

CASE No.

370

SOUTHERN DISTRICT

QUIEN SABE GRANT

FRANCISCO DEL CASTILLO NEGRETE

CLAIMANT

FEB 22 1963

Remanaged
Plover Bond
25% Cotton Fiber
U.S.A.

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 55

Francisco del Castillo Negrete CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Quien Sabe"

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

CHICAGO, ILL.

NOV 23 1933

PROFESSOR ROBERT A. MILLER

PHYSICS DEPARTMENT

UNIVERSITY OF CHICAGO

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *twenty ninth of February*, 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 *Francisco del Castillo Negrete* for the Place named "*Quien Sabo*" was presented, and ordered to be filed and docketed with No. 55 and is as follows, to wit:

(Vide page 3 of this Transcript.)

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

San Francisco December 31. 1852
In case No 55, Francisco del Castillo Negrete, for the place named "*Quien Sabo*" the depositions of Bernard Lyton, John Kelly, and John Barrett, witnesses in behalf of the claimant taken before Commissioner Heland Hall were filed
(vide pages 5, 6 & 8 of the transcript)

San Francisco February 9. 1854
In the same case the depositions of Rafael Gonzalez, M. G. Valley and Francisco Lopez Pacheco, witnesses in behalf of the claimant taken before Commissioner Thompson Campbell, were filed
(vide pages 9, 12 & 14 of the transcript)

San Francisco Oct. 10. 1854
Case No. 55 was ordered to be placed at the foot of the 2^d Chap cases on the trial docket

In the same case the U.S. San Agent filed the following objection to-wit: (vide page 43 of this transcript)

San Francisco Nov. 21. 1854

Case No 53 was ordered to be placed at the foot of the 3^d class cases on the trial docket

In the same case the counsel for the claimant filed the following affidavit to-wit:

(vide page 41 of this transcript)

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San Francisco Dec. 19. 1854

Case No 55 was submitted on briefs and taken under advisement by the Board.

In the same case the U.S. Law Agent filed the following Bill of exceptions, to-wit:

(vide page 43 of this transcript)

San Francisco Augt. 27. 1855

In the same case the U.S. Associate Law Agent filed the following stipulation, to-wit:

(vide page 111 of this transcript)

San Francisco Sept 11. 1855

In the same case Commissioner S.B. Farnell delivered the opinion of the Board respecting the claim

(vide page 113 of this transcript)

and the following order was made, to-wit:

(vide page 114 of this transcript)

S.

a
Petition

To the Honorable the Board of Commissioners
to ascertain and settle Private Land Claims
in the state of California

Francisco del Gas
telle Regente a citizen of Mexico represented
before your Honorable Board by John
Parrott of San Francisco in the state of
California as his attorney respectfully re-
presents

That the said claims a certain tract
or parcel of land known and called by the name
of San Salce bounded on the north by lands
that were Public lands in 1835 on the east by
the Sierra del Diablo on the south by the Sierra
Cada Verde) and on the west by the range of
Santa Ana

The said tract of land lying at the
southward of Sierra del Diablo and is supposed
to be in the county of San Joaquin or Mendocino
in the state of California your Petitioner claims
said land to the extent of six leagues (his
titulos de Ganado Mayor) under and by
virtue of a Grant under the authority of Mex-
ico made by Don Antonio Gutierrez Political
Chief of Upper California in conformity with
the approval of the Executive Department
dated October 12th 1835,

Which grant to your
Petitioner bears date the 15th day of April
1836 as will more fully and at large appear
by reference to the public Archives of the former
Government of Mexico now in the possession
of the Survey General of the United States
for California in the Expediente and accompanying
your papers marked and numbered 127 of
said Archives

Your Petitioner further represents
that at the time the said Grant was made
to him he was then and has ever since
been an Officer in the Mexican Army
and that his departure from California was
brought about by the force of circumstances
entirely beyond his control and that in
his capacity as a Military Officer was
ordered by his Government from duty in

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California to their military duty in other States of the Mexican Republic, your Petitioner begs most particularly to call the attention of your Honorable Board to the fact

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That the conditions upon which the said Grant was given to him did not in his opinion render it imperative in his part to improve the land granted but left it optional with your Petitioner so to do when it might suit his convenience,

as at the date of the Grant and for several years after that section of the country or state was occupied by savage and hostile Indians. This fact connected with the duty of a military Officer will your Petitioner firmly trusts be sufficient to convince your Honorable Board that it was not his fault but in his power up to the breaking out of the war with the United States,

To occupy the land above described and granted to him as he otherwise would have done

Your Petitioner further most respectfully calls the attention of your Honorable Board to the 8th article of the treaty of Guadalupe Hidalgo between the United States and Mexico and particularly to the last Paragraph of the same

Your Petitioner further more represents that he has been informed that some time during the year 1839 in consequence of an revolutionary movement by some individuals of California against the legal authorities of the Mexican Government a certain Manuel Larios and Juan Benque ansar falsely claimed the said Grant for themselves and took possession thereof

But by what authority your Petitioner does not know

Your Petitioner has now obtained and his claim thereto perhaps there can be as your Petitioner believes an offer of the said land for the same

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5-

could be lawfully discovered by any other person in virtue of the Grant holds your Petition claims under and by virtue of the Grant above set forth in leagues (Ligas) de la Guada (Mayor) according to the boundaries aforesaid and refers your Honor to the accompanying copy of the Grant de las ligas de Guada and documents in the archives aforesaid

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of said Grant in Spanish and a translation of the same is herewith placed in file with your Secretary.

Whence your Petition prays your Honorable Board to confirm his grant to the said tract of land and to decree that his title thereto is good and valid and as in duty bound will ever pray.

Francisco Castille Negro
By his attorney
John Powell

San Francisco February 20th 1852

Filed in Office February 20th 1852
Judge Fisher
Secretary

Records in journal Vol 1 Pgs 187, 188, 189
Judge Fisher
Secretary

San Francisco Dec 31st 1852

On this day before Leon Mussini (Beland) Hall came John Kelly a witness and one of the claimant Francisco Castille Negro Petitioner Number 85 and was duly sworn his evidence being given in English

Depo of
J. Kelly

The United States associate
Law Agent was present

In answer to inquiries by counsel for the claimant the witness testified as follows I John Kelly of New York in the Republic of Mexico of lawful age to testify aforesaid say that I have been acquainted with Francisco Castille Negro that I have known him for some

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four years last past when I first knew
him he was an Officer in the Mexican
Army that being known in a
Munich and still is an Officer in actual
service and in duty in the Army of Mexico
He is now in duty in some part of the Mex-
ican Republic this a gentleman of distinguished
character and reputation in the public
service

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John Kelly

Sumner Subscribed

Before me
Beland Hall
Commissioner

Filed in Office December 31st 1852

George Fisher
Secretary

Records in Bureau B. Vol 2 Page 399

George Fisher
Secretary

Depo of
B. Peyton

San Francisco December 31. 1852

On this day before Commissioner Beland
Hall came Bernard Peyton a witness in
behalf of the claimant Francisco
Castillo Regente Petitioner number 3 and was
admitted his evidence being given in En-
glish the United States Associate Law Agent
was present

In answer to inquiries by counsel
for the claimant the witness testified as
follows

Bernard Peyton of lawful age
to testify depose and say that I am and have
been for the last three years the principal agent
of John Parrot & Esq of San Francisco

I was
with Mr Parrot & at Mazatlan in Mexico
in the month of April A.D. 1852 and was bringing
to Colonel Francisco Castillo Regente
going to said Parrot & certain papers re-
lating to claims to land which Regente had
in California

Not being able to read Spanish
at that time I cannot state what the substance

but I do remember that at the time inquired
from their commission that the business
was in reference to the grant of claims to
land

and that Negrete made Parrott
his agent to look after the land. Negrete
did hand over to Parrott at that time a
package of papers in connection with
and referring to the subject as under-
stood

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I came to San Francisco with Mr
Parrott in that same month of April 1850
after we arrived in San Francisco Mr Parrott
built a brick store fronting on Montgomery
Street and the second door from Sacramento
Street supposed to be entirely fire proof. When

that store was finished Mr Parrott had
his office in a chamber in that building
and an iron safe in which his own and
all important papers were in perfect
deposited

Mr Parrott left San Francisco
in the first days of December 1850 for the
Eastern States and I remained in his
office here in charge of his business

all
his papers were in his safe in the building
a fire and when on the night of the 3rd day
4th of May 1851 the great fire occurred in the
city of San Francisco

The said brick
store was burned, the iron safe a fire and
destroyed and all the papers and documents
were consumed. I have no doubt the pack-
age of papers given by Negrete to Mr Parrott
at Menzatten were destroyed in that
safe at said time

Bureau, Peyton Jr
Jury and submitted before me

Heard Hall
Commissioner

Filed in Office December 24th 1852

George Foster Secretary
Records in Co B. Vol 2, p 398 Geo Foster Secy

Depo of
John Parrott

San Francisco December 31, 1852

On the day before Commissioner Deland
Hall came, John Parrott & assistants in behalf
of the claimant Francisco Castillo Negrete
Petition Number 53 and was asked
from his evidence being in English

The United States asso-
ciate Law Agent was present

In answer to questions
by counsel for the claimant the witness
testified as follows

I John Parrott am
of San Francisco in the State of California
and say that I am forty years
of age was born in the State of Virginia
that in the year 1838 I was appointed
counsel for the United States to reside
at Mazatlan in the Republic of Mex-
ico

That I continued there in that capacity
up to the time of the war between the
United States of America and the Republic
of Mexico in the year 1846

That during
my residence in Mexico I became acquainted
with Francisco Negrete an officer in the service
of the Mexican Republic

When first known
said Negrete he was a captain in the
Army and subsequently was promoted
to the office of Colonel and is still as I am
informed and believe in the service of his
country as an army officer he is now in
service in Lower California I have letters
from him of a very recent date from that
territory. In the month of April 1835 I saw
the said Negrete in Mazatlan Mexico
and he then gave me certain original papers
and documents being the original grant of a
tract of land of six leagues by square leagues of
land known and called Quin Sabo which
grant was dated on the 15th day of April 1836 and
made known to the said Francisco Castillo Negrete
by the then Governor of California Gutierrez
and confirmed by the Departmental assembly

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of Upper California at the same time viz
in April 1830 the said Negrete gave me a full
power of Attorney to look after his rights
in the lands so as above granted to him

That I took said papers in my possession and
brought them with me to San Francisco where
I had them in my safe in a brick building
that stood near the corner of Sacramento
and Hunt Jimmy streets

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On the first day of
December 1830 I left the City of San Fran-
cisco for the Atlantic States leaving the
above described papers of Negrete with my
own papers in my iron safe as above des-
cribed

I have never seen said papers since
the time last mentioned but I have procured
copies of them from the archives of the former
Government of Mexico now in the possession
of the Survey General for California,
and have placed them on file in the case of Francis Castillo
Negrete for liquidation of his claim to the
said Los Bayans of land called Sierra
Salte.

At the time I left San Francisco in
December 1830 I left my Agent (Gunnard)
Ruston Jr. in charge of my office safe
and papers and all my business

John Parrott,
I saw and subscribed
Rafael
Beland Hall
Commissioner
Filed in Office December 31st 1834
Judge Fisher
Secy

Recorded in Archive B. Vol 2 Page 399
Geo Fisher Secy
United States Land Commission
San Francisco February 9. 1834
On this day before Commissioner Amos
Campbell came Mr. J. Vallejo and others in
behalf of the claimant Francis Castillo Negrete

Depo. of
M. G. Vallejo

Case Number 55 subs after being duly sworn
deposes as follows his evidence being unimpaired
by the Secretary

Question What is your name
age and place of residence

Answer My name is Mr. S.
Wallys Sampson Six years of age and reside
in Sonoma County

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2. Question do you acquainted
with Francisco Castillo Regente if you had any
know your humbleness when did he travel
- and in what official capacity was
he acting during that period

Answer Yes I am ac-
- quainted with him Francisco Regente was in Sonoma
- two years when I first came here he lived
at Monterey in Upper California

at the time
of his being here he was in the Secretary's
office but not Secretary in the year 1836 he
was made Secretary of State and continued
to act in that capacity till the month of June
or July of the same year

3. Question Please to state
the occasion and the circumstances of the
said Francisco Regente leaving Upper California

Answer The Department
assembly sent him to Mexico to inquire into
the affairs of the Government at Mexico of the condition
of things in California which was then in a
state of revolution

The nature of this revolution
was the commencing of the contest which
resulted in a revolution between the as-
- sembly and the Government

The said Francisco
Regente had before residing in California
at that time called Don Luis Regente he was
a lawyer and a judge of the District Court

4. Question Did you
know during your acquaintance with
Don Francisco Regente at Monterey in
the year 1835 & 1836 of his having obtained
from the Mexican Government a grant of land
in your state all your own in regard to said

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Grant when it was obtained and all the circumstances connected with it and where the same is situated

Answer I am sure that the said Francis Magrath obtained either in the year 1835 or 1836 a grant of land I think the Grant was made either by Justice or Meade

The land granted was at the time called Quini Lake and was situated in the mountains north of San Juan The location of this Grant was within the range of the hostile Indians

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I Justice Magrath said, I am sure Francis Magrath was in Upper California to your knowledge since he left in 1836 as you have stated and if not state where he was and how employed according to your best knowledge and belief

Answer I have not been in Upper California since he left in 1836 until recently, after he had been sent to Mexico as I have before stated he was employed by the Supreme Government as Commissario de Comercio in Lower California

He continued to act in this capacity for about two years he was appointed to act as director of the printing columns in the printing office of San Francisco

and he was also Political Chief of Lower California until his last office which continued to hold until my recent

Justice by the associate Law Agent

Justice Was there any Departmental assembly in California in the year 1836

Answer I think there was according to my best recollection

I Justice did you ever know of our Magrath ever having our said this land

Answer No I have never known him to occupy it

Re Examin'd by Counsel

following

Question State if you can the name of the County under the present or former name where this land is situated

Answer I think it is situated in Monterey County

W. G. Vallejo

Sworn to and Subscribed

before me this 9th day of February 1854

Thompson Campbell

Commissioner

Filed in Office February 9th 1854

George Fisher

Seal

Record in Evidence B. Vol 3 Page 689

George Fisher

Seal

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Depo of
R. Gonzalez

United States Land Commission

San Francisco February 9. 1854

On this day before Commissioner Thompson Campbell came Rafael Gonzalez a person in behalf of defendant Francisco Castille Regente Case Number 35 also after being duly sworn depose as follows his evidence being interpreted by the Secretary

Question What is your name age and place of residence

Answer My name is Rafael

Gonzalez I am forty seven years of age and reside in San Jose

Question You are acquainted with Francisco Castille Regente if you have been with him where did he live and in what official capacity was he acting during that period

Answer In the said Regente and have known him ever since the year 1834 or 1835 at which time he resided in Monterey and was acting as Secretary to the Political Chief when Francisco was not employed as such but he was afterwards

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6/55.7

3 Question Please to state the occasion and circumstances of the said Francisco Negrete leaving Upper California

Answer The cause of his leaving California was on account of his appointment to go to Mexico by the Department Junta for the purpose of representing to the Supreme Government the course of affairs in Upper California

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4 Question Do you know anything of Don Francisco Negrete having obtained a grant of land from the Mexican Government and if so state by whom it was made and all the circumstances connected with it

Answer About the year 1836 I know that Negrete obtained a grant from Governor Figueroa I am not certain whether the grant was made by Governor Figueroa

I was in company with Pedro Negrete and several others to see the land before Negrete petitioned for it I know there was a grant made but I am from the name of the land over the limit

5 Question Has Francisco Negrete to your knowledge ever been in Upper California since the year 1836 as you have before stated until his recent return

Answer The revolutions were so frequent in Upper California that he did not return This country is the first time I have seen him since he left

6 Question What revolutions immediately followed the time of Negrete's leaving and through the Government's political belief after that revolution

Answer The revolutions of 1836 immediately followed the leaving of Negrete after which Juan B. Alvarado was Governor associate Law Agent present

Jose Rafael Gonzalez

Sum to and Subscribed
Before me this 9th day
of February 1854

Thompson Campbell
Commissioner

Filed in Office February 9th 1854
George Fisher
Secretary

Records in Volume B. Volume 3 P. 688
George Fisher
Secretary

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Depo of
F.P. Pacheco

United States Land Commissioner
San Francisco Feb 9, 1854
On this day before Commissioner Thompson
Campbell came Francisco Ponz Pacheco
attorns in behalf of Blamund Francisco
Castillo Negrete Case Number 35 whereafter
being duly sworn depose as follows his
deposition being witnessed by the
Secretary

1 Question What is your
name age and place of residence
answer My name is
Francisco Ponz Pacheco I am sixty years
of age and reside in Monterey

2 Question Are you ac-
quainted with Francisco Castillo Negrete
if you have any knowledge where he
resides and in what
official capacity was he acting during
that period

answer I know the said
Negrete and have known him since the
year 1834 at which time he resided in
Monterey during a part of the time when
I was acting as Secretary to the Potential
Belief

3 Question Please to state the
occasion and circumstances of the said
Francisco Negrete leaving California
answer He was app-
ointed by the Departmental Junta to go
to Mexico in pursuance of that appointment
relief upper California

15-

4/55+

4 Austin Polk County the tract
of land called Linn's Sabe and if so have
symbol with said tract of land
with the
said Francis Ogryte and do you know
of his having obtained a grant of the same
if you please state all you know about
it

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as seen from said place
and have been upon it with the said Ogryte
Hamm
full that the said Ogryte obtained a
grant of the said land

The grant was
made by Governor Ferguson I don't
recollect the exact date

The land granted
as above is in (my land) which is situated
in Montgomery County and is very
near the county line

associated Land Agent
present

Francis King Poole
Surrender and Surrender

Reference was made on
of February 1854

Hampson Campbell
Commissioner

Filed in Office February 9th 1854
George Foster
Surg

Recorded in Volume B. Vol 3 Page 1091
Geo Foster
Surg

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9. 17

1.5.2.4.

