

CASE No.

286

NORTHERN DISTRICT

LAS COLUSES GRANT

NATHANIEL BASSETT

CLAIMANT:

NOV 20 1962

RECEIVED
SECTION 10
BROOKLYN
COMMUNITY

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ИЗДАНИЕ

БЮРОСТАВСКАЯ

1877/1878

TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 658

Nathaniel Bassett — CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"*Las Colinas*"

OF THE STATE OF

THE GRAND JURY

1872

IN

PROCEEDINGS

AND

REPORT

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 eighth day of February Anno Domini One Thousand Eight Hundred and Fifty-three, 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 Nathaniel Bassett, ~~was~~
for the Place named
"Las Colusas,"
was presented, and ordered to be filed and docketed with No. 658 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 March 10th 1853.

In Case no. 658, Nathaniel Bassett for the place named "Las Colusas" the deposition of John Bidwell, a witness in behalf of the claimant, taken before Commissioner William Hall, with document marked H. H. no. 1, annexed thereto, was filed;

(Vide page 4 of this Transcript.)

San Francisco, January 2^d 1855.

Case no. 658 was ordered to be placed at the foot of the 4th class cases on the Trial Docket.

San Francisco February 19th 1855.

In the same case the deposition of John Sanderson, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed;

(Vide page 5 of this Transcript.)

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San Francisco, March 7' 1855.

Case No. 658 was submitted without argument and taken under advisement by the Board,

San Francisco, March 20' 1855.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board confirming the claim;

(Vide page 23 of this Transcript.)

And the following order was made, to wit:

(Vide page 24 of this Transcript.)

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N.

To the Hon. the Board of U.S. Land Commissioners appointed to settle private land claims in California

3 Petition

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To the Hon the Board of U.S. Land Commissioners appointed to settle private land claims in California. The petition of Nathaniel Bassett respectfully represents that on or about the 17th day of July 1844 John Daubenbie petitioned the then Governor of California Micheltorena to grant him a tract of land in the Sacramento Valley known by the name of Las Coludas. It consists of four Spanish Leagues (Setias de ganado Mayor or ranges of cattle.

It is bounded at the North by the Seane Seco farm, at the East by unoccupied land, at the South by unoccupied land, and at the West by the Sacramento River, as shown by the design which accompanies the papers relating to said grant of land, and to which your petition refers for a more particular description of said lands, that John A. Sutter the then Judge charge with the jurisdiction of Sacramento, gave a favourable report upon said petition and said Governor thereupon indorsed his decree granting the said lands provisionally.

And your petitioner further states that on or about the 22^d July 1844 said Governor Micheltorena executed and assigned a grant to all the persons, who have solicited lands in the Sacramento Valley describing them in their petitions and maps and who received the favorable information of said Sutter a certified copy of which was duly given to said Daubenbie for his protection and security.

That copies of all said papers and maps are herewith filed as part of this petition and the originals are ready to be produced before your Honorable Body.

And your petitioner further states that said Daubenbie sold and conveyed all his right title and interest in and to said lands and Rancho unto E. C. Crosby by deed dated August 18th 1852 a copy of which is herewith filed as part of this petition.

And your petitioner further states that said Crosby sold and conveyed all his right title and interest in and to said lands and Rancho unto your petitioner by deed dated February 25th 1853, a copy of which is herewith filed as part of this petition.

And your petitioner further states that he is informed and believes said

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Lands and Rancho have been occupied and improved by the original grant, and that he caused the same to be surveyed, and its boundaries carefully and accurately defined, and there is no conflicting claims thereto known to your petitioners.

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The evidence upon which your petitioners rely to support the claim consists of original papers and maps relating to said grant of land to be produced and proved, and the testimony of witnesses to be produced before your Honorable Body.

All of which your petitioners respectfully submits for such action as the Justice and nature of the claim may require.

E. O. Crosby
of Counsel.

Filed in Office July 28th 1853.

Geo Arthur Secty.

Recorded in Vol. 2 of Petitions on pages 28 & 29.

Geo Arthur Secty.

San Francisco March 10. 1853.

Deposition of
Mr Bidwell

On this day before Comd
Neiland Hall came John Bidwell a witness on the behalf of the claimant Nathaniel Bassett, petitioner No 658 and was duly sworn, his evidence being given in English.

The United States Associate Law Agent was present.

In answer to inquiries made of Counsel for the claimant, the witness testified as follows.

My name is John Bidwell, my age thirty three years and I reside in Butte County and have resided in California over eleven years.

A paper is now shown me purporting a petition of Juan Duben his for land and proceeding thereon, in making an order of Michelbornen to occupy the land dated twenty sixth day of July A.D. 1844.

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I am acquainted with the hand writing & signatures of Gov Micheltonera and Manuel Jimeno, John A. Sutter and Juan Danbenbis. I believe the signatures on said papers to be genuine. Said paper is hereto attached and marked H. H. No 1.

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I drew the Map which forms a part of said papers & presented the petitions with the Map to Gov Micheltonera for the petitioner. after the last endorsement of Micheltonera was made upon it dated July 26th 1844. the papers were returned to me. and afterwards delivered from to Danbenbis.

I was a Clerk of Capt John A Sutter in 1846 and the copy of the general title attached to said paper was made under my direction. by Mr Locker at that time. The copy was delivered to Danbenbis at the time the certificate on it of John A. Sutter bears date.

I was at the time preparing to go to Los Angeles with these and other titles papers. to obtain more formal papers. Danbenbis was one of the Soldiers in service under Micheltonera in 1845.

