

CASE NO.

227

NORTHERN DISTRICT

EL MOLINO O'  
RIO OJOTSKA GRANT

JOHN B. R. COOPER

CLAIMANT

Microfilm

7 ND

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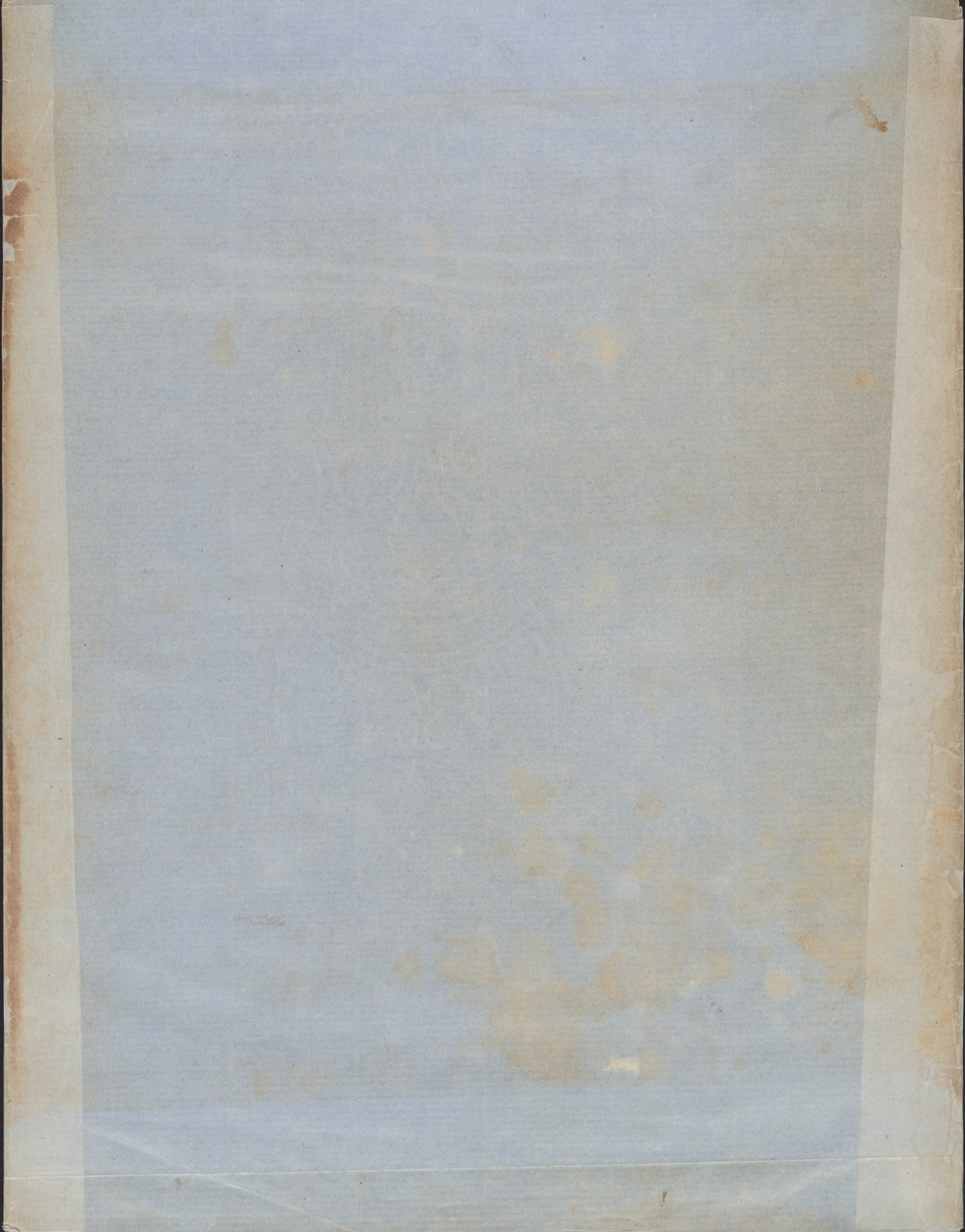
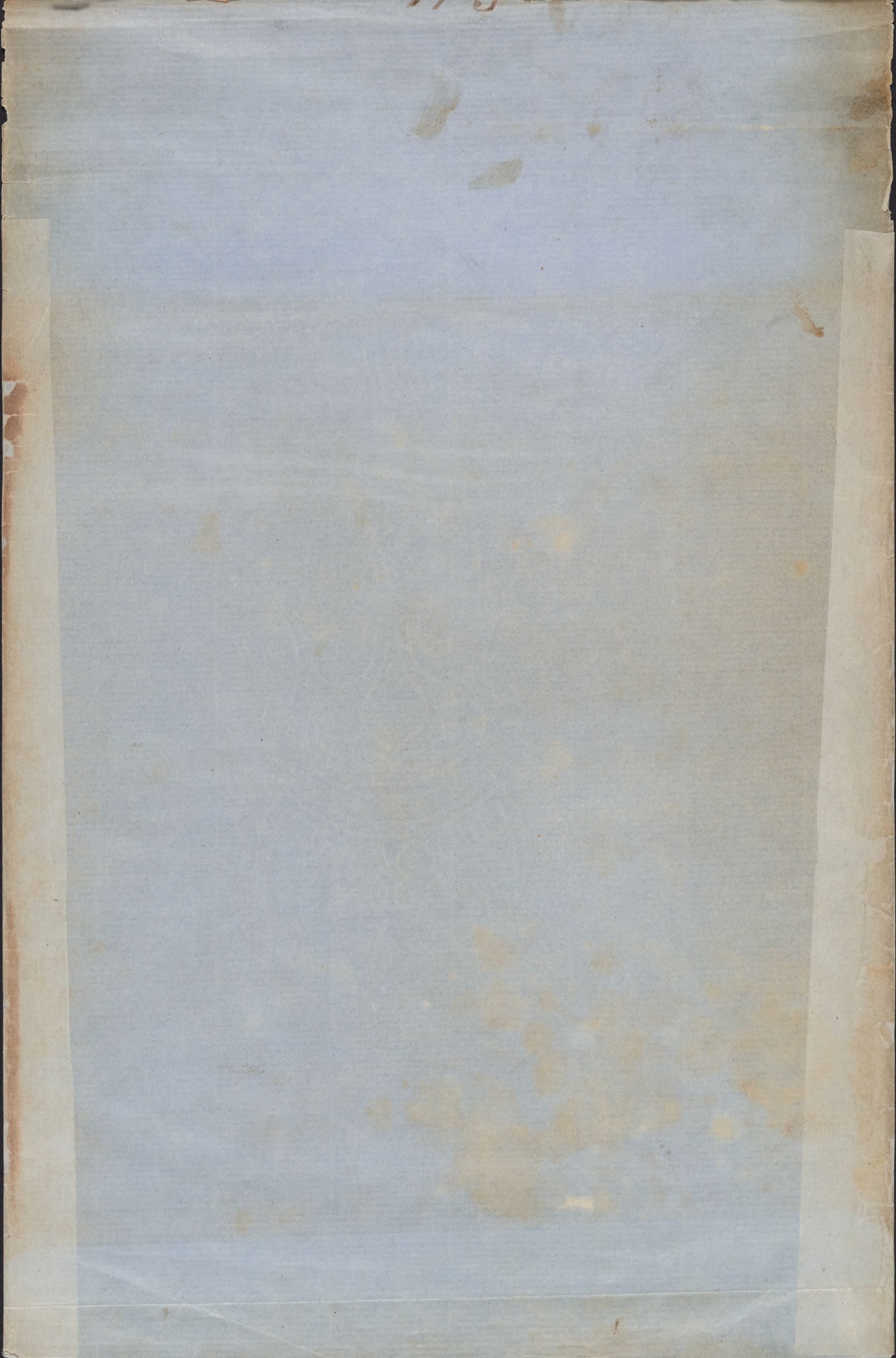
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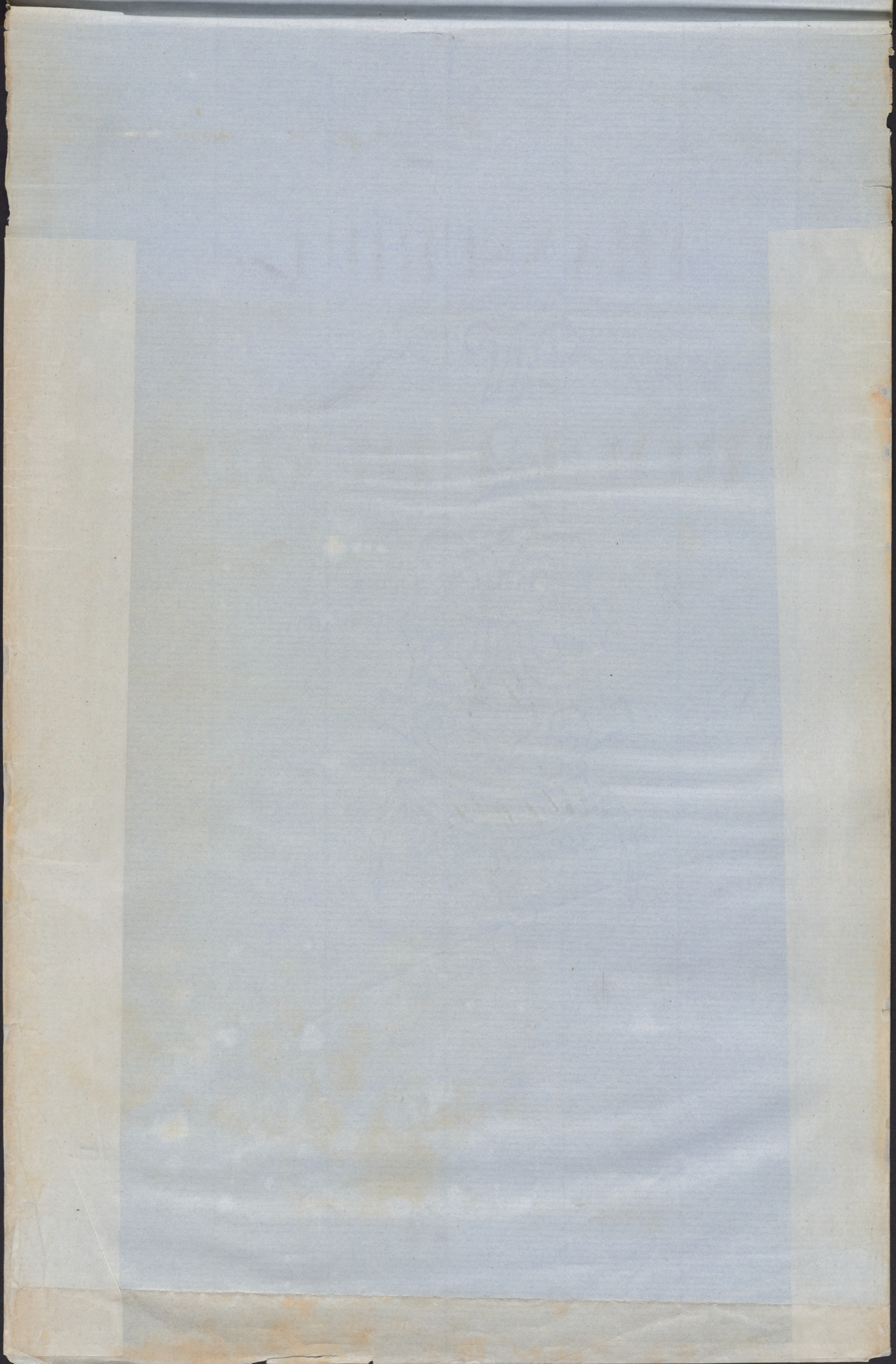
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TRANSCRIPT  
OF THE  
PROCEEDINGS

IN CASE

NO. 193.

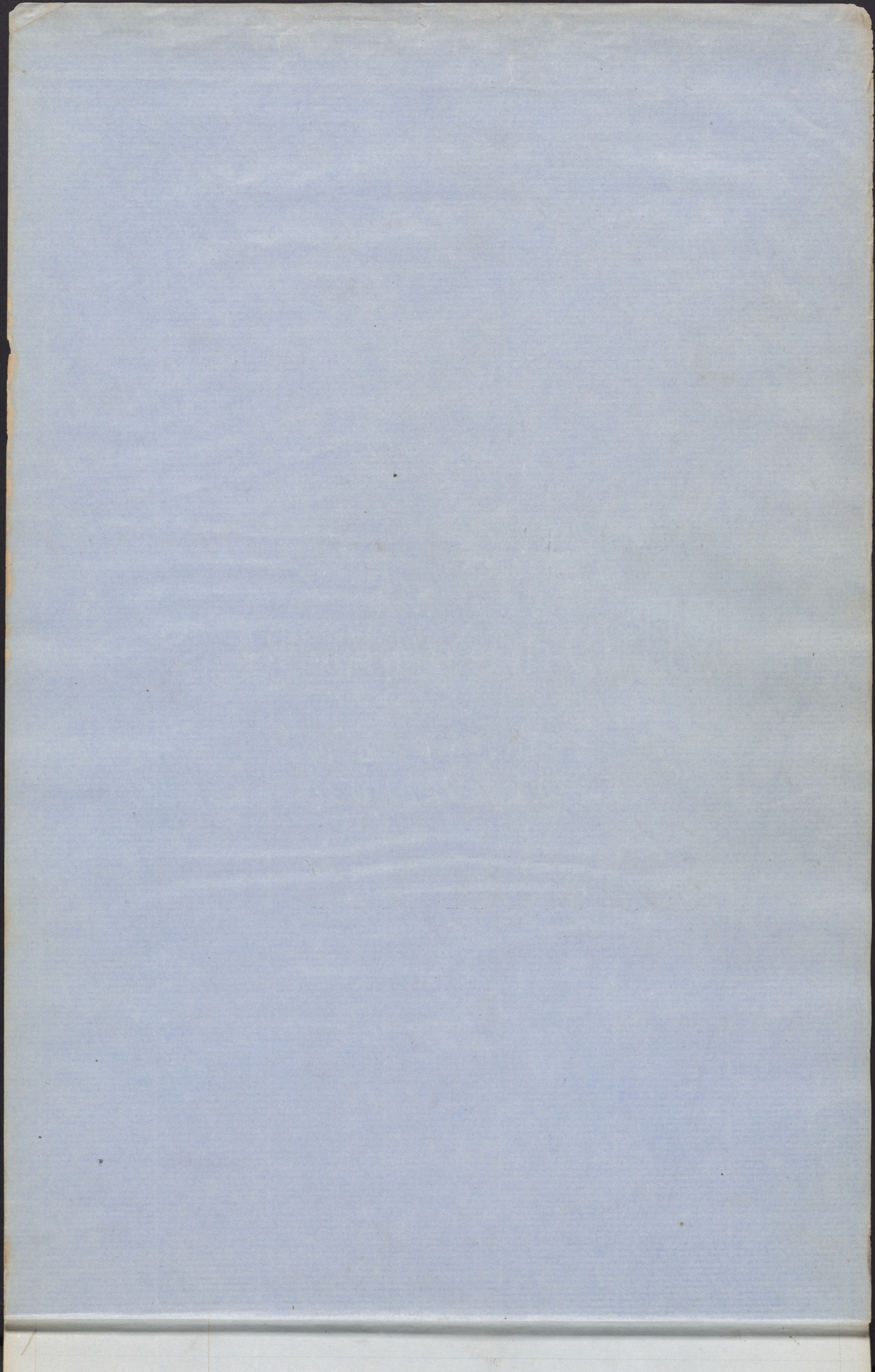
*John B. R. Cooper* CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"El Molino o Rio Gjotska"*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, that on this twenty first day of April, Anno Domini One Thousand Eight Hundred and Fifty-two, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of John B. R. Cooper,         
       for the Place named  
       "El Molino o Rio Ojotska,"         
was presented, and ordered to be filed and docketed with No. 193, and is as follows, to wit:

(Vide page 3 of this Transcript.)

