and as such now having in my
Office and under my charge and control
a portion of the archives of the former Spanish
and Mexican Territory or Departments of
Upper California do hereby certify that
the eight preceding and hereto annexed
pages of tracing paper (numbered from one
to eight inclusive, and each of which is
verified by my initials (S. D. K.) Exhibit
true and accurate copies of certain docu-
ments on file and forming part of the

said archives in this Office.

11
said Archives in this Office.

^(Seal) In testimony whereof I have here
unto signed my name officially and
affixed my private Seal (not having a
seal of Office.) at the City of San Francisco
Cal. this 15th day of March 1852

Saml. D. King

Surveyor Genl. Cal

^W Filed in Office March 22nd 1852

Geo. Fisher Clerk

310 SD
PAGE 11

12

1845.

"B."

Jurisdiction of Santa Barbara.

Translation
of
Expediente

Expediente,

310 SD
PAGE 12

Promoted by
Doña Maria Antonia Dominguez de Caballero claiming the land known by the name of "Sisquoc".

No. 442.

Angels April 8,
1845.

Let the Rev. Priest of the Mission of Santa Ynes report on the contents of this petition and the first Alcalde of Santa Barbara annex his detailed report returning the Expediente to this Government.

(Signed)
Pio Pico.

To His Excellency the Governor;
Maria Antonia Dominguez a neighbor of this Precinct appears before your Excellency's Justice and says: That being the owner of three hundred head of cattle and horses and wanting a tract of land to rear them, she has found there is one vacant known by the name of "Sisquoc" bounded on the West by Thomas Olivera on the Southeast by Julian Foster and on the South by the Indian Antonino which sketch is annexed to this petition.

Excellent Sir, by granting this tract of land no community nor private person

shall be prejudicial in any way because it belongs to nobody and is quite vacant.

For what has been said and hoping that your Excellency procures the improvement and welfare of the Country, which fortunately you govern, the petitioner asks that you may be pleased to grant her in fee the said tract of land called "Sisquoc".

Therefore she begs and entreats your Excy to provide in conformity with this request for which she will receive the justice she petitions for, she makes oath that it is not out of malice and what is necessary.

Santa Barbara April the 5th 1845.

It is written on common paper, there not being the corresponding stamped paper.

Excellent Sir,

Maria Antonia Dominguez.

To His Excellency the Governor.

The land spoken of in this petition is situate on the other side of this Sierra (Mount ain covered with trees) it is vacant and there is only some wild cattle of this Mission and of the Purisima some of which scattered themselves last year.

I report so to Your Excellency in compliance with your Superior Decree.

Santa Ynes April 12th 1845.

(Signed)

J. Jose Joaquin Alencas.

To His Excellency the Governor,

The tract of land claimed in this petition is unoccupied and does not belong to any prop.

15-

erty according to the investigations this Court (Juzgado) has taken from honest persons acquainted with said land. The petitioner is married with an individual who is not naturalized, that is all I am able to report in compliance with justice and the Superior Marginal decree of Your Excellency dated the 8th inst.

310 SD
PAGE 14

Santa Cruz April 13th 1844.

Signo

Nicolas Agosto Sen.

Agules April the 17th 1845.

Having seen the petition with which this Expediente commences, the reports of the Rev. Priest of Santa Cruz and of the 1st Alcalde of Santa Barbara with all that was deemed convenient to attend to Doña Maria Antonia Dominguez de Caballero is declared owner of the land known by the name of "Sisquoc", designated in the sketch annexed to this Expediente, subject to the approval of His Excellency the Departmental Assembly.

Consequently let the corresponding title be issued to her. Señor Don Pio Pio Governor ad interim of the Department of California ordered, decreed and signed thus, to which I certify.

(Signo) Pio.

(Signo) Juan Bonanni
Secretary.

This title is entered in the respective Book.

Agules, May 8, 1846.

Having submitted this Expediente to His

11
Excellency the Departmental Assembly in their session of to-day it was sent to the Committee on Vacant lands.

(Signed) Pio Pico
President

(Signed) Agustin Olvera
D. S.

310 SD

PAGE 15

Exc^t Sir.