I made a survey of the land described in the papers in December 1847 for said Danbenbis.

John V Bidwell

Sworn & Subscribed to Before me
Hiland Hall Comd

Filed in office March 10th 1853

Geo Fisher
Secty

Recorded in Dr. B. Vol 2. p 643.

Geo Fisher
Secty

Deposition of United States of America
John Saunders State of California

San Francisco July 16. 1855.

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This day came before Hon Peter Satt Commissioner for taking testimony to be used before the Board of United States Land Commissioners in said State John Saunders a witness on behalf of the Claimant Nathaniel Bapett in Case No 658 on the Docket of said Board. and said witness being sworn deposed as follows.

The U. S. associate Law Agent is present.

Questions by Mr. Leachy for the claimant.

1st Question. What is your age of place of residence?

Answer. My name is John Saunders, my age 36. years. My residence in Butte County California

2^d Question. Do you know the Rancho Las Colinas or Danberlus Ranch? If you when is it, and state all you know of its occupation?

Answer. I know said Ranch very well. It is situated on the East Bank of the Sacramento River in Butte County, It four half leagues below the mouth of the Chico, and extends two leagues along the River. I knew of this Land being occupied along in the Spring of 1844 by John Danberlus and his partner by the name of Amos Danberlus. built a house and Corral on the Land and had about 200 head of Cattle and about 50 horses and mares, and that same year he enclosed a piece of land and put in grain in a field of some five acres more or less. After that along in 1845 Danberlus put a man on the place to take care of it, by the name of Charles Heath, and he continued to occupy the place for Danberlus and kept up the cultivation every year till some three or four years ago. I knew these things because I have seen them, I was up and down over the Land when it was settled, and have hunted on it for years.

John Saunders -

Subscribed & Sworn to before me on this 16th day of February A.D. 1855 -

Peter Satt Commissioner

Filed in office July 19th 1855. Geo. Fisher Secty.

Recorded in Cr B. Vol 11 p. 456. Geo. Fisher Secty

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Manuel Micheltorena Jral de Armas del Ejercito Mexicano, Ayudante Jral de la Plaza Mayor del mismo, Gobernador Comandante General e Inspector del Departamento de California.

no pudiendo ahora por estar sumamente ocupado este Supremo Gobierno Departamental extender uno por uno los títulos respectivos a todos los ciudadanos que han solicitado terrenos con informes o su favor del Sr. D. Augusto Sutter, Capitán y Jral encargado de la fundación de Nueva Helvetia en sus instancias y obisones a todos y a cada uno de los que hayan solicitado y obtenido informe favorable del expresado Sr. Sutter pta hoy día de la pta sui que nadie pueda disputarles su propiedad dándoseles una copia de este que les servirá mas adelante el Sr. Sutter de título formal con el que se presentarán a este Gobierno para extenderles el mismo título en la debida forma y papelado correspondiente y para la debida constancia en todos tiempos o por este documento q. sea reconocido y acatado por todas las autoridades civiles y militares de la Nación Mexicana en este y en los demas Departamentos autorizado debidamente con los sellos militar y de Gobierno en Monterrey a veinte y dos de Diciembre de mil ochocientos y Cuarenta y cuatro. = Micheltorena. =

Sello Cuarto de los Reales.

Habilitado provisionalmente por la Botica de la Marina del Puerto de Monterrey, en el Departamento de las Californias para los usos de mil ochocientos Cuarenta y cuatro y mil ochocientos Cuarenta y cinco.

Micheltorena.

Pablo de la Guerra.

Puravista del Administrador
Guillermo Soló Montrell.

Monterrey, Julio 25 de 1844.

Supl el Vno del Despacho
Tomando los necesarios.

Extus Sr. Gobernador.

Micheltorena. } Juan Dambenbers, natural
de Alemania y residente en este pais hace dos

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Doc. H. B. n.º 1 am.º
to the Depo. of
John Bridwell
taken before
Comm.

Hilary Hall.

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obediencia ante V. E. con el mas profundo respeto se presenta y espone.

Que si en virtud de naturalizacion Mexicana y obediencia adoptar por residencia permanente este Departamento de modo que pueda dedicarse a la agricultura a V. E. humil^{te} suplico, tenga la bondad de concederle el terreno conocido del nombre de las Coluser: consta de cuatro sitios de ganado mayor y son sus linderos al N. rancho del llano Seco al S. tierra baldia al E. tierra baldia y al N. el rio del Sacramento, como manifiesta el Poliseño que obediencia acompaña. P. F.

A. V. E. ruega se digna acceder a esta su peticion con lo que recibirá mereced y gracia.

Que otro de V. E. el mas atento Serv^{to}

Juan Daubentis.

Nueva Helvetia

a 17 de Julio de 1844.

Excmo. Sr. Gobernador.

A muchas solicitudes de la naturaleza como la presentada se les ha puesto la providencia de esperarse hasta que V. E. pueda hacer la visita por los rios del Sacramento y San Joaquin y como tambien no hay un decreto general de aquellos terrenos no se podran hacer tal vez con acierto las concesiones que se pretenden por lo que si a V. E. lo tubiese habien podria quedar pendiente este expediente hasta que se despachen las solicitudes a que me refiero.

Montevideo.

Sr. Jefe de la jurisdiccion del Sacramento.