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

San Francisco April 24 1852,  
In case No. 193, John B. R. Cooper for the place named "El Molino o Rio Ojotska," the deposition of Wm. E. P. Hartnell, a witness in behalf of the Claimant, taken before Commissioner Harry S. Thornton was filed.

(Vide page 5 of this Transcript.)

San Francisco February 11 1853.  
In the same Case the deposition of M. S. Vallejo, a witness in behalf of the Claimant, taken before Commissioner Harry S. Thornton, with document marked H. S. T. No. 1, annexed thereto, was filed;

(Vide page 6 of this Transcript.)

San Francisco Sept. 26 1853.  
Case No. 193 called; on motion of the Counsel for the Claimant, removed to the foot of the Docket.

San Francisco Oct. 26 '1853.

In the same case the deposition of Jasper C. Farrell, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, with document marked A. F. No. 1, annexed thereto, was filed.  
(Vide page 7 of this Transcript.)

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San Francisco October 29 '1853.

In the same case the deposition of Daniel Sill, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed.  
(Vide page 11 of this Transcript.)

In the same case the deposition of James Black, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed.  
(Vide page 14 of this Transcript.)

San Francisco Sept. 19 '1854.

Case no. 193, on motion of the W. S. Law Agent, was ordered to be placed at the foot of the 2<sup>d</sup> class case on the Trial Docket.

San Francisco Oct. 31 '1854.

Case no. 193 was submitted without argument.

San Francisco Nov. 14 '1854.

In the same Commissioner S. B. Farwell delivered the Opinion of the Board confirming the claim;

(Vide page 49 of this Transcript.)  
and the following order was made, to wit:  
(Vide page 57 of this Transcript.)



Petition

To the Honorable Commissioners to settle private  
Land Claims in California

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The petition of John B R Cooper respectfully shows that in the year 1833 he applied to the Governor for a grant of the tract of Land called "Ojotska" and that on the 23<sup>rd</sup> day of December A.D. 1833 Jose Figueroa Governor of California by virtue of Authority in him vested granted to the petitioner the aforesaid tract of Land, situated in the present County of Sacramento containing ten and a half square Leagues of Land as set forth and described in the title and accompanying map.

That on the 17<sup>th</sup> day of May A.D. 1834 the said grant was approved by the Territorial Department of California; all of which is fully shown in the Expediente of Ojotska a copy of which is submitted here with marked "A" with a translation marked "B".  
An the petitioner further shows that finding it more convenient and difficult to occupy such Land he exchanged it with the Government of California for another tract of Land called "El Molino" or "Lavanita hyme" situated in the present County of Sonoma, and that in consequence of said Exchange Nicolas Gutierrez Governor of California, by virtue of Authority in him vested issued to the petitioner a title for the aforesaid tract of "Lavanita hyme" containing four square Leagues of Land as shown by the map and described in the title; a copy of which grant and map is submitted herewith marked "C" with a translation marked "D".

That on making the aforesaid Exchange or subsequently thereto, the Governor of California endorsed on the grant of the "Ojotska" tract which was held by the petitioner, that the said Ojotska tract had been exchanged with the Government for the four square leagues of the "Molino tract", & words that effect, and the said grant so endorsed was deposited in the Archives of the Government as evidence of such Exchange.

That on receiving the title of Exchange for the aforesaid tract called "Molino" he immediately took possession of it, and has since remained and still continues in the quiet, peaceable and undisputed possession and Occupation of the said tract of Land that he has made valuable improvements on it, having many years ago expended large sums of money

4

in the erection of a mill on the said tract of Land  
 That it has not been surveyed by the Surveyor General  
 of the United States, but that its boundaries are well  
 known and its extent fixed by the grant and map  
 That he knows of no conflicting claim  
 That he desires for Confirmation of title upon the Original  
 papers, Copies of which are Submitted herewith,  
 Upon the Records and Minutes in the Archives in Charge  
 of the Surveyor General; and upon such other and  
 further proofs, as he may be advised are necessary  
 Wherefore he prays the Commissioners to  
 confirm to him the said tract of Land called "Molino"  
 & to confirm the tract of Land called "Ojotska" as  
 Originally granted to him

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By his Atty  
 Hallett Peckay & Billings

Filed in Office April 20th 1853  
 Geo. Fisher Secy

Recorded Record of Petitions Vol 1  
 Pages 58 & 59  
 Geo. Fisher Secy

3 Deposition of San Francisco April 27th 1853  
 of the said land by the said Geo. Fisher Secy

3 Deposition of  
W E P Hartnell

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PAGE 6

San Francisco April 27<sup>th</sup> 1853  
On this day before Harry J Thomson one of the  
Commissioners for ascertaining and settling private land  
claims in the State of California came W E P Hart-  
nell a witness produced in behalf of the claimant  
J B R Cooper whose petition being Number 193  
on the Doctee of the Board and after being duly  
sworn testified as follows  
The Law Agent was notified and attended by Mr  
Greenhow.

What is your name age and place of residence?  
Do you know the claimant? and if so, state what  
you know about his having any title papers for  
lands in Sacramento and Sonoma Counties

My name is William E P Hartnell my age 54 years;  
I reside in Monterey California where I have lived  
30 years. I am well acquainted with J B R Cooper  
the claimant and have known him for twenty eight  
years. I was Government Translator under Governors  
Kearny, Mason and Riley, and have charge of the  
Government Archives. In the year 1847 while in charge  
of these Archives I saw among those papers the Original  
title papers of the Ojotska Rancho granted to J B R  
Cooper, with an Endorsement on them, made by the  
Secretary of the Government Francisco del Castillo  
Negrete, that the said Ojotska grant had been exch-  
anged with Government by said Cooper, for the Ran-  
cho of "Moleno" in Sonoma County (then frontier of the  
North) or vice versa to that effect. I cannot now remem-  
ber the exact words of the Endorsement, but I remember  
very well seeing the papers endorsed by the Secretary  
and that the substance of the Endorsement was as  
above given.

W E P Hartnell

The United States Law Agent present and declined  
to cross interrogate the witness, who was sworn by  
me and subscribed his name in my presence  
this 27<sup>th</sup> of April 1853

Harry J Thomson Com<sup>r</sup>

Taken in Office April 27<sup>th</sup> 1853

Geo. Fisher Secy

Recorded in Evidence Book Vol 1 page 323

Geo. Fisher Secy

6  
Deposition of  
M. G. Vallejo

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San Francisco Feby 11th. 1853

On this day before Harry J Thornton came M G Vallejo a witness in behalf of the Claimant J. B. R Cooper Petition No. 193 and was duly sworn his evidence being given in English

In answer to questions by Claimant's Counsel the witness testified as follows.

My name is Mariano G Vallejo My age is 45 years and I have lived in California all my life I know the Rancho called "El Molino" or "Serrano Keyne" on the Pacific River in the Northern part of the County of Sonoma. It was granted to Juan B R Cooper in 1836 by Governor Gutierrez. I acted as Cooper's Agent in making the exchange with the Government of the Ojotska Rancho on the Rio de los Amecesos The Ojotska Rancho was surrendered by Captain Cooper to the Government in consideration of the Molino farm being granted to him. The arrangement was made with Governor Figueroa before his death, but was completed by Governor Gutierrez. I surrendered up the title to Ojotska & got the title to El Molino from Captain Cooper. Captain Cooper commenced the Occupation of this Land in 1835 before the title was made out. He built a Saw Mill on it in 1835 and 1836 at a very great Expense. He also built a house on it about the same time, and stocked the Rancho with cattle and horses. He had some 20 or 30 men at work on it. He has continued the Occupation ever since

I know the hand writing of Nicolas Gutierrez and Francisco del Castillo Negrete; their signatures to the paper marked No 1 and attached to this deposition are genuine

M. G. Vallejo

U. S. Law Agent present

Sworn to and subscribed before me this  
11th. February 1853

Harry J Thornton Com

Filed in Office Feb. 11. 1853

Geo. Fisher Secy

Recorded in Ev. B Vol. 2 p 533

Geo. Fisher Secy

Office of the Board of Commissioners de Ho de

7  
Dep of Fisher

This day before Court Alphonse Felch came Fisher

Dep. of Gaspa  
O Farwell

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Office of the Board of Commissioners de de  
This day before Mr Alpheus Felch came Gaspa  
O Farwell a witness in behalf of Claimant John B A  
Cooper No. 193 who after being duly sworn deposed  
as follows

Questions by Mr Sallett Atty for Claimant  
1 Question. What are your Name age and place  
of residence?

Answer. My name is Gaspa O Farwell  
My age is thirty six years and I reside in Sonoma County  
in the State of California.

2 Question. What is your profession

Answer. Civil Engineer and Land Surveyor  
I was Educated as such.

3 Question. How long have you resided in California  
and what appointments have you held

Answer. I have been ten years in California  
and I had an appointment from Governor Micheltornia  
as Surveyor, and in 1846 I had a similar appointment  
from Governor Mason

4 Question. Have you made many surveys in California,  
and are you familiar with the maps or designs  
which accompany petitions and with the manner of  
giving precedence to petitions under the titles accord-  
ing to the maps under the Mexican Government

Answer. I have made several surveys in California  
and have been present often when precedence  
was given and acting in capacity of measurer of the  
Land or Surveyor. I consider myself tolerably  
proficient in locating Land by survey from the  
title papers and according to the designs which  
accompany them -

5 Question. Are you acquainted with the Rancho called  
El Molino claimed by Don Juan Cooper and with the  
country around about it?

Answer. I am well acquainted with these  
Rancho and the surrounding country -

6 Question. Have you made many surveys of Land  
in that neighborhood? if you please give the names  
of some of the principal Ranchos surveyed by you

Answer. I have surveyed all the Land that  
surrounds the Rancho of Laguna de Santa Rosa  
claimed by Joaquin Carbello, which bounds about  
one mile on Mr Cooper's at the South East Corner  
The Rancho of Sotoyomo the property of Henry D Felch

8 I surveyed when I received possession was given to him in 1844. The boundaries of this Rancho and those of El Molino meet on the Tepepan River.

7 Question. Did you ever make a Survey of the Rancho "El Molino"

Answer. I did. It was in 1847

8 Question. Look at the papers now presented to you purporting to be a certified copy from the Office of the Survey General, of the title and deseno in this case being marked Exhibit No 1 with the initials A F attached to the deposition, and state whether you have ever seen the Original of which this is a Copy. If yes when & on what occasion

Answer. I have seen the Original of which this is a Copy. I kept it in my possession when I made the Survey of the Rancho El Molino

9th Question. Look on the paper now presented to you purporting to be the Original title to said Rancho marked Exhibit No 1 attached to the deposition of M G Vallejo heretofore filed in this case and state whether you ever saw the original and if so on what occasion?

Answer. This is the Original title which I had in my possession when I surveyed the Rancho last mentioned 10 Question. Please state in what manner you made the Survey from the map and papers?

Answer. In reading the title, there is no way of Survey in the same but by reference to the Alamo which is referred to in the title. I was governed by the title as to the quantity, but in locating the same had nothing to guide me but the Alamo. Being well acquainted with the surrounding country I had no difficulty in finding the locality according to the Alamo. I commenced at the North West Corner of the Rancho as represented on the Alamo where a point of hills comes down to the Tepepan River and near the Mouth of the Arroyo de Sances. From this point measuring up the River I ran to the intersection of the boundary line of the Rancho Sotoyome with the Tepepan River I made the line from the point of beginning of this line to its termination on the river at the last mentioned point my base line and having ascertained its length and bearing and also having ascertained the bearing of the hills represented on the West Side of the Alamo I was then enabled to

calculate the distance requisite to run the East and

The West Side of the Deseno I was then enabled to

Calculate the distance requisite to run the East and West boundaries they being parallel, so as to enclose in my Survey One thousand Million Square Varas of Land, that being the quantity called for by the title. After calculating the length of these lines I surveyed them and measured them and for the three sides of the premises I ran a line at the extremities parallel to my base line. Having made a traverse of the river which formed the Northern boundary of the Rancho I have my Survey Complete -

11 Question. Could you now run the Eastern line of the premises by the map and what you find on the ground and the Land Marks as delineated on the Deseno with due reference to the place where the boundary line of Boyomo crosses the Ruspian River?

Answer. I could. I could do it from the frontier of the Laguna de Santa Rosa as represented on the Deseno from the Laguna at the two points where two Streams join the Laguna, with which Streams I am well acquainted on the Land, and are represented on this Deseno. I could find the distance of the East line from the Laguna and also its bearing.

12 Question. Do you know the present name of the River or Stream which is marked as Solome on the Deseno.

Answer. The present name of the Stream from which I measured my lines is Ruspian River.

13 Question. Is there a range of Hills found as represented on the West Side of the map?

Answer. There is. They come down to the Ruspian River very distinctly.

14 Question. Look on the map now presented to you marked Exhibit No 2 with the initials "A F" and attached to this deposition and state whether you recognize the same, and if so when and by whom it was made?

Answer. It was made by me from the field notes taken of the Survey of the Rancho as before stated. I made both the Survey map in 1847.

15 Question. What was the house in which Mr Cooper the Claimant resided, when you made the Survey and where was the well?

Ans. The house was at the place indicated on the map marked with a cross (X) not far

from the river and near the South West corner of the premises. It was on the stream which runs from the Laguna onto the Pampin river. There was at the time of the survey the ruins of a mill on the same stream a little lower down than the house.

16 Question. Were there any cattle on the premises at the time of the survey?

Ans. I did not see any cattle but there were mares there and horses and Reduceros. I believe I saw some working Oxen but do not know how many.

17 Question. Do you know any Object East of the Eastern boundary line which is marked on the desino by a dotted line represented by a square figure on the out on side on the desino?

Answer. I do. I suppose the square figure on the desino to represent the ruins of the Presidio of Santa Rosa which I saw there. The ruins are little over a mile as near as I can recollect from the Eastern line of the as seen by me and represented on the map made by me.

18 Question. How much of the Laguna is out side of the Southern boundary line as represented on your map?

Answer. About two thousand

19. Comparing the location of the Eastern line of the premises as laid down on your map and on the desino, which is furthest from the Laguna?

Answer. That on the desino is furthest from the Laguna

20, Question. Is the Laguna indicated on the desino a notable object and well known?

Answer. It is

Questions by Mr Greenhaw Associate Law Agent

1 Question. Do you know where is the map from which you made your survey?

Answer. I do not

2. Question. Do you recollect whether there was on that anything connecting it with the title which you also had in your possession or shew me to represent the Land granted in that title?

Answer. The only thing that I recollect is that it was given to me with the title. It was put into the title paper and I look it for granted that it related to the title.

