

CASE No.

349

SOUTHERN DISTRICT

---

CASTEC GRANT

---

JOSE MARIA COVARRUBIAS

CLAIMANT



LAND CASE 349 SD

58 pages

NOV 1 1962

MAR 2 3 1963

MAR 2 3 1963





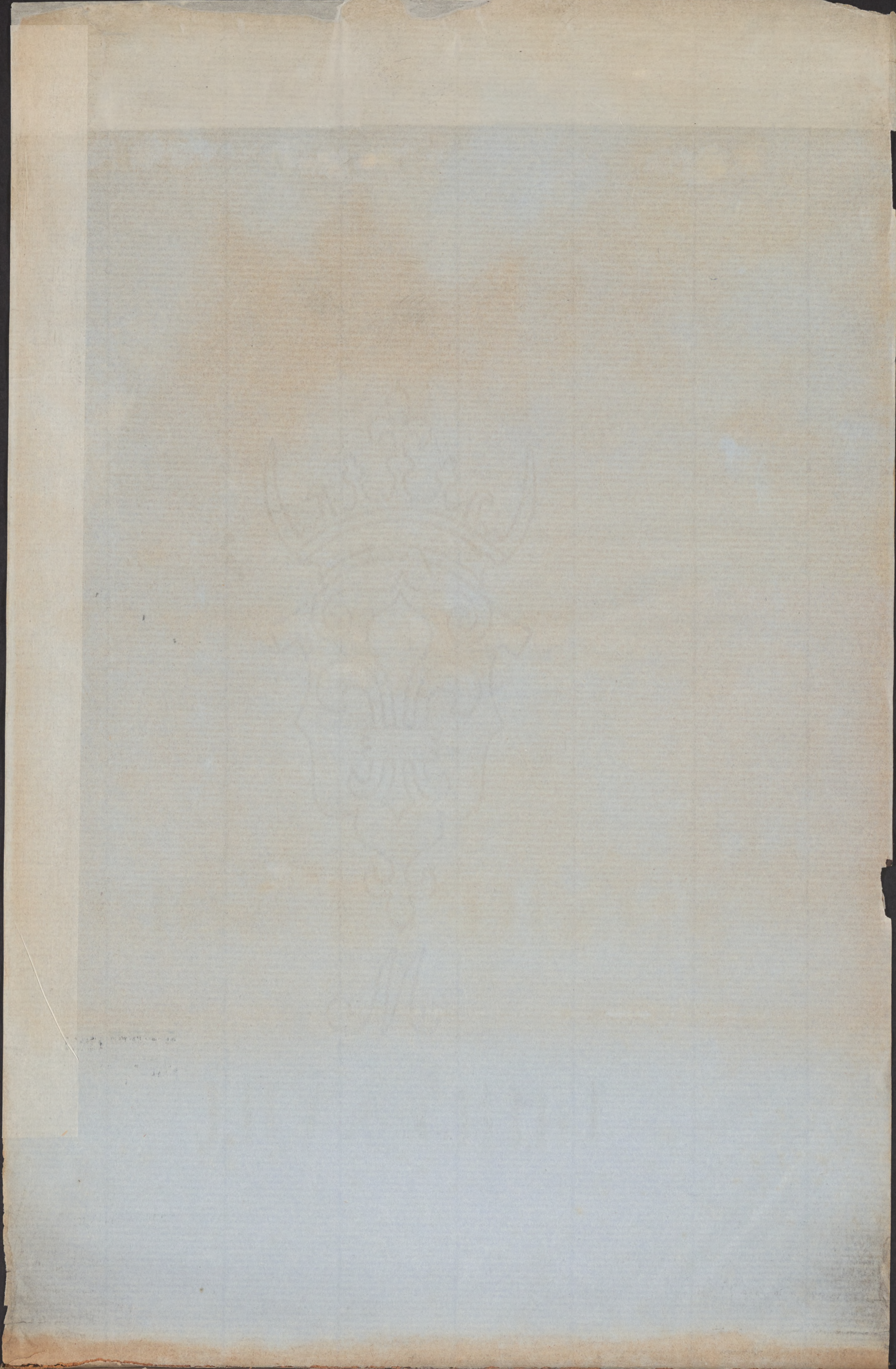
Co

1866

11

1866







536 Trans of Exped. Binn

# TRANSCRIPT

349 SD

PAGE 1

OF THE

# PROCEEDINGS

IN CASE

NO. 536

*Jose Maria Covarrubias* CLAIMANT

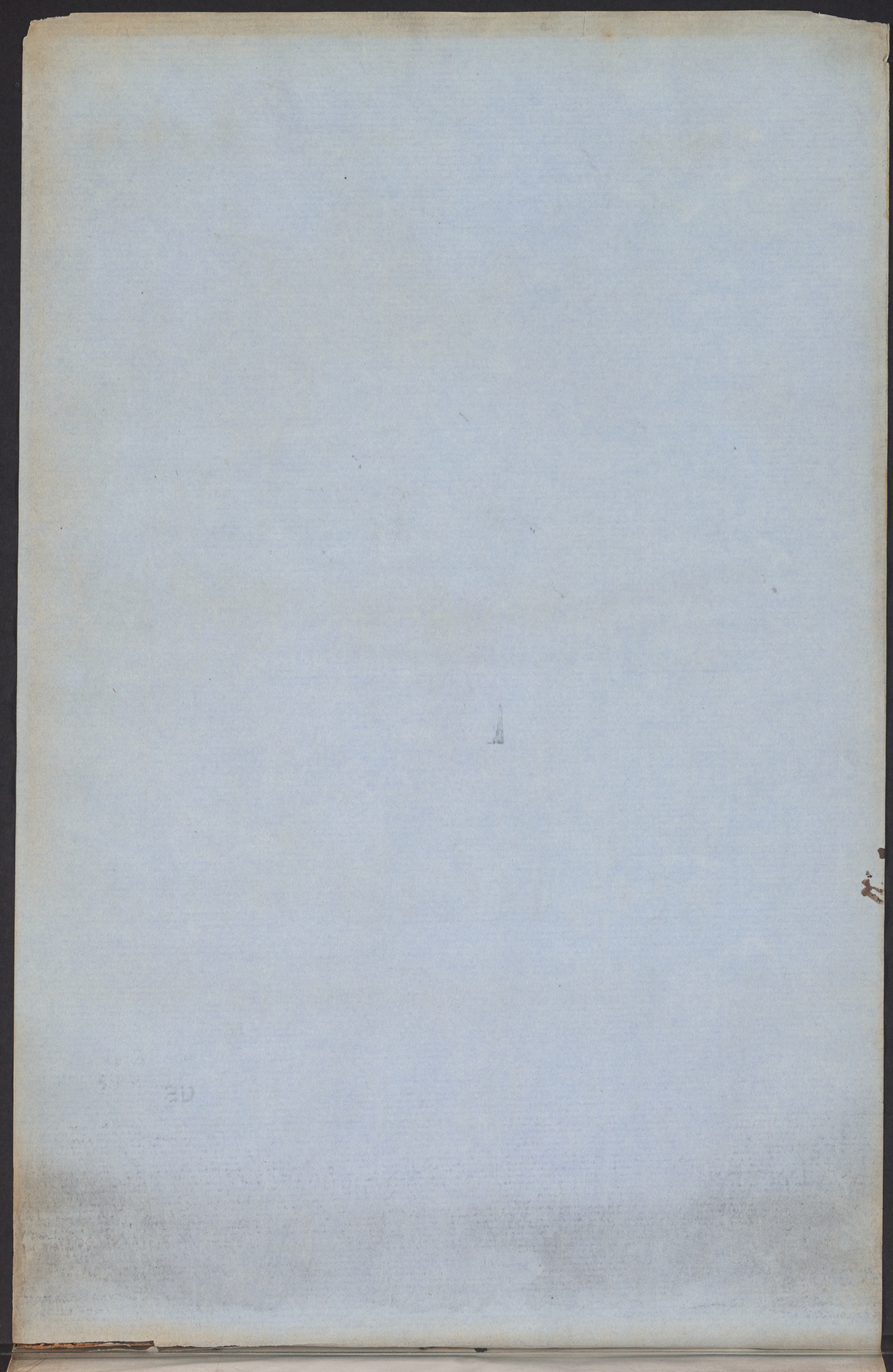
VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"Castec"*







Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

349 SD  
PAGE 2

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

The Petition of *Jose Maria Covarrubias*  
~~~~~ for the Place named  
~~~~~ "*Castec*,"  
was presented, and ordered to be filed and docketed with No. 536 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 January 29' 1853.  
In Case no. 536, *Jose Maria Covarrubias* for the place named "*Castec*", the deposition of *Wm E. P. Martrett*, a witness in behalf of the Claimant, taken before Commissioner *Henry J. Thornton*, with document marked N. S. S. no. 1. annexed thereto, was filed;

(Vide page 4 of this Transcript.)

~~~~~  
San Francisco, Sept. 28' 1853.  
Case no. 536, was ordered to be put of the Docket.

~~~~~  
San Francisco March 21' 1854,  
In the same case, on motion of the U. S. Law Agent in conformity to the notice served upon him by *Meigs Hallack, Peckay & Billings*, it is ordered that their names be withdrawn henceforward as Counsel for the Claimant herein.



San Francisco May 6' 1854.

In the same case the deposition of Pedro C. Canillo, a witness in behalf of the claimant, taken before Commissioner Peter Sott, with Exhibit marked "P. S.", annexed thereto, was filed;

(See page 5 of this Transcript.)

San Francisco Sept. 6' 1854.

In the same case the deposition of J. J. Warner, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed;

(See page 8 of this Transcript.)

San Francisco Sept. 26' 1854.

Case no. 536 was ordered to be placed at the foot of the 2<sup>d</sup> class cases in the trial docket.

San Francisco Sept. 29' 1854.

In the same case the deposition of Tomas Valle, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed.

(See page 11 of this Transcript.)

San Francisco Oct. 19' 1854.

In the same case the deposition of J. J. Warner, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed;

(See page 14 of this Transcript.)

San Francisco November 25' 1854.

Case no. 536 was submitted on briefs, taken under advisement by the Court.

San Francisco July 10' 1855.

In the same case Commissioner R. Aug. Thompson delivered the Opinion of the Court confirming the claim;

(See page 35 of this Transcript.)

And the following order was made, to wit,

(See page 37 of this Transcript.)

349 SD

PAGE 3



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

The petitioner Jose' Maria Coronados respectfully represents.

Petition.

349 SD

PAGE 4

That on the 22<sup>d</sup> day of November 1843 Manuel Micheltorin a Governor of California by virtue of authority in him vested granted to the petitioner the tract of land called "Castro" situated in the present County of Los Angeles containing five square leagues more or less as shown by the map in the Expediente and described in the title which is submitted herewith marked "A" with a translation marked B. And the petitioner further represents that for more than nine years he has had legal possession of said tract of land and that he knows of no conflicting claim.

That he asks for confirmation of title upon the original grant submitted herewith upon the original grant submitted herewith upon the Minutes and records in the Archives of the former government and upon such other and further proofs as he may be advised are necessary.

Wherefore he prays the Commissioners to confirm to him the said tract of land.

By his Attys.  
Headrick, Peckny & Billings -

Filed in Office Jan'y 29. 1853.

(Signed)

Geo Fisher Secy



4  
San Francisco Jan'y 29. 1853.

On this day before Comr H. J. Thornton Clerk Wm. E. P. Hartnell a witness in behalf of the Claimant Jose Maria Covarrubias petition No 536 and was duly sworn. his Evidence being given in English

349 SD

PAGE 5

Dep<sup>o</sup> of  
W. E. P. Hartnell

In answer to questions propounded by Claimants Counsel the Witness testifies as follows.

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

I am acquainted with the writings of Manuel Micheltorina and Manuel Jimeno. their signatures to the document before me marked Exhibit No 1 filed herewith, are genuine.

W. E. P. Hartnell.  
U. S. Law Agent present.

Sworn & Subscribed before me  
this 29<sup>th</sup> of Jan'y 1853.

Henry J. Thornton  
Comr.

Filed in Office Jan'y 29. 1853.

(Signed)

Geo Fisher Secy.



United States of America }  
 State of California } p.  
 San Francisco May 6<sup>th</sup> 1854.

Dep<sup>o</sup> of  
 P. C. Canillo

349 SD  
 PAGE 6

This day personally came before Peter Lott a Commissioner for taking testimony to be used before the Board of W. S. Land Commissioners in said State Juan C. Carello a witness on behalf of the Claimant in Case No 536 on the docket of said Board wherein Don Maria Covarrubias is Claimant and the said witness being duly sworn on oath deposed in the English language as follows to wit.

The U. S. Law Agent is present.

Questions by Claimants Attorney.  
 1<sup>st</sup> Question.

What is your name age and present residence?

Answer.

My name is Juan C. Carello  
 My age 34 years my residence Santa Barbara  
 County California.

2<sup>d</sup> Question.

Are you acquainted with the Rancho of Castea, in the neighborhood of the line between the Counties of Santa Barbara and Los Angeles if you describe as near as you can the boundaries of said Rancho?

Answer.

I am acquainted with the Rancho named. I have known the place many years. The Eastern boundary of the Rancho is the Salinas de Cortes and the North is bounded by the Salinas close by the Tiffin rancho and the South it is bounded by the Rancho



of Los Alamos and Agua Caliente which is my own ranch claimed by me in Case 498 in this Commission. The natural boundaries of Casteo are plain and easily distinguished.

3<sup>d</sup> Question.

Look on the Map contained in document marked "Exhibit to depeo of Pedro C. Cardo S. L." and state whether the boundaries there laid down are a correct delineation of the Rancho of Casteo!

Answer.

Yes to the best of my knowledge the land is there correctly described.

4<sup>th</sup> Question.

What amount of land is contained in the Rancho of Casteo?

Answer.

I think about 5 or 6 leagues.

5<sup>th</sup> Question.

Within your knowledge when was said Rancho of Casteo first occupied and by whom and in what manner?

Answer.