Juan Daubentis, Mexicano pr^o naturalizacion a V. E. suplico se sirva informar si el terreno terreno que manifiesta el adjunto decreto es baldio y todo lo demas que V. E. crea necesario: que teniendo que ir a la Capital a llevar mi peticion a manos del Sr. Gobernador para impetrar de S. E. otro terreno y si en el preciso el uniforme del Sr. Jefe de la Jurisdiccion a que pertenece; p^o abogar la demora que suponia mis instancias en el tramite de informe. Si tubiese que venir desde Montevideo

hasta aqui para el y regresar a aquella Capital a V. E. suplico se sirva informar al margen de esta solicitud

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2.9
hasta aqui para el y regresar a aquella Capital a V.
Suplico se sirva informar al margen de esta solicitud
lo que crea de justicia dispensando el uso de papel
con un profeta del sello correspondiente.

Nueva Helvetia. Julio 11 de 1844.

Juan Duberbin.

Unión de los rios Sacramento.

Nueva Helvetia. Julio 11 de 1844.

El terreno que solicita el interesado es baldio y no pertenece a individuo pueblo ni corporación, y para las fines que convengan. Oroy feè.

J. A. Sutter.

None followed Map or Patent.

Monterrey. Julio 26 de 1844.
Manuel Jimenez.

Monterrey. Junio June 26 de 1844.

Ocupelo provisoriamente hasta mi subita despachar.
Michelt.

Filed in office March. 10th 1853. Geo. Fisher. Sec.

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map 1

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_____ND
PAGE _____

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

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[Faint handwriting at the bottom edge of the page]

To the Judge of the District of Sacramento

I John Dumbuis a naturalized Mexican request you to be pleased to ascertain if the Land set forth in the annexed disign is vacant together with other particulars you may deem necessary because as I have to go to the Capital to hand to H.C. my petition, Soliciting said Land, and the matter must be refered to yourself as Judge of the District to which it belongs.

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B
Translation
of
Espediente

I am desirous of avoiding the delay which my claim would receive from the transmission of the reference if the same had to be sent for hither from Monterey and returned to that Capital

where for. I pray you would be pleased to state in the Margin of this petition whatever you may think just. Excusing its being written on Common paper there being none of the requisite stamps.

New Helvetia July 11. 1844.

District of Sacramento
New Helvetia July 11. 1844.

John Dumbuis -
(In the Margin)

The Land which the petitioner claims is vacant and belongs to no individual, Municipality nor corporation and for such purposes as may suit I attest the same

John A. Sutter

Fourth Class Stamp. Two eighths of a Dollar
Paid provisionally to the Maritime Custom House
of the Port of Monterey in the Department of the
Californias for the years 1844 & 1845.

Micheltonna Pablo de la Guerra
In the absence of the Administrator

M^r. Odo. Cantrell.

B
(Continued)

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To H. E. the Governor.
John Dumberbers Native
of Germany and having resided in this Country since
two years before your Excellency. Presents himself with
the deepest respect and sheweth.

That being Naturalized
a Mexican and desiring to adapt his Department
for his permanent residence. So as to be able to apply
himself to agriculture. he humbly begs your Excellency
to have the goodness to vouchsafe him the tract known
by the name of Las Coludas. It consists of four ranges
of large Cattle. It is bounded at the North by the
Blanco Seco farm. at the East by unoccupied Land. at
the South by unoccupied Land. and at the West by the
Sacramento River. as shown by the design which is duly
annexed.

Whence he solicits your Excellency to vouch
safe this his petition. in the exercise of your mercy
and favour.

New Helvetia July 17. 1844.

I remain of H. E.
the most obt. Servant
John Dumberbers.

Your Excellency.

Many petitions of the nature
of the foregoing have been disposed of by postponing
their consideration. until your Excellency be enabled
to make a visit to the River Sacramento and
San Joaquin. and as likewise there is no general
design of those Lands it may perhaps be impassable
to make out the grants which are claimed.

Whence if H. E. deems fit this case may be kept
open until the petitions I refer to may be disposed of

Montgomery July 26. 1844

Manuel Lemos

Montgomery July 26. 1844.

Let the petition take
provisional occupation until I go up to decide

Michelt

13 B
(Continued)

Manuel Micheltorena Brigadier General of the Mexican Army. Assistant General of the Staff of the same. Governor General Commandant and Inspector of the Departmental of the Californias.

I certify that this is a copy New Helvetia Dec 8. 1846. John A Sutter

As this Supreme Departmental Government cannot at present on account of the press of business. Make out one of the respective deeds of conveyance to all the Citizens who have petitioned Lands under favorable reports from Mr Augustus Sutter Captain and Magistrate in charge of the Jurisdiction of New Helvetia

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I do by these letters in the name of the Mexican Nation. Convey to them & to their families the property of the respective Lands set forth in their petitions and designs. to all and each of those who have solicited and obtained favorable reports of the said Mr Sutter as a former title with which they shall present themselves to this Government for the purpose of receiving the same grant in due form and proper stamped paper.

In witness whereof for all time to come I grant this Document which shall be acknowledged and respected by all the Civil and Military authorities of the Mexican Nation in this and the other Departments.

Duly attested by the Military and Civil Seals of Monterey December 22^o 1844

Micheltorena

Filed in Office February 28. 1853

Go Arden Secty

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Deed

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map 2

This Indenture made this 25th day of February 1853 between E. O. Crosby of San Jose Counsellor at Law of the first part and Nathaniel Bassett of San Francisco of the second part. Witnesseth that the said party of the first part for and in consideration ~~of the sum of~~ of the sum of Five thousand dollars to him in hand paid the receipt whereof is hereby acknowledged, hath granted and sold and by these presents doth grant, bargain and sell unto the said party of the second part his heirs and assigns forever all that certain piece or parcel of land and Rancho situated in the County of Santa Clara and State of California, and bounded as follows, to wit. On the North by Stys's Rancho on the East by Vacant Lands, so supposed, on the South by unoccupied lands, and West by the Sacramento River

containing four square leagues of land (Sitios ganado Mayor) and being the same lands granted to John Dambulis by Governor Micheltonema in the year 1844 reference being had to the title papers for greater certainty of description.

