

57
D.

CASE No.

357

SOUTHERN DISTRICT

TODOS SANTOS Y SAN ANTONIO GRANT

WM. E. P. HARTNELL

CLAIMANT

58

MAR 24 1963

COMMERCIAL
PILOVER BOARD
55% COTTON FIBER
U.S.A.

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 228

Wm E. Hartnell CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Todos Santos y San Antonio de los Baños"

THE UNITED STATES

THE UNITED STATES DEPARTMENT OF THE INTERIOR

18

GEORGETOWN

THE GREAT

PROCEEDINGS

OF THE

CONFERENCE

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *thirteenth* day of *May*, 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 *Wm. E. P. Hartwell*,
for the Place named
Todas Santos y San Antonio & Casumines
was presented, and ordered to be filed and docketed with No. 228 and is as follows, to wit;

(Vide page 5 of this Transcript.)

Upon which Petition the following subsequent Proceedings were had in their chronological order, to wit;

San Francisco May 13th 1852
In case No. 228, *Wm. E. P. Hartwell* for the place named "Todas Santos y San Antonio & Casumines" the deposition of *Pablo de la Guerra*, a witness in behalf of the claimant, taken before Commissioner *James Wilson*, was filed
(vide page 11 of this transcript)

San Francisco January 27, 1853
In the same case the deposition of *Mannet Jimenez*, a witness in behalf of the claimant taken before Commissioner *Henry J. Thornton*, was filed.
(vide page 12 of the manuscript)

San Francisco January 29, 1853
In the same case the deposition of *Wm. G. Chard*, a witness in behalf of the claimant, taken before Commissioner *Richard Hall*, was filed.
(vide page 9 of this transcript)

San Francisco Sept 23, 1853

Case No 228 was called on motion of the counsel for the claimant ordered to the foot of the docket

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San Francisco Sept 25, 1853

In the same case the deposition of Francisco de la Guerra, a witness in behalf of the claimant taken before Commissioner Alphonso Welch was filed (vide page 9 of this transcript)

San Francisco January 11, 1854

In the same case the deposition of Fernando Tico, a witness in behalf of the claimant, taken before Commissioner A. Aug. Thompson, was filed (vide page 13 of this transcript)

San Francisco April 18, 1854

In the same case the counsel for the claimant filed the following motion to wit:
(vide page 135- of this transcript)
which motion having been sustained it is ordered, that the case be decided in the name of the heirs, and testimony be taken in the premises.

San Francisco June 1, 1854

In the same case the depositions of Jonathan S. Sherwood and Thomas McCortney, witnesses in behalf of the United States, taken before Commissioner Peter Sate, was filed (vide pages 147 & 18 - of this transcript)

San Francisco June 2, 1854

In the same case the deposition of George W. Wyman a witness in behalf of the claimants taken before Commissioner Peter Sate, was filed (vide page 19 of this transcript)

San Francisco June 20, 1854

In the same case the deposition of John P. Rhoads

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a witness in behalf of the claimants, taken before
Commissioner Peter Lutz, was filed
(vide page 28 of this transcript)

San Francisco June 26, 1854
In the same case the deposition of John Parker a
witness in behalf of the United States, taken
before Commissioner Alphons Felch, was filed
(vide page 30 of this transcript)

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San Francisco July 10, 1854
In the same case the counsel for the claimant
filed the following stipulations, to wit:
(vide pages 137 of this transcript)

San Francisco July 11, 1854
In the same case, on motion of the counsel for
the claimants, the following order was made to wit
(vide pages 135 of this transcript)

San Francisco July 17, 1854
In the same case the deposition of José Maria
Carrubius, a witness in behalf of the claimants
taken before Commissioner Peter Lutz, was filed
(vide page 26 of this transcript)

San Francisco Sept. 19, 1854
Case No 228 was ordered to be placed at the foot of
the 3^d class cases on the trial docket

San Francisco Oct 7, 1854
In the same case the counsel for the claimants filed
the following motion, to wit:
(vide page 135 of this transcript)
which motion was granted, and
Ordered, that said petition be amended
in accordance with the said motion.

San Francisco Oct 24, 1854
Case No 228 was submitted on briefs and taken under
adjudgment by the Board

In the same case the counsel for the claimants filed
the following stipulation to wit:
(vide page 138 of this transcript)

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San Francisco Augt 24, 1855
In the same case Commissioner D B Farnell
delivered the opinion of the Board confirming
the claim

(vide page 139 of this transcript
and the following order was made to wit)

(vide page 142 of this transcript)

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To the Honorable Commissioners

5 Petition

To the Honorable Commissioners to settle Private
Land Claims in California

The petitioner William
E. P. Huntwell respectfully shews;

That on the 28th
day of August A.D. 1841 Juan B Alvarado
Governor of California, by virtue of authority in
him him vested granted to the petitioner the tract
of Land called "Tierras Santos and San Antonio"
situated in the present County of Santa Barbara
containing five square leagues a little more or
less, with the boundaries with the boundaries des-
cribed in said grant, and set forth in the correspon-
ding map; a copy of which grant is submitted herewith
marked "A" with a translation marked "B"

That on the 4th day of October
A.D. 1841 the same tract of Land was surveyed
and the judicial possession of it given, by the
proper authority in due form of Law; Copy of
which judicial act of possession is submitted
herewith marked "C" with a translation
marked "D"

And the petitioner further shews
that on the 3rd day of November A.D. 1844
Manuel Micheltorena Governor of California
by virtue of authority in him vested granted to
the petitioner, on the River Cosumnes in the
present County of Sacramento a tract of Land
consisting of eleven square leagues, as described
in the title and set forth in the corresponding
map, a copy of which grant is submitted herewith
with marked "E" with a translation marked "F"

And the petitioner further shews
that on the 22nd day of April A.D. 1846 the
Departmental Assembly of California confirm
the said grant of "Tierras Santos and San
Antonio and Cosumnes" to the extent of eleven
square leagues leaving the petitioner to select
the eleven leagues so confirmed from the two
tracts granted as aforesaid as he should
deem fit, the said Assembly not deeming them-
selves authorized to confirm grants for a greater
extent than eleven ^{square} leagues; all of which is more
particularly shown in the Expediente of the

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two grants, Copies which are submitted herewith
marked "G" and I with translations marked H
and "J"

And the petitioner further sheweth that
the said Governor Micheltorena was fully empow-
ered by the Supreme Government to make grants
of a greater extent than Eleven Square leagues
as is fully proven by the powers received by
him from the Supreme Government of Mexico
a Copy of which is submitted herewith marked
"K" with a translation marked "L"

And the petitioner further
sheweth that he has for more than 10 years and
now is the quiet peaceful and undisturbed
possession of the said tract of "Locos Santos
and San Antonio"

That he knows of no Con-
flicting Claim

That immediately on receiving the
aforesaid grant for the "Cosumnes" tract he
took possession and occupation of the said
tract of Land.

That the said tract of "Locos
Santos" and "San Antonio" has not been surveyed
by the Surveyor General of the United States
but that it was duly surveyed and its bound-
aries marked in 1841 as aforesaid.

That the said tract of Cos-
umnes has not been surveyed by the Survey-
or General of the United States but that it
was duly surveyed by an Officer of the
United States in 1841 and its boundaries
marked out, a Copy of which Survey is
submitted herewith marked "M"

The petitioner relies for confirma-
tion of title upon the Original papers Copies
of which are submitted herewith; upon the
Records and Minutes in the Archives now
in charge of the Surveyor General General
and upon such Other and further proofs as
he may be advised are necessary.

Wherefore he prays the Commis-
sioners to confirm to him the said parts of
5 Square Leagues of "Locos Santos" and

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"San Antonio" and 11 square leagues of the "Cosumnes" tract: and of the Honorable Commissions Shewell deeded (and against each decession he solemnly protests) that he is entitled to bear 11 square leagues in all, the petitioner prays Your Honorable body to confirm to him two square leagues of the "Santos Santos" tract and 9 square leagues of the "Cosumnes" tract"

By his Atty
Collector Peachy & Billings

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Filed in Office May 13th 1852

Geo. Fisher
Secy

Recorded in Record of Petitions Vol 1
Pages 93 & 94

Geo. Fisher
Secy

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Deposition of
M. G. Charco

San Francisco July 28th 1853

On this day before Com: Melrose Hall came
M. G. Charco a witness in behalf of the claimant
and M. E. P. Sutnell, Petition No 228 and
was duly sworn his evidence being given in
English

The U. S. Associate Survey Agent was present

In answer to inquiries by Com: Melrose for the
claimant the witness testified as follows

My name is Melrose G. Charco my
age is 42 years, and I have lived in California
22 years -

I know the Rancho on the Lossummes
claimed M. E. P. Sutnell, it was occupied by
him in 1845 with cattle, and he had Corners
on it. I saw the Cattle when they were put
on it in 1845, a house as I understand was
put on it about that time, but I did not see
the house till 1848

M. G. Charco

Sworn & Sealed

Before me Melrose Hall Com

Filed in Office July 29th 1853

Geo. Fisher Secy

Recorded in Ev. B. Vol. 2p. 512

Geo. Fisher Secy

Deposition of
F. de la Guerra

Office of the Board of U. S.
Commissaries de la

This day before Com: Alpheus Felch came Francisco
de la Guerra a witness in behalf of claimant
Guillermo E. Martinez No. 228 who after being duly
sworn deposed as follows

Questions Mr: Halleck Atty for Claimant

1st Question. What are your name age
and place of residence

Answer. My name is Francisco de
la Guerra, my age thirty six years and I reside
at Santa Barbara in California

2^d Question. Do you know the Rancho
of Santos y San Antonio. If yes what is

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it situated, and what do you know about
its Occupation

Answer I know the Rancho. It is
near the Mission of La Purisima in the County
of Santa Barbara. I was there in the year 1842
to the best of my recollection. It was occupied by
Mr Hutchins the present Claimant, and he had
at time about six hundred head of Cattle and
afterwards about two thousand three hundred
head of Cattle and about three hundred
head of horses. He had a house on it and
conceals. One of his sons lived in the house with
the Overseers and some herdsman belonging to the
Rancho. The Occupation has continued down
to the present time - One of his sons living there
now

Franco de la Guerra

Mr Greenhow Apocato Law agent attended at
the taking of this Deposition but propounded
no questions to the Witness.

Mr Fish Secretary &
acting as Interpreter, the Testimony being given
in the Spanish Language
Subscribed and sworn to before me this twenty
sixth day of September 1853.

Alpheus Fish Commissioner
Filed in Office Sept. 26. 1853

Geo. Fish Secy
Recorded in Cor. B Vol 3 p 208

Geo. Fish Secy

11 Deposition of Pablo de la Guerra upon Private Land Claims in California May 12th. AD 1852

The deposition of Pablo de la Guerra taken at the request of W. C. P. Hartnell to be used in the case No. 328 for Confirmation of the grant of the Ranchos "Todos Santos" y "Santantonio" and "Rosamnes"

Questions by Plaintiff

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

Answer. My name is Pablo de la Guerra, My age 33 years. I reside in Santa Barbara and have lived in California all my life

2 Question. Do you know the signature of Manuel Melchiorre and if so say whether his signature to the paper before you is genuine, if the paper is genuine and an Original Official Document, and if Exhibit K filed in Claim No. 328 in the Office of the Secretary of the Board of Commissioners is a true Copy of this Original

Answer. I know the signature of Manuel Melchiorre; his signature to the Document before me is genuine, and the Document in question is genuine and an Original, received by me as an Official paper, while I was Collector of Customs in California; I have compared this paper with Exhibit "K" filed in Claim No 328 in the Office of the Secretary of the Commissioners and find the latter to be a correct Copy of this Original

Objected to by G. W. Woolley Law agent as incompetent

Question to the Witness by G. W. Woolley Law agent

1 Interrogatory 1st. From whom did you receive the paper now Exhibited to you as an Official paper?

Deponent's Answer. I cannot say from whom I received the paper. I have had the paper in my possession several years. It may have been left with some of the Clerks or I may

have found it on my desk in my office I can not know the person from whom I received it. I received and treated it as an official paper sent to me for my instruction and guidance in the performance of my official duties as Collector of the Customs at Monterey which embraced the whole district of California.

I received the paper as I understand as coming from Gov. Micheltorene. I had before requested of the Governor a copy of his instructions for the reason that he had made some new regulations in California reference to the Custom House.

I received the paper now exhibited as I understand in consequence of my request.

Interrogatory by Capt. Walker because of a petition.

Did Governor Micheltorene show to you a paper which purports to be his original instructions and of which this paper purports to be a California Copy before you received the paper exhibited?

Objected to by Mr. Cooley since Capt. W. S. is incompetent.

Depositions Answered. He did

May 12th. 1853. Pablo de la Guerra
Subscribed and sworn to before me

James Wilson Commissioner
at Place in Office May 12. 1853

Geo. Fisher Secy
Recorded in Record of Evidence Vol 1 pages 367 & 368.

Geo. Fisher Secy

Deposition of Manuel Jimeno

San Francisco Jan'y 27. 1853
On this day before Court Mary J. Thorne came Manuel Jimeno a witness in behalf of the Plaintiff M E & J. H. Haines, petition No 228 and was duly sworn his Evidence being interpreted by the Secretary.

In answer to questions propounded by claimants because the witness testified as follows
My name is Manuel Jimeno, my

age is 49 years and I have resided in California 24 years

I know the hand writing of Manuel Mechellona Juan B Alvarado, Narciso Botello, E P Starnell, Fernando Tico, Henrique Melles, Jose Antonio de la Guerra, y Canello, Antonio Olvera, Jose Maria Valenzuela, their signatures to the papers before me marked No 1 and filed herewith are genuine; the signatures of Manuel Jimeno are my own

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I know the Rancho of Socas Santos described in the papers, it is in Santa Barbara County; Mr. Starnell occupied immediately after he got this grant with a small house, Corrales, Cattle & Horses; he has continued to occupy it ever since. One of his sons lives on it now

Manl. Jimeno

U. S. Laws Agent Present

Sworn to and subscribed before me this 27th July 1853

Mary J Thorneon Comr

Filed in Office July 27. 1853

Geo. Fisher Secy

Recorded in Govs Vol 2 p 494

Geo. Fisher Secy

Case No. 228,

United States Land Commission

San Francisco Jan. 11. 1854

On this day before Commissioner R. A. Thompson came Fernando Tico a witness in behalf of Claimant Guillermo Edwards Starnell, Case No 228 who being duly sworn deposed as follows, his evidence being interpreted by the Secretary—

Present Claimant's Atty U. S. Laws Agent Witness states his name is Fernando Tico, his age is forty five years and residence Santa Barbara County, Cal

Testimony Claimant's Atty.

What Office did you hold in the year 1841
Answer, I was Secy of the First Instance.

Testimony by same. Look at the

Deposition of Ferno Tico

Document now shown you marked "Doc 4 & 5 No 1" annexed to the deposition of Manuel Jimeno filed in this case purporting to be a record of Judicial possession, and state what you know of the execution of the same and of the grant of said possession?

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Answer. I recognize said document as an original act of Judicial possession executed by me in my official capacity, my signatures and rubrics where they occur there on are genuine and were made by me at the time they bear date. The other signatures on said paper document of possession are genuine and were made in my presence

Execution by same. What improvements had Mr. Martine the grantee on said land at the time you gave said possession?

Answer. He had at that time a wooden house on the land and a stock of cattle, the house was then inhabited but I do not know by whom

Fernando Tico

Subscribed and subscribed before me June 11 - 1854

R. A. Thompson Comr.

Filed in Office June 11 - 1854

Geo. Fisher

Recorded in Ex B Vol 3 p 635

Geo. Fisher Secy

Deposition of J. Q. Shawwood

228 U.S.
United States of America
State of California 3 1/2

San Francisco June 1. 1854

This day personally came before Peter Lee a Commissioner to taking testimony to be used before the Board of U.S. Land Commissioners in said State Jonathan Q. Shawwood a witness on behalf of the United States in Case 228 on the docket of said Board wherein Manuel Jimeno is claimant and the said testimony being duly sworn on oath deposed in English as follows, to wit

The Claimant's Counsel is present
Questions by H. S. Lane Agent
1st Question - What is your name
age and place of residence?

Answer. My name is Jonathan O
Shaw and my age 26 years, My residence Santa
Marta County California

2nd Question. Are you ac-
quainted with the tract of land claimed by Wm
Wm Estabrook on the Cosumnes River, of your
State the average distance from Cosumnes River
to Dry Creek and the average distance from the
Lower or Western End of his Claim to the foot
hills of the Sierra Nevada Mountains

Answer. I am acquainted with
the Land, the average distance between the Cosum-
nes River and Dry Creek is about 15 Miles, the
average distance from the lower or Western End of
Estabrook's Claim to the foot hills of the Sierra
Nevada is 20 Miles

3rd Question How many square
miles or leagues of land are enclosed within the fol-
lowing boundaries "On the North the River Cosum-
nes, On the West the Rancho of Seno Anaslacas
Chaboya, On the South the Vicinity of Dry Creek,
On the East the Vicinity of the Sierra Nevada

Answer. Those boundaries would
embrace 60 Square Leagues

4th Question. Did you ever have
any conversation with Mr Estabrook respecting
his Claim on the Cosumnes, of its extent and where
it occurred, and the statements he made to you
respecting said Claim -

Answer. I had a conversation
in 1852 with Mr Estabrook at Monterey. He
told me he claimed a tract of land on the
Cosumnes River, called the Cosumnes Rancho
that he wished to sell it all together and in parcel
he said he would convey no other title, except
a good Claim deed, that his title might or it
might not be good, that he took the title from
the Government on the representation of Mr
Sheldon. That he took it for the purpose of
speculation, that he would get it by asking for

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it, and paying the sum of Eight dollars for me
king over the papers. I think that he had some
papers there, that he had sent some stock there
and put it in the care of Shelton, that he never
had been there himself, and never would go or
permit any of his family to go there, that he had
received nothing from his cattle, that they had
been stolen or taken off, and the only thing he
had received from the claims, had been from the
sale of lands. I recollect nothing more that
he then told me of the claim of any moment

5th Question. Did he ever say
well in that conversation say anything about
having any other claim, if yes, what did he
say

Answer. Yes he said he had a
claim on the Salinas in Monterey County and
that he also had another claim in Santa Barbara
County. He expressed his confidence that the one
in Santa Barbara, and that the one in Sacra-
mento would be good, if any of its dimensions
were good -

6th Question. By claimants Counsel
1st Question. Do you reside on the
land in question in this case

Answer. I do.
2nd Question. Do you have a house and impro-
vements on this land and do you claim a
patent of it

Answer. Yes I have a house and
improvements and claim a patent of the land
as a settler

3rd Question. Are you not then direct-
ly interested in having the present claim rejected
Answer. Yes I believe myself to be
interested in having the claim rejected

4th Question. Did you ever measure
the distances, you have before spoken of or go
in a direct line across the Rancho from one
side to the other

Answer. I have with others measured
a portion of the distances and kept of the others
by comparisons. The portions of the distances I have

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measures are compressed within about 4 miles in
the Centre of the Rancho, and the Oaths I have
sworn of by which I have known of the Survey
by Secret Showwood -

5th Question, What States the con-
versation you have attended, to whom was it attended
and who else was present besides yourself

Answer, I went on purpose to see
Mr Stantice with reference to his claim in ques-
tion, the conversation was attended to myself and I
do not recollect that any one else was present -
My object in going to Stantice was to find out
what title he had to the land, and to purchase
a portion of it from him if I was satisfied that
his claim was good. Stantice knew my object
or I suppose I must have been known to him

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6th Question, When was your
attention first called to this conversation and
when did you first repeat it to any third person, and to whom
have you repeated it?

Answer The first I recollect now
of calling up what passed between me and
Stantice I told it to John A. Theedway in
Sacramento County shortly after the conversation
occurred with Stantice. I think I have spoke
in office to Messrs Pascoe and Wells. I do not re-
collect of having repeated it to others

The Claimants because Mr. Belem's objects to
the competency of the whole deposition on the
ground of the interest of the claim in the result
of the claim

Re Examined by U. S. Geo Agent

Question, Have you any interest in
any conflicting party to the same land

Answer, I have not

I A Showwood
Sworn and sworn to before me on this 1st
day of June A. D. 1854

Peter Lott Commissioner
for taking testimony &c

Filed in office June 1. 1854
Geo. Fisher Secy
Recorded in Ev. B Vol 4 p 495
Geo. Fisher Secy

Deposit of
Thos. McCleary

228. U.S.
United States of America }
State of California }
San Francisco June 1 1854

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This day personally came before Peter Lott a
Commissary for taking testimony to be used before
the Board of U.S. Land Commissioners in
said State Thomas McCleary a witness on
behalf of the United States in Case 228 on the
Hooket of said Board, wherein Guillaume
Echeverre Martinez is Claimant and the said
witness being duly sworn on oath deposed in
English as follows to wit

The claimants Counsel is present
Questions by U.S. Land Agent
1st Question. What is your name age
and residence

Answer My name is Thomas McCleary
my age is 44 years my residence Sacramento
County California

2nd Question. Are you acquainted with
the tract of Land claimed by Guillaume E
Martinez on the Cosumnes River if yes, state
the average distance from the Cosumnes River
to Dry Creek, and the average distance from the
lower end of his claim to the foot hills of the
Sierra Nevada Mountains?

Answer I am acquainted
with Martinez's claim there, the average distance
from the Cosumnes River to Dry Creek I do not
know, I was never over there, as to the distance
from the lower end of the claim I can say
I was never up to the foot hills, tho I suppose
they must be 23 or 24 miles from the
lower side of the claim

3rd Question. How many square
Leagues of Land are included within the full
boundary, "On the North the River Cosum-
nes On the the West the Rancho of San Jo-

Anastasio Chaboy, On the South the vicinity of Long Creek, On the East the vicinity of the Sierra Nevada

Answer. I should not be able to tell you, for I do not know where those points are. I have never been to them I am only acquainted with portions of the Ranch on the River

Thomas McCarney
Subscribed and sworn to before
me on this 1st day of June A.D. 1854

Peter Gott Commissioner
In taking testimony &c.

Filed in Office June 1. 1854

Geo. Fisher Secy

Recorded in Ev B Vol 4 p 428

Geo. Fisher Secy

228

C. United States of America
State of California

San Francisco June 29. 1854

This day personally came before Peter Gott a Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State of California a meeting on behalf of Claimant in Case No 228 on the docket of said Board wherein William Eckman & Wm. H. H. is claimant, and said meeting being duly sworn on oath deposed in English as follows to wit

U. S. Land Agent is present

Questions by Counsel for claimant

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

Answer. My name is George F. Wymann my age 35 years, and my residence San Francisco Co. County California.

2^d Question. Are you acquainted with the Hartnell tract of land on the Cosumnes if you, how long have you known it and what do you know about its occupation and cultivation -

Answer. I am acquainted with the tract called the Hartnell claim. I have known it since 1842. It was occupied in the winter of 1844 & 1845 by Jared Sheldon and

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Deposition of
Geo. F. Wymann
WYMAN

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William Dayton as agents of William E. Hartnell, during their tenure I assisted the said Sherman and Dayton in building a canal which was built that season, and in the following Spring 1845 - Hartnell's stock was brought from the lower country and placed on the land, this was about March I think. During that same Spring and Summer an adobe house was built for Hartnell under the direction of his Agents, and also in the Spring of 1845 a piece of some 20 or 30 acres was enclosed by a ditch, and sowed in wheat, and the same season a small piece of some 3 or 4 acres was enclosed by a ditch for a garden spot that was planted in Corn Melons, beans, peas and other garden vegetables, the same season. The same persons occupied the place and cattle watered it till 1846 when I left the Sacramento Valley

3^d. Question. State the boundaries of the claim in question.

Answer. It begins at the point on the Cosumnes, known as the pop to Sultas where the Stockton road passes said River, and runs up the Cosumnes river which bounds it on the North to a certain point called the Black Hills, from thence it ran southerly across Dry Creek (Arroyo de los rios) along the hills which bounded the Rancho on the East, said Dry Creek bounded it on the South, and the West boundary was the Old Sacramento Road which came down and crossed the Cosumnes at the Pop, the place of beginning.

4th. Question. What is the distance from the Cosumnes to Dry Creek, and from the Old Road on the West side of the Rancho to the hills on the East side?

Answer. It is between 5 & 6 miles from the Cosumnes to Dry Creek and from the Old Road on the West side of the Upper End of the Rancho we used to call it 10 miles, in fact the Rancho is among low hills, rolling ground

crop examined by U. S. Survey Agent

1st Question. How do you know that James Sheldon and William Dyer were the agents of said Hartnell?

Answer. Because they told me so.

2nd Question. What were the terms of their Agency?

Answer. I believe they had a share of the increase of the Stock.

3rd Question. Did they not breed the Cows for their own use while taking care of the Stock?

Answer. They did not.

4th Question. What did they breed it for?

Answer. They bred it for the purpose of sheltering Mr Hartnell's Stock.

5th Question. Were they not the same Cattle of which they were to have a share of the increase?

Answer. They were.

6th Question. What had Hartnell to do with the Cow Agency?