In 1844. I was there and there were then Indians living on the place and cultivating small portions of the land sufficient for their support.

This was after Jose Maria Coamaliac obtained the grant of the Rancho from Micheltoma. Coamaliac's had been on the place previous to the time I visited it. When I was there there were houses on the place occupied by the Indians. I saw horses on the place. I do not know whose they were.

Cross Examined by W. S. Law Agent.



7  
1 Question.

Who Established the Eastern  
Boundary of said Rancho how was it Established  
and when and how do you know the line you  
Assent to is the Eastern Boundary, and so also of  
the other boundaries? ~

Answer.

349 SD  
PAGE 8

I Inquired of Cosamulias and  
more particularly of Estevan Ardisson who  
made the plat. what were the boundaries and  
they told me accordingly as I have before  
stated. This is the only means of knowledge  
I have of the manner in which the bounda-  
ries are established. Except the portion adjoining  
my own Rancho that I have seen and know  
of by my own personal knowledge.

2<sup>d</sup> Question.

What is the form of the Rancho  
and are the boundary lines straight or crooked  
state as to each of the lines?

Answer.

It is a very irregular form  
I think the map will show. The lines are  
generally crooked following the natural ob-  
jects named as boundaries.

3<sup>d</sup> Question ~

What is the length of the Rancho  
from North to South and from East to West.

Answer.

I cannot pretend to say.

Pedro C Cardillo,  
Subscribed and Sworn to  
before me on this 6th day  
of May 1854.

Peter Lott Commissioner }  
for taking Testimony &c. }



Filed in Office May 6. 1854.

(Signed) Geo Fisher Secy.

United States of America  
State of California  
San Francisco Sept 5. 1854.

349 SD

PAGE 9

Depo. of J. J. Warner.

This day came before Peter Lott Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State J. J. Warner a witness on behalf of the Claimant Jose Maria Ceramuleas in Case No 536 on the docket of said Board and said witness being sworn deposed as follows.

The U. S. Associate Law Agent is present.

Questions by Mr Sackard who appears for Claimant.

1st Question.

What is your Name age and residence?

Answer.

Depo. of J. J. Warner

My Name is J. J. Warner My age 46 years. My residence in San Diego California.

2<sup>nd</sup> Question.

Look at the traced copy of the Expediente now shown to you marked "Expediente A P P" and filed in this case and state whether you have examined the original thereof in the Office of the U. S. Surveyor General for the State of California and if you whether you are acquainted with the hand writing of the several persons whose names appear signed thereto and if you

state your means of knowledge and date when this



9  
State your Means of knowledge and also whether  
their signatures whenever they respectively occur  
to said original document, are genuine?

Answer.

I have examined said original  
Espediente in said Superior General's Office  
and I am acquainted with the signatures of  
Santiago Arguilla Don Juan Comanalis  
Jaquin Cardo and Manuel Michelena  
having frequently seen them write and I believe  
their signatures to said original document to  
be genuine.

3<sup>d</sup> Question.

Are you acquainted with the  
land claimed in this case if you look at  
the deseno in said traced copy of the Espediente  
before mentioned and state whether it is a  
correct delineation of said land?

Answer.

I crossed the place in 1832 and 1833  
from Las Angeles to the mouth of the Cañon  
de la Uva - I think that the places marked  
"A" and B and C on this deseno are placed  
too far to the west relative to the place marked  
D (D) -

I understand all this portion of the  
deseno embracing the points marked A B  
C D R T & U & S as representing lands not  
included in the Rancho of Casteo.

W. S. Associates Law  
Agent.

4<sup>th</sup> Question.

What separates the portion  
embracing the points marked A B C D R  
T U. and S from the Rancho of Casteo?

Answer.

The portion described as embracing



those points is high table land while the Cañon de Uva is much lower and is separated not only by the descent but by intervening mountains elevated above said table land

I suppose the Rancho of Castio to mean the Cañon de Uva. I have always understood the place from E and Northwardly from said E to be called Cañon de Uva,

349 SD  
PAGE 11

I always understood the lake here marked A to have been called Castio

I am not confident about the names of the places as there were no persons in company with me when there who knew the names of the places.

I learned the names of those places while residing in Los Angeles and applied them to places I had seen by the description of other persons.

2<sup>d</sup> Question -

By what name is the portion of land embracing the points A, B, C, D, E & S. known?

Answer.

I believe it to be called Castio I have sometimes heard it called 'Los Alamos'

3<sup>d</sup> Question.

Would the terms of description in the grant embrace said portion?

Answer.

If the place marked by said letters is known as Salinas de Castio and Los Alamos. It is not embraced within the boundaries of the title -

4<sup>th</sup> Question.

Are the lakes marked A, B, C Salt ponds?



Answer.

There are salt ponds there and I believe that marked A to be one of them.

J. J. Warner.

Subscribed and sworn to  
before me Sept 5. 1854.

Peter Gott Comr &c.

Filed in Office Sept 6. 1854.

(Signed)

Geo Fisher Secy.

349 SD  
PAGE 12

United States of America

State of California

San Francisco Sept 28. 1854.

This day came before Peter Gott Commissioner for taking testimony to be used before the Board of W. S Land Commissioners in said State Tomas Valle a Witness an Agent of the Claimant Jose Maria Cobarrubias in Case No 536 on the docket of said Board and said Witness being sworn an oath depoid in Spanish which was interpreted into English by the interpreter to said Board as follows.

The U. S Law Agent is present.

Questions by Mr Sackard who appears for Claimant.

1st Question -

What is your name and

residence?

Answer.

Dep<sup>y</sup> of  
Thomas Valle

My name Tomas Valle my age 30 years My residence in Santa Barbara County California -



2<sup>d</sup> Question.

Do you know the Rancho of Casteo if you state how you know it and what you know of the occupation of said Rancho and also what you know of the South Eastern boundary thereof?

Answer.

I know the Rancho named - I became acquainted with it in 1843 or 1844 and have frequently been on the place -

In 1844 there were some twenty persons settled at the Mouth of the Cañon de las Uvas by Jose Maria Covarrubias, who had also a Mayor Domo there. There was then a small field cultivated in Corn Melons and other vegetables. There were several small houses and a corral and a few horses.

I was there. was acquainted with the Mayor Domo and saw the provisions sent to the Run from Santa Barbara. I lived on the Rancho of San Francisco, about a half days travel from the place where the said improvements were as to the boundary I am not certain.

Cross-Examined by U.S. Law Agent.

1<sup>st</sup> Question.

Did you come here as a Witness of the Claimant if you what conversation had you with him or his Agent?

Answer.

I did not come at the instance of the Claimant - I came at the request of Mr Packard now present. we had no other conversation than merely that he asked me to come and I consented to do so to testify to what I know.



2<sup>d</sup> Question.

How do you know it was in 1843 or 1844, you saw the improvements and state the names of the 20 persons you saw there and describe the field and enclosure thereof of which you have spoken?  
Answer.

349 SD  
PAGE 14

I know I was there on my Rancho at that time, and it was while I was there I am not positive about the year -

The Mayor Demo was called Josi - I do not remember his surname there was one whom they all called Corporal I do not remember any other of their names now - The field was about 200 varas square the fence was made of poles set up and brush.