Together with all and singular the here litemens and appertenuances thereto belonging or in anywise appertaining, and also all the Estate right, title and interest, claim and demand what soever of the party of the first part in and to the above described premises and every part and parcel thereof.

In Witness whereof the Party of the first part hath hereunto set his hand and seal the day and year first above written.

E. O. Crosby.

In presence of
John Crosby

Filed in Office July 28. 1853

Geo Fisher Secy.

[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]

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Deed

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This Indenture made this 25th day of February 1853 between Eletha O. Crosby of San Jose Counsellor at Law of the first part and Nathaniel Bapett of San Francisco of the second part. Witnesseth that the said party of the first part, for and in consideration of the sum of Five thousand dollars to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, hath granted and sold, and by these presents doth grant bargain and sell unto the said party of the second part his heirs and assigns forever all that certain piece or parcel of land and Rancho situated in Butte County and State of California, and bounded as follows, to wit. On the North by Diego Rancho, on the East by Vacant Land, (so supposed) on the South by unoccupied Lands and West by the Sacramento River, containing four square Leagues of Land (Setos grande Major) and being the same Lands granted to John Dardenbis of Governor Micheltorena in the year 1844. Reference being had to the title papers for greater certainty of description.

Togethther with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining and also all the estate rights, title and trust claim and demand, whatsoever of the party of the first part in and to the above described premises and every part thereof.

In witness whereof the party of the first part hath hereunto set his hand and seal the day and year above written

E. O. Crosby

In presence of
John Crosby

Filed in Office July 29. 1853

Geo Fisher
Secretary

State of California
County of San Francisco

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On this twenty fifth day of February A.D. one thousand
eight hundred and fifty three personally appeared
before me a Notary Public in and for said County
Celia C. Grady known to me to be the person described
in and who executed the same free and voluntarily
and for the uses and purposes therein mentioned.

In witness whereof I
have hereunto set my hand and affixed my official
Seal the day and year last above written

Wm. Keeler Meates
Notary Public

State of California
County of Butte

I French Paige Clerk of the Court of Butte
State aforesaid do certify that the foregoing
is a true and correct copy of the instrument
on record in my office as recorded of said County
Witness my hand & Seal of the County
Court affixed at Bidwell this 21st February 1855

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French Paige Co Clerk of Butte
County. By P. J. Robert Deputy

Filed in Office March 6th 1855

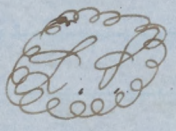
Geo Fisher Secy

Deed.

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This Indenture made this Eighteenth day of August
 AD 1852 between John Danbeubis of Santa Cruz, John
 Bidwell his attorney in fact of the first part and Elieha
 O. Beach of the second part. Witnesseth. That the said
 party of the first part for and in consideration of the sum
 of five hundred Dollars in hand paid by the said party
 of the second part. the receipt whereof is hereafter
 acknowledged. hath granted, bargained, sold and conveyed &
 by their presents doth grant bargain sell and convey unto
 the part of the second part and to his heirs and assigns
 forever. all that certain tract piece or parcel of land
 situated in Butte County and State of California and
 bounded as follows to wit. On the North of Reyno's
 Rancho. on the East of vacant land. so supposed. On
 the South of land formerly claimed by Charles Heath
 and on the West of ~~the~~ the Sacramento
 River. containing about four square leagues and being
 the same land granted to me by Gov. Micheltorena in the
 year 1844. reference being had to the title papers. for
 greater certainty of description. the said original title
 papers being now given into the hands of the said party of the
 second part. for such uses and purposes as he may
 deem fit and proper. together with all and
 singular the hereditaments and appurtenances
 thereto belonging or in anywise appertaining - and
 also all the estate. right title and interest claim
 or demand whatsoever of him the said party of the
 either in Law or equity of in and to the above
 bargained premises and any part and parcel thereof
 with the appurtenances.

In witness whereof I have
 hereunto set my hand and seal the day & year
 first above written.

John Danbeubis 
 By his attorney in fact
 John Bidwell

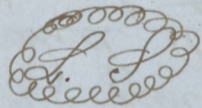
Sealed and delivered
 in presence of James Shaw Boyd

County of San Francisco S.S.

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On this twentieth day of August A.D. 1852 before me a Notary Public for said County duly commissioned and sworn personally appeared the above named John Bidwell known to me to be the same person who executed the foregoing instrument, and to be the Attorney of John Danberbiss therein described of Power of Attorney dated August 17. 1852 to be recorded to or simultaneously herewith, and he duly acknowledged to me that he executed the same freely and voluntarily and as for the act and deed of the said John Danberbiss for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and official seal at the City of San Francisco, the day and year last above written.



James Thos Boyd
Notary Public

Filed in Office Feb 28. 1853.

Geo Fisher Secretary

State of California S.S.
Butte County

I Frank Paige Clerk of the County aforesaid do Certify that the foregoing is a true and correct copy of an instrument now on record in my office as recorded of said County.

In witness
my hand & Seal of said County Court affixed
at Bidwell this 21st day of February A.D. 1855

F. Paige County Clerk
By R. Hobart Deputy

Filed in Office March 6 1855

Geo Fisher Secretary

21.

Deed.