Answer. He employed those men I suppose to breed it for him.

7th Question. Had he any other Cattle than such as these men kept for him?

Answer. No.

8th Question. What use then had Hartnell for a Cow?

Answer. To keep his Stock in most undoubtably.

9th Question. What Stock

Answer. Hartnell's Stock, kept by Sheldon and Dyer of which I have spoken.

10th Question. Was the Cow ever used by other persons than Sheldon & Dyer of you, when by whom and for what purpose?

Answer. Yes I saw it used by a young man, who called himself the son of Mr Hartnell, in the summer of 1845 for the purpose of conveying horses - I know of no others using it.

11th Question. In what number of horses

and how long a time did young Hatnell use it
 Answer. He had some 12 or 15 head
 of horses in it when I saw him, and I cannot say
 how long he used it. I saw him or 2 or three
 different occasions using it. It might have been
 every day. But I was there every day. The occasions
 on which I saw him might all have been within
 a period of 8 or 10 days.

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13th Question. Where did you
 reside in the winter of 1844 and 1845-

Answer. On the American Fork
 13th. How often and for what
 length of time were you at the bossums

Answer. I suppose I was on
 there 100 times. I would stay 5 minutes some
 times, sometimes an hour, or all night just as
 it happened, sometimes a week when I was
 at work there?

14th Question. Where did Dayla and
 Sheldon reside at that time?

Answer. They resided on the
 north side of the bossums opposite Hareness
 Ranch

15th Question. Had they any cattle
 of their own if you saw many?

Answer. Yes they had about
 150 head

16th Question. Did not Dayla and
 Sheldon keep the cattle which were driven up
 from below for Hatnell, in the same herd with
 their own?

Answer. No, they did not, they kept
 them ^{on the} opposite side of the river

17th Question. Did they employ sepa-
 rate herdsmen for the two herds

Answer. Yes, one was named
 Salinas, the other was named Robinson Dayla
 was the head herdsman.

18th Question. How do you know
 they kept separate herdsmen and for what
 reason were they so kept?

Answer. They were kept separate for
 the purpose of getting the stock used to their
 places. I know they kept the herdsmen. I knew

have named, because I was there and saw it, but as to their being separate horsemen, I mean they kept the two horsemen, as to their being separate I do not say, sometimes two were on one side of the river and one on the other. Malinas lived on Hartnell's place, but was frequently employed on either side of the river as circumstances required. If an animal straggled across the river, it would be driven back to its own side by one of the horsemen.

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9th. Question, Why do you state that Shelton and Dayton built the house for Hartnell?

Answer. Because they told me that they were building it for him.

10th. Question. Which one of them told you so?

Answer. Shelton and Dayton both told me so at different times.

11th. Question. Which one of them told you first? and state the particulars?

Answer. Mr. Dayton told me he was going to build a house for Mr. Hartnell, before the house was built, that was in the presence of Mr. Robinson at Mr. Dayton's house. Dayton had received a letter from his partner Mr. Shelton from Monterey who had gone down to see about some papers concerning his ranch. I happened to be present when he received it. He told me Dayton in the letter to go on the other side, on Mr. Hartnell's land and put up a house; that led to the conversation, and Dayton told me he was going to build a house for Mr. Hartnell.

12th. Question. When did Shelton tell you he built the house for Hartnell?

Answer. It was soon after his arrival from below. It might have been some 2 or 3 weeks after the conversation at Dayton's, this was before the house was built he told me they were going to build the house for Hartnell. After the house was built he also told me

13th. Question. Was it at either of

those conversations, they told you the boundaries of the Ranch, and why did they describe the boundaries to you?

Answer. It was not at either of them, it was afterwards. I have not stated that they described the boundaries to me before in this deposition that I recollect of, but I now state that Shelam described them to me, he did so because I told him I was going to settle above in a bottom, and he then told me the Ranch belonged to Mrs. Starnell and then described the boundaries to me, to prevent my settling within those boundaries.

14th Question. How do you know he described them correctly?

Answer. I never saw he described them correctly.

15th Question. Have you described all your means of knowledge of the boundaries of said Rancho, if not, what further means of knowledge had you respecting them?

Answer. The only knowledge I had of Starnell's boundaries was from what Shelam told me of them and common report.

16th Question. Did you ever measure the distance from the Cosumnes to Dry Creek, if not, how can you state positively the distance?

Answer. I never measured it - I have rode it several times back and forth and do not pretend to be very positive as to the exact distance.

17th Question. Is the West line of the Ranch, straight or crooked?

Answer. I understand the boundary to be the Stockton Road. It is not perfectly straight nor remarkably crooked but may be called a tolerably direct road.

18th Question. Have you ever been along the Eastern line of Starnell's Claim from the Cosumnes to Dry Creek if you state what constitutes it and its length.

Answer. No. I have never

been along there. I do not know the distance. I have been up the Cosumnes to the Eastern End of the Claim.

29th Question. When did you go there?
Answer. I was up there in the Spring of 1843.

30th Question. What constitutes the Eastern End, and how do you know it is the Eastern End of the Claim?

Answer. The point on the river which I understand to be the Eastern End on the river is a point of a hill which was called the black hill.

31st Question. How far does that black hill extend, and is it not of the same character of rock as the Ranch which you have spoken of as being?

Answer. I do not know how far it extends. It is a rocky brushy hill, and on this it differs from the hills down lower on the same Rancho which are grassy.

32nd Question. How far is it from the house on the West side of the Ranch to the Sierra Nevada Mountains proper?

Answer. I cannot say. I never measured the distance. I never ^{was} ^{near} it. I have no idea of the distance. I have seen the Sierra Nevada at a distance.

33rd Question. Are they less than 100 miles distant from that road?

Answer. I cannot say.

34th Question. Who made the ditch on the Ranch forming the Enclosure of which you have spoken?

Answer. The Inclosure under the Control of Mr. Day.

35th Question. Up to what time did the ditches continue. And where was their location on the Ranch.

Answer. I knew them to be there in 1848. The big fence was ~~there~~ 150 to 200 yards Westward from Starnells House on the river which formed one side of the field the small one was just in front of the house on the river also.

Day's house was near Idarwelles across the river
a little above

Reexamination by Claimant's Counsel

1st Question. Who lived in the house on the
Rancho in question after it was built?

Answer. A man by the name of Salinas
lived in it. And I saw Mr. Idarwelles son there
in the summer of 1845. Salinas was the same
man whom I have mentioned as a herdsman

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G. F. Heyman

Declarated and sworn to before
me on this 2nd day of June A.D. 1854

Peter Lott Commissioner for
Taking testimony &c -

Filed in Office June 2^d 1854

Geo. Fisher Secretary

Recorded in Ev. B Vol 4 p 573

Geo. Fisher Secretary

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Deposition of
Jose Maria
Covarrubias

United States of America }
State of California }
}

San Francisco July 17. 1854

This day personally came before Peter Lott a
Commissioner for taking testimony to be used before
the Board of L. S. Land Commissioners in said
State Jose Maria Covarrubias a citizen on
behalf of the Claimant William E. Hartwell
in Case No. 228. On the docket of said Board
and said witness being sworn deposed as follo
ws

The U. S. Associate Law Agent is present

Questions by Claimant's Counsel

1st Question. What is your name age
and residence

Answer My name is Jose Maria
Covarrubias My age 46 years, residence Santa
Barbara County California:

2^d Question. Do you know the

Rancho Claimed in this case called "Todos Santos" of San Antonio" of your state in what County it is situated and what you know of its Occupation and possession by the claimant

Answer. I know said Rancho

It is in Santa Barbara County California I know that in April 1842 William E. Hartwell sent 500 head of Cattle to occupy the place - he had a house there and a corral and planted some of the Land that same year the Land this Cattle were fenced in, He had an Agent there, Jose Antonio de la Cruz, and a son of said Hartwell who remained sometime on the place with the Cattle. The son remained there about one year, since that time the place has been continuously occupied by Hartwell and his family, one of his sons has lived there most of the time with his family and is now so living there

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3rd Question. Look at the Document filed in this case marked "Doc A J T No 1" annexed to deposition of Manuel Simon de" and particularly at that portion thereof purporting to be the record of Juvenile possession, and describe the place therein called "La Cuchilla Alta del Camino Real de la Cuesta de la Preciosa para San Antonio"?

Answer. This point is a high hill near which the road called "Camino de Todos Santos" passes, this is the road formerly traveled leading from the Mission of Purisima to Monterey

4th Question. Do you know a hill called Los Pinos

Answer. I do know it. It is a grove of pines on a hill, it is the boundary of the Rancho Todos Santos -

5th Question. Do you know a place called el Bananco y San Marcos near the Old Corral?

Answer. I know the place so called it is embraced in the Rancho of

San Antonio

Jose Ma. Cavarellias

Subscribed and sworn to before me on this 17th day of July AD 1854

Peter Lotz Commr. &c

Filed in Office July 17. 1854

Geo. Fisher Secy

Recorded in Ev B Vol 5 p 171

Geo. Fisher Secy

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Deposited of
Jno. P Rhoades

United States of America
State of California

San Francisco June 20. 1854

This day personally came before Peter Lotz a Commissioner for taking testimony to be used before the Board of U.S. Land Commissioners in said State, John P Rhoades, a witness on behalf of the Claimant in Case No. 228 on the docket of said Board wherein William E Stairnell is Claimant and said witness being duly sworn on oath testified in English as follows:

The U. S. Law Agent is present.

Questions by Claimant's Counsel

1. Question. What is your name age and residence?

Answer. My name is John P Rhoades my age 35 years, my residence Sacramento recently California.

2^d Question. Are you acquainted with the tract of land on the Resumption was claimed by William E P Stairnell opposite the Sheldon grant, if you, state all you know about the Occupation and Cultivation.

Answer. I am acquainted with the tract mentioned, called the Stairnell claim. I came into that settlement the first of October 1846, and about a month after that, I became acquainted with this tract. I moved at that time on to the land known as the Sheldon grant directly opposite where Mr. Stairnell's agent lived. Shortly afterwards moved about a mile below on another part

another part of the Sheldon grant, where I have

another part of the Sheldon grant, where I have
 been ever since. When I got there and first
 became acquainted I found the Hartnell
 place occupied by a man named Solino or
 Solenas, who was attending to the stock and
 cattle along the canal. He was living in an
 adobe house on the place. He had a corral
 a garden enclosed near the house and a
 piece of about 100 acres enclosed by a
 ditch and the river on one side. The garden
 and fields were both in cultivation when I got
 there. The fields was sowed in wheat, the
 stubble was there and the crop thrashed,
 when I got in. He raised a variety of vegetables
 indeed he raised more than any other man in
 the County at that time, kept the better
 place and horses.

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The place had been cultivated
 twice two seasons, as the crops on hand and
 the stubble plainly showed.

The place was worked by Indians, in Salinas' ^{or}
 employ, and sometimes as many as 200 or
 300.

The stock on the place was composed
 of some 300 head of horses and mares alto-
 gether and from 300 to 500 head of cattle
 He had from 50 to 100 head of sheep and
 some hogs. I do not know the number of
 head of sheep or hogs.

The original stock was
 on Hartnells, furnished by him. Solino or
 Solenas was Hartnells tenant and got a
 portion. I think one half of the increase of the
 stock and a share of the crops what propor-
 tion I do not know.

Mr Hartnell and his son
 were both on the place at different times of that
 season. I do not know what has become of
 Solenas, he went to the lower country and I
 have heard that he is dead but do not
 know the fact.

Crop Examined by U. S. Law Agent
 Deestem. How do you know
 that Solenas was Hartnells agent or tenant

Answer. I know it from hearing them both say so and by their clearing the stock and proceeds of the farm, each one getting and disposing of his share.

Q^d Testem. On what occasion have you known such answer to the place?

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Answer. I am not certain as to the time but it was either in the fall of 1848 or the spring of 1849. Mr Hartnell came up to see about it and afterwards sent his son up to receive and dispose of his, and my brother in Law William Dayton and Isaac Sheldon purchased most of the stock from both Hartnell and Solenas after answer. There was not much grain to answer it being chiefly consumed by the huns on the place. Isaac Dayton and Sheldon are both since deceased.

John P Rhodes

Subscribed and sworn to before me on this 10th day of June A.D. 1854

Peter Gott Commissioner

giving testimony &c

Filed in Office June 10th 1854

Geo. Fisher Secy

Recorded in Ev. B Vol 4 p 612

Geo. Fisher Secy

Deposition of
Jno. Parker

United States Land Commission
San Francisco June 10th 1854

On this day before Commissioner Alpheus Felch came John Parker a citizen in behalf of the United States in case No 228 in which Georlamo Esdevado Hartnell is claimant, who after being duly sworn deposed as follows

Testem by Mr. McKee Land Agent

Q^d Testem. Please state your name age and place of residence?

Answer. My name is John Parker my age twenty nine years and I reside in Sacramento County California on the Cosumnes river

2nd Question. Are you acquainted with the Rancho sometimes called Hartnells Claim situated on the South side of Cosumnes River opposite the house formerly occupied by William Taylor, if you, how long have you known it, what was its condition as to the occupancy and the character of the occupancy? State the particulars.

Answer. I am acquainted with that Rancho and have known it, and since sometime in the month of August A.D. 1846 - at that time a man by the name of Solenas lived on it. He lived in an adobe house, but had no family, he had a small corral on the place, and some cattle and horses which were branded "J S" and which he claimed as his own. There was a small garden fenced in near the house and between the house and the river it was enclosed with brush fence and contained about two acres of land. He had water melons a little corn and some peas growing on it - There was also on the place a small field of about eight or ten acres, in which there was some wheat growing. It was enclosed by a small ditch, but it was so small that a person could ride over it. Solenas died all the world on the Rancho with the assent of some Mexicans and claimed the Rancho as his own.

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3rd Question. Do you know where Mr Hartnell lived from 1844 to 1846? and did he ever live on the Rancho above mentioned?

Answer. He never lived on that Rancho to my knowledge. He lived in Monterey from 1844 to 1847 to my knowledge.

4th Question. What is the average distance from the Cosumnes to Dry Creek and from the Old pass to Sutter's to the foot hills of the Sierra Nevada Mountains at the place where this Rancho is situated?

Answer. I will average fourteen to sixteen miles from the Cosumnes to Dry Creek at that place; and from the Old pass to Sutter's

it is somewhere in the neighborhood of forty miles to the foot hills of the Sierra Nevada

John Purkin

Subscribed & sworn to before me this twenty sixth day of June A.D. 1850

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Mr. Peachy attended to the taking of this deposition but procured no interrogatories to the witness
Alpheus Felch Commissioner
Filed in Office June 26. 1854.

Geo. Fisha Secy

Recorded in Ev. B Vol 4 p 673 & 674

Geo. Fisha Secy

Copy of dep of Wm. E. P. Hartnell

Before the District Court of the Sixth Judicial Dist.

William H. Allison

vs
John H. Pascoe

Examination of William E. P. Hartnell

a witness on the part of the plaintiff taken by Counsel of the Plaintiff and Defendant, before Richard H. Stanley a Notary Public in and for the County of Sacramento at his Office in the City of Sacramento on the thirteenth day of July A.D. 1853 at 9 o'clock A.M. at which Examination I Aldrich one of the Attorneys for Plaintiff attended and J. H. McKane City Attorney on the part of the Defendant

William E. P. Hartnell being first duly sworn testified as follows

Exhibit A

That I am a witness who testified it is a correct & true copy of an Original grant or concession of land made to him by the Mexican Government at the time which it bears date that the signatures attached to the Original are genuine signatures, that he is very familiar with the hand writing of both of them, that the Original grant was placed in the hands of Messrs. Peachy and Billings his attorneys at San Francisco

for the purpose of taking proceedings to procure the confirmation of the same before the Commissioners appointed by the Government of the United States, and that it is either in their hands, or on file among the papers before the Commissioners, some time during the year 1845 the latter part of which I took possession of the Land described in the grant, by sending a man there by the name of Shelton, with some two hundred head of Cattle.

He built a corral there for the cattle and an adobe house which now goes by the name of Salinas. The corral was built for me under an agreement with Shelton that it should belong to me.

Shelton kept possession there from that time until sometime after the year was discontinued in the State, two or three years, and then it was so hard to keep the cattle that I was obliged to sell them off.

I took possession under the grant and intended to avail myself of its privileges. I conveyed by deed a portion of the Land mentioned in the grant to plaintiff on the 2nd day of August A.D. 1850, and another conveyance in the year 1863.

A map marked "Exhibit B" shown to me, says that it is a correct copy of the map which accompanies his petition for the same spoken of above and that it was intended to designate the Land for which the grant was sought, that the point marked Rancho Don Hartness was intended to designate the Land which petitioner desired to have granted him, that this map accompanied the petition and was presented with it.

There is a difference between the original grant and the copy "Exhibit A" in this, that the former is made up of several pieces of the first class of the value of eight dollars, which does not appear upon this copy, that is no difference in the grant itself or in the language or words

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Crop Examination

I am an Englishman, I arrived in this country in the year 1833. I don't recollect the Lances as created in this grant until 1847 personally.

From 1833 to 1838 I was a merchant

Since 1838 I have been employed in several offices of the Mexican Government Inspector General of the Mining at Monterey Acting Alcalde at Monterey, at the time the grant was made I don't recollect what business I was engaged in. I have lived at Monterey since 1838.

The consideration of the grant was nothing at all, save a few dollars the amount for the papers, I mean that I paid no money for the grant. I have never seen the Lances described in the grant at the time it was made, nor for more than two years afterwards.

I am now a citizen of the United States by treaty. I was not a citizen under the Mexican Govt. before Echegaray's Government & Commandant General in the year 1836 or thereabouts.

The form was to renounce all allegiance to the British Crown. The record was kept in the Archives of the Government at Mexico.

By my agent I took possession of the grant the latter part of the year 1845. He built a Corral and gave me several head of Cattle therefor, and allowed Solenas an adobe house with the understanding that it should belong to me. I know that it was built on these terms from Solenas himself. It was built opposite Sheldon's Mill below Dayford there is all the improvement put on by me.

The corral covered less than an acre. I can't tell precise number of acres it was capable of containing. It was capable of containing 5 or 600 head of cattle.

The corral was built above Dayford's house on the opposite side of the river. It was nearly opposite the old house occupied by Dayford

and Sheldon's Ranch granted him by
Mehettoreno.

The first time I went on the land
I tried there one night. I never had a decision
paper from I never asked for it. I had the farm
surveyed by W. J. Shannon Surveyor United
States Army, the survey is on Records of
Sacramento County. He surveyed it according
to grant and information from the neighboring
land holders. I possessed it done and paid
for it myself.

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I gave the surveyor certified
copies of the grant in the neighborhood
and did not see him survey it or give him
instructions.

I never asked any Magistrate to
designate the boundaries. I never placed any
marks on the land before the 7th July 1846
and none have been placed there since except
by the surveyor.

The cattle belonged to me &
were driven up at my direction from my
farm in the lower country and kept there
by Sheldon for me for several years
until after the horse was discovered and
then I was forced to sell them as thieves were
stealing them. The cattle were kept on that
part of the grant now occupied by Nelson
and Austin.

I don't know whether Sheldon ever
had a decision paper from of his ranch. I don't
know that it was marked out by an officer.

Without knowing Sheldon's
Ranch and boundaries of same I do not
know that there were any natural bounda-
ries. I should not know by the description
in my grant, to locate the same I would
not know on the East nor South where
to start.

Before the grant taken I took
no other steps than to send in my petition.

I presented two grants to the
departmental assembly. One for 5 and this
fall I acquiesced, for their approval, they approved

Eleon Leagues and gave me choice where to locate it. I have not given any decision for the choice of the same. I am prosecuting a claim before the same Commissions for the whole of the Leagues. I intend to disregard the appeal and prosecute for the whole if I can get.

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The 5 League grant is in Santa Barbara County. I made the map (marked Exhibit A) at the time of my petition. I made it from a rough sketch I found at Monterey. I believe the sketch was made by Braswell.

The map is a few miles of the original map made by me in 1844 and is now in the Archives of the United States. The original map is now attached to the petition before the same Commissions appointed by the United States, at in the Archives.

I have my Santa Barbara name at the time I applied for the Cosumnes grant. When I put in my petition I was under the impression there no Grants were made more than Eleon Leagues but subsequently changed my mind.

Mr. Chittenden pointed me the Eleon Leagues knowing at the same time that I have the five league grant in Santa Barbara County.

I never have any of my family residing on the Cosumnes grant. I got the grant for the purpose of speculation.

Re. direct, when I speak of not having selected the Eleon Leagues, I mean that I have not selected the whole on the Cosumnes.

I have selected three portions one on the Cosumnes these I have conveyed to Wells, and others. I have not ^{yet} determined how many leagues to retain in Santa Barbara.

I have selected them in my own conscience and by my acts in conveying the same to these parties.

Papers shown to me marked "Exhibits C D & E" says they are true copies of the original petition and Report of the Secretary Now before the Board of Land Commissioners and the signatures are genuine are true copies of the originals - The course of action of the game as set forth in my petition and my being the head of a large family and old residence of the county, and to see if the price of my family is what I mean for by getting it for speculation

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W. E. P. Hartnell

Witnessed & sworn to before me
this 13th day of July 1853

R. S. Sturtevant
Notary Public
Sac. Co.

State of California }
County of Sacramento }

I Abner L. Hunt Clerk of the District Court in and for the said County, having carefully the within and foregoing to be a true copy of the Original deposition on file with the papers in said case of Wilson vs Pascal & heirs in my office.

Witnessed under my hand and seal of said County this 5th day of May 1854

Abner L. Hunt Clerk
By L. L. Cox Deputy

Filed in office July 20. 1854

Geo. Foshay Secy

PRICE _____
_____ 20

30
Collegiate copy
of Mr E P Hartnell
deposition

Before the District Court of the Sixth Judicial
District
William H. Nelson
vs
John St. Pascal and
Recharre Lewis

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Examination of William H. Nelson
said E P Hartnell a witness on the part of
petitioner taken by consent of the attorneys
for both sides before Recharre St
Stanley a Notary Public in and for the
County of Sacramento at his Office in the City
of Sacramento on the thirteenth day of July
A.D. 1853 at 9 o'clock A.M. at which
Examination S. Aldrich one of the attorneys
for petitioner attended and J. H. McKee
Att. attended on the part of defendants

Mr. E. P. Hartnell being first duly sworn
testified as follows:

That he is familiar with the paper marked "Exhibit
A." shown to him, who testified it is a true
correct and true copy of an original grant
or concession of land made to him by the
Mexican Government, at the time which
it bears date - that the signatures attached
to the Original are genuine signatures -
That he is familiar with the hand writing
of both of them - That the Original grant
was placed in the hands of Messrs Hall
and Peckham & Billings his attorneys at San
Francisco for the purpose of taking proce-
dings to procure the confirmation of same
before the Commissioners appointed by the
Government of the United States that it
is either in their hands or on file among
the papers before the Commissioners

Sometime during the
year 1845 the latter part I believe I took
possession of the Land described in the
grant by sending a man there by the name
of Sheldon with some two hundred head
of Cattle. He built a corral there for the
Cattle and an Adobe house, which now

goes by the name of Solenas. the Concord was
beetle for me, and the house was beetle
by Solenas under our agreement with Shel-
don, that it should belong to me —
Sheldon kept possession there from that time
until sometime after the gold was discovered
in this State, Over two years and then it
was so hard to keep the Cattle that I was
obliged to sell them off. I took possession
under this grant and intended to avail
myself of its privileges.

I conveyed by deed
a portion of the Land mentioned in the grant
to plaintiff on the 2^d day of August 1850,
and another conveyance in the year
1853.

A map marked "Exhibit B" shown
plaintiff, says it is a correct copy of the
map which accompanied his petition for
the grant spoken of above, and that it was
intended to designate the Land for which
the grant was sought. that the part
marked "Rancho Don Saturne" was inten-
ded to designate the Land which petitioner
desired to have granted him. that his map
accompanied the petition and was presented
with it.

Proof Examination

I am an Englishman, I arrived in this country
in the year 1832. I don't visit the land dis-
cussed in this grant until 1847 personally —
from 1832 to 1838 I was a merchant. Since
1838 I have been employed in several offices
under the Mexican Government. Inspector
General of the Mines, Inspector of Customs
at Monterey, Acting Alcalde at Monterey —
at times grant was issued made I don't
recollect what trade of business I was
engaged in.

