

San Diego's Mexican Period and Transition to the United States

1- "Contents of Protocol 1835- 1844"

"Page 3. 1835, March 30. deed from Francisco Ruiz to Joaquin Carrillo. Orchard about 500 paras to the South of the Presidio. " " "

during life, then to Carrillo's three children, Juan Bautista, Francisco and Julio.

"Sept. 10th. Maria Ortega, to David Kelips {Keliss?}

The house known as of the Sergeant Guadalupe, two rooms, two cambios, & back corral. 4. " Oct. 20. Silvestre Portilla, power of attorney to José M. Covarrubias to represent him, particularly in respect to Valley of San José.

(last page erased.) 6 1837, March 11. Last will of Maria de la Luz Ruiz. declares that she owns a house in this pueblo, lying from North to South adjoining that of her brother Francisco, and on the west adjoining a room of Man Osuna, having a sala, two cuartos (one on the western corner, the other for sleeping), a dispensa, a kitchen, a corral enclosed by a pared, within which is a room of my married daughter, Maria de Jesus, & c. " " " 7 " 9 "

Nov. 26. Sale by Pablo de la Portilla, to Joaquin Ortega - among cattle & c -

Three houses with their puertas, in the place known as San José del Valle.

March, 15. Francisco Ruiz, deed of gift of Pēnasquitos to Fr. M. Alvarado. 10 . 1843, March 20. Pedro Welde, to Eduardo Stokes. deed for a house described as follows-

"a house built a short time ago, consisting of a sala and a curato, foundations for another curato, and an orno, which solar containing 27 varies front to the South - for \$120 - The following entry appears at the end of the recorded instrument:

"En el mismo dia de su recibo, compareció D. Eduardo Stokes pretendiendo se le agregare, siete varas al

Norte, y diez y seis al sur à dicha casa como igualm.te {raised} hasta las caídas del Risal Oeste, las cuales quedan concedidas p.r este juzgado de lo q.l. cubics sequen derecho. José Maria Orosco."

Cover: Document No. 20546, " Protocol, 1835 to 1844."

2- 1835-1839 Court of the Port of San Diego, multiple-paged entries on Spanish Stamped Paper issued for use in 1826 and 1827, re stamped for use in 1835-1839. Includes Book A of titles; and signatures of Juan María Osuna (first Alcalde of San Diego), , Martín Sanchez Cabello (Customs Receiver in San Diego and functioned as Don Pio Pico's scribe), José Bandini (father of Juan), Francisco Maria Ruiz, Jose Maria Mier y Teran, Pablo de la Portillo, Juan B. Alvarado, and Jose Francisco Snook, among others.

Typed transcriptions in English and Spanish are also included in collection.

3- May 25, 1841. Santiago Argüello signed communication summarized on the back as:

"Argüello To the Alcalde Relating to Bonifacio Lopez with provisional permission to put his cattle ataguay. Also that the citizens may put their cattle

at Soledad & c, No. 3". The communication is on Prefectura Politics Los Angeles stamped paper and is in Spanish, slightly over one page.

Cover: Document 20668 "Petition of S. Aurello (sic), to, herd cattle at Soledad, May 25th 1841."

4- 1841 document in Spanish signed by Julio Osuna, Tomas Rossel, A. José Jesus Moreno, José Maria Osuna?, José Ant'o Gongóra.

Back of document states "This is in Reference to a lot of Ground that was sold by Julio Osuna to Machado." Bears the date March 7, 1843 and No 5.

5- March 16, 1842, Los Angeles Prefectura Politica Stationary letter written in Spanish by S. (Santiago) Argüello relating to D. Juan. Maria Alvarado , title, and the date February 7. . "Puerto ..6, S. Diego. No. 4". Two pages, front and back. Cover: Document No. 20666, "Petition S. Anselo (sic){Santiago Argüello}, In re certain Lands."

6- September 8, 1849 "Notice of the Alcalde Marron to the Public Relating to the sale of Land at Auction.":

"Aviso al Publica

Se ha pospuesto el remate de solares en el Puerto de San Diego al acuerdo del Ayuntamiento y se dará el debido aviso del día en el que se haga el remate San Diego Septiembre 8 de 1849

7-

Jose H. Leon Srio."

October 30th . 1849 letter: "To the Honble. Member of the signed Juan M. Marron

The Town Council of San Diego._

Gentlemen.

Having seen an advertisement in the Alta California of the 25th of the present month, requiring all titles to properties to be registered within the period of two months from a date which is not mentioned, but which I presume is to be understood as from the date of publishing in said paper. I beg to inform you that I have remitted a copy, attested by the Alcalde of this District, to Mr. Ellis of the firm of Salmon & Ellis, of the Schooner "Honolulu," requesting him to get it registered for me. Should any accident therefore happen by which he may be delayed from so doing within the given time I hope from your sense of justice that a longer delay may be made in my case, and that you will deem this a proof of my not wishing to abandon the property.