Questions by Mr Peachy for claimant



Questions by Mr Peachy for claimant

1 Question. How much land was included in your Survey as laid down on your map

Answer. Ten square leagues or One hundred Million square Varas.

Subscribed and sworn before

me Oct. 26. 1853

Alpheus Felch Commissioner

Filed in Office Oct. 26. 1853

Geo. Fisher Secy

Recorded in Ev. B Vol 3 p 292

Geo. Fisher Secy

Dep. of James  
Black.

Office of the Board of Commissioners de de

This day before me Alpheus Felch came James Black a deponent in behalf of claimant John B R Cooper - who after being duly sworn deposed as follows

Questions by Mr Peachy Altly for claimant

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

Answer. My name is James Black my age is forty three years and I reside at Nicasio Marin County California

2 Question. How long have you lived in California

Answer. Twenty One years

3 Question. Are you acquainted with Juan B R Cooper and with Rancho claimed by him called "El Molino"

Answer. I have known Mr Cooper twenty one years and the Rancho a little over Eighteen years

4 Question. Do you recollect when he first took possession of that Rancho?

Answer. I do. It was in the year 1834

5. Question. What improvements Occupation and cultivation did Mr Cooper make on the premises; and at what time?

Answer. He built his house on the premises in 1834 and commenced building a Saw mill the same year. He ploughed and sowed that year Eight or ten acres or more of the land. While building the mill he had sixteen or Eighteen Americans & Englishmen at work on it. He also had Indians at work for him sometimes Eight or ten and sometimes thirty at a time. I was there at that time and remained about fifteen months, and left the latter part of the year 1835 to the best of my knowledge. I think the cost of the work and labor on the mill and of the provisions used must have been to Mr Cooper eight or ten thousand dollars. I returned to the place in 1836 and remained there at that

about six months. Mr Cooper put two or three hundred head of Cattle and about one hundred and fifty mares and horses on the place. Some of these were put on in 1834 some in 1835 and some in 1836. The Indians killed more than half of the Cattle on the place in the fall of 1836 or the Spring of 1837. I have known the Rancho ever since and lived about six or eight miles from it until 1847. There has been stock on it and has been occupied as a farm since 1834 to the present time. Mr Cooper was on the Rancho overseeing the stock in 1834. He was there most of the time in 1834, 1835 and 1836. I have known him to be there frequently since, and he has always had somebody there on the place.

Questions by Mr Greenhow Associate Law Agent  
1 Question. Where is the Land situated?

Answer. It is in Sonoma County and is bounded on the North or North West side by the river now called the Russian River. I do not know of any name for this river.

2 Question. Do you know of any ruins of a Presideo or other large building adjoining this tract and near its Eastern boundary?

Answer. I do not. I know where there was one marked out it was said for a Presideo, but it was never built. It was in a North Eastern direction from the Land and near the North Eastern boundary.

3 Question. Is there any lake on this Land, if yes what is it called?

Answer. There is, it is called the Lake of Santa Rosa. I do not know the Indian name. Mr Cooper was the first settler on this Land before any one else had settled with eight or ten leagues of it.

Questions by Mr Peachy

1 Question. Please describe the boundaries of the land claimed and occupied by Mr Cooper as the Rancho "El Molino".

Answer. The Russian River is its boundary on the North or North West side. The land borders about two leagues more or less on that river - The North Eastern line runs across a plain and through the Lake Santa Rosa. The Southern and western line runs in the direction of Mr O Farrells farm

through the Lake Santa Rosa. The Southern and western  
line runs in the direction of Mr A Fannells farm

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On the Western Side of the Rancho there is a range  
of hills which came down to the Reepian River.

On the Western Side of the land there is a creek empty  
ing into Reepian River called Daniels Creek

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I Question. Look at the Map now presented to you  
Marked Exhibit No. 2 with the initials A Fannere  
ed to the Deposition of Suspa & Fannell heretofore  
taken and filed in this Case, and state whether you  
recognize the Land as laid down on the Map; and  
whether the same Land is that which has been occu  
pied or cultivated by Mr Cooper?

Answer. I have Examined the Map. I am a  
Man not skilled in Maps, but think I recognize  
the Land as laid down here. I recognize the objects  
and general features of the Country. I know the Canada  
Verde, the Reepian River, Daniels Creek which comes  
from the Canada Verde, the Laguna of Santa Rosa  
the Springs emptying into the Laguna near the bound  
ary line between Mr Coopers Rancho & the one  
formerly owned by me. I recognize also the little  
Lake marked "Laguna" Outside of the Eastern bound  
ary line as drawn on the Map. It is on the land  
of Mr Uest or Mr Felch. The mill was built  
by Mr Cooper on the Stream that runs out of the  
Laguna Santa Rosa not very far from the place  
where it empties into the Reepian River. I think the  
Map represents the Land which I have always  
understood to be claimed by Captain Cooper called  
"El Molino". Between the Mill Stream and the  
Reepian there was a small Vineyard & Orchard

James Black

Subscribed and sworn to  
before me this 29th day  
of October 1853

Alpheus Felch Commissioner

Filed in Office Dec. 29, 1853

Geo. Fisher Secy

Recorded in Ev. B Vol. 3 p 328

Geo. Fisher Secy

AH  
Dep. of Land  
Sill

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Office of the Board of Commissioners &c. &c.  
This day before Comr Alpheus Felch came Daniel  
Sill a witness in behalf of Claimant John B Cooper  
No. 193 who after being duly sworn deposed as follows  
Questions by Mr Felch Utty for claimant  
1 Question. What are your name age and place of  
residence?

Answer. My name is Daniel Sill my age fifty seven  
years and I reside in Butte County California

2 Question. How long have you lived in California

Ans. Nearly twenty three years.

3 Question. How long have you known Captain John  
B Cooper?

Answer. Since 1833

4 Question. Are you acquainted with the Rancho claim  
ed by Capt. Cooper call "El Molino" if you state  
what you know about its settlement and occupation  
by Capt. Cooper?

Ans. I know the Rancho. I was on the Rancho from  
the first commencement in 1834 until the Spring or  
Summer of 1836. When we first went there we built

Mr Greenhow a house and black Smith Shop and immediately  
Law Agent was present after commenced building a mill. Within ten days  
one at the taking of after we went there Capt. Cooper had cattle put on  
this deposition but the place and he continued to add to them as long as  
propounded no I remained there. I was in the employment of Capt  
question to the town Cooper during the time I was there. I should think  
up.

Subscribed and sworn before me  
this 29th of Dec 1853

Alpheus Felch  
Commissioner

Filed in Office  
Dec. 29. 1853

Geo. Fisher Secy

Recorded in  
Vol 3 p 325

Geo. Fisher  
Secy

the mill cost above ten thousand dollars as near  
as I can recollect. In the commencement we had  
from sixteen to eighteen white men engaged in the  
work and sometimes we had more. They were  
young about sixteen for two years. We had also  
Indians at work with us but their number varied  
from five or six to between thirty and forty. Capt  
Cooper drove on to the place about one hundred  
and fifty heads of cattle at one time. He secured some of  
the land in 1834. and had a garden on it.

The men who were in his employment lived on the land  
during the time above mentioned. I have not been on  
the Rancho since I left in 1836. I had the manage-  
ment of the men at work on the place during the time  
I was there, but Capt. Cooper was there off and on during  
the time, and was frequently there a month at a time. He  
would go away two or three weeks on business to get cattle  
and other things for the place and then return there

Daniel Sill

And other things for the place and then return thro  
Dunco Hill

15

U.S.D.K.

Jurisdicción de  
S. Francisco

Año de  
1833

N. 21

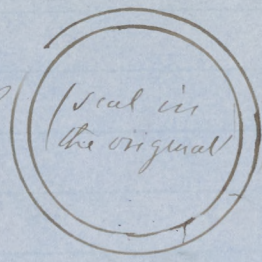
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# Expediente

Sobre el terreno nombrado Rio del  
Sacramento pretendido por  
D. Juan B. R. Cooper

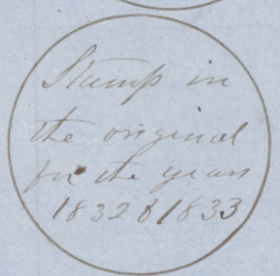
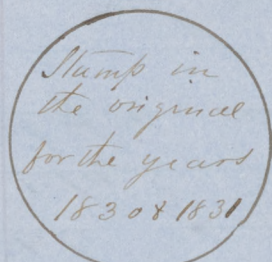
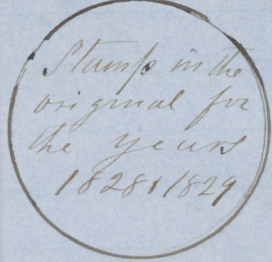
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Sello Tercera  
Para los años de mil  
Seis y ochocientos



Dos Reales  
ochocientos veinte y  
veinte y siete

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A.  
El Indino.  
Expediente of  
Ojotska

Sr. Jefe Sup. Político

Juan Baut. R. Cooper  
original de los E. U. de America  
del Norte y naturalizado en la  
Republica Mexicana, ante V. S. Es-  
petuante y conforme haya lu-  
gar en derecho hago presente q<sup>e</sup>  
en el termino de diez años q<sup>e</sup> ha  
llegue a este pais habiame cara-  
do en el, y tenes de este matrimo-  
nio dos hijos: he adquirido con-  
siderables bienes de ganado y

Monterey Mayo  
3 de 1833

De con-  
formidad con  
las leyes de la  
materia info-  
me el Coman-  
dante militar  
del Puerto de  
San Francisco  
si el interesado  
obtiene los equi-  
valentes de terreno  
para ser atia-  
dido en su  
solicitud: si  
el termino q<sup>e</sup>  
pretende esta  
compundido  
en las veinte  
leguas limi-  
tropes o diez  
litorales, q<sup>e</sup>  
expresa la Ley  
de 18 de Agosto  
de 1824. Si ha

caballada de en dos de Octubre  
de 1829 Compré el derecho de  
la mitad de un sitio llamado la  
Sagrada familia con las formal-  
dades devidas, y q<sup>e</sup> esta a la cinco  
leguas de este Puerto; empero bu-  
do q<sup>e</sup> no puedo adelantars en este  
terreno tan limitado, y en Comp.<sup>a</sup>  
de otro individuo dueño de la otra  
parte, con motivo de ser dema-  
siado estéril, me caso de tierras  
de cultivo llegando al extremo  
de verme precisado a estranar  
mis bienes en sitios agerros  
para poderlos asegurar, y  
aspirar a su cultivo, y  
la suerte de mis hijos  
me dirijo a la consideracion  
de V. S. en solicitud de una  
terreno q<sup>e</sup> esta en las veinte  
leguas del rio del Sacramento al  
Norte del Pto. de San Fran-  
cisco para cultivarlo y fomentarlo  
en lo posible. Al efecto es ad-  
de este sitio con

de 18 de Agosto en lo posible. Al efecto es ad-  
de 1824. Si ha junto el diceno de este sitio con  
pertencido a parte expresion considerable de parte  
nuea propiedad de los rios y arroyos q. estan en  
particular, con sus inmediaciones con el fin  
poracion o Pueblo de dar a V. S. una mas exacta  
o si conoce su idea de mi pretension, y con el  
baldio con todo de manifestar q. el mencionado  
lodemas q. sea do terreno desconoce absolutamente  
comunente a las propiedad de individuo alguno (Is. de)  
tras la materia no. En el plan referido al +  
Viguera rumbo este del rio del Suera +  
mundo, esta marcado el terreno

que solicito sin distancias  
reguladas por la escala son de tres leguas  
y media corridas al mismo rumbo en q.  
ba el rio y tres leguas por los extremos de  
norte y sur del cuadro figurado. En tal con-  
cepto acompaño a V. E. una copia autori-  
zada de la Carta de mi naturaleza para q.  
sirva de documento de esta mi solicitud Por tanto

De la justa consideracion de V. S. espero  
el resultado mas favorable en lo que escribiere  
merced y gracia jurando no ser de malicia  
esta mi solicitud. Montevideo Mayo 1º de 1833  
Juan B. Sta. R. Cooper

Sr. Jefe Superior Político

Anunte al decreto preced. de 3 del  
presente q. V. S. estampó en el memorial de  
D. Juan Bautista R. Cooper. Digo: q. en  
mi concepto el citado D. Juan B. Sta. R. Cooper  
obtiene todos los requisitos prevenidos si q.  
se atiende a la solicitud q. da principio  
este informe: q. el terreno q. pretende no  
esta comprendido en las veinte leguas limi-  
trofes, ni en las diez lituales, a q. se refiere  
en el art 4º de la Ley de 18 de Agosto de 1824  
q. el terreno que se pretende no ha pertene-  
cido ni pertenece a propiedad particular  
corporacion ni pueblo: q. es conuido hasta  
ahora por baldio

El parage q. D. Juan B. Sta. R. Cooper soli-  
cita con poca dist. de la Carta veinte leguas de  
5000 v. situado en aquel lugar se encuentra (Is. de)  
problema q. muchos otros vecinos se van un-  
interruando lo q. hasta aqui no han hecho

Anunte x

atienda x

consequera x

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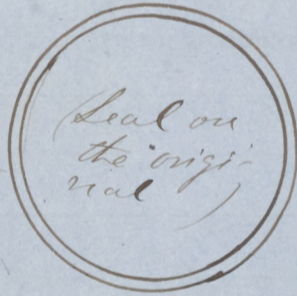
por temores de los indigenas inmediatos: se con-  
siguiera al mismo tiempo costar los rebos q<sup>se</sup>  
continuamente hacen de caballadas los huídos  
de las misiones, la introduccion de extranjeros  
a la jurca de Costores y otras mil ventajas de  
consideracion q<sup>se</sup>. sin duda va a dar principio  
el citado D.<sup>no</sup> Juan B<sup>ta</sup> R. Lopez si se le  
concede, como creo el terreno q<sup>se</sup> ha solicita-  
do, y principalmente los. Cuyas micas loa-  
les son el objeto de sus tareas y constante  
dedicacion

S. Fran.<sup>co</sup> 17 de Mayo de 1833  
Joa<sup>n</sup> Sanchez

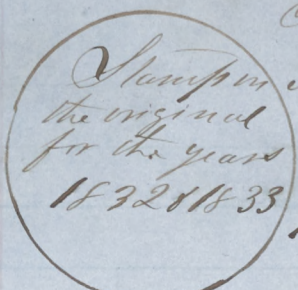
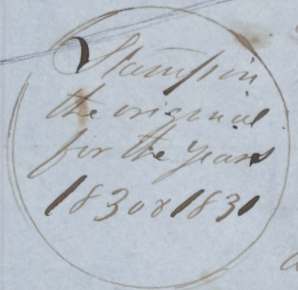
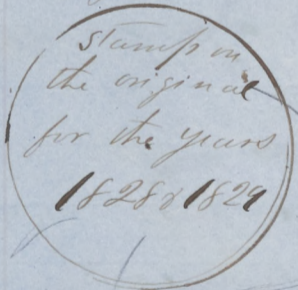
(S. S. D. K.)

Here follows map.