I have resided at Monterey since
1832. The consideration of the grant was
nothing at all piece Eight dollars the
amount of the paper. I mean, I paid no
money for the grant —

H1

I had never seen the Land described in the Grant at the time it was made - Nor for more than two years afterwards -

I am now a Citizen of the United States by Treaty. I was naturalized under the Mexican Government before Eschamuse's Guernon Commandante General in the year 1826 on these objects. The form was to renounce allegiance to the British Crown. The Record was kept in the Archives of the Government, they were therein when I delivered up the Archives to the Government at Mexico

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By my agent I took possession of grant the latter part of year 1845. He built built a Corral and drove 200 head of Cattle thereon for me and allowed Solenas to build an Adobe house with the understanding that it should belong to me. I know that it was built on those terms from Solenas himself. It was built opposite Shelton's Mill below Daylor's that is all the improvement put on by me

The Corral covered less than an acre. I can't tell precise number of acres, it was capable of containing 5 or 600 head of Cattle. The Corral was built above Daylor's house on the opposite side of the river. It was nearly opposite the other house occupied by Daylor on Shelton's Ranch granted him by Micheltreney. The first time I went on the Land I stated there one Negro. I never had I received possession. I never asked for it. I had the land surveyed by Lt J Sherman Surveyor United States Army. The Survey is on Records of Sacramento County. He surveyed it according to the grant and from information from the neighboring Land holders. I received it alone and paid for it myself. I gave the Surveyor certified copies of the Grant and other grants in the neighborhood and did not see him survey it or give him instructions. I never asked any Magistrate

to designate the boundaries. I never placed
 Lane marks on the grant before the Seventh
 July 1846 and none have been placed there
 since except by the Surveyor.

The Cattle belonged
 to me and were driven up at my direction from
 my farm in the lower Country and kept there
 by Sheldon for me a period of two years and
 until after Golos was discovered, and then
 I was forced to sell them as parties were
 stealing them. The Cattle were kept on the
 part of the grant now occupied by Nelson
 Jackson. I don't know whether Sheldon ever
 had judicial possession of his Ranch. I don't
 know that it was marked out by any
 Officer.

Without knowing Sheldon's Rancho
 and the boundaries of the same I don't know
 that they were only natural boundaries -
 I should not know by the description in any
 my grant to locate the Land. I would
 not know on the East or the South where
 to start from to bound the Land.
 Before the grant was taken I took no other
 steps than to send in my petition -
 I presented two grants to the Departmental
 Assembly. One for 5 and this for 11 leagues
 for their approval - they approved them
 leagues and gave me my choice where to
 locate it - I have not given any decision
 for the choice of the same.

I am prosecuting
 claim before the Land Commisarios for the
 whole 11 leagues. I intend to disregard the
 approval and prosecute for the whole of,
 I can get the 5 leagues grant in Santa Barbara

I made the Map (Mapa Exhibito
 B) at the time of my petition. I made it from
 a rough sketch I formed at Monterey.
 I believe the sketch was made by Brasall
 The Map is a fac simile of the Original
 map made by me in 1844 and is now in
 the Archives of the United States -
 The Original Map is now attached to the

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MAGE

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petition before the Land Commissioners approved by the Venetian States or in the Archduke I had my Santa Barbara Grant at the I applied for the Cosumnes Grant. When I put in my petition I was under the impression that no Governor could grant more than 11 leagues, but subsequently changed my mind Micheltorena granted me the Eleven Leagues knowing at the same time I had the five leagues grant in Santa Barbara County. I never had any of my family residing on the Cosumnes Grant. I got the grant for the purpose of speculation

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Re-direct, When I speak of not having selected the Eleven Leagues I mean the whole on the Cosumnes. I have selected those portions on the Cosumnes Area that I have conveyed to Nelson & others. I have not yet determined how many leagues to retain in Santa Barbara County. I have selected them in my own conscience, and by my acts in conveying the same to those respective parties

Papers shown Nelson marked "Exhibit A & B" says they are true copies of the original petition & Report of the Secretary now before the Board of Land Commissioners and the signatures are fac similis of the originals

The Consideration of the grant was as set forth in my petition, and my being the head of a large family and an Old resident of the County, and to see it for the good of my family is what I mean by getting it for speculation

M. E. P. Haines

Subscribed & sworn to before me this 13th day of July 1853 Witness my hand and Official Seal

Seal

A. H. Stanley Notary Public Sac. Co

44

State of California }
County of Sacramento } ss

I A. L. S. Clerk of the District Court
in and for said County hereby certify the
within and foregoing to be a true copy
of the Original Deposition on file in my
Office -

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Given under my hand and Seal
of Court of said Office in
Sacramento City this 7th day of
July 1854

A. L. S. Clerk of the Court
By L. L. L. Clerk

Filed in Office July 10. 1854

Geo. Fisher Secy

45-

1.

Expediente

Promovido por Don Guillermo Hartwell

En pretencion de Un Terreno por el
Sacramento.

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419

2. Sello Cuarto Dos Reales:

Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco
Micheltoena Pablo de la Guena

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Como Sr.

Guillermo Eduardo Hartwell

Mexicano por naturalizacion Monterey Nov. 2 radicado en este Territorio ha de 1844. Inf. } ee mas de veinte y dos años en el S. D. del des} rado con hija del pais de quien pacho teniendole } he tenido diez y siete hijos; en presente lo necesi } te V. C. con el mayor respeto com rio al efecto. } paseso y digo. Que deseando Micheltoena } proveer con tiempo al Establi-

cimiento de mi numerosa familia y sabiendo que en las inmediaciones del Rio de los Cosumenes se halla un terreno Valdiva de bastante amplitud, suplico a V. C. tenga la bondad de concederme el maximum que permite la ley, a saber once leguas cuadradas entendiendose que sus linderos deben ser por el Norte el Rio de los Cosumenes en frente del Rancho del Sr. Sheldon, por el poniente el Rancho del Sr. Anastasio de la Cruz por el sur las inmediaciones del Arroyo de las Uvas y por el Oriente las de la Sierra Nevada segun explica el disen. que acompaño. P. S. a V. C. suplico se sirva decretar como llevo pedido por ser de justicia por lo tanto no procedo de malicia y lo necesito.

Monterey 2 de Noviembre de 1844
Guillermo Edo. Hartwell

Como Sr.

La persona que represente la presente instancia es acreedor a que se le atienda la peticion que solicita por ser veridico lo que manifiesta en su solicitud, tanto por los meritos que ha contraido en el pais como por hallarse el terreno Valdiva en estado de

47
poderse conceder.

Monterey, Pta. ut supra
Manuel Jimeno

4. E. C. Manuel Micheltona General de Brigada del Ejército Mexicano, Ayudante General de la Plaza Mayor del mismo Gobernador, Comandante General e Inspector del Departamento de California. Por cuanto D.

Guill. Ed. Hartcell mexicano por naturalización ha pretendido para su beneficio personal y el de su familia un terreno de la extensión de Once leguas cuadradas colindante por el Norte con el Rio de los Cosummes en frente del Rancho de D^r Joaquin Oheldon, por el poniente con el Rancho del señor Anastasio Chabolla por el sur con las inmediaciones del Ancho de las Uvas y por el Oriente con las de la Sierra Nevada practicadas previamente las diligencias y averiguaciones correspondientes según lo dispuesto por leyes y Reglamentos usando de las facultades que me son conferidas en nombre de la Nación Mexicana he venido en concederle el terreno mencionado declarándole la propiedad de él por las presentes letras sujetando se a la aprobación de la Exma. Asamblea Departamental y bajo las condiciones siguientes.

1^a Podrá ser usado sin perjudicar las haciendas caminos y eridumbres; lo disfrutará libre y exclusivamente destinado al uso y cultivo que mas le acomode. pero dentro de un año fabricará casa y estará habitada.

2^a Solicitará del juez respectivo que le de la posesión jurídica en virtud de este despacho por el cual se demarcarán los linderos en cuyos límites pondrá a mas de las mojoneras algunos árboles frutales o silvestres de alguna utilidad.

3^a El terreno de que se hace donación es de Once sitios de ganado mayor. El juez que diere la posesión lo hará medir conforme a Ordenanza quedando el sobrante que resulte para los usos que a la Estacion le convengan

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Espect.
continued

4^o Si contraviniere a estas condiciones per-
-diera su derecho al terreno y sera denuncia-
ble por otro.

En consecuencia mandof.
se le entregare de titulo el presente y teniendo
se por firme y Valido de tomo, razon de el
en el libro respectivo y se entregue al intere-
sado para su esquilado y demas fines.
Dado en Monterrey este dia tres de el mes de
de mil Ocho Cientos cuarenta y cuatro.

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Queda tomada razon de este Despacho en
el libro respectivo a folios. 18.

Angelos Mayo 16 de 1846.

Dado cuenta en sesion de hoy a la Honora-
ble Asamblea con este Expediente, se me mando
pasar a la comision de terrenos baldios.

Bu. pro. presdt.

Agustin Olvera Seco.

Con fha 13 de Abril del presente año se unio
el Dictamen de este Espdt. al de todos
los y O. Ant. p. las razones of. alli espues
la comision of. anota p. con otancia a
O. Anguillo.

8.

Here follows
Map

1044

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Office of Surveyor General of the United States for California

I, John C. Hayes, Surveyor General of the United States for the State of California, and as such having in my Office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, by virtue of the power vested in me by law, do hereby certify that the 8 preceding and hereunto annexed pages of tracing paper, numbered from One to Eight inclusive exhibit a true and accurate copy of a certain document now on file and forming a part of the said Archives in this Office

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Geo^d 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 twenty first day of February 1854

John C. Hayes

U. S. Surveyor General for California

Filed in Office Feb^y 25th 1854

Geo. ^W Fisher Clerk

1908

...

Translation of
Espediente
"Cosumnes"

J

Most Excellent Sir

William Edwards Starnes

a Mexican by Naturalization, a native of this Territory for more than twenty two years married to a daughter of the country by whom I have had sixteen children, with the gravest respect appear before your Excellency and say that wishing to provide in time for the Establishment of my numerous family and knowing that in the vicinity of the area Cosumnes there is a vacant tract of land of considerable extent I request that your Excellency will have the goodness to grant me the maximum which the laws allow to wit: Eleven square leagues, it being understood that the boundaries be on the North the River Cosumnes in front of the Rancho of Mr. Sheldon on the West the Rancho of Srna Anastasio Lehuayo, on the South the vicinity of Dry Creek (Cerro de los Arboles) on the East the vicinity of the Sierra Nevada appears by the plot which accompany

I therefore request that your Excellency will be pleased to decree as I implore being justice, protesting not to act through malice or that which is necessary

Monterey 2^o November 1844

(Signed) Wm Edwards Starnes

Monterey November 2^o 1844

The Government Secretary will repeat bearing in mind that which is necessary to the effect

(Signed) Mechellena

Most Excellent Sir

The person who represents the present petition is entitled to be attended to, in the favor which he solicits it being true what he manifests in his petition as well for the more which he has acquired in the country as because the land asked for is vacant and in a state to be granted

Monterey date as above

Signed Manuel Jimeno

Here follows a Copy of the Title

Angeles March 16th 1846

This Expediente having
been laid before the Honorable Assembly in
to-day's Session, it was Ordered to be referred
to the Committee on Account of Lands

(Signed) P. Pico

Signed Oleva Secretary

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On the 13th of April of the present year the
report on the Expediente was united to that
of Socos Santos and San Antonio for the
reasons therein expressed by the Committee
which I note in testimony

Signed J. Arceles

Filed in Office May 12th 1850

Geo. Fisher

Secy

Expediente

Promovido por Dⁿ Guillermo Edwards

Hartwell en solicitud del parage llama-
do " ^u Todos Santos "

" ^u Todos Santos "

1841

Numero 252.

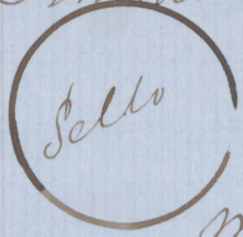
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2. Sello tercero Dos Reales:

Habilitado provisionalmente por la Aduana man-
ma del puerto de Monterey en el Departam^{to}
de las Californias, para los años de mil ochocientos
cuarenta y mil ochocientos cuarenta y uno
J. Menis Antonio Maria Osio

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Excmo Señor

Guillermo Eduardo Hartwell con el
mayor respeto ante V. C. comparece y
Monterey 29 Junio dice: Que teniendo una fe
1841. puse esta misma milia muy numerosa y
era à informe del mayor presente en la actual
y como encargado de la ciudad mayor seguridad
de la Misión de Sta. Ana para la era de ganadería
Dnes p^o: que informe por; el paraje que à la ley
si el terreno que se ocupa llamado el Patrocinio
existe de halla Valdivia, à causa de los robos
y en Estado de adpu continuos que desde mu-
dicarse en propiedad cho tiempo a has se estan
al interesado y si esta hacienda se ve en la preci-
consecion no resultara sin de solicitav de la
en perjuicio notorio de fecondad de V. C. le conee
la mision inmediata de otro sitio competente
de la purissima à la para mantener con de cencia
que ha pertenecido y con seguridad en otra
el paraje mencionado dilatada familia; y ten-
Alvarado.iendo noticia que en las
inmediaciones de la Misión

de la Purissima he usado sitio apropiado para
sus muras llamado Los Santos (cuyo dise-
ño acompaña) que hace mucho tiempo se ha
considerado como Valdivia; pues de algunos años
à esta parte el uso que ha hecho la
Misión del paraje en cuestion ha sido mas
sin necesidad) para mantener al finca que
esta manada de Caballada, pues es notorio
que no se ha ocupado en mucho tiempo ni
para hombres ni para era de ganados Vacuno
ni tiene ahora necesidad alguna de Cow-
parlo: por este motivo me liorongo que previa
los informes que estime conveniente tomar
no tendrá V. C. embargo al finca en conee-
derme lo puesto que con otra consecion en

Exped^{to}.

nada se perjudicaran los intereses de la Misión a que pertenese.

Por tanto V. U. E. en dichos suplicas se sirva decretar favorablemente a esta mi solicitud con lo que recibire merced y gracia; protestando no prosedea de malicia y lo necesario.

Monterey 23 de Junio de 1821.

Guillermo Edo. Hartwell

El paraje llamado Los Santos pertenece etc. a la purisima por quien devo informar estoy satisfecho, se halla Valcayo pues dicha Misión no tiene ningunos bienes y si se que no hay esta una Membrada; esto es lo que devo decir sobre

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4) el particular - Donta (Dello terceros dos Reales. Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey en el Departamento de las Californias, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno

Imeno # Antonio Maria Osio

Sello Ines. Agosto 10 de 1841
Mig. Lardero

5) Dello: Terceros Dos Reales Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno

Imeno Antonio M^a Osio

Sello Como Señor Guillermo Edo. Hartwell con el debido Respeto ante V. U. comparecer dice: Que despues de haber presentado a V. U. la Monterey 28 de mayo en que hee en 23 de 1821. como lo hee junio de este año sobre el paraje de esta parte del cerro de todos Santos, ha sabido volverse el cerro que dicho paraje es muy insignificante para que sea importante por si solo pero que por me el dicho con la ayuda del Remedio abencomplandolo en la zona de San Antonio que los terminos que esta situado en su inmediata necesidad. con forma ya un sitio de Alveorado

de alguna consideracion; en cuyo concepto su plica a V. C. tenga la bondad de devolverle el diseño que tiene presentado para reformarla a prefuncion de otro Rancho de San Antonio en la persuacion que merecia de su bondad el favor de que se le de el titulo de todo el terreno conocido por de Todos Santos y de San Antonio, ampliando el ultimo paraje hasta la playa. P. G. A. V. C. encarecidamente mejo, se sirva decretar como tengo pedido con lo que se libre merced y gracia protestando no proceder de malicia y lo necesario.

Monterey 28 de Agosto de 1821
Guill. Ed. Hartwell

Monterey Agosto 28 de 1821.
Vista la peticion con que da principio este esped. en informe del encargado del Establimt. de Santa Ines con todo lo demas que se tubo prest. y ver conrrio, de conformidad con las leyes y Reylamentos de la Matena, declaro a D. Guillermo Beluardo Hartwell, dueño en propiedad del paraje conocido con el nombre de Todos Santos unido con el de San Antonio, colindante al O. con las Alamos, al N. con la Playa de San Ant. al E. con la cuesta de la purissima y al N. con el Llano de la Larga. Lhe el correspondt. despachos, tomese razon en el Libro respectivo y div. yase este Espect. a lo Boema Junta Departam. para su aprovacion. El O. D. Juan B. Alvarado Gobernador del Departamento de las Californias asi lo mando, decreto y firmo de que doy fei
Alvarado

Here follows,
Map

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San Angeles Mayo 16 de 1846

9. Dado cuenta en sesion de hoy a la Honorable Asamblea con este expediente se mando pasar a la Comision de Terrenos Baldios.

Rio San Presdt.

Agustin Olvera Div.

Expedte.
continued

Como Senor

La Comision de terrenos Baldios se ha impuesto con detenimiento al presente Expedte. porovido p^o el Mexicano p^o naturalizacion D. Guillermo E. Hartwell relativo al pago de los Santos y S. Antonio que le fue concedido p^o el Gobierno Departamental con fecha 28 de Ayl^o de 1841 segun consta en el Ultimo Decreto y en el of. no consta los otros que le fueron concedidos.

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Por otra parte le parece conveniente a la Comision hacer referencia en este Dictamen que se le ha pasado otro Expedte. que ha examinado igualmente y en el of. advierte se le concedio a otro Sr. Hartwell p^o el Gob^o Departamental con fecha 3 de Feb^o de 1844. en el Rio de los Cosmenes on 9 sitios de Ganado Mayor: permitame por lo Espuesto V. Ce una en este dictamen los dos expedientes marcados N^o 252 y 219 para la mejor intelligenca y q^o como la comision entiende of. el Maxim^o que permite la ley son once sitios los of. tiene concedidos el interesado en el Rio citado de los Cosmenes p^o el Sacramento se encuentra of. no sabe los of. tendra concedidos en Todos Santos y S. Antonio unidos para poder examinar lo conveniente en este concepto pone a la deliberacion a V. C. las siguientes proposiciones.

1^a Que por el conducto Respectivo rep^o de Sr. Hartwell el titulo de concesion del pago de Todos Santos y S. Antonio p^o para los sitios que en este termino le concedio el Gobierno Departamental.

2^a Que en contralose se le concedio igualmente en el Rio de los Cosmenes p^o el Sacramento Once sitios de ganado mayor, mas unum of. concede la ley. la H. Asamblea

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solo puede aprobar lo que esta dispone: para que a Vista de este acuerdo solicite el intere sado el que le parezca mas convenientemente.
Sala de de Secciones, Comisiones en la Ciudad de los Angeles Abril 13 de 1846.

J. Anjiello

Angeles Abril 22 de 1846

La Exma Asamblea Departamen tal en sesion de hoy, aprobo las dos proposici ones del precedente dictamen de la Comision respectiva.

Propio
Agustin Olvera. D. D.

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

I, John C. Hays Surveyor Ge neral of the United States for the State of California, and as such, having in my Office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California by Virtue of the power vested in me by Law Do hereby Certify that the 11 preceding and hereunto annexed pages of tracing paper numbered from One to Eleven inclusive exhibit a true and accurate copy of a certain Document now on file and forming part of the said Archives in this Office.

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 Cal. This twenty first day of February 1854.

John C. Hays.
U. S. Survey Genl for California

Filed in Office Febry. 25. 1854

Geo. Fisher Secy

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Translation of
Expediente

Most Excellent Sir

William Edward Martineau

José Santos of
San Antonio

H

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with the greatest respect appears before your
Excellency and says: I have a very numerous
and family, and the place which he at present
occupies called Patroceno not now presenting suffi-
cient security for the breeding of cattle, on account
of the continual robberies which for a long time past
having been taken place, he forces himself under
the necessity of requesting that your Excellency
would have the goodness to grant him another
convenient spot whereon to maintain with securi-
ty and safety his said numerous family, and
being informed that in the vicinity of the Mission
of La Purissima there is a place adapted to his
views called "Los Santos" (the plot which
accompanies) which for a long time past has
been considered as vacant, since for some years
past the only use which the Mission has made
of the place in question has been (and that with
due necessity) for keeping one or two herds of
breeding cattle males, and it is notorious that
it has not been occupied for a long time neither
for agricultural purposes nor for breeding any cattle

I therefore flatter myself
that after your Excellency makes the necessary inqu-
ries, you will have no objection to grant it to
me, since by so doing the interest of the Mission
to which it belongs will not in any way be
injured

I therefore humbly request that Y. Ex.
will be pleased to give a favorable decree to this
my petition; whereby I shall receive a great
comfort, protesting not to act through malice
and that which is necessary -

Monterey 23rd June 1841

(Signed) William Edward Martineau

Monterey June 23rd 1841

This petition is referred to be
reported upon by the Major Alamo in Charge of the
Mission of Santa Ynez in order that he may
inform whether the same asked for be considered
feasible and in a situation to be adjudicated in

ownership to the party interested and whether
 this point will not materially injure the
 neighboring Mission of La Purisima to which
 the Land mentioned belongs
 (Signed) Alvarado

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The place called Socos Santos belongs to the
 Mission of La Purisima in relation to which
 I must say that I am satisfied that it is
 entirely unoccupied, since said Mission has
 no Cattle (bees) except one drove of breeding
 mares - this is what I have to say on the subject
 Santa Fe August 10th 1841
 (Signed) Miguel Lerdo

Most Excellent Sir.

William Eckwood Starnell with
 due respect appears before your Excellency and says
 that after having presented to Y. Ex.
 the petition which he made on the 23rd of June
 of this year respecting the place of Socos Santos
 he has learned that said place alone is very
 insignificant, but that the help of the abunden-
 ce Rancho of San Antonio which is situated in
 its vicinity, it would form a place of some consi-
 deration; on which account he requests that your
 Excellency would have the goodness to return
 him the plot which he has presented in order to
 annex it by adding thereto the Rancho of San
 Antonio, since the purchase that he would
 obtain from your bounty the favor of granting him
 him, the title of the whole Land known as Socos
 Santos and San Antonio extended the best men-
 tioned place to the beach

I therefore respectfully
 pray your Ex. be pleased to decree as I desire, whereby
 I shall receive a great favor, protesting not
 to act through malice and that which is
 necessary - Monterey 28th. August 1841
 (Signed) Wm Eckwood Starnell

Monterey 28th 1841c

As the party requests let the
 Expediente be returned to him in order that he may

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amend the plot by extending it in the terms which he indicates.

Señores Alvarado

Monterey 28th August 1841

In view of the petition which commences this Expediente the report of the person in charge of the maps of San Juan and all the rest which were then in mind and were necessary to examine in conformity with the laws and regulations on the subject I decree Mr. William Edwards Sautness to be the rightful owner of the place known by the name Todos Santos united to that of San Antonio; bounded on the East by Los Angeles, on the South by the Hill of Pinesma, and on the North by the plain of La Laguna

Let the Corresponding title be made out be recorded in the respective Books, and let this Expediente be forwarded to the Most Excellent Departmental Junta for its approval. I am Don Juan B. Alvarado, Governor of the Department of the Californias and this Command, Decree & Sign Whence I give testimony

(Signed) Alvarado

Angles March 16th 1846

This Expediente having been presented to day to the Honorable Assembly it was ordered to be referred to the Committee on vacant Lands

(Signed) Pio Pico President

(Signed) Augustin Obregon Secretary

Most Excellent Sir

The Committee on vacant Lands has carefully examined the papers presented Expediente commenced by the Naturalized Mexican William Edwards Sautness respecting the piece of Todos Santos and San Antonio granted to him by the Departmental Government on the 28th of August 1841 as appears by the last decree in which it is not expressed how many square leagues (sitios) were granted to him

The Committee likewise consider it proper to refer in this opinion to another Expediente, presented to them which they have likewise examined and in which they find that the Departmental Government granted to

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Sacred Warrant on the 3^d of November 1844
 Eleven Square Leagues on the New Cosumnes;
 Your Excellency will therefore permit me to
 unite in this Opinion the two Expedientes marked
 No 252 & 419 for greater, and as the Committee
 understands that the Maximum which the Law
 permits is Eleven Square Leagues, the quantity
 granted to the party interested on the new
 Cosumnes and as it is not known what quan-
 tity may have been granted to him in Sacros
 Santos and San Antonio's certificate in order to report
 correctly they therefore offer to the deliberation of
 your Excellency the following propositions

1st That Mr Stannell be by the proper authorities
 asked for the Title of the grant to the parcel
 of Sacros Santos and San Antonio in order
 to find out how many square leagues of
 Land the Departmental Government granted
 to him in Sacros Santos.

2^d That it being found that Eleven Square
 Leagues have been likewise granted to him on
 the Cosumnes in the neighborhood of the Sacra-
 mento, the Maximum of which the Law allows
 the Assembly can only approve what the Law
 commands, so that in view of this resolution
 the party interested may apply for the approval
 of the Land which may suit him best -
 Committee Chamber in the City of Los Angeles
 April 13th 1846

(Signed) J. Arguello

Los Angeles April 22^d 1846

The most Excellent Depart-
 mental Assembly in to day's Session approved
 the two propositions of the foregoing report of
 the respective Committee

Signed Do Pio

(Signed) Augustin Oberea Member
 of the Assembly & Secretary

Filed in office May 12th 1852

Geo. Fisher Secy

A.
Todos Santos
y
Don Antonio
copy of
Title.

Sello 1º seis pesos:
Habilitado provisionalmt. por la Aduana ma-
ritima de Monterey para los años de 1839 y
1840.
Agued) Alvarado) Agued) Antonio M.º Osio
y Custom House
Seal
Juan. D. Alvarado Gobernador
Constitucional del Departamto.
de las Californias.

