

CASE No.

315

SOUTHERN DISTRICT

SANTA ANA AND SANTA ANITA GRANT

JOSEFA MORALES DE
CASTILLO NEGRETE

CLAIMANT

LAND CASE 315 SD pgs. 44

MAR 21 1963

FN AD

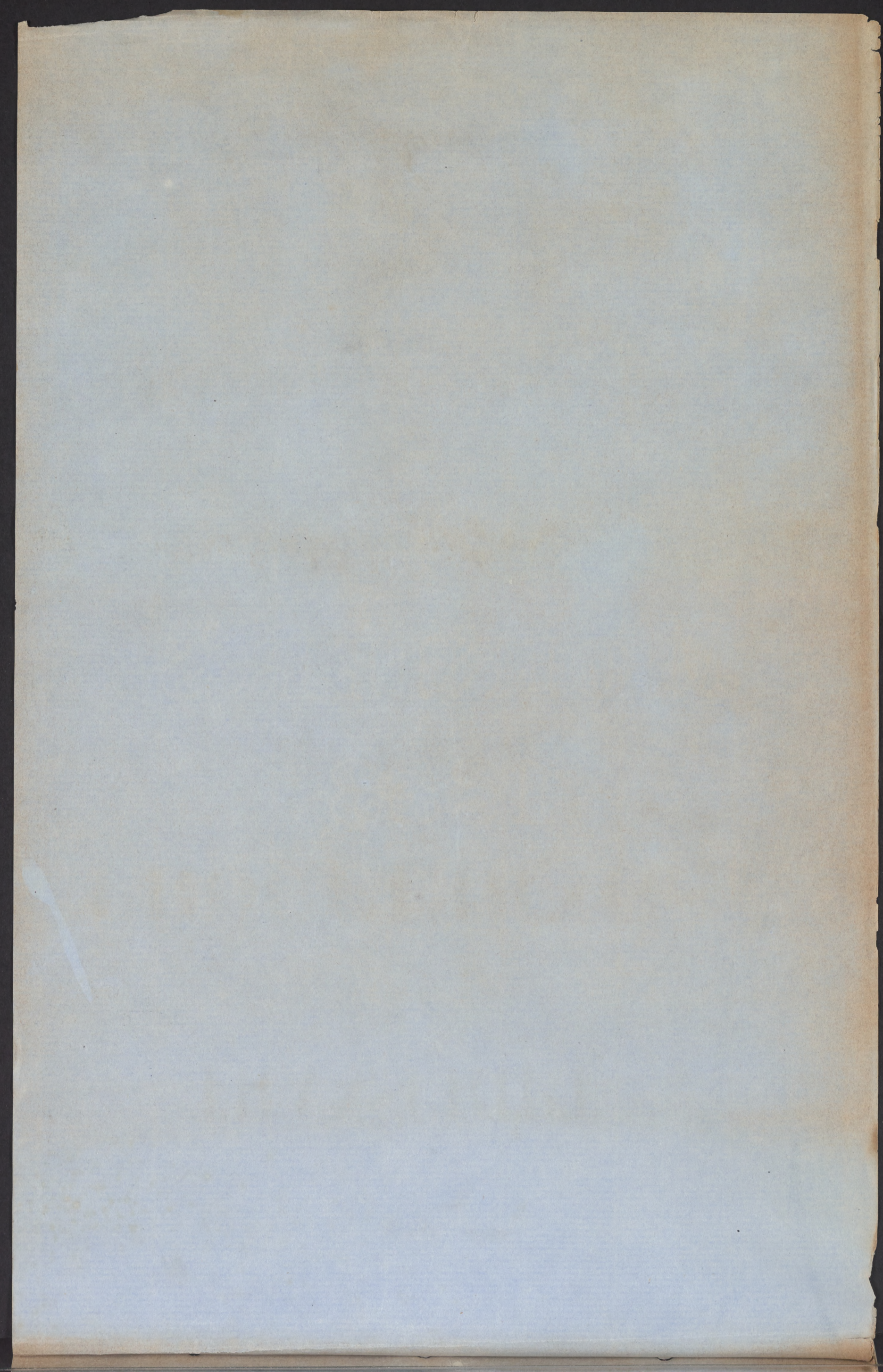
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U.S. GOVERNMENT PRINTING OFFICE: 1963

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TRANSCRIPT

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OF THE

PROCEEDINGS

IN CASE

NO. 275.

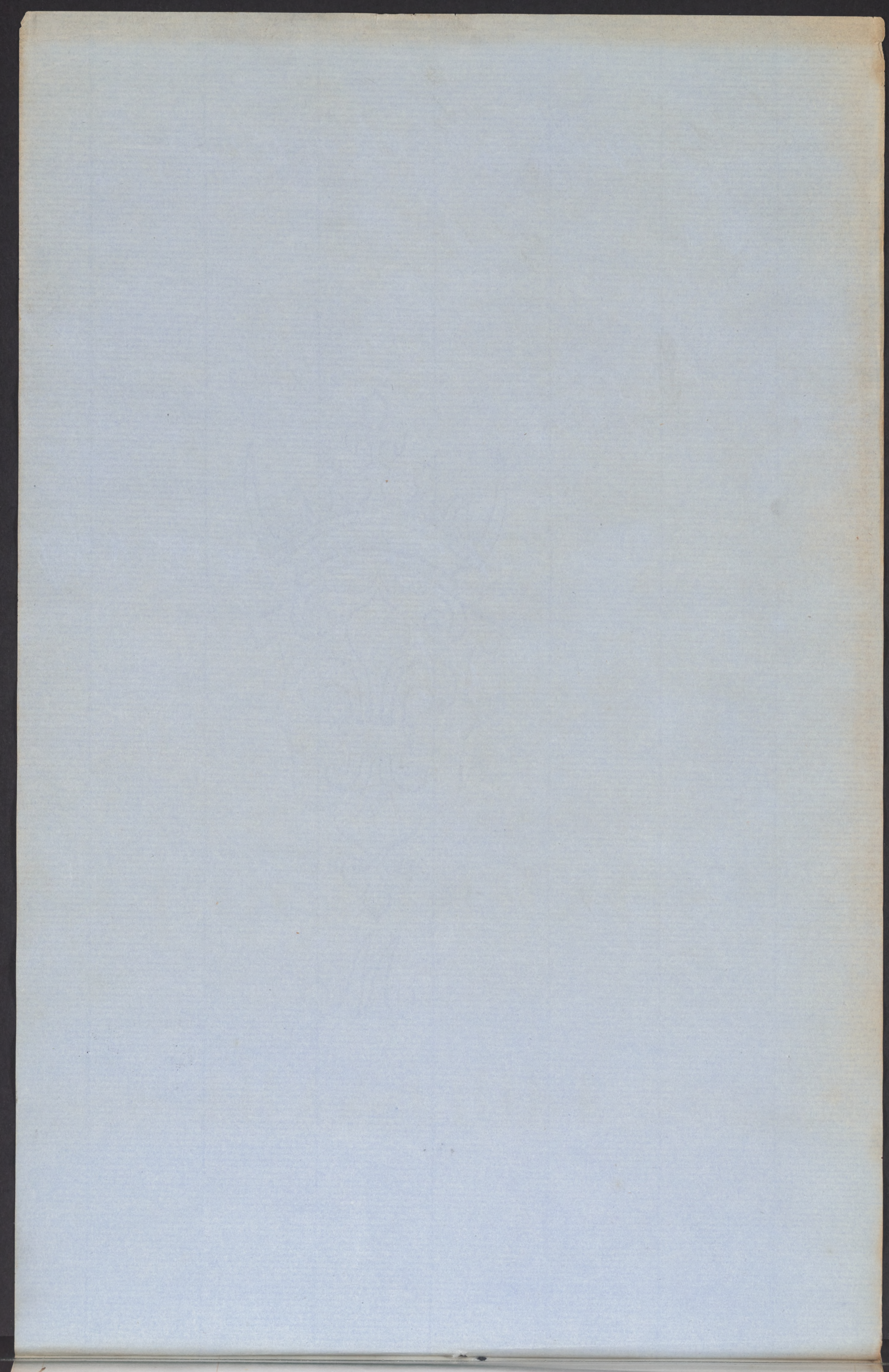
Josefa Morales de Castillo Negrete CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"*Santa Ana & Santa Anita*"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

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The Petition of Josefa Morales de Castillo Negrete, for the Place named "Santa Ana & Santa Anita," was presented, and ordered to be filed and docketed with No. 275 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, November 28' 1854.
Case no. 275, Josefa Morales del Castillo Negrete for the place named "Santa Ana & Santa Anita," was ordered to be placed at the foot of the 3^d Class cases on the Trial Docket.

