

U.S. DIST. CT. S.D. CALIF. S.F.

CASE No.

399

SOUTHERN DISTRICT

LOS CORRALITOS GRANT

GUADALUPE CASTRO, ET AL

CLAIMANT

LAND CASE S.D. 399

59 pages

NOV 9 1962

*Permanized*  
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U.S.A.

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

SD

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To His Honor Juan S. R. Oyer Judge of the  
Court aforesaid.

Jun Petitioners, Guadalupe  
Basto and Juan Jose Basto, Executors of the  
last will and testament of Joaquin Basto, de-  
ceased, residents of the County of Santa Cruz in  
the aforesaid Southern District of California,  
complaining sheweth unto your Honor, that  
on the seventh day of February in the year of  
our Lord one thousand eight hundred and  
fifty four, in and under certain proceedings  
before that time instituted under the provisions  
of an act of Congress, entitled an Act to as-  
ertain and settle the private Land Claims  
in the State of California, appeared March  
3, 1851, one Jose Anesti obtained, before the  
Board of Land Commissioners raised by the  
Act aforesaid, the confirmation to him of  
the following described tract or parcel  
of land, situate in the aforesaid County  
and District and bounded and described  
as follows, to wit, the land known as  
the Los Carralitos, bounded as follows,  
on the Rancho of Don Rafael Basto up  
to a spot called Cuatro Leguas. With the

Rancho of Don Sebastian Rodriguez up to a spot where there is an inlet and an oak tree, the only one looking into the stream running by it called Salsifuerdes, and with the Rancho of Don Manuel Jimeno and the arroyo of the same name Salsifuerdes. The great lagoon, the sauce, taking a direct north line to the mountains. The boundaries on the side of the Canada Verde being the low hills adjoining the mountains, and on that next to the mesa basta, the Canada de Bicho (?) containing four leagues of land.

Four Petitioners further shew that an appeal was duly taken by the United States from the decree of confirmation aforesaid of the said Board of Land Commissioners to the District Court of the United States for the Eastern District of California, when such proceedings were had that affirmance took place on the 18<sup>th</sup> day of January A.D. 1850, Prudencia Vallego Anesti, Executrix, and Ascencio Mendia, and Francisco Arana, Executors of the last will and testament of the said Don Anesti, who in the meantime had died, were substituted as parties Appellantes in the aforesaid appeal to the District Court aforesaid; and when such proceedings

was affirmed last, that the appeal aforesaid was dismissed and the aforesaid judgment or decree of the said Board of Land Commissioners was made final, duly entered on the twenty eighth day of January in the year of Our Lord one thousand eight hundred and fifty seven.

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June Petitioners further show that since the final confirmation of the lands, claimed as aforesaid by said Executors and Executrix, the said parties claimant have caused a pretended survey of the same to be made by the Surveyor General of the United States for the State of California, with a view of procuring the Patent of the United States to be issued to the said claimants for the same; - that in making said survey, there have been included therein, June thousand two hundred and sixty two  $\frac{67}{100}$  acres of land claimed and owned by June Petitioners Executors as aforesaid, and which is hereinafter more fully described, the same being a part of the Rancho of San Andres, adjoining to and bounded by the lands above mentioned and described.

June Petitioners further show that they claim title to the Rancho of San Andres

and the portion of the same included in  
the survey aforesaid as follows.

Firstly. By a concession made on the  
twenty first day of November in the year  
of Our Lord one thousand eight hundred  
and thirty three, and a grant made in full  
proper on the twenty sixth day of Novem-  
ber in the year last aforesaid, in due form  
of law to Don Joaquin Bastin, by Don Figue-  
ra Governor of the Department of the Cali-  
fornias, and which said grant was duly  
approved by the territorial deputation on  
the 18<sup>th</sup> day of July in the year of Our Lord  
one thousand eight hundred and thirty  
four, and which said concession, grant  
and approval were intended as a revali-  
dacion of a former grant for the same  
lands that had been made to the said Joa-  
quin Bastin by Don Antonio Arguella, Gov-  
ernor of the thirteenth (twenty first) day  
of May in the year of Our Lord one thou-  
sand eight hundred and twenty three.

Secondly. By decree of confirmation of the  
aforesaid Board of Land Commissioners,  
in a certain proceeding begun that time con-  
menced before them by said Joaquin Bastin,  
in order to procure the confirmation to him  
of the same, under the aforesaid Act of Con-  
gress entitled, An Act to ascertain and set

-the the private Santa Blains in the State  
of California, Approved March 3. 1851,  
and which said decree of confirmation  
was made and entered by said Board  
on the seventh day of February, in the  
year of our Lord one thousand eight hun-  
-dred and fifty four, and which said  
decree describes the land so confirmed  
as follows, commencing at the south west  
corner of said Rancho and running north  
east the distance of one league and four  
thousand varas when there is a land mark;  
thence running east south east one league  
four thousand nine hundred varas to an  
oak tree situated on the table land which  
forms the boundary of the Rodriguez land,  
thence running in the direction of south  
south east one league four thousand five  
hundred varas; thence running west to  
the lands in the land in the south west  
two leagues to the place of beginning ma-  
-king in all two square leagues a little more  
or less.

Thirdly. By the last will and testament  
of the said Joaquin Castro appointing four  
Petitioners Executors of the same, and which  
said will was duly probated in the Probate  
Court of the County of Santa Cruz Califor-  
-nia on the seventeenth day of December in

The year of Our Lord one thousand eight hundred and fifty three.

Fourthly. By a decree of the District Court of the Southern District of California duly entered on the twenty fourth day of February in the year of Our Lord one thousand eight hundred and fifty seven, affirming the decree of said Board of Land Commissioners on an appeal therefrom by the United States to said District Court.

Fifthly. By an order of the aforesaid District Court, duly entered on the seventeenth day of June in the year of Our Lord one thousand eight hundred and fifty eight, dismissing the appeal from the aforesaid District Court to the Supreme Court of the United States and making the aforesaid decree of the said Board of Land Commissioners final, and which said final order of said Court was duly made and entered in pursuance of a stipulation in writing, between the Attorney of the Petitioner and the District Attorney of the United States for the Southern District of California, of the date of June thirteenth in the year of Our Lord one thousand eight hundred and fifty eight. All of which will more fully appear reference being had to the records, files and transcripts in cases numbered 100 & 175 in the office of the Clerk of this



Same, also to the original expedientis granti  
papers and records among the Archives in the  
office of the Surveyor General of the United  
States for the State of California.