3<sup>d</sup> Question -

How many times did you visit the place in 1844, and what time of the year?

Answer.

I was there twice or three times I was there once before the fruit season and once in the fruit season I recollect.

his  
Thomas & Valle  
mark.

Subscribed and sworn to  
before me Sept 28, 1854.

Peter Lott

Com & Co.

Filed in Office Sept 29, 1854.

(Signed) Geo Fisher Secy



14

United States of America }  
State of California } 20.

Depo. of J. J.  
Warner

San Francisco October 17. 1854.

This day came before Peter Gott Commiss  
ioner for taking testimony to be used before  
the Board of U S Land Commissioners  
in said State J. J. Warner a witness on behalf  
of the claimant Jose Maria Cosmubias  
in Case No 536 on the docket of said Board  
and said witness being sworn deposed as follows.  
The U. States Law Agent is present.

349 SD  
PAGE 15

Questions by Mr Packard who appears for  
claimant?

1st Question.

What is your name and  
residence?

Answer.

My name is J. J. Warner My age 46  
years My residence in San Diego California.

2nd Question.

Look at a deposition signed by  
you on the 5th day of September last past  
and filed in this case and say if the answer to  
the first question proposed by the Law Agent  
in that deposition is in conformity with  
your recollection of the place called Castic.  
Answer.

At the time I made the deposition  
referred to I was under the impression that  
the Lake marked A on the diagram and to  
which my attention was then directed was  
called Castic. On subsequent reflection  
I am convinced that I was mistaken and  
that the said Lake is one of those places  
called Salinas de Castic. I am confident

known under the name of Castic but the



15-

that the said Lake or ponds were not known under the name of Casteo but by that of Cartio and that the place described by him under the name of Cajon de Uva was the place known by the older inhabitants of Las Angeles, also by the name of Casteo.

J. J. Warner.

349 SD  
PAGE 16

Subscribed and sworn to  
before me on this 18th day  
of October A.D. 1854.  
Peter Lott Comr. &c.

Filed in Office Oct 19, 1854.  
(signed) Geo Fisher Secy.

No 536

Notice

Claim of J. M. Coramurias to  
"Casteo"

To U. S. Law Agent.

Please take notice  
that we hereby withdraw our names as  
Counsel in the above entitled cause.

Headrick Beachy Bellings  
San Francisco March 14, 1854.

Filed in Office March 30, 1854.

(signed) Geo Fisher Secy.



1.6

1.6

1.6

1.6



17 1.

# Expediente

Expedt<sup>o</sup>. Promovido por el Ciudadano José María

A. P. L<sup>o</sup>. Cobarrubias pretención del paraje conocido

Exhib<sup>o</sup>. 1. Con el nombre de "Castel"  
to depo of D. D.  
Wamer

326.

Año de 1842

349 SD 2  
PAGE 17

Expediente promovido p<sup>o</sup> el Vec<sup>no</sup>  
de Sta Barba D<sup>a</sup> José M<sup>e</sup> Cobarrubias  
En pretención del Paraje conocido con el  
Nombre de "Castel".



3. (300)

Don prefecto del 2.º Distrito  
José María Covarrubias de  
cino de Este puerto ante la

Angéles Manos 1.º notaría justificación de  
del 1842 por preser } V. O. y como mejor proceda  
cada y admitida } comparecer y dijo: Que nec  
la presente inst.ª } itemelo un terreno para el fo

Exhibi 1. to en cuanto a lugar y miento de trescientos Cabeceros  
Depos. of Pedro a derecho pase al de fanado mayor que poseo  
B. Canillo. P.ª } he en contacto uno propio a  
de Sta Barbara } Este Objeto que se halla  
para of. con Aneplo } enteramente baldío y que  
a las leyes y Regla } jamas ha pertenecido a  
mentos de la ma } Corporacion pueblo ni misio  
teria impropie sid } alguna. Este terreno, señor  
pena qe que se soli } prefecto es conocido con el  
cita pertenece a } nombre de Caste se halla  
al f.º comunidad situado al Norte del Rem  
corporacion o par } cho de Don Francisco Co  
titular, si esta a } y es el que demuestra el

349 SD  
PAGE 18

2) baldío, si esta com } diceño que debida mt.ª a  
prendido en Ca 2.º } compañero cuya concecion  
ley.ª limitofes o 10 } en propiedad solicito p.  
litorales si el int } niendome bas los au.º p.º  
tiene bienes supiet } de las leyes de Colonizacion  
p.º cubri lo y los re } por lo que respetuosamente  
quisitos necesari } pido se sirva proveer lo  
p.º ser atendido cor } de justicia y elevar al  
to de lo de mas of. le } E. A. Gobernador esta mi  
parecer con inst.ª } instancia para su defini  
a ilustrar la mate } tra resolucio en lo que  
ria y ora en ad wa } recibire gracia que implor  
buelva el Espect.ª } p.º me lo necesario: V.  
a esta prefectura } y suplico a V. O. se sirva  
p.º los p.º de of. de } admitirme en papel co  
enbr n.º } m.º por no haber del sel  
Arguello } lido.

Sta Barbara Manos 8 de 1842  
José M.º Covarrubias

Don prefecto  
El interesado en esta inst.ª Obtiene los re-  
quisitos legales p.º ser atendido p.º estar com-  
prendido en el parrafo 5.º del Art.º 1.º  
y parrafo 1.º del Art.º 4.º de la constitucion

terreno que pretende se halla en...



14

Rijente y tener bienes que fomentan. El terreno que pretende se halla enteramente baldio y jamas ha pertenecido ni ahora pertenece a la propiedad particular de pueblo ni mision y se halla fuera de las diez leguas literales y veinte limitofes de of. hasta la ley de la materia.

349 SD  
PAGE 19

Lo que tengo el honor de informar a V. D. en obsequio de su superior decreto.

Sto. Barbara Mayo 13 de 1842  
Loafr. Carrillo  
Como Sr.

Espelt.

continuad Mandado practica el inf. correspondiente del paraje de Coste of. solicita el Desim del partido de Sto. Barba. D. Jose M. Covarrubias, aponese tiene los requisitos necesarios para ser atendido el paraje que pretende es baldio, confinante con el Valle de Buena Vista en los tularos y con estas tierras se puede decir of. hasta ahora estan desconocidos se via de un Botimulo a los demas of. no conocen mas que la Costa en donde casi ya no encuentran parajes y of. no hay duda of. los terrenos de lo interior a esta parte con feraces y presentan comodidades para meros labradores e industriosos y lo es mas of. por lo que con el civilizarse, aquella indiana si se les trata con afabilidad para lo of. en Vista de lo Espuesto esta prefectura es de parecer muy inconveniente para of. se le pueda conceder al interesado sin embargo de lo que V. D. con mejor acierto disponda lo que fuere de su supot. agrado  
cincoles agosto 6 de 1842.

