

## Laguna de Tache Grant

December 4<sup>th</sup>, 1843

Jose Y. Limantour received the Laguna de Tache grant of eleven square leagues from Governor Micheltorena on December 4, 1843. This ranch is not to be confused with the ranch of the same name later given to Manuel Castro. The latter's grant lay north of the old bed of Kings River and extended from Kingsburg Westward for twenty-five miles. Limantour's grant lay along the South bank of Kings River and extended from the present site of the Kings River golf course, due South of Kingsburg, down the river to Tulare Lake. Claims for this Laguna de Tache were filed with the Land Commission and Limantour's attorneys explained that his failure to develop his ranch was due to the revolutionary disturbances in Mexico which prevented his return from a visit to Mexico City.

Limantour, a Frenchman by birth and a Mexican by choice, received land grants in California from Micheltorena which totaled 594,793.38 acres. The Governor and this Frenchman were very friendly and Micheltorena was under obligations to the latter; just what these were we are not certain. Limantour, like his illustrious son, was evidently a financier, and had made certain loans to Micheltorena. On May 24, 1843, he received from the government a draft on the Customer House at Mazatlan for \$10,221. On May 16, 1845, he received another draft for \$56,184.12 ½ as remuneration for the confiscated cargo of the *Joven Fanita*. Both of these drafts were ordered paid by the Supreme Government of Mexico; this money together with grants of more than half a million acres made his California venture a great success. (Smith p. 87).

The first grant named the Laguna de Tache was given to Jose Y. Limantour; this lay on the South side of Kings River. A second grant of the same name was made to Manuel Castro on December 12, 1843, although a deed to secure the ownership was not issued until January 1, 1846. Castro was a resident of Monterey and knew Limantour and the location of the latter's ranch along Kings River. Limantour advised him concerning the land and Castro applied for a grant on the opposite side of the river. The latter had received land from his father, Don Simeon Castro, but his cattle had increased rapidly and he proposed to send the surplus to the frontier. Castro had been an Army captain and had led several punitive forces against the Indians during Micheltorena's administration. The latter, as a reward for faithful service, issued the grant which was later confirmed by Pio Pico. (Smith p.90)

Castro had also served as prefect of the Northern District of California, residing at Monterey, for one year. In February, 1845, Castro sent Ysidor Villa to the Laguna de Tache as foreman. Villa was accompanied by three vaqueros. After building a small house and a corral they returned to Monterey as the Indians began to threaten them. They soon returned to the ranch and the same year Jose Ramon Mesa, a resident of Santa Clara Valley, made a visit to the region. Ysidio Villa and several vaqueros were herding cattle and occupied a small wooden bunk house which has been built about two miles west of present Laton. Melons and vegetables had been planted along the river. This Laguna de Tache consisted of 48,800.62 acres. (Smith p.91)

A great deal of nonsense has been written about so-called "floating grants." After the American occupation, it became customary to refer sneeringly to the grants of men like Manuel Castro and Fremont as examples of "floating grants", meaning that they had originally been granted in one part of California (in this case Monterey county), and then floated to another part of the state to take advantage of better opportunities. Smith (P.91)

Therefore the following explanation may be pertinent. During Mexican days the Department of California was divided into the districts of San Diego, Los Angeles, Santa Barbara, Monterey, and San Francisco. (Smith p.91)

These corresponded some what to our county form of government as to duties. No accurate surveys indicated the location of the boundaries of these districts. When a land grant was made in the Monterey district it meant that the officials believed that Monterey was the nearest of the five district headquarters, or county seats. Therefore, land granted to Manuel Castro along Kings River was said to be located in the Monterey district. This caused Americans to argue later that his grant had been floated from what had become Monterey county to Kings River. On December 7, 1843, Manuel Castro presented the following petition to Governor Micheltorena:

“Excellent Sir Governor: I, Manuel Castro, a Mexican by birth and a resident of this port (Monterey), with due respect, say before your justice, that being sure that in the location which was granted to Don Jose Limantour called Laguna de Tache there results a considerable surplus and needing this for placing cattle belonging to me which are now remaining on the testamentary land of my deceased father, Don Simeon Castro, I requested of your Excellency that in consideration of the services I have rendered to the Department, you will do me the favor to grant me the same surplus in extent eleven square leagues”.