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SD Sixthly. By virtue of the judgment of the Su-  
preme Court of the State of California at  
its July Term A.D. 1858 affirming the  
judgment of the District Court of the Third  
Judicial District of the County of Santa Cruz,  
in a certain suit brought by the claimants  
of the aforesaid Rancho <sup>of San Andres</sup> ~~and~~ Juan Petitioners,  
herein against the claimants of said Rancho  
of Balahitas, for the possession of that part  
of the Rancho of San Andres in dispute herein,  
and by virtue of which said judgment the  
same was adjudged to Juan Petitioners as  
will more fully appear reference being had  
to the records and proceedings of the said Su-  
preme Court in the said aforesaid.

Juan Peti-  
tioners further shew that the land belonging  
to the Rancho of San Andres and which has  
been included in the survey aforesaid of the  
Balahitas Rancho, is more particularly <sup>described</sup> as fol-  
-lows, "commencing at <sup>the stump of</sup> a tree on the east side  
of Balahitas Lake, and on the west side of  
the road from Watsonville to Santa Cruz,  
the same being the corner established by the  
judicial possession of the San Andres Rancho

and running thence S  $51\frac{1}{2}^{\circ}$  E 318 chains 14  
links to station on the right bank of Car-  
alitos creek, when formerly stood a tree  
established as a corner by the judicial  
possession. Thence following the line of the  
Poboa del Pajaro S  $47\frac{3}{4}$  N 80 chains to sta-  
tion at the Estero, thence following the  
center of the Estero S 18 N 121 chains 60 links  
to station: thence S  $62\frac{3}{4}$  N 52 chains to sta-  
tion: thence leaving the boundary line of  
the Poboa del Pajaro, and following the  
boundary line of the government survey of  
the Rancho Los Caralitos up the center of  
an arm of the estero N  $27\frac{1}{2}$  N 7 chains to sta-  
tion: thence N  $2\frac{1}{4}$  N 58 chains 26 links to sta-  
tion: thence N  $3\frac{1}{2}$  E 97 chains 82 links to sta-  
tion: thence N 9 N 43 chains 24 links to sta-  
tion: thence N  $39\frac{3}{4}$  N 33 chains 62 links to sta-  
tion: thence leaving the estero N 14 N 76 chains  
to station; thence N  $28\frac{3}{4}$  N 115 chains to sta-  
tion on line of judicial possession of the  
Rancho of San Andrés; thence N  $61\frac{1}{2}$  E fol-  
lowing said line and crossing the Calabazas  
as here to the place of beginning, contain-  
ing 4262  $\frac{67}{100}$  acres".

From Petitioner further  
shown and charge, upon information and  
belief, the truth to be that the said Pro-  
-cedencia Vallego Anesti, Executrix, and Ar-

-enciso Mendia and Francisco Arana, Execu-  
-tors or their agents and attorneys caused  
the aforementioned and described land  
to be included within their aforesaid sur-  
vey with intent to cheat and defraud  
said Petitioners, and that if they are per-  
-mitted to proceed and sue out a future  
for the same, which said Petitioners charge  
they are about to do, it will be to the irre-  
-parable injury and damage of said Peti-  
-tioners.

Now therefore in consideration of the  
premises, said Petitioners pray said Court to  
hear and determine this their Petition and

~~all the several matters and things therein  
set forth and alleged, and that they may  
be permitted to introduce such evidence as  
they may think proper as they may see ad-  
-vised shall be proper or necessary to establish  
the said survey of the land aforesaid in  
dispute, and that said Petitioners be allowed  
the lawful costs of the same.~~

And said  
Petitioners pray, that upon the hearing of  
this petition a writ of injunction may  
be granted by said Court, and issued out  
of, and under the seal of this Court and  
directed to the said President Delfino Amisti,  
Executive and Ascencio Mendia and Fran-

circo Arana, Executors of the last will and testament of Jose Amesti deceased, their agents or attorneys, and each and every person or persons claiming said lands or any part thereof, by, from, through or under them, commanding, enjoining and restraining them and each of them under a certain penalty therein named from suing and or receiving a Patent for the same until the matters and things herein set forth charged, alleged and stated, shall have been fully heard and determined, and for such other and further relief in the premises as to this Honorable Court shall seem meet and proper, and as shall be agreeable to equity and good conscience, and as in duty bound your Petitioners will ever pray &c by

Isaac Hartman  
Atty for Petitioners.

State of California }  
Southern District }

Isaac Hartman being duly sworn upon his oath says that he is the attorney of the Petitioners in this cause, and as such is as well as, a better acquainted with the facts stated in the foregoing

Petition than the Petitioners themselves. De-  
-pauine Justice says as a reason why he  
makes this order is, that the residence of  
the Petitioners, as he is informed and be-  
-lieves, in the County of Santa Cruz, Cali-  
-fornia, about 400 miles distant from  
the City of Los Angeles the residence of His  
Honor the Judge of said Southern District,  
and that a considerable time would neces-  
-sarily elapse before the order of the Petition-  
-ers or either of them could be procured  
herein. Depauine Justice says he has read  
the foregoing Petition and is acquainted  
with its contents, and that the same is true  
of his own knowledge, except as to matters  
stated as information and belief and as  
to those matters he believes it to be true  
Isaac Hartman

Given to and subscribed before me this  
23<sup>rd</sup> day of February A.D. 1861.

Isaac Hartman  
U.S. District Judge  
for the S. Dist. of Cal.

This Order that the Clerk of this Court issue an injunction as prayed  
for in the foregoing Petition, Also that he issue a summons with a certified  
copy of the petition to be served upon the adverse party commanding them

No 399

In U.S. vs. Come & Vinc

Quadruplex Boston et al.

vs

Prudencia Vallejo Amati

Ex parte vs et al.