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Know all men of these presents that I John Danbenbiss of the County of Santa Cruz in the State of California, have made Constituted and appointed and of these presents to make constitute & appoint John Widdle of Butte County in the State of California my true and lawful attorney, for me and in my name and stead to enter into, and take possession of a certain tract of Land situated in the County of Butte in the State of California aforesaid and bounded as follows, to wit, on the North of Reyes Rancho, on the East of Government Lands, on the South of Land formerly claimed by Chas Heath and on the West of the Sacramento River, and containing about four square leagues and granted to me by Governor Micheltorena in the year 1844.

And to grant bargain and sell my right title and interest in the same, or in or for any part or parcel thereof for such sum or price and on such terms as to him shall seem meet, and for me and in my name to make and execute deeds and conveyances for the same, and until the sale thereof, to let and demise the same, and to ask for demand and collect all sums of Money that may be due me by means of such bargain and sale or lease or demise and hereby granting unto my said Attorney full power and Authority to do and perform all and any act whatsoever requisite and necessary in the premises as fully to all intents and purposes as I might or could do if personally present with full power of substitution and revocation. hereby ratifying and confirming all that my said Attorney or his substitute shall lawfully do or cause to be done in virtue thereof.

In Witness whereof I have hereunto set my hand and seal the 17th day of August AD 1852

John Danbenbiss (S.P.)

In presence of Peter Gray

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State of California } ss.
County of Santa Cruz }

On this 17th day of August
AD 1852 before me Peter Tracy County Clerk in
and for the County of Santa Cruz aforesaid, personally
came John Danberis, to me known to be the individ-
ual described in and executed the foregoing
instrument, and who acknowledges that he executed
the same freely & voluntarily and for the uses and
purposes therein mentioned.

In witness my hand
& Seal of the County Court affixed in Santa
~~Clara~~ Cruz the day & year last above written.

Peter Tracy County Clerk
Santa Cruz County California.

Recorded on this 23rd day of August AD 1852
at 9 O'Clock A.M. by John Bidwell.

State of California } ss.
County of Butte }

I French Paige County
Clerk of the County aforesaid do certify that the
foregoing is a true and correct copy of an instrument
now on record in my Office, as Recorder of
said County.

In witness my hand & Seal of the said
County Court affixed at Bidwell this 21st day
of February AD 1855

French Paige County Clerk
of Butte County
By W. Hobart Deputy

Filed in Office March 6. 1855

Geo Fisher Secretary

Opinion of
Board by
Comm. Welch

Nathaniel Bassett
vs
The United States

For the place called
Los Boleses in Butte
County containing
four square leagues
of land.

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The petitioner alleges his title to the land
claimed from John Denbenbig through
the following conveyances.

First, a deed from Jacob Denbenbig to
Elisha O. Crosby dated August 18th. 1852
and second, a deed from said Crosby to
the said petitioner dated February 25. 1853
which conveyances are proved by duly
certified copies from the Recorder's Office

The title of Denbenbig's
deed derived from the Mexican government
under the general grant (so called) made
by Governor Micheltuena on the 23rd day
of December 1844 and delivered to General
Sutter for the benefit of the persons whose
land therein is granted; the character &
effect of which are fully considered by
this Commission in the case of Belcher
(Case No. 196) By the ^{papers} which
are given in evidence in the case, it appe-
ars that Denbenbig applied to the
Governor for the grant by petition, dated
July 17. 1844, accompanied by his applica-
tion to General Sutter and the report of
the latter thereon that the land was
the land and public property; that the
Governor referred the petition to his Secretary
that the latter recommended that the
further consideration be postponed as other
similar applications had been, until the
Governor should make his contemplated
visit into the Sacramento Valley
where the land was situated. That
the Governor thereupon made his decree
under date of July 26. 1844. granting the
petitioner the right of occupying the land
provisionally until he should visit

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that portion of the Country - A copy of the general title was delivered to Isaac Dunbar his certificate by General Sully, under date of June 8, 1846. His Excellency is desirous to show Dunbar entitled to the benefit of the grant made by Mecklenburg, as one of the persons described as grantees therein.

The description of the premises contained in the petition to the Governor acceded by the Map which accompanied it, defines and describes the land so as to locate all definitely in its location.

The occupancy of the premises in person by the grantee in 1844 and his possession and cultivation of the place from that time until some three or four years since is proved by the testimony of witnesses.

The title of the Claimant is thus substantiated, and a decree in his favor will be entered.

(Confirmed)

Filed in office March 20, 1855

Geo. Fisher Secy

Recorded in Record of Decisions
Vol 3 page 564.

Geo. Fisher Secy

The United States 30th this case on
during the war

25 Decree

Nathaniel Bassett

vs
The United States

In this Case on hearing the proofs and Allegations it is accepted by the Commission that the Claim of the said petitioner is valid and it is therefore decreed that the same be Confirmed

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The Land of which Confirmation is hereby made is known by the name of Las Bolesas, situate in Butte County and is bounded as follows to wit; On the West by the Sacramento River; On the North by a line running Easterly from said River and nearly at right angles to the same and which forms the Southern boundary of the Rancho del Plano Seco; On the South by a line parallel to said North line and at the distance of two leagues from the same; and on the East by a line parallel to said Sacramento River and at the distance of two leagues from the same; reference is further described therein thereof to be had to the grant of the same, and the Map Constituting a part of the Expediente on file in this Case. Said premises containing four square leagues of Land and no more

Alpheus Selch
R. Aug. Thompson
S. B. Fawcett

Taken in Office March 20. 1855

Geo. Fisher Secy

Recorded in Record of decisions Vol 2
page 565.