The Committee on Vacant Lands, having very minutely examined the present Expediente, promoted by Donna Maria Antonia Dominguez de Caballero relative to the tract of land (called) "Sisques", granted to her by the Superior Departmental Government in conformity with the laws on the subject by virtue thereof, they submit to Your Excellency's deliberation the following proposition:

They approve of the grant made in favor of Donna Maria Antonia Dominguez de Caballero of the tract of land named Sisques, in the jurisdiction of Santa Barbara, to the extent designated in the sketch annexed to this Expediente, according to the decree of the Government issued on the 17th April of the last past year and in conformity with the law of the 18th August 1824 and the Regulation of 21st November 1828.

Hall of Committee in the City of Los Angeles May 23^d 1846.

(Signed) J. Arguilla

Ex. C.
R. P.

Filed in Office March 22, 1852

(Signed) Geo. Fisher

July.

17

Sello numero Ocho pesos.
Habilitado provisionalmente por la Aduana
Maritima del Puerto de Monterrey, en el De-
partamento de las Californias, para los a-
ños de mil Ochocientos cuarenta y cuatro
y mil Ochocientos cuarenta y cinco.
Micheltorena Pablo de la Llena

Original
Title.

Exhibit No 1
to the Depo. of
Jose Castro Ballester
in No 111.

H. L. D.

310 SD
PAGE 16

El Ciudadano Juan José Primer
Vocal de la Suprema Asamblea y
Gobernador Interino del Departame-
nto de Californias.

Por cuanto Doña Maria Antonia Domini-
quez de Caballero ha pretendido para su bene-
ficio personal y el de su familia el tener un
cunco con el nombre de Oro five y demar-
cado en el diseño que acompaño a su solisi-
tud; practica de las previas las dili-
gencias y averiguaciones concernientes
segun lo dispuesto por leyes y reglamentos
de la materia usando de las facultades
que me son conferidas a nombre de la Na-
cion Mexicana, he venido en concederle el
terreno mencionado. Declarandole la propie-
dad de el por las presentes letras y con
Entera conformidad a lo dispuesto por las
Leyes a Reserva de la Aprobacion de la Suprema
Asamblea Departamental, y bajo las condi-
ciones siguientes.

1º Podrá cercar el terreno que se le adjudica sin perjudicar las haciendas, caminos y servidumbres; lo disputara libre y colu-
sivamente destinandolo al uso o cultivo que
mas le acomode pero dentro de un año lo ten-
dra ocupado con Casa habitada y con bienes
semovientes.

2º Solicitara del juez respectivo le de la
posesion juridica en virtud de este despa-
cho por el cual se demarcaran los lindes
nombrando las mojoneras necesarias.

3º El terreno de que se hace donacion es el
que expresa el diseño que oyo en el Espe-
diente; el juez que diere la posesion lo hara
mediante conforme a Ordenanza y dara aviso

M. de V.

avisó a Este Gobierno del numero de citos y
contenja.

En consecuencia mandó que
diviendole de ^{el} título el presente y tenien-
dose por firme y vale des de tome Razon de
el en el libro que corresponde y se entregue
a la apreciada para su resguardo y demas
pines. Dado en la Ciudad de los Angeles
a diez y Ocho del mes de Abril de mil ochocientos
cuarenta y cinco

310 SD
PAGE 17

Por pie
Juan Bandini Oño.

^{at} Filed in Office
March 22nd 1842
Geo. Fisher Secy

Queda tomada Ra-
zon de este superior
Despacho en el libro Res-
pectivo.

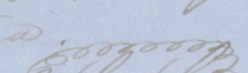
Angeles fecha ut supra.
Bandini

ONE

19
First Stamp - Eight Dollars.

D.
Translation of
Grant C.

Provisionally authorized by the Maritime Custom-
House of the Port of Monterey in the Department of
the Californias for the years 1844 & 1845.

Micheltorina  Pablo de la Guerra.

310 SD
PAGE 18

Citizen Pio Pio Senior member of the Most
Excellent the Assembly and Governor ad interim of
the Department of Californias.

Whereas Doña Maria Antonia Dominguez de Ca-
ballero has pretended for her personal benefit and
that of her family the lands known by the name
of Siquero, and shown in the accompanying map
to her petition; having previously taken the neces-
sary steps and made the proper investigations accord-
ing to the provisions of the laws and regulations
on the matter; by virtue of the powers in and vest-
ed, and in the name of the Mexican Nation, I
have called to her the above mentioned land de-
claring it to be her property by these presents
and in full conformity to the laws, subject to
the approbation of the Most Exc^t the Departmen-
tal Assembly and under the following conditions.