I have the honor to be Gentlemen

Your Obt Humbled Servt. signed Chas. C. Blythe

Back: "Is a letter to the Honorable Town council Signed Charles Blythe. Oct. 30. No. 22." "655" crossed out.

8- November 1, 1849 document in Spanish signed on side by Marron concerning land ("varos de tierra) fronting between Washington and Juan Streets. Appears to be a grant of 55 "varos" of land for receipt of 13 pesos plus to George J. Rice, U. S. citizen.

Cover: Document No. 20669, "Letter Geo. J. Rice In re lands."

9- December 1st 1849, "Is a' letter to Mr. R. Rust in Reference to Public lands. Official Business, Signed R. Rust Esq. Register of San Diego Cal . Red sealing wax stamp. "1849 Major Heintzelman letter 1Dec 1849. Public Land." "No. 23.":

"Sir:

In reply to your communication of the 26 Nov, in relation to the public lands of this post, I have to note; I received from Gen.? Gov. ? Riley, under date of the 12? Nov, the following information, namely :- "Instructions in regard to the public lands at San Diego will be sent you by the first opportunity."

R. Rust Esq.

San Francisco Upper California October 30th. 1849.

These instructions have not been received yet. I am his

Very Respectfully your ob serv.

S. P. Heintzelman Brvt. Major 2 Infantry ?

? Register
San Diego, Cal"

Cover: Document No.. 26573, "Gen Heintzelman In re Public Lands."

10- December 17, 1849 Petition in Spanish by Santiago Argüello ("Sör. Prefecto del Dist. de S. Diego") relating to the "City Papêy," D. Juan María Marrón and "Solar el Orno." Signed by S. Argüello. Four pages, including back and cover. Document No. 20671, "Petition, S. Aoeuillo (sic), In re lands."

11- July 6, 1850, License or Certification:

"These are to certify to all whom it doth concern that having applied to the {City crossed out} Common Council of the City of the San Diego for a license to sell wines and spirituous liquors in quantities up than a quart, in a house situated on the west side of the town and near the river, of which said house Mrs. Snooks is the agent, Know ye therefore, that the said has permission by this license to sell wines and spirituous liquors in said house, in quantities up than a quart to any person or persons (Indians alone excepted) for the extent? or term of three months from date be paying for the same, at the rate of fifteen dollars per

month, payable always on the advance on the 1st day of each and every month.

But this license should not authorize him to sell wine or spirituous liquors in any other house, room or place, without first obtaining leave therefor from the Common Council aforesaid.

San Diego signed John Conger

Clerk of Common Council

The name J. H. Moviha or Movisa or Movifia appears on back.

Back summary: "Form of License according to Ordinance of late Ayuntamiento

Cover: Document No.20438, "Certificate, City Clerk, In re sale of liquors. San Diego July 6th 1850".

12- January 19th, 1850, Petition of John Conger to the Ayuntamiento of the town and district of San Diego concerning a school:

"To the Ayuntamiento of the town and district of San Diego. Gentlemen, Being about to open a school for the purpose of teaching the elements of an English education, and having the

promise of a sufficient patronage ti issure success I would respectfully request the Ayuntamiento to provide a room for school purposes, and to adopt such measures as in their opinion will tend to manifest to the citizen a desire to forward a movement, which is the foundation of all progress.

Very Respectfully

Your Obt Servt signed John Conger

Back summary: No. 1001, "Is a letter of Mr. John Conger to the ayuntamiento requesting them to provide a room for school purposes. Janry 19, 1850." Folded and addressed for delivery.

Cover: Document NO. 20681, "Petition of John Conger for Accommodation and Facilities, to be provided for the Conducting of a School etc.

13- June 18, 1850, receipt of payment in Spanish to José Antonio Estudillo, as Treasurer, for "\$700 anuales — — Alcansa\$." For a trimester at \$58.33. 3/4c each month totaling \$175 ; San Diego September 18, 1850. For José Antonio Estudillo from José M. (Maria) Estudillo (his son).

14- October 1850 A. S. Wright (City Translator) in acct with Common Council of San Diego. viz Oct 2 To attending City Court as/ criminal charge/interpreter \$5.00

" Translating ordinances Nos. 33 & 34. \$6 each.....\$12.00

“ authorizing the Mayor to sign a deed \$2.00 Oct 3 “Attending Criminal court as interpreter / Case Carlos stabbed/ \$5.00

Oct 5.” dead/ Oct 7 To Translating the following documents viz ordinance . Relation to City expenses

“ to Lot of Land to Conger

“ Boarding officer of health (Smith?)

“ City expenses Sept 17th

“ to slaughtering ? over 300 words

“ to Selling Liquor to Indians

“ to Riots & Firing of Guns ?