Geo. Fisher Secy

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PAGE 24

It appearing to the satisfaction of the
Board that the same hereby appointed
tee is situated in the Northern District
of California it is hereby ordered that
two transcripts of the proceedings and
one of the papers ⁱⁿ ~~on~~ ~~the~~ ~~case~~ ~~in~~ ~~which~~ ~~the~~ ~~same~~ ~~are~~ ~~found~~ ~~in~~
the case on this case, be made out and
duly certified by the Secretary, one of
of which transcripts shall be filed
with the clerk of the United States
District Court of the Northern Judicial
District of California and the other be
transmitted to the Attorney General of
the United States



Office of the Board of Commissioners,

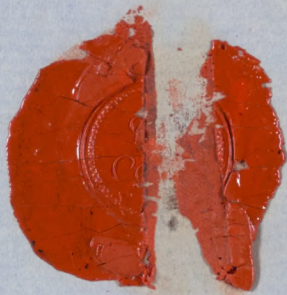
To ascertain and settle the Private Land Claims in the State of California.

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PAGE 25

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 *Twenty six* — pages, numbered from 1 to *26*, 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. *58* on the Docket of the said Board, wherein

Nathaniel Bassett is —

the Claimant against the United States, for the place known by the name of "*Las Cedulas* —



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

G. Fisher
G. Fisher

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U. S. DISTRICT COURT,

Northern District of California.

No. 286

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THE UNITED STATES,

vs.

MD

Nathaniel Bassett.

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No.

65-8

Filed, *October 1*

1853

J. A. Monroe,

Clk



Office of the Attorney General of the United States,

Washington, 10 October, 1855.

65 P. J. "Las Colinas" _____

Nathaniel Brewster. 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 15th day of September, 1855, the appeal in the district court of the United States for the *Northern* district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 286 —

one

United States District Court
Northern Dist of California

United States
vs
Nathaniel Bassett

Notice of Appeal in
Case no. 658.

Filed Nov: 22, 1855,
J. Chenery
Deputy

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To the Hon^{ble} District-Court of the United States in and for the Northern District of California

No. 286.

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PAGE 28

The United States.

vs appellants }

Nathaniel Bassett. }
appellee.

No. 286

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 Record was filed in this Court on the 1st day of October 1855 that a notice of appeal was filed on the 22^d day of November 1855 and that the land claimed lies in the said District; That the said claim is invalid, whereupon appellants pray, that the said decision of the Board be reversed and that this Court decree the said title to be invalid

Respectfully etc,

A. Cassell

Asst. U.S. Dist. Atty

No. 286. 1856

U.S. District-Court for the
Northern District of California

The United States

vs

Nathaniel Bassett.

Petitioner

Filed March 31st

1856

J. A. Warner

Clk

286 ND

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A. Russell

United States District Court for the
Northern District of California

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No. 286.

The United States

vs.

Nathaniel Bassett

The respondent for answer to the petition filed in this case, answers and says, It is true that the land mentioned in said petition and in said transcript - of the proceedings before the said Board of Commissioners lies within said Northern District of California and within the jurisdiction of this Court;

But this respondent denies that his title to the said lands is invalid - and avers that the same is valid and prays that the decision of the said Board be affirmed and his title be decreed to be valid.

E. O. Crosby, Atty
for respondent.

No. 286. *three*

U.S. District Court for the
Northern District of California

The United States

vs

Nathaniel Bassett.

answer

Filed March 31st 56

J. M. Moore

Clk

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E. Crosby
Atty for respondent

United States District Court for the
Northern District of California,

No. 286.

The United States.

vs.

Nathaniel Bassett.

It is hereby stipulated and agreed by the
U.S. District Attorney, and Claimants Counsel that
the original document called the General Title made
by Michel Torino and dated December 22^d 1844. and
filed in case No. 201. ~~under~~ Samuel J. Hensley on the
Docket of the U.S. Land Commission being No. 33. on
the Docket of this Court. ~~together with the deposition~~
~~of John Bide and John Luther attached thereto~~
~~taken in the same case~~ may be read and con-
sidered in evidence in this case the same as if
filed and taken herein -

March 24, 1856. W. Russell,

Asst U.S. Dist. Atty

E. O. Crosby

Atty for Claimant

By reference to the opinion
of the Board in the above
named case as contained
in the transcript - I have
no doubt that a stipulation
was filed in the said case
whereby the "general Title" so-
called was admitted in -
this case, as contained in
case No 201 before the Board
of U.S. Land Commissioners -
and in case No 33 in this
Court - S. G. Newley, Claimant,
and I believe it to be the
fact that such stipu-
-lation was filed -

Lois Blanding

No. 286. from
U.S. District Court for the
Southern District of California

The United States

vs

Catharine Bassett.

Stipulation of the

U.S. Dist. Atty & Clerk, Counsel

Filed March 31st

1856

Lois Blanding

Clk

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This
Original exhibited by Capt Sutter & proved
before me J.W. May 13 1852

95 286 ND.

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Manuel Micheltorena, Gral de Brigada
del Ejercito Mexicano Ayudante Gral de la Plana
Mayor del mismo, Gobernador Comandte Gral
& Inspector del Departamto de California.