Jurisdiccion de
Monterrey.

Año de
1834.

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Expediente.

Expediente

Sobre el paraje nombrado Quien sabe

Solicitado por.

D. Francisco del Castillo Segrete

Q.

L. S. D. H.

Sello Tercero

Place of
a Seal on the
original.

Dos Reales.

Para los años de Seis y ocho cientos mil ochocientos veinte y veinte y siete.

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Stamp
on the Ori-
ginal.
1828 - 1831

S.^o Jefe Político.

Stamp on
the original
1830 - 1831

Stamp
on the original
1832 - 1833

El C. Francisco del Castillo Negrete, natural de Mexico i vecindado en esta capital i puerto a V. S. reverentemente espone que habiendo venido a este Territorio con animo de radicarse en el bajo el auspicio de las leyes de colonizacion que le son favorables para dedicarse al cultivo de campo eria de ganados y demas granjerias de la agricultura, buscando de este modo su comoda subsistencia y ser un miembro productivo y util de la Republica ha procurado instigar a los inmediaciones del Pueblo de San Juan Bautista un sitio oportuno para tal objeto que no perteneciera a un individuo pueblo ni corporacion alguna: i habiendo encontrado el nombrado Quien sabe, que se halla como a seis leguas NE. $\frac{1}{4}$ N. de dicho pueblo, lindando al N. con terrenos arales sin nombre al S. con terrenos lo mismo, al E. con alizares i al O. con balotios, con una laguna terreno desigual, cuya figura es como lo que representa el bosquejo de plano que acompaño, obligandome a presentarlo mas ratificado, cuando con mas proporcion pueda hacerse con la exactitud que se requiere. En virtud de hallarse facultado V. S. por las leyes de diez y ocho de Agosto de mil ochocientos veinte y cuatro, Seis de Abril de mil ochocientos treinta

Monterrey. Obre. 16
de 1834.

De conformidad con las leyes de la materia informe el Ayuntamiento de esta capital si dinsto en esta instancia obtiene los requisitos necesarios, conservidome me el atendido en su solicitud insinuado terreno, en plene si el terreno que pretende propiedad i posesion, para los

igualmente del Supremo Gobierno para conceder en colonizacion esta clase de terrenos i no escediendo este que solicito del maximum a que se puede acceder segun dichas leyes y reglamento.

L. S. D. H.

A. V. S. Suplico se sirva definir si en mi solicitud previas los requisitos necesarios, conservidome me el atendido en su solicitud insinuado terreno, en plene si el terreno que pretende propiedad i posesion, para los

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esta comprendido en fines indicados. Graia que espero me
las veinte leguas limi- recer de la bondad i justificacion de
-tropes o bien litorales V. S.

que expresa la ley de
18 de agosto de mil
824 si es de regadío
temporal o abrevadero
si pertenece a la pro-
piedad a algun particular,

Monterrey. Siete de Diciembre de
mil ochocientos treinta y cuatro.
Francisco del Castillo Negrete.

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Mision, Corporacion o
pueblo con todo lo demas que crea
condeciente a ilustrar la materia.
Evacuada que sea pasará el Expedi-
ente al Comisionar de la Mision

de San Juan Bautista para que esponga lo que le
parezca sobre la materia. El Sr. D^o José Figueroa
General de Brigada Comandante General Inspector
y Jefe Superior Politico de la Alta California asi
lo mandó decreto y firmó de que doy fe.

José Figueroa. Agustín V. Zamorano. Lrío.

J. S. D. K.

Y. Ayuntamiento Constituido

La Comision de colonizacion y terrenos baldios, ha
visto el Expediente promovido por el Ciudadano
Francisco del Castillo Negrete en solicitud del
terreno nombrado Quien sabe y de su examen
resulta esponer: que el interesado es Ciudad^o Meji-
cano por nacimiento y obtiene los requisitos pre-
-ciados para ser atendido en su solicitud; que
el terreno que preterente no esta comprendido en
las 20 leguas limitrophes ni en las 10 litorales que
expresa la ley de 18 de agosto de 1824, que aun-
-que pertenece al Pueblo de S. Juan Bautista
se ha reconocido p^o valido y es de temporal y
abrevadero y que por el hecho de ser baldio pu-
-ede adjudicarse al solicitante. Por lo expuesto
la Comision oprese a la deliberacion de este Y.
Ayuntamiento la siguiente proposicion.

Puede concederse al Ciudad^o Francisco del
Castillo Negrete el parage que solicita nomb-
-rado Quien sabe.

Monterrey. Enero 22 de 1835.
José Joaquin Gomez.

Miguel Avila.

Cumpliendo con el decreto del Sr. Jefe Politico

S.S.D.K. que va en el margen, remito. el adjunto expediente

Sello Tercero

Place of
a Seal on the
original.

Los Reales.

Para los años de mil ochocientos veinte y seis y ochocientos veinte y siete.

Stamp.
1825. 9. 1826

que se lina imponer sobre la materia. Monterrey. 24. de Enero de 1835.

David Spence. Tes. del Castillo Negro. Sr. D.

Stamp.
1830. 1831.

In estension a la Solicitud que hace el C. Fran.^{co} del Castillo Negro, sobre el sitio nombrado Bien Sabe: se le puede adju- dicar al Suplicante, por no tener embarazo, ni conseeion conmigo ningun Coluiolante.

D. de S. Juan Baut.^a 30. de Enero de 1835.

Stamp.
1832. 1833.

Antonio Buena.

Monterrey. Febrero 4. de 1835.

Pase al Alcalde de primera nominacion de esta Capital ante quien la parte de Sr. Fran.^{co}

Stamp.
1834. 1835.

del Castillo Negro, producirá una informac.^{on} de tres testigos idoneos que seran interrogados sobre los puntos siguientes.

Primero: Si el Solicitante es Ciudadano Mexicano

Sello Tercero Los Reales.

6. S.D. H. Habilitarlo provisionalmente por la Administracion de la Armada Maritima de Monterrey de la Alta California, para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa.

A. Ramirez.

por nacimiento si es capta y tiene hijos: si es de buena conducta: segundo si el terreno que pretende pertenece a la propiedad de algun parti- cular, Mision o Pueblo o Corporacion: si es de reparto temporal o abrevadero y que estension tendra.

Tercero: Si tiene bienes de campo con que poblarlo o posibilidad de adquirirlos: Si cumplas estas obligaciones vuelva el expediente para su resolucion.

El Sr. D. José Figueroa El de Arriaga, Coman- dante del Inspector y Jefe Politico del territorio de la Alta California, asi lo mandó de ceto y firmo

de que soy fe. José Figueroa.

Agustín V. Guimorán. Srío.

A consecuencia de la orden antecedente se hizo saber al interesado el que presentó los tres testigos que se requirieron i fueron interrogados bajo los puntos que se manda i son los siguientes.

7. S. D. H.

Testigo 1º Preguntado si el solicitante es Ciudadano Mexicano por nacimiento si es casado i tiene hijos i si es de buena conducta. Responde que el solicitante es Ciudadano Mexicano por nacimiento y es de estirpe honesta i de buena conducta.

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Preguntado si el terreno que pretende pertenece a la propiedad de algun particular, Mision Pueblo o Corporacion: si es de regadío temporal o abrevadero i que estension tendra. Responde =

Que el terreno que se pretende no pertenece ni a Panteuelo, Pueblo, Mision ni corporacion alguno que es de temporal i abrevadero que tendra como tres leguas de estension.

Preguntado si tiene bienes de campo con que poblarlo u posibilidad de adquirirlos. Responde: que no tiene ganado en el dia pero tiene probabilidad de conseguirlo, lo que obligo ser cierto y lo firmo con miso i los testigos de asistencia. Soy fe. David Spence.

José Joaquín Gomez. Juan Malvarín. Jorge Altamirano. En seguida se presente el segundo testigo C. P. Pacheco y examinado al tenor de las preguntas antecedentes responde a la 1ª. Que el solicitante es C. Mexicano por nacimiento, soltero y de buena conducta.

8. S. D. H.

Sello Tercero Dos reales.

He abilitado provisoriamente por la Administracion de la Aduanas Maritimas de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa.

Preguntado al tenor de la segunda. Responde que el terreno que pretende no pertenece a la propiedad de ningun pueblo, Mision, Corporacion ni particular, que es de temporal y abrevadero i que tendra como tres leguas de estension mas o menos.

Preguntado al tenor de la tercera responde

que si tiene algun ganaxolo y posibilidad de comprar mas. lo que digo es la verdad i lo firmo con miyo i los de su asistencia. etc que doy fe.

Spence.

Fuero Pedro Pacheco. asu. Juan Malvarin. Jorge Allen.
Acto continuo se presento el tercer testigo C. José Maria Castañares i examinado el tenor a las preguntas que estan unidas responde: a la primera que el solicitante es eº Mexicano por nacimiento, soltero i de buena conducta. A la segunda que el terreno que pretende no pertenece a la propiedad de ninguna Nacion, Compuacion, particular, ni pueblo alguno que es de temporal i abrevadero i tiene como tres leguas en estension. Y a la tercera dice que si tiene hijos bienes de campo y posibilidad de adquirir mas que digo ser cierto i lo firmo con miyo i los testigos de asistencia en Monterrey a quince de Febrero de mil ochocientos treinta y cinco.

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g. S. D. H.

Spence. José Maria Castañares.

asu. Juan Malvarin. asu. Jorge Allen.

Sello tercero Dos reales.

10. S. D. H.

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

Monterrey. 10 de Feb de 1835.

Vista la peticion que en principio este Expediente el informe del Illustre Ayuntamiento de esta Capital el del Comisionado de Secularizacion de San Juan Bautista la exposicion de testigos con todo lo demas que se tuvo presente i ver convido de conformidad con las leyes y reglamentos de la materia se declaró a Dº Fructo del Castillo Negrete dueño en propiedad del terreno (See note) conocido con el nombre de Quien Sabe. Sujet - averse a las condiciones que se estipularon.

Pase este Expediente a la S. D. diputacion para su deliberacion i aprobarlo que sea librado al interesado el despacho correspondiente que le servira de titulo, tomundo raxon de el en el libro respectivo i aga le saber este decreto. El S. D. José Castro primer vocal de la S. D. diputacion

The binding contains the paper
that is referred to in the original
S. D. H. 1.55

i Jefe Político Interino, así lo mandó, decretó y firmó de que doy fe.

Por ausencia del Sr.

José María Gomi.

José Castro.

Mon.

12. S.D.H. - terrey 10 de Octubre de 1835.

En sesión de este día se dio cuenta con este expediente a la S.ª D.ª Diputación y acordó puse a la S.ª Medición de terrenos baldíos.

José Castro. Presidente

S.ª D.ª

12. S.D.H.

Sello tercero de los Reales.

Habilitado provisionalmente por la Administración de la Aduana Marítima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco Figueron. A. Ramirez.

S.ª D.ª

La Comisión de terrenos baldíos impuesta al expediente que se manda practicar p.ª solicitud que hace el ciudadano Fran.ª del Castillo y Negrete al paraje nombrado Quien Sabe no encontrando en el objeción alguna que haya ocurrido en todo conforme al Superior de 18 de Agosto de 1826 como el artículo 5.º del Reglamento de 21 de Abo de 1828 opuse a la deliberación de V.E. las siguientes proposiciones. Se aprueba la concesión hecha al Ciudad.ª Fran.ª del Castillo Negrete del terreno nombrado Quien Sabe concedido a 1.º de Obo de 1835.

Monterrey. 13 de Obo de 1835.

Salvio Pacheco.

Monterrey. 12 de Obo de 1835.

13. S.D.H.

En sesión de este día aprobó la S.ª D.ª Diputación la antecedente proposición con su dictamen: acordando también la confirmación de agregarse a este expediente el oficio que ofrecio de Subsecretario José Castro. Presidente.

Monterrey. Obo. 25 de 1835.

En vista de la aprobación otorgada por la S.ª D.ª Diputación Territorial a 13 del presente mes i uno hidrese el despacho proviniendo especificando en el otra. aprobación i exclusiva el expediente. El Sr. D.ª José Castro vocal de la S.ª D.ª Dip.ª. Y Jefe

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Político Interino asilo univido, decreto y firmo de que
José Castro.

Geo del Castillo Negrete. Srío.

14. S.D.K.

Monterey. Mayo 33 de 1839.

Vuase este expediente a la solicitud del Feriente
de Merlencia Dⁿ Manuel Larios para los fines con-
-evidentes. Atarudo.

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

I Samuel D King, Surveyor
General of the United States for the State of Calif-
-ornia and as such now having in my office
and under my custody a portion of the archives
of the former Spanish and Mexican Territory
or Department of Upper California do hereby
certify that the fourteen preceding and hereunto
annexed pages of tracing paper numbered from one
to fourteen inclusive and each of which is verified
by my initials (S.D.K.) exhibit true and accurate
copies of certain documents (forming part of the
papers designated as expediente N^o 194.) which
are on file and form a part of the said archives
in this office.

In testimony whereof I have hereunto
signed my name officially and affixed my private
seal (not having a seal of office) at the City of
San Francisco, Cal. this 22nd day of June. 1853.

Samuel D King.
Surveyor Genl. Cal.

Filed in office. July. 6th 1853.

Geo. Fisher. Secy.

25 - A
Translation

Jurisdiction of Montany Year 1834
Espediente in the tract of land called Durin
Solicited by Don Francisco de Castille
Negrato Q

Third Stamp Seal 3 Two Reales for
the years 1826 and 1827

Seal 3

Seal 3

Seal 3

Seal 3

Seal 3

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PAGE 25

To the Potestial Chief
Lito in Francisco de Castille
Negrato Natural of Mexico
and Resident of this Capital
and Port to Yombuan
respectfully states

That
having come to this country
determined to settle him-
self in it under the laws
- of the Colonization
- Laws which are favorable

Montany Laws which are favorable
December 16th 1834
In conformity with the
Laws on the subject - culture
of the Illustrations of our
- townments of this Capital

report whether the
party encircling in
this Communal have
the requirements per
- vided for their his
- titon (maybe attended
to whether the land
which he petitions for
be within the limits
of the League
- or the actual ten re
- fers to in the Law

to him for the purpose of
devoting himself to agri-
culture rearing of cattle
and other rural pursuits
so that he may obtain in
this way an advantageous
and become useful and
subservient member to
this republic he has sought
for in the vicinity of the
Pueblo de San Juan Bon
to take a suitable place for
the object in view which
may not pertain to any
individual Pueblo or
corporation

of August 18th 1824
whether it be irragable found
for farming or pasture
land which is for about six
leagues north
- town to the property
of any individual Pueblo
within the limits of the
Misson Corporation with
- or Pueblo and any lands
situated north or south
- the proper to Illustrate
same kind in the East

that he may obtain in
this way an advantageous
and become useful and
subservient member to
this republic he has sought
for in the vicinity of the
Pueblo de San Juan Bon
to take a suitable place for
the object in view which
may not pertain to any
individual Pueblo or
corporation

that he may obtain in
this way an advantageous
and become useful and
subservient member to
this republic he has sought
for in the vicinity of the
Pueblo de San Juan Bon
to take a suitable place for
the object in view which
may not pertain to any
individual Pueblo or
corporation

and having
found a tract of land
called Durin some situate
about six leagues north
east of the mission
Pueblo within the
limits of the pasturing
rights of the Pueblo and
any lands situated north
or south with lands of the
proper to Illustrate same kind in the East

the matter with Alijans (waste lands)
 This pro and on the same with
 coming being and vacant lands together with
 - and the little Espe lake said land is clear
 - de into being found - however its form is like
 to the Commission that represents in the
 for the Mission. Sketches map which bear
 of San Juan Bautista were being himself

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 PAGE 26

That to present another com
 he may state what he can't when it may be
 chooses on the subject drawn more properly and
 matter suitable circumstances require

Sr Don Jose and as your Honor is imp
 require General of our by the Laws of August
 Brigade General 16th 24 of April 1830
 - don't General and the regulations of the

Inspector Supreme Government to
 and Supreme Poli grant in colonizing a ter
 - tial land of Upper this land and as that which
 California he petitions for he can't not

Did the maximum which may
 thus want are be granted according to and
 and sign which law and regulation
 certify

Signis your Honor may be pleased
 Jose Figueroa to grant his Petition and
 being mostly into the
 necessary requirements

A. N. Zamora and conceding him the
 - Surtory as said land in full
 ownership and possession
 for the mentioned ends

or
 your hope to arrive
 from your Honor kindness and Justice
 Monterey

December 7th 1834
 Signis Francisco del Castillo
 Regente

Illustrations Constitucionales Ayuntamiento
 The committee on colonization and vacant
 Land have examined the Expediente
 found after request of citizen Francisco
 del Castillo Regente Petitioning for the
 tract of land called Dumi Salce and

9/5 +

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from such examinations they state that the party concerned is Mexican citizen by birth and has the requirements provided for that his Petition be attended to