A. Anpiello  
Monteney Cor. 14. de 1842  
Inf. el Sr. Du. del Despacho  
Michetta  
Concedido

4/ Here follows  
Map



A. Manuel Micheltoena Gral de Brigada  
del Ejercito Mexicano Ayudante Gral de  
la plaza mayor del Mi smo Comandte.  
Gral del Departamento de las Californias

Por cuanto Dn José M<sup>o</sup> Covarrubias ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Casteo; colindante con los linderos demarcado al terreno del Tepone con los <sup>ve</sup>culares con la Oreria con los Alamos y salinas de Cortes practicados previamente las diligencias y averiguaciones consernit segun lo dispuesto por leyes y Replamientos de la materia usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el p<sup>o</sup> las presentes letras sujetan y dase a la Coma Asamblea Departamental ya las condiciones siguientes.

1. No podra venderlo ni enajenarlo ni hipotecarlo ni pasarlo a manos muertas.
2. No impedira a los indios el cultivo y demas beneficios que en otro paraje han disfrutado y ni se les causara molestia alguna.
3. podra cercarlo sin perjudicar las habecias caminos y servidumbre o lo disputaran libre y exclusivamente destinandolo al uso o cultivo q<sup>o</sup> mas le acomode pero dentro de un año fabricara casa y Cotina habitada.
4. Solicitara del juez respectivo q<sup>o</sup> le de posesion juridica en virtud de este despacho p<sup>o</sup> el cual se demarcaran los linderos en sus limites podra a mas de las maderas algunos arboles frutales o silvestres de alguna utilidad.

5. El terreno de que se hace donacion es de cinco ditos de panadero mayor por es mas o menos segun explica el diceno que aparejado corre en el Especto respectivo.
6. El juez que diere la posesion lo hara medir conforme a Ordenanza quedando el sobrante que resulte a la Nacion para



los usos comunt<sup>es</sup>

Q<sup>o</sup> Si en troviniere à estas condiciones per  
deraw derechos al teneno y sera denunciable  
por oho.

En consecuencia mando que  
teniendo se n<sup>o</sup> prime y Valadero este titulo  
se tome Reason de el en el libro sobre adju  
dicaciones de terrenos Valdios y se entregue  
al interesado p<sup>a</sup> su resguardo y demas fi  
nes. Dado en Monterey à beinte y dos de  
Ago. de 1843.

Man<sup>te</sup> Michel torrea Gob<sup>o</sup>  
Man<sup>te</sup> Lumenio Oro.

Office of the 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 Mex  
ican Territory or Departments of Upper  
California by Virtue of the power vested  
in me by Law, Do hereby Certify that the  
Ten preceding and hereinto annexed pages  
of haeing paper, numbered from One to ten  
inclusive, exhibit a true and accurate copy  
of a certain document now on file and for  
ming part of the said archives in this Of  
fice.

*Seal* In Testimony whereof I have  
hereunto signed my Name Offi  
cially and caused my seal of Of  
fice to be affixed, at the City of San Fran  
cisco this <sup>15<sup>th</sup></sup> Fifteenth day of April A. D.  
1852.

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

Filed in Office May. 6. 1854  
Geo: Hisher  
Secy



Maria Ceramibus. selecting the place



526 Expediente had by the citizen Jacé Maria Ceramurias, soliciting the place known by the name of Casteo.

326

349 SD  
PAGE 22

Year 1842

Expediente had by citizen, Jacé Maria Ceramurias, resident of Santa Barbara soliciting the place known by the name of Casteo

Transcription of  
Expediente of  
P.L. Exhibit 1. to  
Depo. of J. J. Warner  
Sept. 5, 1884

Seal

Angels, May 10, 1842  
The present petition being duly received as presented according to law, let it be referred to the justice of the peace of the district of Santa Barbara, in order that in accordance with the laws and regulations on the matter, he may report whether the place solicited belong to any community, corporation or private individual whether it is vacant, and whether it is within

To the justice of the second district, Jacé Maria Ceramurias resident of this part, before your lordship in due form appears and says: That being in need of a tract of land to place therein three hundred head of neat cattle, which he proposes, he has looked for, and found a tract suitable for the purpose which tract is entirely vacant and has never belonged to any corporation public or private. This tract of land, known by the name of Casteo, is situated to the north of the rancho San Francisco and is as marked on the sketch, which I herewith present, and I



349 SD  
PAGE 23

the treaty border leagues  
or ten lettered ones,  
and whether the  
interested party  
has sufficient prop-  
erty, and also the  
capacity required to  
entitle him to be  
heard in his petition  
and to report what  
ever else he may  
think fit, as would  
tend to enlighten  
the matter and this  
having done, let the  
Deposits be re-  
turned to the office  
of the Prefet at this  
place for further  
action  
(Signed)

Argüelles

within the provisions of paragraph 3<sup>rd</sup> of  
article 1<sup>st</sup> and paragraph 1<sup>st</sup> of article  
4<sup>th</sup> of the constitution and has sufficient  
property. The land which he petitions  
for is entirely vacant, and never has  
belonged, nor does it now belong to any  
private individual, public or Mexican  
and it is not within the ten lettered  
leagues nor the twenty border leagues

ask a grant in full pro-  
perty for the same by  
virtue of the colonization  
laws.

Wherefore, I  
respectfully ask of your  
Lordship that you be  
pleased to forward this  
petition to his Excellency  
the Governor for his action

And I beg of  
your Lordship that you be  
pleased to admit this on  
common paper for want  
of the paper stamped

Santa Barbara  
May 8, 1842  
(Signed)

José Maria  
Corambius

To the Prefet  
Sir,

The petition  
has all the legal requisites  
to be attended to in his  
petition since he comes



25-

expedited in the law respecting this matter  
Which I have the honor  
to report to your Lordship in obedience  
to your order &

Santa Barbara May 13, 1842

(Signed)

Joay<sup>m</sup> Carrillo

349 SD  
PAGE 24

Most Excellent Sir,

Having taken  
the necessary steps to obtain information  
concerning the place called Caste,  
situated by Don Jose Maria Cerameras  
resident of Santa Barbara, it appears that  
in papers the necessary qualifications to  
be attended to in this matter, the place  
which he speaks is vacant, bounding  
with the valley of Buena Vista at the  
Inlures, as these lands are, so to speak,  
up to the present time almost unknown;  
by granting them it will encourage  
others who do not know but the lands  
in the event, and which are now almost all  
granted, to take lands, and offer inducements  
to industrious and laborious persons, and  
besides by these means these Indians may  
be civilized if treated kindly. Therefore  
in view of the above, the petitioner is  
of opinion that there is no objection in  
the granting these lands. However,  
Your Excellency will determine what  
you may think proper.

Angels, August 5, 1842

S. Arguilla



Monterey Nov. 24. 1843

Let the Secretary of Dispatch  
repeat.

(Signed)

Micheltona

Granted.