No pudiendo ahora por estar sumamen-
te ocupado este Gobierno Supremo
Departamental estender uno por uno
los titulos respectivos a todos los Ciu-
dadanos que han solicitado terrenos
con informe a su favor del Sr D.
Augusto Sutter Capitan y Jefe
encargado de la Jurisdiccion de
Nueva Uvecia y Sacramento, a
nombre de la Nacion Mexicana les
confiero por estas letras la propiedad
p^a ellos y sus familias de los respec-
tivos terrenos marcados en sus
instancias y diseños a todos y a cada
uno de los q^s hallan solicitado y
obtenido informe favorable del ex-
presado Sr Sutter hta hoy dia
de la fha sin que nadie pueda dispu-
tarles su propiedad, sirviendoles una
copia de este que les dara mas ade-
lante el Sr Sutter de titulo formal
con el q^s se presentaran a este Gobi-
erno p^a estenderles el mismo titulo
en la debida forma y papel sellado
correspondiente y p^a la debida constan-
cia en todos tiempos doy este docu-
mento que sera reconocido y acatado
por todas las autoridades civiles y
militares de la Nacion Mexicana

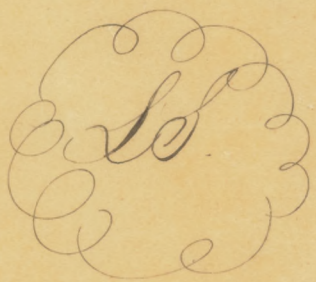
2.

en este y en los demas Departamen-
tos, autorizado debidamente con los
sellos militar y de Gobierno, en
Monterrey a veinte y dos de Dici-
embre de mil ochocientos cuaren-
ta y cuatro

Man. Michel

State of California
Sacramento County } ss

On this 28th day of June A.D. 1850 I
Lewis A Birdsall hereby certify that John
Bidwell, Samuel J. Hensley, George McKinstry
and Isaac J. Mott severally came before me
and being duly sworn by me, and being all
credible witnesses depose, and say on
oath that they know Michel Lorenzo the
above named Grantor and are well acquainted
with his written signature having seen
him write and that they verily believe
that he signed the above with his own
hand.



In witness whereof I Lewis A Birdsall
Recorder in and for the County
of Sacramento and State of California
aforesaid have set my hand and
seal the day and year above
written.

L. A. Birdsall
Recorder Sac. Co
California

H. E. Robinson -

No 201

Sam^l. J. Hensly


Aguas Nieves

Filed for Record June 28th
1850 at 10 O'Clock AM and duly
Recorded in Book of Deeds
Page 140

Lewis a Birdsall
Recorder Tac Co Cal
for the Dept.

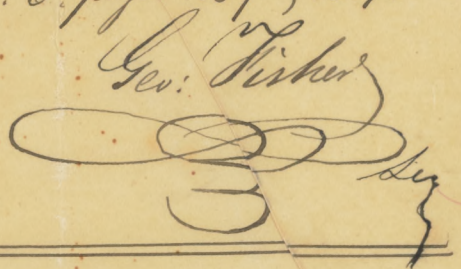
Doc. No. Hall & M. proc.
by Sutter & Bidwell
and to the Dep. of the
latter before Com. Hall

Filed in Office Jan 28th
1853 Geo Fisher

 sig

"In case No 235. Exhibit
1 to Depo of Jn. A. Sutter
Pl

Recorded in Record of Evid.
Vol. 6. pages 289 & 290

Geo. Fisher
 sig

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John Bidwell

This paper proved by the testi-
mony of John Bidwell before
me - April 16. 1852
J. H. Hall Comr.

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Manuel Micheltorena, General of Brigade of the Mexican Army, Adjutant General of the Staff thereof Governor, Commandant General and Inspector of the Department of the Californias.

LS
LS

Not being able now on account of being closely occupied this Supreme Departmental Government to issue one by one the respective titles to all the citizens who have petitioned for lands with a favorable information from Senior Don Augustus Sutter, Captain & Judge in Charge of the Jurisdiction of "New Helvetia" and Sacramento, I, in the name of the Mexican Nation, by these letters confer upon them and their families the lands described in their applications and maps to all and each one of them who has solicited and obtained favorable information from said Senior Sutter up to the day of this date so that no one can dispute their title. Senior Sutter will give them a copy of this in furtherance of a formal title with which they will present themselves to this Government to issue the said title in the proper form and upon corresponding sealed paper, and in testimony whereof in all time, I give this document which shall be recognized and respected by all the civil and military authorities of the Mexican nation in this and the other Departments, duly authenticated with the seal of the Government and the Military seal in Monterey the 22^d of December, 1844

(Signed) Man. Micheltorena

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A true and correct translation - Jan^y 28. 1853
Geo. Fisher Sec^y

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(Endorsed)

n^o 201. Sam^l. J. Hensley - "Aguas Nieves" Translation -
Doc H. Hull & J. W. to the dep. of Satter and Bidwell -
Filed in office Jan^y 28. 1853 - Geo Fisher Sec^y -
Recorded in Record of evidence & page 741 - Geo Fisher Sec^y -

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

I, John L. Hoays, Surveyor General of the United States for the State of California, and as such having in my charge and custody, the Records of the late Board of U.S. Commissioners to ascertain & settle the private land claims in California, do hereby certify that the Five preceding pages exhibit true copies of the following documents, to wit: Pages 1, 2 & 3, of a document marked "Doc. H. Hall & J. W. prov. by Sutter & Bidwell annexed to dep. of the latter before Com. Hall" - Pages 4 & 5, of a document marked "Translation Doc. H. Hall & J. W. to the deposition of Sutter & Bidwell" both of which documents are filed in Case n° 201 wherein Samuel J. Hensley is Claimant against the United States.