Doe:
H. I. I.
No. 1. to depo:
of Man. Jimeno

Por cuanto Dn. Guillermo Edu-
ardo Hartwell ha pretendido para su benefi-
cio personal y el de su familia el para que es-
ta finca con el nombre de Todos Santos unido
con el de Dn. Antonio, colindante al Oriente
con los Alamitos, al poniente con la playa de
San Antonio, al Sur con la Cuesta de la prisi-
onary al Norte con el Llano de la Larga; ha
hecho las previas diligencias y averigua-
ciones concernientes segun lo dispuesto por leyes
y reglamentos, usando de las facultades que
me son conferidas a nombre de la Nacion
Mexicana he venido en concederle los terrenos
mencionados de el a nombre de la propiedad
de el por las presentes letras sujetandose a
la aprobacion de la Coma Junta Departamto.
y a las condiciones siguientes.

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PAGE 61

1ª Que no se caule sin perjudicar las haciendas
caminos y servidumbres: lo disputara libre y
coactivamte. destinandolo al uso y cultivo
que mas le acomode, pero dentro de un año
fabricara casa y estara habitada.

2ª Solicitara del juez respectivo que le de
posesion juridica en virtud de este despa-
cho por el cual se demarcen en los linderos
en cuyos limites por ahora a mas de las mojoneras
a los algunos Arboles frutales o silvestres de
alguna utilidad.

3ª Que el terreno de que se hace mencion es de
cinco sitios de ganado mayor, poco mas o meno
segun explica el diseño que corre en el Copete.
El juez que oviere la posesion lo hara medi-
conforme a Ordenanza de fundo el cobante
que resulte a la Nacion para los usos con-
venientes.

4^o Si continuiere a estas condiciones pa-
dera su derecho al terreno y será demunciable
por otro.

En consecuencia mando que
teniendo por firme y valedero este título
se tome razon de el en el libro respectivo y se
entregue al interesado para su resguardo
y demás fines. Dado en Monterrey a veinte
y ocho de Agosto de mil Ocho cientos cuarenta
y uno.

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signed. Juan B. Alvarado
signed Man: Jimeno Sr.

Queda tomada razon de este despacho
en el libro de acientos sobre adjudicacion de
terrenos Valados a p. b. r. lta.

(signed) Jimeno

El Excmo señor Gobernador ha dispuesto
se tome razon de este consercion en la prefectu-
ria del 2^o Distrito.

(signed) Jimeno

Queda tomada razon del presente título
en el libro respectivo llevado en la prefectu-
ra del 2^o Distrito a p. 2, lta
angeles Ob. 19 de 1841

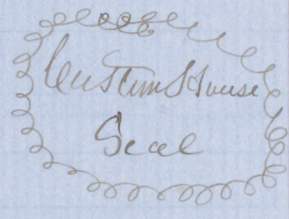
signed Estaniso Botello
Sr.

Filed in Office June 10th 1852

Geo. Fisher Deery

05
Translation of
Title "B"
"Todos Santos" y
"San Antonio"

Seal of the First Class Six Dollars
Authorized provisionally by the Mexican Customs
House of Monterey for the years 1839 & 1840



(Super) Alencas (Synec) Antonio Maria Osio

Made Valise for the years 1840 & 1841
(Synec) Antonio Maria Osio

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Juan B Alencas Constitutional Governor of the
Department of the Californias
Whereas Alencas and
and Alencas has sole title for his personal benefit
and that of his family the piece known by the
name "Todos Santos" piece to that of San Antonio
bounded on the East by the Los Alamos, on the
West by the Beach of San Antonio, on the South
by the hills of La Pausima and on the North the
plain La Laguna, the necessary steps and measures
having been previously taken and made
in conformity with the requirements of laws and
regulations, I have in virtue of the powers confer-
red upon me granted to him in the name of the
Mexican Nation the said lands declared
unto him the ownership thereof by these present
letters subject to the approval of the Most
Excellent Departmental Senate and to the follow-
ing conditions.

1st He may fence it in with all prepared to the
croppings, roads & privileges, he shall enjoy it
freely and exclusively, destining it to the use
and cultivation which may best suit him
but within one year he shall build a house
and it shall be inhabited

2nd He shall request the respective Justices to give
him Judicial possession in virtue of the title
said Magistrate shall designate the boundaries
at the limits whereof the grantee shall be seen
placing the said marks plenty some green
trees or blue ones of some utility

3rd The land of the of Mentem is needed consists

of said Supreme Decree (Causa Petros de ganados
Maya) a title more or less appears by the plot
which accompanies the Expediente

The Justice who gives
possession shall cause it to be measured and
along to said learning the surveys which may
resort to the Nation.

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4th. If he transgresses these Conclusions, he shall
suffer his Regre to the Landes and it may be de
nounced by another

I consequently Command that
how long this title to be firm and valid it
be recorded in the respective Books and
delivered to the party interested for his security
and further uses.

Given in Monterey on the eight
Twenty eighth of August Eighteen hundred and one
July One

(Signed) Juan B. Alvarado
(Signed) Manuel Jimeno
Secretary

This title has been recorded in the Book of
Entries respecting Acquisitions of vacant
Land, on the back of folio 6,

(Signed) Jimeno

His Excellency the Governor has Commanded this
granted to be recorded in the Office of the Prefect
of the 2^o District

(Signed) Jimeno

A Record of the present Title has been made
in the respective Books kept at the Office of
the Prefect of the same District at the
back of folio 4

Angels October 19th 1841

(Signed) Narciso Botello

Filed in Office May 12th 1852

Geo. Fisher Secy

Dello tercero Dos Reales.

Habilitado provisionalmente por la Adm. mantima del puerto de Monterey en el Departamento de Cas California, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

C.

Godos Santo signed. Lmeno (signed) Antonio Maria Osio

San Antonio } Custom } Don Juez de paz.
} House }
} Seal } Guillermo Eduardo Hartwell, ante
cal posecion U. comparece y dice. Que habiendo obtenido

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la concecion propia de los dos parajes conocidos con los nombres de Godos Santo y de San Antonio; Ocurre a U. pena que se otorga darle la posesion juridica conforme esta prevenido en los articulos 2º y 3º del titulo de dicho terreno que se espresan en 28 de Agosto del año presente que debidamente acompaño. Por tanto. A. U. suplico se sirva ponerme en la posesion que solicito, con lo que recibiere justicia V.

Santa Barbara 28 de Sept^{re} de 1841.
signed Guille. Ed. Hartwell

Santa Barbara 28 de Septiembre de 1841.
En virtud de la ante cedente solicitud proce-
dase por mi el presente juez a la medicion
señalamiento de linderos y posesion judicial
que solicita el interesado en este Exped.
señalan dose para ejecutarlo el dia cuatro
de Octubre del corriente año para lo que se
otorga con boleto de comparendo a los colin-
dantes. Asi yo el mencionado juez lo decreto
mandé y firmé con los testigos de asistencia
con quienes actuo por receptoria a falta de
Escriban. publico. Day fee.

Signed) Hernando Diez.
De asistencia

Signed) Henrique Mellus # signed) José Ant. Huerta
2 En Capta presente D. Guillermo Ed. Hartwell
se le notifico el auto ante cedente y de el ente-
rado dijo, lo dice que se daba por citado y lo fir-
mo conmigo y testigos de asistencia.

Signed) Leonardo Diez.
signed. Guille. Ed. Hartwell

De assa

De assa

signed) Henrique Mellus # J. A. Huerta (signed)
En la misma p^{ta} se libraron las boletas de que se mandaron en el antecedente auto y para que conste lo Rubrique.

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signed) The Alcaldes ^{el} Flourish
En el Rancho de Todos Santos a los cuatro dias del mes de Octubre de mil ochocientos eua-
rentayuno en cumplimiento del auto de
28 del mes pasado concurren los ciudada-
nos Jose Ant^o de la Guerra como apoderado de
la Mision de la purissima e igualmente como
colindante de este Rancho; Francisco Olivera
como apoderado de su padre Lucas Olivera
Jose Maria Valenzuela y Antonio Olivera
colindantes del Rancho de San Antonio y esta-
do para la medicion, señalamiento de linderos
y posesion, nombre por mediadores a los indije-
mas Quentin y Camilo, quienes previa la acep-
tacion y juramento procederan al desempeño
de su encargo. Asi y el dho juez lo decreta man-
d^o y firm^o con los testigos de asistencia.

signed) Fernando Lico #

De assa

De assa

signed) Henrique Mellus / signed) J. A. Huerta
En la p^{ta} se les notifico el auto q^o antecede a
los colindantes y entendidos dijeron; Que lo
Oyeron y formaron con ellos y los testigos de asis-
tencia.

signed) Jose A de la Guerra y Carrillo
signed) Lico / signed) A. Prego de Francisco
Olivera / Jose A. de la Guerra y Carrillo -
signed) Ant^o Olivera # signed) Jose M^o
Valenzuela)

De assa

De assa

signed) Henrique Mellus # signed) J. A. Huerta
En la misma p^{ta} y en el expresado Rancho se
le notifico, el auto en el que aparecen nombra-
dos mediadores a los Ciudadanos Quentin y
Camilo y entendidos dijeron, Que aceptan y
aceptaban dho encargo y juraron por Dios
nro señor y la señal de la Santa Cruz de
usarlo fiel y legalmente a todo su legal saber
y en tener sin dolo o fraude contra persona

en tener el ombligo o paucade contra persona
alguna y por no saber formar hicieron ambos
una Cruz y firmen yo con los testigos de asistencia
de juez) Quentin # signed Fernando Diez
signed) Camilo #

De assa De assa
signed) Henrique Mellus # D. A. Huerta signed
Incontinenti yo el referido juez mande hacer
a mi presencia el cordel con que se han de
medir las tierras y que los medidores lo midan
de cien varas y lo firmen con los de asistencia
signed) Fernando Diez

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De assa De assa (signed)
signed) Henrique Mellus # signed) D. A. Huerta.
En la misma pta en presencia de mi el referido
juez, los expresados medidores tomaron un cor-
del de Mecate y con una vara mexicana de me-
di tomaron de la mano midieron cien varas
para hacer la referida medicion y para constar
lo rubricue

signed) The Alcalde D. Flourish
En la misma pta y en el mismo Rancho orendi
los diez de la mañana, yo el presente juez mande
4 a los medidores nombrados se pongan para la
medicion que se ha de hacer del terreno com-
prencido en los dos Ranchos de Dolos Quintos
y San Antonio para que el mencionado D. Guil-
termo Eduardo Hartwell, tome posesion de
el y para ello en la buchilla alta del ca-
mino real de la cuenta de la purissima para
San Antonio empezaron la medicion tomando
el rumbo Norte $\frac{1}{4}$ al Este hasta la cumbre
del paraje llamado los prios, en donde habi-
endo llegado digeron haber ciento cincuenta
y seis cordales; Desde este punto rumbo al
S. O. hasta el barranco de San Marcos junto
al Corral Viejo se midieron ciento y treinta
cordales; Desde otro barranco rumbo al S. O.
E. hasta la punta de la loma de San Fran-
cisco en donde remata la Cañada de San
Antonio se midieron ciento y quince cordales.
Y desde este ultimo punto hasta la buchilla
desde donde comenzaron las mediciones
se calcularon setenta y cinco cordales.
Habiendose concluido esta medicion re-

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suelto haber como cinco sitios de ganados mayor
al pomas; y habiendo hecho el señalamiento
de linderos en la cuchilla de la Cuesta de
la purisima; en la punta baja de la lomi
ta que esta a la derecha de la salida de la
cañada de la Cuesta, camino para los Ala
mos; en la lumbre de los pinos; en el barranco
de San Marcos; y en la loma de San Francisco
mande formar en mojoneras y para constan
cia lo firme por ante los testigos de asistencia
(signed) Fernando Diez.

De assa De assa
signed) Henrique Mellus # J. A. Huerta
En la misma fha y el indicado juez mande
que en vista de habele medido el terreno y
haberse hecho el señalamiento de linderos
se ponga en posesion juridica al señor D.
Guillermo Eduardo Hartuell y notifiquesele
a los Colindantes y firme por ante los testigos
de asistencia

(signed) Fernando Diez
De assa De assa
signed) Henrique Mellus # J. A. Huerta (signed)
En la fha se les notifico a los Colindantes Jose
Antonio de la Sierra como apoderado y Encar
gado de la Mision de la purisima y como due
no del Rancho de los Alamos) Francisco O.
Olivera (apoderado de su padre Lucas Olivera
Jose Maria Valenzuela y Antonio Olivera el
auto anterior y entendidos dijeron que lo oyen
y formaron conmigo y los testigos de asistencia
(signed) Diez) signed Jose A. de la Sierra y Barillo
signed A. Puerro de Francisco Olivera
Jose A. de la Sierra y Barillo.

signed) Jose M^{te} Valenzuela. signed. Ant. Olivera
De assa De assa
Henrique Mellus) signed J. A. Huerta.
En el Rancho de Todos Santos siendo como a
las seis de la tarde del mismo dia, mes y año
El Sr. D. Guillermo Eduardo Hartuell vecino
de Monterey acompañado del juez y testigos
con animo de jurar de tomar la verdadera
corporal y real posesion, del expresado terre
no de los dos parajes de Todos Santos y

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Don Antonio por haberle pertenecido con justos
títulos que obtuvo del Gobierno político de este
Departamento con fecha de 28 de Agosto del pre-
sente año, entro y paseo por otro terreno, arrancó
yerbas, esparció puñadas de tierra, rompió
ramas de árboles e hizo otras ceremonias
de verdadera posesion en señal de lo que
dijo tomar y que tomaba de otras tierras
y mande yo el citado juez que desde enton-
ces le tuviesen y reconociesen al men e vna
do don Hartwell por verdadero dueño se-
ñor y poseedor de ellas. De todo lo referido pi-
dió el Repetido don Hartwell que para memo-
ria en lo venidero y conserbacion de sus dere-
chos por mi el juez le fuese estendida una con-
stancia lo que así fue autorizado, siendo tes-
tigos de asistencia los señores Henrique Mel-
lus y José Antonio Huerta, con quienes actuó en
receptio a falta de Escribano publico que no lo
hay según derecho. Doy fe.

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signed) ^{uy} Bernando Dico
De asista ^{uy} De asista
signed) Henrique Mellus.
signed) J. A. Huerta.

En la fha se devuelve este Expediente
el interesado con ocho copias utiles y para
constancia lo Rubrique
signed) ^{uy} The Alcalde's ^{uy} Clowish

Filed in Office June 10th 1852

Geo. Fisher Secy

... of ... authorized ... by the ... custom

Translation of
Dec. popesim
"D"
"Tollas Santos
San Antonio"

Seal of the Thera Map Two Deals
Authorized previously by the Mexican Customs
House of the Port of Monterey in the Department
of the California for the years Eighteen hundred
and forty & Eighteen hundred & forty one

Houston House
of Seal

Sena Justice of the Peace
Melleam Eccles
I have before you appears one says there have
ing obtained the paper grant of the two pieces
known by the name of Tolas Santos and San
Antonia; he applies to you to give him full
and popesim in conformity with the require-
ments of the 2^o and 3^o articles of the Treaty
said same granted on the 28th of August
of the present year, which duly accompanies
I therefore request that you would
be pleased to put me in popesim which I
request wholly I shall receive Justice
Santa Barbara 28th Sept. 1841
(Signed) M^o Eccles Justice

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Santa Barbara 28th September 1841
In virtue of the foregoing petition
I see the present Justice proceeds to the meas-
urement, designation of boundaries and legal
and popesim, which the party interested asks
for in this Expedient, appointing for carrying
it into effect the fourth day of October of
the present year, to which and the neighbors
of the said owners shall be summoned then
I the said Justice did decree command
and sign with the attending witnesses with
whom I act as Judge Delegate (receptor)
for the want of a Notary Public
I give testimony
(Signed) Fernando Lugo
(Signed) Henry Melles }
(Signed) Jose Antonio Saebe } Attesting witnesses

On the same date Melleam Eccles Justice
being present, the foregoing decree was not
given to him who being much acquainted
therewith said that he heard it pronounced

himself summoned and signed with me and
assisting lieutenant
(Signed) Fernando Lico (Signed) Don Edoardo Starnelli
(Signed) Henry Mellus
(Signed) Jose Antonio Herrera } assisting lieutenants

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On the same date the summonses commanded
in the foregoing decree were despatched. In
testimony whereof I signed with my flourish
(Signed) The Alcalde Flourish

In the Rancho of Losos Santos on the fourth
day of the month of October Esq. Tembeo
and fifty one in compliance with the decree
of the 28th of last month Citizens Jose Antonio
de la Guerra as agent for the Mexican and later
lease as adjoining land owner, Francisco Olvera
as agent for his father Lucas Olvera, Jose
Mariano Valenzuela & Martin Olvera, owners
of land adjoining San Antonio, and others for
the measurement, designation of boundaries &
possession, appeared; I appointed as measurers
the Natural Indians Juan & Camelo, who on
and taking oath will proceed to exercise
their functions. Thus I the said Justicia
decreed Command and signed with the assist-
ing lieutenant
(Signed) Fernando Lico

(Signed) Henry Mellus
(Signed) Jose Antonio Herrera } assisting lieutenants

On the same date the foregoing decree was received
to the adjoining land owner, who being
made acquainted therewith, said that they
knew it, and signed it with me and the
assisting lieutenants (Signed) Lico signed Jose
Antonio de la Guerra, by license of signed by the
request of Francisco Olvera Jose de la
Guerra by license - signed Jose Maria Valenzuela
signed Antonio Olvera - signed Henry Mellus
(Signed) Jose Antonio Herrera } assisting lieutenants

On the same date and in the same Rancho
the decree whereof Citizens Juan & Camelo are

Appointed Measurers were notified to them who
 having understood it said, that they accepted and
 did accept said appointment and swore by the
 Good Our Lord and sign of the Holy Cross to
 comply faithfully and legally to the best of
 their knowledge and ability without deceit
 or fraud against any person, and as they did
 not know how to sign, they took me as their
 marks and sign with the apostolic
 Blessings

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Señor X (Signed) Fernando Tico
 Señora X (Signed) Henry Melles
 (Signed) Jose Antón Steca } Apostolic Blessings

Immediately afterwards I the said Justice
 commenced the Case wherewith the Lances are
 to be measured to be brought into my presence
 and that the Measurers should measure off
 one hundred Varas and signed with the apos-
 tolic Blessings (Signed) Fernando Tico

(Signed) Henry Melles
 (Signed) Jose Antón Steca } Apostolic Blessings

On the same date in the presence of me the
 said Justice, the said Measurers took a humpun
 Case, and taking a Mexican Wara rod in
 their hands measured off a hundred Varas
 to make the said measurement with in
 testimony whereof I sign with my Glorious
 (Signed) The Accused Francisco

On the same date and in the said Rancho it
 being ten o'clock in the morning I the present
 Justice commenced the Measurers appointed
 to place themselves for the measurement to be
 made of the Lances comprehended in the two
 Ranchos of Socos Sanjos and San Antonio
 in order that said William Edovaldo Antón
 may be present thereof, and standing in
 the high ridge of the main road of the
 Parsonage Mountain to San Antonio they
 began the measurement taking the direction
 of N 1/4 E to the summit of the place called
 Las Pinos wherein having arrived, they said

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there were one hundred and fifty Surcaces (156)
 from same point in the direction of the Hill
 to the beach (baranco) of San Marcos near
 the Old Canal, One hundred and thirty seven
 were measured from same point in the direc-
 tion of S. S. E to the point of the Hill of
 San Francisco, where the town (Casaca) of
 San Antonio lies, One hundred and fifteen
 Caces were measured; and from this last point
 to the beach where the measurement commenced
 seventy five Caces were measured; and from
 this last point to the beach where the measure-
 ment commenced, seventy five Caces were also
 taken. The measurement having been finished
 there resulted some five square leagues (Com-
 enco setios de ganados Mayas) a little more
 and having made the designation of the
 boundaries on the beach of the hill of the
 Parosoma; on the lower point of the hill
 situated to the right of the Erup (Soliceca)
 of the town of the hill, the road to Los Alamos
 on the summit of Los Pinos; at the town of San
 Choroas; and on the Hill of San Francisco;
 I ordered land marks to be formed; in testimony
 whereof I signed before the assisting witnesses

(Signed) Francisco Teo
 (Signed) Jimmy Meeles
 (Signed) ~~Francisco~~ Antonio Sencas } assisting witnesses

On the same date I the Regio mentioned Justice
 did Command that whences the land has been
 measured, and the designation of boundaries
 made on the said ~~land~~ ^{land} that there
 be put in presence of the said Regio that this should
 be notified to the adjoining Land Owners and
 signed before the assisting witnesses

(Signed) Jimmy Meeles
 (Signed) Jose Antonio Sencas } assisting witnesses

On the same date Notification was made to
 the adjoining Land Owners Jose de la Guardia
 (as Attorney and Agent of the Mision of La Purissima
 and as Owner of the Rancho of Los Alamos)

Francisco Olvera (agent of his father Lucas Olvera)
 Jose Maria Valenzuela and Antonio Olvera of
 the foregoing decree who having understood it
 said that they heard it, and signed with me
 and the Apostolic Notaries (Signed) Jico
 (Signed) Jose Antonio de la Sierra, Signed at the
 request of Francisco Olvera, Jose Antonio de la
 Sierra y Benavides (Signed) Jose Maria Valenzuela
 (Signed) Antonio Olvera
 (Signed) Jimmy Melles
 (Signed) Jose Antonio Sierra } Apostolic Notaries

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In the Rancho of Soledad Santos it being about
 six o'clock in the evening of the same day month
 and year Mr. William Edouard Aguirre a resident of
 Monterey, accompanied by the Justice and Notaries
 with intent as he said of taking true copies and
 real possession of the said Land of the two places
 of Soledad Santos & San Antonio belonging to him
 by just titles obtained from the Political Govern-
 ment of this Department On the 28th day of
 August the present year, entered and walked over
 about in said Land pulled up grass scattered
 handfuls full of earth, broke up branches of
 trees and performed other ceremonies of true
 possession in sign of that which he said he took
 and did take of said Lands, and I the said Justice
 and Commisaries that from thence forward he the
 said Aguirre should be held and acknowledged
 as true Owner and possessor thereof. Of all the
 foregoing, said Aguirre requested that I the
 Justice should give him a certificate of fact and
 memory and Connection of his rights, which
 was so authorized, the Apostolic Notaries
 being Messrs. Jimmy Melles, & Jose Antonio Sierra
 with whom I act as Deputy Delegate for want
 of a Notary Public, there being none, according
 to Law - I give testimony
 Signed Jico

(Signed) Jimmy Melles
 (Signed) Jose Antonio Sierra } Apostolic Notaries

On the same date this Expediente was returned
 to the party interested in testimony whereby I signed

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Sign with my flourish
(Signed) The Alcalde's flourish

Filed in office May 12th 1852

Geo. John See

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Copy of
Michel Lorenado
Orders.