1st She may enjoy in the land adjudicated to
her without prejudice to the crops, roads and ser-
vitudes. She will occupy it freely and exclusively,
dedicating it to the use and cultivation which may
best suit her, but within one year it shall be oc-
cupied with a house inhabited and some cattle.

2^d She will solicit of the respective judge
to give her judicial possession in virtue of this

document, by whom the boundaries will be marked out by placing thereon the necessary land marks.

3^d The land of which donation is made is that expressed in the map annexed to the Expediente. The judge who may give possession will have it measured according to ordinance and will give notice to this government of the number of sitios (square leagues) therein contained.

Consequently, I order that this document serving him as a title and being held as firm and valid be entered in the corresponding book, and delivered to the petitioner for his security and other purposes.

Given in the City of Los Angeles the 18th of April 1845.

(Signed)

Pio Pico,

(Signed)

Juan Bandini
Secretary.

This Superior Patent has been entered in the respective Books

Angels date as above.

(Signed)

Bandini.

Filed in Office March 22, 1851

(Signed) Geo. Fisher

Clk.

E

Town of Attorney.

310 SD
PAGE 20

Know all men by these Presents,

That we Francisco Caballero and Maria Antonia Dominguez de Caballero husband and wife residents of the City of Santa Barbara, do make, constitute and appoint Nicolas Morchon our lawful attorney for us and in our names with full powers to sell for cash for the best price that he can obtain and to give quit claim deeds there for the following described premises - That Rancho situated in the Township of Santa Ynez in the County of Santa Barbara in the State of California known as the Rancho of Sisquoc which by an Instrument dated the 18th day of April in the year one thousand eight hundred and forty five was granted and conveyed by Pio Pico then Governor ad interim of the State of California to the said Maria Antonia Dominguez de Caballero.

In witness whereof we the said Francisco Caballero and Maria Antonia Dominguez de Caballero have set our hands and seals this twenty first day of July, one thousand eight hundred and fifty one.

(Signed) Francisco ^{his} Caballero ^{Seal}
mark

In presence of

V. D. G. Jr. (Signed)

Maria Antonia Dominguez ^{her} + de Caballero ^{Seal}
mark

State of California
County of Santa Barbara

On this twenty first day of July, one thousand eight hundred and fifty one before me A. F. Hinckman Recorder of said County personally appeared Francisco Caballero and Maria Antonia Dominguez de Caballero known to me to be the persons described in and who

executed the within power of Attorney who acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned. And the said Maria Antonia Dominguez de Caballero having been made acquainted with the contents of the foregoing instrument acknowledged on examination apart from and without the hearing of her husband that she executed the same freely and voluntarily and without fear or compulsion or undue influence of her husband and that she did not wish to retract the same.

In witness whereof I the said Recorder have hereunto set my hand and in the absence of an official Seal, my private Seal

(Signed)

A. F. Hinckman *(Seal)*
Recorder.

Filed in Office March 22^d 1832.

(Signed) Geo. Fisher,
Secy.

This Instrument made and entered into
this first day of October, A.D., 1851;

F.

Deed to
Heise.

310 SD
PAGE 22

Between Francisco Caballero and
Maria Antonia Dominguez de Caballero, wife
of the said Francisco Caballero, by Nicolas
Morchon, their Attorney in fact, therunto
authorized by a power of Attorney execu-
ted by the said Francisco Caballero and
his said wife, and acknowledged by them
before J. A. Hutchinson, Recorder of the
County of Santa Barbara in the State
of California, on the 21st day of July
1851, of the first part, and James B.
Heise of the City of San Francisco of
the second part.

Witnesseth: That the said parties
of the first part for and in considera-
tion of the sum of Twelve Thousand
Five Hundred dollars (\$12,500) to them
in hand paid by the said party of the
second part, the receipt whereof is here-
by acknowledged, have granted, bar-
gained, sold, released and quit claim-
ed, and by these presents do hereby
grant, bargain, sell, release and quit
claim unto the said party of the se-
cond part and his heirs and assigns
forever all the right, title, estate, claim
and demand which the said parties
of the first part, have, of, in and to
that certain Rancho or tract of land
situate, lying and being in the Township
of Santa Cruz in the County of Santa
Barbara and State of California,
Known as the ~~place~~ Rancho Sisquoc,

310 SD

PAGE 23

containing eight square leagues, more or less, of land which said Rancho or tract by a certain instrument in writing executed at the City of Los Angeles on the 18th day of April in the year 1845 was granted and confirmed to the said Maria Antonia Dominguez de Caballero for her personal benefit and that of her family by Pio Pico the Governor ad interim of the Department of California, a more particular description of which said tract of land will be found set out in a certain plan of the land accompanying the said grant, the original of which said plan bearing date the said 18th day of April 1845, together with the said grant, will be found duly registered in the proper Office in the City of Los Angeles in the County of the same name in the State of California aforesaid.