In witness whereof I have hereunto signed my name officially and caused my Seal of office to be affixed, at the City of San Francisco this second day of April 1856

John L. Hoays
U. S. Surveyor General



For Mr. Kennedy
No. 10.00

No. 286, five
U.S. District Court for the
Northern District of California
The United States.
vs.
Nathaniel Bassett.
Certified copy of "General Order"

Filed April 2, 1856,
Cheves,
Deputy.

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E. W. Crosby, Atty
for Plaintiff

No. 286.

United States District Court for the
Northern District of California

The United States

vs

Nathaniel Bassett.

Stated Term,
April 17, 1856.

This cause coming on to be heard
on an appeal from the final decision of the commis-
sioners appointed to ascertain and settle private
land claims in the State of California under an
act of Congress approved March 3^d 1851. upon the
transcript of the proceedings, papers, and evidence
on which said decision was founded, and it ap-
pearing that the transcript has been duly filed
according to law, and counsel for respective
parties having been heard, It is ordered adjudged
and decreed that the decision of the said com-
missioners be affirmed, and it is further
ordered adjudged and decreed that the claim of
the appellee is a genuine valid claim to the land
known by the name of Las Colinas, containing four
square leagues of land, situated in Butte County and
is bounded as follows, to wit; on the ~~west~~ west
by the Sacramento River; on the north by a line
running eastwardly from said River and nearly
at right angles to the same, and which forms the
southern boundary of the Rancho del Llano Seco;
on the south by a line parallel to said north
line and at a distance of two leagues from
the same; and on the east by a line parallel
with ~~to~~ said Sacramento River and at the distance
of two leagues from the same reference being
had, for further description thereof to the
petition of John Damburbiss to Governor
Michel Tompa dated July 17th 1844. and to

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the map accompanying the same, both of
which are contained in the expediente on file
in the office of the Surveyor General, and a copy
of which is contained in the transcript of this
cause.

Agustin Hoffmann
U.S. District Judge

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No. 286.

U. S. District Court for the
Northern District of California

The United States
vs appellants

Nathaniel Bassett,
appellee.

Decree of Confirmation.

Filed April 17, 1856,
W. H. Chesebrough,
Deputy.

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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 *Wednesday* the *first* day of *April* in the year of our Lord one thousand eight hundred and fifty-seven.

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Present :

The Honorable OGDEN HOFFMAN, District Judge.

The United States
v
Nathaniel Bassett

D. C. 286; L. C. 658.

In this case on 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 at the present term, be and the same is hereby granted; and that a certified transcript of the pleadings, depositions, evidence and proceedings in the said cause, be sent to the Supreme Court without delay.

286— eight

United States District Court, Northern
District of California.

The United States

vs.

Nathaniel Bassett

ORDER.

granting appeal

Filed *April 1st* 1857

John A. Monroe,

CLERK.

By *W. H. Chivers*

DEPUTY.

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Leaman

The United States

Nathaniel Bassett

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The original grantee in this case was one of those who petitioned Gov. Michel Comera in 1844 and whose lands were granted in the general grant dated Dec. 22^d 1844 - The validity of this general grant has been already passed upon by this court in the case of the U. S. v. Samuel J. Husby and as the grantee in this case is proved to have been one of those whose petition was favorably reported on by Genl. Sutter, and to whom the latter caused to be delivered a copy of the general law, his case clearly falls within the principles decided in the U. S. v. Husby.

The ~~same~~ grantee is ^{also} shown to have occupied & cultivated his land in 1844 under the provisional order or permission granted by the Governor.

No objection is made to the confirmation of this claim on the part of the U. S. - It was unanimously confirmed by the Board and we see no

2

Reason for reversing this
decision -

A decree of Confirmation
must therefore be entered.

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The U. S. ¹⁸⁴ No. 286.

N
Nathaniel Bassett

Opinion

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No. 286.

The United States

vs

Nathaniel Bassett.

} Index to Transcript:

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- Page 3. Petition of Claimant to Board U.S. Land Commission
" 4. Deposition of John Bidwell, provs papers &c
" 6. Deposition of J. Landers, provs occupation
" 7. Spanish Copy of Expediente
" 9. Copy Maps attached to Expediente,
" 11. Translation of Expediente, to wit: Petition of grantee to Sutter
for report &c. Petition of Same to Gov. Micheltornes
12. report of Juino, & decree to occupy.
13. Translation of General title, & Certificate of Sutter.
15. Copy Sud from Crosby to Bassett (present Claimant)
17. Certified Copy Deed from Crosby to Bassett
19. Certified Copy Sud from Saubombis to Crosby, (by J. Bidwell Atty)
21. Certified Copy Power Attorney from Saubombis, to J. Bidwell,
23. Opinion of Board U.S. Land Commission, Confirming Claim
25. Decree of Confirmation

Stipulation of U.S. Dist. Attorney & Claimant's
counsel that Original of the "General Title" so called
be filed in Case of Hensley No. 33. of this Court, be considered
in evidence (See Case of Hensley, No. 33. Opinion of Judge
MacKintosh Confirming the claim, this case
comes under that decision -

No. 286.

U.S. District Court for the
Northern District of California

The United States

vs

Nathaniel Bassett

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E. O. Crosby

Atty for Claimant

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Office of the Board of Commissioners,
To ascertain and settle the Private Land Claims in the State of California.

San Francisco, August 21st 1855.

J. A. Munroe Esq.
Clerk of the U. S. District Court for the
Northern District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 658 on the Docket of the said Board, wherein

Nathaniel Bassett is
the Claimant against the United States, for the place known by the name of "Las Cedulas"

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

G. Fisher