San Francisco December 19' 1854.
Case no. 275 was submitted without argument and taken under advisement by the Board.

In the same case the U. S. Law Agent filed the following Bill of Exceptions, to wit;
(Vide page 39 of this Transcript.)

San Francisco March 6' 1855.
In the same Case, Commissioner Alpheus Felch delivered the Opinion of the Board rejecting the claim;

(Vide page 41 of this Transcript.)

28.

and the following order was made, to wit:
(Vide page 42 of this Transcript.)

~~~~~

To the Board of Commissioners for ascertaining and settling private Land Claims in the State of California

Your petitioner Josefa Morales de Castells nee de widow of the late Jesus de Castells nee de a citizen of Mexico represented before your Hon. Board by John Torroel of San Francisco in the State of California as her Attorney respectfully represents

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That her deceased husband Jesus de Castells nee de selected in the year 1834 and 1836 from the Competent Authority of the then Territory of California a grant of two certain tracts of Land called and known by the name of "Santa Ana" "Santa Anita" situated about four leagues North East of the Mission of San Juan Bautista or near the border of the County San Joaquin in this State which grants were confirmed by the Departmental Assembly on the 15th day of September 1835 and 30th June 1836 declaring he Jesus de Castells to be the owner in fee of six leagues of Land (Ses sitios de ganaderia Mayor) as is more particularly described and set forth in the Original grant, dated and mounted the 15th day of April 1836 and signed by Nicolas Gutierrez Political Chief of the Territory at the time, and by the certified Copies of the Expediente by the General of California's herewith enclosed

Your petitioner further represents that at the time her deceased husband obtained the aforesaid grant, he was District Judge of the Territory in the employ of the Mexican Government. That towards the end of the year 1836 a revolution broke out by the Native Californians against the Civil and Military Authorities of the Mexican Government then in California which resulted in the Expulsion of the said Authorities with the Governour from the Territory and among them the husband and family of your petitioner

The husband of your petitioner on his arrival at Mazatlan was appointed in June 1837 Political Chief of Lower California where he remained for about five years in the discharge

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of the duties of that Office. That on his return to Mazatlan in 1846 he died leaving your petitioner with a large family of children

The war declared that year betwixtween the United States and Mexico prevented her from claiming her property as was always her intention to do

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Your petitioner begs most respectfully to call the attention of your Hon. Board to the following facts

1<sup>st</sup>. That the departure of her deceased husband from California was brought about by a Revolution, and circumstances entirely beyond his control

2<sup>nd</sup>. That he was at the time a Swearer of the Mexican Government and so remained up to a short time before his death.

3<sup>rd</sup>. That the title of Land granted and confirmed to him in fee by the Territorial Government has no condition in it by which immediate Occupation thereof was rendered obligatory on his part as will be seen by reference to the Grant

4<sup>th</sup>. That at the time the Grant was given & for years after that section of the country was exposed to invasion by Savage Indians

5<sup>th</sup>. That he never did abandon his claims to the Land nor has there ever been as your petitioner believes any forfeiture of the said Grant

6<sup>th</sup>. That should any Grant of the said tract of Land have been made since by any Authority of California it was in violation of the Law of the Mexican Republic without the knowledge or Consent of your petitioner or that of her deceased husband

And your petitioner respectfully calls the attention of your Honorable Board to the 8th Article of the Treaty of Guadalupe Hidalgo and particularly to the last paragraph of the same

Your petitioner sent an Attorney to this State in 1849 to demand and take possession of her property but at that time the Government of the

5-

United States had no organized tribunals in the State and her said Attorney returned to Mexico.

Your petitioner has been informed that shortly after the expiration of her deceased husband and from California a certain Miguel Anson and Manuel Sanchez who had taken an active part in the revolution of the year 1836 availing themselves of the absence of her deceased husband did falsely with intent to defraud and in violation of Law denounced the said tract of Land claiming it to have been abandoned and did take possession thereof under a grant from Juan B. Alvarado who at the time the said Land was given in fee to her husband was President of Territorial Assembly in 1836 as well be seen at page 38 in Expediente herewith transmitted.

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Therefore your petitioner claims under and by virtue of the grant as above set forth six leagues of Land (sitios de ganados Mayas) bounded as set forth in the original grant.

Your petitioner prays your Honorable Board to take into consideration her claim to said tract of Land and decree her title to be valid & confirm the same.

And your petitioner will ever pray

Jose Morales de Castillo Mexico  
By her Attorney

John Parrott

Filed in Office June 30th 1852

Geo. Fisher Secy

Recorded in Record of Petitions Vol 1  
Pages 143 144 & 145

Geo. Fisher  
Secy



7 150. D. 12

Jurisdiccion, año de  
de Monterrey en 1834.

Expediente

**B**

Expediente

Sobre el paraje nombrado  
Santa Anna y Sta Anita  
solicitado por el Lic<sup>do</sup> D. Luis  
del Castillo Negro

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Udel

16. S. D. / 2

Del to tercero para los años de y seis y ochocientos Place of a Stamp in the Original Dos Reales mil ochocientos veinte y siete.

Place of a Stamp in the Original for the years 1828+1829

Stamp for the years 1830+1831

Stamp for 1832+1833

Stamp for 1834 y 1835

Don Lepe politico  
El Licenciado Luis del Castillo Negro, natural de Mexico y avecinado en esta capital y puerto a D. O. reverentem<sup>te</sup> Espone. Que habiendo venido a este Territorio con animo de radicarse en el bajo el auspicio de las leyes de Colonizacion que le son favorables para dedicarse al cultivo del campo, cria de ganado y de mas granjerias de la Agricultura buscando de este modo su comodidad su subsistencia y ser un miembro productivo i util a la Republica ha procurado indagar a las vicinidades del pueblo de O. Juan Bautista un sitio oportuno para tal objeto que no pertenezca a individuo pueblo ni corporacion alguna, i habiendo encontrado el sitio llamado Sta. Anna que se halla como a cuatro leguas N. E. de dicho pueblo, lindando al E. con el llano de O. Joaquin al O.

Monterey D. F. 16 de 1837.  
De conformidad con las leyes de la arboleda de Roble en terreno materia informada desigual cuya figura es el <sup>de</sup> Ayuntamiento de esta capital que yo de plano que acompaño si el interesado no quedando en presentarse en esta instancia mas rectificado cuando obtiene los requisitos con mas proporción para ser atendido en su solicitud. Con virtud de haberse facultado al D. O. por la ley de diez y ocho de Agosto de este año de mil ochocientos veinte y siete en su correlativa de seis de Abril de mil ochocientos diez y siete y reglamento del

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9 1<sup>ra</sup>. S. D. 12 of. expresa la ley En premio gobierno para emee  
de 18 de Agosto de 1824 en colonizacion esta clase  
1824 si es de rija de terrenos; i no es de rija de este  
de temporal i que solicito del marcomun  
a heredero si pert. o que se puede a ee de rija  
nese a la propia dicha ley y reglamento.

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dad de algun A. U. D. suplico se sirva de  
particular cuerpo para a mi solicitud previos  
racion Mision i los requisitos necesarios con  
pueblo con toda ee dandome el insinuado  
lo demas of. era terreno en plena propiedad  
conducen te a y proteccion para los fines indicados  
ilustrar la materia. Gracia que espere merecer  
na. Evacuado de la Comandancia y justificacion  
of. sea pasara de U. D. Monterey 5 de Diciembre  
el expedite al de 1834.

mi comision de  
las mision de  
Juan Bautista

Lie. Luis del Castillo  
Negrete.

p. of. esponga lo of. le oerora sobre el particular  
El Sr. D. Jose Figueroa General de Brigada  
de Comandante gral Inspector y Jefe superior  
politico de la Alta California asi lo mande  
decreto y firmo de of. doy fe.

José Figueroa # Agustín V. Zamorano

18. S. D. 12 Y. Ayuntamiento Com. Const.

La comision de colonizacion y terrenos Val  