To have and to hold the said above described Rancho or tract of land with all the improvements thereon and the privileges and appurtenances thereto belonging or in any wise appertaining to him the said James B. Huie the said party of the second part his heirs and assigns to his their sole use and benefit and behoof forever,

On testimony whereof the said parties of the first part by the said Nicolas Moschon their Attorney as aforesaid have hereunto set their hands and seals the day and year first above written

The words "more or less" interlined before signing and sealing -

In presence of $\} \text{Francisco Caballero}$
 James Rice jr. $\} \text{By Nicolas Morchon Esq.}$
 William Barber $\} \text{His atty in fact.}$
 Maria Antonia Dominguez de Caballero
 By Nicolas Morchon Esq.
 Her Atty. in fact.

310 SD
PAGE 24

State of California
County of San Francisco $\} \text{p.}$

On this fourteenth day of October A.D. 1857 personally came before me James Rice jr. a Notary Public in and for the County and State of said Nicolas Morchon known to me to be the person described in and who executed the foregoing conveyance and acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein set forth as the act and deed of Francisco Caballero and Maria Antonia Dominguez de Caballero wife of said Francisco Caballero therein described, by virtue of a power of Attorney duly executed by the said Francisco Caballero and his said wife bearing date the 27th day of April 1857 and recorded in the Office of the Recorder of the County of Santa Barbara in the State of California on the said last named day in Book I of Powers of Attorney pages 23 and 4 thereof.

In testimony whereof I have hereunto subscribed my name

Notariable Seal

and affixed my Notariable Seal
the day and year first above
stated to wit the 14th day of
October A.D. 1851.

(Signed) James Reice Jr.
Notary Public.

310 SD
PAGE 25

Agreement.

Know all men by these presents
that A. Nicolas Morchon Attorney in
fact of Francisco Caballero and Maria
Antonia Dominguez de Caballero wife of
Francisco having sold to James B. Reice
of San Francisco all that certain Ran-
cho or tract of land situate lying and
being in the Township of Santa Rosa
in the County of Santa Barbara &
State of California known as Rancho
Sisquoc containing eight square
leagues more or less and whereas by
the Indenture made to said James B.
Reice, there was no stipulation made
as to the taxes, charges or assessments
that might or could be laid on said
land for the year One thousand Eight
Hundred and fifty one or previously
yet nevertheless it was understood and
agreed by and between us that the gran-
tors should pay said taxes charges and
assessments for said (year) or any pre-
vious year: Now know ye that I
as hereby in the name of my princi-
pal agree to ~~pay~~ have all said taxes,
charges and assessments for the year
aforesaid and all previous taxes fully
paid and discharged and to save said

310 SD
PAGE 26

James B. Heine, his heirs and assigns here-
left therefrom and as further agree to
render quiet and peaceable possession of
said Rancho and all things thereunto
appertaining and to defend said James
B. Heine his heirs and assigns against
all and every person claiming the same
forever.

On witness whereof we have here-
unto set our hands and seals
this fourth day of November
A.D. 1857 -

(Signed) Francisco Caballero Seal
(") Maria Antonia Dominguez
de Caballero Seal

By their Atty in fact
Nicolas Morchon Seal

Sealed and delivered
in presence of us

The words "or previ-
ously" 15 & 16 lines from
top of first page and the
words "or for any previous
year" between 19 & 20
lines from top of page
are interlined before
mention -

Witness: Wm Pickett
J. Thompson Heine

State of California
City and County of San Francisco

On this 6th day of November in
the year one thousand eight hundred and
fifty one personally appeared before me a

Notary Public in and for said City and County aforesaid Nicolas Morchon known to me to be the person described and who executed the above instrument as Attorney in fact for Francisco Caballero and Maria Antonia Dominguez de Caballero his wife and acknowledged that he executed the same freely and voluntarily and for the uses and purposes therein contained -

Witness my hand and seal this day and year above written
 (Signed) John McCracken
 Notary Public.