That the Court

which he solicits is not within the territory bounding beyond nor within the territorial jurisdiction in the Law August 18th 1824 that although it pertains to the Pueblo de San Juan Bautista it has been a chartered and vacant land that it is farming and pasturing land and that from the fact of being vacant it may be granted to Petitioner

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For these reasons the Committee submits to the Honorable Ayuntamiento a deliberation the following proposition That tract of land called Durri Sale solicited by citizen Francisco del Castillo Regente may be granted to him
Meeting Jan 22 1835

Señor Miguel Avila
" Jose Joaquin Gomez

In compliance with the near final order of the Political Chief I transmit to you the enclosed Expediente that you may be pleased to report on the subject
Meeting Jan 24th 1835

Señor David Spive
Francisco del Castillo Regente
Secretary

In view of the Petition made by the citizen Francisco del Castillo Regente for the place called Durri Sale the same may be granted to him as there is no objection to it nor does it encroach on any person or neighbour

Pueblo de San Juan Bautista January 30. 1835

Señor Antonio Bulva

Meeting Feb 4th 1835 Let it be referred to the Alcalde of first Ayuntamiento of this Capital before whom the party Don Francisco del Castillo Regente shall be sworn and informed by three competent witnesses who shall be questioned on the following articles
1st Whether Petitioner be Mexican citizen by birth

whether he be married and have children
whether he is of good conduct
2nd) Whether the land belongs to
the property of any individual Mission Pueblo
or corporation whether it be suitable for farming
or pasturing land and what its extent may
be

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3rd) Whether he have any stock to occupy
it or any probability of acquiring it these
proceedings being completed with let
the expedite be returned for its termination

Señor

Don Jose Fiqueroa General of Brigade Com-
mandant General Inspector and Political
Chief of Upper California thus and order
dare and sign which I certify

Don Jose Fiqueroa
Agustin Zamora
Secretary

In pursuance of the foregoing order the
party concerned was notified of what
proceedings the law requires and
they were questioned with articles provided
for which are the following

1st) Witnesses being asked whether Petitioner
be Mexican citizen by birth married of
good conduct and whether he have any
children

He answers that Petitioner is Mexican cit-
izen by birth bachelor and of good conduct
Being asked whether the land belongs to
Petitioner pursuant to the property of any indi-
vidual Mission Pueblo or corporation whether
it be suitable for farming or pasture land
and what its extent might be

He answers

that the land Petitioner demands not belong
to any individual Pueblo Mission or corpo-
ration that it is farming or pasturing
land and that its extent may be about
three leagues

Being asked whether Petitioner have
any stock or any probability of acquiring it
He answers that Petitioner has no stock at present
but has some probability of acquiring it

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and heard that to be the truth and sign
with me and the assisting witnesses which
I certify

Jose Joaquin Gomez David Spence
assist assist

Juan Malarii Judge Allen
Immediately after appearing the said
petitioner before Francisco Pacheco who
having been asked in the name of the foregoing
questions answers that that the Petitioner is
Mexican citizen by birth bachelor and of
good conduct and that the land solicited
does not pertain to the property of any
Pueblo Mission corporation or individual
that it is farming and pasture land and
that its extent may be about three leagues
altogether more or less

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PAGE 29

2d) That Petitioner has some cattle and
possibility of buying more and he said that
to be the truth and sign it with me
and the assisting witnesses to which I
certify

José Spence
Francisco Gomez Pacheco
assist assist

Juan Malarii Judge Allen
Immediately after appearing the said
petitioner before Jose Maria Custumans who being
asked in the name of the articles
provided for answers

1st) That Petitioner is Mexican citizen
by birth bachelor and of good conduct
and that the land solicited does not
pertain to the property of any mission
corporation or individual and that it is
farming and pasture land and that its
extent may be about three leagues

2d) That Petitioner has stock and possible
ity of acquiring more and he said that
to be the truth and sign it with me
and the assisting witnesses in writing
February 15th 1855

José Maria Custumans Spence
assist assist
Juan Malarii Judge Allen

Montreal October 10th 1833

Honourable Examiners

The Petition into which this Expediente
contains the report of the Illustriss
Ayuntamiento of this Capital that the
Commissioners of secularization for San
Juan Bautista the widow of witnesses
and all that was before in mind and it
was committed to look into

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In conformity

with the Laws and Regulations in the subject
Don Francisco de Castillo Negro is de
clared in fee of the tract of land known
by the name of Llanos Salas subject to the
conditions which shall be stipulated

Let this

Expediente be referred to the Excellent Dipu-
tation for its deliberation and when it be
approved let the corresponding title be issued
to the party concerned let it be entered in
the respective book and let him be no-
tified of this decree. I am Sir your
most devoted servant
Francisco de Castillo Negro
Notary of the Excellent Diputación and
Notary of the said interior this day
was decreed and signed to which I certify
Signed

In the absence of the
of the Secretary of the said
Montreal October 10th 1833

Insassin

of this day the present Expediente was laid
before the most Excellent the Diputación
and it was directed to be referred to the
Committee on vacant lands

Signed José de la Cruz
President

Excellent Sir

The Committee on vacant
lands duly informed of the Expediente for
and of the request of the said Francisco
de Castillo Negro for the tract of land
called Llanos Salas and for the reasons
to make against it as is in conformity
with the Law of August 18th 1824 and
article fifth of the Regulations

11/5/54

November 21st 1828 subject to your Excellency's deliberation the following proposition they approve the Grant made to Pedro in Francisco del Castillo Negrete of the land called Luni Salme granted on October 14th 1835

Monteagudo October 12th 1835
Signed Salme Padua

Monteagudo October 12th 1835
In session of this day the most Excellent Deputation approved the foregoing proposition and resolved that the recap referred to by the party concerned should be annexed to this Expediente

Signed Jose Castro
President

Monteagudo October 25th 1835

In view of the approval of the most Excellent the Luni trial Deputation in session on the 12th of the present month and year let the little parcels be issued

Specifying in it said approval and let the Expediente be filed in the Archives

Signed Don Jose Castro
Member of the most Excellent Deputation and political chief and interim chief and war decree and sign to which I certify

Signed Jose Castro
Francisco del Castillo Negrete
Secretary

Monteagudo March 23rd 1839

Let this Expediente be annexed to the petition of Juan Manuel de Altitia Don Manuel Lario for common ends

Signed Alvarado

Filed in Office July 1852

George P. Fisher
Secretary

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1872
1873

1. 33

1. S. D. H. Nicolas Gutierrez Teniente Coronel Comandante Genl e Inspector y Jefe Politico de la Alta California.

Nº 103. Por cuanto el C.º Francisco del Castillo Negrete, Mexicano por nacimiento ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Quien Sabe, lindando por el N. con tierras baldias por el E. con la Sierra del Diablo por el S. con tierras de la Cauda Grande y por el O con la Sierra de Santana: practicadas por tanto las diligencias i abencuaciones convenientes segun lo dispuesto por las leyes i reglamentos de la materia, susmido de las facultades que me son conferidas de conformidad con la aprobacion de la S. D. de 13 de Octubre de 1835 en decreto de este dia i a nombre de la Nacion Mexicana he venido en confirmar la i aprobacion de dho. terreno al demandante la propiedad de el por las presentes letras i bajo las condiciones siguientes.

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B
Esperiente.

1.º Que se sometera a las q. establecerse el reglamento que se ha de formar para la Dedicacion de Terrenos baldios y que entre tanto en el agraciado ni sus herederos podran dividir ni enagenar el que se les adjudica, imponer censo, vinculo, piana hipoteca ni otro gravamen aunque sea por causa pial o sea ni pasar lo a manos muertas.

2.º Podra cercarlo sin perjudicar las tierras comunales i servidumbres destinandolo al uso i cultivo que mas le aconviene.

2. S. D. H.

3.º Solicitara del Juez respectivo que le otorgue la posesion judicial en virtud de este despacho por el cual se demarcan los linderos en cuyos limites podran a mas de las moynueras algunos arboles frutales o silvestres de alguna utilidad.

4.º El terreno de que se hace donacion es de seis sitios de ganado mayor segun esplica el nuevo diseno autificado, opesido por el interesado en su instancia de 7 de Dbre de 1834. e mandando agregar el esperiente por la Santa Disputacion en 12 de Octº de 1835. El Juez que otorgue la posesion lo hara merita conforme a ordenanza.

5.º Si concurriere a estas condiciones perdera su derecho al terreno y sera renunciante por otro.

En consecuencia mandado que se inscriba de título
 el presente i teniendose por firme y valeroso
 se tome razon de él en el libro que corresponde y
 se entregue al interesado para su resguardo y
 otras fines. Dado en Monterey a 15 de abril
 de 1836. = Nicolas Gutierrez. = Por orden del
 Sr. Jefe Politico. = ausencia del Sr. = Jose Maria
 Covarrubias. = o por el suyo. Covarrubias.

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

I Samuel D King Surveyor General
 of the United States for the State of California and
 as such now having in my office and under my
 charge and custody a portion of the archives of
 the former Spanish and Mexican Territory or
 Department of Upper California, do hereby
 certify that the two preceding and hereunto
 annexed pages of tracing paper numbered one
 and two each of which is verified by my
 initials (S. D. K.) exhibit true and accurate copy
 of the writing upon two pages of a book (unbound)
 entitled "Titulos" now on file and forming part
 of the said archives in my office.

In testimony whereof I have
 herewith signed my name officially and affixed
 my private seal (not having a seal of office) at
 the City of San Francisco, Cal. this tenth day
 of December 1857.

Samuel D King
 Surveyor Gen. Cal.

Filed in office. Feby. 30th 1858.

Geo. Fisher Secy.

35-0

Translation

Nicolas Gutierrez Leutenant Colonel
Commandant General and Political
Chief of Upper California Number 103

Whereas
Francis del Castillo Captain
a Mexican by birth has claimed for his
personal benefit and that of his family
the tract of land known by the name of
Lima Salto bounded north with the
San Luis with the East by Diablo ridge

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PAGE 31

on
the south by lands of Juan Velin (San
ada Verde) and on the west by the ridge
of Sautana having previously complied
with the requirements and investigations
agreeably to Law and the regulations
in the subject in which case the
power was conferred and in conformity
with the approval of the Ex. Council Dep
utative dated October 12th 1835 by a decree
of this date and in the name of
the Mexican Nation

Have through papers
to confirm and approve his title to said
land declaring the same to be his pro
perty by the power letter patent under
the following conditions

1st That he shall submit to such con
ditions as may be established by the Reg
ulations to be made for the distribu
tion of public lands and that in the
mean time neither he nor his heirs
shall subject it to any other burden (may
engage nor to any other incumbrance what
soever nor for charitable purposes
nor convey it to any other

2nd He may fence or construct obstructing
roads paths and such other of public
use and use it exclusively as he may
deem proper

3rd He shall apply to the proper judge that
he may give him lawful possession
and by virtue of this Patent by whom
shall be marked the boundaries as
the limits of which he shall the land under

the shall be planted some fruit trees or
else, well wares of some usefulness
4th The lands of which situation is made
is of six square leagues sitos. de Secundo
Mayor as is shown by the certified design
afford by the interested party in his
application of the 7th of October 1834
and wants to be approved to the present
map by the Excellent Deputados in
the 12th October 1835

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The Judge who may
give possession shall cause the same
to be measured agreeably to ordinance
5th If he should otherwise to these con-
ditions he shall lose his right to the
land which can be demanded by another
person

I therefore command that in view
of these presents to be held, written and
valid the same be entered in the
corresponding book

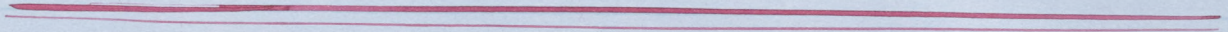
after which shall
be returned to the interested party for his
own security and enjoyment purposes

Montevideo on 15th of April 1836

Francis Gutierrez
Mayor of the Potencia Chief and in the
absence of the Secretary

Jos Maria Levarrubas
acting Proctor
Levarrubas

Filed in Office February 20th 1837
Geo. Fisher
Secy



43/507

39

D
Letter to
John Parrott

Transmitted from the Spanish
John Parrott Esq
Consul
Havre of Mazatlan
April 6th 1852

My Dear Sir
The friendship which has so
long existed between us authorizes me
to request of you that among representations
before the American Government in local
jurisdiction you will present the original titles
of my lands which Herewith transmit
to your care in view that they may be
authenticated by that authority and a
proper document issued to that effect as
my own security of the same

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PAGE 36

Where it will
not be necessary to give you a power of
attorney for it but that this letter will be
sufficient if it should not be so you will
be pleased to inform me of it and I shall
transmit to you the necessary documents
asking
in the meantime of the authorities not
to deliberate upon the subject till then
By the enclosed instructions you are
able to proceed advising me by the first
opportunity of your place of residence
hereafter

That I may be able to address
you my reasons if in all this you should
incur some expense I shall place it to
your credit here subject to your order
With
my best wishes for your voyage and
prosperity I remain as ever with great
esteem

Your Most Obedt Servant
Agustin Frausto Castillo Legate

Filed in Office February 20th 1852
George Fisher
Secretary

SWF
1852

[Faint, illegible handwriting covering the majority of the page]

[Faint, illegible handwriting]

[Faint, illegible handwriting]



4/507

39 E
Letter to
D. Spence

Translations from the Spanish
David E. Spence Esq
Master of Marine Letters
March 30th 1850

My Dear Friend

I wrote to you by
Captain Manuel Bastos transmitting
a certified copy of the titles to claims
brought in your own situated between
the deep ditch and the house of Sacoris
to which I added the foundations also of
a lot of piece of land granted me by
the Central Deputacion or Substituted
Board known by the name of Demin
Sabe

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PAGE 37

These documents together with a
letter of recommendation given me by
the American Consul to the Secretary
of State show that through the intercession
of your son, they may acknowledge the
same as my property

However the piece
of land which was recorded reaches on the
side of San Juan to the hills of San Joaquin
and Santa Ana for which reason I think
that Demin Sabe cannot be lawfully occu-
ped

I trust that your friendship and activity
and that you will do your best to comply
with my wishes and that in the case of some
unpleasant obstacles you will settle it in the
most convenient way I request you to use
your best exertions while you remember
me to your lady and all the family
as ever your truly and humble servant

Signat Francisco de Castillo Capote
P.S. John Parrott Esq who is our course
is about to start for your place and for the
charge of these affairs I can find Mr John
Cooper who spoke of you all he is in his
way home with Mr Larkin

Filed in Office February 20th 1850
George Fisher
Secy

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[Faint handwritten scribble]

[Faint handwritten notes, possibly including the word "introduction"]



1875

41
Affidavit
of
Claimant's
Counsel
for
Continuance

Number 53
San Francisco
Negrete vs
United States

3 For a part of
3 funds called
3 Linn Sabe to the
3 extent of six pesos
de Ganado Mayor

I James Wilson attorney for the Petitioner
in the above cause depose and say that
Don David Spence of Monterey, California
attorney for the Petitioner in the above cause
that his testimony is important to explain
some material documents which I think it
necessary to use in the trial of said cause

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That
I have written to said David Spence requesting
his attendance to give his testimony and have
inquired for answer that the state of his
health would not permit him to attend
here to testify further say that the original
and of said in this case was customary
as follows in the great file here on the
4th of May 1854 as shown by the deposition
of John Parrott

and his clerk Mr Peyton
attorneys in file in this case that until
within a few days have been unable to
obtain a copy of said deed

The copy which
I now have is a notarial copy obtained from
a notary Public of the State of New York
at the City of New York Mexico that we
were unable to use said copy
in the prosecution of said claim and will
be necessary for me to have further time
to take testimony to identify the said copy
as a true copy of the original

James Wilson
attorney to Francisco Lealitto Negrete
San Francisco Number 21st 1854
I am to and subscribed before me Number
21st 1854 A. Aug. Thompson Commissioner
Filed in Office November 21st 1854
George Fisher Secretary
Records in Courtroom B. Vol 5 No 98
Geo Fisher
Seal

42

1953
1954

1955
1956



74

20

22 per 55

Expediente

Promovido por los C^{nos} Manuel Larios
y D^a Juan Anyas en pretencion del
Peraje nombrado

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Santa Anna
y
Quien Sabe.

1839
124

2. No hay papel sellado.

Pueblo de S^{to} Juan }
 de Casto y Marzo 30 } Primer Distrito.
 de 1839. } Los Ciudadanos Manuel
 como piden los inter } Larios y Juan Anzar
 sacos a piques a } Vecinos de Este pueblo
 sus anteceditos } ante la justificacion
 Casto } de D. L. comparecer
 y disen: Que habiendo pre-

tendido en solicitud de veinte y nueve
 de Diciembre del año ultimo pasado la propie-
 dad del terreno llamado S^{ta} Anna para
 cria de ganado y demas premisas de la agri-
 cultura se ven precisados a pretender en la
 misma instancia el paraje contiguo conosi-
 do con el nombre de Quien sabe para que
 agregado al primer obtengan una comodo
 subsistencia para sus familias. Este pa-
 raje fue ensedado al C. Lemos del Cas-
 tito de Tepete el año de mil Ocho cientos hem-
 ta y cinco y habiendo salido el poseedor del
 Departamento abandonado propiedad
 se halla a la fha. valdica y de consist. de
 numerable.

3. Por lo Copuesto. A. V. Respectuosam^{te}
 suplicam se orue mandar agregar este
 instancia a la que ya tienen presentado
 para que formando un solo cuerpo, se les conse-
 de por el Gobierno Departamental, la pro-
 piedad de los terrenos, S^{ta} Anna y Quien
 sabe expresados en los disenos que debida-
 -m^{te} acompañan, en lo que se otorga gracia
 que impitran bajo las protestas de Costo
 pueblo de San Juan de Casto Marzo 30
 de 1839.