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Gobierno del } Con fecha 11 de Acher de 1842
 Dept. de } medico el C. D. Ministro de Ca
 California. } Guerra y Marina lo que copio
 C. D. Descomando el C. D. presidente
 provisional de que en el Departamento de Ca
 lifornia se promuevan todos los cursos que
 tiene para prosperar y ponerse en defensa y en
 el estado de felicidad al que con la mis-
 ma naturaleza se invita: teniendo en con-
 sideracion los sucesos q. he havido en el
 pais y q. por la distancia no ha podido evitarlo
 el Gobierno Nacional la situacion en que
 U. E. va a encontrarse y las medidas que ten-
 dra que adoptar, en las consultas no surtiran
 efecto si aguardan el tpo. necesario para
 su resolucion: que hay asuntos en los que el
 mas pequeño retardado no proporcionan el re-
 medio y confiado en que U. E. no abusara del
 poder y que el que se le concede lo empleara
 en bien del servicio y de todos los habitantes
 del interesante y feaz Departamento que
 el Gobierno Supremo ha puesto a su cargo
 y responsabilidad, se ha venido conceder
 a U. E. ademas de las atribuciones que le
 demarcan las leyes y Ordenanzas vigentes, co-
 mo Gobernador, Comandante G. al e Inspector,
 todas las facultades que puede delegar
 le el Gob. Supremo p^a que en uso de ellas
 remueva a los empleados civiles y militares
 dependientes de el, que no correspondan a su
 deberes y a la confianza del mismo sup. Gobi-
 erno, reemplazandolos con ciudadanos dignos
 que entaran al ejercicio de sus destinos en
 perjuicio de que U. E. dara cuenta para la
 aprobacion suprema, con las causas de sus
 procedimientos. Las mias del supremo Ma-
 gistrado no solo se reducen a la Alta California
 sino que tambien se estenden a la baja en
 cuya demarcacion han aparecido conatos
 de locucion que fomentado por enemigos oc-
 ultos han hecho que tomen parte algunos es-
 tranos que su mismo origen les prohibe el
 ingerirse en querellas domesticas. y como
 este resuelto a proteger a las tropas autori-

-dades y recursos de la mencionada penin-
 sula ha resuelto que el comando militar de
 U.C. se estienda à dicha Baja California
 como esta en lo político; separandolo del de si-
 naloa, sin embargo de que el Sr. Comdte. Jral de
 los departamentos de Sonora y Sinaloa continu-
 ara impartiendo à U.C. los recursos y auxilios
 de que hubiere menester para asegurarse la paz
 para socorrer las tropas para provision al ve-
 cinario y p^a hacer que toda la demarcacion
 prospere y sea feliz; aunque el art. 1.^o
 de L de Cort. de 83 y de los art. 1.^o
 del de 18 de Febrero del mismo año que
 sujetaban à la dependencia de la plana
 Mayor del Ejército y el 1.^o del primer decreto
 citado solo se dejó à los Comandantes ge-
 nerales de los Departamentos de Oriente y
 Occidente en las antiguas atribuciones
 inspectoras que tenían en las compañías
 presidiales, el C. D. presdte. referido ha
 resuelto que las facultades de U.C. se exten-
 dan como inspector al Batallon p^o de Cali-
 fornia y que en todo lo relativo á meca-
 nica y se estienda con la p^a fianca Mayor del
 Ejército = Va. U.C. à experimentar el arreglo
 o desorden en que se encuentran las Aduanas
 maritimas de ambas Californias: tiene
 la necesidad de examinar la situacion
 que quedan todas las misiones en su
 gobierno, al del tanto y ramo de contabilidad
 tiene que proceder à la inspeccion y reor-
 ganizacion de las compañías presidiales
 y p^a todo debiera dejarse existente es mal
 mientras que se resuelva la consulta.
 El Gobierno superior confiamelo en la justi-
 ficacion y actividad de U.C. quiere desde
 luego que el Domo se crite, que el bien se
 establezca y que desde luego ningun obsta-
 culo lo impida y por lo mismo las facultades
 que delega en U.C. las hace extensivas
 à estos ramos y à cuantas mas pueden
 contribuir à la d^{ta} del país; contándose
 entre sus ramos la Admon. de Correos
 la colonizacion, el Establecim^{to} de

Presidios, la mejora de los puentes la equidad de los pueblos, la civilización de los Salvajes la educación de la juventud la apertura de caminos, el fomento de las artes, la protección de la Agricultura y el Comercio, el Establecimiento de casas de corrección y el Ornato de las poblaciones. Conoce V. E. las máximas del Gobierno supremo: Sabe muy bien que amigo del progreso solo anhela por la unión entre Mexicanos y porque todos los pueblos aspiran al amparo de las leyes y una libertad tan Estensa que solo la limite el acatamiento à las leyes la Obediencia à sus autoridades y el deber que tenemos para procurar el bien y evitar à todos se les haga perjuicio. En esta virtud no me detengo en recomendarle propague estos principios y uni camt^o le advierto que al dictar sus instrucciones el supremo magistrado ha querido manifestar à V. E. su aprecio y la entidada del Gobierno que le confia y à los habitantes de California el acreditarles que la presente adm^{on} desea su dicha, desconoce la apatía y está pronto à impartir en favor de aquel Departam^{to} todos cuantos recursos apatezca y pueda proporcionarle. Los dignos militares que marchan à las Ordenes de V. E. van à prestar un servicio en favor del territorio nacional digno (copio) sin duda de la gratitud pública. Los habitantes de aquel Departamento van à experimentar en ellos un modelo de honradez de subordinación y disciplina y para que se acreditan estas honoríficas cualidades es indispensable que V. E. les se en erda continuamente que su residencia va à ser en unos pueblos que si bien carecen sus habitantes de la civilización de Cortezanos también es verdad que son dociles, hospitalarios amigos del bien y susceptibles de aprovechamiento y libres de ese contagio que también perjudica en las grandes poblaciones en donde corrompida la moral solo se enseña à criticar acciones inocentes que de breves servir de buen ejemplo.

Lo que transcribe à V. (pona on)

inteligencia y fines consiguientes.

Dios y Libertad

Enero 10 de 1843

Mam^{te} Micheltoresa

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Sr. Almirante de la Armada Maritima de
Monterey.

Filed in Office May 12th 1852

Geo: ^WRichardson

Book of Mr. With date the 11th of February 1840
Dept of His Excellency the Minister of War and
Navy and Marine that which I copy:

"Lo"
translation
Mich. Orders

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Most Excellent Sir: His Excellency the professional
President, desiring that in the Department of
the California all its resources should be
made use of to prosper it and put in danger
and in the state of happiness to which nature
itself invites it, taking into consideration the
evils which have happened, and which could
not have been prevented by the National Govern-
ment, on account of the distance, the situation
in which your Excellency will find yourself
and the measures you will have to adopt, the
measures of which will produce no effect, if
they are delayed, the length of time necessary for
their determination, for there are matters in which
the slightest delay cannot be remedied, and
trusting that your Excellency will make no abuse
of power, and that which is granted you will
be employed for the good of the service and of
all the inhabitants of that interesting and fertile
Department, which the Supreme Government
has placed in your charge and responsibility,
he has been pleased to grant to your Excellency,
besides the powers specified as belonging to you
in the Decree and Ordinances now in force as
Governor Commanding General and Inspector; all the
authority which the Supreme Government can
delegate to you, that in case of it you may re-
move all civil and military employees there, who
do not comply with their duties and are not
worthy of the confidence of the Supreme Government,
filling their places with citizens worthy of
entering on the exercise of their offices, without
thus preventing your Excellency from reporting it
to the Supreme Government for its approval
and the reason for the your proceedings

The powers of the Supreme Magistracy are not
directed to terra California alone, but are
also extended to the Socorro, in the demarcation
of which have appeared symptoms of secession

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PAGE 81

which encouraged by hostile enemies, have caused some foreigners to take part, who ought to be prevented by their very origin from taking part in domestic quarrels, and as he is resolved to protect the troops, authorities and resources of the State provinces, he has decided that the Military Command of your Excellency should be extended to these States California as is your title (power) separately from that of Sonora; Nevertheless the Commanding General of the Department of Sonora and Sonora will continue to furnish to your Excellency the assistance you may require to insure peace, to aid the troops to provide the whole cities and to cause all the them to prosper and be happy.

Although the Article 1st of November 2^o 1839 annulled the Articles of the 18th of February of the same year, which subjected to the Command of the Staff of the Army, and the 13th of the Decree just cited, the Commandants of only the Eastern and Western Departments are left with the powers of Inspectors which they held in the Companies of the "presidios". His Excellency the State President has decided that the Authority of your Excellency should be extended as Inspector of the fixed Battalions of California and that in every thing relating to it, act in detail and in Conformity with the Staff of the Army. Your Excellency is about to see the Plan or basis in which the Maritime Custom Houses of both Californias will be formed; you will be under the necessity of examining the conduct of all the Inspectors, in their government improvements and the branch of accountability. You will have to proceed to the inspection and reorganization of the presidial Companies; and in all cases the title should be left existing until the remedy is determined.

The Supreme Government trusting in the justice and activity of your Excellency wishes the evil be at once avoided, the well established here, and that there should not be any obsta-

new, and that that should not be any obsta

85

state to prevent it, and for this reason the powers dele-
gated to your Excellency are made to extend to these
branches and to whatever may connect to the
happening of the country. Remembering amongst its
branches the Administration of Post Offices, to
regulate the Establishment of Prisons, the improve-
ment of the Ports, the Security of the people, the
conservation of the Savings, the Education of Youth
the Opening of Roads the Encouragement of the
Arts, the prosecution of Agriculture and Commerce
the Establishment of Houses of Correction and the
beautifying of the Towns."

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Your Excellency knows
the wishes of the Supreme Government, you know
well that, a friend to the advancement, if only
desires union among Mexicans, and that all
its people may enjoy the protection of the laws
and a liberty so extensive that it is only limited
by respect for the Laws, Obedience to its
Authorities, and the duty we had of procuring
the peace and avoiding all that may do them
harm. In return of this I will not stop to
recommence you to propagate these principles
I will only mention that in executing your
instructions, the Supreme Magistracy wishes
to show your Excellency, his Esteem and the
Confidence of the Government which com-
pels, and to pass to the inhabitants of Califa-
nia that the present Administration desires
their happiness will not neglect them, and
is ready to impart for the benefit of that dep-
artment all the means it may desire or that
can be furnished it.

The worthy Soldiers who
march at the Orders of your Excellency are
obliged to render a Service for the benefit
of the National Treasury as being double
of the public interests.

The whotestants of
that Department are obliged to see in them
a model of honor, of Intendence and
discipline, and that they may prove themselves
to possess these honorable qualities, it is hardly
indispensable that your Excellency should

that continually that their residence is to be in
 places where if their inhabitants are wanting
 in consequence of leucitis it is nevertheless
 true they are, those hospitable friends of the
 susceptible of improvement and free from the
 contagion which prevails in large towns wher
 it corrupts the moral, and only teaches to cre
 ate innocent actions which ought to serve
 as good examples

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All which I transmit to you
 for your information and purposes consequent
 Good and Security

Geneva 10. 1843

Signed Manuel Melchiorne

To the Administration of the Maritime Custom
 House of Geneva

Taken in Office May 12th 1852

Geo Tesher
 Secy

87 Petition for
"Alisal"

To the Honorable Commissioners to settle Private
Land Claims in California

The petitioner U. C.

F. Haenell respectfully shews

That on the 26th
of June A.D. 1834 Jose Figueroa Governor of
California, by Notice of Authority in him vested
granted to the petitioner the tract of land called
"Alisal" situate in the present County of Monterey
with the boundaries more particularly describ-
ed in the same a copy of which same was
approved & submitted herewith marked "A"
with a translation marked "B"

That on the 18th
day of December A.D. 1834 the said tract of
land was duly surveyed and the judicial
possession of it given to the petitioner in due
form, a copy of which act of possession is
submitted herewith marked "C" with a
translation marked "D"

That the said land
has not been surveyed by the Surveyor General
of the United States but was duly surveyed
at the time of giving the judicial possession
and its boundaries marked out

That the petitioner
has been for eighteen years and now is in the
quiet peaceful and undisturbed possession
of said tract of land

That he knows of no
conflicting claim

That he relies for confirmation
of title upon the Original papers, Copies of
which are submitted herewith, upon the laws
and proceedings mentioned in the Act now
in the charge of the Surveyor General, and
upon such other and further proofs as he
may be advised are necessary

Wherefore he prays the Commis-
sioners to confirm to him the said tract of
land

By his Attorneys Hallett & Peacy & Wilcox
Filed in Office June 10. 1854 Geo. Fisher Secy
Recorders in Record of Petitions Vol 1/1328 133
Geo. Fisher Secy

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1785

89 Petition of Juan
Chelaron & Estate of
W P Hartnell

To the Honorable Commissioners to settle Private
Land Claims in California
In claim No. 264 of U. S. P. Hartnell to
"Alisal"

And now come the claimants Juaso
de la Guerra, Mercedes and Guillermo A. Juan,
Alberto, Teresa, Jose, Matilde, Ana,
Magdalena, Pablo, Mariano, Amelco and
Silvestre Chelaron, and Pablo de la Guerra and
the undersigned Juaso de la Guerra de Hartnell
Executors of the last will of U. S. P. Hartnell
do hereby and respectfully represent

That since the filing of the
petition in this case the claimant U. S. P.
Hartnell deceased, died at Monterey in
California on the second day of February
A. D. 1854, and leaving Executors of his last
will and testament.

They therefore pray this
Honorable Board to confirm to them the tract of
Land called "Alisal" described in the petition
of U. S. P. Hartnell which was filed in the
Secretary's Office on the 10th June 1850 and
in the other documents and papers filed in
this case.

By their Atty

Walter Peachy & Billings

Filed in Office Sept. 13th 1854

Geo. Fisher Secy

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1886
JAN 20

91 Deposition of
Manuel Jimeno

San Francisco January 27. 1853

On this day before Harry J Thornton Comr. came
Manuel Jimeno a witness in behalf of the
Claimant M. E. P. Stannell, petition No. 264, and
was duly sworn, his Excellence being interpreted
by the Secretary.

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In answer to questions propounded by claimant,
Manuel the witness testifies as follows

My name is Manuel Jimeno, my age is 49 years
I have lived in California 24 years

I am acquainted with the hand writing of
Jose Figueroa, Augustin A. Gamorano, E. P.
Martinez, Jose Castro, Juan B. Alvarado, Maria
Spence, Manuel Benin, Mariano Soto, their
signatures to the paper before me I understand
and believe herewith are genuine.

The signature of Manuel Jimeno likewise is
my own; Juan B. Alvarado's signature
is genuine.

I know the Land described in these
papers; Mr. Martinez the Claimant occupied
this Land with a house cattle & horses previous
to the date of this title and has occupied
it ever since.

Manuel Jimeno
U. S. Commissioner present

Sworn to & subscribed before me this 27th
January 1853

Harry J Thornton
Comr. & D

Filed in Office Jan'y 27. 1854

Geo. Fisher Secy

Re-called in Office Jan'y 27. 1853

Geo. Fisher Secy

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Deposition of
Daniel Spence

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Office of the Board of Commissioners de de de

This day before Commissioner Alpheus Teck
came Daniel Spence a witness in behalf of
Claimant Wm E P Starness No. 264 who
after being duly sworn deposed as follows

Questions by Mr. Stalleck's Attorney
for Claimant

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

Answer. My name is Daniel
Spence my age is forty five years and I reside
at Monterey in California

2nd Question. Do you know the Rancho
called "El Alisal" claimed by Wm E P Starness if you
state what you know of its Occupation and
improvement

Answer. I know the Rancho perfectly
well. It belongs my own. I used that the first
time in the year 1835. At that time Mr. Starness
the claimant was then living in an adobe house
on the place with his family. The house was
two stories high. He had also at that time a
College for the education of boys, which was
conducted by himself and father Shart. He
has a garden and a large piece of the Lane
fence in and cultivated. He had also on
the place a considerable stock of cattle and
horses. He has continued in constant possession
and Occupation from that time to the present
A part of his family constantly living on the
place. He has made other improvements at
different times on said place. He built
a second adobe house on the premises
D. Spence

Recorded in
Ex. B Vol 3 p 313
Geo. Fisher
Secy

Mr. Greenhoe Associate Secy Agent was present
at the taking of this deposition but proposed
and no intervention.

Subscribed and sworn to before me this
28th of October A.D. 1853
Alpheus Teck Commissioner
Filed in office Oct. 28 1853 Geo. Fisher Secy

93 Deposition of
Pablo de la
Guerra

United States of America
State of California 3rd Jy.

San Francisco July 10th 1854

This day personally came before Peter Lott
Commissioner for taking testimony to be used
before the Board of L. S. Land Commissioners
in said State Pablo de la Guerra a witness
On behalf of claimant in Case No. 264
wherein E. P. Sturtevant is claimant, and
said witness being duly sworn deposed in
English as follows

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The L. S. Land Agent is present

Questions by Claimant's Counsel

1st Question. What is your name and
and residence?

Answer. My name is Pablo de la Guerra
my age 34 years my residence Santa Barbara
County California

2nd Question. Was you acquainted
with the late William E. P. Sturtevant claimant
in this case and also claimant in Case No. 228
if you, State when he died and whether he left
a will and what children of any? and
whether he died testate or intestate

Answer. I was acquainted with said
Sturtevant. He died on the second day of February
A. D. 1854 at Monterey leaving a will he also
left a widow and children. The widow's
name was Teresa de la Guerra and the
children's names were Guillermo, Juan, Adelaida,
Teresa, Jose, Matilde, Ana, Magdalena,
Pablo, Melchor and Silvestre
He left no other children, or descendants of
any other children than those named

Pablo de la Guerra
Subscribed and sworn to before me on the
10th day of July A. D. 1854

Peter Lott Commissioner

Taken in Office July 10th 1854

Geo. Fisher Secy

Recorded in Office E. B. Vol 5 p 89

Geo. Fisher Secy

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1894

1894

95 Translation of No 32. Jose Figueroa Brigadier General of the Mexican Army; Commandant General Inspector and Superior Political Chief of Yucatan

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All whereas Don Guillermo Eduardo Hartnell has solicited for his personal benefit and that of his family a part of the Land known by the name of the 'Alisal' bounded by the mountains, the Encinal (Oak grove) Rancho of Benavides and the part occupied by Citizens Feliciano and Mariano Soleranes towards the Sacas; the necessary steps and investigations having been previously taken and made according to the requirements of Law and regulations; by virtue of the process conferred upon me, in the name of the Mexican Nation I have determined to grant to said Hartnell by these letters in a decree of the 19th of December 1833 which modifies that of the 18th of May of the same year, the ownership of a third part of said Land less as that Comprehended between the hill opposite to the Old house of Citizen Apollonio and the Spring of water where there was formerly a dam, inclusive; it being understood that said grant is made in entire conformity with the provisions of the Law and subject to the approval and approval of the Most Excellent Territorial Deputation and of the Supreme Government and under the following conditions

1st That he shall submit to those (conditions) which may be established by the regulations to be formed for the distribution of vacant Lands, and that in the mean time neither the grantee nor his heirs, shall annex nor alienate that which is granted to him under said title, lease, mortgage or any other encumbrance although it be for personal use, nor transport in any manner

2^d He may fence it without prejudice to the crops, houses and structures, he shall enjoy it freely and exclusively, according to the use & cultivation which may best suit him

but within a year at the furthest he shall build a house and it shall be inhabited

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3^o When the Ownership is Confirmed to him he shall request the respective Judge to give him several papers by virtue of this title by which the boundaries shall be marked out at the limits whereof he shall place besides the same marks some fixed trees or other ones of some utility

4th The Land of which donation is made consists of two thirds of a square league a little more as appears by the Sketch which accompanies the Expediente, and the Capitan made in his favor by the said Sovereigns —

The Judge who may give the papers well cause it to be measured well cause it to be measured according to Ordinance, in order to designate the boundaries leaving the people who may resort to the Nation for the necessary ends

5th If he contravene these Conditions he shall lose his right to the Land and it may be denounced by another. Consequently command that these presents serving him for a title and being held as firm and valid be recorded in the corresponding Books and be delivered to the interested party for his security and other purposes

Given in Monterey the

16th of June 1834

José Figueroa

Agustín Alzamora Secy

Since note has been made in the books of Entries of Titles on a yedecation of lands on pag 34 Number thirty two kept in the Secretary's Office under my charge

Monterey June 16th 1834

Alzamora

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I George Fisher Secretary to the Board of
U.S. Land Commissioners to settle private
Land claims in the State of California
do hereby certify that the foregoing is a true
Copy and correct translation of a Spanish
Document filed in Case No 164 on the Loc
ket of Books 11 E P containing claimant for
the place called "Cerro Obispo" which document
Copy certified by John Le Vayes U.S. Surveyor
General for California and filed in this office
Nov. 9th 1853

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In witness whereof I have
hereunto signed my name at Office in the City
of San Francisco
Geo. Fisher Secy

Filed in Office Sept. 13th 1854

Geo. Fisher
Secy

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99 Dup

A
Alisal
Copy of Title

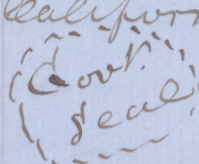
Doc. H. J. T.
No. 1, amended
to dep. of
Mant. Juris.

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Sello segundo Dase Reales:

Habilitado provisional^{te} por la Administracion de la Aduana Maritima de Monterey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Signea ^{de} Figueroa # signea Rafael Gonzales
Jose Figueroa General de Brigada de la Republica Mexicana, Comandante General, Inspector y Jefe Superior politico del territorio de la Alta California.

 Por cuanto Don Guillermo Eduardo Hartwell ha pretendido para su beneficio personal y el de su familia una parte del terreno conocido con el nombre del Alisal es evidente con la Sena, el Encinal, Rancho de Buena Vista y con la parte que ocupan los ciudadanos Feliciano y Mariano Gobernados aca el Alisal: practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y Replamentos, usos y de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle por las presentes letras en decreto de diez y nueve de Diciembre de mil ochocientos treinta y tres que modifico el de diez y ocho de Mayo del mismo año al citado Hartwell la propiedad de una tercera parte del referido terreno y ademas el que comprende desde la loma enfrente de la Posita antigua del ciudadano Aguilar hasta el Of. de agua donde antes habia presamela: entendiendose dicha concecion en conformidad a lo dispuesto por las leyes y a reserva de la aprobacion o desaprobacion de la Excelentissima Diputacion Territorial y del supremo Gobierno y bajo las condiciones siguientes.

Que se sometera a las que establecieren el Replam^{to} que se ha de formar para la distribucion de terrenos Baldios y que entretanto ni el agraciado ni sus herederos podran dividir, ni enagenar el que se le adjudica ni otro gravamen aunque sea por causa real

ni pasarlo à manos muertas.
2ª podrá cercarlo sin perjudicar las travecias
caminos y servidumbres; lo disputará libre y
exclusivamente destinándolo al uso y cultivo
que mas le acomode; pero dentro un año à lo
mas fabricara casa y estará habitada.

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3ª En caso de que se conforme la propiedad
solicitará del juez respectivo le de posesion
judicial en virtud de este despacho por el
cual se demarcaran los linderos en cuyos
límites pondrá à mas de las mchoneras
algunos arboles putales ó silvestres de algu
na utilidad.

4ª El terreno de que se le hace es de dos ter
cios de sitio de jornal menor poco mas se
gun explica el diseño que corre en el Expedite
y la sesion que hacen en su favor los señores
Gobernantes; El juez que diese la posesion lo ha
rá mediu conforme à Ordenanza para señalar
los linderos, quedando el sobrante que
resulte à la Nacion para los usos conve
nientes.

5ª Si contraviniere à estas condiciones
perdiera su derecho al terreno y será denun
ciable por otro.

En consecuencia mando que sirviendole de Título el presente y
teniendose por firme y baledero se tome razon
en el libro à que corresponde y se entregue
al interesado para su resguardo y demas
fines. Dado en Monterrey à veinte y seis
de junio de mil Ocho cientos treinta y cuatro

signed) José Figueroa

signed) Agustín M. Zamora. Dño

Queda tomada razon en el libro de asientos
de Titulos sobre adjudicacion de terrenos
à posesion treinta y cuatro numero treinta y dos
q. obra en la secretaria de mi cargo.

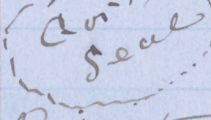
Monterrey Junio veinte y seis de mil Ocho
cientos, treinta y cuatro.

signed) Zamora

Dello tercero Dos Reales.

Habilitado provisionalmente por la Adminis
tracion de la Armada Maritima de Monterrey

101
para los años de mil Ocho cientos treinta y
cuatro y mil ochocientos treinta y cinco.
Digna y Escribano Juan Rafael Gonzales

 Dado cuenta a la Excelentísima
Diputación en sesión de quince del corriente
con el Dictamen presentado en ocho del mismo
aprobó las dos proposiciones en que concluye
y son del tenor siguiente;

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Primera. Se aprueba la concesión echa en
favor de los ciudadanos Feliciano y Mariano
Sobranes del paraje nombrado el Alizal por
decreto de diez y ocho de mayo de mil ochocientos
treinta y tres y reformado por decreto
de diez y nueve de Diciembre del mismo
año.

Segunda. Se aprueba la concesión echa en
favor de Don Guillermo Eduardo Hartwell de
la parte del terreno del paraje del Alizal que
se le concedió por decreto de diez y nueve de
Diciembre de mil ochocientos treinta y tres
de que habla el artículo anterior.

En consecuencia se devuelva el Expediente
al señor Jefe superior político para su curso
Monterey, Julio diez y seis de mil ochocientos
treinta y cuatro.

José Esquivel # José Maldonado secretario
Monterey, Julio veinte y cuatro de mil ochocientos
treinta y cuatro.

En vista de la Aprobación otorgada en diez
y seis del presente mes por la Excelentísima
Diputación Territorial. Lese testimonio de
ella y de este decreto a las partes de los ciu-
dadanos Feliciano y Mariano Sobranes
y de Don Guillermo Eduardo Hartwell en
información a la concesión del terreno del
Alizal que obtuvieron por decreto de diez y
nueve de diciembre de mil ochocientos treinta
y tres que reformó el de diez y ocho de mayo
del mismo año. El señor Don José Esquivel
General de Brigada, Comandante General
Inspector y Jefe superior político de la Alta Ca-
lifornia, así lo mandó decretar y firmó de que doy
fe; José Esquivel # Agustín de Zamorano
Su

Concuerda à la letra con su Original del
 cual hize sacar el presente Testimonio para
 resguardarlo y demás fines de su parte de Don
 Guillermo Carrasco Harthwell en Monterey,
 a veinte y cuatro de julio de mil Ocho cientos
 treinta y cuatro; siendo testigos los curia-
 dano, Bonifacio de Madariaga y ^uFrancisco
 de Campo de esta vecindad.

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En testimonio de Verdad
 signed José ^uArgüero
 signed Agustín V. Jimorano Dto.