divos ha visto el expediente que forma la pre  
tension of. hacienda del terreno nombrado Santa  
Anna el Ciudad. Lie. Luis del Castillo de  
Negrete y en cumplimiento del super. de ere  
to de 16 de Dize. ultimo informa: of. el in  
teresado es Ciudad. Mexicana p. nacimiento y  
obtiene los requisitos prevenidos p. a ser a  
tendida en su solicitud of. el terreno of.  
previendo no esta comprendido ni en las 20  
leguas limitadas ni en las 10 litorales of. es  
presa la ley de 18 de agosto de 1824 of.  
pertenece al pueblo de S. Juan Bautista  
que es de temporal y a heredero y of. se  
halla solicitado con anterioridad p.  
el Sr. Nicolas Gatica cuyo expediente p.  
en poder del comisionado del referido



nuevo de D. Juan con el objeto de q<sup>d</sup> informe sobre el particular. En tal virtud la comision ofrece a la deliberacion de esta Y. con su acaion la sig<sup>ta</sup> proposicion.

No puede adjudicarse el Terreno nombrado Santa Anna pretendido p<sup>r</sup> el Ciudadano Luis del Castillo Segrete p<sup>r</sup> estar cercado con una valla p<sup>r</sup> el Ciudadano Nicola Garcia

Monterey Enero 22 de 1833

19. G.D. 12 Jose Joaquin Gomez # Miguel Ariza Cumpliendo con el decreto del D. Jefe P<sup>o</sup>

Dellos tercero Stamp in the Origin for the year 1828 & 1829 Dos Reales: penes los años the Origin de mil ochocientos veinte y seis y ochocientos veinte y siete

Stamp in the Origin for the year 1828 & 1829 = lites of. va en el mayen remito a U. el adjunto expediente p<sup>a</sup> of. de ser va informe sobre la materia.

Monterey @ 24 de Enero de 1836 Davo. Spence # Stamp for 1830. 1831 Sr. Jefe de Castillo Segrete

Stamp in the Origin for 1832. 1833

Stamp in the Origin for 1834. 1835

20. G.D. 12.

Here follows  
Map.

1121. J. D. R. Don D. Luis del Castillo Negrete  
C. Juan Bautista 31. de Eno. del 39.

Muy Señor mio

Debuélvome el expediente en que solicita el  
paraje nombrado C. Ana por haberse ya info-  
mado en favor de D. Nicolas Garcia q. lo tengo  
solicitado desde 20 de Octubre del año p. p.  
Diento mucho no poder servir a V. pero la  
causa a sido lo muy tarde q. a ocurrido  
q. p. me es indiferente servir en Queta  
a cualesquiera persona.

Le deseo a V. la mayor felicidad en union  
de su señora y niños sabiendose dar mis  
espreuvos al Sr. D. Jeronimo Cabeve con  
tambien de Gascola) q. ya di el Informe  
anexo a su deseo de Juan Sabery V. sea  
en q. le pueda ser util su afmo. L. B. M.

22. J. D. R.

Antonio Buelna

Dello tercer Do. Reales:

Habilitado provisionalmente por la aduana  
Mantina de Monterey de la Alta Califor-  
nia, para los años de mil ochocientos treinta  
y cuatro y mil ochocientos cuarenta y cinco  
Argueroa A. Ramrey

D. Jefe politico

Luis del Castillo Negrete, Abogado nacional  
que vino de este puerto con toda atencion a  
M. O. Expongo que en enero de Diciembre del  
año p. p. solicite de la autoridad de U. S.  
se me concediera en propiedad el sitio lla-  
mado San Ana, al Nordeste cuatro leguas  
del pueblo de Don Juan por ser terreno coloni-  
gable i concurrir en mi las circunstancias  
legales para obtenerlo. U. S. por su decreto de  
diez y seis del mismo Diciembre pidio sobre  
esta instancia los informes acostumbrados  
i sin embargo el expediente quedo parali-  
zado a motivo de haberlo pretendido antes  
que yo el Sr. Don Nicolas Garcia.

Este señor Garcia que ya es muerto segun es  
publico, parece que si logro se le concediera  
el terreno, no llego a tomar posesion en el ni  
se le ha expedido el titulo de propiedad  
i asi no adquirio toda la plenitud de

23. J. D. R.

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derecho necesaria para que se le pudiese considerar legalmente suyo y como tal trasmisible à sus herederos, en el caso que los tenga i de lo que concurran en ellos los requisitos prevenidos; i fundado en esto.

A. U. S. suplico que tenga por reproducida mi anterior solicitud y mande continuar el expediente que promoví y ahora presento para que V. S. se sirva a grabearme dando me la propiedad con título del expresado terreno de Santa Anna.

Monterrey seis de Setiembre de 1835.

Lic<sup>do</sup> Luis del Castillo Negrete

Monterrey 17 de Set. de 1835.

En vista de esta instancia q. el Licenciado D<sup>o</sup> Luis del Castillo Negrete presenta p<sup>o</sup> promover el Expediente en solicitud del terreno nombrado Santa Anna q. con fecha 5 de Diciembre del año pp<sup>do</sup> presento a comu-

25. G. D. R. Dello tercero Dos Reales:

Habilitación provisional m<sup>ta</sup> por la Administración de la Aduana Marítima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Argüeroa

A. Ramirez

En el expediente de su referencia; y en atención à q. el terreno q. pretende no pertenece à la Misión de D<sup>o</sup> Juan Bautista como consta del informe q. el comisionado de secularización dió en el expediente q. cita la carta anterior à favor del primer pretendiente q. fue el finado D<sup>o</sup> Nicolás Garcia p<sup>o</sup> cuya razón el S. Ayuntamiento de esta capital conforme lo q. consta en el dictamen de la comisión q. p<sup>o</sup> el efecto nombró, y habiendo ya cesado las causas q. motivaron otro informe i no habiendo otro dificultad y siendo el solicitante de igual clase à la del difunto Garcia pase el expediente al Sr. Alcalde de esta Capital hante quien la parte de D<sup>o</sup> Luis del Castillo Negrete produzca una información de tres testigos idoneos q. seran interrogados

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sobre los puntos siguientes.  
1º Si el solicitante es l.º Mexicano n.º nacido si es casado y tiene hijos: si es de buena conducta.

2º Si el terreno q. pretende pertenece a la propiedad de algun particular, corporacion mision o pueblo si es de repadio temporal o abrevadero y q. estension tencha.

3º Si tiene bienes de campo con q. poblarlo o posibilidad de adquirirlos. En cuada estas diligencias vuelva el espect.º para su resolucion. El Sr. Dr. José Castro primer vocal de la Coema Diputacion Territorial y Jefe P.º politico del Territorio de la Alta

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26. J. D. R. California asi lo mando, decreto y firmo de q. doy fee.

José Castro

Jefe del Castillo Negro Otero.  
Monterrey, Setiembre 10 de 1839.

Derechos 2.º Notifiquese al interesado en este presente los testigos que se han de examinar sobre los puntos que comprende el superior decreto de 9 del actual q. antecede y fecho recivase la informacion q. se pide y concludido devuelbase este expediente al O. Jefe superior politico para q. surta los efectos q. halla lugar. Asi yo el Alcalde P.º Constitucional de esta Capital lo decreto mande y firmo con los de casa segun D.º.

J

De casa Dav. B. Spence De casa José Maria Maldonado, J. José Avila.

27. J. D. R. En Dello Tercero Dos Reales #  
Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

J. Guerra A. Ramirez  
La pta presente el C. Luis del Castillo Negro se le notifico el auto que antecede y en tendido dijo: lo Oye y que presenta para la informacion q. se pretende a los C. C. Manuel Jimeno Casarin, Juan B. Alvarado y Juan Malarin, y lo firmo conmigo y los

M

de Asa. Openee  
Luis del Castillo Ojete. #

De asaa De asaa

José María Maldonado # José Avila

En el puerto de Monterrey a los diez dias del mes de Setiembre del año de mil ochocientos treinta y cinco yo el Alcalde 1º de esta Capital, presente el C. Manuel Jimeno le recibí juramentº q. hizo en forma de dho por el cual afreio de en verdaa en lo q. supiere y fuere preguntado y siendo lo por su nombre estado edad, patria y religion Dijo: Se llama como queda dicho q. es casado de treinta y un años natural de Mexico y C. A. R.

Pregto: por el tenor del interrogatorio que se hace en el superior decreto del O. J. politico. Dijo.

A lo 1º Que el solicitante es C. Mexicano por nacimiento: que es casado tiene hijos y es de buena conducta y responde.

28. S. D. R a la propiedad de ningun particular; Mission ni pueblo; que es de temporal y a brevadero q. su estension sera de uno y medio legua y responde.

A lo 3º Que tiene bienes de campo y posibilidad de adquirir los suficientes para poblarlo: que el dicho es la verdaa a cargo de su juramento q. ha otorgado en el q. se a firmo y ratifico leida q. le fue esta su declaracion y lo firmo con miyo y los de asaa-

my

Don C. Openee # Man. Jimeno

De asaa De asaa

José María Maldonado # José Avila

Inmediatamente presente el C. Juan Malarin, testigo presentado por el interesado previo el juramentº q. otorgo segun derecho fue preguntado p. su nombre, estado edad patria y religion Dijo: llamarse como queda dho; que es casado; de edad de treinta y cuatro años natural de Lima y C. A. R.

Preguntado: En los mismos terminos q. lo fue el anterior testigo Dijo: A lo 1º Que el q. solicita es C. Mexicano por nacimiento

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que es casado, tiene hijos y buena conducta y responde.