Sella Tercera  
Para los años de mil  
seis y ochocientos



(S. S. D. K.)  
Dos Reales  
ochocientos veinte y  
siete



El Ciudadano Jori<sup>n</sup> Maria  
Echandia. Teniente Coronel  
de ingenieros Comandante gene-  
ral Inspector de la alta Califor-  
nia, y Jefe Superior Politico de  
ambas = Naviendo Mr. Juan  
Bautista R. Lopez originario  
de Boston Capital de Massa-  
chusetts en los Estados Unidos del  
Norte America. Cumplido con  
las condiciones y requisitos q<sup>se</sup>  
previene la ley de 14 de Abril  
de 1828 del Congreso Gral. q<sup>se</sup> arre-  
gla el metodo con q<sup>se</sup> debe concederse



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map 10

(Doo. 80) La Carta de naturaleza a los extranjeros y acompañando los documentos q. lo acreditan, de-claro al referido Sr. Juan Bautista R. Cooper por las presentes, naturalizado en los Estados Unidos Mexicanos, en virtud de la autoridad q. por aquella Ley se me confiere = Puerto de Monterrey de la Alta California veinte y nueve de Mayo de mil ochocientos treinta = José María de Echandi = Agustín V. Zamorano = Secretario =

(S. S. D. H. obre x

Concuerda con su original de q. se sacó a la letra este testimonio q. para el efecto me presento D. Juan Bautista Cooper, y doy fe haber visto y para que obré los efectos que haya lugar, como Alcalde Constitucional que soy de la demarcación de este y. Ayuntamiento firmo este en Monterrey de la Alta California a dos de Mayo de mil ochocientos treinta y tres ante los testigos de asistencia

Marcelino Escobar

De un? José María Maldonado

De un? Juan de Brangis

Monterrey Junio 17 de 1833

Pase al Alcalde de esta Capital D. Marcelino Escobar ante quien la parte produce una información de testigos quienes seran interrogados sobre los puntos siguientes: 1º Si conocen a D. Juan B. R. Cooper, si saben q. está naturalizado en la Republica si es casado con Mexicana si tiene hijos, si su conducta pública y privada es buena. 2º Si tiene Capital y en q. giro si es laborioso y trabajador. 3º Si el terreno q. pretende es de la propiedad de algun particular Mision o Pueblo si es de engadío temporal o abrevadero y q. edificación tendrá. Encomendadas estas diligencias sobre el expediente, El Sr. Gefe Superior Político así lo mandó, acordó y firmó de q. doy fe.

(S. S. D. H.

Viguerra

Agustín V. Zamorano, Sr. S.

Monterrey junio 27 1833

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(Dispo) Notifiquese al interesado para q. presente los testigos q. se han de examinar bajo el interrogatorio q. se advierte en el suscripto decreto de 17 del actual. Asi yo el Alcalde lo decreté, mande y firme En la de cuitencia.

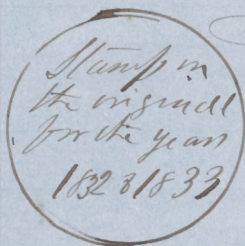
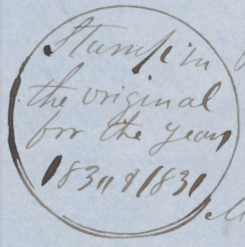
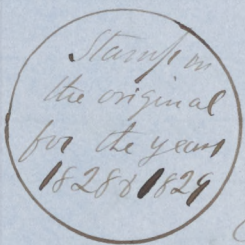
De ar.<sup>a</sup> Marcelino Escobar Dia.<sup>o</sup>  
Jue' Maria Maldonado Manuel Crespo

En el Puerto de Monterrey a los 16 dias del mes de julio de mil ochocientos treinta y tres, yo el Alcalde le noti-

ello Vicese (p.s. de h.)  
Para los años de mil ochocientos treinta y siete veinte y siete



figura



figue el auto que antecede y de el entendido Dijo lo oye y que presenta de testigos a los ciudadanos Francisco Pacheco, Manaco Murosca, y Juan B. Alvarado, y lo firmo conmigo y la de cuitencia

lo entu refuerz vale  
Juan B. R. Cosper

Escobar de ar.<sup>a</sup> de ar.<sup>a</sup>  
Jue' Maria Maldonado Manuel Crespo.

En la fha presente el C. Francisco Pacheco testigo presentado por la parte interesada, le escribi juramento por el cual ofrecio decir verdad en lo que supiere y fuere preguntado, y siendo lo por el interrogatorio q. se cita Dijo: que conoce a D. Juan B. Cosper q. lo conoce por naturalizado en la Republica, q. es casado con Mexicana de cuya union tiene dos hijos, q. su conducta publica y privada lo ha conocido irreprensible y Dijo:

Alto segundo: que tiene Capital conocido en giro de Comercio y Campo q. tiene bienes de Campo consistentes en mil ochocientos

empiere  
rendolo

+ de Campo Consistentes en mil ochocientas reses  
y trescientas Cabexas de Caballada; que es labo-  
rioso y trabajado; Que el terreno q. se pte de  
no se ha conocido de propiedad ninguna y  
q. es verdaderamente baldio; que es util dicho  
terreno para Esgadio temporal y abrevadero  
+ y q. su estension segun Case lo q. solicita sera  
de diez u once leguas Cuadradas; q. -

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Setta Tercera. Dos Reales Yo. S. D. H.

Habilitado provisionalmente por la Administracion  
de la Aduana Maritima de Monterrey para los  
años de mil ochocientos treinta y tres y mil  
ochocientos treinta y cuatro

Viguerra Jm. Rafael Guzales

Lo dicho es la verdad a cargo del juram-  
mento q. tiene hecho en el q. se afirmo y  
ratifico lida q. lo fue esta su declaracion es-  
perando ser de edad de cuarenta años, Casado  
natural de Guadalajara y C. A. R. y lo firmo  
con mi go y la de mi?

M. Exobar Juan P. Perez Pacheco  
De las? Manuel Crespo  
Jm. Maria Maldonado.

En la misma fha presente Manacio  
Mudaya testigo preguntado si el Sr. Casper  
le escribi el juramento q. hizo en forma de derecho  
+ por el cual ofrecio decir verdad en lo q. supiere  
+ y fue preguntado, y respondio por su nombre  
estado, patria y religion, Dijo: llamarse como  
+ dicho esta, q. es soltero de oficio labrador, na-  
tural de esta Capital y C. A. R.

Emprese  
de indolo  
soltero

Preguntado por el mismo estilo q. si fue  
el primer testigo Dijo: No primero; que  
conoce la persona que se le pregunta q.  
sabe esta naturalizado en la Republica; que  
es Casado con Mexicana; que tiene dos hijos  
y que su conducta civil politica como pri-  
vada, es buena y esfuerza

No segundo, q. tiene su Capital en el  
gin de Comercio y Eancho; que tiene bienes  
Conocidos de Campo en cantidad de un mil Cien-  
trocientos reses mas q. muros y mas de doscientas Ca-  
bexas de Caballada; q. es muy laborioso y amante al

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(al) trabajo: que el terreno q. pretende no sea (M. S. D. H.)  
tenga a propiedad de particular, ni sea ni Puerto  
y q. lo conoce solo por valdio; q. es mas de tiempo  
real y abrevadero q. de egadio, no obstante q.  
con el trabajo sera con el tiempo de egadio, y  
q. su extension sera poco mas o menos de ocho  
leguas, q. lo dicho es la verdad a cargo del  
juramento q. tiene hecho en el q. se afirmo  
y ratifico lida q. lo fue esta sus declaraciones  
y no firmo por no saber, lo hace yo con la de  
asistencia

M. D. A. Escobar  
Jue. Maria Machado

D. A. A.  
Manuel Crespo

ofrecio  
supiese  
deindolo

En la pta. presente el Cuid. Juan B. Alvarado,  
le escribo el Alcalde el juramento q. hizo en forma  
de derecho si: el cual ofrecio decir verdad en lo q.  
supiese y fuere preguntado, y siendo si: su nombre  
bre estado, edad oficio, patria y religion. Dijo: llama-  
rarse como dicho esta, q. es sujeto de veinte  
y cuatro años Secret. de la C. D. diputacion, na-  
tural de esta Capital y C. A. R.

Preguntado en los mismos terminos que lo  
fueron los dos testigos que anteceden. Dijo  
A lo primero que conoce a D. Juan B. Cooper  
q. sabe esta naturalizado en la Republica Meji-  
cana y ha -

Sello Tercero Dos Reales (125 D. H.)

Habilitado provisionalmente por la Administracion  
de la Aduana Maritima de Matanzas para los  
años de mil ochocientos treinta y tres y mil ochocientos treinta  
y cuatro

Figueras Jue. Rafael Gonzalez

Visto la carta q. tiene que es Casado con  
Mexicana que tiene dos hijos, y que su  
Conducta, es buena,

A lo segundo Dijo que tiene su Capital en  
gros de Comercio, y rancho; que le conoce vie-  
tes de Campo en cantidad poco mas o me-  
nos mil y pico de Ecas, y cuatro o cinco  
manadas de Yeguas y bastante numero  
de Caballada Mansa; que es laborioso;  
Que el terreno que pretende no sabe que  
perteneca a propiedad particular ni sea  
ni Puerto y q. lo conoce si valdio; q. es  
mas de tiempo real y abrevadero q. de Ega-  
dio, no sabe con certeza a

pico

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mas de temporal y abrevadero g. de Ega-  
dio, y g. su estension no sabe con certeza  
cual sera g. lo dicho es la verdad a cargo  
del juramento g. tiene hecho en el que se  
afirmo y ratifico lida que le fue esta su  
declaracion y la firmo con mi go y los de  
asistencia

M) Juan B. Alvarado  
Escobar De an<sup>a</sup>  
de an<sup>a</sup>  
Jue Maria Maldonado Manuel Crespo

Monterrey Julio 16 de 1833

Concluidas las informa-  
ciones g. se piden en el Superior decreto de  
(312) 17 del proximo pasado demuestrase al inte-  
resado este expediente para los efectos g. haya  
lugar. Asi, yo el Alcalde lo providencie man-  
de y firme con lo de an<sup>a</sup>

J. Marcelino Escobar De an<sup>a</sup>  
Dean  
Jue Maria Maldonado Manuel Crespo

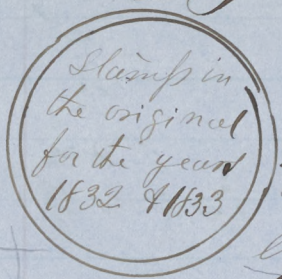
Monterrey Diciembre 2 de 1833

Informe el R. P. Ministro de la  
Mision de San Jose lo que se le ofusca  
sobre el contenido de este expediente  
Viguerra

Ser. Gefe Superior Politico

Como el terreno g. este expediente se solicita,  
ni pertenece, ni en los sucesos intiendo sera  
ocupado p. esta Mision; <sup>pero</sup> me parece pueda  
informar, sino arguarse con la opinion pu-  
blica, g. ni hay equivito g. falte al in-  
terado, ni ley sobre la materia g. em-  
barace la presente solicitud

Mision de S. J. y Diciembre 13 de 1833  
V. J. M. Jus Gonzalez  
Monte-

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PAGE 25Exposiciones  
y her conbivo x

Vista la peticion con q. da principi-  
pio este expediente, el informe de Coman-  
dante Militar de San Francisco las  
exposiciones de los testigos con todo lo de-  
mas que se tubo presente y her conbivo  
de conformidad con lo dispuesto por las leyes y Re-  
glamentos de la materia se declara a D. Juan  
Baut<sup>a</sup> R. Coopes dueño en propiedad del  
Terreno conocido con el nombre del Rio Gotta  
distante dos leguas al Este del Rio de Sacra-  
mento y tres al Norte del de San Joaquin  
sujeto a las condiciones q. se estipularon,  
librese el despacho correspondiente, tome enson  
en el libro respectivo y desfase este expediente  
p. la deuda aprovision a la Exma Diputa-  
cion Territorial en cuyo caso el interesado  
a quien se le hara saber este decreto presen-  
tara nuevamente su titulo p. q. se realide.  
El. Sor. D. Jose Figueroa General de Bri-  
gada Comte q. Inspectos y Jefe Superior  
Politico del Territorio de la Alta California  
asi lo mando decreto y firmo de q. doy fe  
Jose Figueroa  
Agustin V. Zamorano

nuevamente

(H.S.D.K.) En 31 de Diciembre de 1833 habiendo  
comparacido en esta Secretaria la parte de D.  
Juan Bta R. Coopes se le hizo saber el  
decreto de 23 del Comite q. antecede del  
Sr. Jefe Superior Politico e impuesto de  
el dho q. lo oye q. se conforma y p. q.  
la deuda constancia lo firmo en mi go  
Juan Bta R. Coopes  
Agustin V. Zamorano

H.S.D.K.

N. 21

Jose Figueroa General de Brigada de los  
Ejercitos Nacionales Mexicanos, Comandante  
General, Inspectos, y Jefe Superior Politico  
del Territorio de la Alta California  
Por cuanto D. Juan Bta R.  
Coopes naturalizado en los Estados Unidos  
Mexicanos ha pretendido p. de su oficio general

y el de su familia el terreno conocido con el nombre de Ojotska distante dos leguas al Este del Rio del Sacramento y tres leguas al Norte del de S. Joaquin; practicadas precisamente las diligencias y averiguaciones convenientes segun lo dispuesto p<sup>o</sup> leyes y Reglamentos; cuando de las facultades q<sup>ue</sup> me son conferidas en decreto de 23 del Corriente a nombre de la nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el p<sup>o</sup> las presentes letras, entendiendose esta Concesion con entera conformidad a lo dispuesto p<sup>o</sup> las leyes, a reserva de la aprobacion o desaprobacion de la Exma. Diputacion Territorial y del Supremo Gobierno y bajo las condiciones siguientes.

agraciado

1<sup>a</sup> Que se sometera a las q<sup>ue</sup> estableciere el Reglamento q<sup>ue</sup> se ha de formar p<sup>o</sup> la distribucion de terrenos baldios y q<sup>ue</sup> en todo ni el agraciado ni sus herederos podran dividir ni enagenar el que se le adjudica imponer denuo, vinculo, fianza, hipoteca ni otro gravamen cuqual sea p<sup>o</sup> causa (175. de la propiedad ni pasarlo a manos muertas.

2<sup>a</sup> Podra cercarlo sin perjudicar las traversias Caminos y servidumbres, lo disfrutara libre y exclusivamente destinandolo al uso q<sup>ue</sup> mas le acomode, pero dentro de un año a lo mas fabricara casa y estara habitada.

3<sup>a</sup> Cuando se le confirmare la propiedad se citara del Juez ejecutivo q<sup>ue</sup> le de poseer<sup>ia</sup> juridica en virtud de este despacho, por el cual se demarcaran los linderos en cuyos linderos pondra a mas de las vedaderas algunas arboles frutales o si no tres de alguna utilidad.

mohoneros

4<sup>a</sup> El terreno de que se hace mención es de tres leguas y media de longitud p<sup>o</sup> tres leguas de latitud en la figura que explica el dibujo q<sup>ue</sup> corre en el expediente; el Juez que diere la posesion lo hara medir conforme a ordenanza, p<sup>o</sup> señalar los linderos, quitando el sobrante q<sup>ue</sup> resulte a la nacion p<sup>o</sup> los usos convenientes.

señalar

5<sup>a</sup> Si contraviniere a estas condiciones

perdura su derecho al terreno y sea denu-  
ciable p<sup>o</sup> otro.

