

CASE No.

295

NORTHERN DISTRICT

SOQUEL GRANT

MARTINA CASTRO

CLAIMANT:

film

ND

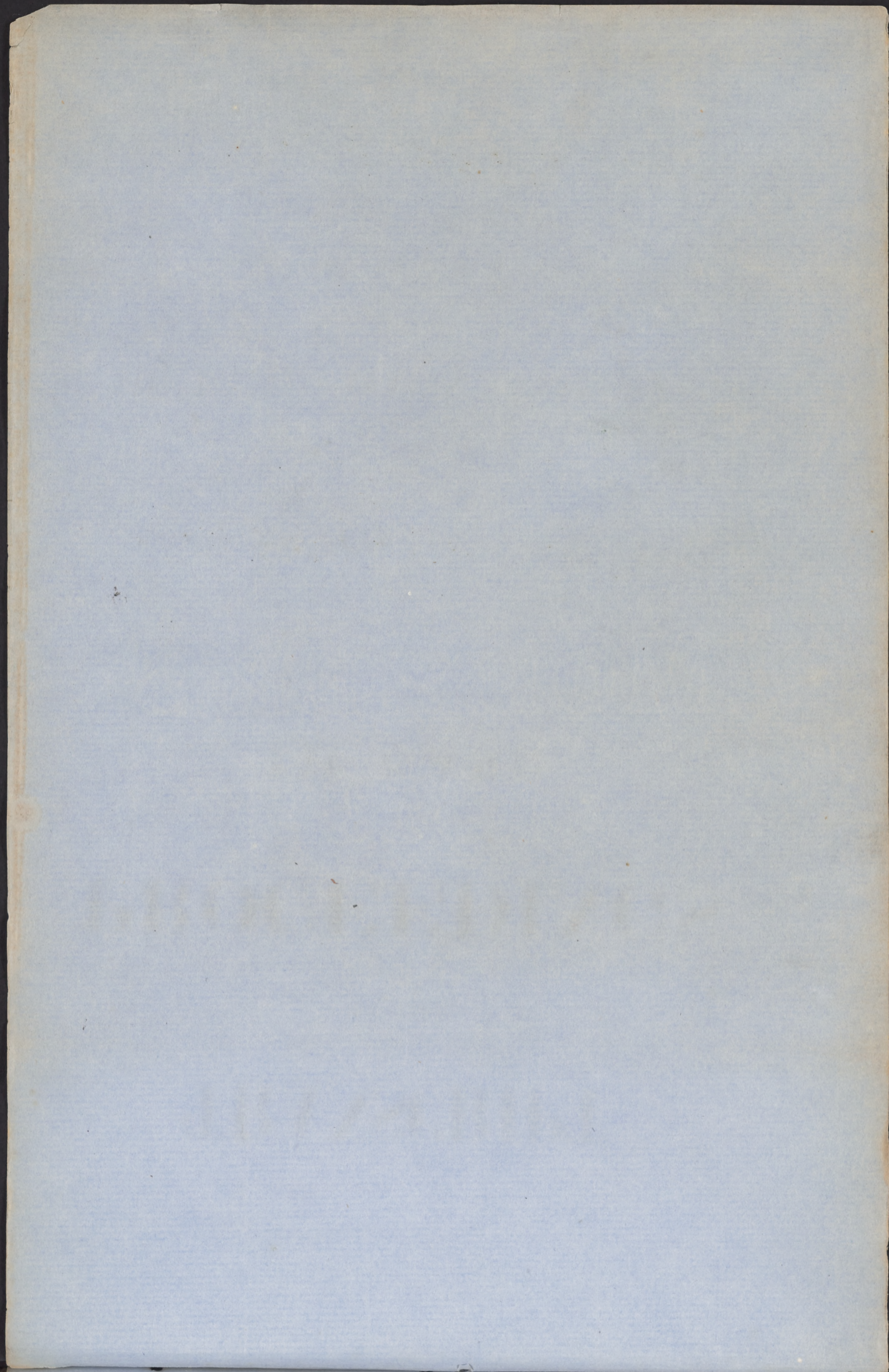
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184

Triplicate



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 184.