“ to Trespassing on City Lands

“ to Regulating the Sales of City Funds

“ to fund Cam. & Clerk over 400 words

“ & Carnsthaler ?” “

— — — — — protest to Genl Rubyas Rigardo/ Ricardo Military Reserve

“ to the lot for building a church on

San Diego, Oct 8th. Amount Due from the City unpaid

For Translation and Interpreting up to this Date. A.S. Wright Approved by the Finance Committee

Haraszthy & Leamy } For the correct of the Calculations San Diego the 10th October 1850
signed Chas. Haraszthy

\$5.00

\$5.00 \$4.00

\$4.00 \$2.00

\$8.00 \$2.00 \$4.00 \$2.00 \$8.00 \$10.00 \$10.00

\$10.00

\$6.00 _____

\$101.00

Ch. of the Finance Com.

William Leamy as per ordinanza No. 13 & per Resolution of the Council

15- April 22, 1850 receipt “Town of San Diego to Agoston Haraszthy For guarding Joan (Juan?) Maria the 8th of April paid \$5.00. For taking charge of him 14 days at \$4.....\$56. For 10 days board at \$2...\$20. Light for the guard 12 cents. Sum \$81.12. San Diego the 22 of April 1850. Signed Agoston Haraszthy, Sheriff of San Diego County. Rec’d pay.”

16- October 1, 1850 “City of San Diego to Agoston Haraszthy By order of the Mayor cleaning the whole City Streets and Allies, digging canals, etc. etc. having hired men to work as follows:
17-

Sum \$280.00

San Diego the 2st October 1850 signed Agoston Haraszthy, Marshall

For the correctness of said account

Signed Chas. Haraszthy

William Leamy of the Finance Committee

December 2, 1850 bill from Agoston Haraszthy to The City of San Diego "August the 31st

Service on Thos. W. Sutherland City Attorney process of law in

September 13th 1859. 18 Men

14th 16th 17th 18th 19th 20th 21st 23rd 24th 25th 26th 27th 28th

17 17

18 17 16 16 16 6

6 6 2 2 3

160. for 6/ a day.....\$120.00

Sum

The board for 160 days per \$1.....\$160.00

and over.....\$3.00

" In said process subpoenas for 8 witnesses served.....\$8.00

September 20th Modesta, Hoan, Maria each 3 days - Sum 9 days board \$9.00 October 2 Nario

1 day. Afonsuela 3. Heconimo 3. Tamerisco 3....!0.00

14th Antonio 3 days. Bernehido 3 days board.....6.00

18-

August 26, 1850 bill to The City of San Diego from Agoston Haraszthy, Marshal: Board to the Prisoners

June 25th Indian Carlos 3 days at \$1.....\$3.00

Juan Jusen? 2.....\$2.00 30th José Indian

1.....\$1.00

Indian Maria 3 days.....\$3.00

Nober 4th Domingo 2 days. Maria 9 days. Juan 3 days board...8.00

" 10th Dicks wife 3 days. Pedro 3 days. Nancir 3 days. Benegro 3...;12.00

" 16th Fran (?) 1 day Muchada (?) Indian 1 day. 3 other Indians 1 day (?)..5.00 " 24th Antonio 7 days Domingo 7 days Valeris 4 days Narcedro (?) 3 days..21.00

Paid for a table for Council and a table for Clerk's Office....12.00 Two Months Jail rent for

\$20.....40.00 Horse hire to procure tiles for the City hall.....

5.00 Hauling tiles from the Balast point Bill No. 1..... 5.00 Teams to the Mission Bill

No. 2.....10.00 " " Bill No. 3.....10.00 Horse

hire..... 5.00 Roofing the City house Bill No.

4.....15.00 Hire to relay the roof first a new.....5.00

1850

Sum.....189.00 Signed A. Haraszthy

For the correctness of the reckoning the 2nd Day of Decber Finance Committee. signed

Charles Haraszthy

William Leamy

" " "

July 3rd " "

"

" 9th "

Barbara 1 " broke prison.....\$1.00 Paulo 1 " "\$1.00 José

1 "\$1.00

Antonio 3 "\$3.00 Andro

2"\$2.00 Carlos 2"\$2.00

Pedro 3 "\$3.00 José Maria 3
 "\$3.00
 's Mateo, Pedro, Antonio, Menutas and Rafello 1 day..\$5.00 Andro, Lodomo, Pio?, Serano, &
 Antonio each 3 days..\$15.00 Maria Clara, & Antonia.....2"\$4.00
 "
 " " "
 " " 24th " José.....1 "\$1.00 For making a door with frame and
 lumber together.....18.00 " Mason work for making a door of adobes.....
 10.00
 "
 "
 "
 " August " "
 " " "
 José, Maria, Solano, Matheus....." 3"\$12.00 18th " G. Floid Prisoner taken ? for
 fighting 1 day\$2.00 " Indian José.....1 1/2 "\$1.50 " "
 20th " Maria.....1 "\$1.00

19-
 np:), Juan Bandini, José A. Aguirre, and Pedro José De Pedorena.
 August 25, 1850 "Al. Consejo del Pueblo." letter in Spanish. Beginning "Nosotros los abajo
 firmado en representación" signed by J. Cris. Holbein (mis.
 Back: "José A. Aguirre - For a lot for a Church - August 25, 1850"
 Cover: Document No. 20670, "Petition -- Jose A. Aguirre for lot for church."