When Pico became governor Manuel Castro sent him a letter to safeguard his property rights and specifically stated that his land was bounded on the south by Kings River and the Laguna de Tache of Jose Limantour; on the west by the Sanjon de San Jose (still known as San Jose Slough); on the north by a village of the Notonoto Indians (Ysidio Villa stated that this village was four and a half leagues north of the point where San Jose Slough enters Tulare Lake); and on the east by the plains extending toward the Sierra Nevadas. This gave three fixed and unchanging boundaries, but a certain flexibility was permissible in determining the eastern boundary, which was finally located about twenty-five miles to the east.

On December 12, 1843, the following conveyance was made by Pio Pico:

“The land granted him is eleven leagues conformable to the sketch, bordering to the south on the Laguna de Tache and limantour; to the north on the Rancheria de Los Notonotos; to the west on the Sanjon de San Jose; and to the east by the plains”. (Smith. P92)

The foregoing land grants represent the holdings of the first white men to settle in the San Joaquin Valley. The map on this page will indicate the ranches which were finally patented by the United States government; the others were lost to the original grantees and reverted to the national domain. When the United States acquired California all the land in the San Joaquin Valley, except the thirty private land grants, was a part of the public domain of Mexico. This automatically became a part of the public lands of the United States with the transfer of sovereignty. Of the thirty grants made in Mexican days, all except six were finally patented by the United States either through its Land Commission or on appeal to the Federal Courts.

After the United States acquired California it was found that in many cases the land grants had been made without closely defining the exact boundaries. Jose Y. Limantour received a tract of land named the Laguna de Tache (Lake of the Tachi Indians). This ranch consisted of eleven square leagues and, according to the official description, was bounded on the north by Kings River, on the south by Cross Creek, on the east by the Sierra Nevadas, and on the west by Tulare Lake. This vast region contained many times the amount of land granted to Limantour, but it was expected, according to the custom of the time, that Limantour would, as soon as convenient, bring out an official to measure the land. (Smith p.108). The majority of the grantees neglected or were unable to do this due to the distance and the dangerous red men. (Smith p.108).

Even in cases where the boundaries were more specific than those of the foregoing ranch, it was found that too many perishable markers had been used. When Manuel Castro received a grant, also known as the Laguna de Tache, the northeastern boundary was cited as being a certain oak tree. This tree is still standing just below the Southern Pacific Railway bridge where it crosses Kings River between Kingsburg and Traver. But in many cases such markers were destroyed before accurate surveys could be made. The grant whose southern limits was indicated. "by the place where Don Simeon Castro sits on his "white horse each evening" is an exaggerated example of elusive and shifting boundary lines. Therefore an appalling task faced the Land Commission established by the United States to determine private boundaries in California. (Smith p.109).

Aside from indefinite survey lines, the Land Commission was – expected to determine whether or not the grantees had fulfilled the requirements of the Mexican colonization laws. In some cases it was felt that the testimony introduced was either inadequate or designed to unduly aid some friend. The reason for appointing a Land Commission goes back to the agreement made between the United States and Mexico in 1848. (Smith p.109)

The United States entered in a war with Mexico in 1846; the treaty of Guadalupe-Hidalgo ending that war was signed on February 2, 1848. That treaty contained two clauses of importance to the Mexican citizens, who had been granted land in the San Joaquin Valley.

Article VIII. Mexicans now established in the territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to remove at any time to the Mexican Republic, retaining the property which they possess in said territory, or disposing thereof, and removing the proceeds wherever they please, without their being subjected on this account, to any contribution, tax or charge whatsoever.

In the said territories, property of every kind, now belonging to Mexicans now established there, shall be inviolably respected. The present owners, the heirs of these and all Mexicans who may hereafter acquire said property by contract, shall enjoy, with respect to it, guarantees, equally as if the same belonged to citizens of the United States.

Article IX. Mexicans, who, in the territory aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated in the union of the United States, and he admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution, and in the meantime shall be maintained and protected in the free enjoyment of their

liberty and property, and secured in the free exercise of their religion without restriction. (Smith p.110).

D. Jeremiah Clark, who had acquired a large part of the Laguna de Tache ranch, finally passed away, and his heirs, for a promissory note of \$252,000, turned the land over to Charles A. Laton and Llewellyn A. Nares. This deal was consummated on February 12, 1896. The origin of the names of the towns of Laton and Lanare is obvious. L.A. Nares was, like John Sutherland, an Englishman and Laton was a San Francisco capitalist. They developed the land and brought in colonists. (Smith p.187)