A lo 2º. Que el terreno q. pretende no pertenece a propiedad alguna: q. es de temporal y abrevadero y su estension como de una y media leguas y Dijo:

A lo 3º. Que tiene las dos circunstancias q. cita el contenido de la pregunta: q. lo otro es la verdad a cargo del juramento que tiene hecho en el q. se aprimo y ratifico leida a que

29. G. D. R

Delto tercero Dos Reales:  
Habilitado provisionalmente por la Administracion de la Aduanas Maritima de Monterey de la Alta California, para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

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Lequeroa) a. Ramirez  
le fue esta su declaracion y la firmo conmigo y los de casa =  
Dcaosa) Dav. C. Spence Dcaosa =  
Jose Maria Maldonado # Jose Avila.

ref

Incontinenti presente el C. Quem. D. Alvarado le recibí juramento en forma por el cual especifico de verdad en lo q. supiere y fuere preguntado y siendo lo por su nombre estado edad, patria y religion dijo: llamarse como dicho esta, que es soltero de veinte y cinco años natural de esta capital y C. A. D. Preguntado por el propio interrogatorio con q. lo fueron los anteriores testigos Dijo:

A lo P. Que es C. Mexicano p. nacimiento el q. solicita, que es casado, tiene hijos y es de buena conducta y responde.

A lo 2º. Que no pertenece a ningun particular mision ni pueblo el terreno q. solicita: que es de temporal y abrevadero y que tiene de estension una y media leguas y dijo:

A lo 3º. Que tiene bienes de campo para poblar y posibilidad de ellos para adquirirlos: que lo q. tiene dicho es la verdad a cargo del juramento que tiene hecho en el que se aprimo y ratifico leida q. le fue esta su declaracion y lo firmo conmigo y los de casa =

30. G. D. R

Dav. C. Spence

De casa: Juan B. Alvarado De casa  
José María Maldonado # José Cuvila.

En la pta concluida la informacion qe se pide, se devuelva al O. Jefe superior politico este expediente en cumplim<sup>to</sup> de lo mandado en el antecendente auto y lo anote para constancia y librados.

R.

Monterey Setiembre 10 de 1835.

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Vista la peticion con que da principio este expediente, la constancia del fallecimiento de D<sup>o</sup> Nicolas Garcia primer pretendiente del terreno la misma q<sup>a</sup> segunda vez hace el Lic<sup>do</sup> Luis del Castillo Vegrete p<sup>a</sup> q<sup>a</sup> se provea en su favor la informacion de testigos con todo lo demas que se tubo presente y ver convido de conformidad con lo dispuesto por las leyes y reglamentos de la materia se declara al C. Licenciado Luis del Castillo Vegrete dueño en propiedad del paraje conocido con el nombre de Santa Anna que demelo (Vello Tercero Dos Reales).

31. G. D. R.

Habilitado provisional<sup>te</sup> por la Administracion de la Armada Maritima de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro, y mil ochocientos treinta y cinco

Agüeroa A. Ramirez  
sujeto a las condiciones que se estipularen dirigase este expediente a la C. Diputacion i aprobado q<sup>a</sup> sea libese el despacho correspond<sup>iente</sup>. Tomese razon de el en el libro respectivo i en negresele al interesado p<sup>a</sup> su resguardo. El O. D. José busto primer vocal de la C. Diputacion Territorial y Jefe politico interino del Territorio de la Alta California asi lo mando decreto, y firmo de co of. doi fee  
Jefe del Castillo Vegrete S<sup>no</sup> # José Castro  
mon<sup>te</sup> 12 de Oct<sup>bre</sup> de 1835.

En sesion de este dia acordola Coena Diputacion pase a la comision de terrenos baldios

Mand. Imen  
Coena D<sup>o</sup>

32. G. D. R.

La comision de terrenos baldios impuesta del expect<sup>ante</sup> que se mando practicar la peticion del Ciudadano Luis del Castillo

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Negrete por el terreno nombrado *Sta Anna* no encontrando en el objecion alguna q. ha ser siendo en todo conforme al Art<sup>o</sup> 5 del reglamento de 21 de Nov<sup>o</sup> de 1828 y ha la Ley de 18 de Ayl<sup>o</sup> de 1824 apese a la deliberacion de V. C. las sig<sup>tes</sup> proposiciones.

Se aprueba la consecucion hecha al ciudadano Luis del Castillo Negrete del Terreno nombrado *Sta Anna* concedido en 10 de Sept<sup>bre</sup> de 1835.

Monterey 15 de Sept<sup>bre</sup> de 1835.

Salvatierra Pacheco.

Monterey Sept<sup>bre</sup> 15 de 1835.

En sesion de este dia se aprobo la Coema Dilitacion la proposicion del dictamen que antecede determinando buelva el expediente al Sr. Jefe politico p<sup>o</sup> los fines consiguientes.

Jose Castro Srio J<sup>o</sup> Salvatierra Pacheco

33. L. D. / 2 Sello tercero Dos Reales:

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa A. Ramirez  
Monterey 18 de Setbre de 1835

En vista de la aprobacion otorgada en quince del corriente por la C. Diputacion Territorial librese el despacho previendo especificando en la dicha aprobacion e archibese el expediente. El O. D. Jose Castro primer vocal de la C. Diputacion Territorial e Jefe politico interino del Territorio de la Alta California asi lo mando decreto y firmo de lo que doi feo. Srio.

Jose Castro Jefe del Castillo Negrete

34. S. D. / 2 Sello tercero Dos Reales:

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California, para los años de mil ochocientos treinta y seis y mil ochocientos treinta y siete.

Gutierrez A. Ramirez

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D<sup>o</sup> - Lepé Sup. Político

Monterrei Mayo, Lic<sup>do</sup>. Luis del Castillo Negrete  
14 de 1836. un vecino de este puerto, à V. S.  
pase al D<sup>o</sup> Admin con la debida atencion de go  
stado de D. Juan que aunque he obtenido de  
Bautista p<sup>o</sup> que ereto de V. S. en que me conce  
informe sobre el de la propiedad del terreno  
particular. llamado D<sup>o</sup> Ana sito en el  
Gutierrez. termino de la Ex. Mision de  
San Juan que tengo solicitado.

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aun no se me ha podido extender el titulo  
por no haber presentado un plan exacto de  
dichas tierras. Ahora tengo el honor de pre-  
sentarlo à V. S. con cuanta exactitud es  
dable en la actualidad i al mismo tiempo  
solicito que se me amplie la concesion a-  
hazando en ella el terreno llamado D<sup>o</sup>  
Amata of. esta al Sur de D<sup>o</sup> Anna, i linda  
al E. i S. i O. con tierras Baldias y al N. O.  
con las de D<sup>o</sup> Ang<sup>o</sup> de Castro segun aparece  
en el mismo plano que presento, cuya lon-  
gitud es de cuatro leguas y en latitud de  
tres; y como este terreno no esta ocupado ni  
pertenece à particular ni corporacion al-  
guna ni unido al que se me ha concedido  
de Santa Ana llega à la cantidad que se  
me puede donar conforme à las leyes de  
colonizacion. A. V. S.

D<sup>o</sup> G. D. R

suplico que previos los informes i hemites  
necesarios se sirva ampliarme la concesion  
de Santa Ana à D<sup>o</sup> Amata i que ambas ter-  
renos, desde el arroyo de D<sup>o</sup> Joaquin se  
comprendan en el titulo de propiedad  
que pretendo de la justificacion de V. S.  
puerto de Monterrei, once de Marzo de mil  
ochocientos treinta y seis.

Lic<sup>do</sup>. Luis del Castillo Negrete.  
En Vista de la solicitud anterior presen-  
tada por el señor juez de Distrito Licencia-  
do D. Luis Castillo Negrete pidiendo am-  
pliacion al sitio of. de le tiene concedido  
conocido por D<sup>o</sup> Ana of. puede conse-  
dersele como lo solicita el pedas de los  
no que hay desde el Arroyo de D. Joaquin

19

à Comta Cma y el que esta al Sur de este, llama-  
do St: Anita cuyos terrenos no los necesi-  
ta esta Ex-mision de mi cargo y se hallan  
validos.

S. Juan Pto Mayo 15 de 1836.  
Jose Liborio Castro

Monterrei Mayo 16 de 1836.

Unase al expediente de su referencia este  
encase el titulo al interesado comprendien-  
do en el otra ampliacion y reservase p. dar  
cuenta à la C. Diputacion.

Antierrez

10

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36. L. D. R.

Here follows  
Map.

3<sup>ra</sup> G. D. R. Delto Tercero Dos Reales:

Habilitado provisoriamente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ochocientos treinta y seis y mil ochocientos treinta y siete.

Ante mí

A. Ramirez

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Como Lo.

La Comision de terrenos Valdios se ha impuesto detenidamente del expediente promovido por el Lic<sup>do</sup> Luis del Castillo Segrete p<sup>o</sup> q<sup>o</sup> sobre la posesion q<sup>o</sup> se le tiene hecha del terreno conocido por Sta<sup>a</sup> Anita en el termino de la Comision de D. Juan B<sup>ta</sup> de la Cruz y la propiedad haciendola estensiva al terreno nombrado Sta<sup>a</sup> Anita.

La Comision no halla obstaculo en q<sup>o</sup> se le conceda la Ampliacion en los mismos terminos q<sup>o</sup> la pide mediante a q<sup>o</sup> ya consta en el expediente q<sup>o</sup> concurren en su persona las circunstancias y q<sup>o</sup> el terreno de Sta<sup>a</sup> Anita y el de Sta<sup>a</sup> Anita h<sup>ta</sup> el cuerpo de D. Joaquin no llega al maximum q<sup>o</sup> permiten conceder las leyes y Reglament<sup>o</sup> de Colonizacion. En tal virtud la comision propone a V. E. la siguiente proposicion.