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Petition for

Injunction

-----

Filed July 26, 1861

S. L. Moxley

J. J. Whelan (Clerk)

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Mar 1861 Petitioner

to appear and answer the same within thirty days from and after the service of the same. It is also Ordered that the Clerk of this Court transmit to the Commissioner of the General Land Office of the United States at the City of Washington a copy of said Injunction, by depositing the same enclosed in an Envelope in the Post Office in New York, directed to said Commissioner

Thus done in open Court this 26<sup>th</sup> day of February AD 1861  
James K. Ogden  
U.S. District Judge

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

Gaudaluse Castro et al

vs

Prudencia Vallejo Anesti  
Executrix &c et al

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I, Gustavus L. Mix  
Clerk of the United States District Court for the  
Southern District of California, do hereby certify  
that I did on this day deposit in the Post Office  
in the City of Los Angeles, a certified copy of the  
order allowing an Injunction in this cause, as  
also a copy of the Injunction itself enclosed in  
an envelope and addressed to the Commissioner  
of the General Land Office at Washington  
City in the District of Columbia.



In witness whereof I have hereunto  
set my hand and affixed the  
seal of said Court this the 28th  
day of February A. D. 1861.

G. L. Mix, Clerk.

No 399

U. S. Dist. Court  
South<sup>m</sup> Dist of Cal

Guadalupe Castro

et al

vs

Pro<sup>r</sup>. Valley Ameto Soc<sup>y</sup>

et al

Certif<sup>icate</sup> of transmission of  
Injunction etc.

Filed July 28<sup>th</sup> 1861

G. H. Mix clk

J. Saml & Whelan (clerk)

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

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Guadalupe Castro and  
Juan Jose Castro Executors &c

— V. —  
Pudenciana Vallejo de Amesti  
Executrix &c and Asencio Mendia  
and Francisco Arana Executors &c

The above named defendants viz, Pudenciana Vallejo de Amesti, Asencio Mendia & Francisco Arana answering the petition filed in this Court by the above named Guadalupe Castro and Juan Jose Castro Executors &c on the 26th day of February 1861, make answer and say, that the summons petition and injunctive or order of injunction so filed and issued by the Hon. the Judge of this Court was not served on these defendants nor on any of them until the 13th day of April A.D. 1861.

These defendants and respondents further answering say, that long prior to said service, to wit on the 28th day of February 1861, The United States Government under the seal of the General Land Office and under the signature of James Buchanan President of the United States and in due form of Law

issued a patent to these defendants for the Lands called Los Corralitos therein and thereby describing such lands by the same description boundaries courses and distances, as said lands were and are described in the official survey thereof made by J. E. Terrell U. S. Deputy Surveyor under official Instructions from J. W. Mandeville U. S. Genl for the State of Cal., on the \_\_\_\_\_ day of \_\_\_\_\_ 1860, and which final and official survey was finally confirmed by Decree of this Court on the 18th day of December 1860.

And these defendants further say, that said patent so issued as aforesaid, was recd at the Surveyor General's office of the U. S. for <sup>the state of</sup> California on the 25th day of March 1861, and was on the 26th day of March 1861 duly & officially delivered by said Sur General to these defendants, to wit W. W. Stout, their attorney.

And these defts say that such issuance and delivery of said Patent was prior to the service on them, or either of them of the summons petition and order in this action, and was prior to the service of the same on the General Land office of the U. S. at Washington.

And these defendants aver & insist that this Honorable Court has no jurisdiction to try the questions of right or title to the Lands embraced and included in said patent, and

no jurisdiction to continue the said order of injunction, and defendants pray that this action be dismissed and that the order of Injunction heretofore issued by the Judge of this Court may be vacated and dissolved

W. H. Stow & J. L. Brent

Atty for Defs

Assever Mendid

U. S. of America.

State of California

by Wm H Stow & J L Brent, Attorneys for Defs;

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W. H. Stow being sworn, says he is attorney for above named defendants, that the foregoing answer is true of his own knowledge except as to the matters therein stated to be upon the information or belief of defts and as to those matters he believes it to be true, that he makes this verification because the facts stated in said answer are within his personal knowledge, and for the reason that the defts reside about 100 miles from deponent and he is unable to communicate with them in time to put in this answer

Sworn to before me

this 2<sup>d</sup> day of May

1861

Butler McAllister

Notary

W. H. Stow



No. 399.

U. S. Dist. Court  
Southern Dist, Cal.



Guadalupe Castro et al

vs.

Pudenciano Valljo de  
Arnesti et al.

Ex rto

Answer,

J. L. Remy &  
W. W. Snow Attys.  
for defts.

Filed May 7th 1861

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Recd May 7. 1861

J. L. Remy  
clerk

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

Guadalupe Castro et al

v.

Pudencia and Valijo de l'Inmeste  
et al Exrs

Please take notice that upon the petition and  
order of Injunction issued from this Hon: Court  
and the answer filed thereto, and upon the  
patent referred to in said answer, a motion  
will be made before this Hon: Court on the 13<sup>th</sup>  
day of ~~May~~ 1861 or as soon thereafter as  
counsel can be heard at the court room in  
the city of Los Angeles to vacate and dissolve the  
said Injunction and to dismiss this action  
and proceeding and all proceedings connected  
therewith on the ground that the patent was  
issued before said injunction was issued  
or served, and on the ground that this  
Hon: Court has no jurisdiction to entertain  
this action or to afford either party any relief  
or to determine any of the conflicting rights  
or titles set out in said petition

Yours &c

W. W. Fox & J. L. Brown  
Attys for defts

U. S. Dist Court  
No. 399  
Southern District  
Cal.

Guadalupe Castro Esq  
Esq  
7/15

Judenciana Vallejo de  
Amesti Esq  
Esq

No of motion

Filed April 9. 1862  
John A. Phelps Esq

W. W. Stone &

J. L. Brock

attys for defts

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

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To His Honor James S. W. Ogden Judge of the Court  
aforesaid