Manuel Larios }
 Juan Mij^{te} Anzar. } 3

47

Monterey P. de Abril de 1839.

Vista la peticion en que da principio este Expediente, el Informe del Sr. prefecto del primer Distrito y todo lo que que ve con viño: de conformidad con lo dispuesto por las leyes y Replamentos de la Materna se declara a Dr. Manuel Larios y Dr. Juan Anzar, dueños en propiedad de los terrenos conocidos con el Nombre de Sta Anna y Juan Sabé que obtenia el Li. de Dr. Luis Castillo Nepete y su hermano Dr. Primes por concecion que se les hizo en decretos de 10 de Septiembre de 1835. y 10 de Octubre del mismo año cuya maced han perdido por haber contravenido a las disposiciones del Gobierno que las favoreci hallanose dichos parajes baldios e incultos y abandonados, desde que se han ausentado voluntariamente sin que hallan intentado cumplir con las condiciones que expresan los despachos, y como mas de hellas es que se puede denunciar Pr. ota y teniendo en consideracion los meritos de los pretendientes; dispongo que estos demarquen los Linderos de los sitios referidos conforme esta en el Dicen y bajo las condiciones que en el tituli se expresen, libese el despacho correspondiente. Tomese Razon en el Libro Respectivo y presentese este Expediente para conocimiento de la Comis. Junta Departamental para su devida aprobacion. Asi el Señor Dr. Juan B. Alvarado Gobernador del Departamento de las Californias lo decreto mandó y firmo de que doy fe.

Alvarado.

10

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b.

Here follows
maps

Monterrey ^{de} ~~de~~ }
13. de 1839. }
Los Alc. de esta }
Capital informen }
sobre si este aban }
donado el sitioq. }
se solicita y desde }
que tiempo y luego }
se proveerá. }
Alvarado.

Como Sr. Gobernador }
Los Ciudadanos Manuel }
Larios y Juan Anzar, el 1º }
natural, del puebl. de Sr. }
donado el sitioq. }
José Guadalupe de Costa }
Calif. y el 2º de la Ciudad }
de Colima ambos abeinda }
dos en la jurisdiccion de }
esta Capital. A. V. C. con el }
devido Respeto Exponen el

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Primero no tener un terreno en el cual poder tener sus bienes de campo y donde hacer siembras y el segundo que aunque tiene concedido en propiedad, el paraje nombrado las Armitas le es sumamente corto para contener en el sus bienes. Y hallandose ambos emancipados y con crecida familia necesitan de un terreno capaz de proporcionar la comoda subsistencia para cuyo efecto solicitan entambos el que en el año de 1836, se le concedio al Sr. D. Luis del Castillo Vegrete; pues se haya situado distante del puebl. de San Juan Bautista como cuatro leguas hacia el N. E. lindando al N. con el Llano de S. Joaquin, al O. con quien sabe, al E. con la sierra y al poniente con el Rio del pasero el cual terreno se figura al Bosquejo de plano que se acompaña y asi:

A. V. C. rendidamte pedimos y suplicamos q. en uso de sus facultades se digne proveer á nuestra solicitud previos los requisitos necesarios que estomen convenientes al efecto concediendonos el indicado terreno en plena propiedad y posesion para los fines indicados; gracia que esperamos merecer de la Benignidad y justificacion de V. C.

49

Nota Para no haber papel del sello correspondiente se hace uso del comun.

Montgomery 29 de Okt. de 1838

Manuel Larios

Juan Mijal Anzures
E.S.

Impuesto de la Solicitud de los Señores Manuel Larios y Juan Anzures exponemos; que el terreno que solicitan esta baldio y abandonado desde el año de 1824. que se pretendio por D^{no} Luis del Castillo Negrete y por tener los requisitos que preveene la Ley y demas circunstancias para obtener en propiedad algun terreno baldio ponemos a la deliberacion de V. E. la proposicion siguiente.

q. Deles puede conceder a los interesados el sitio que pretenden por tener los requisitos necesarios.

Monte Rey Lechero 14 de 1839.

Ameon Castro.

Reclamacion soberana

Monte Rey 12 de Mayo de 1839 } Pueblo de San Juan de Castro Mayo 21 de 1839
Informe el Sr. prefecto del primer distrito sobre el contenido en esta instancia } pidase el disenyo a los interesados y agreguese al Expediente
Alvarado } Castro

Pueblo de Sr. Juan de Castro

Abril 24 de 1839.

Visto de tenidamte lo contenido en esta instancia, el prefecto del primer

10 Distrito informe que los interesados obtienen los requisitos legales para ser atendidos que los terrenos llamados Sta Anna y Juan Sabe, cuya propiedad solicitan se hallan a la fecha enteramente baldios

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perdiendo por esta circunstancia los señores Castillo y Egeite hermanos el derecho que sobre ellos obtenian y que pueden ser adjudicados en arreglo à las leyes de Colonia a un à favor de las partes que los pretenden.

José Castro

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// Excmo Sr.

La Comision de Agricultura y Comercio Unidos encargada p^a V. E. de dictaminar los Expedtes q^e en la sesion anterior acompañó el Excmo Sr. Gobernador y con los dictos p^a el mismo Gobierno y en conformidad con lo actuado è informes y demas que ver se ha producido propone à la deliberacion de V. E. los artículos siguientes.

Art. 1^o Se aprueba la concesion hecha p^a el Gobm. Departamental en fha 8 de Abril de 1839. en las personas de D. Manuel Larios y D. Juan Miguel Anzav del paraje nombrado Sta Ana y Quien sabe:

2^o Que se devuelva al Excmo. Sr. Gobernador el Expedte p^a los fines combintes

Monteney Mayo 21. de 1840

José Rafael Gonzalez

A. Argüello

12 Monteney 22 de Mayo de 1840.

En sesion de este dia aprubó la C. Junta Departamental los dos artículos con que concluye el Dictamen anterior.

Mem. Imenio presdte

José J. Fernandez Srto

En 30 del mismo mes se le dio à la parte testimonio de la Aprobacion anterior.

Jurisdiccion de } Año de
Monterey } 1834.

Expediente

Sobre el paraje nombrado

Quien sabe solicitado por

D. Francisco del Castillo Negrete
2.

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14. Sello de Cero { Place of a } Dos Reales:
 para los años { Stamp in the } de mil Ocho cientos
 veinte y seis { Original } y ocho cientos veinte
 y Ocho.

{ Place of a } D. Jefe politico
 { Stamp in the } El C. Francisco del Castillo Negrete
 { Original } natural de Mexico i aveinclado
 { 1828 + 1829 } en este Capital i puerto a U. S.
 { Place of a } reverentem. Espone. Que habiendo
 { Stamp in the } venido en este Capital Teritorio
 { Original } con animo de Radicarse en el bazo
 { 1830 + 1831 } el auspicio de las leyes de Coloniza
 { Place of a } cion que le son favorables para
 { Stamp in } dedicarse al cultivo del campo
 { the Origin } era de panacho y demas premjenas
 { 1832 + 1833 } de la agricultura, buscomdo de este
 { Place of a } modo su comoda susistencia y
 { Stamp in } ser un miembro productivo y util a
 { the Origin } la Republica ha procurado indagar
 { 1834 + 1835 } un sitio oportuno para tal Objeto que no pa
 tenezca a individuo, pueblo, ni corporacion
 alguna, i habiendo enontrado el nombrado
 Quien sabe, que se halla como a seis.

De conformidad leguas N. E. - # N de dicho con las leyes de puebls, lindando al N con terreno la materia mpa cuales sin nombre, al S. con terreno me el J. Lujanta lo mismo, al E. con Aljares, i miento de este al O. con Baldios con una Laguna Capital si el m terreno desigual cuya figura teresado en esta es como la que representa el instancia obtiene Bosques de plano que acompaño los requisitos me obligandome à presentarlo mas venidos p.º sea = Rectificado, cuando con mas p.º tenidos en su = porcion pueda hacerse con concicitud si el exactitud q.º se requiere. ^{ley}

15 Teneno q.º pretende en Virtud de hallarse facultado esta comprendido Q. D. por las leyes de diez y ocho en las veinte le- de Agosto de mil ocho Cientos fueas limitopes veinte y cuatro seis de Abril de ò diez literales q.º mil Ocho Cientos treinta y siete Espresa la ley de mento del supremo Gobierno 18 de Apr.º de 1824 para conceder en Colonizacion si es de Regadio - esta clase de terrenos y no es temporal ò abre diene este que solicito del vaders; si pertenece maximim à que se puede à la propiedad de cedeo segun dichas leyes y de algun particu replamentos.

Las, mision corpora. Q. D. suplico se sirva de p.º racion ò pueblo à mi solicitud previo los requi con todo lo demas sito necesario concediendome q.º crea conduct.º el m sinuado terreno en plena à ilustrar la mate propiedad i posesion para na. Evacuado los fines indicados. Dacia q.º que sea paraa esper mereces de la bondad, este Especl.º al y justificacion de. Q. D. comisionado de Monterey siete de Diciembre las Misson de san de mil Ocho Cientos treinta y Juan Bautista Cuatro.

p.º q.º esponga lo q.
le parezca sobre

J.º del Castillo
C.º parte

La Materia. El Sr D^o José Ligueroa General de Brigada Comandante Jral. Inspector y Jefe superior politico de la Alta California asi lo mande, decreto y firmo de que doy fe

José Ligueroa

Agustin V. Zamorano Oro

16 Y. Ayuntamiento Constituido

La Comision de Colonizacion y terrenos Valdios ha visto el Especto promovido p^o el Ciudad^{no} Francisco del Castillo Negrete en solisitud del terreno nombrado "Quien sabe" y de su examen resulta exponer: que el interesado es Ciudad^{no} Mexicano por nacimiento y obtiene los requisitos prevenidos para ser atendido en su solisitud: que el terreno q^o pretende no esta comprendido en las 20 leguas limitadas ni en 10 literales q^o expresa la ley de 18 de Agosto de 1824. que aunque pertenece a el pueblo de D^o Juan Bautista, se ha reconocido p^o Valdio y es de temporal y ahevadero y q^o por el hecho de ser Valdio puede adjudicarse al solicitante. por lo Expuesto la emision opece a la deliberacion de este Y. Ayuntamiento la sig^{te} proposicion.

puede concederse al Ciudad^{no} Francisco del Castillo Negrete el parage q^o solicita nombrado "Quien sabe"

Monterey Enero 22 de 1835

José Joaquin Torrey

Miguel Avila

Cumpliendo en el decreto del Sr. Jefe politico q^o va en el margen remito a V.

14 Delto tercero Place of az Dos Reales

Para los años de Original mil Ocho cientos veinte y seis y ocho cientos Veinte y siete

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Place of a Stamp in the Orig. years 1822-1829 } el adyunto Espectl^o p^a q^d se arve
 informen sobre la materia
 Monterey 24 de Enero de 1835
 Dav^e. Spence. Lito.
 J^{co} del Castillo Negrote.

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Place of a Stamp in the Orig. years 1830+1831 } En Atencion a la Solicitud q^d
 hase el C. Srane. del Castillo Negrote
 sobre el situ nombrado "Quien sabe"
 se lo puede adjudicar al suplicante
 por no tener embarazo, ni concesion
 con ningun Colonct^o
 P. de San Juan Baut^a 30 de Enero
 de 1835.

Antonio Quielna
 Monterey Mexico 24 de 1835.
 pase al Alcalde de primera nominacion
 de esta Capital, ante quien la parte de
 D. Srane. del Castillo Negrote producira
 una informacion de tres testigos idoneos que
 seran interogados sobre los puntos siguientes.
 Primero; si el solicitante es Ciudadano
 Mexicano por

18. {Here follows }
 {Map }
 { }

19 Sello tercero Dos Reales
 Habilitado provisionalmt^o por la Administracion
 de la Aduana Maritima de Monterey de la
 Alta California, para los años de mil ochocientos
 treinta y cuatro y mil ochocientos
 treinta y cinco.
 Niquera A. Ramirez
 nacimiento, si es casado, y tiene hijos; si es

de buena conducta; segundo: Si el terreno que pretende pertenece a la propiedad de algun particular, Mision, pueblo o Corporacion si es de Realdo, temporal, o abrevadero y que Estension tendra. Tercero. Si tiene benicio de Campo con que poblarlo o posibilidad de adquirirlos. Cuarta. Las estas diligencias vuelva el Expedite para su resolucion. El Sr. D. Jose Ligueroa, g. de Brigada Comandante g. inspecta y Jefe politico del Teritorio de la Alta California asi lo mando decreto y firmo de que doy fe.

//

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Jose Ligueroa

Agustin V. Zamoreno - Ocho.

A consecuencia de la Orden anteceltes se hizo saber al interesado el of. presente los tres testigos que se piden, i fueron interrogados bajo los puntos of. se manda i son las sigtes
Testigo 1º = preguntado. Si el solicitante es b. Mexicano p. nacimiento, si es casado y tiene hijos i si es de buena conducta. Responde. Que
2º el solicitante es b. Mexicano p. nacimiento y es del estado honesto i de buena conducta preguntado. Si el terreno of. pretende pertenece a la propiedad de algun particular, Mision pueblo o corporacion si es de Realdo, temporal o abrevadero y of. estension tendra = Responde Que el terreno of. se pretende no pertenece ni a particular, pueblo Mision ni corporacion alguna of. es de temporal i abrevadero = of. tendra como tres leguas de estension.

preguntado: Si tiene benicio de Campo con of. poblarlo, o posibilidad de adquirirlos. Lo que dijo se escribio y lo firmo conmigo y los testigos de asistencia, doy fe

David Spence #

Jose Joaquin Gomez

Asi =

Juan Malanin

Jose Allen

En seguida se presento el segundo testigo
C. J. Pacheco y examinado al tenor de las
preguntas antes dadas. Responde a la 1^a
Que el solicitante es Mexicano n. nacimiento,
soltero y de buena conducta.

21. Sello tercero Dos Reales =

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

Riqueroa

A. Ramirez

Preguntado al tenor de la segunda. Responde
Que el terreno q. pretende no pertenece a la
propiedad de ningun pueblo mision corporacion
ni particular, que es de temporal y abrevadero
y q. tenida como tres leguas de Estension por
mas o menos.

Preguntado al tenor de la tercera. Responde
q. si tiene algun ganado y posibilidad de
compra mas. lo q. dijo ser la verdad i lo
juró conmigo i los de asistencia de q. day,
p.e.

Spence

Francisco Perez Pacheco

Asa

George Allen

Juan Malain

Acto continuo se presento el tercer testigo
C. Jose Maria Castaneros y examinado
al tenor de las preguntas q. estan mandadas
responde a la primera q. el solicitante
es C. Mexicano n. nacimiento, soltero i de
buena conducta. a la segunda que el
terreno q. pretende no pertenece a la propi-
edad de ninguna mision, corporacion ni
pueblo alguno, q. es de temporal i abrevade-
ro y tiene como tres leguas en Estension. Y
a la tercera dice que si tiene bienes de

57

Campo y posibilidad de adquirir mas.
22 Lo que dispo ser cierto i lo firma conmigo a los testigos de asistencia en Monterrey a quin ce de Febrero de mil ochocientos treinta y cinco.

Spinee # José Maria Castañares
Asa
Juan Malum

asa
Sb.

Jorge Allen

23. Sello Linceo Dos Reales:

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Habilitado provisionalmt. por la Admin-
istacion de la Armada Maritima de Mon-
terey de la Alta California para los años
de mil ochocientos treinta y cuatro y mil
ochocientos treinta y cinco.

Figuerola A. Ramirez
Monterrey 10 de Febrero 1835.

Vista la peticion con of. de principio este
Espect. el informe del Ilustre Ayuntamiento
de esta Capital el del comisionado de
secularizacion de Sr. Juan Bautista la
exposicion de testigos con todo lo demas que
se tuvo presente y ver convido de conformi-
dad con las leyes y Replamentos de la mate-
ria de la materia se declara a D. Manuel
del Castillo Negrete dueño en propiedad
del terreno conocido con el nombre de
Quien sabe sujetandose a las condiciones
que se estipularen. pase este Espect. a
la C. Diputacion p. su deliberacion a-
provado of. sea libresele al interesado
el despacho correspondt. of. le sirva
de titulo tomandolo Rayon de el en el libro
Respectivo y apase le saber este decreto.

El. d. D. José Basto primer Vocal de
la C. Diputacion y Jefe politico Interino
asi lo mando, decreto y firmo de que claffee

Por ausencia del Sr.
y Sr. D. Osio

o Sr. José Bastu

24 Monterey 10 de Octubre de 1835.

En sesión de este día se dio cuenta con este Expedite a la Exma. Diputación y acordó pasarse a la Comisión de Tenenos Valdivos.

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José Bastu Presdte

Exmo.

25. Sello Sereen: Dos Reales:

Habilitado provisionalmt. por la Administración de la Aduana Maritima de Monterey de la Alta California para los años de mil Ocho cientos treinta y cuatro y mil Ocho cientos treinta y cinco.

Agueroa
55

A. Ramirez

La Comisión de Tenenos Valdivos impuesta del Expedite que se mandó practicar p. solicitud q. pase el Ciudadano Excmo. del Castillo Negrete al paraje nombrado "Quien sabe" no encontrando en el Obsecion alguna que hasea siendo en todo conforme a la Ley de 18. de Ayl. de 1824. como el Art. 5. del Replamen. de 21. de Ayl. de 1828. opese a la deliberación de Q. C. la sigte proposición se aprueba la concesión hecha al Ciudadano Excmo. del Castillo Negrete del tenenon nombrado "Quien sabe" con sedido en 10. de Okt. de 1835.