Martina Castro —

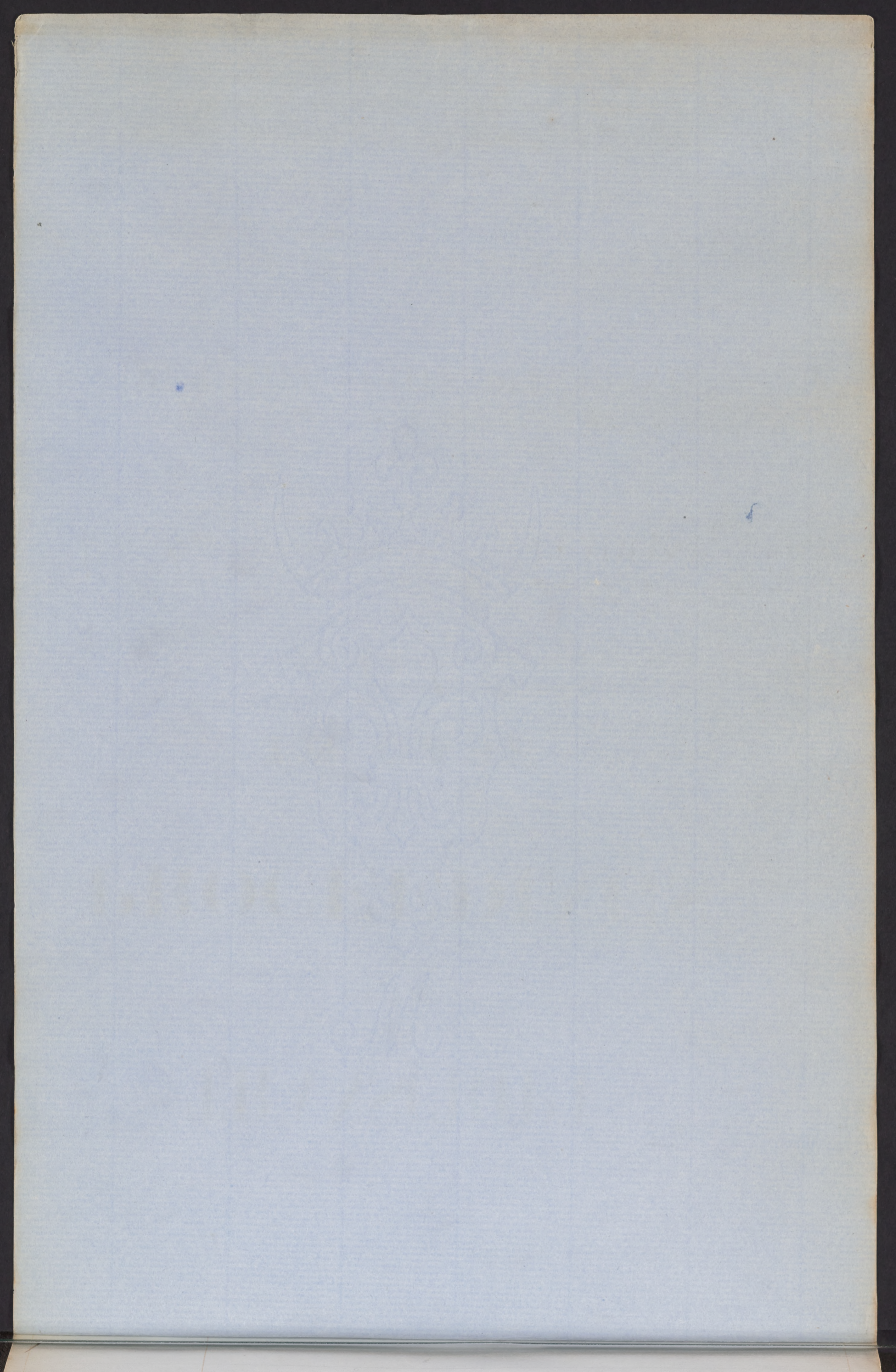
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Soquel"