20- July 20th 1850 letter from A. H. Jackson to the President and Board of Alderman: "Now
 Your petitioner humbly prays, that the demand made by Your City Marshall be withdrawn and
 cancelled by Your Hon. Board and that he be permitted to take out a license in accordance
 with the law passed by Your Hon. Board and now in force, said license to commence and take
 effect on the first day of August proximo, and Your petitioner as in duty bound will ever pray.
 On this 28th day of December A. D. 1850, personally appeared before me, Recorder in and for
 the said County, Joshua H. Bean and Phillip
 Crosthwaite known to me to be the persons described in and who executed the foregoing
 Instrument, who acknowledged to me that they executed the same freely and voluntarily and
 for the uses ? (word partially covered by affixed paper stamp) therein mentioned. signed H E
 Matsell"

21-
 Signed A. H. Jackson San Diego, Cal.
 July 20th 1850"
 December 28th 1850 by H. C. Matsell, Recorder: "State of California
 County of San Diego
 " The adobes for the same and haling (sic) with team.....8.00 Irons for the
 Prisoners.....4.00 Padlocks and staples for the stocks and
 door.....6.00 2 Candlesticks and 1 lb of sperm candle for the City hall.....3.50 1
 1/2 month rent for the prison at \$20.....30.00
 Sum \$146.00

22- 1850 Poll List of the City of San Diego for City Officials held 15th June 1850 "1. John Hays

2. O. S. Witherby
3. Charles Haraszthy (sic) 4. Philip Crosthwaite
5. Thomas Wrightington 6. John Conger
7. Atkins S. Weight
8. Thomas H. Sutherland 9. J. H. Bean
10. William Leamy
11. A. H. Jackson
12. Francisco Maria Alvarado
13. Juan Bandini
14. W. H. Moore
15. Frederic Hutchins
16. Enos Wall
17. David S. Gardiner
18. Charles P. Noell
19. John Peters
20. Frances Stone
21. John Post

We the undersigned do certify that the above is a correct list of the votes polled at the Municipal Election held in and for the City of San Diego this fifteenth day of June 1850. Clerks of Elections as William S. Hyde and Geo. A. Johnson

Second Page:

"We, the undersigned, Inspector, Judges and Clerks of an Election held in an for the City of San Diego, State of California, on the 15th day of June 1850, do hereby certify that the following is a correct statement of the number of votes polled for Municipal Officers.

The whole number of votes polled for the office of Mayor, was twenty one votes. The whole number of votes polled for Councilmen was twenty one , of which Charle P. Noell received twenty one, Atkins S. Wright received twenty one, Charles Haraszthy received twenty one, Charles P. Johnson received twenty one and William Leamy received twenty one votes respectively.

The whole number of votes polled for City Marshal was twenty one of which Agoston Haraszthy received twenty one votes.

The whole number of votes polled for City Attorney was twenty one, of which Thomas W Sutherland received twenty one votes.

The whole number of votes polled for Assesor was twenty one, of which Juan Bandini received twenty and Juan Baker one vote respectively

The whole number of votes polled for Treasurer was twenty one, of which José Antonio Estudillo received twenty one votes.

Dated at San Diego June 15th 1850

Signed by John Conger Inspector, Tomas Wrightington and Philip Crosthwaite, Judges; and by Clerks Wm. S. Hyde and Geo. A. Johnson"

Back states "Official...Return of the Municipal Election held in and for the City of San Diego this 15th day of June 1850"

23- 1850 Certificate of Election, Joshua H. Bean, Mayor, San Diego June 15th 1850 (written on back). All other Certificates of Election for Councilmen William Leamy, Charles R Johnson, Charles P. Noell, Atkins S. Wright; City Attorney, Thomas W. Sutherland, Treasurer José Antonio Estudillo and Assessor Juan Bandini; similar to the following:"We, the undersigned , Inspector and Clerk of Election do hereby certify, that at an Election for Municipal Officer, held in the City of San Diego, State of California, on the fifteenth day of June A.D. 1850.