(See fallen a mark in the original)

319 SD

PAGE 25

Manuel Micheltona Brigadier General  
of the Mexican Army, Adjutant General  
of the staff of the same, Governor and  
Commandant of the Department of  
the Californias;

Whereas Don Juan Alon.  
Serranubius has solicited for his per-  
sonal benefit and that of his family,  
the land known by the name of Caste  
bounded by the boundaries of the tract  
of land of Tejon, by the Dolores, by the  
Sierra, by the Alamos, and Salinas of Cortes  
having previously had the necessary in-  
vestigations as provided by the laws and  
regulations on the matter, by virtue  
of the power conferred on me by law  
in the name of the Mexican nation  
I have granted the said land, declaring  
him the owner thereof by then parents  
subject to the approval of the most  
Excellent Departmental Assembly and  
to the following conditions:

1<sup>st</sup> He shall not sell  
alienate or hypothecate the same, nor shall  
he transfer it in mortmain

2<sup>d</sup> He shall not permit  
the Indians from extracting what they



have hereafter cultivated, nor shall he disturb them in any manner whatever.

3<sup>d</sup> He may enclose it without prejudicing the roads, crapsing and suburbs; shall enjoy it fully and exclusively, destining it to such use and cultivation as he may think proper, but within a year he shall build a house and it shall be inhabited.

4<sup>th</sup> He shall exhibit of the respective Judge judicial possession by virtue of this cedula, by whom the boundaries shall be marked out in the limits of which he shall place beside his landmarks some fruit trees or wild ones of some utility.

5<sup>th</sup> The land of which donation is made consists of five square leagues of land. (sitio de ganado mayor) more or less as explained in the map which goes with this Expediente. The judge who may give possession will have a museum according to ordinance leaving the surplus which may result to the nation for its convenient uses.

6<sup>th</sup> Should he contravene these conditions he shall lose his right to the land and it shall be denunciable by another.

Therefore I command that this title being held as firm and valid, that due note of it be taken in the respective Book or adjudication of vacant lands, and that it be delivered to the interested party for his security and other purposes. Given at Mexico in the twenty-second day of November



1843. Manuel Michelthum Governor =  
Manuel Jimeno Secretary.

I George Fisher Secretary to the  
Board of U.S. Land Commissioners  
do ascertain and state private land  
claims in the state of California do  
hereby certify that the foregoing is a  
true and correct translation of a certain  
spanish document filed in case No.  
536. Jose Ma Carreras, claimant  
for the place called Coaster, which doc-  
ument is marked "Expediente A P L"  
"Exhibit 1 to deposition of J. Warner Sept  
5, 1854" and "Exhibit 1 to depo. of Pedro  
C. Carrillo P L" and filed May 5, 1854.

In testimony whereof I  
have hereunto set my hand  
at office in San Francisco

(Signed) Geo Fisher  
Fisher

Filed in office May 6, 1854

(Signed) Geo. Fisher  
Fisher



Dello primero Dcho Pesos:

Habilitado provincialmente por la Aduana  
marítima del puerto de Monterey, en el  
Departamento de las Californias para el  
año de mil Dcho ciento euarenta y tres.

Title

Micheltreña

Manuel Castanares

Exhibt No. <sup>1</sup> Manuel Micheltreña General  
de Brigada del Ejercito Mexicano  
to the Depo of Ayudante General de la plaza Mayor  
W. C. P. Harrode del mismo Gobernador Comandte. D. Gal  
taken in C<sup>o</sup> e Inspector del Departamento de las Cali  
S. J. C.

349 SD

PAGE 28

Por cuanto D<sup>o</sup> José María  
Coranulias ha pretendido para su beneficio  
personal y el de su familia el paraje cono-  
cido con el nombre de Castee, colindante con  
los linderos demarcados al teneno del D<sup>o</sup> J<sup>o</sup>  
con los Salancos en la Sierra, con los Alamo  
y Salinas de Cortes: practicadas previa-  
mente las diligencias y averiguaciones con-  
venientes según lo dispuesto por leyes y regle-  
mentos usando de las facultades que me  
son conferidas a nombre de la Etación Me-  
jicana he venido en concederle el teneno  
mencionado de clararle la propiedad  
de el por las presentes letras sujetando de  
la aprobación de la Exma Asamblea De-  
partamental y bajo las condiciones sigui-  
entes.

1<sup>o</sup> No impedirá a los Indígenas el cul-  
tivo y demás beneficios que han disputado  
en otro paraje y ni de les molestará por cau-  
sa alguna.

2<sup>o</sup> No podrá cercarlo sin perjuicio de las trans-  
eías, caminos y servidumbres lo disputara  
libre y exclusivamente de otineirlo al  
uso o cultivo que mas le aconviene pero den-  
tro de un año fabricara casa y estara ha-  
bitada.

3<sup>o</sup> No podrá venderlo, enagenarlo ni hi-  
potecarlo imponer censo ni en lo pienza a  
gravamen alguno.

4<sup>o</sup> Solicitara del juez respectivo que le



de la posesion juridica en virtud de este Despacho por el cual se demarcaran los linderos en cuipos linteos pondria a mas de las mofoneras algunos arbol es frutales o silvestres de alguna utilidad.

El terreno de que se hace donacion es de cinco sitios de ganado mayor pero es mas o menos segun explica el diseño respectivo El prezo que debe la posesion lo hara medi conforme a Diferencia que demelo el sobrante que resulte a la Nacion para los usos convenientes.

O. Si contraviniere a estas condiciones perdara su derecho al terreno y sera de nullo efecto por otro.

En consecuencia mando que sirviendole de titulo el presente y teniendose por firme y Valido se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas fines. Dado en Monterey a Veinteydos de Enero de mil ochocientos cuarenta y tres

Man. Michel

Man. Gutierrez

Queda tomada Razon de esta consecucion en el libro respectivo a f. 3.

Ameno

Filed in Office Jan'y 29<sup>th</sup> 1853

Geo. Fisher Secy



Stamp First. Eight Dollars.

Provisionally authorized by the Maritime  
Custom House of the port of Monterey in the  
Department of the Californias for the year one  
thousand eight hundred and forty three.

349 SD  
PAGE 30

From station  
of  
Title.

(yd) Micheltorona (yd) Manuel Castaneras.

" 4/3/5

Seal of the Custom  
House.

Manuel Micheltorona  
General of Brigade of the Mexican Army  
Adjutant General of the Staff of the same  
Former Lieutenant General and Inspector  
of the Department of the Californias.

Whereas Don Jose Maria Cocanulias  
has for his own personal benefit and that of  
his Family asked for the place known by the  
name of Caste bounded by the boundaries  
marked out for the land of El Tazon by the  
Tularis by the Sierra, by Las Alamos y  
Salinas de Cortes, the proper measures and  
examinations being previously made as required  
by laws and regulations, using the powers which  
are conferred on me in the name of the Mexican  
Nation I have granted him the aforesaid  
land, declaring to him the ownership of it by  
these presents subject to the approval of the  
Most Excellent Departmental Assembly and  
under the following conditions.

1st. He shall not prevent the Indians from  
the cultivation and other benefits which they  
have enjoyed in said place neither shall  
they be disturbed for any cause.



2<sup>nd</sup>. He may Enclose it without Prejudice to the Croppings Roads and Servitudes he will Enjoy it freely and Exclusively dedicating it to the use or Cultivation which may best suit him but within a year he shall build a house (on it) and it shall be inhabited.