En consecuencia mando que se circunde de  
título el presente y teniéndose p<sup>o</sup> firme y  
validero se tome razón en el libro a g<sup>o</sup>.  
Corresponde y se entregue al interesado (1833)  
para su resguardo y demas fines. Dado en  
Monterrey a 31 de Diciembre de 1833  
Joaq<sup>o</sup> N. Ligueroa - Agustín V. Zamora. Srio.

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(1834) Las Comisiones de Colonización y Ter-  
renos Valdios a quienes se pasó el expediente  
Culla formación proboco por pretensión q<sup>o</sup> el  
Caid<sup>o</sup> Juan B. Cooper hizo del paraje  
nombrado Rio del Sacramento lo ha exami-  
nado con la circunspeccion q<sup>o</sup> Corresponde te-  
niendo al mismo tiempo presente la Ley de  
18 de Agosto de 1824 sus concordancias y las  
disposiciones Generales q<sup>o</sup> en 24 de Noviembre  
de 1828 dicto el Supremo Gobierno de la  
Union para el mejor cumplimiento de la  
primera. Del examen del expediente se ha  
penetrado la Comision de la Opinion q<sup>o</sup> ya  
tenia de la escrupulosidad, y tuvo con q<sup>o</sup> el Sr.  
Jefe Político lo mando instruir; De suerte q<sup>o</sup>  
ni en su formacion se estrabio algun requisito  
humana ni de los practicados.

Por lo dho concluye la Comision ofreciendo a  
la deliberacion de esta Exma D<sup>o</sup>putacion la  
siguiente proposicion.

N<sup>o</sup> - Se aprueba la Comision hecha al Caid<sup>o</sup>  
Juan B. Cooper del paraje nombrado Rio  
del Sacramento Comidido en 31 de Diciembre  
de 1833 de entera conformidad con lo pre-  
venido en la Ley de 18 de Agosto de 1824  
y el Artículo 5 del Reglamento de 21 de  
Nov<sup>re</sup> de 1828

Monterrey Mayo 10 de 1834

Joaq<sup>o</sup> J. Ortega Carlos Nu<sup>o</sup> Camillo

Joaq<sup>o</sup> A. Estudillo Joa<sup>o</sup> Castro

Monterrey Mayo 17 de 1834 (2034)  
En sesion de este dia se apruvo por la Exma

D<sup>o</sup>putacion la proposicion del documento...



En sesión de este día se aprobó por la Exma.  
Diputación la proposición del dictamen ante-  
cedente mandando se devuelva el expediente  
al Sr. Gefe Sup.<sup>o</sup> Polít.<sup>o</sup> para las fines  
coniguientes

Juñ' Figueroa

Juan B. Alvarado

Secret.<sup>o</sup>

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L.S.H.

Sello Tercero Dos Reales

Habilitado provisionalmente por la ad-  
ministración de la Aduana Marítima de  
Monterrey para los años de mil ocho-  
cientos treinta y cuatro y mil ocho-  
cientos treinta y cinco

Figueroa

Rafael Gonzalez

Monterrey Junio 23 de 1834

En vista de la aprobación  
otorgada en 17 de Mayo último por la Exma.  
Diputación Territorial libre testimonio de ella  
y de este decreto a la parte de D. Juan Bautista  
R. Coepes en confirmación de la Comision del  
terreno nombrado de Optika q. obtuvo en 23 de  
Diciembre de 1834. El Sr. D.<sup>o</sup> Juñ' Figueroa G.<sup>o</sup>  
de Brigada Comandte Genl. Ynspecto y Gefe de  
punta política así lo mando 'decreto' y firmo  
de q.<sup>o</sup> doy fe.

Juñ' Figueroa

Agustin V. Zamorano Sr.<sup>o</sup>

L.S.H.

Testimonio

Se aprueba la Comision escha al Ciudad.<sup>o</sup> Juan B. R.  
Coepes del paraje nombrado Rio del Sacramento con-  
cedido en 31 de Diciembre de 1833 de entera Confir-  
midad con lo previsto en la ley de 18 de Agosto de  
1824 y el art.<sup>o</sup> 5 del Reglamento de 21 de No-  
viembre de 1828 — Monterrey Mayo 17 de  
1834 = En sesión de este día se aprobó p.<sup>o</sup> la  
Exma Diputación la proposición del dictamen an-  
tecedente mandando se devuelva al Sr. Gefe Sup.<sup>o</sup>  
Político p.<sup>o</sup> los fines coniguientes = Juñ' Figueroa  
Juan B. Alvarado = Secretario = Monterrey Ju-  
nio 23 de 1834 = En vista de la aprobación  
otorgada p.<sup>o</sup> en 17 de Mayo últ.<sup>o</sup> p.<sup>o</sup> la Exma  
Diput.<sup>o</sup> Territorial; libre testimonio de ella y

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Sacar  
siendo

de este decreto a la parte de D. Juan B. A. Copier en con-  
firmacion de la Concesion del Terreno nombrado de  
Oferta q. obtuvo en 23 de Diciembre de 1833 - El Sr.  
D. Jose Requena genl. de Brigada Comandante Genl. y  
Jefe Superior Político del Territorio de la Alta Cali-  
fornia así lo mandó decretar y firmó de of. Dny. José  
Requena - Agustín V. Zambrano - Sr. -

Concuerda a la letra con su original del cual  
hizo sacar el presente testimonio para resguardo  
del interesado en Monterey a veinte y tres de (23 de) <sup>1852</sup>  
junio de mil ochocientos treinta y cuatro, sien-  
do testigos los Cuidados Bernardo Havanite y  
Benifacio de Madariaga de esta vecindad

Office of the Surveyor General of the  
United States for California

I Samuel D. King, Surveyor  
General of the United States, for the State  
of California, and as such now having  
in my office and under my charge and  
custody a portion of the Archives of the for-  
mer Spanish and Mexican Territory or Di-  
strikment of Upper California, do hereby Cer-  
tify that the twenty three preceding and her-  
unto attached pages of tracing paper num-  
bered from one to twenty three inclusive and  
each of which is verified by my initials exhibit  
true and accurate Copies of certain documents  
on file and forming part of the Archives in  
this office.

In testimony whereof I have  
herunto signed my name offi-  
cially, and affixed my private  
seal (not having a seal of office)  
at the City of San Francisco Cal.  
this twenty first day of February  
A. D. 1852

Saml. D. King  
Surveyor Genl. Cal.

Filed in office April 20th 1852  
Geo. Fisher  
Secy.

Translation of  
Espediente

Stamp: Three  
For the years One  
Twenty Six and Eight

Two Reals

LS

thousand Eight hundred  
hundred and twenty seven

Seal for  
1828  
1829

Seal for  
1830  
1831

Seal for  
1832  
1833

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Señor (Governor) Political Chief  
 Juan Bantista A Cooper a Native of the United States  
 of North America Naturalized in the Mexican  
 Republic before your Honor respectfully and in the  
 most favorable manner in Law make representation  
 that in the term of ten years which have elapsed since  
 I arrived in this Country, I have married in it and by  
 this marriage two Children, I have acquired considerable  
 property of Cattle and horses &c. On the 2<sup>nd</sup> of October  
 1829 I purchased with the proper formalities the right  
 to half of a place called "La Sagrada Familia"  
 and which is five leagues from this Port; but seeing that  
 I cannot advance in this Contracted Land and in  
 Company with another individual, Owner of the other  
 part, for the reason that it is too sterile and with little  
 fertile Land & finally seeing myself obliged to  
 let my property wander off on the lands of others in order  
 to save it, and lastly notwithstanding many efforts  
 I cannot improve the fortune of my Children therefore  
 direct myself to the Consideration of your Honor petition-  
 ing for a Land which is on the Margins of the River  
 Sacramento North of the Port of San Francisco, to cul-  
 tivate and improve it as much as possible. For this  
 purpose there is annexed the Map of this place show-  
 ing a considerable part of the River and streams  
 which are in this neighborhood for the purpose of  
 giving your Honor a very exact idea of my petition  
 and for that of having that the aforesaid Land is not  
 recognized as the property of any individual  
 whatever.

In the aforesaid plot on the <sup>east</sup> side of the Sacra-  
 mento River the Land which I request is marked  
 out and its distances which are regulated by the seals  
 are three leagues and a half running in the same  
 direction as the River and three leagues on the north  
 and south extremities of the square represented.  
 In this view I transmit to your Honor an authentic  
 Cated Copy of my letter of Naturalization, that it  
 may served as an Espediente of this my petition  
 whereupon from your Honor's just Consideration I hope  
 the most favorable result in which I were received

Favor and grace desiring that this my petition is  
not done with evil intent

Monterey May 1<sup>st</sup> 1833

(Signed) Juan B R Cooper

(In the Margin)

Monterey May 3<sup>rd</sup> 1833

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In Conformity with the Decree on the matter let the  
Military Commandant of the Port of San Francisco  
report whether the person interested possesses the prescrib-  
ed qualifications to have his petition attended to:  
Whether the Land petitioned for is included in the town  
by leagues from the boundary or ten from the Sea Shore  
referred to in the Law of August 18. 1824: Whether  
it has pertained or does pertain to any private Ownership  
or any Corporation or pueblo or whether it is recognized  
as vacant, together with all other information which  
may be convenient to explain the matter

(Signed) Figueroa

Senor Superior Doleccal Chief

In conformity with the foregoing decree of the 3<sup>rd</sup> instance  
which your Honor made on the memorial of Don  
Juan Baptista R Cooper I say that in my opinion  
the aforesaid Don Juan B R Cooper possesses all the  
prescribed qualifications for the petition which he asks  
this report to be attended to that the land which  
he petitions for is not included within twenty  
leagues from the boundary with any foreign Nation  
Nor in the ten from the Sea Shore referred to in the  
Article 4 of the Law of Aug 18. 1824 and that the  
Land petitioned for has not pertained and does  
not now pertain to any private Ownership or to  
any Corporation or Pueblo and up to this time is  
known to be vacant.

The Land which Don Juan B R Cooper requests is  
about twenty leagues (of 5000 Varas Each) from the  
Coast, and being situated in that place, it is probable  
that many other residents may become interested  
which they have not done before this from fear of the  
neighboring Indians. At the same time the prevention of  
the Robberies of horses which the Runaways from the  
Missions are continually making, the introduction of  
foreigners to the beaver hunting will be obtained  
and a thousand other advantages of consideration  
which will doubtless be commenced by the said  
Don Juan B R Cooper if this is granted to him as

Don Juan B. Cooper is commended by the ...  
Don Juan B. Cooper if there is granted to him as

I believe (will be done) the land which he has requested: And principally your Honor whose praiseworthy views are the object of your labor and constant application

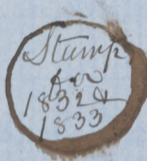
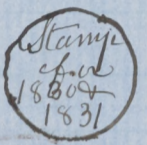
San Francisco May 17. 1833

(Signed) Jose Sanchez

Stamp Three Two Reals  
For the year One L. S. Thousand Eight hundred  
and twenty six and Eight hundred twenty seven

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Citizen Jose Maria de Escheandio Lieutenant Col of Engineers, Commanding General of Upper California and Superior Judge Chief of both  
Mr Juan Bantista R Cooper Native of Boston the Capital of Massachusetts in the United States of North America having complied with the conditions and requisites prescribed in the Law of April 14 1833 of the General Congress, which regulates the manner in which the letter of Naturalization should be granted to foreigners, and transmitting the documents which show it, I declare the said Mr Juan Bantista R Cooper by these presents Naturalized in the United States of Mexico in virtue of the Authority which is by that Law conferred on me.

City of Monterey of Upper California May twenty ninth One thousand Eight hundred and thirty three

(Signed) Jose Ma. de Escheandio

(Signed) Agustin Zamorano Secretary

This testimony agrees with its Original from which it was made literally and which was presented to me for that purpose by Don Juan Bantista Cooper as before said. I certify that I have seen it, and that it may answer the purposes designed I as Constitutional Alcalde (which I am) in the demarcation of this Illustrious Ayuntamiento signed this in Monterey of Upper California, on the second of May One thousand and Eight hundred and thirty three before the Assisting Alcaldes

Apt. Alampis (Signed) Marcelino Escobar  
(Signed) Jose Maria Maldonado. Fran. de Arango

Monterey June 17. 1833

Put this to the Alcalde of this Capital Don Marcelino Escobar, before whom the party will produce information of witnesses who will be questioned upon the following points. Whether they know Don

Juan B A Cooper whether they know that he is Naturalized in the Republic, whether he is married to a Mexican, whether he has Children whether his political and private Conduct is good. 2d. and whether he has Capital and in what line of business he is known, whether he is known to have Cattle (Cenas de Campo) whether he is laborious and industrious man? 3 whether the Land petitioned for is of the Ownership of any individual Mexican or Pueblo whether it is irregular, dependent on the seasons or pasture Land, and what its extent may be. These Examinations made he will return the Expediente His Excellency the Governor thus ordered decided and signed to which I certify. (Signed) Teodoro  
(Signed) Augustin Y Zamorano  
Secretary

Monterey June 27. 1833

Let the person interested be notified to present the Affidavits which have to be examined upon the interrogatory which is referred to in the Supreme decree of the 17th. Inst. Thus I the Alcalde decreed ordered and signed with those of Assistance  
Asst. Affidavits (Signed) Marcelino Escobar  
Jose Maria Maldonado. Manuel Crespo

In the City of Monterey on the sixteenth day of the month of July One thousand Eight hundred and thirty three I the Alcalde notified the foregoing Order (to Don Juan Cooper) and he having understood it, said that he heard it, and that he presents as Affidavits Citizens Francisco Pacheco, Anastasio Mendez and Juan B Alvarado and he signed it with me and those of Assistance. (That intendment is good)  
(Signed) Juan B A Cooper Signed M Escobar  
Asst. Affidavits. Jose Ma. Maldonado. Manuel Crespo

On the same date present Citizen Francisco Pacheco Affidavit presented by the party interested I received of him on Oath which he made in form of Law by which he promised to speak truth in that which he might be asked and know, and being asked according to the interrogatory referred to he said that he knows Don Juan B Cooper, that he knows him to be Naturalized in the Republic, that he is married to a Mexican woman from which union he has two Children, that he looks upon his

public and private conduct as irreprehensible and he answers to the second. He is known to have Capital in the Commercial and farming business, that he has Cattle consisting of sixteen hundred head & three hundred head of horses; that he is laborious and industrious; that the land petitioned for has never been known as of any Ownership, and that it is truly vacant: Said land is useless for irrigation as dependent on the seasons and pasture lands, that its extent as selected by him will be from ten to eleven square leagues: That what he has said is the truth under the oath which he has made, in which he affirmed and ratified, this his declaration, it having been read to him - saying that his age was forty years, he was married a native of Medellin and Apostolic Roman Catholic and he signed with me and those of assistance.

Apl. Ullinpes { Signed Francisco Pacheco  
Jose Ma Maldonado } (") M Escobar  
Manuel Crespo }

On the same date present Atanacio Mendocza Ullinpes presented by Santa Cooper, I received of him the oath which he made in form of Law, by which he offered to speak truth in that which he might be asked and know, and being questioned as to his name, estate Office Country and Religion, he said he is called as has been stated, that he is married, by Concepcion a Spaniard, a native of this Capital and Apostolic Roman Catholic. Resided in the same manner as the first Ullinpes. Answer to the first, he knows the person whom he is questioned about and knows that he is naturalized in the Republic he is married to a Mexican, he has two children and his conduct, both public and private is good and replies to the second, He has his Capital invested in Commerce, and farming, he is known to have cattle in quantity fourteen hundred animals, more or less, and more than two hundred head of horses. He is very industrious and laborious. The land he petitioned for does not belong to the Ownership of any individual, Mission or Pueblo, and is only known as vacant: it is rather dependent on the seasons, and pasture lands than irrigated. Nevertheless with cultivation, it will in time become

irregular, its extent is about Eight leagues more or less  
and that what he has said is the truth under the  
Oath which he has made, in which he affirmed  
and ratified this his declaration, it being read to him  
and he did not sign because he did not know how  
I did it with those of Assistance.