24-

25-

William Leamy (Lamy sic)

received twenty one votes and was duly elected as one of the Councilmen of the

City of San Diego.

signed by Wm. L. Hyde and Geo. A. Johnson, Clerks of Election and John Conger, Inspector of Elections”

June 28, 1850 Communication from Juan Bandini, declining office of Assessr. Document No. 20584

1850, Two separate originals of a List of Votes polled in The City of San Diego, State of California at an Election held on the 27th July 1850 for City Assessor; 1. Wm. Leamy

2. John Conger

3. A. Haraszthy 4. A. B. Smith 5. Josh H. Bean 6. W. L. Hyde (7. John Post

8. P. H. Hooff

9. C. P. Noell

10. A. H. Jackson

11. John Peters

12. O. L. Witherby

13. Jose Ruiz

14. Jose Lopez

15. Pedro Fora

16. George Gaskill

17. A. S. Wright

18. H. C. Matsell

19. Chas Haraszthy

We the undersigned clerks of Election held at San Diego do hereby certify that the above is a true and correct account of the votes polled for the City Assessor. signed P. H. Hooff and W. L. Hyne, Clerks

Second page:

“ we the undersigned, Inspector, Judges and Clerks, of an Election held in The City of San Diego, State of California, on the (27th) twenty seventh day July A. D. 1850 for City Assessor. do hereby certify that the whole number of votes polled were - nineteen of which number Richard Rust received thirteen votes and, Atkins S. Wright Six votes

Signed John Post, Inspector

William LEamy and Charles Haraszthy, Judges, and Wm. L. Hyde and P. H. Hooff, Clerks

26- August 10, 1850 “The undersigned Judges of election held in the City of San Diego on the 10th day of August 1850 for the election of a member of the common council do certify that at said election there were fifty eight voting polled of which

George F. Hooper received 28 votes G.P. Tibbetts “ 23 “ Geo. Gaskill “ 7 “

Signed Charles Haraszthy , R. Rust and J. W. Robinson, Inspectors of Election\ dated San Diego Aug 10th 1850

Back reads “Returns of an Election for Member of the Council, Aug 10, 1850-

27- 1850, Two originals of Poll list for Election of Councilman, San Diego Aug 10th1850:

1. W. H. Davis

2. J. H. Bean

3. R. D. Israel

4. Raphael Machado 5. Wm. Curley

6. John S. Barker

7. Chas. Crosby

8. Jas. W. Robinson 9. Richard Rust

10. Philip Crosthwaite 11. Henry C. Mattsel 12. John C. Stuart 13. A. H. Jackson 14. Manuel

Rocha 15. Joseph P. Israel 16. Wm. G. Oliver

17. Seth B. Blake

18. L. M. Slack

19. E. W. Morse

20. Enos Wall
21. Daniel S. Con
22. John Bodfish
23. Geo. A. Johnson
24. John Rawlings
25. W. P. Toler
26. Wm. Lamy (sic)
27. Geo. F. Hooper
28. G. P. Tebbetts (sic)
29. Isaak (sic) Isaac Van Ness 30. C.P. Noell
31. W. C. Rust
32. Lewis Rose (sic)
33. Juan Maria Marone (sic)
34. Jose Antonio Serrano
35. Bonifacio Lopez
36. Hezekiah Allen
37. Lawrence Bartel
38. R. Cathcart
39. John Wilson
40. Agusta (sic) Agoston Haraszthy 41. Thos. Williams
42. P. H. Hoof
43. John Conger
44. Wm. S. Hyde
45. John Brown
46. John Post
47. Geo. Lyons
48. John Peters
49. Frederick Hutchins
50. Philip Keating
51. A. S. Wright
52. Chas. Haraszthy
53. R. H. Keene
54. Ramon Osone (sic) {Osuna} 55. Juan Gutierrez
56. W. B. Coutts
57. Juan Machado
58. Andrew Boyd

28-

written three times here)

1850 Poll List of an Election for Councilman held on Sept 2nd 1850 (Johnson

Joshua H. Bean

John Chapman

John Wilson

A. S. Wright

Jesus Fuentes Francisco Alvarado Thomas W. Sutherland

O. S. Witherby

Jesus Jose Morano (sic) Moreno 10. Richard Rust

Wm. J. Olivis

George Shults (sic)

Chas. Haraszthy

Wm. H. Morse

D. B. Kurtz

S. K. Hayes
Francis Stone
Wm. S. Hyde
Raymond Rodrigas (sic) Rodriguez 20. John J. Marrone (sic?) Marron A. Haraszthy
Phillip Keating
Frederick Hutchins
R. Cathcart
Louis Rose
R. H. Keene
Jose Sino? Lopez
Geo. A. Johnson
James W. Robinson
30. John Brown
Henry J. Coutts

29- 1850 Second Poll List of an Election held at Playa for Councilman Monday Sept 2 1850

Name of Voter

1. Sasuna ? Fletcher 2. Holder Almy
3. Horace Lloyd
4. Hiram Barkly
5. John Cook
6. John R. Bleeker 7. H. B. Smith
8. Daniel Barbee
9. John Hensley
10. Simon Vincent 11. John Latham

"At an Election held this day at the Playa of San Diego A. B. Smith acting as Inspector, appointed Daniel Barbee and John Cook as Judges, who were duly sworn, who thereupon appointed Holder Almy and John R. Bleeker as Clerks. We hereby certify that the number of votes polled were (11) eleven of which Philip Crosthwaite received eight (8) and G. P. Tibbits three (3)

Signed D. B. Barbee and Jon Cook, Judges Albert B. Smith, Inspector
Holder Almy and John R. Bleeker, Clerks

30- July 6th 1850 Report of the Committee on the Message of his honor the Mayor, San Diego:

"To the Honorable President and Members of the City- Council. Gentlemen:

Fulfilling a duty assigned to your Committee , to report upon the message of his Honor. the Mayor,, your Committee thought it proper to subdivide the points of the same from each other, that the Council may either act itself on the same easier by separate sections or to have it referred to several Committees for a throughout investigation.