Monty. 12 de Okt. de 1835.

Salvo pacheos.

Monterey 12 de Okt. de 1835.

26. En sesión de este día aproro la Exma. Diputación la antedicta proposición con la dicitamen; acordando tambien la corporación

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se agregue a este Expedite el disenyo q
opreso el interesado.

Jose Basto presdt
Monterey Ob^o 25 de 1835

Ex. Vista de la aprobacion otorgada por la
Cama Dcion Territorial de 12 del pres^{te}
mes i ano librese el despacho prevenido especi
ficando en el d^{ta} aprobacion i archiveose
el Expedite. El D^o D. Jose Basto vocal de
la Cama Dcion y Jefe politico interno asi lo
mando decreto y firmo de of. doy fe.

Jose Basto

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Jefe del Castillo de S. Mateo. Nro.

27. Monterey marzo 23 de 1839.

Unese este Expedite a la solicitud del
Teniente de milicias D^o Manuel Larios
para los fines embint^{os}

Alvarado

28. Jurisdiccion; ano de 1834
de Monterey

Expediente

Sobre el parage nombrado

Santa Anna

D^{ta}: Anita solicitada por el
Lic^{do} D^o Luis del Castillo

Vegete

29. Sello tercero para los años veinte y seis

Place of a Stamp in the Orig. year 1828 + 1829

Dos Reales:

de mil ochocientos y ochocientos veinte y siete

St. Lefe politico

Bl. C. licenciado Luis del Castillo Nepete natural de Mexico y ave en dado en esta capital y puerto a

Place of a Stamp in the Orig. year 1828 + 1829

Place of a Stamp in the Orig. year 1830 + 1831

D. reverent^o. Espose que habi endo venido a este Departamento

Place of a Stamp in the Orig. year 1832 + 1833

territorio con animo de radicarse en el bajo el auspicio de las leyes de Colonizacion que le son favora bles para dedicarse al cultivo del

Place of a Stamp in the Original year 1834 + 1835

Campo, ena de ganado y dema s frangerias de la agricultura bus cando de este modo su comodidad sus

Monterey D. Pre 16 de 1832

istencia y ser un miembro productivo inutil a la Republica ha procurado indagar a las inmediaciones

De conformidad con las Leyes de la materia info me el D. Ayuntamiento

del pueblo de San Juan Bautista un sitio oportuno p^a tal Objeto que no pertenezca a individuo pueblo ni corporacion alguna

La materia info me el D. Ayuntamiento

y habiendo encontrado el sitio el Camacho Sta Anna que se halla como a cuatro leguas et. C. de

resado en esta

capital si el inte dicho pueblo lindando al et. con Sta Anna al C. con la arena

dist^a obtiene los requisitos p^a su atencido ex

yal D. con el Rio del pajaro con un manantial y arboleda de su propia, en terreno desigual, cuya

su solicitud; si el terreno of

figura es como la que representa el bosque de plano que a com

pretende esta p^amo, quedando en presentat

comprendido a lo mas Rectificado cuando con las veinte ley^o mas proporcion pueda hacerse limitropes o diez con la exactitud que se

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literales de espesa } require. Y en virtud de
 ley de 18 de sept. } hallase facultado. Q. S.
 30 del 24. si es de Re } por la Ley de diez y Ocho de
 gadio temporal o as } Agosto de mil Ocho cientos
 brevedes si pertenesca } veinte y cuatro su correlativo
 a la propiedad de } de seis de Abril de mil
 algun particular } Ocho cientos treinta y Regla
 corporacion, mision } mente del supremo Gobierno
 o pueblo, con todo lo } para conceder en Coloniza
 demas de que conde } cion esta clase de terrenos
 ctos a ilustrar la } si no escediendo este que
 materia. Convenida } solicitu del maximum
 de se pasaran el Espe } a que se puede acceder
 ctos al comisionado } segun dicha Ley y Regla
 de la Mision de San } mento.
 Juan Bautista p. } a. Q. S. suplico se sirva de
 de Esponza lo de le } pedir a mi solicitud me
 ocurra sobre el } vos los Requiridos necesarios
 particular. Q. } concediendome el mismo
 Sr. D. Jose Lige } terrenos en plena propiedad
 roa General de } y posesion para los fines in
 Brigada inspect. } dicados. Hacia que espero me
 y Jefe superior poli. } recer de la bondad y justip
 tico de la Alta Ba } reion de Q. S.
 lifornia asi lo mem } Monterey 5 de Diciembre
 do, decreto y firmo } de 1834
 de que doy fe. } Lie do
 Jose Quirova } Luis del Castillo Negrete
 Agustin V. Gambo } Srio.
 rano. Srio.

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Y Conjuntamente Constitucional
 La comision de terrenos Baldios ha visto
 el Especto que forma la pretencion que
 hace del terreno nombrado Santa Anna
 el Ciudadano Lie do Luis del Castillo Negrete
 y en cumplimiento del sup. decreto de

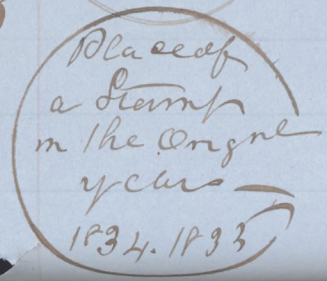
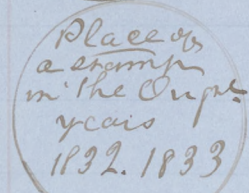
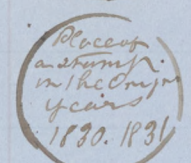
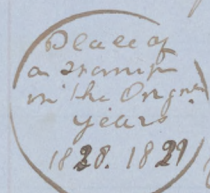
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de Diebre ultimo informa qd. el interesado es Ciudadano Mexicano p^o nacimiento y obtiene el interesado los requisitos prevenidos p^o ser atendido en su solicitud qd. el terreno qd. pretende no esta comprendido ni en las 20 leguas limitrofes; ni en las 10 litorales que expresa la Ley de 11 de Ayl. de Ayl. de 1824; que pertenece al pueblo de S^o Juan Bautista que es de temporal y ahevaclero y qd. se halla solicitado con anterioridad p^o el C. Nicolas Garcia enq^o Expedt^o para en poder del comisionado del referido pueblo de S. Juan con el Objeto de qd. informe sobre el particular. En tal virtud la comision opese a la deliberacion de esta J. Corporacion la sig^{te} proposicion.

No puede adjudicarse el terreno nombrado Santa Anna pretendido p^o el Ciudadano Luis del Castillo Vegrete p^o estar solicitado con anterioridad p^o el Ciudadano Nicolas Garcia Monterey Enero 22 de 1833.

Jose Joaquin Gomez # Miguel Avila
Cumpliendo con el Decreto del C. Lefe politico

32. Lello tercero Dos Reales
para los años de mil Ocho cientos
Veinte y seis y Ocho cientos veinte y siete



Politico que va en el Margen remitido de
el Adjunt. Expedt^o p^o qd. se surva
informar sobre la materia e Monterey
@ 24. de Enero de 1835.

Dav C. Opence
Jefe del Castillo Vegrete

Here follows
Map

33

34 Don Dⁿ Luis del Castillo Negrete
 Dⁿ Juan Bautista 31 de Enero
 de 1839.

Muy Don mio

Devolbo a V. el Expediente en que
 solicita el parage nombrado D. Ana por
 haberse ya informado en favor de D.
 Nicolas Garcia q^d lo tenia solicitado
 desde 20 de Octubre del año p^o p^o
 siento mucho no poder servir a V. pero
 q^d a ocurrido la causa a sido lo muy tarde q^d p^o
 mi es Indiferente servir en just^a a
 cualquiera persona.

Le deseo a V. la mayor felicidad
 en Union de su Señora. y niños vivien

35. dose con mis Esperanzas al Sr. D. Juan
 O. Cabeal como tambien de Jacinto
 q^d ya de el Informe anexo a su deseo
 de Juan Cabeal V. Vea en q^d le puede
 ser Util su afmo. 2. B. J. M.

Antonio Buelna

36 Dello Decreto Dos Reales
 Habilitarlo provisionalmt^e por la Admin
 istracion de la Aduana Maritima
 de Monterey de la Alta California
 para los años de mil ochocientos treinta
 y cinco

Lequeroa

A. Ramirez

Dⁿ Jefe politico

Luis del Castillo Negrete, Abogado nacional
 y Vecino de este puerto con toda atencion
 a V. D. Espungo que en cinco de Diciembre
 del año p^o p^o solicite de la autoridad
 de V. D. que se concediese en propiedad
 el sitio llamado San Ana al nordeste
 cuatro leguas del pueblo de San Juan
 por ser terreno colonizable i concurir

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las circunstancias legales para obtenerlo
 V. O. por su decreto de diez i seis del mismo
 Diciembre pidió sobre esta instancia
 los informes acostumbrados; i sin embargo
 el Expediente quedó paralizado à motivo
 de haberlo pretendido antes que yo el
 Sr. Don Nicolás Garcia.

Este señor Garcia que ya es muerto
 según es público parece que si lo fuese se le
 concediese el teneno no llegó à tomar posesi-
 on en él; ni se le ha expedido el título
 de propiedad y así no adquirió toda la
 plenitud de derecho necesaria para
 que se le pudiera considerar legalmente
 dueño y como tal transmisible à sus he-
 rederos en el caso que los tenga i de
 concurrir en ellos los requisitos preveni-
 dos. i fundado en esto.

V. O. suplico que tenga por reproducida
 mi anterior solicitud, i mande
 continuar el Expediente que promoví
 i ahora presento para que V. O. se sirva
 agraciarme dándome la propiedad
 con título del expresado teneno de
 Santa Anna.

Monteney seis de Setiembre de 1835.

Licdo Luis del Castillo
 Oregate

Monteney Ocho 9. de 1835.

En Vista de esta instancia of. el Licen-
 ciado D^o Luis del Castillo Oregate presenta
 p^o promover el Expediente en solitud
 del teneno nombrado Santa Anna of. con-
 tra 5. de Diciembre del año ppdo presente
 of. acum. of. D^o Luis del Castillo Oregate
 Habiéndolo provisionalmente por la Adminis-
 tración de La Armada Marítima del

65-

puerto de Monterey de la Alta California para los años de mil Ocho cientos treinta y cuatro y mil Ocho cientos treinta y cinco Agüeroa C. Ramirez
 =lese al Expediente de su referencia y en atencion a q^d el terreno q^d pretende no pertenece a la Mision de Juan Bautista como consta del Informe q^d el comisionado de secularizacion dio en el Expediente que cita la carta anterior a favor del primer pretendiente que lo fue el finado D^o Nicolas Garcia, p^o cuya Rayon el 2.º Ayuntamiento de Esta Capital informo. lo q^d consta en el dictamen de la comision q^d p^o el Efecto nombre y havendo ya sesado las causas q^d motivaron dho informe i no havendo otra dificultad y siendo el solicitante de igual clase a la del difunto Garcia pase el Expediente al Sr Alcalde de Esta Capital hante quien lo p^o parte de D^o Luis del Castillo Ojeda se produjera una informacion de tres testigos idoneos q^d seran interrogados sobre los puntos sig^{tes}

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1^o Si el solicitante es Cono Mexicano p^o nacimiento si es casado y tiene hijos si es de buena conducta.

2^o Si el terreno q^d pretende pertenese a la propiedad de algun particular corporacion, mision o pueblo si es de Resadio temporal o Aberradero y q^d Estencior tencha.

3^o Si tiene Venis de Campo con q^d poblado o posibilidad de adquirirlos: Obacuadas Estas diligencias vuelva el Expediente para su resolucion.

El Sr D^o José Basso Jurei Vocal
de la Exma Diputación Territorial
y Jefe S. político del Territorio de la Alta
California así lo mandó decreto y firmó
de of. day p^o.

José Basso
Jefe del Castillo de Tepete
D^o.

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Monteney Setiembre 10 de 1839.

Notifíquese al interesado en este presente
Decreto 40^o los testigos que se han de examinar sobre
los puntos que comprende el superior de
creto de 9 del Actual que antecede y
pecho Recorrase la información q^o se pide
y concluido devuelva se este Exped^o
al D. Jefe supra político para q^o surta
los Efectos q^o halla lugar. Así lo el Alcal
de 1^o Constitucional, de esta Capital
lo decretó mandó y firmó con los de as^o
segun d^o.

José Basso

De as^o

De as^o

José María

José Anila

Maldonado

40. Sello Excmo D^o Reales:

Habilitado provisoriamente por la Admin
istración de la Aduana Marítima de
Monteney de la Alta California, para
los años de mil Ocho cientos treinta y
cuatro y mil Ocho cientos treinta y cinco
Lapieroa A. Ramirez

En la fha presente el C. Luis del Castillo
de Tepete, se lo notifico el auto q^o antecede
y entendido: Dijo: lo Oye y que presenta para
la información q^o se pretende, à los C. C.
Manuel Jimeno Casarin, Juan B. Alva
rado y Juan Malarin y lo firmó con miso

67

M

22
y los testigos de asse
Spence

De asse }
Jose Maria } Luis del Castillo
Maldonado } Capite

De asse # Jose Avila

En el puerto de Montaney a los diez dias
del mes de Setiembre del año de mil ochocientos
veinte y cinco y por el Alcalde 1º de
Esta Capital, presente el C. Manuel Jimeno
le recibí juram.º q.º hizo en forma de dho jur
el cual ofreció decir verdad en lo q.º supiere
y fuere preguntado, y siendo lo por su nombre
Estable edad, patria y Religion, Dijo: se
llama como queda dicho: q.º es casado de
veinte y un años, natural de Mexico y C.º R.
Pregdo por el tenor del interrogatorio q.º se hace
en el superior decreto del S.º P.º politico

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Dijo:

A lo 1º Que el solicitante es unido no me
puedo por nacimiento que es casado tiene hijo
y es de Buena conducta y responde

41 A lo 2º Que el terreno que pretende no pertenece
a la propiedad de ningun particular, mission
ni pueblo: que es de temporal y aheva deo;
y q.º su estension sea de una y media legua
y responde

A lo tercer: Que tiene bienes de campo y posibi-
lidad de adquirir los suficientes para
poblarlo: que lo dicho es la borda de al campo
del juramento que ha otorgado en el q.º se
afirmo y Ratifico leida q.º le fue esta su
declaracion y lo firmo conmigo y los de asse

3

Dar.º Spence
Man.º Jimeno

De asse }
Jose Maria Maldonado # Jose Avila
De asse

Inmediatamente presente el C. Juan Malamin
testigo presentado por el interesado, púro el
juramento q. otorgo segun derecho fue preguntado
por su nombre, Estado, edad, patria y Religion
Dijo; llamase como queda otho: que es casado
de edad de treinta y cuatro años natural
de Lima y C. A. R.

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Preguntado. En los mismos terminos q. lo fue
el anterior testigo dijo.

A lo 1.º Que el q. solicita es C. Mexicano por
nacimiento que es casado tiene hijos y buena
condueta. y Responde.

A lo 2.º Que el terreno q. pretende no perta
neces a propiedad ninguna: q. es de tem
poral y abrevadero y su estension como de
una y media legua y Dijo:

A lo 3.º Que tiene las dos circunstancias
q. cita el contenido de la pregunta: q. lo
otho es la Verdad a cargo del juramento
que tiene hecho en el q. se afirma y Ratifico

42 leida que [delo Decreto Dos Reales:
Habilitado poricionalmt. por la Adminis
tracion de la Armada Maritima de Montea
de la Alta California para los años de
mil Ocho cientos treinta y cuatro y mil ocho
cientos treinta y cinco.

Liqueroa Angel Ramirez
le fue esta su Declaracion y la firmo con
migo y los de aso =

De aso Juan Malamin De aso
Jose Maria }
Maldonado } Jose Avila

In continente, presente el C. Juan B. Alva
do le Recivi juramento en forma por el cual
afre cio decir Verdad en lo q. supiere y
fue preguntado y diendolo por su nombre

69

Estado patria edad y Religion e llanase como dicho esta; q. es Soltero de veinte y cinco años natural de Esta Capital y B. A. R.

preguntado por el propio interrogatorio con q. lo fueron los anteriores, testigos Dijo:

à lo 1º Que es B. Mexicano p. nacimiento el q. solicita, que es casado, tiene hijos y es de Buena conducta y Responde.

à lo 2º Que no pertenece à ningun particular Mision ni pueblo el tenens q. solicita q. es de temporal y abrevadero y tiene de Potencion una y media legua y Dijo:

à lo 3º Que tiene Bienes de Campo para poblarlo y posibilidad para adquerirlos que lo q. tiene dicho es la Verdad à cargo del juramento que tiene hecho en el q. se afirmo y Ratifico leida que le fue esta

43

su declaracion y lo firmo con mis ojos de cor =
D. W. Spence # Juan B. Alvarado
D. Cassa D. Cassa

Jose M. Maldonado # Jose Avila

En la fta. concluida la informacion que se pide, se devuelve al D. Jefe superior politico es este Expediente en cumplimiento de lo mandado en el antecedente acto y lo anoto para constancia y lo Rubico.

R.

Monterrey Setiembre 10 de 1835.