349 SD  
PAGE 31

3<sup>rd</sup>. He may not sell alienate or Mortgage it subject it to any tax entail pledge or other Encumbrance whatsoever.

4<sup>th</sup>. He shall request the proper Magistrate to give him the Judicial possession in virtue of this Patent by whom the boundaries will be marked out in the limits of which he will place besides the Cedars some fruit or forest of trees of a useful Character.

5<sup>th</sup>. The land of which donation is made is five square leagues a little more or less as shown by the respective Map.

The Magistrate who may give the possession will cause it to be measured in conformity with the ordinance leaving the Surplus which may result to the Nation for its convenient use.

6<sup>th</sup>. If he should Contravene these Conditions he will lose his right to the land and it may be denounced by another.

In consequence I order that this present Serving him for a title and being read as firm and said Note be made of it in the proper book and it be delivered to the person interested for his Security and other purposes.

Given in Montreuil le twenty



33

Second of November one thousand eight hundred and forty three.

(sgd)  
Manuel Guichitterona

(Signed) Manuel Jimeno  
Secretary.

349 SD  
PAGE 32

Photo has been made of this grand in the paper book at folio 3.

Jimeno

Filed in Office Aug 29, 1853.

(Signed)  
Geo Fisher Secy

---



34



35-

576 José M. Covarrubias

vs  
The United States

J. Custer

opinion of the Board

defined by Commencement square leagues of land situated in the N. Aug. Thompson

This is a claim for five square leagues of land situated in the County of Los Angeles and is founded on a grant made to the claimant by Governor Micheltreina on the 22<sup>nd</sup> of November 1843.

349 SD  
PAGE 33

The original grant is produced in evidence and its genuineness proved

It is also in proof that the petitioners occupied the place with a mayoceno, some stock and by cultivating portions of the land.

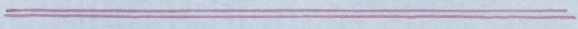
The land granted may be readily located with the aid of the map in the Expediente to which reference is made in the grant for the purpose of identification and description

A decree of confirmation will be entered

Filed in office July 10, 1855

(Signed)

Geo Fisher Gray





536 José M. Cuarrubias  
of  
The United States

Decree of  
Confirmation

349 SD  
PAGE 34

In this case on hearing  
the proofs and allegations it is adjudged  
by this Commission that the claim of  
the petitioner is valid, and it is therefore  
decided that the same be confirmed

The land of which con-  
firmation is made is situated in the  
county of Los Angeles and is known by  
the name of "Casta" and is of the extent  
of five square leagues as shown by the  
original grant and map contained in the  
repedante to which reference is hereby  
made for a more particular description

R. Aug Thompson  
S. B. Farnell } *Commissarios*

Filed in office July 10, 1855

(Signed) Geo Joshua Jew



37

Order

349 SD  
PAGE 35

And it appearing to the satisfaction of this Board that the land hereby adjudicated is situated in the Southern District of California, it is hereby ordered that two copies of the proceedings and of the decisions in this case and of the papers and evidence upon which the same are founded be made out and 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.

349 SD  
PAGE 36

I, *George Fisher* Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *thirty seven* pages, numbered from  
1 to *37*, 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. *53* on the Docket of the said Board,  
herein

*Jose Maria Covarrubias* is  
the Claimant against the United States, for the place known by  
the name of "*Castec*."

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

*Geo. Fisher.*

*Geo. Fisher*



349

U. S. DISTRICT COURT,

*San Francisco* District of California.

No. 349

THE UNITED STATES,

vs.

*San Mateo*

*Castac*

349

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS.

In Case No. 536

Filed, *December 6* 1885

*C. C. Carr* Clerk.

By *Jan. R. Dummer*

*Depty.*

349





Office of the Attorney General of the United States,

Washington, 31. Dec. 1855.

596.) "Caster".

*Jose Maria Cosarubias Claimant*

349-SD

PAGE 37

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 10th day of December, 1855, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

*Canting*

Attorney General.



No. 349.

U. S. Dist. Court  
South. Dist Calif<sup>a</sup>

      "      

Jan M. Coranahis  
appellee

vs

The United States  
appellants

      "      

Notice of Appeal

      "      

Filed Feb 12<sup>th</sup> 1886.

349 SD

C. E. Jan  
clerk

PAGE 38



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

The President of the United States,

TO

*Jose M<sup>o</sup> Caranbias*

349 SD

PAGE 39

Greeting :

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

*P. Ord U.S. Atty praying  
said court to review the decision of  
the U.S. Land Commissioners of the  
6<sup>th</sup> day of December 1855, confirming  
your claim to the Land called*

*Casteo*

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

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *5<sup>th</sup>* day of *January* A. D. 1857.



*Wm. S. ...*  
*J. M. ...*  
*Dea*

CLERK.



Marshals Cost

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

No. 349

UNITED STATES OF AMERICA,

Southern District of California,

U. S. DISTRICT COURT.

Jore. Mc Cormack  
ad  
The United States

SUMMONS.

Received Jan'y 5<sup>th</sup> 1857

Edward Hunter

U. S. MARSHAL.

Mr. Mc Goodman  
SD  
Sept.

PAGE 40

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

*A Packard*  
Atty for Appellee by him acknowledging  
service of the same

at *Los Angeles*  
the *5<sup>th</sup>*

day of *January*

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

Sworn to and subscribed before me,

*this*  
*5<sup>th</sup> January 1857.*

*John*

CLERK.

*J. M. Goodman*  
*Dep*

*Edward Hunter*

U. S. MARSHAL.

*Mr. Mc Goodman*  
*Depty.*



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

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



*Isi Maria Covarrubias*  
319 SD  
PAGE 41  
*ad*  
*The United States, Appellant.*

Docket No. 349.

Transcript No. 536.

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

The Petition of **Pacificus Ord**, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 29<sup>th</sup> day of January A. D. 1853, *Isi Maria Covarrubias*

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called *Callec*

in the County of *Los Angeles* State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 10<sup>th</sup> day of July A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 6<sup>th</sup>

day of December A. D. 1855, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 536; reference to which it is prayed may be had and made part of this petition.

That on or about the 18<sup>th</sup> day of December A. D. 1855, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and



evidence on which said decision was founded. That thereafter, to wit: <sup>on the</sup> ~~the~~ 12<sup>th</sup> day of February — A. D. 1856, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

349 SD

PAGE 42

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



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

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

349 SD  
PAGE 43

*J. Ord*  
Attorney of the United States for  
the Southern District of California.



N. 349.

Filed this 5th January 1857  
at Sims clk  
of W. Coleman  
clerk



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

United States appellants

vs

Jose M. Covarrubias appellee

} No. 349

349 SD

PAGE 45.

Jose M. Covarrubias the appellee in the  
above entitled cause appears by his  
Attorney and for answer to the petition  
of the United States filed herein says that  
his title to the Land called "Castic" as set forth  
forth and described in his petition to the  
Board of Land Commissioners is good and  
valid and that the Land claimed is within  
the Southern District of California and  
within the jurisdiction of this Court.