Concurring with his Honor on account of the flourishing condition our City- Finances are in, and giving all the credit to the late Alcaldes and Treasurers for their skill, and good management of the same, and the faithful discharge of their duty: - your Committee can not abstain by this opportunity to repeat the intimation, already spoken out by other members of the Council, that not only a true, but also well supported account by data, and proofs ought to be delivered to the Council, of all the lots sold, sustained and corroborated by the Control of the grants of Land made, then the Books, Protocols, Registers, or whatsoever other evidence to show the amount of Lots sold, and money received for it from the beginning to the end of the late Town Administration, in order that the Council could settle the matter with some consolation to their own feelings of duty, and satisfactorily to the wishes of their constituents. Concerning the recompense of the late Alcalde, and the Treasurer / the latter acting for sometime in both the capacities:/ mentioned in this Message:/ your Committee is of the opinion - that if the council should persist by its declaration: of having first made a true

statement by the said Alcalde and Treasurer of all the fees, and other emoluments received, nothing could be done in the matter, until the return of the late Treasurer.

With the recommendation of his Honor - to pass Ordinances for the government of the City, for regulating streets, removing obstructions, and cleansing the same - your Committee is heartily concurring, suggesting at the same time, that for brevity sake, it would be very convenient, to take up the Decisions and Ordinances of the late Town Ayuntamiento, alter, amend or confirm the same, as the case may require, and add such new provisions and ordinances, as the Council may deem necessary.

Further your Committee thinks it proper to have as soon acted upon the above mentioned recommendation, as the Committee to whom in part these matters been already assigned for consideration should report the same to the Council.

Respectfully Your

San Diego the 6th of July 1850.

Back: "Committee's Report upon the Message of the Hon. Mayor."

Committee Charles Haraszthy Chas R. Johnson "

31- January 23, 1850, San Diego Cal. letter from Major S. P. Heintzelman: "Sir, Your communication of the 19th , of the present month has been received.

I have received information from the commanding General that Punta Guij  rro has been selected for permanent works for the defence of this harbor & to select a cite, fulfilling certain conditions, for temporary quarters for the garrison. The cite selected by me has been approved; but the precise limits have not yet been designated, & until then, I deem it advisable, to prevent difficulty hereafter, that no sales be made south of Colorado street .

W. C. Ferrol Esq. Secretary & c. & c. Town of San Diego Cal."

I am his

Very respectfully Your Obt. Serv.

S. P. Heintzelman Brvt. Major 2 Infantry ? Post

Back : "766 a letter from the commanding officer to M. C. Ferol Relative to the selling of lots. January 23, 1850" Red sealing stamp and M. C. Ferrol Esq., Secretary &c. & c., Town of San Diego, Cal." Folded for delivery.

Cover: Document No. 20576, Communication from Gen. Heitzelman, In re sale of lots etc.

32- Letter from the Mayor to the Common Council of the City of San Diego, July 18, 1850: Gentleman,

I have the honor herewith to transmit the following ordinance which has been passed by your body : viz.

No. 18. "An Ordinance, granting a lot of land, and recording the conditions of a former grant." which having received my approval, has been signed by me. Very Respectfully

Your Obt Sert.

J H Bean Mayor

Cover: Document No. 20559. Message from Mayor, Hon. J. H. Bean July 18, 1850,

"Transmitting Ordinance No. 18. In re recreation of certain land-granted, and granting other lands etc."

33- June 18, 1850, San Diego, Califa.: "Gentleman:

The undersigned owners of the property in Jackson Square, respectfully represent to your honorable body, that they are prepared to convey in fee Simple, to the city {town crossed out} and county of San Diego, the block on the North Side of Said Square, and fronting on the bay, for the erection of city {town crossed out} and County buildings: provided, the Said city {town

crossed out} of San Diego will there locate and erect building suited for the transaction of the public business of Said city {town crossed out and "and county" hashed out}. Should your honorable body accept the proposition tendered, the undersigned bind themselves to tender similar conditions to the county authorities, as soon as they may be organized.

We are Gentlemen, Your obt., serts. Thos. W. Sutherland

Attorney in fact for O. S. Witherby

C. P. Noell

C. J. Coutts

A. Haraszthy

W. H. Emery

Juan Bandini

Jose Maria Estudillo Henry Clayton

A. S. Wright

T. W. Sutherland

Hon. Common Council

City of San Diego, Califa."