Your Petitioners, Guadalupe Castro, and Juan  
Jose Castro, Executors of the last Will and Testament of  
Joaquin Castro, deceased, Residents of the County of Santa  
Cruz in the aforesaid Southern District of California, Com-  
plain in the aforesaid Court Your Honor, that on the seventh day of  
February in the year of our Lord one thousand eight  
hundred and fifty four, in and under certain proceedings  
before that time instituted under the provisions of an act of  
Congress, entitled an act to ascertain and settle the private  
Land Claims in the State of California, approved March  
3, 1851, one Jose Ameste obtained before the Board of Land  
Commissioners (raised by the act aforesaid), the Confirmation  
to him of the following described tract or parcel of land  
situate in the aforesaid County and District, and bounded  
and described as follows to wit; the land ~~is~~ known as the  
Los Corralitos, bounded as follows: On the Raunch of Don  
Rafael Castro up to a spot called Cuatro Seguros. With  
the Raunch of Don Sebastian Rodriguez up to a spot  
where there is an inlet and an oak tree; the only one  
looking into the stream running by it called Salispuedes  
and with the Raunch of Don Manuel Jimenez and the  
Arroyo of the same name Salispuedes. The great Lagoon,  
the Lausal, taking a direct north line to the mountains

The boundaries on the side of the Canada Trade being the low hills adjoining the mountains, and on that side to the mesal Castro, the Canada de Curbos (?) containing four leagues of land.

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Your Petitioner further shew that an appeal was duly taken by the United States from the decree of Confirmation aforesaid of the said Board of Land Commissioners to the District Court of the United States for the Southern District of California, when such proceedings were had that afterwards to wit on the 18<sup>th</sup> day of January AD 1856, Prudencia Vallejo Ameste Executor, and Arcenio Mendia and Francisco Arana Executors of the last Will and Testament of the said Jose Ameste, who in the meantime had died, were substituted as parties appellus in the aforesaid appeal to the District Court aforesaid; and when such proceedings were afterwards had that the appeal aforesaid was dismissed and the aforesaid judgment or decree of the said Board of Land Commissioners was made final by order of the District Court aforesaid, duly entered on the twenty eighth day of January in the Year of Our Lord One thousand Eight hundred and fifty seven.

Your Petitioner further shew that since the final Confirmation of the lands, claimed as aforesaid by said Executors and Executors, the said parties Claimants have caused a pretended survey of the same to be made by the Surveyor General of the United States for the State of California, with a view of procuring the Patent of the United States to be issued to the said Claimants



for the same; - That in making said survey there have been included therein four thousand two hundred and Sixty two <sup>64</sup>/<sub>100</sub> acres of land claimed and owned by Your Petitioners Executors as aforesaid, and which is herein more fully described, the same being a part of the Rancho of San Andres, adjoining to and bounded by the lands above mentioned and described

Your Petitioners further shew that they derive title to the Rancho of San Andres and the portion of the same included in the survey aforesaid as follows -

Firstly By a Concession made on the twenty first day of November in the year of Our Lord One thousand Eight hundred and thirty three, and a grant made in full property on the twenty sixth day of November in the year last aforesaid, in due form of law to Don Joaquin Castro, by Don Aguirre, Governor of the Department of the California's, and which said Grant was duly approved by the Territorial Deputation on the 18<sup>th</sup> day of July in the year of Our Lord One thousand Eight hundred and thirty four, and which said Concession, Grant and approval were intended as a revalidacion of a former Grant for the same lands that had been made to the said Joaquin Castro by Luis Antonio Arguello, Governor on the thirteenth (twenty first) day of May in the year of Our Lord One thousand Eight hundred and twenty three

Secondly By a Decree of Confirmation of the aforesaid Board of Land Commissioners in a certain proceeding before that time commenced before them by said

Joaquin Castro, in order to procure the Confirmation to him of the same, under the aforesaid Act of Congress Entitled An act to ascertain and settle the Private Land Claims in the State of California, Approved March 3<sup>d</sup> 1857

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And which said decree of Confirmation was made and entered by said Court on the seventh day of February in the Year of our Lord One Thousand Eight hundred and fifty four, and which said decree describes the land so confirmed as follows, Commencing at the south West Corner of said Rancho and running north East the distance of one League and four thousand varas where there is a land mark, thence running East South East one League four thousand nine hundred varas to an oak tree situated on the table land which forms the boundary of the Rodriguez land, thence running in the direction of South South East one League four thousand five hundred varas; thence running west to the lands in the land in the south West two leagues to the place of beginning; in all two square leagues a little more or less.

Thirdly, By the last Will and Testament of the said Joaquin Castro, appointing Juan Retentiones Executors of the same, and which said Will was duly probated in the Probate Court of the County of Santa Cruz California on the seventeenth day of December in the Year of our Lord One thousand Eight hundred and fifty three  
Fourthly, By a decree of the District Court of the Southern District of California duly entered on the twenty fourth day of February in the Year of our Lord one thousand

Eight hundred and fifty ~~two~~ seven, affirming the decree of  
said Board of Land Commissioners on an appeal therefrom  
by the United States to said District Court

Fiftieth. By an order of the aforesaid District Court,  
duly entered on the seventeenth day of June in the Year  
of Our Lord One thousand Eight hundred and fifty eight  
dismising the appeal from the aforesaid District Court  
to the Supreme Court of the United States and making  
the aforesaid decree of the said Board of Land Commis-  
sioners final, and which said final order of said Court  
was duly made and entered in pursuance of a stipulation  
in writing between the attorney of the Petitioners and the  
District attorney of the United States for the Southern Dis-  
trict of California, of the date of June third in the year  
of Our Lord One thousand Eight hundred and fifty eight

All of which will more fully appear, reference being had  
to the Records files and Manuscripts in Cases numbered  
100 & 175 in the office of the Clerk of this Court, also to the  
Original Expedients, Grants, Papers and Records among the  
Archives in the office of the Surveyor General of the United  
States for the State of California

Sixtieth. By virtue of the Judgment of the Supreme  
Court of the State of California abets July Term  
AD 1838, affirming the Judgment of the District Court of  
the Third Judicial District of the County of Santa Cruz in  
a certain suit brought by the Claimants of the aforesaid  
Ranchos of San Andres. Yon Petitioners herein, against  
the Claimants of said Ranchos of Corralitos, for the possession

of that part of the Rancho of San Andres in dispute herein  
and by virtue of which said judgment the same was ad-  
-judged to your Petitioners as well more fully appear, refer-  
-ence being had to the records and proceedings of the said  
Supreme Court in the suit aforesaid