Se aprueba la donacion hecha al Cuadr. Licenciado Luis del Castillo Segrete del terreno conocido por Sta<sup>a</sup> Anita q<sup>o</sup> le fue concedido en 16 de Mayo Ultimo. entendiendose dicha donacion que anteriormente se le tiene hecha del nombrado Sta<sup>a</sup> Anita desde el cuerpo de D. Joaquin.

Monterey 10 de Junio de 1836.

José Joaquin Gomez # José Ant<sup>o</sup> B. de la Cruz y Carrillo.

38. G. D. R. Monterey Junio 30 de 1836.

En sesion de este dia aprobo la C. Sup<sup>ta</sup> Departamental la proposicion en que con el fin de el antecedente dictamen acordandose pase el expediente al C. Jefe Superior politico para su conclusion.

Juan B. Alvarado # José Maria Maldonado  
Pres<sup>o</sup> S<sup>no</sup>.

4  
21  
Office of the Surveyor General of the United States for California.

J. Samuel D. King Surveyor General of the United States for the State of California, and as such now having in my Office and under my custody a portion of the Archives of the former Spanish and Mexican Territory of Department of Upper California do hereby certify that the twenty four preceding and hereunto attached pages of tracing paper numbered from fifteen to thirty eight inclusive and each of which is verified by my initials (S. D. K.) exhibit true and accurate copies of certain documents forming part of the papers designated as Expediente No. 127 which are on file and form part of the said Archives in this Office.

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Seal In testimony whereof I have hereunto signed my name Officially and affixed my private Seal (not having a seal of Office) at the City of San Francisco Cal., this 22<sup>nd</sup> day of June 1852

Saml. D. King  
Survey. Genl. Cal.

Filed in Office June 21<sup>st</sup>  
1852.

Geo. Fisher Secy

275  
No 1

20 DK



Boquejo del sitio Clunaco S<sup>ta</sup> Anna a cuatro leguas N<sup>o</sup> de San Ben-  
tista p<sup>a</sup> acompañar la solicitud q<sup>e</sup> de el Sr. el Sr. Luis de Castillo Negro

RANCHO SANTA ANA.

Diseño

=

3155.D.

p. 21.

"SANTA ANA y SANTA ANITA"

Josefa Morales de Castillo Nogate, Chunt.

SAN BENITO Co.

1359-R.

23<sup>rd</sup> Translation of  
Expediente

Jurisdiction of Monterey year 1834

Expediente on the trace of Santa Calle  
Santa Ana & Santa Anita Solicited by  
Don Luis de Castillos Negrete Secreterio

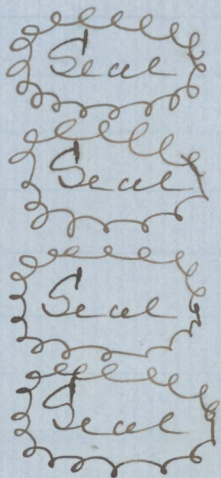
Three Stamp & Seal Two Reals

For the years 1836 & 1837

To the Political Chief

Don Luis de Castillos  
Negrete Secreterio Native of Mexico and  
resident of this Capital and Port respectfully  
states to your Honor

That having come to this  
Territory with a view to settle himself in it  
under the auspices of the Colonization Laws  
which are favorable to him for the purpose of apply-  
ing himself to cultivation, breed of Cattle and other  
Agricultural pursuits Seeking by this way a  
Commodious Subsistence and becoming a useful  
and useful member of the Republic, he  
has endeavored to find out in the vicinity of the  
Pueblo de San Juan Bautista a tract of land  
suitable to his purpose which may not belong  
to any individual Town or Corporation, and  
having found the trace of Santa Calle Santa  
Ana situated about four leagues distant on  
the North East from said Pueblo and border-  
ing on the North with the plain of San Joaquin  
on the South with Santa Anita on the East  
with La Brea and on the West with the  
payano; together with a Spring and an Oak  
grove in an unenclosed land which forms like  
that represented in the accompanying map  
which he will proceed after more exact  
when at a better time it may be shown with  
the required Consensus, and in as much as your  
Honor is authorized by the Law of August 18th  
1824 its Correlative Law of April 6th 1830 and the  
Regulations of the Supreme Government to grant in  
Colonization such Lands, and as the person  
trace he solicits does not exceed the Maximum  
that may be granted according to said Laws



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and regulations

He begs your Honor may be pleased to accede to his petition, complying precisely with the necessary requirements and granting him the above mentioned land in full ownership and possession for sacred purpose as given which he hopes to derive from your Honor's goodness and Justice

Monterey December 5th 1834

Signed Luis del Castillo Nepete  
Secretario

(Menzial decree) Monterey December 16th 1834  
In Conformity with the Decree on the subject let the Illustrissimos Ayuntamiento of this Capital report whether the party concerned in this petition has the requirements to be attended to in his request whether the Land solicited is contained within the territory bounding leagues or within the ten lettered ones expressed in the Law of August 18th 1824 whether it is regulated farming or pasturing land, whether it pertains to the property of any individual Capatación Mission or Pueblo, with all that may be known for the purpose to illustrate the matter. After this proceeding, the Expediente shall be returned to the Comisioneros for the Mission of San Juan Bonavente that he may report on the subject as it may occur to him.

Senor Don Jose Figueroa General of Brigades Commandant General Inspector and Superior Potestadal Chief of Upper California thus vice order decree and sign which I certify

(Signed) Jose Figueroa  
Augustin V. Llanos

Secretary

Illustrissimos Constitucionales Ayuntamientos

The Committee on Colonization and Vacant Lands has examined the Expediente forming the claim of the Land called Santa Ana presented by Luis del Castillo Nepete Secretario; and in compliance with the Superior Decree of 16th December ultimo, reports; That petition is a Mexican Citizen by birth and possesses the legal requirements to be attended to in his petition; That the Land which he solicits lies not within the 20



bordering leagues nor within the ten littoral leagues  
expressed by the Law of August 18th 1824  
That it belongs to the Pueblo de San Juan Bantista,  
that it is forming one possessing land,  
and that it has been previously solicited by  
Citizen Nicolas Garcia whose Expediente is in  
the hands of the Comisario de San Juan Bantista  
San Juan with a view to report on the subject  
matter. In virtue of which the Committee sub-  
mits to the deliberation of this Illustrious Corpo-  
ration the following proposition

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The Land called Santa Ana  
cannot be conceded to the Citizen Luis del  
Castillo Negrete, Vicentini, as it has been previous-  
ly solicited by Citizen Nicolas Garcia  
Monteury January 23<sup>rd</sup> 1835

(Signed) Manuel Avila  
Jose Joaquin Gomez  
In pursuance of the decree of the Political Chief  
Exhibited in the Margin I transmit to you the  
herewith Expediente that you may be pleased  
to report on the subject matter  
Monteury January 24<sup>th</sup> 1835  
(Signed) Francisco del Castillo Negrete  
Lanceil Spence Secy

For Don Luis de los Rios Negrete  
San Juan Bantista January 31. 1835

My dear Sir  
I return you the Expediente by which  
you solicit the title of Land called Santa  
Ana, because it has already been reported in  
favor of Don Nicolas Garcia who had petitioned  
for the same from the 20<sup>th</sup> of October till,

I am very sorry for your disappointment  
which has been caused by your too late applica-  
tion; as to me I attend at the Santa on distinctly  
to every purpose.

I wish you the greatest happiness in com-  
pany of your Lady and Children. Please give my  
Compliments to Sr. Don Francisco Lario (and  
because from Gamola) I have already given my  
opinion in regard to his petition for Guano Subo  
and you may see in what can be useful to  
you, Your very affectionate friend

who keeps your hands (Signed) Antonio Buelna

For Potential Chief:

I Luis del Castillo Negrete, Mexican Lawyer and resident of this Port to your Honor respectfully state; That on the 5th day of December of the year last past I petitioned your Honor authority to grant me in fee the tract of Land called Santa Ana (lyby) on the North East four leagues from the Pico de San Juan; that as it is Land in Colonization and I have had the legal requirements to obtain it your Honor by a decree of 16th of the same month of December asked for the Customary information on this claim and notwithstanding the Expediente was stopped on account of (said Land) having been previously sold to by Citizen Don Nicholas Garcia

It seems that if said Don Garcia who is deceased as it is publicly known had obtained the grant of said Land, he never took possession thereof, nor the title of ownership was issued to him, and for this reason he not acquired the possession of legal necessary to be considered as the legal Owner of the same nor could he transmit it to his heirs in case he might have any, proposing the requirements proposed for and granting my petition on that