Back: "Communication from Thomas W. Sutherland attorney for others .

San Diego June 18th. 1850. Penciled writing added: "upon granting to the city lots in Middle Town."

34- November 8, 1850 , "To the Hon. President and Board of Council of the City of San Diego, Gentlemen, The undersigned would represent to Your Honorable body that he has purchased two lots of Ground from the

late acting Alcalde, T. W. Sutherland and that contrary to his understanding at the time of purchase, it is specified that certain improvements shall be placed upon said Lots within one year from the date of this purchase. As others are not trammelled with said conditions Your petitioner begs to be relieved from these and as in duty bound Your petitioner will ever pray signed R. Rust

San Diego, Cal, Nov 8th 1850

Back: "R. Rust's Petition for Release from the conditions of the purchase of Lot. Nov. 8, 1850-". Penciled in "No lot No."

35- August 24th 1850, Petition by William Leamy to the Hon. Common Council of the City of San Diego:

"Gentlemen,

Your Petitioner would respectfully represent the he has bought a spanish claim for one hundred varas square of land on the other side of the river; and would request that said claim be located by your Honorable Body upon Block No. 5, according to the plat of City Lots; and your petitioner would further request that a grant of Block No 6 according to the same plat be made to him as the usual sale of twenty-five cents per vara front and your petitioner as is duty bound will ever pray.

William Leamy

San Diego August 24th 1850"

Back: "Petition of Wm Jeamy praying for the location of a lot of land on Block No. 5.- Aug. 24, 1850-"

36- January 19, 1850 Mortgage of Wm. A. Slaughter to Alcalde & Registrar of Town of San Diego relating to Lots 9, 10, 11, 12, 13, 14, 15, and 16 of Block number 25 as designated on the plat of beach lots, and lots 3 and 4 in Block 34; lots 1, 2, 3 & 4 in Block 47; lots 1, 2, 3, and 4 in Block 48; and lots 1, 2, 3, and 4 in Block 66 of the plat of Town Lots. Both Beach and Town

Lots drawn by Lieutenant Cave J. Coutts filed in the office of the Alcalde of San Diego. Debt of \$51.33; by this indenture, the estate is hereby granted. Signed, sealed and delivered, at San Diego in presence of J. Hayden and R. Rust (signed). Signed William A. Slaughter. Pencilled notations listing lots and Blocks. Two pages wide, folded paper. Calculation on back: 185 minus 51.33 equalling 133.67. Cover: Document No. 20544, "Mortgage Wm. A. Slaughter, Jan 19 1850."

37- January 25, 1850, Report of Committee on sales of Town Lots, submitted by Thos. W. Sutherland and Sidney S. Livingston of the committee:

" To The Honorable the Prefect and Ayuntamiento of the Town of San Diego, The committee appointed by your board to examine into the character of the sales of town lots by the late Alcalde and Town Council beg leave to report - That the loose manner in which the records of the acts of the preceding ayuntamiento have been kept independent of the fact of their having been written in the Spanish Language have made the duties of your committee more unsatisfactory to themselves and their opinions as based upon the records less reliable than otherwise they might have been.

It appears from the news that the election for the first Town Council was held on the 8th day of August 1849, that said Council were qualified on the 16th and had their first session on the 18th of said month, prior to which time there had been no ayuntamiento. The sole government whether civil, criminal, executive or otherwise being vested in the then Alcalde. While holding this preceding position the alcalde sold at private sale divers (sic) House lots in the Town of San Diego at the then customary price of 25 cents per vara front and subsequently, as your committee have reason to believe, to the organization of the Town Council disposed of other lots without any authority of the Town Council so far as it appears from the record. Your committee would have no difficulty in determining that all these sales made by the alcalde without the consent of the private or public interests would be affected by too great competition.

Your committee would further state that mindful that the records of the late ayuntamiento furnished the best legal evidence as to the character of the sales both by the late Alcalde and council, they took no real testimony whatever but their reports upon the records as they have been translated for them -

San Diego January 25th 1850. Respectfully, Thos. W. Sutherland Sidney S. Livingston committee"

"No. 28" noted on folded, second page.

38- 1850 Certificate of Henry Clayton, City Surveyor, concerning the survey of John Hayes' land within the limits of the City of San Diego and bordering on the Bay of San Diego, as numbered No. ____ in the list of applications made to the Land Commissioner for the sale of the City Lands. Said tract contains 137 acres and 4/100ths of an acre. Signed Henry Clayton, City Surveyor. Folded survey reads "3" and "Certificate of Henry Clayton....Rec'd Sept? Nov? 21st 1850 by Charles Haraszthy, Land Commissioner."

39- September 16, 1850 Petition to the Common Council of the City of San Diego from John Brown:

"Gentleman,

Your Petitioner would respectfully represent to your honorable body that he had a lot surveyed and laid out about a month ago and has since been occupied in preparing for building a dwelling house and a ten pin alley upon said lot. For sometime past a fear has existed in the minds of several citizens that the lot was wrongly located. Your Petitioner is now ready to go on with building, but under the circumstances he feels

constrained to ask of your honorable body to have the bounds of his lot definitively settled so that he may not hereafter be subjected to any loss or inconvenience from having the position of his lot in any way altered at any future time.