Disto la peticion con que da principio este Expediente la constancia del fallecimiento de D. Nicolas Garcia p. pretendiente del tenens, la instancia q. se sigue de q. hace el D. Luis del Castillo Jefe p. q. se provea en su favor la informacion de testigos con todo lo demas que se tubo presente i ves conrino de conformidad con lo dispuesto por las leyes

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PAGE 65

y Replamentos de la Materia se declara al Ciudadano Licenciado Luis del Castillo Ojete dueño en propiedad del paraje conocido con el nombre de Santa Anna quedando (Delo tercero Dos Reales Habilitado provisionalmente por la Academia Maritima de Monterey de la Alta California, para los años de mil ochocientos treinta y cuatro y mil Ochocientos treinta y cinco

Queroan A. Ramirez
sujeto a las condiciones que se estipulan. Dirijase este Expediente a la C. Diputacion, i aprobada que sea libese el despacho correspondiente, tomese Razon de el en el Libro Respectivo i entrefuese al interesado para su resguardo. El Sr. D. Jose Castro Jefe Vocal de la C. Diputacion Territorial y Jefe politico interino del Territorio de la Alta California asi lo mando decreto i firmo de lo q. doi fee.
Jose Castro

Leo: del Castillo Ojete. Lito.
Monterey 12 de Feb de 1835.
En sesion de este dia acordo la Exma. Diputacion pase a la comision de terrenos baldios.

Manuel Jimeno

45. Como Sr.

La comision de terrenos baldios impuesto del Expediente q. se mando practicar ha peticion del Ciudadano Luis del Castillo Ojete por el terreno nombrado Of. Ana no encontrando en el objecion alguna q. ha ceso siendo en todo conforme al art. 3º del Replamento de 21 de Nov de 1828 y por la ley de 10 de Apto

71

de 1824. opese a la deliberacion de la C. las sigtes proposiciones.

Se acuerda la conseeion hecha al Ciudadano Luis del Castillo Capite del teneno nombrado Sr. Anna conseeido en 10 de Septbre de 1835.

Monte 15. de Septbre de 1835.

Salvio Pacheco

Monterey, Septbre 15 de 1835.

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En seeion de este dia aprobo la Exma Diputacion la proposicion del dictamen que antese de determinando vuelva el Expediente al Sr. Jefe politico p. los fines consiguientes.

Jose Casto

Salvio Pacheco Secretario.

216 Dello Liceso Dos Reales:

Habilitado provisionalmte por la Adminis-
tracion de la Aduena Maritima de Monterey
de la Alta California, para los enos de mil
ochocientos treinta y cuatro y mil ochocientos
treinta y cinco

Liquieros

A. Ramirez

Monterey 18 de Setiembre de 1835.

En vista de la aprovacion otorgada
en quince del corriente por la C. Diputa-
cion Territorial: ~~Librese~~ el Despacho
prevenido, especificando en el dicha aprova-
cion i archiveo el Expediente.

El C. D. Jose Casto primer Vocal de
la C. Diputacion Territorial i Jefe sup-
politico interino del Territorio de la Alta
California asi lo mando decreto y firmo
de lo que doy fe.

Jose Casto

Jefe del Castillo Capite Sr.

Habilitado provisionalmente por la Administracion De la Armada Maritima de Montevideo de la Alta California, para los años de mil Ocho cientos treinta y seis y mil ochocientos treinta y siete

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Lutierrez a. Ramirez

D^o Lopez supt. politico

Montevideo Marzo, Lic^o. Luis del Castillo

14 de 1836 un } Ofiote, vecino de este puerto
pase al D^o Admin } a Q. S. con la debida atencion

strada de S. Juan } elijo: Que aunque he obtenido
Bautista p^o que } do decreto de Q. S. en que

informe sobre el } me concede la propiedad

particular. } del terreno llamado Sta^a
Lutierrez. } Anca sito en el termino de

la Emision de San Juan

que tengo solicitado aun no se me ha podido

extender el titulo por no haber presentado un

plan exacto de dichas tierras. Ahora tengo

el honor de presentarlo a Q. S. con cuanta

exactitud es dable en la actualidad

i al mismo tiempo solicito que se me amplie

la concesion, abazando en ella el terreno

llamado Sta^a Anita q^d. Esta al sur de Sta^a

Ana, i linda al E. i S. i O. con tierras val

dias, i al S. O. con las de D^o Angel Castro
segun aparece en el mismo plano que presento
cuya longitud es de cuatro leguas i su lati
tud de tres; i como este terreno no esta
ocupado ni pertenece a particular ni
corporacion alguna ni unido al que
se me ha concedido de Santa Ana llega
a la cantidad que se me puede donar
conforme a las leyes de Colonizacion
a. Q. S. Duplico que para los informes
Lib. i tramites necesarios se sirva ampararme

73

la concecion de Santa Ana a Sta Anita i que ambos terrenos desde el año de d^o Joaquin se comprenden en el título de propiedad que pretenda de la justificación de Q. O.

Puerto de Monteneri, Once de marzo de mil Ocho cientos treinta y seis.

Dicd. Luis del Castillo,
Cepete }

En Vista de la solicitud anterior presentada por el señor juez de Distrito Licenciado D^o Luis Castillo Cepete pidiendo ampliacion al sitio q^d se le tienen coneedido conocido por Sta Ana dijo q^d puede coneedirse como lo solicita el pedazo de Llano q^d hay desde el Año de d. Joaquin a Santa Ana y el q^d esta al dno de Cote, llamado Sta Anita cuyo terrenos no los necesita esta Comision de mi cargo y se hallan baldios

D. Dueno Sta^a Marzo 11 de 1836
Jose Liborio Castro

Monteneri Marzo 16 de 1836.
Unase al Expediente de su Referencia estendasele el título al interesado comprendiendo en el otra ampliacion i reserve se p^o dar cuenta a la C. Diputacion Intieroz

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13

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Here follows }
Map }

to En 31. de Mayo, pasó à la Com^z de
tenenos.

Maldonado

71. Lello Lencero Dos Reales:

Habilitado provisionalment^e por la Admin
istacion de la Aduana Maritima de
Monterey de la Alta California, para
los años de mil Ocho Cientos treinta y
seis y mil ochocientos treinta y siete.

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Exmo Sr

La Comision de Lenceros Valdios se ha
ha impuesto de tenidam^t del Expedite
promovido p^r el Lic^o Luis del Castillo
Expedite p^r q^d sobre la Concesion q^d del
tiene hecha del teneno conocido por Sta
Ana, sito en el termino de la Comision
de S. Juan B^{ta} se le amplie la propiedad
haciendola estencio al teneno nombrado
Sta Anita.

La Comision no halla obstaculo
lo en q^d se le conceda otra ampliacion
en los terminos q^d le pide mediante a q^d
ya consta en el Expedite q^d concurren
en su persona las circunstancias y q^d el
teneno de Sta Anita y el de Sta Ana
h^{ta} el ano de S^o Joaⁿ no llega al
maximum q^d permiten conseder las
Leyes y Reclam^{to}s de colonizacion, En
tal virtud la Comision propone a V. E.
la sig^{te} proposicion.

Se apuebe la donacion hecha
al Ciudad^o Licenciado Luis del Castillo
Expedite del teneno conocido p^r Sta Anita
que le fuè concedido en 16 de Mayo: ultimo
entendiendose se, la concesion que anterior
am^t se le tiene hecha del nombrado Sta

75-

30

Ana desde el Anzo de Jⁿ Joaquin.
Monterey 10 de junio de 1836.

José Joaquin,
Lopez. } José Ant^o B. de la
G^{ra} y Benillo.

22 Monterey junio 30 de 1836.

En sesión de este día aprorro la C. Junta
Departamental, la proposición en que
concluye el antecedente dictamen a
ordenarse pase el Exped^{te} al Sr.
Jefe superior político para su resolución
Quero B. Alvarado. presid^{te}

José María Maldonado
Su

Monterey 23 de Mayo de 1839

Unase este Exped^{te} a la solicitud del
Jefe de milicia Sr. Manuel Larios
por los fines convenientes.

Alvarado

Office of the Surveyor General
of the United States for California

I, John C. Hays, Surveyor
General of the United State 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 here
by certify that the 52 preceding and
hereunto annexed pages of tracing paper
numbered from One to fifty two, inclusive
Exhibit a true and accurate copy of a
certain Document now on file and forming
part of the said Archives in this Office

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In testimony Whereof I have here
unto signed my name officially and
caused my seal of Office to be affixed
at the City of San Francisco, this Eighteenth
day of August 1855.

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John C. Hays

U. S. Surveyor General
for California

Filed in Office Aug. 24. 1855

Geo: Fisher Secy

5000
20

20

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55 Record & Expediente of proceedings had at the instance of Citizens Manuel Larino and Juan Arzoz, relating to the place called "Santa Ana" and "Quin Sabé".

1839

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(P. 2.)

There is no stamped paper
To the Prefect of the first district.

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Translation of
Expediente

Pueblo de San Juan
de Castro, March
30th 1839.

In accordance
with the prayer
of the petitioners
let this be annexed
to their former
petition
(signed)

Castro

The citizens Manuel Larino and Juan Arzoz, residents of this Pueblo, appear before the uprightnes of your honor and state, that having asked in their petition of the 29th Dec^r of the year last past, the ownership of the tract of land called Santa Ana, for the building of a mill and other farming purposes, they are under the necessity of exhibiting in the same petition, the place called Quin Sabé in order that annexed to the first they may obtain a competent sentence for their families. This place was granted to citizen Francisco del Castillo Negro in the year 1835, and the owner having left the department abandoning the property it is at the present time unoccupied (salida) and consequently subject to be denounced.

Therefore they respectfully pray your honor to be pleased to order that this petition be annexed to the one they have already presented so that both may form only one record, and that the ownership of the tracts of land "Santa Ana" and "Quin Sabé" may be granted to them by the

(3)

Departmental Government, by which they
 will receive favor, which they act under
 the customary protection, Pueblo de
 San Jose de Castro, March 30, 1839
 (Signed) Manuel Larrao
 (Signed) Juan Migl Anzar

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Monteuy, April 8, 1839.

In view of the petition
 with which this record commences, the report
 of the Prefect of the first district, and all
 that was respectful to consider in conformity
 with the laws and regulations relative to the
 matter, Sen Manuel Larrao and Sen Juan
 Anzar, are declared owners in property of
 the tracts of land known by the name of
 of "Santa Ana" and "Dion Dake" which the
 the licentiate (Licenciado) don Luis del Castillo
 Negrete and his brother Francisco obtained by
 a grant made to them, by the decree of
 the 30th September 1835 and 5th of October of
 the same year, the title to which they have
 forfeited by contravening the order of the
 government that favored them, said places
 being unoccupied, unenclosed and
 abandoned ever since they were granted
 to the messrs Negrete who have voluntarily
 absented themselves, without having attempted
 to comply with the conditions of the grant,
 and as one of them is, that the land be
 subject to be denounced, and having in
 consideration the merits of the petitioners
 order that that they mark out the bound-
 aries of the sites, according to the plat and
 under the conditions expressed in the title
 that the corresponding patent be issued, entry
 be made in the respective book and this
 record be reserved for the cognizance of
 the most Excellent Departmental Junta
 and for its due approval

Thus Sen Juan B. Alvarado

(4.)

99

Governor of the department of the Californias
doned, ordered and signed which I attest
(signed) *Alvarado*

Most Excellent Governor

Montreux Feb 13
1839.

The alcaldes
of this capital will
report whether the
site petitioned for
is abandoned and
since what time
and therefore it
will be deemed
(signed) *Alvarado*

The citizens Manuel
Larios and Juan Arzoz
the first a native of the
Pueblo of San Jacinto Guadalupe
of this California and the
second of the city of Colima
both residents within the
jurisdiction of this capital
with due respect represent to
Your Excellency, that the first
has no lands upon which
to keep his stock, nor upon which to farm,
and the second, that although he has granted
to him in property the place called "Las
Armitas" it is entirely too small to accom-
modate his stock, and being both of age
and having large families, they need a
tract of land capable of affording a
suitable subsistence; to this end they jointly
request that called "Santa Ana" which was
granted to Don Luis del Castillo Ureque, in
the year 1834, as it is at present unoccupied;
it is situated about the distance of four leagues
north east of the pueblo of San Juan
Bautista and is bounded on the north by
the plain of San Jacinto; on the south
by "Dwin Lake"; on the east by the mountain
Sierra) and on the west by Rio Sineu; (Rio
del Pajaro;) the said land is represented on
the accompanying plat, and thus we
humbly ask, and pray Your Excellency
that in the exercise of your authority, you

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PAGE 74

Pueblo

may condescend to award them the prayer
the necessary requisites which you may deem
expedient to the effect, granting them the
said land in full propriety and possession
for the objects mentioned, having been previously
acquired. It is a favor they hope to
merit of your Excellency

Note.

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PAGE 75

In consequence of not having
stamped paper, common is used

Monterey, December 29, 1839

(Signed) Manuel Laris
(Signed) Juan Migl Arzoo

Most Excellent Sir

Being informed of the
solicitation of citizens Manuel Laris
and Juan Arzoo we report that the land
which they petition for is unoccupied and
abandoned and has been ever since the
year 1834 when it was petitioned for by
Don Luis de Castillo Negrete, and proposing
the requisites prescribed by law, and all other
means for obtaining the ownership of some
unoccupied lands, we recommend to the
consideration of your Excellency the following
proposition:

Proposing the necessary
requisites the parties who petition for the
site it may be granted to them

Monterey Feb. 14, 1839

(Signed) Simón Castro
(Signed) Esteban Salazar

Monterey, March 12, 1839

The Chief of the 1st
District will report upon
the contents of this
petition

(Signed)
Ararado

(9)

84

Pueblo de San Juan de Castro March
20, 1839.

Let the plot be required of the
parties and annexed to the Expediente
(Signed)

Castro

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(10)

Pueblo de San Juan de Castro
April 4, 1839

The Prefect of the 1st district
having carefully examined the contents of
this petition, reports that the parties possess
the legal requirements to be entitled to be given
the tracts of land called "Santa Ana" and
"Purim Sabi" the ownership of which they claim
is at the present date, entirely unoccupied,
(vacias) thereby the Messrs Castells Decret
and brother forfeiting the right which they
had to them, and, in conformity with the
colonization laws, they may be adjudged
in favor of the parties who petition for them

(Signed)
Jose Castro

(11)

Most Excellent Gov.
The joint committee upon
agriculture and commerce, charged by Your
Excellency to report upon the Expediente which
the most Excellent Governor accompanied at
the former report, and granted by the same
Governor, finding it conformable, according
to the laws and reports, and everything else
that could be considered, prepares to the
deliberation of Your Excellency the following
articles:

Article 1st The grant of the
tracts of land called "Santa Ana" and
"Purim Sabi" made by the Departmental
Government to the Messrs Don Manuel Larios
and Don Juan Miguel Ariza of the date of
April 8, 1839 is approved

2^o That the Expediente be

returned to the Most Excellent Governor for convenient purposes

(12)

Montrey May 21. 1840
(signed) José Rafael González (signed) S. Arguilla

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PAGE 77

Montrey May 22. 1840

In session of this day the Departmental assembly approved the articles with which the preceding report concludes

(signed) Manuel Ferrero, Pres.
(signed) José Fernandez, Secretary.

On the 30th of the same month an authenticated copy of the foregoing approval was given to the party.

Jurisdiction of
Montrey

Year of
1840

Report Expediente of
Proceedings relative to the tract of land called
"Luisa Sabe" petitioned for by Don Francisco
del Castillo Regente

(14)

Stamp Sheet for the year of
hundred and hundred and
Plan of a Stamp in the original
Two Reales one thousand eight
hundred six and eight
hundred seven

83

Place of a
Stamp in the
original
years
1828-1829

Place of a
Stamp in the
original
years
1830-1831

Place of a
Stamp in the
original
years
1832-1833

Place of a
Stamp in the
original
years
1834-1835

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PAGE 78

Senior Political Chief

Mexico Dec 16
1834

In conformity with the laws relative to the subject, the Mexican Government of this capital will report whether the party in this petition papers the qualification required by law, the land in his paper (15) whether the land asked for is comprised within the twenty league leagues or the ten lateral leagues as expressed in the laws of the 18th August 1824, whether it is susceptible of irrigation or dependant on the sea, or on a portion land (labradores) whether it is the property of any individual superior corporation or community (Pueblo) with everything else it may deem conducive to an elucidation of the matter; these requirements being complied with the record thereof will be referred to the Comisario of the Mission of San Juan Bautista in order that he may make such remarks thereon as he may deem expedient. Hon

The citizen Francisco del Castillo Negro a native of Mexico and resident of this capital and Port, presents to your Excellency that having come to this territory with the intention of settling himself in it, under the protection which an advantage to him in dedicating himself to the cultivation of lands the raising of cattle and other agricultural advantage deriving by this means a comfortable subsistence and being a productive and useful member of the Republic he has endeavored to find a site suitable for the purpose, which belongs to an individual, town or corporation adjoining the pueblo of San Juan Bautista, and having found that called "San Gabi" which is about six leagues N. E. of said pueblo, bounded on the north by arable lands (terrenos arables) without name, on the south by lands of the same class on the east by "Alfaro" and on the west by vacant lands (terrenos baldios) by a lake and rubbish lands; the form of which is represented in the accompanying sketch of a plat, beseeching yourself to present it more complete as soon as it can conveniently be made with the required accuracy. And inasmuch as your Excellency is authorized by the laws of the 18th August 1824 and April 6th of 1830,

Juan Figueroa Brigadier
General, Comandante
en-Chefe General
and Superior Political
Chief of Alta California
then deemed, ordered and
signed, which I attest
(signed)

Figueroa
(signed)

Agustín Zamora
Secretary

It is a favor which he hopes to merit from the
the goodness and justice of his Excellency
Montreux December 7, 1834

(signed)

and the regulations of the
supreme Government, to grant
for colonization, this class of
lands, and, as that which he
solicits does not exceed the
maximum which may be
granted according to said laws
and regulations, he prays your
Excellency may be pleased
in deference to his solicitation
for preparing the necessary
requisites to grant him the
entire ownership and possession
of the said tract of land. It
is a favor which he hopes to merit from the
the goodness and justice of his Excellency
Montreux December 7, 1834

Fidel del Castillo Negrete

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PAGE 79

(16)

Illustration Constitutional Ayuntamiento: The
Committee upon colonization and public lands
has considered the Record of Proceedings
had at the instance of the citizen Francisco
del Castillo Negrete, in solicitation of the
tract of land called "Donjon Sabe" and after
its examination, reports that the party is by
birth a Mexican citizen and possesses the required
qualifications in order to be heard in his petition
that the land which he asks is not comprised
within the treaty limiting leagues set in the
ten Cedral leagues, as the law of August 18,
1824 requires. That although it belongs (pertenece)
to the public of San Juan Bautista it has been
recognized as public (valdío) and it is dependent
upon the seasons (de temporal) and pasture lands
(cabeceras) and from the fact of its being un-
occupied (valdío) it may be adjudged to the
petitioner. Therefore the committee offers to
the deliberation of the Ayuntamiento
the following proposition:

85-

5-55

The place called "Quin Sabé" which the citizen San Francisco del Campo
Petto Negrete subjects may be granted to him
Montrey January 22, 1835
Signed,

José Joaquín Gómez

(signed)

Wiguel Uidal

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Stamp
Stamp in the
original
1828-1829

In compliance with the
decree in the margin made by the
Political Chief, I Stamp of the
third class, tenials Stamp in the
original
for the years
one thousand eight hundred and twenty seven
transmit you the annexed Record that you may
be pleased to report upon the subject.