I beg your Honor to consider my just petition as reproduced, and Order to continue the Expediente which I caused to be formed and which I annex, that your Honor may be pleased to favor me, granting in my behalf by a title the ownership of the aforesaid land of Santa Ana.

Monterey Sept. 6th 1835

(Signed) Luis del Castillo Negrete  
Secretario

Monterey September 9th 1835

In view of the petition which conceals Don Luis del Castillo Negrete presents to continue the Expediente in solution of the tract called Santa Ana which he presented on the 5th of December ultimo. It is annexed to the corresponding Expediente; and attending that the land he

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solicits belong not to the Mispim of San Juan Bantestie as stated by the report which the Commisera of Secularization gave upon the Expediente to which refers the foregoing letter in favor of the first claimant late Don Nicolas Garcia; for which reason the Ilustrissimos Ayuntamiento of this Capital reported what appears from the Opinion of the Committee appointed to that effect; and considering that the causes which produced that report have already ceased that there is no other objection, and that petitioner is an equal class to that of deceased Garcia, let the Expediente be referred to the Alcalde of this Capital before whom the party of Don Luis del Castillo Negrete shall produce three Competent witnesses, who will be questioned on the following articles

- 1<sup>st</sup>. Whether the petitioner is a Mexican Citizen by birth, whether he is married and has children and whether he is of good conduct
- 2<sup>o</sup> Whether the Land he petitions for pertains to the property of any individual, Corporation Mispim or Pueblo; whether it is irrigable farming or pasturing Land; and which its extent may be.
- 3<sup>o</sup> Whether he has actual property (bienes de campo) with which to occupy the same or any possibility of acquiring it.

After which proceedings let the Expedientes be returned for its termination to Don Jose Casto first Member of the Most Excellent Territorial Deputation and Superior Political Chief of the Territory of Upper California thus read and decree and sign which I comply  
(Signed) Jose Casto  
Francisco del Castillo Negrete Secy

Monterey September 10<sup>th</sup> 1835

Let the party concerned in this Expediente be notified to produce the witnesses who shall be questioned on the articles embraced in the foregoing Superior Decree of the 7<sup>th</sup> Instant which let the requested information be taken

and when done let this Expediente be returned to the  
 Superior Political Chief for further provision -  
 The Just Constitutional Alcalde of this Capital  
 thus did decree Order and sign with the Apis-  
 teng Utitnepis according to Law  
 David Spence

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Aposteng Utitnepis  
 Jose Maria Maldonado Jose Avila

On the same date Luis del Castillo Negrete being  
 present was notified of the preceding decree and  
 having understood it he decreed - That he hear it  
 and proceeds for the requested information citizens  
 Manuel Jimeno Casan Juan Bantista Alon-  
 so and Juan Malen; and he agreed with me  
 and the Aposteng Utitnepis - (Signed) Spence

Luis del Castillo Negrete  
 Aposteng Utitnepis Jose Maria Maldonado Jose Avila

In the Town of Monterey on the 10th of the month  
 of September of the year 1835 before me the  
 Just Alcalde of this Capital appeared citizen  
 Manuel Jimeno who was legally sworn and  
 under the oath he made offered to tell the  
 truth to the best of his knowledge in all that  
 he should be asked, and having been asked  
 for his name state age locality and Religion  
 he said, That his name is as above stated that  
 he is married 31 years Old native of Mexico  
 and Apostolic Roman Catholic.

Being asked on the tenor of the interrogatory contained  
 in the decree of the Superior Political Chief he said  
 1st. That the petitioner is Mexican citizen by birth  
 is married, has children and a good conduct

2<sup>o</sup> That the Land petitioned for belongs not to the  
 property of any <sup>incorporated</sup> Mexican or Pueblo, that it is farm-  
 ing and pasturing Land and that its extent may  
 be one league and a half

3<sup>o</sup> That he (petitioner) owns real property and  
 has the capability of acquiring the necessary to  
 occupy such Land; that what he has said  
 is the truth under the oath he has sworn which

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he affirms and ratifies after his deposition was read to him and he signed it with me on the aforesaid Affidavits

(Signed) Manuel Jimeno  
David Spence

Affidavits - Jose Maria Maldonado. Jose Abreu

Immediately after the citizen Jean Malara a witness pronounced by claimant was legally sworn who being asked his name state and country and religion said that his name was as above stated he is married 34 years old, native of Lima and apostolic Roman Catholic

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Being asked on the same, that the precedent Affidavits he said

- 1st. That petitioner is a Mexican citizen by birth married, has children and a good conduct
- 2nd. That the land petitioned for belongs not to any property; that it is farming and pasturing land and that its extent may be about one league and a half
- 3rd. That petitioner has the circumstances entire on the question. That all he has said is the truth which the oath he has taken which he affirmed and ratified after this deposition was read to him - and signed it with me and the aforesaid Affidavits

(Signed) Jean Malara  
David Spence

Affidavits Jose Ma. Maldonado. Jose Abreu

Immediately after citizen Juan B. Alvarado was by me legally sworn and offered to tell the truth to the best of his knowledge in what he should be asked, and having been asked for his name state and country and religion said his name to be as above stated, that he is bachelor 25 years old native of this city and apostolic Roman Catholic

Being asked on the same interrogatory that the present Affidavit he said  
1st. That petitioner is a Mexican citizen by birth is married has children and a good conduct  
2nd. That the land petitioned for belongs not to any individual, mission or Pueblo; that it is farming

and pasturing Land and its value may be one  
League and a half

3<sup>rd</sup> That he has usual property to occupy the same  
and a propriety of acquiring more. That when  
he has said is truth under the oath he has made  
which he affirmed and ratified after this  
deposition was read to him; and he signed  
with me and the assisting witnesses

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(Signed) Juan B. Alvarado  
Lawrence Spencer

Assisting Witnesses. Jose Ma. Maldonado. Jose Arce

On the same date the requested information being  
concluded this Expediente is returned to the Super-  
ior Intelectual Chief in compliance with the Order  
contained in the foregoing decree; and I note  
it for record and sign it with my seal.

Monterey September 10th 1835

Having examined the petition with which this  
Expediente commences, the statement of the deceased  
Don Nicolas Garcia first Claimant of the land of  
the Memorial for a second time presented by the  
Secretario Lucas del Castillo Negro that it may  
be provided in his behalf and the evidence of  
witnesses with all that was borne in mind  
and was concerned to see into; in conformity  
with the processing of the Lucas and repetitions  
on the subject matter - Citizen Lucas del  
Castillo Negro Secretario is declared Owner  
in fee of the tract of Land known by the  
name of Santa Ana subject to the conditions  
which shall be designated

Let this Expediente be referred to the Exct (the)  
Deputation, and when it be approved, let the  
corresponding title be issued, entered in the respective  
Book and delivered to the party concerned for  
his security. Sor. Don. Jose Castro, first member  
of the Exct. Deputation of this Territory of upper  
California - thus does Order decree and sign  
which I certify

(Signed) Jose Castro  
Francisco del Castillo Negro  
Secy

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Excl. Si

The Committee on Vacant Lands duly informed of the Expediente which was ordered to be formed at the request of Citizen Luis del Castillo Negrete for the tract of Land called Santa Ana not finding any objection to make against it, as it is all in conformity with the Article 5th of the Regulations of November 21st. 1828 and the Law of August 18th 1824 submits to your Excy's deliberation the following proposition

They approve the Conception made to Citizen Luis del Castillo Negrete of the tract of Land called Santa Ana granted on the 10th of September 1835.  