And your petitioner is in duty bound will ever pray.

San Diego September 16th 1850 signed John Brown"

Back: Petition of John Conger crossed out and "John Brown relating to his lot" pencilled in.

Cover: Document No. 20685. "Petition of John Brown In re Survey of Certain lots."

40- Letter dated August 16, 1854 in Spanish written in "TiJuan" to Gov. J. Robinson. (Texas Governor; Judge in San Diego) from Santiago Argüello.

Back: folded for delivery to "J. Robinson Esq., S. Diego, Santiago Argüello Sen. Red sealing stamps.

Cover: Document No. 20627. "Communication A. Aoello (sic), to J. W. Robinson.

41- Undated, but probably late 1840s, Petition for "necessity of turning the present course of the River, so that it may empty its waters into Fals {False} Bay, and thus save our harbor from further injury; and that you forth with make the necessary appropriations to commence and complete the work as soon as possible." Translated into Spanish as well, on same document. Original signatures of Jose M. Estudillo, Jose A. Aguirre, Fran. Alvarado, Man. Barnes (?), Juan Bandini, F. de P. Rodriguez, Ramon Apodaca, Juan M. Marrone, Manuel Rocha, Jose A. Serrano, Jose A. Estudillo, Pedro Jose de Pedorena, Jose de ____ Sorisco Senor (?).

42. Document 802, January 12, 1850, "Minutes of the Ayuntamiento":

"An adjourned meeting of the Ayuntamiento held on Saturday January 12th 1850. Present Jose Mn. Estudillo prefect. Joshua H. Bean Alcalde Thos.. M. Sutherland S. S. Livingston and Phillip Crosthwaite Regidores, G. G. Hooper Signore. Hon. Prefect laid before the Board the afe? of the late Alcalde also letters written by him to by the Secy of State touching the appointments of Prefect & Judge of first instance both of which had been tendered him Mrs. Stokes widow of the late Edward Stokes made application to have a lot belonging to her late husband located upon the map of town —agreed to— The Prefect called the attention of the Board to the wants of the place in regard to Church privileges The subject having been discussed it was determined that a deed scription be opened and that upon leaving the amount subscribed that the town will then consider what aid they can consistently render ? (ink ran) erection of a Catholic Church and the Prefect being desirous that application be made to the Governor that officer was authorized to address the Governor for his consent to make such an application of the public funds - the further consideration of the subject was then proposed until the next meeting of the board — the Syndic being authorized to return to the board at its next meeting the amount to be subscribed by the citizens for said purpose —on motion Mr. Ferrell be appointed Secretary of the Board — On motion of Mr. Livingston the Board adjourned.

43. Feb 18, 1850 letter from Cave Coutts, Santiago E. Arguello, and Miguel de Pedorena to "Hon. J. H. Bean, Alcalde San Diego" for renewing "an application for a strip of land running N. 80 degrees W from the old adobe walls between this and the Playa on conditions as follows: viz: The northern boundary to run from the old adobe walls, N. 80 degrees W. , the southern boundary, from a point on the coast, one hundred yards north of the most northern block (No. 29) and running ? west - the East, coast of the Bay - and west, to false bay. This grant is to be for the purpose of furnishing fresh water to the Playa ?, and no obstruction

whatever to be made to a ?fur passage, or any other public or private construction between this town & the playa. The application is as much limited as our purpose will ? admit. This, if granted, is not to interfere with any primary grant that may have been made to our José Anto. Estudillo, or any other.

We ar. sir. yr. hon. and obt: srvt (obedient servants): Cave J. Coutts, Santiago Arguello, Miguel de Pedrorena.

On back of letter: (To) Hon. J. H. Bean, Alcalde, San Diego.” No. 696 Cave J. Coutts Petition for a strip of land. Feby 18, Presented 18 de se le and Resolutia No 1 — gratis - 696 Cave J. Coutts, Arguello and Pedrorena’s Petition for land”

44. Undated (same blue stationary as 1850 letter above and found next to it) entitled ”Resolution No. 1, 765 Resolution of the Town Council Granting permission to Lieutenant C. J. Coutts to dig for water on any of the city lots.” “ Resolved that the free right of this town of San Diego be granted to (Misters?) Coutts, Pedrorena and Arguello to dig for fresh water any where within the tract proposed in their petition this day presented to the Council and that in the event of their discovery of fresh water, the Town Council of San Diego hereby guarantee to convey to said persons a full retain? and deed of sufficient land to cover the springs or well when said water may be found, as well as the right of way for the necessary convenience of the water through any land belonging to this town to the limits of the Beach Lots of San Diego as surveyed by Mr. Coutts.-“