Wherefore he prays that this Honorable  
Court will affirm the decree of the Board  
of Commissioners and decree his title to  
be valid

A Packard Atty  
for Claimant



No 349

---

United States

vs  
For M Courroutris

---

Answer of Appelle

Filed this 17th January  
A. D. 1857

C. Smith  
J. H. Coleman  
(sup)



The District Court of the United States for the Southern District of Cal.  
San Francisco, S. K. Ogden, Judge.  
The Maria Covarrubias, Appellee vs The United States, Appellant,  
N<sup>o</sup> 349. Draw N<sup>o</sup> 536,  
an appeal from the State Land Comm<sup>r</sup>'s  
for 'Castec'

It is admitted by the Claimant of five  
square leagues of the land called "Castec"  
in this case, that on or about the  
year 1853 the United States established  
a military post called Fort Tejon  
on the tract of land called "Castec"  
as delineated on the map referred to  
in the Grant belonging to the "Expediente"  
in this case, that the pencil marks,  
lately made, in a square form, upon  
the map shown in the transcript  
from the Land Commissioners, is near  
or about the place on the said tract  
of land as described by said map  
where the said military post was  
established. That at the time of the  
selection and establishment of said post  
the Officers of the United States who  
selected and established the same had no  
knowledge of any existing claim or  
title to the said tract of land upon  
which said Post was established

349 SD

PAGE 47



349 SD  
PAGE 48

That the said tract of land at  
the date of <sup>the</sup> ~~the~~ selection by the  
officers of the Government of the  
United States for the military purpose  
<sup>aforsaid</sup> ~~aforsaid~~, was entirely vacant and  
unoccupied, that the United States have  
expended <sup>about</sup> \$80 or \$90,000.00 in improvements  
upon the said military post

A. Packard  
Attorney for Claimant



N. 349.

In *trans* Coramitis  
appellat.

ad.

The United States  
appellant.

---

admission of  
Claimant.

Filed this 21<sup>st</sup> January  
A.D. 1857  
Clerk  
J. H. Coleman  
Dep

349 SD  
PAGE 49



United States District Court for the Southern  
District of California

349 SD  
PAGE 50  
United States appellants  
vs  
Jose Maria Coverroubias appellee } Case No 349

This cause coming on to be heard on appeal from the decision of the board of Land Commissioners to ascertain and settle private land claims in the State of California under an act of Congress approved March 3 1851. Upon the transcript of proceedings and decision of said Board and the papers and evidence upon which said decision was founded, all of which has been duly filed in this court and counsel for the respective parties having been heard. It is ordered adjudged and decreed that the decision of the said Board confirming unto said Jose Maria Coverroubias the lands described in said Transcript filed in this case be and the same is hereby affirmed and that the said title is a good and valid one.

The Land, of which confirmation is hereby made is known by the name of "Castec" and is situate in the present County of Los Angeles, and is bounded and described as follows to wit, by the boundaries marked out for the lands of "El Tejon" by the "Yularos", by the "Sierra", by "Los Alamos", and by the "Salinas de Cortes", for a more particular description of which reference being had to the grant of said land by Governor Manuel



Michel Torona dated the 22<sup>d</sup> day of November  
1843 and the Map referred to therein, which  
appear in the transcript filed in this  
Cause. The land hereby confirmed is  
of the extent of ~~five~~ five square leagues and no more  
within the boundaries above described  
provided such quantity be contained therein,  
but if a less quantity be contained within said  
boundaries then confirmation is hereby made  
for such less quantity Guas St. Cyprien  
N S Dist. Judge  
for the S Dist of Cal

349 SD

PAGE 51



No 349

---

the United States  
appellants

vs

José María Covarrubias  
appelle

---

Decree of Confirmation

Filed Aug 22<sup>d</sup> 1857

Clint  
Clint

Record in page 153

349 SD

PAGE 52



349 SD  
PAGE 53

California Land Claims.  
Attorney General's Office  
7 Febr'y 1857.

Sr.  
In the case of the claim of  
Jose Maria Covarrubias, con-  
firmed to the claimant by the Com-  
missioners, case no. five hundred  
and thirty-six, (536), appeal will  
not be prosecuted by the United  
States.

I am,  
Respectfully,  
Cushing

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



In the district Court of the United States for the  
Southern district of California

December Term 1857

Jose Maria Covarrubias

appellee

Cause No 349

vs  
the United States

appellant

349 SD

PAGE 54

Transcript No 536

Notice having been received from  
the Attorney General of the United States that it  
is not the intention of the United States to  
prosecute further the appeal in this cause as  
appears by the letter hereto annexed.

It is hereby stipulated that an order of this  
Court may be made ~~dismissing~~<sup>vacating</sup> the ~~appeal~~<sup>order</sup>  
vacating the order of appeal heretofore granted  
and that the claimant may leave to proceed  
under the decree of this Court heretofore rendered  
in his favor as a final decree

January 8 1858

F. M.  
W. W.

A. Packard

Atty for Claimant



In the United States District Court for the  
Southern District ~~Court~~ of California  
December term 1857

Jose Maria Carrasquins  
appellu } Cas. No. 349  
as  
the United States  
appellants } Transcript No.  
536

340 SD  
PAGE 55

Before Hon Isaac S. Ogden Judge  
On Motion of R. Ord Attorney of  
the United States for said District; and on  
suggesting to the Court that it is not the  
intention of the United States to prosecute further  
the appeal in the above case, it is ordered  
by the Court that the order granting an  
appeal to the Supreme Court heretofore  
entered be vacated and that the claimant  
have leave to proceed upon the decree of this  
Court heretofore rendered as a final decree

Isaac S. Ogden  
U.S. District Judge



No 349

Castee

Jose Maria Covarrubias

appelle

vs  
the United States

appellants

Filed this 1<sup>st</sup> March 1858

W. Sims clk  
Jr. M. Coleman  
Dep.

349 SD

PAGE 56



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

349 SD

PAGE 57

~~E. J. Beale~~  
I, ~~J. W. MANDEVILLE~~, United States Surveyor General, for the State  
of California, do hereby certify that the Rancho Castac

confirmed to Jose M. Covarrubias -  
has been surveyed by this office, and that the survey and plat was approved by  
the U. S. Surveyor General, on the 7<sup>th</sup> day of November  
1862; that I have caused to be published, once a week, for four weeks suc-  
cessively, in two newspapers, to wit: the Visalia Delta  
published in the County of Sulare  
being the newspaper published nearest to where the said Rancho is located, the  
first publication being on the 1<sup>st</sup> day of January 1863,  
and the last, on 29<sup>th</sup> day of January 1863; also, in the  
Southern News  
a newspaper published in the city and county of Los  
Angeles  
the first publication being on the 3<sup>rd</sup> day of December 1862,  
and the last on the 31<sup>st</sup> day of December 1862, 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 seventh day of  
February 1863

E. J. Beale

U. S. Surveyor General for California.

A true full and correct copy  
of the original record of  
this office

E. J. Beale  
U. S. Surveyor



No # 349

U. S. Dist Court  
Port of St. Paul

J. M. Goarrubias  
of  
the United States

Certif. of Pub. by Secy Genl

Filed Aug 25, 1863

John Wheeler

349 SD

PAGE 58