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Your Petitioners further shew that the land belong-  
-ing to the Rancho of San Andres and which has been in-  
-cluded in the survey aforesaid of the Corralitos Rancho  
is more particularly described as follows: "Commencing  
at the stump of a tree on the east side of Calabazas  
Lake, and on the west side of the road from Watsonville  
to Santa Cruz, the same being the corner established by  
the judicial possession of the San Andres Rancho, and  
thence thence S.  $51\frac{1}{2}^{\circ}$  E. 318 Chains 10 links to station  
on the right bank of Corralitos Creek, where formerly stood  
a tree established as a corner by the judicial possession  
thence following the line of the Roba del Pajar S.  $47\frac{3}{4}$  W  
86 Chains to station at the Estero, thence following the Centre  
of the Estero S. 18 W, 121 Chains 60 links to station; thence  
S.  $62\frac{3}{4}$  W. 82 Chains to station, thence leaving the boundary  
line of the Roba del Pajar, and following the boundary  
line of the Government Survey of the Rancho Los Corralitos  
up the Centre of an arm of the Estero N.  $27\frac{1}{2}$  W. 7 Chains  
to station; thence N.  $24$  W 58 Chains 26 links to station  
thence N.  $3\frac{1}{2}$  E. 94 Chains 82 links to station; thence  
N. 9. W. 43 Chains 24 links to station, thence N.  $39\frac{3}{4}$   
W. 33 Chains 62 links to station, thence leaving the  
Estero N. 14. W. 76 Chains to station, thence  $28\frac{3}{4}$  W

115 chains to station on line of Judicial possession of the  
Rancho of San Andres, thence N 61 1/4 E. following said  
line and crossing the Calabazas Lake to the place of begin-  
-ning. Containing 4262 67/100 acres"

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Your Petitioner further show and charge upon  
information and belief, he thinks to be, that the said Rudecindo  
Valley, Amesti Hecutor and Ascencio Mendia and Francis-  
co Arana Hecutors & their agents and attorneys caused  
the aforementioned and described land to be included  
within their aforesaid Survey with intent to cheat and  
defraud Your Petitioner, and that if they are permitted  
to proceed and sue out a patent for the same, which  
Your Petitioner charge they are about to do, it will be to  
the irreparable injury and damage of Your Petitioner,

Now therefore in consideration of the premises  
Your Petitioner pray Your Honor to hear and determine  
this their petition

And your Petitioner pray that upon the hearing  
of this petition, a writ of Injunction may be granted by  
Your Honor, and issued out of and under the seal of  
this Court and directed to the said Rudecindo Valley's  
Amesti Hecutor and Ascencio Mendia and Francisco  
Arana Hecutors of the last Will and Testament of Jose  
Amesti deceased, their agents or attorneys, and each  
and every person or persons claiming said lands or any  
part thereof, by, from, through or under them, Comman-  
-ding, enjoining and restraining them and each of them  
under a certain Penalty therein named from securing out

or Mercising a Patent for the same until the matters and things herein set forth, Charged, Alleged and stated, shall have been fully heard and determined, and for such other and further Relief in the Premises as to this Honorable Court shall seem meet and proper, and as shall be agreeable to equity and good Conscience, and as in duty bound Your Petitioners Will ever pray &c

Isaac Hartman  
Att'y for Petitioners

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State of California  
Southern District

Isaac Hartman being duly sworn upon his oath says that he is the attorney of the Petitioners in this Cause and as such is as well as, or better acquainted with the facts stated in the foregoing Petition than the Petitioners themselves, Deponent further says as a reason why he makes this oath is, that the residence of the Petitioners, as he is informed and believes, is in the County of Santa Cruz, California, about 400 miles distant from the City of Los Angeles, the residence of His Honor the Judge of said Southern District, and that a considerable time would necessarily elapse before the oath of the Petitioners or either of them could be procured Thence, Deponent further says he has read the foregoing Petition and is acquainted with its contents, and that the same is true of his own knowledge except as to matters stated on information and belief and as to those matters he believes it to

be true

Sam Hartman

Done to and subscribed before me this 23<sup>rd</sup> day of Feb-  
ruary AD 1861

Sam. H. Owen, U. S. Dist. Judge  
of the South Dist. of Cal.

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It is Ordered that the Clerk of this Court issue an injunction  
as prayed for in the foregoing Petition. Also that he issue a  
Summons with a Certified Copy of the Petition to be served  
upon the adverse party Commanding them to appear and  
answer the same in thirty days from and after the service  
of the same.

It is also Ordered that the Clerk of this Court  
transmit to the Commissioners of the General Land Office  
of the United States at the City of Washington a Copy  
of said Injunction by depositing the same enclosed in an  
Envelope in the Post Office in Los Angeles, directed to said  
Commissioners

Thus done in open Court this 26<sup>th</sup> day of  
February AD 1861

Sam. H. Owen  
U. S. Dist. Judge

Filed February 26<sup>th</sup> AD 1861

J. G. M. Clerk  
for John White Deputy

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United States of America  
Southern Dist of California

J. G. M. Clerk  
of the United States District Court for the Southern District of  
California, hereby certify the above and foregoing to be a  
full true and correct copy of the original Petition, Affidavit  
and Order for Injunction in the Case of Guadalupe Castro  
et al vs Anderson Valley & Co et al, as the same  
appear on file in my office



In witness whereof I have hereunto set my  
hand and affixed the seal of said Court  
this the 26<sup>th</sup> day of February AD 1861  
J. G. M. Clerk  
for John White Deputy

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No. 399

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

Guadalupe Castro et al

vs

Prudencio Vallejo Annetti  
Spec. et al

Petition for Injunction

(True Copy)

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Return for Petitioner

United States of America

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

399 SD

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Francisco Hernandez et als } Action brought in said District  
Prudencio Vallejo Anesti. } Court and the Complaint filed  
Executors re et als } in the City & County of Los-  
Angeles, in the office of the  
Clerk of said District Court;

The President of the United States of America  
Addressing

To Prudencio Vallejo Anesti Executors, and Francisco  
Hudson and Francisco Araud Executors of the last Will and testa-  
ment of Joaquin deceased