Stamp
Stamp in the
original year
1830-1831

Montrey January 24, 1835
Signed

David E. Spence
Francisco de Castillo Negrete
Secy

Stamp
Stamp in the
original year
1832-1833

In view of the prayer which
the citizen Francisco de Castillo Negrete makes
for the site (lot) called "Quin Sabé" it may
be granted to the petitioner, there being no objection
nor claimants owners or neighbors

Stamp
Stamp in the
original year
1834-1835

Pueblo of San Juan Bautista Jan 30
1835

Signed Antonio Padua

20

Montrey February 4, 1835
Let it be referred to the first
Alcalde of this capital, before whom the party
San Francisco de Castillo Negrete, will make
proof by three competent witnesses, who shall be
interrogated upon the following points;

authorization for
the grant 1832/4085
signed by Figueroa
and A. Ramirez

(19) First: Whether the petitioner is
a Mexican citizen by birth,
whether he is married and has
children and of good character

2^d. Whether the tract of land
the petitioner for is the property
of any individual, mission, community,
(pueblo) or corporation; whether it is sus-
ceptible of irrigation, or dependent upon the
seasons, or is prairie land (laboradero) and
what may be its extent, Third, whether he
has a note with which to stock it or has the
means of obtaining the same. These measures
being concluded let the record be returned
for its decision. Brigadier General Don José
Figueroa, Commandante General, Inspector
and political chief of the territory of Upper
California thus decreed ordered and signed
which I attest;

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(Signed) José Figueroa

(Signed) Agustín V. Zamorano
Secy.

In compliance with the foregoing
order, the party was notified who presented
the three required witnesses, and they were
interrogated upon the points ordered, which
are as follows:

First Witness:

Question Is the petitioner
a Mexican citizen by birth? Is he married
and has he children? and is he of good
character?

Answer. The petitioner
is a Mexican citizen by birth, is unmarried
and is of good conduct.

Question Is the tract of
land which he petitions for the property
of any individual, mission, community,
(pueblo) or corporation? Is it susceptible

(20)

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of irrigation, or dependant upon the seasons
or is it pasture land (abrevadero) and of
what extent is it?

Answer. The tract of
land which is petitioned for does not belong
to any individual, community (Pueblo) mission
or corporation. It is dependant upon the seasons
(es de temporal) and is pasture land (abrevadero)
and is in extent about three leagues

Question. Has the cattle
go, with which to occupy it or the means of obtaining
them?

Answer. At the present time
he has no cattle go but there is a probability
of his acquiring them, all of which he
declared to be the truth and signed it with
me and three deputing witnesses which I attest.

(Signed)

David C. Spence

(Signed)

Juan Malerin - witness

(Signed)

José Francisco Gomez

Jorge Allen

In continuation citizen Francisco Pacheco the second witness appeared and being
examined upon the following interrogations
answered to the first: "That the petitioner is a
Mexican citizen by birth, is unmarried and
of good conduct."

(21)

[Third Chap stamp: Two Reals
personally authorized by the administration of
the Maritime Custom House at Monterey in Upper
California for the years 1834 & 1835.

"Being interrogated upon
the second branch, that the tract of land
for which he petitions, does not belong to any
community (Pueblo) mission, corporation, or
individual, and that it is dependant upon
the seasons, and is a watering place (abrevadero)

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PAGE 82

and comprises in extent about three leagues
a little more or less.

Being interrogated upon the
third he answers; that he has some cattle
and the means of purchasing more; all
of which he declared to be the truth, and
signed it with me and the aforesaid witnesses
which I attest.

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PAGE 83

(Signed) *Spence*

(Signed) *Francis Perry Pacheco*

(Signed) *George Allen*

apt. nit
(Signed) *Juan Malarin*

In continuation citizen José
Mariano Castañares, the third witness, ap-
peared and being examined upon the
interrogations to be propounded he answers
to the first that the petitioner is a Mexican
citizen by birth, unmarried and of good
conduct; to the 2^d that the tract of land
for which the petition is not the property
of any person, individual, corporation or
community (Pueblo) that it is dependant
upon the sea coast and is a watering place
(abrevadero) and comprises in extent about
three leagues, and to the 3^d that he has
stock of domestic animals and the means
of acquiring more, all of which he declared
to be the truth and signed it with me and
the aforesaid witnesses at Monterey, this 13th
day of February, 1835.

(Signed) *Spence*

(Signed) *José Maria Castañares*

(Signed) *Juan Malarin apt nit*

apt. nit
(Signed) *George Allen*

(20)

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(23)

Third Class Stamp Two Reals
Provisionally authorized by the administration
of the Maritime Customs House at Monterey
in Upper California for the years 1834 &
1835.

(Signed) Figueroa (Signed) A. Ranier

Monterey October 10, 1835

In view of the petition with which
the said community, the report of the
Illustris Ayuntamiento of this capital
and that of the commissioners of the
at San Juan Bautista and the declaration
of the metropoli together with every thing that
was (que se tuvo presente y ver convida) particu-
lar and convenient to be considered, in
conformity with the laws and regulations re-
lative to the subject, the ownership of the
tract of land known by the name of "Quica
Sabi" is hereby declared to Don Francisco del
Castillo Negrote, for submitting himself
(sugetándose) to the conditions which may
be stipulated.

Let this record be transmitted
to the most Excellent deputation for its de-
liberations, in order that having approved
the corresponding patent (despacho) may be
issued to the party which was answer as a
title to him, entering the same in the
respective books and notifying him of the
dunas Señor Don José Castro, Senior
member of the most Excellent Departa-
tion and political chief ad interim
thus ordered, decreed and signed it, which
I attest.

(Signed) José Castro

In the absence of
the secretary

(Signed) J. M. Casio
Chief clerk

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PAGE 84

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(24)

Montrey Oct. 10, 1835

In session of this day account was given of this Expediente to the most Excellent Diputación, and it resolved that it be referred to the committee of vacant lands (terrenos baldios)

(Signed)

Jacó Castro Ruiz

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(25)

Third Cop Stamp For Rules.

Previously authorized by the administration of the Maritime Custom House at Montrey in Upper California for the years 1834 and 1835

(Signed) Figueroa

(Signed) A. Ramirez

Most Excellent Sir

The committee upon vacant lands (terrenos baldios) having examined the Renda (Expediente) which was ordered to be instituted at the solicitation of citizen Francisco del Castillo Negrete for the place called "Quin Saki" having no objection to make, it being entirely in conformity with the law of 18th August 1824 and the fifth article of the regulation of the 21st November 1828, makes the following proposition to your Excellency:

The grant of the tract of land called "Quin Saki" made to citizen Francisco del Castillo Negrete on the 10th of October 1835 is approved

Montrey October 12, 1835

(Signed)

Salvador Pacheco

(26)

Montrey Oct 12, 1835

In session of this day the Most Excellent Diputación approved the foregoing proposition with its report to

9)

annex to this Expediente, the plot which
the party offered to furnish

(Signed) José Castro Reed

Montreux, Oct 25, 1835

In view of the approval made
by the most Excellent Territorial deputation
in the 17th of the present month, and your
let the paper dispatched (dispatche) the issue
specifying in it said approval and let
the record be filed in the archives.

Senior Don José Castro, Senior
member (vocal) of the most Excellent deputation,
and political chief, ad interim,
thus ordered, decreed and signed it, which
I attest.

(Signed) José Castro

(Signed) Mariano del Castillo Secretary

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(27)

Montreux, March 23, 1839

Let this record be attached
(annex) to the petition of Don Manuel
Larios lieutenant of the militia for various
unit purposes

(Signed) Colorado

Jurisdiction of
Monterey

Year of
1831

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Report Expediente of Proceedings relative
to the place called Santa Ana and Santa
Anita solicited by Licentiate Don Luis
del Castillo Negrete.

(29)

Third Clap Stamp a Two Reales
For the years of one *Placa* thousand eight
hundred and twenty *Stamp in the* " six and eighteen
hundred and twenty *original* " seven.

*Placa of a
Stamp in the
original years
1828-1829*

*Placa of a
Stamp in the
original years
1830-1831*

*Placa of a
Stamp in the
original years
1831-1832*

*Placa of a
Stamp in the
original years
1832-1834*

Senior Political Chief
Licentiate, (Licenciado) Luis del Castillo
Negrete, a native of Mexico, and resident of
this capital and Port, humbly represents
to your Excellency that having coming to
this territory with the intention of settling
himself under the protection of the
colonization laws, which are a great
honor to him in directing himself
to the cultivation of lands, the raising
of other cattle and other agricultural
presents settling in this manner a
comfortable subsistence and being a productive
and useful member of the Republic, he has
endeavored to find a suitable site for that
object, within the vicinity of the Pueblo of
San Juan Bautista which does not belong
to any individual, community (Pueblo)

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9. 55

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PAGE 88

(30)

a corporation, and having found the place called Santa Ana, which is situate about the distance of four leagues N. E. of the said pueblo, and bounded on the north by the plain of San Joaquin, on the south by Santa Anita, on the east by the mountain (Sierra) and on the west by Pica river (Rio del Pajaro) with a spring of water and an oak forest, upon another lands, the shape of which is, as represented in the sketch of the map annexed, obligating himself to present it more complete as soon as it can be made with the required accuracy, and in consequence of your Excellency being authorized by the law of August 18th 1824, its correlative of April 1st 1830, and the regulations of the Supreme Government, to grant for colonizing this class of lands and this which he asks not exceeding the minimum that may be granted according to said laws and regulations, he prays your Excellency may be pleased to grant his petition after the legal have been instituted, conceding him the entire ownership of the said tract of land for the effects aforesaid. He hopes to merit this favor of the goodness and uprightnes of your Excellency

Montevideo December 5, 1834

(Signed)
 Juan Antonio
 Luis del Castillo
 Negrete

Montevideo Dec 16. 1834

In compliance with the laws upon the subject the Illustrissimos Ayuntamiento of this capital will report whether the party in this petition possesses the qualifications necessary to be heard in his solicitation whether the tract of land which he asks is comprised within the 20 league leagues and the ten league leagues expressed in the law of August 18th 1824, whether it is susceptible of irrigation, dependent upon

the seasons, or in a watering place (abasco
vadero) whether it is the property of any
individual, corporation, mission or
community (Rucblo) with any thing else
which it may consider convenient to an
elucidation of the matter. These requirements
being complied with the record will be referred
to the Comisario of the Pueblo of San Juan
Bautista in order that he may suggest
whatever may occur to him upon the
matter.

Senior Don Jacé Figueroa
Brigadier General, Commandant General
Inspected and superior Political chief of
Upper California thus ordered, directed
and signed it, which I attest.

(Signed)

Jacé Figueroa
(Signed) Antonio V. Zamora
Secretary.

(31) Illustrations Constitutional Ayuntamiento

The Committee
upon colonization and vacant lands (terrenos
valdinos) has examined the Record which the
petitioner of citizen Licentiate Luis de Castells
Negrete, for the tract of land called "Santa
Ana" forms, and in compliance with the
superior decree of the 14th December ult. reports
that the party is a Mexican citizen by birth
and has the legal qualifications necessary
to be heard in his prayer; that the land
for which he petitions is not comprised
within the 20 border leagues which the
law of August 18, 1824, reserves that it
belongs (pertenece) to the pueblo of San Juan
Bautista, that it is dependant upon the
seasons and is a watering place (abasco
vadero) and that it is fervently solicited
by Don Nicolas Garcia, the record of
proceedings whereof is in the possession

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of the commission of the said Pueblo of San Juan for him to report upon the same therefore the Committee offers to the deliberation of this Honorable body the following proposition:

The boat of said petition for by citizen Licentiate Luis del Castillo Negrete, called "Santa Ana" cannot be granted to him in consequence of being solicited by citizen Nicolas Garcia

Mercury January 22, 1835
(Signed)

José Joaquin Toranzo
(Signed)

C. Miguel Anita

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Place of a Stamp in the original years 1828-1829

In compliance with the marginal decree of the Political Chief of Third Class stamps two Reales

for the years one hundred and twenty hundred and twenty

Place of a Stamp in the original

thousand eight hundred and eighty seven

Place of a Stamp in the original years 1830-1831

to give the annexed record in order that you may be pleased to report upon the subject.

Mercury January 21, 1835
(Signed)

David E. Spence

Place of a Stamp in the original years 1832-1833

(Signed)

Fred. Castillo Negrete
Secretary

Place of a Stamp in the original years 1834-1835

San Juan Bautista
January 31, 1835

(3x) Señor Luis del Castillo Negrete
Señor Archivero to give the proceedings in which you solicit the plan

called "Santa Ana" in consequence of already having been reported in favor of Nicolas Garcia who has had it petitioned for ever since the 20th of October of the last past year

I regret not having been able to serve you, but the lateness of your application has been the reason for it, since in matters of justice, it is indifferent to me whom I serve

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PAGE 91

I wish you the greatest felicity in company with your little children. Do me the kindness to give my compliments to Francisco Herrera Esq, as also those of Gaviota and say to him that I have declined the report annexed to his petition for "Dueno Sabido" and see in what manner I can be of any advantage to you

Very Respy

Your Obed Servt

(Signed)

Antonio Padua

(36)

Third class stamps, San Real, Provisionally authorized by the administration of the Maritime Customs House at Monterey in Upper California for the years 1834 and 1835

(Signed) Figueroa

(Signed) A. Ramirez

Senior Technical Chief

Luis del Castillo Negrete, national advocate (abogado nacional) and resident of this port, with due respect represents to your Excellency that on the 5th of December of the last past year, he solicited of your Excellency in the exercise of the authority in you vested a grant of the ownership of the place called "Santa Ana" four leagues north east of the Pueblo of San Juan, it being a tract of land subject to colonization, and he presenting the legal requisites to obtain it. Your Excellency in your decree of the 10th of the said month of

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December, required the customary proceedings (informis) relative to this petition and although the proceedings were discontinued in consequence of a petition having been made for said place by citizen Don Nicolas Garcia prior to that of your petitioner, and as it appears that if the said Don Garcia who now occupies the public square is dead, obtained a conception of it, nevertheless, he never took possession thereof, neither has there been opened to him a title to the property; and, therefore he did not acquire all the fullness of right necessary to be committed legally to his, and as such transmittable to his heirs, if he has any, although they may possess the legal qualification and upon this ground he prays your Excellency may consider that his former instance, and that which he now makes, be continued and that your Excellency may deign to grant him the favor of returning in him the ownership and the title of the said tract of land called "Santa Ana"

Montreux, September 6, 1835

(Signed)

Licentiate Luis del Castillo
Regente



Montreux Sept. 9, 1835

In view of this petition which citizen Licentiate Luis del Castillo Regente presents for the accommodation of his solicitation made on the 5th of December of the last past year for the tract of land called "Santa Ana"

(38)

[Third Class Stamp Tax Paid]

Previously authorized by the administration of the Maritime Customs House at Montreux in Upper California for the years 1834 and 1835

Let this be annexed to the Expediente to which it refers; and in attention to

the fact that the tract of land which he solicits does not belong to the mission of San Juan Bautista, as made to appear in the Report of the Commissioners of secularization upon the expediente of which the foregoing letter refers in favor of the first petitioner who was the deceased Don Nicolas Garcia upon which reason the Illustrissimo Ayuntamiento of this capital reported what the resolution of the committee appointed for that purpose manifests, and now having ceased to exist the causes which induced that report, and there being no other obstacles, and the petitioner possessing the same qualifications as the deceased Garcia, let this Record be referred to the alcalde of this capital before whom the party Don Luis del Castillo Noyata will produce an information of three competent witnesses who shall be interrogated upon the following points:

1st Whether the petitioner is a Mexican citizen by birth, is married and has children and of good conduct?