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 thirteenth 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 Martina Castro
_____ for the Place named
_____ "Soquel" _____
was presented, and ordered to be filed and docketed with No. 184. 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 October 16. 1854
In Case No 184, Martina Castro for the place named "Soquel" the deposition of Jose A Boleoff a Witness in behalf of the Claimant taken before Commissioner Peter Lott. was filed.

Vide page 4 of this Transcript

San Francisco November 21. 1854
Case No 184. on motion of the Counsel for the Claimant, with the consent of the U. S. Law Agent was ordered to be placed at the foot of the 3rd class. case on the Dual Docket.

San Francisco December 12. 1854
Case No 184 was submitted without argument and taken under advisement.

In the same case the Deposition of Cornelio Perez a Witness in behalf of the Claimant taken before Commissioner Peter Lott was filed:

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Vide page 8 of this ^{of} Manuscript

San Francisco January 23rd 1855

In the same case Commissioner R. Aug. Thompson delivered the Opinion of the Board confirming the claim

Vide page 31 of this ^{of} Manuscript

San Francisco March 6th 1855.

In the same case the U. S. Law Agent filed the following motion, to wit:

(Vide page 33 of this Manuscript)

San Francisco May 29th 1855.

In the same case Commissioner R. Aug. Thompson delivered the decision of the Board upon the motion of the U. S. Law Agent filed on the 6th of March last, granting the same.

Whereupon it is Ordered, That the Secretary of this Board file a Transcript of the Proceedings in this case in each of the United States District Courts for the State of California.

3.

To the Board of Commissioners for ascertaining and settling private land claims in the State of California

Your petitioner Martina Casto a Resident of San Felipe of the County of Santa Cruz in the State of California respectfully presents to your Honorable Board that she claim a certain tract of Land called Soquel, containing ten miles longitude by half a League Latitude more or less situated in the County of Santa Cruz in said State of California, that she claim the same in fee by virtue of a grant made to Martina Casto under the Authority of the Mexican Government by Jose Figueroa, Governor of the Territory of Upper California, bearing date Monterey 23rd Nov^r 1833. and approved by the Territorial Deputation on the 1st May 1834.

Your petitioner further represents that the said grantee of the 5th day of February 1852. transferred her right in said land to Lewis Hammond in a lease for 5 years.

Your petitioner would further represent that the Judicial title of possession of said tract of Land was given to the said Grantee on the 14th day of August 1832. and the boundaries thereof designated and defined. and she has been in the peaceable possession thereof ever since; and that she has no knowledge of any interfering claim.

Your petitioner presents herewith the Original grant of said land in the

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Petition

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Spanish Language together with a translation of the same, and will make further proof of title as required by the Board.

Your petitioner prays your Honorable Board to take into consideration her claim to said tract of Land and decree her title to be valid and confirm the same.

And Your petitioner will ever pray

D. S. Gregory

Atty: for Claimants

Filed in Office April 19th 1852

Geo: Fisher Secy

Deposition of
Jose A.
Bolcoff

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United States of America
State of California in & D.D.

San Francisco Oct. 14th 1854
This day came before Peter Lott. Commissioner for taking testimony to be used before the Board of U. S. Land Commission in said State, Jose A. Bolcoff a Witness on behalf of the Claimant Manuel Castro in Case 184 on the Docket of said Board, and said Witness being sworn deposed in Spanish, which is interpreted by the interpreter to said Board as follows:

The U. S. Law Agent is present
Question by Mr. Gregory for Claimant.