You are hereby required to appear in an action  
brought against you by the above named Petitioners in  
the District Court of the United States for the Southern  
District of California, and to file your plea, answer  
or demurrer to the petition filed therein (a copy of which  
accompanies this summons) in the office of the Clerk  
of said Court in the City & County of Los Angeles, within  
thirty days (exclusive of Sundays and days of service)  
after the service on you of this summons. - on penalty -

ment by default will be taken against you

The said action is brought to enjoin you  
and each of you from suing out or receiving a Patent  
from the United States for the tract of land known as

399 SD  
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Los Corralitos ————— Situated  
in the County of Santa Cruz District aforesaid  
& which said land is more fully described in the petition  
aforesaid, and if you fail to appear and plead, answer,  
or demur, as herein required, judgment by default will  
be entered against you and each of you

Witness the Hon Roger B. Taney Chief  
Justice of the Supreme Court of the United  
States of America, this twenty fifth day  
of January AD 1861, with the seal  
of our District Court of the United States  
for the South Dist of California affixed  
Attest

Wm. H. Murray Chief of the District  
Court of the U.S. for the South Dist of Cal  
J. M. Wheeler Deputy

NO 398

U. S. Dist Court  
South Dak Cir

Francis Merwaudtz et al

vs

Andreas Valley & Auctors  
Executors

Summons

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PAGE 21

United States of America

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

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Marcia Hernandez et al

vs  
Prudencio Vallejo Aquesti  
Ejecutor et al

Action brought in said District Court  
and the complaint filed in the City &  
County of Los Angeles, in the office  
of the Clerk of said District Court.

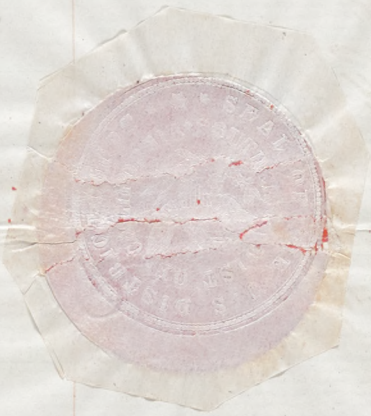
The President of the United States of America,  
Greeting:

To  
Prudencio Vallejo Aquesti Ejecutor and Alameda  
Molina and Francisco Argueta Executors of the last  
Will and Testament of Jose Saez deceased

You are hereby required to appear in an action brought  
against you by the above named Petitioner in the Dis-  
trict Court of the United States, for the Southern Dis-  
trict of California, and to file your plea, answer,  
or demurrer to the Petition filed therein, (a copy of  
which accompanies this summons,) in the office of the  
Clerk of said Court in the City & County of Los Angeles  
within thirty days (exclusive of Sundays and day  
of service,) after the service on you of this Summons-  
or judgement by default will be taken against you.

The said action is brought to enjoin you and each of you from suing out or receiving a Patent from the United States for the tract of land known as Las Corralitos situated in the County of Santa Cruz — District aforesaid which said land is more particularly described in the Petition aforesaid, and if you fail to appear and plead, answer, or demur as herein required, judgment by default will be entered against you and each of you.

Witness, the Honourable Roger B. Taney  
Chief Justice of the Supreme Court of  
the United States of America, this Twenty  
Sixth day of February in the year of our  
Lord one thousand eight hundred and  
sixty one, and of our Independence the  
eighty fifth with the seal of our said  
U. S. District Court for the Southern  
District of California affixed



No 398  
U. S. Dist Court  
South Dist Cal

Marcos Hernandez et al

vs

Marcos Vallejo Amesti  
et al

Simmons

Hernandez 5

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

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Guadalupe Bastin v  
Juan Jose Bastin  
Executors &c

Brendencia Vallijo Amesti;  
Executrix v Ascencio Mendia &  
Francisco Arana, Executors &c

Injunction.

The President of

the United States

The President of the United States:

In Brendencia

Vallijo Amesti Executrix, and Ascencio Mendia,  
and Francisco Arana Executors of the last will  
and testament of Jose Amesti deceased.

The  
above named Guadalupe Bastin and Juan  
Jose Bastin Executors of the last will and testa-  
ment of Joaquin Bastin deceased having filed  
their Petition in said District Court of the United  
States for the Southern District of California against  
the said Brendencia Vallijo Amesti, Executrix,  
and Ascencio Mendia and Francisco Arana  
Executors of the last will and testament  
of Jose Amesti deceased praying for an Injunc-  
tion against them the said Executrix and Exe-  
cutors requiring them to refrain from certain



acts in said Petition, and hereinafter more par-  
-ticularly mentioned. On reading said Petition  
duly verified upon oath, and it satisfactori-  
-ly appearing to His Honor the Judge of said Court,  
that it is a proper case for an injunction, and  
that sufficient grounds exist therefor. - We  
therefore in consideration of Honor, and of  
the particular matters in said complaint set forth,  
do strictly enjoin you and each of you, that  
until the further order of our said Court, you  
do absolutely refrain and desist from suing  
and or receiving a Patent from the United States  
for certain lands lately surveyed by the Survey  
in behalf of the United States for the State of  
California, for the said Executors and Executors  
as in said Petition stated, and which said  
survey, as is alleged, embrace and include  
certain lands belonging to Petitioners. The said  
survey purporting to be of lands confirmed  
to said Executors and Executors in case No 175  
of the District of this Court, and which said  
lands are described in the above said final  
deed of confirmation, as the tract of land known  
as the Los Baracitos in the County of Santa Cruz  
said Southern District, and bounded and de-  
-scribed as follows. "On the Rancho of Don  
Rafael Bastio up to a spot called Cuatro  
Leguas. With the Rancho of Don Sebastian

Ruadiquez up to a spot where there is an inlet  
and an oak tree, the only one looking into the  
stream running by it called Salsipuedes, and  
with the Rancho of Don Manuel Jimeno and  
the arroyo of the same name Salsipuedes.  
The great lagoon. The descent, taking a direct  
north line to the mountains. The hamlets  
on the side next the Canada Verde being the  
low hills adjoining the mountains, and on that  
next to the mesa called the Canada de Curo(?)  
containing four leagues of land, according to  
the grant and act of judicial possession.