2nd Whether the land of which he petitions belongs to any individual, corporation, municipal Community (Pueblo) whether it is susceptible of irrigation dependent on the seasons, or is a watering place (abrevadero) and what is its extent?

3rd Whether he has stocks of domestic animals (hijos de campo) with which to occupy it or the means of acquiring them.

These requirements being complied with, let the record be returned for its decisions.

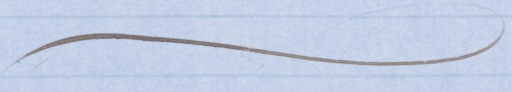
Don Don Jose Castro Senior member (primario vocal) of the Most Excellent Territorial Deputation and political Chief of the territory of Alta California thus ordered, decreed and signed it, which I attest.

(Signed) Jose Castro

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(signed)

Fco del Castillo Negrete
Secretary



Monterey Sept. 10, 1835.

Let the interested party in this petition be notified to cause the witnesses who are to be examined upon the points contained in the preceding superior decree of the 9th inst. to appear, whereupon let the required information be taken and this Expediente be returned to the Superior Judicial Chief, that he may dispose of it as he may deem convenient.

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Thus I, the constitutional Alcalde of this capital, have deemed ordered and signed it with the appointing witnesses according to law.

(signed)

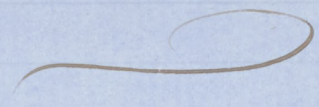
Gov. E. Spence

(signed) witness

José Ma Maldonado

(signed) witness

José Abila



(40)

Third Clap Stamp & Two Reales Provisionally authorized by the administration of the Maritime Custom House at Monterey in alta calificación for the years 1834 and 1835.

(signed) Aguirre

(signed) Ramirez

On this day the foregoing order was served upon citizen Luis del Castillo Negrete and having comprehended it, he said that he found it and that he presents for the required proof citizens Manuel Jimeno, Juan B. Alvarado, and Juan Malvarin, and he signed it with me

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with me and the assisting witnesses
(signed) Manuel Jimenez

(signed) Don E. Spence,

(signed) Juan Ma. Maldonado Juan Crudo, witness



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Next, (immediatamente) appeared
Citizen Juan Malarin, a witness introduced
by the interested party, and being sworn as
concerning to law he was asked his name, state,
age, country and religion, to which he answered
that his name is as aforesaid, that
he is married, that his age is 34 years,
he is a native of Lerma, and by religion a
Roman Apostolic Catholic.

Being interrogated upon
the same points as the former he answered
to the

1st That the land which
he petitions for is not the property of anyone
- that it is dependent upon the seasons, and
is a watering place (abrevadero) and is in
extent about one league and a half, and
to the

3^d That the petitioner
possesses all the qualifications specified
in the interrogatory & all of which he declares
to be true under the penalty of the oath
which he had taken and his declaration.

(42)

[Stamp 3^d Clap^o Jus Realy
Provisionalmente autorizado by the administration
of the Mexican Consular House at Monterey in Upper
California for the years 1834 and 1835]

Having been read to
him he affirmed to and satisfied it, and
signed it with me and the assisting witnesses
(signed)

Juan Malarin

(signed)

David Spence

(signed)

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Not (incentunente) being present
citizen Juan B. Alvarado. I administered to him in
form the oath by which he promised to tell the
truth in that which he might know and should
be interrogated, said being asked his name, state
age, country and religion, he answered that his
name is as aforesaid, that he is unmarried, 25
years of age, a native of this capital and by
religion, a Roman Apostolic Catholic

Hearing him preponderated to
him the same interrogations as now to the
former witness, he answered to the

1st That the petitioner is a
Mexican citizen by birth; that he is married
has children and is of good conduct, and to the

2nd That the land which
he solicits does not belong to any individual
Mexican, or community (Pueblo) that it is
dependent upon the seacoast, and is a watering
place (abrevadero) and is in extent one league
and a half, and to the

3rd That he has stocks
of domestic animals (bestias de campo) with
which to occupy it, and the means of ac-
quiring them, all of which he declares
to be true under the penalty of the oath which
he has taken, and his declaration having been
read to him, he affirmed to and ratified
it, and signed with me and the aforesaid
witnesses

By (signed)

Juan B. Alvarado

(signed)

Don E. Spencer

(signed)

{ José Ma Maldonado
José Arida 3 witnesses

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On the same date, the required information having been concluded, this Expediente is returned to the Super. Political Chief in compliance with the order in the foregoing decree

In testimony whereof I have made an entry thereof and hereunto attach my scroll

(Rubric)

R

(Place of the scroll)

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Montrey Sept. 10. 1835

In view of the petition with which this record commences, the ranch (contancia) accrediting the death of Don Nicolas Garcia, the first petition for the land, the petition which Licentiate Luis del Castillo Negrete makes the second time, that it may be decided in his favor, the compensation of intrusos together with every thing else that was had in view and proper to be considered; in accordance with the requirements of the laws and regulations relative to the matter, cetera Licentiate Luis del Castillo Negrete, is hereby declared to be owner in propriety of the place known by the name of Santa Ana, he being subject to

(44) Third Clap stamp & Two Reales Provisionally authorized by the administration of the Maritime Senate House at Montrey in Upper California for the years 1834 & 1835 (Signed)

Figueroa

(Signed) A. Barricay

to the condition which may be stipulated.

Let this record be transmitted to the most Excellent Representation and when it shall be approved let the corresponding patent (despacho) be issued, entry to be made thereof in the respective Book and let it be delivered to the interested party for his receipt.
Señor Don José Castro

Senior member (primus vocatus) of the most Excellent territorial deputacion and Saltillo chief ad interim of Upper California, then ordered, decreed and signed it, which I attest;

(Signed)

José Castro

(Signed)

Fred. de Castillo

Regente

July

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Monday Sept 12, 1835

In session of this day the Most Excellent deputacion resolved that it be referred to the Committee upon vacant lands (terrenos baldios)

(Signed)

Mariano Jimeno

The committee upon vacant lands (terrenos baldios) having examined the record of proceedings had at the instance of citizen José de Castillo Regente for the tract of land called "Santa Ana" finding no objection whatever to make in the premises, and as it is in entire conformity with article 8th of the Regulation of the 22nd of Nov. 1828 and the law of August 18th 1828, offers to the deliberation of your Excellency the following proposition:

The grant of the tract of land called "Santa Ana" to citizen José de C. on the 10th of September, 1835 is hereby approved

Monday Sept. 15th 1835.

(Signed)

Salvador Pacheco

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15
Monterey Sept. 15, 1835

In vision of this day the Most Excellent deputation appeared the proposition of the foregoing report, so solving that the Expediente be returned to the Political chief for receiving purposes

(Signed)
Joaquin Castro
(Signed)
Salvio Pacheco
Secretary

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(46)

Three Clap Stamps a Tac Reales Provisionally authorized by the administration of the Villarmino Canton House at Monterey in Upper California for the years 1834 and 1835

(Signed) Figueroa (Signed) Wharriner

Monterey Sept 18th 1835

In view of the appeal conceded on the 15th of the present month by the most Excellent territorial deputation that the correspondence papers (depaches) be opened, specifying therein said appeal and also record be filed in the archives

Senior Don Joaquin Castro Senior Member (primus vocal) of the most Excellent Territorial deputation and Political chief ad interim of Upper California thus ordered, decreed and signed at which I attest

(Signed)
Joaquin Castro
(Signed)
Joaquin Castro
Secretary

Third Class Stamp a Two Reales
 Provisionally authorized by the administration
 of the Mexican Customs House at Monterey
 in Upper California for the years 1836 and
 1837
 (signed) Gutierrez (signed) A. Ramirez

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Senior Political Chief:

Monterey March 14
 1836.

Let it be
 referred to the ad-
 ministrators of
 San Juan Bautista
 for them to report
 upon the matter.
 (signed)

Gutierrez

Scientate Luis del
 Cardillo Negrete, resident of
 this port, with due respect
 represents to your Excellency
 a claim which your Honor
 grants to him the ownership
 of the tract of land called
 "Santa Ana" situate within
 the limits, (terminos) of the
 Encomienda of San Juan which
 he has submitted to the

title thereof has not been opened to him, in
 consequence of not having presented an exact
 plat of the said lands. He has now the
 honor to present it to your Excellency, made
 with as much accuracy as circumstances
 will permit, and, at the same time he asks
 that his grant be enlarged so as to embrace
 in it the tract of land called "Santa Anita"
 which lies ^{South} ~~west~~ of "Santa Ana" and is
 bounded on the E, S, & W, by vacant lands
 (terminos veldios) and on the S.W. by the
 lands of Miguel Castro, as appears on the
 same plat which he presents, the length of
 which from E to W, is four leagues and
 from W to S, three leagues and as this land
 is neither occupied, nor belongs to any
 individual or corporation, whatever has
 added to that of "Santa Ana" which has
 been granted to him, exceeds the maximum
 that may be granted in conformity with the
 colonizative laws, after the legal proceedings
 which have been instituted he prays your
 Excellency may be pleased to enlarge the

(48)

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grant of Santa Ana, to the addition of "Santa Anita" and that both parts of land from the San Joaquin Creek, be comprised in the title in property which he solicits of the uprightness of your Excellency

San Joaquin March 11, 1836

(Signed)

Seantate Luis de Cantello
Neyrate

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In view of the foregoing petition presented by Seantate Don Luis de Cantello Neyrate District Judge praying an enlargement of the site, which has been granted to him known by the name of "Santa Ana" I beg leave to report, that in compliance with his solicitation, the portion of the plan, extending from the San Joaquin Creek to "Santa Ana" and that which has I of it known by the name of "Santa Anita" may be granted to him the Esq. Mexican under my charge not including said lands and they being vacant (valdies)

San Joaquin Bautista March 15, 1836

(Signed)

Javi Tiburcio Cantro

Whitney March 16, 1836

Let this be annexed to the Expediente to which it refers, let the title be issued to the interested party embracing therein the said augmentation and let it be retained for the purpose of rendering an account thereof to the most Excellent deputation,

(Signed)

Chetierrez

Land Clap Stamp & Tax Deals
Provisionally authorized by the administration
of the Mexican Central Rencos at Monterey
in Upper California for the years 1836 & 1837

Most Excellent Sir

The committee upon vacant
lands (terrenos baldios) has carefully examined
the record of proceedings had at the instance
of Licentiate Luis del Castillo Negrete, in
order that an addition to the cession which
has been made to him of the tract of
land known by the name of "Santa Anita"
within the limits (terminos) of the Escripion
of San Joaquin Bureta the prospect may be
improved making it extend to the tract
of land called "Santa Anita"

The committee finds
no obstacle to the granting to the petitioner
the enlargement according to the limits
specified in his solicitation and inasmuch
as it already appears in the Expediente
that he possesses the necessary qualifications
and that the two tracts of land "Santa Anita"
and "Santa Ana" to the arroyo de San Joaquin
do not exceed to the maximum which may be
granted in accordance with the colonization
laws and regulations the committee proposes to
Your Excellency the following proposition:

The donation of the
part of land known by the name of "Santa
Ana" made to citizen Licentiate Luis del Castillo
Negrete, on the 14th of March last, is approved
embracing the grant formerly made to him
of that called "Santa Anita" from the same
Joaquin Creek (arroyo de San Joaquin)

Monterey June 10, 1836

signed

José Joaquin Gomez

(signed)

José Antonio Balleza y Carrillo

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(32)

19-51

Montrey June 30, 1836

In pursuance of this day the
Went Gallent departmental assembly ap-
proved the proposition which concludes
the foregoing report, it being resolved
that this Expediente be referred to the
Srte. Jefe Chief for its conclusion

(Signed)

Juan B. Alvarado
President,

(Signed)

José Ma. Maldonado
Secretary,

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Montrey March 23, 1839

Let this Expediente be annexed
to the petition of Don Manuel Larrea, Chief
of the militia for convenient purposes
(Signed)

Alvarado

I George Perkins, Secretary to the
U. S. Land commission do hereby certify
the foregoing to be a true and correct trans-
lation of a Spanish document in case No.
55 Francis del Santillo Negrete vs. The United
States, now on file in this office

In testimony whereof I have
hereunto signed my name at
office in the city of San
Francisco this 30th day of
August A.D. 1855

Geo Perkins
Secy

Done in office Aug 30th 1855

(Signed)

Geo Perkins Secy

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U. S. Land Commission for California.

1855 Francisco del Castillo Negro

The United States

Claim for the place called "Punta Lobo"

Stipulation

It is hereby mutually agreed between the U. S. Land Agent and the attorney for the claimant that a certified copy from the Archives now in the custody of the U. S. Surveyor General for California of Expediente No. 127, may be produced and filed in this case on the part of the Government and be received and considered in evidence in the same manner and with like effect as if the same had been filed and given in evidence before the case was submitted

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San Francisco Aug 21, 1855
James Wilson atty for claimant
Louis Planchard U. S. Land Agent

Filed in Office Aug. 27, 1855
(signed) Geo. Fisher Gray

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55 Francisco Castillo Negrete of a place called
The United States of Mexico containing
square leagues

Opinion

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The petition in this case
claims by virtue of a grant issued by Governor
Gutierrez dated the 15th day of April 1835. The
evidence in this case establishes the fact that
a grant was issued to the claimant as set
forth in the petition and that the same was
approved by the Departmental Assembly on the
12th of October of the same year, and that the
grantee was an officer of the government at
the time acting as Secretary of State, and that
in the year 1836 he left the state of California
for Mexico and has never resided in the state
since. That he never occupied the land in
any form whatever.

And that in the year
1839 Manuel Larios and Juan Miguel Arzua
petitioned for a grant for the place setting
forth the facts that the land had been granted
to the said Negrete, and that the same had
been abandoned ever since the date of the grant
and that the rights of the said Negrete had
been forfeited according to the terms of the grant
which facts were investigated by the proper
authorities and the claim of Negrete was denounced
and a grant issued to the said Larios & Arzua
in March 1840 by Governor Alvarado and the
grant and proceedings in denunciation were
presented to the Departmental Assembly and
were approved by them. That grant has been
presented before this Board and has been confirmed
in the name of the grantee. There is no pretense
that Negrete ever occupied the premises or in
any manner performed any of the conditions of
the grant nor is there any appearance of any
unfairness in the proceedings in denunciation.

We are therefore of the
opinion that this claim is not valid and a
decree may be entered accordingly. Reported

Filed in office Sept 11, 1855
G. W. Foster Secy

Francis Castello Negro

of the United States

From

In this case on hearing the facts and allegations it is agreed by the Commission that the claim of the petitioners is not valid, it is therefore decided that his application for confirmation thereof be denied.

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Alphon Welch

R. Aug Thompson

J. P. Farnell

Calif

Filed in office Sept 11, 1855

(Original)

Gen. John Jay

Order

And it appearing to the satisfaction of the Board that the land hereby adjudicated is situated in the Southern District of California. It is hereby ordered that two transcripts of the proceedings and decision in this case and of the papers and evidence upon which the same are founded be made out and duly certified by the Secretary, one of which transcripts shall be filed with the Clerk of the United States District Court for the Southern District of California and the other be transmitted to the Attorney General of the United States.

Office of the Board of Commissioners,

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

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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 & fourteen* pages, numbered from
1 to 114, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. 55 on the Docket of the said Board,
wherein *Francisco del Castillo Negrete* is
the Claimant against the United States, for the place known by
the name of "*Louien Babe*."

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Tenth day of *January*
A. D. 1856, and of the Independence of the
United States of America the *seventy-eighth*.

Geo. Fisher
Geo. Fisher



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U. S. DISTRICT COURT,
San Francisco District of California.

No. 37

THE UNITED STATES,

370

Francisco del Castillo Negrete
"Quien Sais"

TRANSCRIPT OF THE RECORD
FROM THE
BOARD OF U. S. LAND COMMISSIONERS,
In Case No. 55

Filed, *19th* 1856.

J. C. Law
attd.

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Office of the Attorney General of the United States,

Washington, 11 February 1856.

55.) "Quien sabe"

Fernando del Castillo Negrete Cont.

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 17th 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.

Cushing

Attorney General.

No. 370

U. S. Dist. Court
South. Dist of Cal.

Fr.º del Castillo Negroto

ad,

The United States

Notice of appeal

Filed June 3^d 1856

C. E. Cannon

By O. M. Young

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United States District Court
Southern District of California.

Regular June Term AD 1863 -
Monday June 1st AD 1863.

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Fel. B. Negro.
Appellant,
vs
The United States,
Appellee.

No 370

"Quien sabe"

Now on this day comes the United States, by B. Whiting, U.S. Dist. Atty, and the Appellant failing to appear either in person or by Attorney; on this case being called, on motion of B. Whiting U.S. Dist. Atty;

It is ordered, adjudged and decreed, that the Decree of the United States Board of Land Commissioners rendered in this cause be affirmed and held as a final Decree; and that the appeal in this case be, and the same is hereby dismissed for want of prosecution, and the claim of Claimant and appellant to the lands herein, rejected and denied.

This done and signed in open Court, this the 22nd day of June AD 1863.

Walter M. Wright

No 370

US Dist Court
Southⁿ Dist Cal^a

F del b c Negro

vs

The United States

Decree

Filed June 22/63
John D. Whelan
Clerk

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