^uSelected Office June 10th 1852

Geo. ^uRichardson

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Dello Terreno **Sello** Dos Reales
para los años **Sello** de mil ochocientos
Alisal veinte y seis y **Sello** ochocientos veinte y siete

Copy of Judicial possession

Sello Don Alcalde Constitucional
Guillermo Eduardo Hartwell ante el
comparee y dice: Que habiendo obten
do la concesion propia de la tercera
parte del terreno conocido con el nombre
del Alisal, ni elus tambien el terreno
Sello que comprende desde la Loma en
frente de ca Casita antigua del C.
Aguilar hasta el Ojo de Agua donde
antes habia presa inclusive, ocurre
Sello a V. para que se sirva darle la pose
cion juridica conforme esta preveni
do en el Art. 2.º del Titulo de otro
terreno que se le especifica en 2.º de junio del
año presente que debidamente acompaño e
igualmente la conformacion respectiva para
que todo otre los efectos de seados.

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P. de V. suplico se sirva ponerme en la
posesion que solicito en que recibre gracia
justicia &c.

Monterey 30 de Octubre de 1834
signed Guillo. Ed. Hartwell

Monterey 1º de Dize de 1834
En virtud de la Antecel.ª solicitud pro
seada por mi el presente mes de junio
en instancia a la mi dicion señalada de
linderos y posesion judicial que solicita
el interesado en este espelt.ª señalandose
para ejecutarlo el dia diez y ocho de Dici
embre del corriente año para lo que se cita
a ser con Boleta de comparendo a los colmi
dentes. Asi yo el mencionado mes de este
mande y firme con testigos de asistencia
con quienes actuo por receptor a falta
de escribanos publicos. Doy fee.

signed Manuel Jimeno Casarin
Dcassa Dcassa
signed José Costo signed Juan P. Alvarado
En la fha presente Don Guillermo Eduardo Hart
well se le notifico el auto que antecel.

y de el entendido Dijo. lo Oyo que se deava p-
citado y lo firmo con miyo y los testigos de assist.
signed Casarin (signed) Guillermo Edw. Hartwell

De assa De assa
signed José Castro # signed Inem. B. Alvarado

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En la pta se libaron las Oletas de: se men-
dan en el antedeciente auto y para que conste
lo Rubique.

signed. The Alcalde D. Flourish
En el Rancho del Alizal, a los diez y ocho
dias del mes de Dho de mil ochocientos treinta
y cuatro en cumplimiento del auto de primer
de dicho mes y año concurrieron los enidada-
nos Mariano Estada David Spence y
Mariano y Feliciano Sobrinos colindantes
de este Rancho y citados p- la Medicion se na
lamiento de linderos y posecion nombre por me-
didores a los enidada nos Vicente Cantua y
Casimiro Soto quienes previa la aceptacion y
juamento proscieran al desempeño de su en-
cargo. Asi yo el dicho juez lo decreté mande
y firmé con testigos de assist.

signed Manuel Jimeno Casarin # De assa
De assa José Castro

signed Manuel Butron # signed David C. Spence
En la pta se les notificó el auto que antedecede
a los colindantes y entendidos oyaron; que lo
oyen y firmaron con miyo y los testigos de assist.
signed Casarin signed Mariano Sobrinos
signed José M. Estada, David Spence (signed)

De assa De assa
José Castro Manuel Butron

En la pta y en el expresado Rancho se les
notificó el auto en el que aparecen nombrados
medidores a los enidada nos Vicente Can-
tua y Casimiro Soto y entendidos dijeron:
Que aceptan y aceptaban dicho encargo y ju-
raron por Dios nuestro señor y la señal de la
santa Cruz de usar lo fiel y legal mt- a
todo su leal saber y entender sin dolo sin
o fraude contra persona alguna y firmó solemn-
mente Soto por que Cantua dijo no saberlo
hacer lo hice yo con los testigos de asistencia

Signea) Manuel Jimeno Casarin
Deassa Deassa
Signea José Castro # Manuel Butron.

Signea Casimiro Soto.

Incontinenti yo el referido juez me mande traer
a mi presencia el cordel con que se ha de
medir las tierras y que los medidores lo
midan de cien varas y lo primen con los de
Asa

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Signea Manuel Jimeno Casarin
Deassa Deassa.

Signea) José Castro # Manuel Butron signed
En la misma en presencia de mi el referido juez
los expresados medidores tomaron un cordel
de mecate y con una vara de medir usual
mexicana tomandola en la mano midieron
cien varas para hacer la referida medición
y para consta lo ubique.

Signea) He Alcaalde Floriano

En la misma pta y en el referido Rancho
siendo las Ocho de la mañana yo el pres^{te}
Alcalde mande a los medidores nombrados
se pon para para las medidas de tierras y
se ha de hacer del todo el terreno conocido por
del alizal y dividido despues la tercera par
te para que el mencionado Don Guillermo
B. Hartwell tome posesion de ella y para
eso en la Encina de las tres cruces situada
4 en el paraje llamado el Mataclero del Enci
nal se contemplaron dos cordeles unido
al et. hasta dar con la encina, vuelto a dicha
Encina y tomendolo el Rumbo $O. \frac{1}{4}$ al et.
se midieron cien cordeles hasta la Laguna
grande. Desde el medio de dicha Laguna
del lado del et. Rumbo O. et. O hasta la
punta rumbo et. et. O hasta el portecuelo
lindero de Manuel Butron se midieron
Ochenta cordeles. Desde dicho portecuelo
rumbo S. E. se contemplaron doscientos cordel
es. Hecha esta medición se clararon los re
feridos medidores haver como dos sitios
de ganado mayor. Por convenio mutuo en
tre los señores Sobranes y el Sr Hartwell
se convino en que los linderos del Utumbo

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sean Desde la seccion alta que esta al N.
de la Encina de Castres eruses en el matadero
del Encinal. Lo es el lindero de Buena Vis-
ta desde dicho Matadero hasta pasado la
laguna de la parte del N. O. tranelo una
linea derecha rumbo N. E. hasta dar en la
mediana de la segunda comoda despues
de la mina hacia la Soledad y a mas el
arroyo grande del Alizal desde la cienejita
para arriba rumbo de N. y orcha sienejita
es de en todo el terreno comprendido al Ori-
ente del Arroyo y al N. y Oriente de la
lomeria que corre desde la Cienejita hasta
dar con la mediana de la segunda Coma-
da de la mina hacia la Soledad pertene-
ciendole al referido Sr. Hartwell los Ojos
de agua y lagunas que en dicho terreno que
le corresponde existen.

Habiendose hecho el señalamiento de
linderos mande formaren mojones y se
dibujara un dibujo de la parte del tereno
no que le corresponde al mencionado
Sr. Hartwell para constancia y lo firme por
ante los testigos de asista sepr. div.

Signea) Manuel Jimeno Casarin.
De asisa De asisa

signea) José Castro # Manuel Butron.
En la fha y o el indicado por mande que en
lista de haberse medido el terreno y heverse
hecho el señalamt. de linderos se ponga en
posesion juridica el Sr. Dr. Guillermo C. Hart-
well y notifiquesele a los colindantes y
firmé por ante los testigos de asisa.

Signea Manuel Jimeno Casarin.
De asisa De asisa

signea) José Castro / signea) Manuel Butron
En las mismas se les notifico a los colindan-
tes Sr. Narciso Estada, Sr. David Espena
Sr. Mariano soberanes ya Sr. Feliciano
soberanes el auto anterior y entendidos
dijeron que lo oyeron y firmaron con mi por los
testigos de asista.

signea) Casarin) Signea) Mariano soberanes
signea) Narciso Estada)

De assa signed José Leasto # Manuel Burton
signed Don E. Spence #

signed Feliciano Sobremes.
En el Rancho del Alizal (a) el Patronio
sueno como las dies de la memoria del mismo
dia, mes y año el Sr. D^o Guillermo Eduar
do Hartwell vecino de Monterey, acompa
ñado del juez de primera instancia y
testigos con amuno según dijo dicho Sr. Hart
well de tomar la verdadera copia al y real
posesion del espesado terreno del Alizal
(a) el patronio por haberle pertenecido con
justos títulos que obtuvo del Gobierno político
de este territorio con fecha veinte y seis de Ju
nio de mil ochocientos treinta y cuatro
y la aprobación de la Coma Diputación
Territorial con fecha diez y seis de Julio
de mil ochocientos treinta y cuatro, entre
y pase por ellas un ameo y verbas espas eio
minadas de tierra, rompió Ramas de los
arboles e hizo otras demostraciones de va
dadera posesion en señal de lo que dijo to
mar y que tomaba de dichas tierras. Y mandó
el citado juez que desde entonces le tubesen
y reconociesen al mencionado Sr. Hartwell
por verdadero señor y poseedor de ellas.

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De todo lo referido pidió el referido Sr. Hartwell
que para memoria en lo venidero y conserva
cion de sus derechos, por mi el juez le fuere es
tendida una constancia lo que ha si fue
autorizada siendo testigos de asistencia
Sr. José Leasto y Sr. Manuel Burton con
quienes actuo en receptoria a falta de escri
banos publicos que no lo hay, según derecho
Doy fe.

signed Manuel Jimeno Casarin
De assa signed José Leasto # signed Manuel Burton
En la fha se devuelve este papel^o al inte
resado con nueve copias utiles y para constan
cia lo puse por nota que rubique.
signed The Alcaldes Delourish

Mexican Office June 1848

Gen. Laska Decy

Copy here the last grant in Doc. H H II T vol. to Dept of Land. June 1848

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Lello primero Ocho pesos: Habilitado provisionalmente por la Aduana maritima del puerto de monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco Micheltrera Pablo de la Sierra

Por el Ciudadano Manuel Micheltrera, General de Brigada del Ejercito Mexicano, Capitan General de Campana Mariposa del mismo, Gobernador, Comandante General e Inspector del Departamento de Californias:

Por cuanto D. Guillermo Eduardo Hartnell, mexicano por naturalizacion ha pretendido para su beneficio personal y el de su familia un terreno de la Estension de once leguas cuadradas, colindante por el Norte con el Rio de los Coosumes enfrente del Rancho de D. Joaquin Sheldon por el poniente con el Rancho del Sr Anastasio Chabrera: por el sur con las inmediaciones del Arroyo de las Uvas; y por el Oriente con las de la sierra nevada: practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y Reglamentos, usando de las facultades que me son conferidas, en nombre de la Nacion Mexicana, he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose a la aprobacion de la Comision de la Asamblea Departamental y bajo las condiciones siguientes

1a podria cercarlo sin perjudicar las hacendadas, caminos y servidumbres; lo disfrutara libre y exclusivamente, destinandolo

al uso o cultivo que mas le convenga.

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al uso o cultivo que mas le acomode:
2^o Solicitara del juez respectivo que le de posesion juridica en virtud de este Despacho por lo cual se demarcaran los linderos en ciertos limites pondrá ademas de las mofoneas algunos arboles frutales o silvestres de alguna utilidad.

3^o El terreno de que se hace donacion es de unos sitios de ganado mayor: el juez que diere la posesion lo hara medi conforme a Ordenanza que eliendo el sobrante para los usos que a la Nacion le convenga.

4^o Si contraviniere a estas condiciones perdera su derecho al terreno y sera denunciable por oho.

En consecuencia mando que sirviente de titulo el presente y teniendole por firme y valiendo se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas fines.

Dado en Monterey este dia tres de Noviembre del año de mil ochocientos cuarenta y cuatro.

Man^{te} Michel^{ta}
Man^{te} Jimeno. Oho

Queda tomada Razon de Este Despacho en el libro respectivo a folios P.
Jimeno

Filed in Office Jan'y 24. 1853

Geo. Fisher Deery

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[Faint, illegible handwriting covering the right side of the page]

[Faint, illegible markings or text in the bottom left corner]

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Translation of
Title "Alisae"

Seal of the Second Class Justice Reals
Authorized provisionally by the Administration
of the Maritime Customs Service of Monterey for
years Eighteen hundred and thirty four and
Eighteen hundred and thirty five
(Signed) Figueroa (Signed) Rafael Gonzalez

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How Seal

Jose Figueroa Brigadier General of the Mine
Cruz Republic Commandant General and
Superior Political Chief of the Territory of
Upper California

Whereas William Edward Sturteell has
solicited for his personal benefit and that
of his family a part of the Land known by
the name of Alisae bounded by the main
line of the Encinal (Oak Grove) Rancho of
Benavente and the part occupied by Celym
Figueroa & Mariano Solerang located at the
San Jose, the necessary steps and investigations
having been previously taken and made acc-
ording to the requirements of Laws and regula-
tions I have by virtue of the powers in me
vested conferred upon me pursuant to Law
Sturteell by these presents in a decree
of the Nineteenth of September Eighteen hundred
and thirty three which reads that
(Decree) of the Eighteenth of May of the same
year, the Ownership of a third of the said
Land besides the Comprehended between
the hill opposite to the Old house of Celym
Figueroa and the Spring of Alisae where
there lies formally a claim included; it being
understood that the grant is made in entire
conformity with the provisions of the Laws
and Decree to the approval or disapproval
of the Most Excellent Territorial Department and
of the Supreme Government and under the follow-
ing conditions

1st. That he shall be bound to those (conditions)
which may be established by the regulations
to be formed for the distribution of vacant
Lands and that in the meantime neither
the grantee nor his heirs shall alienate nor

alienate the Land granted to him, impose land rent
(Censo) or any other burden whatsoever (finanza) or any
of or any other burden whatsoever it may be for
peace purposes, nor transfer it in Mortmain

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2^o He may fence it in well walled passages to
the Crown's roads and passages (Arroyos),
he shall enjoy it freely and peacefully, destin-
ing it to the use of Cultivation which may best
suit him, but within One year at furthest
he shall build a house and it must be
inhabited

3^o When the Ownership is confirmed to him he
shall request the respective Justice to give him
venueal possession by virtue of this title, and
said Magistrate shall designate the bounda-
ries, at the limits whereof the grantee shall
besides planting the Land marks plant some
fruit trees or other Ones of some utility —

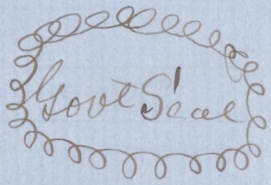
4th. The Land whose donation is made consists
of two thirds of a square league (Cuadrado de
Siete leguas) (Maya) a little more as appears
by the plot which accompanies the Expediente
and the Captain's decree in his favor by the
Saca Solarana: The Justice who gives the
possession shall cause it to be measured
according to Law in order to designate the
boundaries leaving the Surplus which may
result to the Nation for the necessary uses

5th. If he transgress these conditions he shall forfeit
his right to the Land and it may be alien-
ated by another

I consequently command that
these presents being him for a title and being
well as from any doubt be recorded in the
Corresponding book and be delivered to the
party interested for his Security and further
uses — Given in Mexico on the twenty
sixth of June Eighteen hundred and thirty four
(Signed) Jose Figueroa
(Signed) Augustin Y Samorano
Secy

Recordes in Book of Entries of Lettis respecting
a dedication of Lances at folio thirty four
number thirty two kept in Secretaries Office
under my Charge.

Monterey June twenty sixth Eighteen hundred
and thirty four
(Signed) Zamorano



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The Report presented on the Eighth of the present
month having been laid before the Most
Excellent Deputation in the Dep. of the Justice
with Inst. the three proposals which concluded
said Report and one of the following ten were
approved.

First. The grant made in favor of Citizens Feliceano and Mariano Soleranes of the place
named the Alisal by the decree of the Eight
teenth of May Eighteen hundred and thirty three
and amended by the decree of the Nineteenth
December of said year is approved.

Second. The grant made in favor of Ildefonso
Eduardo Hainne of the part of the Lancel of the
place of the Alisal, granted by decree of the
Nineteenth of December Eighteen hundred and
thirty three mentioned in the foregoing Article
which is approved.

In consequence whereof the
Expediente is returned to the Superior Chief for
its Continuance

Monterey July sixteenth Eighteen hundred &
thirty four

José Inguano
José María Maldonado Secretary

Monterey July twenty fourth Eighteen hundred
and thirty four

In view of the Expediente
approved passed on the sixteenth of the present
month by the Most Excellent Superior Depu-
tation, let a testimony thereof, and of this decus-
tee given to the parties interested, Citizens Feliceano & Mariano Soleranes and Ildefonso
Eduardo Hainne in Confirmation of the grant

of the Council of the Alisal which they obtained by a decree of the nineteenth of December Eighteen hundred and thirty three which amended the decree of the eighteenth of May the same year

Don Jose Figueroa Regu
aer General, Commandant General Inspector
Superior Politecal Chief of Upper California
did this command decree and sign
Whereof I give testimony

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Jose Figueroa
Augustin V. Samorano
Secretary

The foregoing agrees letterally with its original
from which I commanded the present testi-
mony to be certified for the security and
further ends of the party interested, Mellem
Eduardo Martnez in Monterey on the twenty
fourth of July Eighteen hundred and thirty
four being present Citizens Don Jacco
de Madereya and Francisco de Camp
Residents of this place

In testimony of truth
(Signed) Jose Figueroa

(Signed) Augustin V. Samorano
Secretary

Filed in office June 10th 1852

Gen. Fisher Secy

Seal of the Thrice blessed Two Rivers
In the years Eighty Seven hundred and twenty
Six and Eighty seven hundred and twenty seven

Seal for
1828 & 1829

Seal for
1830 & 1831

Seal for
1832 & 1833

Seal for
1834 & 1835

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In a Constitutional Alcalde
Mellicum Edward Hattnell appears before you
and says having obtained a proper grant of
the three parts of the Land known by the
name of the Alisal in clearing also the Land
comprehended between the hill opposite to the
Old house of Citizen Aguilera to the Spring
of water where there was a family claim
indecisive: he applied to you in order that you
will be pleased to give him judicial possession
in conformity with the provisions of the 4th article
of the title of said Land granted on the 16th
of June of the present year which duly accompa-
nies as likewise the respective Confirmation
so that the whole may be produced the desired
Effect. I therefore request that you would
be pleased to put me in possession which I
ask for, whereby I shall receive Justice to
Montreay 30th October 1834

(Signed) Wm Edward Hattnell

Montreay 1st December 1834

In virtue of the foregoing
petition, let me the present Judge of the first
Instance proceed to the measurement, designa-
tion of boundaries and judicial possession
asked for by the party interested in this
Expediente, giving for the Execution thereof of
the Eighteenth day of December of the present
year, to which Effect the neighboring Land
Owners will be cited by means of Summons
Thus the said Judge did decree Command
and sign with a posting Altitipis with which
I act as Judge Delegate (in Reception)
for want of a Notary Public. I give testimony
(Signed) Manuel Tomo Lecarín

(Signed) Jose Leasó

(Signed) Juan B Alvarado } All posting Altitipis

On the same date Mellicum Edward Hattnell
being present, the foregoing was notified to him

who having understood it said that he heard it and consecrated himself as cited and signed with me and the assisting witnesses

(Signed) Wm Edward Hutchins
(Signed) Gasparin
(Signed) Jose Leasto Juan B Alvarado Ap. W. C.

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On the same day the summonses mentioned in the foregoing decree were also fetched in testimony whereof I sign with my flourish

(Signed) The Alcalde's flourish

In the same Rancho of the Alisal on the eighteenth day of the month of December eighteen hundred and thirty four in fulfillment of the decree of the first of said month and year, the Catejins Mariano Estrada Llaveie Spence, and Mariano J. Feliciano Soleranes Owners of the adjoining Ranchos and summoned for the measurement designation of boundaries and possession appeared and I appointed as measurers Catejins Vicente Canete Gasparino Solo, who after accepting and taking oath will proceed to exercise their functions. Thus I the said Judge did decree command and sign with the assisting witnesses - (Signed) Manuel Ramon Gasparin (Signed) Llaveie Spence

(Signed) Jose Leasto
(Signed) Juan B Alvarado } assisting witnesses

On the same date the foregoing decree was notified to the adjoining Land Owners who having understood it, said that they heard it and signed with me and the assisting witnesses

(Signed) Gasparin
(Signed) Mariano Soleranes, Feliciano Soleranes
(Signed) Jose Maria Estrada, Llaveie Spence
(Signed) Jose Leasto
(Signed) Manuel Beetsm } assisting witnesses

On the same date and in the same Rancho, the decree wherein Catejins Vicente Canete Gasparino Solo are appointed measurers was notified to

them and having understood it they said
 that they accepted & did accept said appoint-
 ment and swore by the Lord or God and
 the sign of the ^{Holy} Cross to comply faithfully and
 legally to the best of their knowledge and
 ability without deceit or fraud against
 any person, and said Soto alone signed beca-
 use he said that he did not know
 how to sign with the existing witnesses
 (Signed) Manuel Jimeno Casarin (Signed) Jose
 Mariano Soto = (Signed) Jose Casto }
 (Signed) Manuel Bealon } as. witnesses

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Immediately afterwards the said Judge
 ordered to be brought into my presence the Cord
 which with the said lines was to be measured and
 that the measurers should measure off one
 hundred varas, and signed with the existing
 witnesses (Signed) Manuel Jimeno Casarin
 (Signed) Manuel Bealon }
 (Signed) Jose Casto } as existing witnesses

On the same day in presence of me the said Judge
 the said measurers took a hamp on Cord and
 taking a Common Mexican Vara in their
 hands, measured off one hundred varas to
 make the said measurement with Intestimo
 my whole of I sign with my flourish
 (Signed) Alcazar flourish

On the same date and in the same Rancho
 it being eight o'clock in the morning the
 present Alcazar Commanded the measurers
 appointed to place themselves in order to meas-
 ure the whole of the said land known as the Alcazar
 and deeded afterwards the third part of the
 said Alcazar deeded and intended to take
 possession of, and standing at the Oak tree
 of the three crops situated in the place called
 the Matadero del Encinal twelve Cables were
 calculated towards the North to the main
 trees returning to said Oak tree and taking
 the direction of $1/4$ N One hundred Cables
 were measured to the great lagoon from

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the Middle of Saice Lagoon on the North
all Saice in the direction of N. N. W. to the point
of the Lagoon near the high road to the Alisal
thirty Cacas were measured; from the Saice point in the
direction of N. N. E. to the mountain pass (Patezquele)
the boundary of Manuel Barron Eighty Cacas were
measured from Saice (Patezquele) in the direction
of S. E. two hundred Cacas were calculated.

Having made the measurement the
Saice measure declared that there were about
two square leagues (Comos dos Seteas de quince
mayas) By mutual agreement between Messrs
Solerales & Mr. Hartness it was stipulated
that the boundaries of the latter shall be from the
high mountain to the N of the Oak tree of the
three crosses in the Matanzas de Encinas; all the
boundary line of Benito Vista from Saice Mata
dos to the other side of the large Lagoon and
from the Edge of Saice Lagoon on the N. all side
drawing a straight line in the direction of N. E.
until arriving at the Middle of the second of
(Canada) on the other side of the mine locumnes
the Soleada and besides the great creek of the
Alisal from the swamp up towards the
North of Saice Swamp - that is to say, all the
land comprised to the East of the Creek, and
to the North and East of the hills which run
from the Swamp to the Middle of the second
of below the mine locumnes the Soleada, the
Spring of Alisal & Lagoons in the same corresp
onding to Saice Hartness to belong to him
Having designated the boundaries, I ordered land
marks to be formed and a plot to be made of the
part of the land belonging to Saice Hartness
as a proof thereof and signed in presence of the
attesting witnesses according to Law

(Signed) Manuel Jimeno Casarin
(Signed) Jose Castro
(Signed) Manuel Barron

On the same date I the Saice Judge did command
that the land having been measured and the
boundaries designated, Manuel E. Hartness

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should be put in ^{possession} and the neighboring
land holders be notified and signed with the
existing witnesses.

(Signed) Manuel Jimeno Casarin
(Signed) Jose Castro }
(Signed) Manuel Burton }

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On the same date the Owners of the adjoining Ran-
chas Don Marciano Estrada Don Juvenal Espino
Don Marciano Solares and Don Feliciano Sol-
ares were notified of the foregoing decree, which
having understood they said that they heard it
and signed with me and the existing wit-
nesses.

(Signed) Casarin
(Signed) Juvenal Espino
(Signed) Jose Castro }
(Signed) Manuel Burton }

In the Rancho of the Alisal alias the Potreros
it being about ten o'clock in the morning of the
same day March and year Mr. William Esce
and Martine a resident of Monterey accompanied
by the Judge of the Just Instance and witnesses
with the design as said Martine said of taking
the Caporal trees possession of the said land
of the Alisal alias the Potreros it being to
him by just title which he obtained from the
Political Government of this Territory on the twenty
sixth day of June Eighteen hundred and thirty
four and the approval of the Most Excellent
Territorial Deputation on the sixteenth of July
Eighteen hundred and thirty four.

He entered and walked on said lands
pulled up grass, scattered hand fulls of earth
broke off boughs of trees and performed other
ceremonies of tree possession, which he said he
took, and took of said lands, and the said
Judge and Comandante that said Martine should
be thence forward be held and acknowledged
as true Lord and possessor thereof.