Filed in Office March 22^d 1852 -

(Signed) Geo. Fisher
 Secy

310 SD

PAGE 27

1. Sesion del dia 9 de Junio de 1846.
 aprobada la Acta del dia 15 de mayo pa-
 sado se le dio segunda lectura al dictamen
 de la Comision de propios y arbitrios que
 corre en la Representacion de al puros
 vecinos de Santa Barbara y puesto a dis-
 cusion despues de lo suficiente se acordó
 volverse a la comision para que la reforma
 a virtud de haberlo asi pedido el preot.
 de ella por tener en su poder el bando a que
 se refieren los solicitantes.
 Se dio cuenta con lo siguiente.

James B.
 Hinc.
 Disgine

Especto.

310 SD 2.
 PAGE 28

En el de Doña Maria Antonia
 Dominguez se aprueba la concecion hecha
 en favor de Doña Maria Antonia Dominguez
 de Caballero del paraje nombrado Disgine
 jurisdiccion de Santa Barbara con la co-
 =tencion que demarca el diseño que corre
 apegado a este Especto. segun el decreto
 del Gobierno de 14 de Abril del año 1824
 y con arreglo a la ley de 18 de Agosto de 1824
 y artículo 8º del Reglamento de 21 de
 Noviembre de 1828.

3. pro pios Preot.
 Augustin Olvera. D.D.

Office of Surveyor General of the
 United States for California.

I John C. Hays Surveyor
 General of the United States for the State
 of California, and as such, having in my
 Office and in my charge and custody a
 portion of the Archives of the former Spanish
 and Mexican Territory or Department
 of Upper California by Virtue of the power
 vested in me by law. Do hereby Certify that
 the three preceding and hereinto annexed
 pages of tracing paper numbered from One
 to three inclusive Exhibit a true and
 accurate copy of Extracts from a certain
 unbound book, Entitled: 1846. Cuaderno
 de Sesiones de la Caena Asamblea
 purporting to be a Record of Sessions

MS 417

of the Departmental Assembly; said Book now being on file and forming part of the said Archive in this Office.

Seal In Testimony Whereof I have hereunto signed my name officially and caused my seal of Office to be affixed at the City of San Francisco this twelfth day of December A. D. 1853

John C. Hayes
 U. S. Surveyor General for
 California

Filed in Office Nov- 12th 1853
 Geo. Deisher Secy

310 SD
 PAGE 29

Translation
of
Expediente.

310 SD
PAGE 30

Session of the 3^d day of June 1846.

Having approved the proceedings of the 15th of May last a second reading was given to the report of the Committee of Commons in relation to the petition of some Citizens of Santa Barbara and having proceeded to a discussion after having sufficiently discussed it, it was resolved that it should be returned to the Committee to have it amended as it was so requested by the President thereof on account of his not having in his possession the proclamation (edict) referred to by the petitioners.

The following acts were done.