Monterey September 15th 1835

(Signed) Salvo Pacheco

Monterey September 15th 1835

In Session of today the Most Excellent the Deputation approved the proposition of the foregoing opinion and ordered the Expediente be returned to the Political Chief for convenient purposes

(Signed) Jose Castro

Salvo Pacheco - Secy

Monterey September 18th 1835.

In view of the approval issued on the 15th instant by the Excl. Territorial Deputation, let the title proceed for be issued, specifying in the same said approval, and let the Expediente be filed in the Archives. So Sen Jose Castro first member of the Excl. Territorial Deputation and Political Chief ad interim of the territory of Upper California thus did order decree and sign which I certify

(Signed) Jose Castro

Francisco del Castillo Negrete Secy

To the Superior Political Chief

I Luis del Castillo Negrete Secretary and resident of this Port to your Honor respectfully say: That although I have obtained from your Honor a decree by which has been granted to me the ownership of the tract of Land called Santa Ana situated on the limits of the Ex Mission of San Juan which I have petitioned for, they have not yet been able to insure the title in my behalf for my not having presented a correct map of said Land. I have now the honor to present it to your Honor with as

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much correctness as may at present be expected and at the same time I desire that my conception be amplified embracing within the tract of land called Santa Anita which lies on the South of Santa Ana, and borders on the East, South and West with vacant Lanzas, and on the South West with those of Don Angel Leano, as it appears from the same map which I annex; latitude of which is four leagues, and its longitude three leagues and whereas said Land is vacant and belongs not to any individual or Corporation, and whereas notice to that which has been granted to me contains not the extent that can be donated to me according to the Colonization Laws, I beg your Honor that taking previously the necessary steps and informations, you may be pleased to amplify the Conception of Santa Ana to Santa Anita and that both tracts of Land from the array de San Joaquin be comprised in the title of ownership that I desire from the Justice of your Honor  
 Port of Monterey March 11th 1836

(Signed) Luis del Castillo Negrete Licentiate

In virtue of the foregoing petition presented by the District Judge Don Luis Castillo Negrete asking for an amplification of the tract of Land granted to him and shown by the name of Santa Ana I say that as he petitions for, the tract of Land lying from the array de San Joaquin to Santa Ana, and that which lies on the South of said tract called Santa Anita can be granted to him; because the Exmission under my charge does not want such lands, and they are vacant

San Juan Bautista March 15th. 1836

(Signed) Jose Tiburcio Castro

Monterey March 16th. 1836

Let it be annexed to the corresponding Expediente let the title be issued to the party concerned embracing in it said amplification; and let it be resolved to give an account thereof to the Excl. Department

(Signed) Gutierrez

Excl. Sr:

The Committee on vacant lands has minutely examined the Expediente formed at the request of



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Monterey March 16th 1836

Let it be annexed to the corresponding Expediente, let the title be issued to the party concerned embracing in it said amplification, and let it be resumed to give an account thereof to the Excl. Department.  
(Signed) Gutierrez

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Excl. Si; The Committee on Vacant Lands has immediately examined the Expediente formed at the request of Luis del Castillo Negrete Decentate in order to have amplified the grant made in his behalf of the land known by the name of Santa Ana situate in the limits of the Ex. Mission of San Juan Bautista and make it extensive to the tract called Santa Anita

The Committee finds no objection on to the Concession of said amplification on the same terms that he petitions for, in as much as it is already in the Expediente that bears the (legal) requirements, and that the tract of Santa as well as that of Santa Anita to the Arroyo de San Joaquin contains not the maximum, that the laws and the colonization regulations allow to be granted, in virtue whereof the Committee submits to your Excy the following proposition

They approve the donation made to citizen Luis del Castillo Negrete Decentate of the tract of land known by the name of Santa Anita which was granted to him on the 16th March ultimo: Entending the Concession previously made to him of the tract called Santa Ana from the Arroyo de San Joaquin  
Monterey June 10th 1836

(Signed) Jose Antonio B de la Guerra  
Ay Carretero

Monterey June 30th 1836

In today's Session the Excl. Departmental Junta approve the proposition with which in as the foregoing Opinion and the Expediente was ordered to be referred to the Supreme Political Chief for its termination

(Signed) Juan B. Alvarado  
Jose Maria Maldonado } President

Monterey March 23<sup>rd</sup> 1839

See this Expediente be annexed  
to the petition of the Lieutenant of the Militia  
Don Manuel Lucas fu Comandante Ences

(Signed) *Abramo*

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I certify the foregoing to be a true and correct  
translation from an authenticated copy of the  
original Spanish document on file in the  
Office of the Surveyor General of the U.S. for  
California, which authenticated Spanish copy  
is on file in this Office with the petition of  
Josef Morales del Castillo Negrete and  
doctored No. 375

San Francisco June 29. 1852

Geo. Fisher  
Secy

Filed in Office June 24. 1852

Geo. Fisher Secy

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D.  
Grant.

Sello primero seis pesos:  
Habilitado provisionalmente por la Admin-  
istracion de la Aduana Maritima de Mon-  
terey de la Alta California para los años de  
mil ochocientos treinta y cuatro y ochocientos  
treinta y cinco.

Y. Guerrero A. Ramirez  
Revalidado para el bienio de 1836 y 1837.  
Gutierrez A. Ramirez.  
Nicolas Gutierrez Teniente Coronel de Cabal-  
leria permanente. Comandante General,  
Inspector y Jefe Político interino del Territorio  
de la Alta California.

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Sello Por cuanto el Sr Luis del Castillo  
Mexicano por nacimiento ha pre-  
tendido para su beneficio personal y el de su  
familia el terreno conocido con el nombre de  
Ana cuyos linderos son al Norte el Arroyo de  
Sr Joaquin, al Este la Sierra de Sta Ana  
al Sur tierras baldias, y al Oeste en Angel  
M. Castro y llano de Sr Juan; practicadas  
mercantiles las diligencias y averiguaciones  
segun lo dispuesto por las leyes y Reglamentos  
de la materia, usando de las facultades  
que me conferidas en decreto de este dia y a  
nombre de la Nacion Mexicana he venido  
en concederle el terreno mencionado inclu-  
yendo en el la ampliacion de Sr Anita  
de el arroyo de la propiedad a de el por  
las presentes letas a reserva de la aprobacion  
de la Exma Diputacion en cuanto a la  
ampliacion que se fecha onze de Marzo  
del presente año solicita bajo de las condi-  
ciones siguientes.

Duro 20p.

1.ª Que se sometera a las que establecise  
el Reglamento que se ha de formar para  
la distribucion de terrenos baldios y  
que entre tanto ni el agraciado ni sus he-  
rederos podrán dividir ni enagenar el que  
se les adjudica imponer en su vinculo, fi-  
anza, hipoteca ni otro gravamen aunque  
sea por causa pactual ni pasarlo a manos  
muertas.

M. de V.

2<sup>o</sup> Podrá cercarlos sin perjudicar las henechas caminos y cercamientos destinados al uso y cultivo que mas le acomode pero dentro de un año à lo mas fabricara casa y estara habitada.

3<sup>o</sup> Solicitara del juez respectivo que le de posesion juridica en virtud de este despacho por el cual se demarcaran los lindes nombrando en ellos à mas de Cas mojoneras algunos Arboles frutales è olivales de alguna utilidad.

4<sup>o</sup> El terreno de que se ha hecho mención en aumento del de Sta Ana por la parte del Norte desde las lomas hasta el arroyo de Sr<sup>na</sup> Joaquina y por el sur Sta Anita es de cuatro sitios de ganado mayor que unidos al de Sta Ana hacen seis sitios de ganado mayor segun explica el diseño que corre en el especto. El juez que diere la posesion lo hara medir conforme à Ordenanza y el sobrante que resulte à la Estacion para los usos convenientes.

5<sup>o</sup> Si contraviere à estas condiciones perdera su derecho al terreno y sera denunci- ble por otro.

En consecuencia mando que teniendo se por firme y valdero y sirviendole de titulo el presente. tomese aazon de el en el libro que corresponde y entrefuese al intere dello para su resguardo y demas fines. Dado en Monterrey à quince de Abril de mil ochocientos treinta y seis.