Witness Your Honor B. Sawyer & Chief  
Justice of the Supreme Court of the United States  
at America this the 26<sup>th</sup> day of February 1861  
with the Seal of our United States District Court for the  
Southern District of California affixed under Six  
Attest, my hand for independence  
The right of the Clerk of the United States  
District Court for the Southern District of California  
John S. Wheeler Deputy



1861  
86

No 399

U. S. Dist Court

South Dist of Cal

Guadalupe Bustro et al:

vs

Prudencia Bellis Amisti

et al:

~~~~~

Injunction

~~~~~

~~Filed July 26, 1861~~

~~H. L. Maxell~~

~~J. John M. ...~~

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

399

SD

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Guadalupe Castro & Juan Jose Castro

Executors &c

vs

Prudencia Vallejo Anesti, Executors &  
Arcenio Melchior & Francisco Araua  
Executors &c

Injunction

The President of the United States

To, Prudencia Vallejo Anesti Executors and  
Arcenio Melchior and Francisco Araua Executors of the  
last Will and Testament of Jose Anesti deceased

The  
Above named Guadalupe Castro and Juan Jose Castro  
Executors of the last Will and Testament of Joaquin Castro  
deceased, having filed their petition in our District Court  
of the United States for the Southern District of California  
against the said Prudencia Vallejo Anesti Executors and  
Arcenio Melchior and Francisco Araua Executors of the  
last Will and Testament of Jose Anesti deceased, praying  
for an injunction against them the said Executors and  
Executors, requiring them to refrain from certain acts in  
said petition, and hereinafter more particularly mentioned,

On reading said petition duly verified upon oath  
and it satisfactorily appearing to his Honor the Judge  
of said Court, that it is a proper case for an injunc-

tion, and that sufficient grounds exist therefor,

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Wherefore in Consideration thereof, and of the Particular matters in said Complaint set forth, do strictly enjoin you and each of you, that until the further Hearing order of our said Court, you do absolutely refrain and desist from suing out or receiving a Patent from the United States for certain lands lately surveyed by the Surveyor General of the United States for the State of California in the said Executions and Executions as in said Petition stated, and which said Survey as is alleged, embrace and include certain lands belonging to Petitioners, the said Survey purporting to be of lands confirmed to said Executions and Executors in Case No 145 of the Roster of this Court, and which said lands are decedent in the aforesaid final decree of Confirmation, as the tract of land known as the Los Corralitos, in the County of Santa Cruz, said Southern District, and bounded and described as follows. "On the Rancho of Don Rafael Castro up to a spot called Cuatro Leguas, with the Rancho of Don Sebastian Rodriguez up to a spot where there is an inlet, and an oak tree, the only one looking into the stream running by it called Salispuedes and with the Rancho of Don Manuel Jimenez, and the Arroyo of the same name Salispuedes, The Great Lagoon, The Sausal, taking a direct north line to the mountains The boundaries on the side next the Canada Grande being the low hills adjoining the mountains, and on that next to the Mesa Castro, the Canada de Cunas (S)

Containing four Leases of land according to  
the Grant and Act of Judicial Proceeding

399 SD  
PAGE 44



Witness the Hand of Roger B. Taney Chief  
Justice of the Supreme Court of the United States  
of America, this the 26<sup>th</sup> day of February A.D.  
1861. With the seal of our United States District  
Court for the Southern District of California affix-  
ed

Attest, G. L. Fox, Clerk of the United States  
District Court for the Southern District of California  
*G. L. Fox*

No 399  
U. S. Nat Comb  
South Dak Calc

Guadalupe Cactus et al

No

Prudencio Valley, Aneeti  
5<sup>th</sup> et al

Inspection

Cactus

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

Guadalupe Castro + Juan Jose Castro

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PAGE 46

Executors &c

vs  
Prudencio Vallejo Amesti, Executor &  
Ascencio Muedia & Francisco Arana  
Executors &c

Injunction

The President of the United States

To Prudencio Vallejo Amesti  
Executor, and Ascencio Muedia and Francisco Arana  
Executors of the last Will and Testament of Jose Amesti  
deceased,

The above named Guadalupe Castro and  
Juan Jose Castro Executors of the last Will and Testament  
of Joaquin Castro deceased, having filed their Petition  
in our District Court of the United States for the Southern  
District of California against the said Prudencio Vallejo  
Amesti, Executor, and Ascencio Muedia and Francisco  
Arana Executors of the last Will and Testament of  
Jose Amesti deceased, praying for an injunction a-  
gainst them the said Executors and Executors, requiring  
them to refrain from certain acts in said Petition, and  
hereinafter more particularly mentioned: On reading  
said Petition duly verified upon oath, and it satis-  
factorily appearing to His Honor the Judge of said



Court, that it is a proper Case for an injunction  
And that sufficient Grounds exist therefor. We therefore  
in Consideration thereof, and of the Particular matters  
in said Complaint set forth do strictly enjoin you and  
each of you, that until the further order of our said  
Court, that you do absolutely refrain and desist  
from issuing out or receiving a Patent from the  
United States for certain lands lately surveyed by the  
Surveyor General of the United States for the State of  
California, for the said Executors and Heirs as in  
said Petition stated, and which said survey as is al-  
leged, embrace and include certain lands belonging  
to Petitioners, the said survey purporting to be of lands  
Confirmed to said Executors and Heirs in Case No. 145,  
of the Roster of this Court, and which said lands are  
described in the aforesaid final Decree of Confirmation,  
as the tract of land known as the Los Corralitos in  
the County of Santa Cruz said Southern District and  
bounded and described as follows, "On the Rancho  
of Don Rafael Castro up to a spot called Cuatro  
Leguas. With the Rancho of Don Sebastian Rodriguez  
up to a spot where there is an inlet, and an oak  
tree, the only one looking into the stream running by  
it called Salispuedes, and with the Rancho of  
Don Manuel Jimeno and the Arroyo of the same  
name Salispuedes. The great Lagoon, the Sausal,  
taking a direct line north line to the mountains, the  
boundaries on the side next the Canada Verde being

the low hills adjoining the mountains, and low  
that next to the mesa, Castro, the Canada de Cuad<sup>s</sup>  
Containing four leagues of land" according to the  
Grant and act of juridical Profession

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Witness, the Hon Roger B Taney, Chief  
Justice of the Supreme Court of the United States  
of America, this the 26<sup>th</sup> day of February A D  
1861. With the seal of the United States District  
Court in the Southern District of California officed  
Attest

John M. Clerk of the United States  
District Court in the Southern District of California  
John Wheeler Deputy

No 399  
U. S. Dist Court  
South Dist Cal

Madeline Castro et al

vs

Trudens Talley Amate  
Exec<sup>tr</sup>, et al

Injunction

United States of America

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

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PAGE 50

Guadalupe Gasto &  
Juan Jose Gasto &c &c  
vs  
Judencia Vallejo Aluerti. Exec<sup>rs</sup> &  
Alencio Mendia & Francisco Araua &c &c

Action brought in said District  
Court, and the Complaint filed  
in the City & County of Los Angeles  
in the Office of the Clerk of said  
District Court

The President of the United States of America  
Meeting.