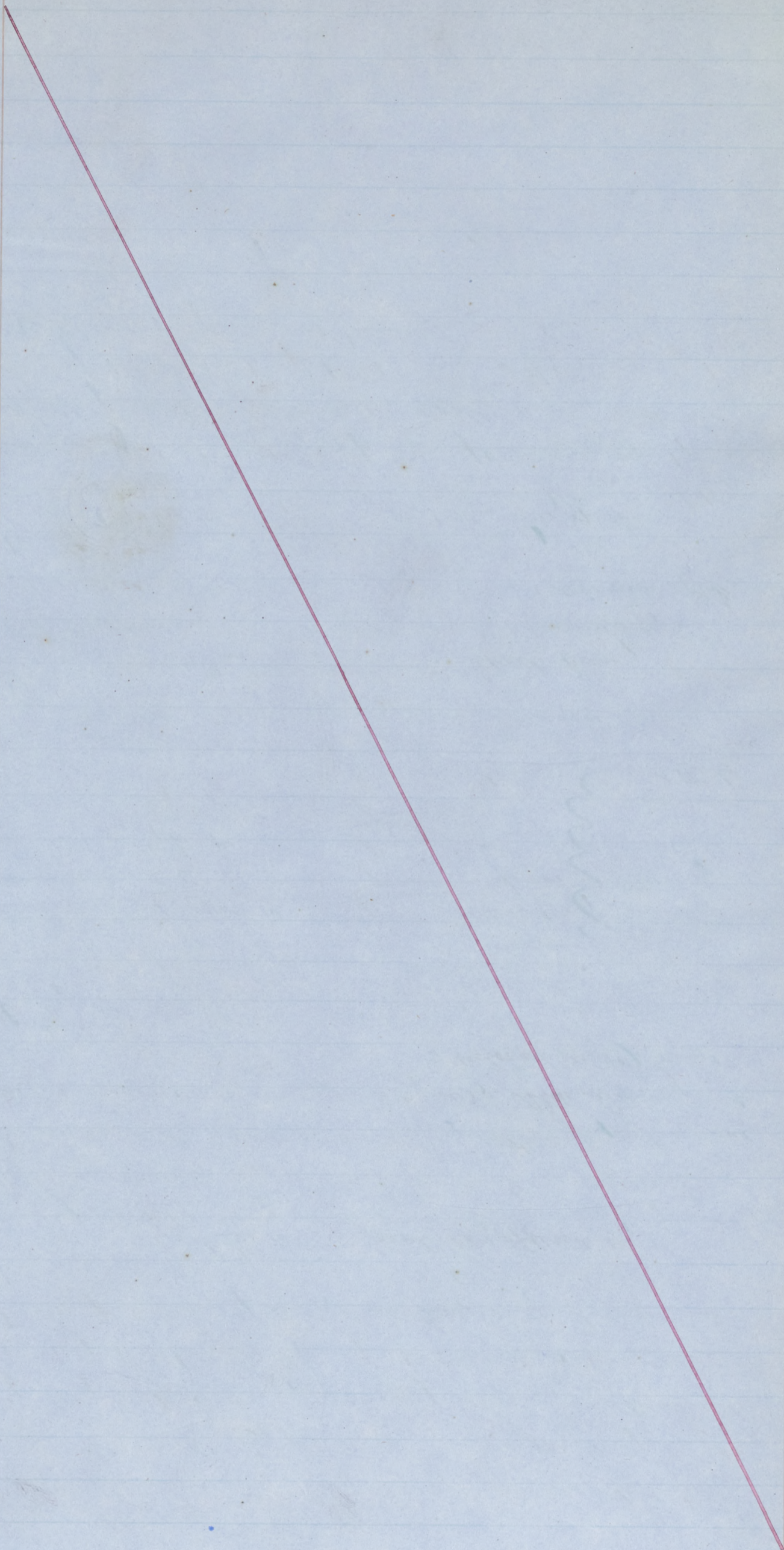
~ ~ ~
~ ~ ~
~ ~ ~

In the matter of Dona Maria Antonia Dominguez. The grant made in favor of Maria Antonia Dominguez de Caballero for the place called Sisquoc in the jurisdiction of Santa Barbara in the extent shown by the map which is annexed to this Expediente is approved according to the decree of the Governor of 17th of April of last year and in accordance with the law of 18th August of 1824 and 3th article of the Regulations of the 21st November 1828.

(Signed) Pio Pico, President
(Signed) Agustin Olvera
D.S.

Filed in Office November 12, 1853,
(Signed) Geo Fisher,
Secy.

32



Opinion.

James B. Kevie }
 vs. }
 The United States }

For a place called "Disguoc", sit-
 uate in the County of Santa-
 Barbara, containing eight
 square leagues.

310 SD
 PAGE 31

In this case, the claimant has offered in evidence a traced copy of the Expedienta of Donamaria Antonia Dominguez, with a map attached, giving a description of the land, and a grant issued by Pio Pico, Governor of California, dated the 18th day of April, 1845. Also a power of attorney given by the said Maria Antonia and Francisco Caballero, her husband, dated July 21, 1851, to Nicolas Morechon, empowering him to sell said rancho. Also a deed of conveyance from the said grantee and her husband to the present claimant, executed in pursuance of the power of attorney aforesaid by the aforesaid attorney in fact, dated the 1st day of October, 1852. All of which said documents are duly authenticated.

The grant in this case is for the whole of the land embraced in the boundaries set forth in the grant with a special reference to the map accompanying the Expedienta, and requires the judge who shall give judicial possession to have the land measured according to the map, and report to the government the number of leagues the place contains.

The proofs of the performance of the conditions are satisfactory, and the boundaries will be established. We think this a valid claim, and a decree of confirmation will be entered.

Confirmed.

Filed in Office, April 24, 1853

Geo. Fisher

Secy.