Asst. Ulnepes

(Signed) M Escobedo

José María Maldonado.

Manuel Crespo

On the same date present <sup>citizen</sup> Juan B Alvarado, the  
Alcalde received of him the Oath which he made  
in form of Law; by which he promised to speak the  
truth in all that he might know and be asked and  
being questioned as to his Name Estate age and  
Occupation Country and Religion. he said that he is  
called as has been stated is unmarried twenty four  
years old Secretary of the Most Excellent Deputation  
& Nature of this Capital and Apostolic Roman  
Catholic. Questioned in the same terms as the two  
preceding Ulnepes. he said in answer to the first  
he knows D Juan B Cooper and knows that he  
is naturalized in the Mexican Republic and he  
has seen the letter of Naturalization which he has;  
he is married to a Mexican Woman and has two  
Children; and his conduct is good

To the second he said, he has Capital invested  
in Commerce and Farming, he has cattle in num-  
ber a thousand and over more or less and four  
or five bands of Mares and a sufficient number  
of lame horses, that he is laboring, he does not  
know that the land petitioned for pertains to the  
Ownership of any individual Mission or Pueblo  
and he looks upon it as vacant, it is dependent  
on the Season, and pasture land rather than  
irrigable, and he does not know with certainty  
what its extent may be. That what he has said  
is true under the Oath he has made by which  
he affirmed and ratified this his declaration, it  
being read to him, and he signed it with me and  
those of Assistance. (Signed) Juan B Alvarado  
Asst. Ulnepes 3 (Signed) M Escobedo  
(Sgd) José María Maldonado. (Sgd) Manuel Crespo

Monterey July 16th. 1833

The information asked for in the Superior Decree  
of the 14th of last Month being finished let this



Espediente be returned to the person interested for the purpose it may answer.

Thus the Alcalde proceeded ordered and signed with those of assistance

Asst. Ulnespes (Signed) Marcelino Escobar  
(Sig) Jose Ma. Maldonado (Sig) Manuel Crispo  
Monterey Dec. 22 1833

Let the Rev. Father Minister of Mission of San Jose report what he may know related to this Espediente  
(Signed) Figueroa

Senor Superior Political Chief  
As the land solicited in this Espediente does not belong to, and in my opinion never can be occupied by the Mission I think I cannot report any thing but a pure with public opinion that no request is wanting to the person interested, neither is there any law upon the subject which may hinder this petition (Signed) Jose Maria de Jesus Gonzales  
Mission of San Jose Dec. 13. 1833

Monterey December 23<sup>rd</sup> 1833

Having seen the petition with which this Espediente commences, the Report of the Military Commandant of San Francisco, the depositions of Ulnespes with all other things which were represented and seemed proper to be seen, in conformity with the provisions of the Laws and Regulations on the matter Don Juan Bautista A. Cooper is declared Queen in fee of the Land known by the name of "Rio Optokas" distant two leagues from the Sacramento River to the East and three North of the San Joaquin, subject to the conditions which may be stipulated; let the corresponding title be issued, let note be made in the proper book and submit this Espediente for the due approval of the most Excellent Territorial deputation in which the person interested, who will be informed of this decree, will present his title that it may be newly revalidated -

Dona Don. Jose Figueroa General Brigade Commanding General and Superior Political Chief of the Territory of Upper California thus decreed ordered and signed to which I certify

(Signed) Augustin V. Zamorano  
(Signed) Jose Figueroa  
Secretary

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Stamp of  
1832 & 1833

No. 31 Jose Figueroa General of Brigade of the National  
 Armies of the of Mexico Commanding General Inspector &  
 Superior Intendant Chief of the Territory of Upper California  
 Whereas Don Juan Bautista A. Leopos naturalized in the  
 United States of Mexico has for his own personal benefit  
 and that of his family petitioned for the Lances known  
 by the name of "Golstke" distance two leagues from  
 the Sacramento river to the East, and three leagues  
 North of the San Joaquin; the proper measures and  
 examinations being previously made as required by  
 laws and regulations; using the process which are  
 Confirmed on me in decree of the 25th Inst. and in the  
 name of the Mexican Nation I have granted him  
 the aforesaid Land declaring to him the Ownership  
 of it by these presents, said grant being understood  
 to be in conformity with that provided by the laws  
 subject to the approval or disapproval of the most  
 Excellent Intendant Superior and of the Supreme  
 Government and under the following conditions

1<sup>st</sup>. He shall submit to those conditions which may  
 be established in the regulations to be formed for the  
 distribution of vacant lands, and in the meantime  
 neither the grantee nor his heirs, may divide or alien-  
 ate that which is granted them, subject it to any  
 tax, entail pledge, mortgage or other encumbrance  
 even for pious purposes or convey it in any manner  
 2<sup>d</sup>. He may enclose it without prejudice to the crop  
 ongo, woods and swatches and enjoy it freely and  
 exclusively making such use or cultivation of it  
 as may best suit him; but within one year at  
 furthest he shall build a house and it shall  
 be inhabited.

3<sup>d</sup>. When the Ownership is confirmed to him he shall  
 request the proper Magistrate to give him judicial  
 possession in virtue of this title by which the bound-  
 aries will be marked out, on the limits of which  
 besides the bounds he shall place some fruit trees  
 or forest trees of some utility.

4<sup>th</sup>. The Land of which donation is made is three  
 leagues and a half long by three leagues wide  
 in the figure shown by the map which goes with  
 the Expediente. The Magistrate who may give the  
 possession will cause it to be measured in conform-  
 ity with the Ordinances for the purpose of marking  
 the boundaries leaving to the Nation for its convenience

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uses the Scepters which may result.

5th. If he contravene these Conditions he will lose his right to the Land and it will be subject to divestment by another person. In consequence I order that this present Surety him for a title and being held as firm and valid, note be made of it in the corresponding book and it be delivered to the party entrusted for his security and other purposes.

Given in Monterey on the 31st of December 1833

(Signed) Jose Figueroa

(Signed) Augustin V. Zamorano Secretary

The Committee on Colonization and Vacant Lands to whom was referred the Expediente the formation of which was called for by the petition which Citizen Juan B. Cooper made for the place named "Rio del Sacramento" have examined it with due circumspection, having in view at the same time the Law of August 18th 1834, Concordants and the General dispositions decreed by the Supreme Government of the Union on the 24th of November 1833 for the better compliance with the former. From the examination of the Expediente the Committee has become assured of the Opinions which it before held of the scrupulousness and tact with which the Political Chief ordered it to be formed, so that neither in the information taken nor in the acts performed was there wanting any essential requisite. For the foregoing reasons the Committee concludes offering for the decision of the Most Excellent Deputation the following proposition viz:

1st They approve the grant made to Citizen Juan B. Cooper of the place named Rio del Sacramento granted on the 31st of December 1833 in entire conformity with these provisions by the Law of Aug. 18. 1834 and Article 5th of the Regulation of Nov. 21. 1833. Monterey May 10. 1834

(Signed) Carlos Antonio Carrillo. Jose J. Ortega

(Signed) Jose A. Estedello (Signed) Jose Castro

Monterey May 17. 1834

In session of this day the Most-Excellent Deputation approved the proposition of the foregoing report ordering that this Expediente be returned to the Superior Political Chief for the consequent purposes. Jose Figueroa

(Signed) Juan B. Alvarado Secretary

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Stamp Three Two Reals

Provisionally authorized by the Administration of the Maritime Custom House of Monterey for the years 1834 and 1835

(Signed) Figueras (Signed) Rafael Gonzales

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Monterey June 23<sup>rd</sup> 1834. In view of the approval granted by the Most Excellent Deputation on the 17th of May last, let a testimony of it and of this decree be issued to the party Don Juan Bantista R Cooper in confirmation of the grant of the land named "Ojotska" which he obtained on the 25th of December 1834 Sena Don Jose Figueras General of Piqueto, Commanding General Inspector and Superior Political Chief thus Ordered decreed & signed to which I certify (Signed) Jose Figueras

Agustin V Samorano Secretary.

Copy

They approve the grant made to Citizen Juan B R Cooper of the place named Rio del Sacramento granted on the 31<sup>st</sup> of December 1833 in entire conformity with the provisions of the Law of Aug. 18<sup>th</sup> 1824 and Article 5th of the Regulation of November 21<sup>st</sup> 1828

Monterey May 17. 1834. In Session of this day there was approved by the Most Excellent Deputation the proposition of the foregoing report Ordering that it be returned to the Superior Political Chief for the consequent purposes. (Signed) Juan B Alvarado. Secy

(Signed) Jose Figueras

Monterey June 23<sup>rd</sup> 1834. In view of the approval given by the Most Excellent Territorial Deputation on the 17th of May last, let a copy of it, and this decree be issued to the party Don Juan B R Cooper in confirmation of the grant of the land named "Ojotska" which he obtained on the 23<sup>rd</sup> of December 1833

Sena Don Jose Figueras General of Piqueto Commanding General Inspector and Superior Political Chief of the Territory of Upper California thus Ordered decreed and signed of which I certify. Jose Figueras Agustin V Samorano Secretary.

This copy agrees to the letter with the Original from which I caused it to be made for the security of the person interested. In Monterey on the twenty three day of June 1834 the Illustrious Citizen Bernardo Novareto & Bonifacio Madrazo of this vicinity

E. G. R. P.

Filed in office April 20<sup>th</sup> 1852 Geo. Fisher Secy

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco  
 Tiquerra A. Ramirez

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Exhibit no. 1 to Gutierrez  
 depositum of Mr.  
 G. Vallejo.



Realidad para el bienio de 1836 y 1837  
 A. Ramirez  
 Nicolas Gutierrez Teniente Coronel  
 de Caballeria permanente, Comandante  
 General Ynspectos y Jefe Superior Po-  
 litico interior del Territorio de la  
 Alta California

Por cuanto D. Juan  
 Bautista R. Coopers Mexicano naturaliza-  
 do ha pretendido para su beneficio personal  
 y el de su familia el terreno que indica el di-  
 sño que obra en el expediente; practicadas  
 previamente las diligencias y averiguaciones  
 segun lo dispuesto por leyes y reglamentos de la  
 materia, por decreto de este dia cuando de sus  
 facultades que me son conferidas ya a Nombre  
 de la Nacion Mexicana he venido en concederle  
 el terreno mencionado declarandole la propie-  
 dad de el por las presentes letras a espera de  
 la aprobacion de la Exma. Diputacion Terri-  
 torial y bajo las condiciones siguientes

- 1<sup>a</sup> = Que se sometera a las que estableciere  
 el reglamento que se ha de formar para la dis-  
 tribucion de terrenos baldios, y que entantanto ni  
 el agraciado ni sus herederos podran dividir  
 ni enagenar el que se les adjudica, ni poner  
 cargo, vinculo fianza, hipoteca ni otro gra-  
 vamen alguno sea por causa judicial ni pasar-  
 lo a manos muertas
- 2<sup>a</sup> = Podra cercarlo sin perjudicar las  
 caminos Caminos y servidumbres, des-  
 tinandolo al uso o cultivo que mas le acomode  
 de pero dentro de un año a lo mas fa-  
 bricara 'Casa y estera' habitada.
- 3<sup>a</sup> = Solicitara del Juez Ejecutivo que le de  
 la posesion juridica en virtud de este despacho  
 por el cual se demarcaran los linderos en cuyos  
 limites podran a mas de las maderas algunos arboles  
 frutales o silvestres de alguna utilidad.

4.11

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4<sup>a</sup> = El terreno de que se hace donacion es de cuatro sitios de ganado mayor segun explica el diccionario que corre en el expediente. El juez que diere la posesion lo hara' medido conforme a ordenanza quedando el sobrante que esulte a la Nacion para los usos convenientes.

5<sup>a</sup> = Si contraviniere a estas condiciones perdera' su derecho al terreno y sera' denunciable por otro.

En consecuencia mando que sirviendole de titulo el presente y teniendole por firme y valido se tome razon en el libro que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterrey a los veinte y cuatro dias del mes de Febrero del año mil ochocientos treinta y seis.

Nicolas Gutierrez

V.º del Castillo  
Ayudante  
Su

Cuota tomada ezezon a folios 95 y serialado con el no. 82 que obra en la Secretaria de mi cargo. Monterrey febrero 24 de 1836

Dra 10/11

Castillo

Filed in Office

Translation of Title

Stamp First Six Dollars

Provisionally authorized by the Administration of the Maritime Custom House of Monterey for the years Eighteen hundred and thirty five.

(Signed) Figueroa (Signed) A Ramirez

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Revoked dates for the two years 1836 and 1837  
(Signed) Gutierrez (Signed) A Ramirez

Nicolas Gutierrez Lieutenant Colonel of Permanent Cavalry Commanding General Inspector of Guano and admission of the Territory of Upper California

Seal of the Board of Soil

Whereas Don Juan Bantista A Cooper a Naturalized Mexican has for his own personal benefit and that of his family, petitioned for the land indicated on the map which exists in the Expediente the proper measures and examinations being previously made as required by the Lawes and Regulations on the matter, I have in decree of this day using the faculties conferred on me in the name of the Mexican Nation granted to him the aforesaid Land, declaring to him the Ownership of it by these presents subject to the approval of the Most Excellent Territorial Deputation and under the following conditions -

1<sup>st</sup> He shall submit to those conditions which may be established in the regulation which is to be formed for the distribution of vacant lands and in the mean time neither the person interested nor his heirs can divide or alienate that which is granted them subject it to any tax entail pledge Mortgage or other incumbrances even for pious purposes or convey it in Mortmain -

2<sup>nd</sup> He may enclose it without prejudice to the crops on grass lands and sweetmeats and make such use or cultivation of it as may best suit him but within one year at furthest he shall build a house and it shall be inhabited -

3<sup>rd</sup> He shall request the proper Magistrate to give him judicial possession in virtue of this Order by whom the boundaries shall be marked out in the limits of which he shall place, besides the bounes some fruit or forest trees of a useful character -

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4th. The land of which donation is made is four square leagues as shown by the map which goes with the Expediente. The Magistrate who may give the paper will cause it to be measured in conformity with the Ordinance leaving the surplus which may result to the Nation for its convenient use.

5th. If he shall contravene these conditions he will lose his right to the Land and it will be subject to denouncement by another person.

In consequence I order that this present Averiguamiento be made and being held as firm and valid note be made of it in the proper books and it be delivered to the person interested for his security and other purposes.

Given in Monterey on the 24th day of February Eighteen hundred thirty six  
(Signed) Nicolas Gutierrez  
(Signed) Francisco del Castillo Negrete  
Secretary.