Of all the before mentioned said
Martine requested that the said Judge should
give him a certificate for future memory of the
conservation of his rights, which was then with

oversee, the assisting Uclnepes being Don Jose
Castro, and Don Manuel Beaton, with whom
I act as Uclnepe Delegate for want of a Notary
Public (there being none) according to Law
I give testimony
(Signed) Casarin

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(Signed) Jose Castro }
(Signed) Manuel Beaton } assisting Uclnepes

On the same date this Expediente is returned
to the party interested on nine useful folios
in testimony whereof I make this note, and
signed with my flourish
(Signed) Flourish

Filed in Office June 10th 1853

Geo. Fisher Secy

Juan P. Alvarado, Governor, ad interim of the
Department of the Californias -

Translation of Decree Whereas Don Guillermo Ed. Hartwell,
the grant of Ampliation to his family, has petitioned for an Ampliation -
Alizal, form- ation of the tract of land which he possesses in
ing part of Doc. El Alizal, adding thereto the Valley (Cañada)
No. 1. to which embraces, a little more or less, from "Aguas-
depos. of Mend. jito del Patrocinio," direction N. N. W. to the
Summit - Surro, adjoining the Gavilan, two miles; from
the said Aguajito, course N. E. to the Loone-
Sak, two miles and a half, and from the
same Aguajito, course E., to the Summit
of the Final, the said distance, an ar-
royo running through the center of the
said Valley, the proceedings and investi-
gations having been previously had and
made, as provided by laws and regulations,
in the exercise of the powers in me vested,
I have concluded, in the name of the Mex-
ican Nation, to grant him the land afore-
said, declaring unto him the ownership there-
of by these present letters, subject to the ap-
proval of the Departmental Junta and
to the following conditions:

1^a He may meliorate it without prejudice
to the crossing, roads and servitudes; he shall
enjoy it freely and exclusively, appropriating
to the use or cultivation he may deem proper -

2^a He shall request the respective Judge
to give him judicial possession thereof in
virtue of this patent, by which the bounda-
ries shall be designated, in the limits of
which he shall plant, besides the landmarks,
some fruit trees or wild ones of some utility -

3^d - The land indicated as the augmentation to that which he possesses is of the extent described in the diseno which forms a part of the Expediente. The Judge who shall give the possession will cause it to be measured according to Ordinance, the surplus remaining to the Nation for its proper uses.

4th - If he contravene these conditions, he shall lose his right to the land, and it may be denounced by another.

Therefore, this title being held as firm and valid, I command that it be entered in the proper Book and delivered to the grantee for his security and other purposes.

Given at Monterey on the eighth of May, eighteen hundred and thirty nine.
(Signed) Juan B. Alvarado.
(Signed) Juan Jimeno,
Secretary of State.

This title is entered in the Book of Registry of adjudicated vacant lands on folio 7^{to}
(Signed) Jimeno.

I certify the foregoing to be a true and correct translation -

Witness my hand this 27th Jan'y.
1853 - Geo. Fisher Secy -

Filed in Office Jan'y 27th 1853
Geo. Fisher
Secy.

Translation of
Title -
Cosemms
E'

Seal of the first Chap Eight Doccers
Authorized provisionally by the Maritime Customs
House of the Port of Monterey in the Department
of the Californias for the years Eighteen hundred
and forty four & Eighteen hundred and forty five
(Signed) Melchiorre (Signed) Pablo de la Guerra

Custom house
Seal

Antonio Manuel Melchiorre Brigadier General
of the Mexican Army Captain General of the
Staff of the same General Commandant General
and Inspector of the Department of Californias

Govt Seal

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Whereas Mr Melchiorre Antonio
Mexican by Naturalization has solicited for his
personal benefit and that of his family a tract
of land of the Estate of Elena Siquero Legues
bounded on the North by the Rio Cosemms
in front of the Rancho of Don Joaquin Salsam
on the West by the Rancho of Dona Anastacia
Chaboye, on the South by the vicinity of the
Ley Lereto (Arroyo de los Arroyos) and on the
East by the vicinity of the Sierra Nevada
the necessary steps and investigations having
been previously taken and made in conform
ity with the requirements of Law and requi
sitions; I have by virtue of the powers confer
red upon me granted unto him in the name
of the Mexican Nation the legua mentioned
and declaring unto him the Ownership thereof
by these present letters subject to the approval
of the Most Excellent Departmental Assembly
and under the following conditions

- 1st He may remove it without prejudice to
the crops, houses and buildings, he shall
enjoy it freely and exclusively destining it
to the use of Cultivation which may best suit
him
- 2^a. He shall apply to the respective Justice
to give him judicial possession in virtue of this
Letter - Said Magistrate shall designate the
boundaries, at the limits of which the grantee
shall observe placing the same marks
plant some fruit trees or weed ones of some

Validity

3rd. The Land whereof donation is made contains
Eleven Square leagues (Once Setos de gunas Mayor)

The Justice who gives the possession will cause
it to be measured according to Law, leaving
the Surplus for the uses which may be required
by the Nation.

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4th. If he transgresses these Conditions he shall
forfeit his right to the Land and it may be
announced by another.

I consequently Command
that the present Survey him for a title and
being held as firm and valid a record thereof
be made in the respective book and be
delivered to the party interested for his security
and further uses

Given in Monterey this thirteenth
day of November Eighteen hundred and
forty four

(Signed) Manuel Melchiorra
Signed Manuel Jimeno
Secretary

This is recorded in the respective Book
at folio 8

(Signed) Jimeno

Filed in Office May 12th 1852

Geo. Fisher
Secy

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Copy of Warrant Last Will and Testament of M. E. P. Sautwell
Will of Monterey State of California

In the name of the most Holy Trinity Father
Son and Holy Ghost I William Edward Petty
Sautwell, being at this moment (thanks be
to God) in perfect health and sound mind
and memory do declare this to be my last
Will and Testament:

In the first place I declare it is my desire to live
and die in the bosom of the Holy Roman Cath-
olic and Apostolic Church, and I request
that when it may please the Almighty to call
me out of this world, my funeral be con-
ducted in as plain and moderate a manner as
possible, and without any unnecessary pomp
or show. I declare that the property which I
possess and the and the debts owing by, and
to me will be found expressed in the annexed
my last with my name

I do further declare that I do hereby constitute
and appoint as my sole Executor and as
Tutors and guardians to each of my children
as may remain under age at the time of my
death, my dearly beloved wife Maria Teresa
de la Guerra and her brother and my good friend
Don Pablo de la Guerra, requesting that they will
as soon after my decease as possible pay off
my debts and satisfy my bequests, it is like-
wise my desire that my debts be not in
any way disputed on account of the amounts
they may owe, but that they be merely requested
to pay, and that whatever they may choose to
pay be received in full of all demands

I do furthermore declare that
it is my desire that on my decease, my wife
do enter into and take possession of all my
property both real and personal estate and
that she have the sole management and
control thereof during her natural life (except
such part as I may hereafter dispose
of) for her use and benefit and for the
maintenance and dear beloved children
Sebastian, Antonio, Juan, Alberto, Teresa

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Jose, Matilde, Ana, Magdalena, Pablo, Melan-
rico, Silvestre, Amelico, Annicego, and any
others which the Lord may be pleased to bless
us with, and on the death of my said wife,
it is my desire, that all said property be Equally
divided amongst our said Children in the
Manner which may seem most Equitable
to my brother in law Don Pablo de la Guerra
Should he survive my wife, or in case of his
predecessor death, to the person who my wife may
by will appoint in his stead. Without any
responsibility, bond or guarantee whatever on the
part of either of my Executors respecting the
fulfillment of this my last will and testament,
if my principal object is to prevent any member
of the said family from hereafter anything whatever to
do with my property or with my Executors or heirs
I moreover give and bequeath unto my Sister
Mary or in case of her death to my Sister
Mannah or to whichever one of my Brothers George
or Nathaniel may be in most want thereof,
the Amount of One thousand Dollars, which I
request my Executors to remit in a good bill
of Exchange on England to my Brother Nathaniel
residing at No. 1. Saagly Place New Kent
Road London

I furthermore desire that another bill of Exchange of
the same description for the Amount of Six hundred
be forwarded to the Right Rev. Doctor Henry
B. de Bishop, Belfast or in his absence to
the Rev. James Kellan. P. P. Ballynureth
Belfast desired for him to distribute to the
persons above whom I have written to him
in proportion to their necessity. It being und-
erstood that should I in my lifetime be
unable to make remittance of the two
before mentioned Amounts of \$1000. and
\$600. then these two bequests to be read
and void.

I give and bequeath to my
Son Guillermo, my large family mourning
ring, unto my Son Juan my old Silver Watch
unto my Son Adellanto, the ring which I wear
and to Accepta Teresa my Mother's likeness -

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to the rest of my children I give and bequeath
my library to be divided amongst them as their
mother may see fit; and to the whole of them
I give my paternal blessing in the name of the
Father Son and Holy Ghost Amen
Signed sealed and delivered in the City of
Monterey this Sixth day of December Esq: Juan
Benedict and J: J: in the presence of the
Deputies of the Legislature

M. E. P. Hartnell



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All the undersigned do hereby certify that the fore
going document was signed by M. E. P. Hartnell
in our presence, and that then and there declared
by him to be his last will and testament

Manuel Jimeno residence in La Cañada
de Monterey - J. Spencer residence in the City of
Monterey -

List of property belonging to me this day and
dates being to and by me required to in my
foregoing will and testament:

1st My dwelling
house in Hartnell Street with the Lot annex
ed west of the dimensions expressed in a
document signed by Melchor Castro on the
17th March 1847 (Lea 30 yards square) sold
John Gorman & 15 y front by 30 y deep sold
J. R. Mason

2nd A Lot of 40 yards front & 56
in depth opposite my said dwelling house
as per deed signed by M. L. Bolton 9th April 1847

3rd A Lot of 160 yards front
and 100 y in depth (Lea 35 y front by 40 in
depth sold John Moses and the same quantity
of same sold M. L. Bolton) situated in
Chanote Street as per deed signed by M.
Bolton 3 month 1847

4th. A Lot near the
Academy beque of 25 y front by 50 y in depth
as per deed given by Marcelonio Pardo
31st December 1849

5th. Five Lots in South San Francisco as per deed signed by John Townsend and Anne Boon the 30th September 1849.

6th. My Rancho of the Alisal (now called Patrocinio) as per deed signed by Jose Segura on the 26th June 1834 with two herises on the same.

7th. My Rancho as per deed signed by Juan B Alvarado 8 May 1839.

8th. My Rancho of Los Santos and San Antonio as per deed signed by Juan B Alvarado 28th August 1841.

9th. My Rancho of the Cosumnes (by the sections No 10 & 13 sold to Mr Sherman No 14 sold to Mr Allison No 16 sold to James Sheehan, and the lower half of No 13 sold to Mr Austin as per map, surveyed by Mr J Sherman and deposited in the archives of the Recorder's Office at Sacramento City as per deed signed by Manuel Michelena 3rd Nov 1844.

10th. My personal property consisting a little more or less in one thousand heads of cattle fifteen horses, eight mules, two Carriages, one black and white library, house hold furniture etc. — Mr H. Nelson's Obligation for \$1963⁰⁰ due Nov 2nd J. C. Antens Note for 900 \$ due 23rd Nov or Dec (in the hands of A. La. Manson Sacramento City for Collection Nelson's Note for 2250 \$ due 2nd Feb 1851 — John Monro's Obligation for 200 \$ past due — Mariano Soleranes owes in Cash 79 \$ I have in Estadales owes according to my account some 900 \$ but he denies the greater part — Jose Antonio Carrillo owes about 1000 \$

Debts Owning by me

I am indebted of San Francisco as agent for John Gates of Sausalito 1297 \$ 37^{cts} to Mr H. Howland of San Francisco some 600 \$ to Jose Antonio Aguirre of San Diego 915 \$ 1^{ct} to Clara and John Forbes of Santa Clara (as agent for Barbara Foster and H. S. of Tepec. 400 \$

Monterey 6th December 1850

Mr E P Stuenkel

I Mr Hastings of Sutter is likewise indebted to me the amount of five thousand dollars (\$5000) for a lot of pieces of land which he sold for me to Mr J Sheeler and received the cash for, and as this was a breach of trust on his part I desire that he may be proceeded against to the full of the law

Monterey 6th December 1850

Mr E. P. Stuenkel

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Probate Court Monterey County
State of California
Monday 27th July 1854

DAVID SPENCE

David Spence

upon being sworn deposes and says that he was acquainted with Mr E. P. Stuenkel deceased that he is now dead, that he died on the morning of the 2^d of this month and year, upon being shown the last will and testament of Mr E. P. Stuenkel says that he has known the hand writing of Mr E. P. Stuenkel for many years and that the writing and signature to the will is that of Mr E. P. Stuenkel; that he David Spence was called to the signature at the time the will was signed by the late Mr E. P. Stuenkel says that the signature which he David Spence has sworn to, is the signature affixed to an instrument purporting to be last will and testament of Mr E. P. Stuenkel, says that it is his (David Spence) signature as being to the signature of Mr E. P. Stuenkel affixed to said instrument; says that Mr E. P. Stuenkel deceased signed the same in his presence and at the same time mentioned in deponents presence that he has signature to his last will and testament, says that he signed the same as being in the presence of Mr E. P. Stuenkel and at his request, says that at that time he knows that Mr E. P. Stuenkel deceased was of sound mind and disposing memory — that Manuel Jimeno and James McKinley were also deposing witnesses to the signature of Mr E. P. Stuenkel as shown in his will and

and testament, at the time he deponent subscribed
to the same - That according to his deponent's
best information said Manuel Jimeno died
in Mexico not long since - that he is therefore
not now in this country -

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Upon being shown
the signature of Manuel Jimeno as a witness
being identical to the signature of Mr. E. P. Stuart
well states that it is his Manuel Jimeno's
signature and signed in deponent's presence
states that he is acquainted with James
McKenley and that the signature of said
McKenley as a subscribing witness to the
signature of Mr. E. P. Stuart - as shown
in his last will and testament is the signa-
ture of James McKenley and that said
James McKenley signed the same in his
deponent's presence, says that according to
the best of his information that said McKenley
has been absent from this country some months
and that he is now supposed to be in the
county of San Luis Obispo according to the
best information that is in the possession
deponent D. S. Spence

Subscribed and sworn
to before me in open court this 27th day of
February 1854

James S. Geason Clerk of
Probate Court Monterey County
for Edward S. Williams Deputy Deeds

Probate Court Monterey County
State of California

Regular Term of February 1854

On reading the Case Will and testament of
Wm. E. P. Sturtevant proceeds to be seen by the
testimony of David Spence one of the
subscribing witnesses, and it appearing to
the satisfaction of the Court by the testimony
of said Spence that the testator at the
time of the execution, was of sound mind
and not under restraint, the Court therefore
Orders that the said Will be admitted to
Probate - and that letters Testamentary with
a copy of the Will annexed be issued to the
Executors named in said Will, to wit,
John de la Guerra de Sturtevant -

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Given under my hand and the Seal of the
Court affixed this 28th day of February A.D.
1854

Joseph M. Mace Probate
Judge of Monterey County (Seal of Probate Court)

I James S. Bacon Clerk of the Probate Court
in and for the County of Monterey State of
California do hereby certify that the foregoing
is a true and correct copy from the
records of the Probate Court in and for
said County in Book of records pages from
25 to 33 inclusive

Given under my hand and
the Seal of said Court affixed this day
May 1st A.D. 1854

J. S. Bacon
Clerk

James S. Bacon
Clerk of said Court

Filed in Office July 10th 1854

Geo. Fisher

Deputy

Recorded in Records of Executions Vol 8 p 507
Geo. Fisher Secy

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Letter of Secretary Office of the Board of Commissioners of
to Survey General California Land Claims

San Francisco May the 19th 1852

Samuel D King Esq,

Surveyor General

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Sir: There is pend
ing before the Board of Commissioners a petition
in favor of Guillermo Eades Hartness being
No 228 On the Docket of the said Board
claiming a tract of land under a grant from
Governor Juan B Alvarado to the petition
date August the 28th 1841 which tract of
land is called Socorro Santos & San Antonio
and is described as follows viz to the extent
of five square leagues a little more or less, in
Santa Barbara County bounded on the East
by Los Alamitos, on the West by the beach of
San Antonio on the South by the hills of Los
Paremanos and on the North by La Laja

Petelena also claims a tract of
Elacem square leagues on the Cosumnes River opp
osite Sheldons Ranch having that of Chalergus
on the West and the Serra Nevada on the East
The grant is from Governor Michelena and
bears date November the 3rd 1844

You will please inform the
Board whether the more can be done in
your Office show that such a grant was
made, whether it was approved by the
Territorial Department and when; whether
the papers relating to said grant appear in
all respects fair and genuine and whether
any particular circumstances have come to your
knowledge calculated to cast suspicion
on the fairness and validity of the claim

Very respectfully
Yours

(Signed) Geo. Fisher Secretary

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Reply of Surveyor
Genl. to Secty.

Surveyor General's Office
San Francisco August 24th 1852

To the Secretary of the Commissioners of Land
new Land Claims

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Sir: In reply to your
enquiries No 225. I have the honor to state that
there is among Archives in this Office an
Especeinte No. 252 purporting to show that such
a grant was made as is specified in your
enquiry.

Said Document shows the approval of
the Departmental Assembly on the 23rd April 1846

The papers in this case appear to be false
and genuine and I know of nothing among
said Archives calculated to cast suspicion
thereon

Very respectfully Yours
Saml. Henry
Surveyor General

Notice

Case No 228. Before the U.S. Board of Land
Commissioners to ascertain and settle private
Land Claims in California.

Hartnell
vs
The United States

To Messrs. Halleck Peachy & Bellamy
Gentlemen: Take Notice that on the 16th day of
June 1854 at the hour of 10 O'clock AM or as soon
thereafter as the matter can be reached before
a proper Commission I shall proceed to take
the deposition of — Parker to be read in
evidence on the trial of the above entitled
Case, on the part of the United States —
Respectfully, J. H. McKune Law Agent

Received copy of the above Notice June 24th
1854

Halleck Peachy & Bellamy
Attys for Claimant

Filed in Office of June 24th 1854

Geo. Fisher Secy

155
Motion to
Revoke

Cases 364 and 338

The licenses for the claimant in this case suggest the death of the claimant and the heirs since the filing of the petitions therein, and more than from commencement of an order that the said claims may be revoked in the names of the heirs at Law of the said Claimant, to be proved by testimony hereafter to be taken

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April 18th, 1854. Halleck Peachy & Bellamy

Filed in Office April 1854

Geo. Fisher Secy

Recorded in Journal Vol 3 page 642

Geo. Fisher Secy

Motion to
Amend petition

No. 338

In the claim of M. E. P. Hurrell to James Santos of San Antonio and Cosumnes

Moved that the petition in this case be amended by substituting in the name of the Original Claimant the names of Maria Luisa de la Guerra de Hurrell widow, Isidoro A. Hurrell, Juan Hurrell, Alcestes Hurrell, Jesus Hurrell, Jose Hurrell, Mateo Hurrell, Ance Hurrell, Pablo Hurrell, Marcos Hurrell, Amelio Hurrell & Celestine Hurrell, Children and Pablo de la Guerra and Maria Luisa de la Guerra de Hurrell, Executors of M. E. P. Hurrell deceased

Halleck Peachy & Bellamy

Attys for Claimants

Filed in Office Oct. 17, 1854

Geo. Fisher Secy

Recorded in Journal Vol 4 page 70

Geo. Fisher Secy

No. 364. 338

Ordered that leave be granted to amend the petition by making the deceased the Executors the devisees & heirs of M. E. P. Hurrell parties therein

Filed in Office July 11 1854

Geo. Fisher Secy

Recorded in Journal Vol 3 page 712

Geo. Fisher Secy

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Althausium No. 208. Solvum admodum hinc aut clarescit

15
Speculation
No. 1

No. 228. Claim of children, heirs and devisees
of the late William E P Hartness to the Rancho
Santos Santos of San Antonio and Cosummes

It is hereby agreed between the parties to this case
by their respective attorneys, that a document
this day filed in Case No 264 purporting to be
a certified copy of the last will and testament
of the late William E P Hartness shall be
read and considered in evidence in this claim
and shall have the same legal force and effect
as if said document had been duly certified
in this case and none other. The claimants
shall file a copy of said document duly certified
by the Secretary of the Board of Land Commis-
sioners in this case

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I M McKee Esq Agent
Claimants Attorneys

Filed in Office July 10. 1854

Geo. Fisher Secy

Recorded in Journal Vol 3 page 706

Geo. Fisher Secy

No 228.

Claim of Isaac and Isaac devisees and children
of Wm E P Hartness for Santos Santos of
San Antonio and Cosummes

It is hereby agreed
between the parties to this claim by their respec-
tive attorneys, that the deposition of Pablo
de la Guerra taken in Case No 264 on the
10th July 1854 on behalf of claimants
shall be read and regarded as in evidence
in this claim and shall have the same legal
effect as if duly taken thereon —

The claimants to furnish a duly certified
copy of said deposition to be filed herein
10 July 1854

Isaac Blaney
U.S. Assn Esq Agent

Attacks Blaney & Blaney Esqs
for Claimants

Filed in Office July 10 - 1854

Geo. Fisher Secy

Recorded in Journal Vol 3 page 706

Geo. Fisher Secy

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Stipulation

No. 228

It is hereby stipulated and agreed that the papers filed in Case No. 264 before this Commission shall be deemed and considered in Evidence in this Case (No. 228) with the same force as if the papers had been duly filed herein

Sept. 12th 1854 J. S. McKinnon Secy agent

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Walter Peachy Williams
Atty for Claimants

Filed in Office Oct. 24. 1854

Geo. Fisher Secy

Recorded in Journal Vol 4 page 87

Geo. Fisher Secy

Opinion of
Board by
Com. Jurors

Heirs of Wm E. F. Hartnell } For the place called
vs } Todos Santos and
The United States } San Antonio, situate
in the County of Santa
Barbara Containing five square
Leagues and also for a place
called Cosumnes situate in
the County of Sacramento and
Containing six Leagues

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This case was filed in this Commission in the
Name of Wm E. F. Hartnell and is based
upon two grants, One issued by Governor
Alvarado on the 28th day of August 1841⁴
for the place called Todos Santos and
San Antonio, Containing five square leagues
and also One issued by Governor Micheltuna
on the 3^d day of November 1841 for the place
called Cosumnes for Eleven square leagues,
which said grants have been filed in
this Case, together with the traced copies
of the Expediente, and maps attached to the
Same, upon which said grants were issued
all of which are properly authenticated and
made evidence in the Case. The proofs
show that previous possession was given of
the place called Todos Santos on the 4th
day of October 1841 and that the conditions
of the colonization Law in reference to
Occupation and Cultivation were previously
completed with on the part of the grantee.
The aforementioned documents were presented
to the Departmental Assembly for their action
and that body approved the grant for the
place called Todos Santos, and for the
place called Cosumnes to the extent of six
leagues all according to the grantee to select the

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Same within the Extrem boundaries named
in the Expediente and as set forth by the
plac accompanying the same.

The Decree is such
as to leave no doubt of a reply to confirm
ation to the place called Sanas Santos
and we think that under the ruling of the
Supreme Court in the Case of Fremont, the
Claimants are also entitled to a confirma-
tion for six leagues, to be located within
the boundaries specified in the subse-
quent grant, for the place called Cosumnes
And it appearing that since the filing of
the petition herein the said Wm E P. Houtnell
has departed this life leaving a wife and
children heirs to his Estate, and for whose
benefit Confirmation is now sought and
a decree will be entered accordingly.

Confirmed

Filed in Office Aug 7. 1855

Geo. Fisher

Secy

Decree

Heirs of Mr. E. P. Hornum

vs

The United States

In this case on

hearing the proofs and allegations it is
appears by the Commission that the
claim of the said petitioner is valid,
and it is therefore decreed that their
application for a Confirmation thereof is
allowed.

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PAGE 31

The land of which confirmation
is hereby given consists of a place called
Tomas Santos & San Antonio, containing five
square leagues situate in the County of
Santa Barbara, and to be located within
the following exterior lines or bounds, on
the East by Las Alamos, on the West by the
branch of San Antonio on the South by the
hill of La Penasima and on the North by
the plain de Largo.

Also a place called
Cosumines situate in the County of Sacram-
ento and containing six square leagues
and to be located within the following
boundaries, the River Cosumines on the
North, opposite the Rancho of Shelcan, on
the West the Rancho of Don Anastacio
Chaboya, on the South by the vicinity of
Dry creek, and on the East by the vicinity
of the Sierra Mountains - Reference being
had to the grants and maps accompanying
the Expedientes on file in this case.

A. Aug. Thompson

G. B. Farnes

Taken in Office Aug. 7. 1855 Geo. Fisher Secy

Commissioner

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And it appearing to the satisfaction of the
 Board that the same ^{copy} ~~specimens~~
 is selected in the ^{Northern} ~~Northern~~ ^{Southern} ~~Southern~~ District of
 California it is ordered that three transcripts
 of the proceedings and decision in this case
 and of the papers and evidence upon
 which the same are founded be made
 out and duly certified by the Secretary
 One of which transcripts shall be filed
 with the Clerk of the ^{United States} ~~United States~~
 District Court for the ^{Northern} ~~Northern~~ ^{Southern} ~~Southern~~
 District of California and the other be
 transmitted to the Attorney General of the
 United States.