Recorded in Record of Decisions Vol. 2, page 627.

Geo. Fisher

Secy.

Decree.

James B. Huie }
 vs. }
 The United States }

In this case, on hearing the proofs and allegations, it is adjudged by the Commission, that the claim of the said petitioner is valid, and it is thereupon decreed, that his application for a confirmation thereof be allowed.

The land of which confirmation is hereby given, is situate in the County of Santa Barbara and called "Sisquoc", and contains eight square leagues, and is bounded as follows, to wit: On the West by the lands of Thomas Olivera, on the South East by lands of Fulcian Fester, on the South by the Indian, Antonio, Reference being had for a more particular description to the map accompanying the Expedienta, it being made a part of the description by the terms of the grant.

R. Aug. Thompson }
 J. B. Farrell } Commissioners.

Filed in Office April 24, 1855

Geo. Fisher, Secy.

Recorded in Record of Decisions Vol. 2 pag 628.
 Geo. Fisher, Secy.

Order.

And it appearing to the satisfaction of the 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 decision in this case, and of the papers and evidence upon which the same are founded, be made out and duly certified by the Secretary, one of which Transcripts shall be filed with the Clerk of the United States District Court for the Southern Judicial District of California, and the other be transmitted to the Attorney General.

Office of the Board of Commissioners,

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

310 SD
PAGE 33

J. George Fisher —

Secretary to


Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *Thirty four* — pages, numbered from 1 to *34*, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. *111*. on the Docket of the said Board, wherein

James B. Kerri, et al, are —

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

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

Geo. Fisher



310

U. S. DISTRICT COURT,

Santhum District of California.

No. 310.

THE UNITED STATES,

310

vs.

James B. Hovee, et al.

Sisquoc

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS.

In Case No. *MM*

Filed, *Oct 23^d* 1855.

*J. E. San.
Ck.*

310

Office of the Attorney General of the United States,

Washington, 3^d January, 1853.

111) "Luzerne" —

James B. Hill et al Claimants

310 SD

PAGE 34

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 20th day of November 1855, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Anthony

Attorney General.

No. 310.

W. G. Dub Court
South Dist California

"
J. P. Muncie et al
Appellus

ad,
The United States

"
Notice of Appeal

"
Filed July 12th 1858

C. E. Jones
at

310 SD

PAGE 35

California Land Claims
Attorney General's Office

14 Nov 1856.

310 SD
PAGE 36

Sir:

In the case of the claim of James B. Hill, confirmed to the claimant by the Commission, case no. one hundred and eleven, (111), appeal will not be prosecuted by the United States.

I am

Respectfully

Clanking

Pacificus O'M Esq
U.S. Attorney
Los Angeles.

✓
N. 310.

James B. Huie
III.

C. D. C.

✓
Filed July 21st 1855
Chas
C. H.

310 SD
PAGE 37

Rec. Dec. 19. 56

Office of the Surveyor General of the United States, }
FOR CALIFORNIA. }

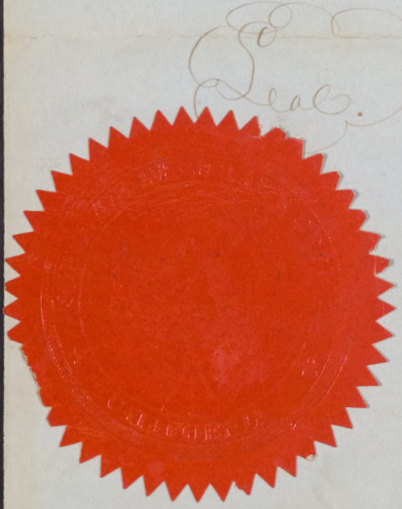
310 SD
PAGE 38

I, J. W. MANDEVILLE, United States Surveyor General, for the State
of California, do hereby certify that the Rancho "Sisquoc"

confirmed to J. B. Hume, et al.
has been surveyed by this office, and that the survey and plat was approved by
the U. S. Surveyor General, on the fifth day of December,
1860; that I have caused to be published, once a week, for four weeks suc-
cessively, in two newspapers, to wit: the Santa Barbara Gazette,
published in the County of Santa Barbara, State of California,
being the newspaper published nearest to where the said Rancho is located, the
first publication being on the seventeenth day of January, 1861,
and the last, on the fourth day of February, 1861; also, in the
Los Angeles Star,
a newspaper published in the City and County of
Los Angeles, State aforesaid,
the first publication being on the second day of March, 1861,
and the last on the twenty third day of March, 1861, a notice
that the said land had been surveyed, and a plat made thereof, and the survey
and plat approved by me. And I do further certify, that the said survey
and plat were retained in my office during all of said four weeks, and until the
expiration thereof, subject to inspection; and I further certify, that no order
for the return thereof to the U. S. District Court, has been served upon me.