Note has been taken on page 95 and marked with the number 92 which exists in the Secretary's Office in my charge  
Monterey February 24th. 1836  
(Signed) Castillo

Filed in office. April 20th 1852  
Geo. Fisher  
Secy



227 ND  
PAGE 44

Expediente promovido por D.<sup>n</sup>  
Juan Cooper en pretension inmediata  
al de Sta. Rosa

Año de  
1841

264

El Molino

Expediente

Exhibit No. 1

A. P. Annexed

to Description

of Jasper

C. J. Farrell

Oct. 26/53

D.S.D.K.) Nicolas Gutierrez Ten<sup>te</sup> Coronel de Caballeria permanente Comand<sup>te</sup> Genl. Inspectos y Jefe Político de la Alta California

Por cuanto D.<sup>o</sup> Juan B. R. Cooper Mexicano naturalizado ha pretendido p.<sup>o</sup> su beneficio personal y el de su familia el terreno que indica el dicho que obra en el expediente practicado previamente las diligencias y averiguaciones convenientes segun le dispuesto p.<sup>o</sup> leyes y reglamentos de la materia, en decreto de

este dia usando de las facultades que me son conferidas y a nombre de la Nacion Mexicana he venido en considerar el terreno mencionado declarandole la propiedad de el p.<sup>o</sup> las primeras letras a espera de la aprobacion de la Exma (Junta) Disputacion vajo las Condiciones siguientes

1.<sup>a</sup> Que se sometera a las que establece el reglamento que se ha de formar para la distribucion de terrenos baldios y q. mientras ni el agraciado ni sus herederos podra dividir ni enagenar el que se les adjudica ni poner en su vinculo hipoteca ni otro gravamen (D.S.D.K.) aunque sea por causa piadosa ni para ser a manos muertas.

2.<sup>a</sup> Podra su curso sin perjudicar las huertas comunales y servidumbres destinandole al uso o cultivo que mas le acomode pero dentro de un año fabricara casa y estara habitada.

3.<sup>a</sup> Solicitara del Juez Ejecutivo que le de la posesion juridica en virtud de este despacho p.<sup>o</sup> el cual se demarcaran los linderos en cuyos limites podra a mas de las exigidas algunos arboles frutales o silvestres de alguna utilidad.

4.<sup>a</sup> El termino de que se ha de dar es de cuatro sitios de ganado mayor segun explica el dicho que corre en el expediente El Juez que dure la posesion lo hara medir conforme

45

a ordenanza guardando el sobrante que existe a la nacion para los unos Comunitas.

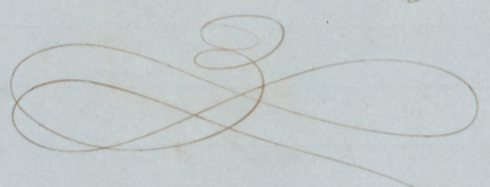
5<sup>a</sup> Si Contraviniere a estas condiciones perderá su dho al terreno y sera' denunciabile p<sup>r</sup> otro.

En consecuencia mando que teniendo por firme y valido este titulo se tome razon de el en el libro que corresponde (F. S. D. K.) y entregue al interesado para su esguardo y demas fines. Monterrey Febrero veinte y cuatro de mil ochocientos treinta y seis Nicolas Gutierrez. - Tran<sup>o</sup> del Castillo Negro de Oro -

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PAGE 46

map 11

Por no existir expediente ninguno sobre el terreno que se hace referencia p<sup>r</sup> esta causa se saco' copia del titulo y diceno q<sup>d</sup> para en poder de D<sup>o</sup> Juan Cooper



Office of the Surveyor General of the United States for California

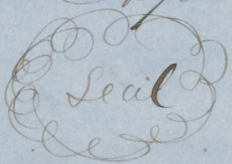
I, Samuel D. King Surveyor General of the United States for the State of California and as such now having in my office and under my charge and control a portion of the archives of the former Spanish and Mexican Territory or Department of Upper California do hereby Certify that the five preceding and herunto annexed pages of tracing paper numbered from one to five inclusive and each of which is verified by my initials exhibit true and accurate Copies of certain documents on file and forming part of the said archives in this office.

In testimony whereof I have herunto signed

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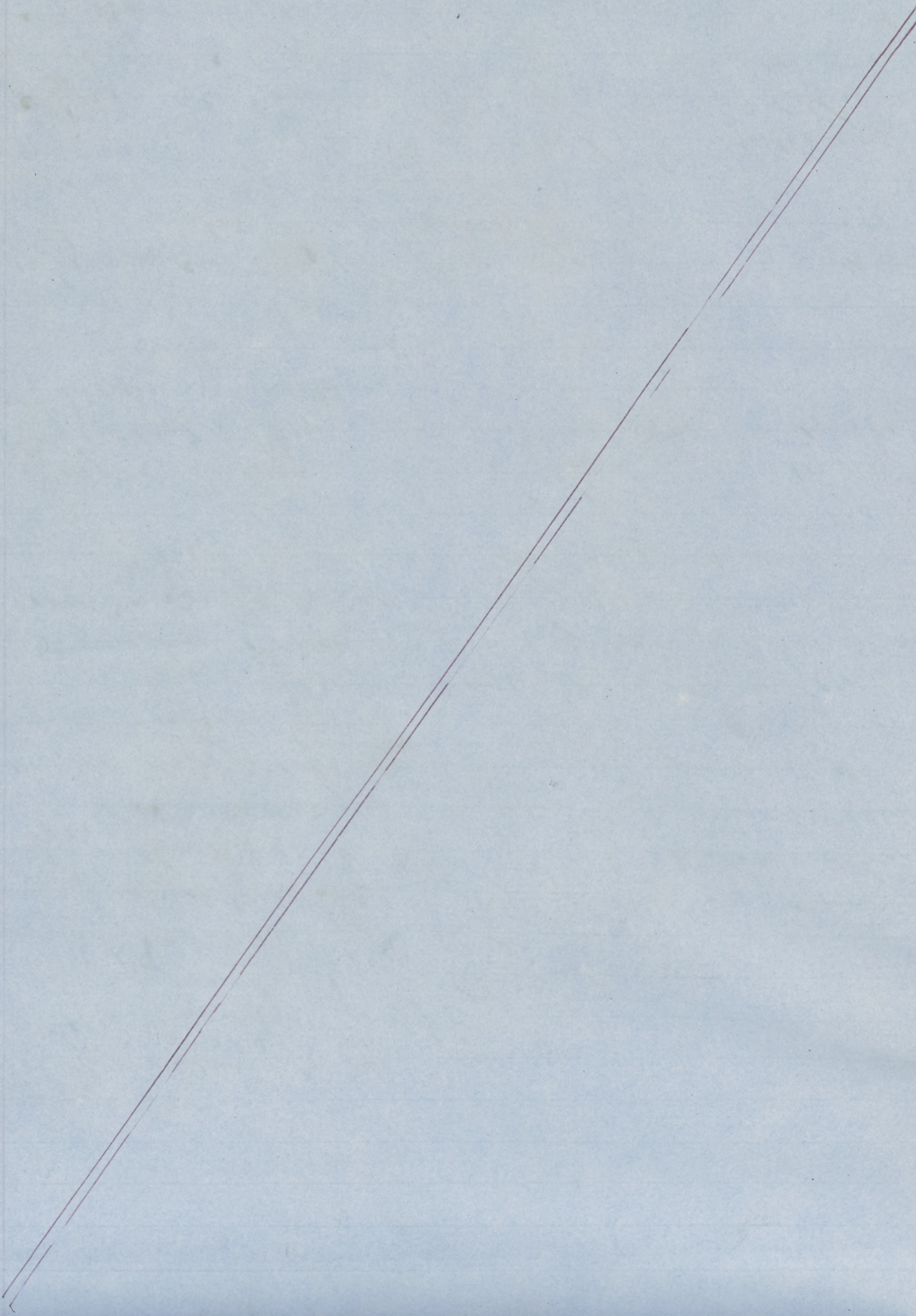
my name officially, and affixed my  
private seal (not having a seal  
of office) at the City of San  
Francisco Cal. this 15th day of  
April 1852

227 ND  
PAGE 47



Sam'l D. King  
Sur Genl Cal

Filed in Office  
Feb. 11th 1853  
Geo. Fisher  
Secy.



Esquimaux  
No 1248  
New 1841

Translation of Expediente had by Don Juan Cooper Soliciting  
Expediente that immediate to that of Sta. Barbara  
Year 1841

"Exhibete No 1 A.F.  
conexos to Depo.  
of Jaspal & Saucedo

Nicolas Gutierrez Lieutenant Colonel of Perma  
nent Cavalry Commanding General, Inspector and  
Political Chief of Upper California;

227 ND  
PAGE 48

Whereas Don Juan B R Cooper a  
Naturalized Mexican, has for his own personal  
benefit, and that of his family petitioned for  
the Land indicated on the Map which exists  
in the Expediente; the proper measures and  
Examinations being previously had as required  
by the Laws and Regulations on the matter,  
I have in decree of this date, using the facul-  
ties conferred on me, in the name of the Mexi-  
can Nation granted to him the aforesaid Land,  
declaring to him the Ownership of it by these  
presents subject to the approval of the Most  
Excellent (Junta) Deputation and under the  
following Conditions

1<sup>st</sup> That he shall submit to those (Conditions)  
which will be established, in the regulation  
which is to be formed for the distribution of  
Vacant Lands, and in the mean time neither  
the person interested nor his heirs can divide  
or alienate that which is granted to them  
subject it to any tax, entail, pledge, mortgage  
or other incumbrance even for pious purposes  
or convey it in Mortmain.

2<sup>o</sup> He may enclose it without prejudice to  
the cropping, woods and Surtices and make  
such use or cultivation of it, as may best suit  
him but within a year, he shall build a  
house, and it shall be inhabited

3<sup>o</sup> He shall request the proper Jecy to give him  
juriscal possession in virtue of this Despatch  
by whom the boundaries will be marked out  
in the limits of which he shall place, besides  
the bounds, some fruit trees or well ones of

Some utility.

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PAGE 49

4th. The land of which donation is made is given square leagues (*Sitios de ganado Mayor*) as shown by the Map which goes with the Expediente. The judge who may give the possession will cause it to be measured in conformity with the Ordinance, leaving the surplus which may result to the Nation for its convenient uses.

5th. If he shall contravene these Conditions he shall lose his right to the land and it will be subject to denouncement by another.

In consequence I order that this title being held as firm and valid note be made of it in the proper book, and that it be delivered to the person interested for his security and other purposes.

Monterey February the twenty fourth Eighteen hundred and thirty six -

Nicolas Gutierrez

Francisco del Castillo Negrete Secy

There being no Expediente whatever in relation to the Land to which reference is made, for this reason a Copy of the title and map which are in the possession of Don Juan Cooper were taken out.

I George Fisher Secretary to the Board of U.S. Land Commission to settle private Land Claims in the State of California do hereby certify that the foregoing is a true and correct translation of a certain Spanish Document filed in Case No. 93 J. D. Cooper Claimant for the place called "El Molino" which Document is marked "Exhibit No. 1 A F" annexed to Deposition of Gaspar O. Farrell Oct. 26. 1853.

I have hereunto signed my name Officially at Office in the City of San Francisco  
(Signed) Geo. Fisher Secy  
Filed in Office Oct. 31. 1854  
Geo. Fisher Secy

John B A Cooper } claim for a place called  
 vs } El Molino in the County of  
 The United States } Sonoma and containing four  
 Square Leagues

The evidence in this case upon which confirmation of the claim is asked discloses the following facts  
 That in the year 1833 the said Cooper applied for a grant to a place called Rio Ojotska and in pursuance of said application Governor Figueroa issued a grant for the place to the said Cooper on the 23<sup>rd</sup> day of December 1833 embracing ten and a half square leagues

On the 17<sup>th</sup> day of May 1834 the said grant was approved by the Departmental Assembly  
 Subsequently the said Cooper made application to the Government for an exchange of the land so granted for a place called El Molino, the place now in question, which proposition was accepted by the Governor and in pursuance thereof the grant aforesaid was canceled and on the 24<sup>th</sup> day of February 1836 Governor Gutierrez issued in the usual form a grant for the said place called El Molino to the said Cooper.

The proofs show that the said Cooper went into possession of the place before the issue of the last aforesaid grant, and that before the expiration of the one year from the date of the grant he had built a house and lived on it with his family, and had a portion of the land in cultivation and had commenced the erection of a saw mill thereon and that he has continued his possession and improvements up to the present time, and has expended large sums of money in improvements on the place - There is no evidence that any judicial measurement was ever had agreeable to one of the conditions of the grant and the requisitions of the Law under which the same was issued

This objection however we think is obviated by the testimony of Ulinpes  
 Caspar O Farrell one of the Ulinpes for the claimant testifies that he is a practical surveyor and has been engaged in his profession several years in California both in the employment of the Mexican and American Governments and has had practical experience in surveying and establishing lines by

Opinion

Mexican grants and plots - That he surveyed the place in question, having the grant in his possession and also the map & cedula upon which the grant was based at the time he made the survey, and that by the aid of the two aforesaid documents he found no discrepancy in finding and locating the lines agreeable to the calls of the grant and cedula.

He also states that after surveying the place in question he drew a map of the same which he swears is a correct representation of the place and that it embraces only the amt. of land specified in the grant, which map is made a part of the evidence herein and attached to his deposition and marked No 2. The Board are of opinion that the claim is valid and a decree of Confirmation will be entered.