To, Judencia Vallejo Aluerti. Exec<sup>rs</sup> and Alencio Mendia & Francisco Araua Executors of the last Will and Testament of Jose Aluerti deceased

You are hereby required to appear in an action, brought against you by the above named Petitioners in the District Court of the United States for the Southern District of California, and to file your plea, answer or demurrer to the Petition filed therein (a copy of which accompanies this summons) in the Office of the Clerk of said Court in the City and County of Los Angeles within thirty days (exclusive of Sundays and days of service) after the service on you of this Summons - or judgment by default will be taken against you.

The said action is brought to deprive you and each of you from suing out or receiving a Patent from the United States for the tract of land known as \_\_\_\_\_

Los Corralitos ————— situated in  
the County of Santa Cruz District aforesaid and which  
said land is more particularly decubed in the Petition aforesaid, and if you fail to appear and plead answer or demurrer as herein required, judgment by default will be entered against you and each of you

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Witness the Honorable Roger B. Taney, Chief Justice of the Supreme Court of the United States of America, this 26<sup>th</sup> day of February, AD 1861  
With the seal of our said U. S. District Court for the Southern District of California affixed  
Attest.

Chas. L. Mix, Clerk of the U. S. Dist. Court for the  
Southern District of California  
J. J. Whelan, Deputy

No. 399

W. S. Dutton  
Smith Dub Cula

Madeline Carter chat

<sup>in</sup>  
Prudence Valley Amestis  
Etc., chat

Summons

Carter 5

United States of America

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

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Guadalupe Gaitan & Juan Jose Castro, Ex'ors

vs

Prudencio Valley, Alameda, Executors &

Arceenio Mendin & Manuicio Arana

Executors &c

Action brought in said District  
Court and the Complaint filed  
in the City & County of Los  
Angeles, in the office of the  
Clerk of said District Court

The President of the United States of America  
Meeting

vs Prudencio Valley, Alameda, Executors and Arceenio Mendin  
& Manuicio Arana, Executors of the Last Will & Testament of Jose Castro  
deceased

You are hereby required to appear in an action brought  
against you by the above named Petitioner in the District  
Court of the United States for the Southern District of Cal-  
ifornia, and to file your plea, answer or demurrer to the  
Petition filed therein (a copy of which accompanies this  
summons) in the office of the Clerk of said Court in the  
City & County of Los Angeles within thirty days (exclusive  
of Sundays and days of service) after the service on you  
of this summons - or judgment by default will be taken  
against you

The said action is brought to recover

You and each of You from suing out or receiving a  
Patent from the United States for the tract of land known  
as Los Corralitos

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situated in the County of Santa Cruz District  
aforesaid & which said land is more particularly de-  
scribed in the Petition aforesaid, and if you fail to appear  
and plead, answer, or demur, as herein required, judgment  
by default will be entered against you and each of you

Witness the Hand, Roger T. Taney, Chief  
Justice of the Supreme Court of the United  
States of America, this twenty sixth day  
of February A.D. 1861, with the seal of  
our District Court of the United States  
for the Southern District of California  
affixed

Attest J. M. Clerk of the United  
States District Court for the Southern  
District of California  
J. M. Wheeler Deputy



No 399

U. S. Dist Court  
South Dak. Cir.

Guadalupe Castro et al

vs

Prudeman Valley Assets  
Exec<sup>tr</sup> et al

Summons

Carter 5

United States of America

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

399 SD

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Guadalupe Castro & Juan yre factos  
Executors &c  
Prudencia Valley Ancesti's Exec<sup>rs</sup>  
& Arcenio Mendez & Braucino  
Arana Executors &c

Action brought in said District Court  
and the Complaint filed in the City  
County of Los Angeles in the office  
of the Clerk of said District Court

The President of the United States of America  
Greeting

To Prudencia Valley's Ancesti's Executors and Arcen-  
cio Mendez and Braucino Arana Executors, of the last Will and Testament  
of Jay Ancesti deceased

You are hereby required to appear in an action brought  
against you by the above named Petitioners in the District  
Court of the United States for the Southern District of Califor-  
nia, and to file your plea, answer or demurrer to the petition  
filed therein. (A copy of which accompanies this summons)  
in the office of the Clerk of said Court in the City & County  
of Los Angeles within thirty days (exclusive of Sunday and  
day of service) after the service on you of this summons-  
or judgment by default will be taken against you

The said action is brought to enjoin you and  
each of you from issuing out or receiving a patent from  
the United States for the tract of land known as

— Los Corralitos — situated in the  
County of Santa Cruz District aforesaid & which  
said land is more particularly described in the petition a-  
foresaid, and if you fail to appear and plead, answer  
or demur, as herein required, judgment by default will be  
entered against you and each of you

399 SD

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Witness the Honorable Roger B. Taney  
Chief Justice of the Supreme Court of the  
United States of America, this twenty sixth  
day of February A.D. 1861. With the seal  
of our District Court of the United States  
for the Southern District of California  
affixed.

Attest, G. L. Miles, Clerk of the  
U. S. District Court for Southern Dist of Cal  
J. John Wheeler Deputy

548E 2P

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No 399

U.S. Dist Court  
South Dist Cal

Madeline Carter et al

vs

Francis Gallup Amest  
Exec<sup>tr</sup> et al

Summons

Carter S

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No. 399

U.S. Dist Court  
South Dist, Cal

Guadalupe Castro et al

vs

Prudencia Vallejo Amesti  
Exec et al

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J. H. ...  
attorney for ...