228 Dub
Account map & Copy of Map
Sp. Dec. in 269

Office of the Board of Commissioners,

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

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 One hundred & forty two pages, numbered from 1 to 142, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 228, on the Docket of the said Board, wherein

Wm E. P. Westwell is

the Claimant against the United States, for the place known by the name of "Todas Santos y San Antonio & Cosumnes"

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In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this Seventh day of December A. D. 1851, and of the Independence of the United States of America the seventy-eighth.

Geo. Fisher
[Signature]

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U. S. DISTRICT COURT,

San Francisco District of California.

No. 357.

THE UNITED STATES.

357

*Guillermo Edwardo Mast
nell*
"Los Santos, etc."

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS.

In Case No. 228.

Filed, January 5th 1856.

J. C. Carr
CK

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The United States of America.

Law Commission Exhibit

"N"

Office of the Surveyor General of the United States
For the State of California.

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I, JAMES W. MANDEVILLE, Surveyor General of the United States for the State of California, and as such, having in my office and in my charge and custody, the Archives of the former Spanish and Mexican Government in the Territory and Department of Upper California, and the papers of the Board of Commissioners "to ascertain and settle private land claims in the State of California," by virtue of the power vested in me by law, do hereby certify that the papers hereto annexed, ~~marked and numbered~~ consisting of nine pages are true copies of documents on file in Case No. 228 on the Dept. of San Pedro, in which W. F. P. Wadsworth was claimant of a place called Cosumnes.

are true copies of original Archives and papers in my custody and on file in the office of the Surveyor General aforesaid.

In testimony whereof, I have hereunto set my hand and caused my official seal to be affixed, at the Surveyor General's office, in the City of San Francisco, this thirteenth day of September 1858

J. W. Mandeville

Surveyor General of the United States, for the State of California.

(Comes last)

Land Cer. - open Exhibit
M -

No. 228 claim of Y. E. P. Hartnell
Deposition of Y. E. P. Hartnell in No. 228.

Page 1

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Board of Commissioners upon Private Land
claims in California. May 12th A.D. 1852
The Deposition of Pablo de la Guerra taken
at the request of Y. E. P. Hartnell to be used
in the case No. 228 for confirmation of the
grant of the Rancho Todos Santos y
San Antonio and Cosumes

Questions by Claimant

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

Answer my name is Pablo de la Guerra,
my age is 32 years; I reside in Santa Barbara
and have lived in California all my life.

2nd Question Do you know the signature of
Manuel Micheltuna, and if so, say whether
his signature to the paper before you is genuine,
if the paper is genuine & an original official
document, and if exhibit "K" filed in claim
No. 228 in the office of the Secretary of the Board
of Commissioners is a true copy of this original?

Answer I do know the signature of Manuel
Micheltuna; his signature to the document
before me is genuine, and the document is
genuine and an original received by me as
an official paper while I was collector of
customs in California. I have compared this
paper with exhibit "K" filed in claim No. 228
in the office of the Secretary of the Commissioners
and find the latter to be a correct copy of
this original.

Objected to by G. W. Cooley Law Agent U.S.
as incompetent

Question to the Witness by George W. Coolidge Esq
Sav Agent of the United States

Interrogatory 1st From whom did you receive
the paper now exhibited to you as an official
paper?

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Deponent's Answer - I cannot say from whom
I received the paper - I have had the paper
in my possession several years - It may have
been left with some of the clerks or I may
have found it on my desk in my office I
cannot now state from whom I received it -
I received and treated it as an official paper
sent to me for my instruction and guidance
in the performance of my official duties as
collector of Customs at Monterey which embraced
the whole district of California - I received
the paper as I understood as coming from
Gov^r Micheltoune - I had before requested
of the Governor a copy of his instructions for the
reason that he had made some new regulations
in reference to the Custom House - I received the
paper now exhibited as I understood in
consequence of my request -

Interrogatory by Capt^r Hallett Counsel
for Petitioner

Did Governor Micheltoune show to you a
paper which purported to be his original
instructions and of which this paper purports to
be a certified copy before you received the
paper exhibited?

Objected to by Mr. Coolidge Sav Agent U.S as incompetent
Deponent's Answer - He did

Pablo de la Guerra

May 12th A.D. 1852. Subscribed and sworn to
Before me

James Wilson

Commissioner

No. 228

Guill. E. Martinello

Dados Santos of San
Antonio of Coahuila

Deposition of Pablo de la Guerra,
taken before Commissioner
James Wilson

Filed in Office May 12th 1852
Geo Fisher
Secy.

Recorded in Record of
Evidence Vol 1 pages 367 & 368
Geo Fisher
Secy.

Oficio del
Dept. de
California

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Con fecha 11 de Febrero de 1842, me dice el E. J. Ministro de la Guerra y Marina lo que copio.

E. J. = Deseando el E. J. Presidente provisional de que en el Departamento de Californias se promuevan todos los recursos que tiene para prosperar y ponerse en defensa y en el estado de felicidad al que aun la misma naturaleza le invita; teniendo en consideracion los sucesos q. ha havido en el pais y q. por la distancia no ha podido evitarlo el Gobierno nacional la situacion en que V. E. va'a encontrarse, y las medidas que tendrá que adoptar, cuya consultas no surtirian efecto si aguardan el tpo. necesario para su resolucion: que hay asuntos en los que el mas pequeño retardo no proporcionan el remedio; y confiado en que V. E. no abusará del poder, y que el que se le concede lo empleará en en bien del servicio y de todos las habitantes del interesante y férax Departamento que el Gobierno Supremo ha puesto á su cargo y responsabilidad, se ha servido conceder á V. E. ademas de las atribuciones que le demarca las leyes y ordenanzas vigentes, como Gobernador. Comandante Gral e Inspector, todas las facultades que puede delegarle el Gob^o Supremo, p.^a que en uso de ellas, remueva á los empleados civiles y militares, dependientes de el, que no correspondan á sus deberes y á la confianza del mismo Sup^o Gobierno, reemplazandolos con ciudadanos dignos que entraran al ejercicio de sus destinos sin perjuicio de que V. E. dara cuenta para la aprobacion suprema, con las causas de

sus procedimientos =

Las miras del supremo Magistrado no solo se reducen á la Alta California sino que tambien se estienden á la baja, en cuya demarcacion han aprecido conatos de eccision, que fomentada por enemigos ocultos, han hecho que tomen parte algunos estranos que su mismo origen les prohibe el ingerirse en querellas domesticas: y como este resuelto á proteger á las tropas, autoridades y recursos de la mencionada peninsula, ha resuelto, que el mando militar de V.E. se estienda á dicha baja California como esta en lo politico; separandolo del de Sinaloa, sin embargo de que el Sr. Comd^{te} gral. de los Departam^{tos} de Sonora y Sinaloa, continuara impartiendo á V.E. los recursos y auxilios de que hubiere menester para asegurar la paz, y á socorrer las tropas, para proveer al vecindario y á hacer que toda la demarcacion prospere y sea feliz = Aunque el art^o 1^o de 2 de Nov^o de 839 deroga los articulos del de 18 de Febro del mismo año que sujetaban á la dependencia de la Plana M^{or}. del Ejercito y el 13 del primer decreto citado solo se deja á los comandantes generales de los Departamentos de Oriente y Occidente con las antiguas atribuciones inspectores que tenian en las compañías presidiales, el E. S. Presid^{te} referido, ha resultado, que las facultades de V.E. se estiendan como inspector al Batallon fijo de Californias y que en todo lo relativo obse en mecanica y se entienda con la plana Mayor del Ejercito. = Va V.E. á experimentar el arreglo ó desorden en que se encuentran las Aduanas maritimas de ambas Californias: tiene la necesidad de examinar la situacion que guarden todas las misiones

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en su Gobierno, adelantos y ramos de conta-
bilidad: tiene que proceder á la inspeccion y
reorganizacion de las Compañias Presidiales,
y p.^a todo debiera dejar eccistente el mal
mientras que se resolvia la consulta, El
Gobierno Sup.^o confiando en la justificacion
y actividad de V.E. quiere desde luego que
el daño se evite, que el bien se establezca
y que desde luego ningun obstaculo lo im-
pida y por lo mismo las facultades que
delega en V.E. las hace extensivas a estos
ramos y a cuantos mas puedan contribuir
á la bha del país, contando entre sus ramos
la admon de correos, la colonizacion, el
establecimiento de Presidios la mejora de los
puertos la seguridad de los pueblos - la civili-
zacion de los salvajes, la educacion de la
juventud, la apertura de caminos, el fomento
de los artes, la proteccion de la agricultura y
el comercio, el establecimiento de casas de cor-
reccion y el ornato de las poblaciones =
Conoce V.E. las miras del gobierno supremo:
Sabe muy bien que amigo del progreso, solo
anhela por la union entre los Mexicanos,
y por que todos los pueblos disfruten el
amparo de las leyes y una libertad tan es-
tensa que solo la limite el acatam.^{to} á las
leyes, la obediencia á sus autoridades, y el
deber que tenemos para procurar el bien y
evitar á todos se les haga perjuicio. Con
esta virtud no me detengo en recomendarle
propague estos principios y unicamente le
adviento que al dictar sus instrucciones el
Supremo Magistrado ha querido manifestar
á V.E. su aprecio y la entidad del Gobierno
que le confia y á los habitantes de Californias
el acreditarles y la presente Admon desea su
dicha desconozca de la apatia, y esta pronto

a. impartir en favor de aquel Departamento
todos cuantos recursos apaterca y pueda
proporcionarle = Los dignos militares que
marchan a los ordenes de V.E. van a pres-
tar un servicio en favor del territorio nacional
digno (opor) sin duda de la gratitud publica
Los habitantes de de aquel Departamento van a
experimentar en ellos un modelo de honradez
de subordinacion y disciplina, y para que se
acreditan estas honorificas cualidades es indis-
pensable q V.E. les recuerde continuamente
q. su residencia va a ser en unos pueblos
que si bien carecen sus habitantes de la
civilisacion de contertanos, tambien es verdad
que son dociles hospitalarios, amigos, del
bien, y susceptibles de aprovechamiento y
libres de ese contagio que tambien perjudica
en las grandes poblaciones en donde corrom-
pida la moral, solo se enseña a criticar ac-
ciones inocentes que debieran servir de buen
ejemplo?

Lo que transcribo a V. para su inteligencia
y fines consiguientes

Dios y Libertad
Enero 10 de 1843,
Man^{te} Micheltorena

Sr. Admor. de la Aduana Maritima de
Monterey -

(Endorsed) No 228 - K - Todos Santos y San Antonio
and Coahuila

Copy of Micheltorena's orders
Filed in office May 12th 1852.

Geo Fisher. Sec'y.

Recorded in Record of Evidence Vol 18 pages 772 & 774

No 228

K.

Indos Santos of San Antonio
and Cosummes.

Copy of Micheltorenas orders

Filed in office May 12th 1852,
Geo. Fisher
Secy

Recorded in Record of Evidence
Vol. 18 pages 772 & 774.

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Halleck Peachey & Billings
Counsellors at Law.



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With date the 11th of February 1842
His Excellency the Minister of War
and Marine says to me that which I copy
Most Excellent Sir

His Excellency, the provisional
President, desiring that in the Department of
the Californias all its resources should be made
use of to prosper it and put it in defence, and
in the state of happiness to which nature itself
invites it taking into consideration the events
which have happened in the Country, and
which could not have been prevented by the
National Government on account of the distance
the situation in which your Excellency will
find yourself and the measures you will have
to adopt, the measures of which will produce
no effect, if they are delayed the length of time
necessary for their determination, for there are
matters in which the slightest delay cannot
be remedied and trusting that Your Excellency
will make no abuse of power, and that which
is granted you will be employed for the good
of the service and of all the inhabitants of
that interesting and fertile Department, which
the Supreme Government has placed in your
charge and responsibility, he has been pleased
to grant to Your Excellency besides the
powers specified as belonging to you in the
Laws and Ordinances now in force, as Governor
Commanding General and Inspector, all
the authority which the Supreme Government

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can delegate to you, that in case of it you may
remove all civil and Military Employes there
who do not comply with their duties, and are
not worthy of the confidence of the same
Supreme Government, filling their places
with citizens worthy of entering in the exercise
of their offices without this preventing Your
Excellency from reporting it to the Supreme
Government for its approval, with the reason
for your proceedings. The arms of the Supreme
Magistrate are not directed to Upper California
alone, but are also extended to the Lower, in
the demarcation of which have appeared symptoms
of dissension which, encouraged by hidden
enemies, have caused some foreigners to take
part, who ought to be prevented by their
very origin from taking part in domestic
quarrels, and as he is resolved to protect the
troops, authorities and resources of the said
peninsula, he has decided that the Military
Command of Your Excellency should be
extended to said Lower California as is
your civil (power), separately from that of
Sinaloa; nevertheless the Commanding
General of the Department of Sonora and
Sinaloa will continue to furnish to Your
Excellency, the assistance you may require
to insure peace, to aid the troops, to provide
the inhabitants, and to cause all the demarcation
to prosper and be happy"

"Although the Article 1st of Nov 2^o 1839
annulled the articles of the 18th of Feb^r of
the same year which subjected to the Command
of the Staff of the Army, and the 13th of
the decree just cited, the Commandants
of only the Eastern and Western Departments
are left with the powers of Inspectors which
they had in the companies of the "Puedios",

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Your Excellency the said President has
 decided that the authority of your Excellency
 shall be extended as Inspector of the
 fixed Population of California and that
 in every thing relating to it act in detail
 and in conjunction with the Staff of the
 Army. Your Excellency is about to see the
 order a disorder in which the maritime
 Custom houses of both Californias will be
 found you will be under the necessity
 of examining the condition of all the
 Messins in their governments, improvements
 and the branch of accountability - you will
 have to proceed to the inspection and
 reorganization of the presidial Companies;
 and in all cases the evil should be left
 existing until the remedy is determined

The Supreme Government trusting in the
 justice and activity of Your Excellency
 wishes that the evil be at once avoided,
 the good established, and that there should
 not be any obstacle to prevent it, and for
 this reason the powers delegated to Your
 Excellency are made to extend to these
 branches and to whatever may contribute
 to the happiness of the Country, numbering
 among its branches the administration of
 Post Offices, Colonization, the establishment
 of Sheridias, the improvement of the ports,
 the security of the people, the Civilization
 of the savages, the education of youth,
 the opening of roads, the encouragement
 of the arts, the protection of Agriculture
 and Commerce, the establishment of Houses
 of Correction, and the beautifying of the
 Towns

Your Excellency knows the aims of the
 Supreme Government, you know well that

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a friend to advancement, it ~~not~~ only discus
sion among Mexicans, and that all its
people may enjoy the protection of the laws
and a liberty so extensive that it is only
limited by respect for the laws, obedience
to its authority, and the duty we have
of promoting the good and avoiding all
that may do them harm. In virtue of
this I do not stop to recommend you to
propagate these principles, I do only
mention that in dictating your instructions
the Supreme Magistrate has wished to show
Your Excellency his esteem and the
confidence of the Government which
confers it, and to prove to the inhabitants
of California that the present administration
desires their happiness will not neglect
them and is ready to impart for the benefit
of that Department all the means it may
desire or that can be furnished it, the worthy
soldiers who march at the orders of your
Excellency are about to render a service for
the benefit of the National Territory, deserving
doubtless, of the public gratitude, the
inhabitants of that department are about
to see in them, a model of honor, of
subordination and discipline, and that
they may prove themselves to possess these
honorable qualities, it is indispensable that
Your Excellency should remind them
continually that their residence is to be
in places where if their inhabitants are
wanting in the civilization of countries, it is
nevertheless true that they are docile,
hospitable, friends of right, susceptible
of improvement and free from that contagion
which prejudices in large towns, where it
corrupts the morals, and only teaches to

criticise innocent actions which ought to
serve as good examples"

Which I transmit to you
for your information and purposes consequent
God and Liberty

January 10th 1843

Manuel Micheltuna

//

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To the Administrator of the Maritime Customs
House of Monterey.

~~No. 228~~

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Yoda Santos of San Antonio
and
Arsumes

Translation of Micheltainat
Orders

Filed in Office May 12th 1852
Geo Fisher
Secy

Recorded in Record of
Evidence Vol 19 page 276
Geo Fisher
Secy

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Office of the Attorney General of the United States,

Washington, 11 February 1856.

228) "Traders Sanction of San Antonio & Cozumel,"
vs. E. P. Hartwell, Claimant.

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 1st day of January 1856, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Acting

Attorney General.

No. 357
U. S. Dist. Court
South Dist of Cal.

Wm. E. J. Wadwell

adv.

The United States

Notice of appeal

Filed June 2 1856

L. E. Farr, att.

By O. Morganby

William E. P. Martrell

appeller

^{vs}
The United States. Appellee.

Docket No. 357.

Transcript No. 228.

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 12th day of May A. D. 1852, William E. P. Martrell

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 Todos Santos & San Antonio in the County of Santa Barbara 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 7th day of August A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 5th day of January A. D. 1856, 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. 228; reference to which it is prayed may be had and made part of this petition. That on or about the 1st day of January A. D. 1856, 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: ^{or about} on the 3^d day of June 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.

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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 ^{said claim} ~~same~~, and decree the alleged title to be invalid: with costs and general relief.

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S. Ord
Attorney of the United States for
the Southern District of California.

N. 357.

Filed this 5th January
1857 C. Sims clk
J. W. Holman
Serp

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

The President of the United States,

TO

William E. P. Hartwell

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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 *5th* day of *January*, in the year of our Lord one thousand eight hundred and fifty-~~four~~, at the City and County of Los Angeles, in said District, by

*P. Bro U.S. Atty praying
said Court to review the decision of
the U.S. Land Commissioners of the
7th of August 1855. confirming your
claim to the Land called*

„Todos Santos y San Antonio“

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 *10th* day of *January* A. D. 1857.

*Lesius
J. Holman
clerk*

CLERK.

Marchal Cost

Copying Summons - 60
Filing do 3
Petition 3
\$ 6.60

U. S. 357

UNITED STATES OF AMERICA,

Southern District of California,

U. S. DISTRICT COURT.

William W. S. P. Hartwell

vs
appellee

The United States
appellee

Filed on return this 10th day of
January
A. D. 1857

Edwin C. B.
J. M. Coleman
Deputy

SUMMONS.

Received
January 10th
1857

Edward Hunter

U. S. MARSHAL.

W. W. Goodman
357 SD Dept

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

Atty for Apper by him acknowledging service of same

F. Billings

at Los Angeles

in the Southern District of California, on

the 10th day of January A. D. 1857

Sworn to and subscribed before me, this
10 January 1857

Edwin C. B.
J. M. Coleman
Clerk

Edward Hunter

U. S. MARSHAL.

W. W. Goodman
Deputy

In the United States Dist Court, Southern Dist. of California

The United States, appellants
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 Heirs of W. E. P. Hartnell, appellees } Transcript No 228.

Pablo de la Guerra and Teresa de la Guerra y Hartnell, executors of the last will and testament, and Teresa de la Guerra y Hartnell widow, and Guillermo Antonio Hartnell, Juan Hartnell, Adelberto Hartnell, Teresa Hartnell, Jose Hartnell, Ana Hartnell, Magdalena Hartnell, Pablo Hartnell, Uldarico Hartnell, Silvestre Hartnell and Amelia Hartnell, children of W. E. P. Hartnell deceased, appellees in the above entitled cause, appear by their Attorneys, and, for answer to the petition of the United States, filed herein, say:

That their title to the tract of land called "Todos Santos y San Antonio" granted to the said W. E. P. Hartnell by Governor Alvarado on the 28th day of August A D 1841, as set forth and described in the petition to the Board of Commissioners and in the documentary and other evidence filed in this case, is a good and valid title and that the land so claimed and described is situate in the Southern ^{provincial} District of California and within the jurisdiction of this Honorable Court.

That their title to the tract of land called "On the River Cosumnes, or Rancho de Hartnell," granted to the said W. E. P. Hartnell by Governor Micheltonero on the 3^d day November A D 1844, as set forth and described in the petition to the Board of Commissioners and in the documentary and other evidence filed in this case, is a good and valid title, and that the land so claimed and described

is situate in the Northern Judicial District of California and without the jurisdiction of this Honorable Court.

And they pray this Honorable Court to affirm so much of the decision of the Commissioners as confirms to them their claim to the said tract of land called Todos Santos y San Antonio, and to decree their title thereto to be valid; and to dismiss so much of the appeal in this case as relates to the said tract of land called "On the River Cosummes" or "Rancho de Hastwell" because the said tract of land so claimed lies in the Northern Judicial District of California and not within the jurisdiction of this Honorable Court; and for general relief.

No. 357

In the U. S. Dist Court
Southern Dist of Cal.

The U. States, Appellants

vs
Hiers of M. E. P. Hastwell, Appellees

Ans. of Appellees

Filed this 21st January
1857

Colours ckh
J. A. Hartman
Dep

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

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Hon. Isaac S. K. Ogier Judge

December 7, 1856.

The United States

Appellant

v.

Pablo de la Guerra, and Teresa de la
Guerra y Hartnell, executors of the last
will and Testament, and Teresa de la
Guerra y Hartnell, widow, and
Guillermo Antonio Hartnell, Juan
Hartnell, Adelberto Hartnell, Teresa
Hartnell, Jose Hartnell, Ana Hartnell
Marydalena Hartnell, Pablo Hartnell
Udario Hartnell, Silvestre Hartnell
and Amelia Hartnell, Children, of
William E. P. Hartnell deceased
Appellee.

No. 357.

Transcript from the Board of Land
Commissioners No. 228.

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 California upon
the transcript of the proceedings of ~~said~~ and

decision of said Board and the documentary and other evidence upon which said decision was founded, and counsel for the respective parties having been heard

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Ordered, adjudged and decreed, That so much of the appeal heretofore taken in this case by the United States as relates to the tract of land set forth and described in the petition to the Board by W. E. P. Hartnell and in the documentary and other evidence in the case as "Cosumnes" or "On the River Cosumnes" or "Rancho de Hartnell", be and the same is hereby dismissed; it appearing to the Court and being admitted by the District Attorney of the United States that the said tract of land lies in the Northern Judicial District of California and wholly without the jurisdiction of this Court.

And it is further ~

Ordered, adjudged and decreed, That the decision of said Board of Land Commissioners declaring valid and confirming the claim of the above named appellants to the tract of land set forth and described in William E. P. Hartnell's petition to the Board and in the documentary and other evidence in this case as "Todos Santos y San Antonio", be and the same hereby is affirmed; and that the title of said appellants to the said tract of

land called "Todos Santos y San Antonio"
is a good and valid title.

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The land of which confirmation
is hereby made is situated in the County
of Santa Barbara, is known by the name
of "Todos Santos y San Antonio", is of the
extent of five square leagues and no
more, and the same granted on the
28th day of August A. D. 1841 by Governor
Juan B. Alvarado to William E. P. Hartwell
and is bounded, East by the Alamos, West
by the Playa or Beach of San Antonio, South
by the Cuesta of La Purisima, and North
by the Elmo de la Larga; according to
the grant and the map in the expediente
to which reference is had for the description;
in aid of the location of the land reference
being also had to the Judicial Possession

If the land within said boundaries
extends in quantity five square leagues the
confirmation hereby made is made to five
square leagues and no more; but if the
land within the said boundaries is less
in quantity than five square leagues then
the confirmation hereby made is made to
such less quantity.

Juan M. Ogier
Att. Dist. Judge
District of Cal.

No. 357.

The United States
Appellant

vs

Heirs of W. E. P. Hartwell
Appellees.

Decree.

Dismissing appeal as
to part of land -

Affirming decree of
Commissioner as to
balance.

Recorded in page 184

Filed July 22^d 1857

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UNITED STATES OF AMERICA, ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

357 SD

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

Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District
of California _____ before you, _____ in a cause
between The United States appellants, and Pablo de la
Guerra and Teresa de la Guerra Hartnell, executors
of the last will and testament and Teresa de la Guerra y
Hartnell widow and Guillermo Antonio Hartnell
Juan Hartnell, Adelberto Hartnell, Teresa Hartnell,
Jose Hartnell, Ana Hartnell, Magdalena Hartnell,
Pablo Hartnell, Uldarico Hartnell, Silvestre Hartnell
and Amelia Hartnell, children of Mrs E. P. Hartnell
deceased appellees, (No. 357, for "Todos Santos y
San Antonio" and "Cozumel"), wherein the decree
was rendered in favor of the said appellees. —

No. 357

UNITED STATES OF AMERICA

THE PRESIDENT OF THE UNITED STATES OF AMERICA



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

And whereas, in the present term of *District*, in the year of our Lord one thousand eight hundred and *sixty three* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and ~~was argued by counsel:~~ ~~On consideration whereof,~~ *on the motion of* Mr Attorney General Bates of Counsel for the Appellants, it is now here considered, ordered and decreed by this Court that this cause be and the same is hereby dismissed - *S Marsh*

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

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

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

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

Taxed by

Geo. M. Adams

Clerk of the Supreme Court of the United States.

No. *163* *357*
December Term, 1863

MANDATE

SUPREME COURT UNITED STATES.

U. States vs. You shall endorse

Mandate

Made Dec 7, 1863

John M. Wilson

Clerk