Confirmed

Filed in Office Nov. 14. 1854

Geo. Fisher

Secy



John D Cooper }  
vs }  
The United States }

After hearing the proofs and allegations in this case it is adjudged that the claim is valid and the same is hereby confirmed with the following boundaries to wit: Commencing on the Russian River at the North west corner of Saice place where the point of hill comes to the river a little below the mouth of Arroyo de Lancels, thence up Saice River to the line of the Rancho Sotoyome, thence 42° East 14336 Varas and from the place of beginning South 42° East 14336 Varas the South boundary, North 30° 30' East 8725 Varas reference being had to the deposition of J. P. & Farrell in this case and a map attached thereto Nos Betuate in the County of Sonoma and called El Molino -

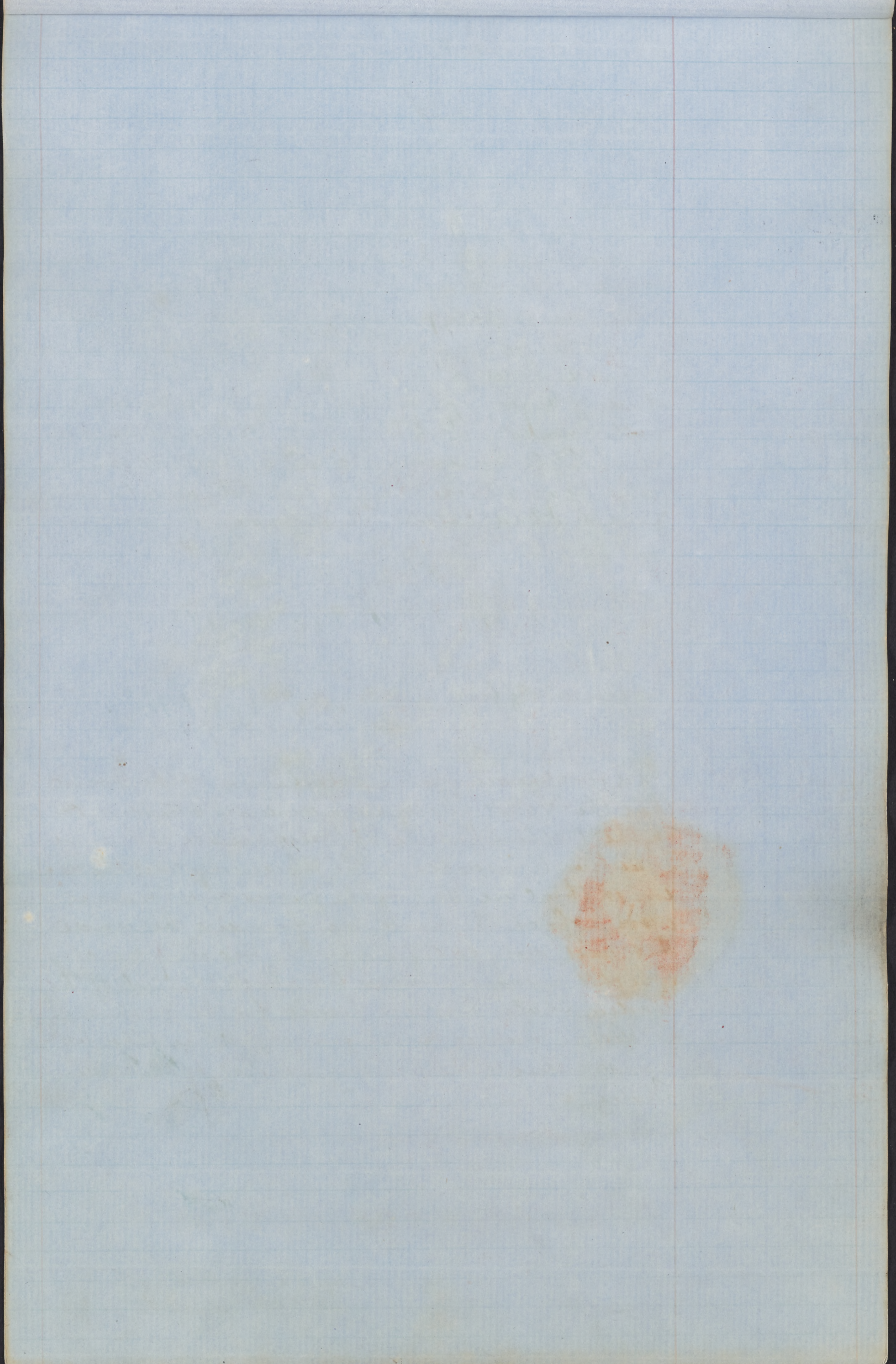
Alpheus Felch }  
R. Aug. Thompson }  
S. B. Farrell }

Comm. Secy

Filed in Office Nov. 14. 1854  
Geo. Fisher Secy

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

Decree  
227 ND  
PAGE 52



Office of the Board of Commissioners,

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

I, *George Fisher* — Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *Fifty one* — pages, numbered from 1 to *51*, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. *193* on the Docket of the said Board, wherein

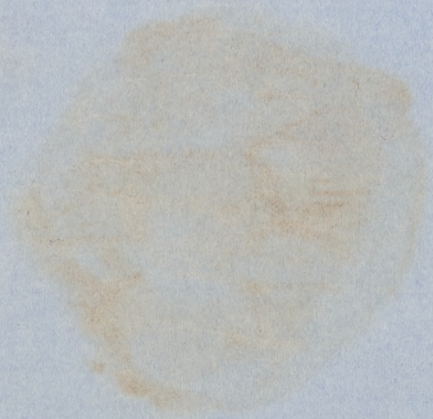
*John B. R. Cooper* is —

the Claimant against the United States, for the place known by the name of "*El Molino o Rio Ojotska*" —

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this *Twentieth* — day of *June* A. D. 1855, and of the Independence of the United States of America the seventy-*ninth*.

*Geo. Fisher*  
*Geo. Fisher*











U. S. DISTRICT COURT,

*Northern* District of California.

No. ~~227~~ 227

THE UNITED STATES,

vs.

ND

*John B. R. Cooper*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 193

Filed, June 20 1855,

*John A. Monroe,*  
*clerk.*

*11/45*



227 ND  
PAGE 54

Office of the Attorney General of the United States,

Washington, 29. June 1855.

193.) "El. Molino's Rio Ajotska"  
John B. R. Cooper Claimant

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 14 day of June 1855, the appeal in the district court of the United States for the ~~Northern~~ district of California will be prosecuted by the United States.

Clustering

Attorney General.

227

No. 227

W. S. District Court  
Northern Dist. of California.

United States

vs

J. B. R. Cooper.

Notice of Appeal in  
Case No. 193.

Filed Sept 6. 1855  
by Chivers  
Deputy.

227 ND

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To the Honorable District Court of the  
United States in and for the Northern  
District of California.

The United States  
Appellants

J. B. Cooper

No. 227

The Petition of the United States by their  
Attorney represents; that this Cause is an  
Application for a review of the decision  
of the Board of Commissioners whereby the  
Claim of the said Appellee was confirmed  
as appears by reference to the records  
in the Case: That a Transcript of the said  
Records was filed in this Court on the  
1<sup>st</sup> day of May 1854: That a  
notice of Appeal was filed on the 1<sup>st</sup> day of  
May 1854 and that the land claimed  
lies in the said District:

That the said claim is invalid,  
Wherefore appellants pray that the said  
decision of the Board be reversed &  
that this Court decree the said title  
to be invalid. Respectfully &

S. W. Inge,  
U. S. Dist. Atty.

No. 227

2

U.S. Dist. Court

The United States

J. B. R. Cooper

Petitioner

filed Nov. 12. 1855.

by Chevers  
Deputy

227 ND

PAGE 57

Glassell

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

227 ND  
PAGE 58

The United States, appellants	} Transcript No 143
vs J. B. R. Cooper, appellee	
	} Answer of appellee

John B. R. Cooper, the appellee in  
the above entitled cause, appears by  
his attorneys, and for answer to the  
petition of the United States filed  
herein, says:

That his title to the Rancho or  
tract of land called "El Molino," or *Tenancabunimé*,  
as set forth and described in his petition  
to the Board of Commissioners, and in the  
documentary and other evidence filed  
in this case, is a good and valid  
title. The land claimed is situate in  
the Northern District of California and  
within the jurisdiction of this Court.

Wherefore he prays this Honorable  
Court to affirm the decision of the Board  
of Commissioners, and to decree his  
title to be valid.

Gulluh Beachy & Pillsbury  
Atty for appellee.

883

No 227 3  
United States District Court  
Northern Dist of Cal.

The United States Appellants  
vs  
J. B. R. Cooper, appellee  
-----  
Answer of appellee

Filed Nov. 12. 1855.  
J. Cheever  
Deputy.

227 ND  
PAGE 59

Hallam Peasley & Billing  
Attys for Appellee

No 227

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

227 ND  
PAGE 60

The United States, appellants } El Molino  
vs. } Transcript from Board  
J. B. R. Cooper, appellee } of Coms No 193.

Stated Term March 24<sup>th</sup> 1856

On appeal from the final decision of  
the Board of Commissioners to ascertain and  
settle Private Land Claims in the State of  
California,

Decree.

This cause came on to be heard at a Stated  
Term of the Court on appeal from the final  
decision of the Board of Commissioners to  
to ascertain and settle the Private Land  
Claims in the State of California under  
an act of Congress approved on the 3<sup>rd</sup> of  
March A D 1851, upon the Transcript of the  
proceedings and decision of the said Board  
of Commissioners and the papers and evi-  
dence on which the said decision was  
founded; and it appearing to the Court  
that the said Transcript has been duly  
filed according to law, and counsel for the  
respective parties having been heard, it  
is by the Court hereby ordered, adjudged  
and decreed, that the said decision be  
and the same is hereby, in all things af-  
firmed; and it is likewise further ordered  
adjudged and decreed that the claim  
of the appellee is a good and valid claim  
and that the said claim be, and the same

is, hereby confirmed to the extent and quantity of four square leagues, being the same land described in the grant, and of which the possession was proved to have been long enjoyed: Provided that the said quantity of four square leagues now confirmed to the claimant be contained within the boundaries called for in the said grant and the map to which the grant refers: and if there be less than that quantity within the said boundaries then we confirm to the claimant that less quantity

By the Honble Au J<sup>e</sup>  
H. S. Leitch Judge



No 227  
United States Dist Court  
Northern Dist of Cal.

The United States, appellants  
vs  
J. B. R. Cooper, appellee  
Decree

Filed March 24. 1886,  
John A. Monroe,  
Clerk  
S. M. H. Chivers,  
Deputy.

At a *stated* Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the *Court House* in the City of SAN FRANCISCO, on *Thursday* the *second* day of *October* in the year of our Lord one thousand eight hundred and fifty-*six*,

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States.  
-vs- Appellants  
John B. R. Cooper,  
Appellee.

*Said Case*  
*No 327*

In this case on the application of the United States Attorney made in open Court it is ordered by the Court that an appeal in behalf of the United States from the final decision of this Court rendered in said cause at the December term 1855 be and <sup>the same</sup> ~~is~~ hereby granted - and that a certified transcript of the pleadings, evidence, depositions, and proceedings in the said cause be sent to the Supreme Court of the United States without delay.

No. 227-6

United States District Court, Northern  
District of California.

United States

vs.

John B. R Cooper

Filed October 2, 1856

John A. Moore,  
CLERK.

W. D. Cherry  
DEPUTY.

227 ND

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NORTHERN DISTRICT OF CALIFORNIA.

227 ND

UNITED STATES DISTRICT COURT.

PAGE 65

The United States,

vs.

John B. R. Cooper,

CLERK'S FEES.

No. 227

1855

June 20	Filing Manuscript from Land Com.	\$	20
Sept 6	" Notice of Appeal.	"	20
Nov 12	" Petition, and Answer.	"	40

1856

March 24	" Entering Decree of Confirmation.	1	10
Oct 2	" + " Order granting Appeal.	1	10
	" Costs.	"	30
	Entering Judgment Record 200 folios.	45	00
	Making Manuscript on appeal to U.S.D.C.		
	200 folios at 20 cts	40	00
	Certificate & Seal.	"	38
	2 Maps in ds at \$5 each.	10	00
	Dockets &c.		6 00
			<u>\$104 78</u>

United States District Court.  
Northern District of California.

*No. 227*

*The United States.*

vs.

*John B. R. Cooper.*

Clerk's Fees, \$ *104.78*

Filed *October 18, 1856,*

227 ND  
PAGE 66

TAXED AT ..... DOLLARS.

CLERK.

California Land Claims.

Attorney General's Office

28 Octr 1856.

227 ND  
PAGE 67

Sir:

In the case of the claim of John  
B. R. Cooper, confirmed to the claim-  
ant by the Commissioners, case no. one  
hundred and ninety-three (193), appeal will  
not be prosecuted by the United States.

I am

Respectfully,

Cushing

Wm. Manning Esq.

U. S. Attorney

San Francisco:

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

227 ND  
PAGE 68

The United States                      Case No. 227  
v  
Ino D. R. Cooper:                      } Transcript 193

In pursuance of  
notice from the Attorney General of the  
United States, herewith annexed, it is  
hereby stipulated and agreed that an  
order be entered of record in this case  
vacating the order of appeal heretofore  
granted, and that the claimant have  
leave to proceed under the decree of  
this Court heretofore rendered in his  
favor as on Final Decree.

Wm Blanding  
Dist Atty  
Hullah Peckham & Billings  
Atty for claimant.

No 227  
United States  
District Court

The United States

vs  
Jno B. R. Cooper

Case no 227  
Transcript 193

Stipulation

Filed Dec: 15, 1856,  
W. H. Chivers,  
Deputy Clerk,

227 ND

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At a *Stated* Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the *Court Room* in the City of SAN FRANCISCO, on *Monday* the *18th* day of *December* in the year of our Lord one thousand eight hundred and fifty-*Six*

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Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States  
vs  
Geo. R. Cooper

Case No 227  
Transcript No 193

The Attorney General of the United States having given notice that no appeal to the Supreme Court of the United States will be prosecuted in this case, and a stipulation having been entered into by the District Attorney for vacating the order granting an appeal to the Supreme Court of the United States, and for leave to the claimant to proceed under the decree of this Court heretofore rendered in his favor: On motion of the District Attorney of the United States it is Ordered, adjudged and decreed that the order granting an appeal in this case to the Supreme Court of the United States, be and the same is hereby vacated, and the claimant have leave to proceed under the decree of this Court heretofore rendered in his favor as on Final Decree.

Ogden Hoffman  
U S Dist Judge

*No 227,*

United States District Court, Northern  
District of California.

*The United States*

vs.

*John B. R. Cooper*

*Case No 227  
Transcript No 193.*

*order*

Filed *December 15, 1856*

*J. A. Monroe,*

CLERK.

*W. H. Cheney*

DEPUTY.

227 ND

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Leonard

The United States

vs  
John B Cooper

227 ND  
PAGE 72

The claimant in this case a naturalised Mexican citizen obtained in December 1833 a grant from the Governor for the place called Rio Ojotska - This grant was approved by the Departmental Assembly and a certificate of its confirmation delivered to the grantee as appears from the testimony and the Expediente filed in this case -

He subsequently applied to the Governor for an exchange of the land granted for that now claimed by him - Proceedings on this application were commenced by Gov. Figueroa and ~~his~~ the new grant was made as desired by the petitioner by Gov. Gutierrez on the 24<sup>th</sup> February 1836 -

These facts are proved by the testimony of Santell & Vally; ~~and~~ <sup>whose</sup> ~~their~~ evidence is corroborated by the Expediente on file in the Archives

The genuineness of the grants is fully established -  
Previous to obtaining the last

grant the claimant had gone into possession of the tract solicited and had a built a house upon it - He also had as early as 1834 placed a considerable number of cattle upon it and had commenced the erection of a mill upon which he expended more than \$10000. He also erected a black smith shop and for two years had employed upon his Rancho the men to the average number of 10 and sometimes thirty or forty Indians -

It is clear that the grantee fulfilled the conditions and carried out the objects of the Colonisation laws to an extent very unusual in the then condition of the Country.

With regard to the <sup>location</sup> ~~area~~ of the land it appears from the testimony of Farrell and other witnesses who are acquainted with adjacent country that there is no difficulty in ascertaining its locality by means of the ~~descri~~ <sup>descriptions</sup> which accompany the grant - Farrell who has long been a Surveyor under the Mexican

227 ND  
PAGE 74

testifies that he has by means of the grant and the decision made a survey of the land and that it contains as surveyed by him only the quantity specified in the grant —

This claim was held to be valid by the Board — No objections to it are suggested on the part of the U. States and we are of opinion that the decision of the Board, should be affirmed.

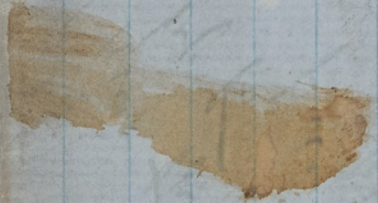
227-164

The U. S. X

19

J. B. Cooper

Spencer



227 ND

PAGE 75

Memorandum for Decree

227 ND  
PAGE 76

The quantity of land of which confirmation is hereby made is four square leagues and no more. The said premises being the tract <sup>of land</sup> known, situated in Sonoma County and known as el Molino or Teoanta by name, as the same is delineated on the de Soto referred to in the original grant ~~whereof~~

*Mem for Alice*

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