Nicolás Gutierrez

Jefe del Castillo Negro de Ariz

Queda tomada aazon à fs 106. y señalada con el No 102 en el libro que corresponde de asientos de titulos y oha en el Archivo de la secretaria de mi cargo.

Monterrey Abril 15. de 1836.

Castillo

Filed in Office June 24<sup>th</sup> 1852.

Geo. Fisher Secy

Dño 10/1

3<sup>rd</sup> Translation of Grant F

Nicolas Gutierrez Lieut. Colonel of permanent Cavalry Commandant General Inspector and Political Chief ad interim of the Territory of Upper California

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Whereas citizen Luis del Castillo Negrete a Mexican by birth, has entered for his personal benefit and that of his family a tract or parcel of Land known by the name of "Santa Ana" the metes and bounds of which are to the North by the Arroyo of San Joaquin to the East by the Coast by the Sierra of Santa Ana South by unoccupied Lands and West by the Angel Mts. Coast and plain of San Juan having previously complied with all the requirements relative thereto in conformity to the Laws and regulations governing the matter - I have in the Exercise of the power conferred upon me by a decree of this day and in the name of the Mexican Nation granted to him the said Land including therein that known by the name of "Santa Anita" declaring by these letters patent the title thereto to rest in his name reserving only the approbation of the most Excellent Administration as respects only the ample execution of Santa Anita solecited on the 11th of March of the present year under the following conditions

- 1<sup>st</sup> That he will submit to those establishments by the regulations which may hereafter be made for the distribution of public lands and in the mean time neither the grantee nor his heirs shall divide or sell the land now patented to them nor shall they mortgage or otherwise dispose of it even for a process cause nor allow it to pass into matrimony
- 2<sup>nd</sup> The patentee may fence the Land without obstructing roads pathways &c. use it in the manner he may think best to his interest but within one year at most he will build a house which shall be inhabited
- 3<sup>rd</sup> He will solicit from the respective Judge judicial possession of the said Land by virtue

of this despatch, the posts marking its metes and bounds putting thereon besides the Land Marks some fruit or other useful trees

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4th. The land of which donation is hereby made in augmentation of that part of "Santa Ana" on the North side from the hills to the arroyo of San Joaquin & to the South "Sta Anita" is four "Sitios" of Ganado Mayor which united with that of "Santa Ana" makes six Sitios of Ganado Mayor as explained in the Decree attached to the Expediente. The Survey who shall give the popisem of the Land will cause it to be measured in conformity to Ordinance and whatever Excess there may be found belong to the Nation for all convenient purposes

5th. If these conditions are not complied with he will lose his right to the Land and it may be entered by another. Wherefore holding this title to be valid and undisputable I order that it be recorded in the proper Corresponding Book and that the Original be delivered to the interested party for his protection and all useful purposes

Given in Monterey this 15th of April 18 in the year 1836

Jos. de Castello

Nicholas Guilleney

Regente Secy

Recorded at page 106 and designated by No 102 in the Corresponding Book of the register of Titles in the Archives under my charge Monterey April 15th 1836

Castello

Fees \$10

Filed in Office June 24th 1852

Geo. Fisher

Secy

39

Before the U. S. Board of Land Commissioners  
 Josefo Morales de le castillo } Locum No. 275  
 Negrete }  
 The United States } Santa Ana &  
 } Santa Anita

Bill of Ex-  
 ceptions of the  
 U. S. Survey  
 Agent

The Law Agent on behalf of the United States  
 requests the reception as evidence to the files  
 being documents filed in this case to wit

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1<sup>st</sup> Loc. "B" purporting to be certified from the  
 Surveyor General's Office because it appears  
 from the certificate annexed to be only a part  
 and not the whole of an entire Expediente

2<sup>nd</sup> Loc. "C" The translation of the above

3<sup>rd</sup> Loc. "D" Because it is not proved in any  
 manner

4<sup>th</sup> The translation thereof

J. H. McKune  
 U. S. Law Agent

Filed in Office Dec. 19. 1854

Geo. Fisher Secy

Recorded in Journal Vol 4 page 145

Geo. Fisher  
 Secy

411

1900  
1901



Opinion of Board by Com. Felch

Josefa Morales del Castillo Negrete vs The United States

For the place called Santa Ana y Anita in San Joaquin County containing Ser Squere Leagues of Land.

The petitioner alleges that a grant of the land claimed was made by Nicolas Gutierrez Political Chief of the Territory in 1836, to Luis del Castillo Negrete, whose right therein she claims as his widow, his death having occurred in 1846.

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A document purporting to be a grant to Luis Negrete is filed in the case, but no evidence is given tending to prove its genuineness, and the case is also of barren of all evidence of the acceptance or cultivation of the land by the alleged grantee, of a segregation of the premises, of the death of Negrete and of the relationship of the present claimant to him, or of any title derived through him.

The claim being sustained by no evidence of right in the petitioner must be rejected.

Rejected

Filed in Office March 6. 1855

Geo. Fisher Secy

Recorded in Record of decisions Vol 2 page 560

Geo. Fisher Secy

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Decree

Josefa Morales del  
Castillo Negrete  
vs  
The United States

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In this case on hearing the proofs and  
allegations it is adjudged by the Commis-  
ion that the claim of the said petitioner  
is not valid and it is therefore decreed  
that her application for a confirmation  
thereof be denied

Alpheus Felch  
R. Acq. Thompson  
S. B. Furewell

Commissioners

Filed in Office March 6. 1853

Geo. Fisher Secy

Recorded in Record of decisions Vol 2  
page 560

Geo. Fisher Secy

And it appearing to the satisfaction of  
the Board that the land hereby adjudged  
to her 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 by the Secretary 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

Office of the Board of Commissioners,

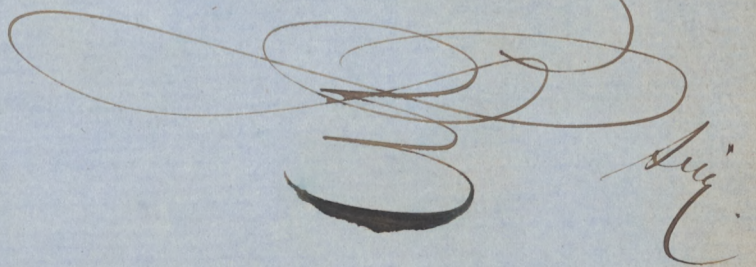
To ascertain and settle the Private Land Claims in the State of California.

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*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 *Forty two* pages, numbered from  
1 to *42*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *275* on the Docket of the said Board,  
wherein *Josua Morales del Castillo Negrete* is  
the Claimant against the United States, for the place known by  
name of "*Santa Ana & Santa Anita*"

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

*J. G. Fisher.*



315

U. S. DISTRICT COURT,  
*Southern* District of California.

No. *315*

THE UNITED STATES,

<sup>vs.</sup>

315

*Josefa Morales de Castillo*  
*Negrete "La Cua y Santanita"*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *275*

Filed, *Oct 27<sup>d</sup>*, 185*5*.

*J. E. Carr*  
*clerk*

315

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

And J. S. K. Ogden bridge  
Josefa M. De C. Negrete } N<sup>o</sup>. 315.  
Appellant.

vs.

Trans N<sup>o</sup>. 275.

The United States  
Appellee

On Motion of P. Ord United States Attorney  
for the Southern District of California; and  
in showing to the Court that the Appellant  
in the above entitled Cause has failed  
to file a notice with the Clerk <sup>of this Court</sup> of his  
intention to prosecute the appeal in said  
Cause within the time allowed by law:  
It is ordered by the Court that the  
Appeal in said Cause be finally dismissed.

P. Ord

U. S. Atty

Dec. 17. 1856.

Motion granted

No 315

W. S. Post Count

Joséfa No del Prognato

vs  
The United States

motion to dismiss  
appeal

Filed Dec 11<sup>th</sup> 1836

Chas  
C. R.

Transferec to the minutes

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Office of the Board of Commissioners,

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

San Francisco, Oct. 15<sup>th</sup> 1855.

*L. E. Carr* Esq.  
Clerk of the U. S. District Court for the  
*Southern* District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 275 on the Docket of the said Board, wherein *Inesfa Morales de Castillo Negrete* is the Claimant against the United States, for the place known by the name of "*Santa Ana & Santa Anita*" and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

*Geo. Fisher*  
*GF*