In Testimony Whereof, I have hereunto signed my name
officially, and caused my Seal of office to be affixed, at the City
of San Francisco, this third day of
May, 1861.

J. W. Mandeville
U. S. Surveyor General for California.



U. S. Surveyor General's Office,
San Francisco, Cal., March 3d, 1865.
I hereby certify the above and foregoing to be a full, true and
correct copy of the original certificate of advertisement
of the "Sisquoc" Rancho, as the same appears of
record in this office.
Witness my hand and the seal of said
office, this 3d day of March, 1865.
L. A. Johnson
U. S. Sur. Genl.

J. P. Hunt
The United States

Certificate of
Survey General

Dated March 24. 1865

John D. Whelan
Clerk



Office of the Surveyor General of the United States, }
FOR CALIFORNIA.

310 SD

PAGE 40

I, J. W. MANDEVILLE, United States Surveyor General, for the State of California, do hereby certify that the Rancho "Disguise"

confirmed to J. B. Ames, et al,
has been surveyed by this office, and that the survey and plat was approved by the U. S. Surveyor General, on the 5th day of December 1861; that I have caused to be published, once a week, for four weeks successively, in two newspapers, to wit: the Santa Barbara Gazette published in the County of Santa Barbara, State of California, being the newspaper published nearest to where the said Rancho is located, the first publication being on the 17th day of January 1861, and the last, on 25th day of February 1861; also, in the Los Angeles Star, a newspaper published in the City and County of Los Angeles, State aforesaid, the first publication being on the 23rd day of March, 1861, and the last on the 28th day of March, 1861, a notice that the said land had been surveyed, and a plat made thereof, and the survey and plat approved by me. And I do further certify, that the said survey and plat were retained in my office during all of said four weeks, and until the expiration thereof, subject to inspection; and I further certify, that no order for the return thereof to the U. S. District Court, has been served upon me.

In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of office to be affixed, at the City of San Francisco, this 31st day of March 1861



J. W. Mandeville.
U. S. Surveyor General for California.

I hereby certify, the above and foregoing to be a full, true and correct copy of the original certificate of advertisement as the same appears of record in this office.
Witness my hand and the seal of said office, this 9th day of August, 1861.
J. W. Mandeville
U. S. Surveyor General

No 310

U. S. District Court

J. B. Hume et al

United States

Certif of Surety

Filed Aug 19, 1865

John P. Wheeler

Office of the Surveyor General of the United States, }
FOR CALIFORNIA.

310 SD

PAGE 42

I, J. W. MANDEVILLE, United States Surveyor General, for the State of California, do hereby certify that the Rancho "Siquo"

confirmed to J. B. Gine, et al,
has been surveyed by this office, and that the survey and plat was approved by the U. S. Surveyor General, on the 5th day of December 1860; that I have caused to be published, once a week, for four weeks successively, in two newspapers, to wit: the Santa Barbara Gazette, published in the County of Santa Barbara, State of California, being the newspaper published nearest to where the said Rancho is located, the first publication being on the 17th day of January 1861, and the last, on the 7th day of February 1861; also, in the Los Angeles Star, a newspaper published in the City and County of Los Angeles, State aforesaid, the first publication being on the 2^d day of March 1861, and the last on the 23^d day of March 1861, a notice that the said land had been surveyed, and a plat made thereof, and the survey and plat approved by me. And I do further certify, that the said survey and plat were retained in my office during all of said four weeks, and until the expiration thereof, subject to inspection; and I further certify, that no order for the return thereof to the U. S. District Court, has been served upon me.

In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of office to be affixed, at the City of San Francisco, this 21st day of May, 1861

J. W. Mandeville

U. S. Surveyor General for California.

I certify the above and foregoing to be a full, true and correct copy of the original certificate of advertisement, as the same appears of record in this office.

Witness my hand and official seal at San Francisco, this 17th day of January, 1866.

L. C. Johnson

U. S. Sur. Genl.

310

W. R. L. 23, 1866
John Wheeler Clerk