1st Question:

Answer: My name is Jose Bolcoff
I am 54 years and 3 months old

Question:
5- What is your name, age and place of Residence. ?

Answer.

My name is José Bolcoff my age 5th years and I reside in Santa Cruz County, California.

2nd Question.

Look at the document now shown to you marked "A: P. L." Exhibited in this deposition and heretofore filed in this Case and State whether you are acquainted with the hand writing of the persons whose signatures appear therein if yes, your means of knowledge, and whether their signatures in said document are genuine. ?

Answer.

The Rubrics of José Figueroa and Rafael Gonzales, at the beginning of this document were their genuine rubrics I have seen them both affix them to documents and are well acquainted with them. I was the Alcalde who gave the juridical possession in this Case, and this José Antonio Bolcoff is my genuine signature, I wrote the names of Martina Castro, Miguel Ramirez, Joaquin Castro Juan José Castro and Rafael Robles respectively, they were all present and requested me to do so and they each made a mark of a cross here in my presence except said Robles, whose father was dying that day and he left without making his mark. I am acquainted with the hand writing of Francisco Rodriguez have seen him write and this is his genuine signature.

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6
2nd Question.

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Look at the document now shown to you marked "B. P. L. Exhibited in this deposition, and heretofore filed in this case and state whether you are acquainted with the hand writing of the persons whose signatures appear therein, if you state your means of knowledge, and whether their signatures in said document are genuine?

The Rubrics of José Figueroa here are genuine, at the beginning of this document, I have seen them respectively affix them to documents, I am well acquainted with them. The signature of said Figueroa on the 3rd page is also genuine, and also that of Agustín V. Zamorano, I have seen them both write and know their hand. Writing well and wherever they occur in this document they are genuine.

2nd Question.

Are you acquainted with the land in question called Soquel if you, state whether the diseño in the document first Exhibited to you marked "A. P. L." is a correct delineation thereof and whether the boundaries of said land are conspicuous and well known objects.

Answer.
I am acquainted with said tract of Land and this Diseño is a correct representation of it and the boundaries are well known and easily ascertained objects.

objects.

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2nd Question

State the boundaries of said tract of Land.

Answer.

It is bounded on the East by a ditch, which divides this land from that of Rafael Castro, on the West by the Arroyo de Soquel, which separates it from the land of Francisco Rodriguez on the North by hills, a Red Wood Stake was driven at the Northern boundary, and on the South by the sea. These were the boundaries established, by me as Alcalde when I gave the juridical possession in this case.

3rd Question.

State what you know of the Occupancy of the tract of Land in question by Martina Castro.

Answer.

In 1833 Martina Castro lived on the place, she had a house, corral and some of the land enclosed and cultivated about 140 acres, she had horses, cattle & sheep on the place, and she has continued ever since then to occupy the place till the present time

Cross-Examined by U. S. Associate Law Agent.

1st Question.

How were the boundaries established when you gave the juridical possession?

Answer.

We measured all round the Rancho with a cord of 50 Varas in length

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2nd Question.

Were there any other artificial marks placed in the boundaries besides the Stake you have mentioned?

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Answer

~~I have~~ There were not, there was no necessity for it, the Arroyo, the ditch & the sea were distinct boundaries.

Jose Polcoff

Subscribed and Sworn to
before me, in this 14th day
of October. A. D. 1854

Peter Lott

Commissioner

Filed in Office Oct^r 16th 1854

Geo: Fisher Secy

1854. State of
C. United States of California }
Americas }
}

Deposition
of Cornelio
Perez.

San Francisco Dec: 8th 1854

This day came before Peter Lott Commissioner
for taking testimony, to be used before
the Board of U. S. Land Commission in
said State Cornelio Perez a Witness on
behalf of the Claimant, Martina Castro
in Case No 184. on the docket of said
Board and said Witness being sworn
deposes in Spanish, which is interpreted
by the Interpreter to said Board as
follows.

present

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The U. S. Associate Law Agent is present.

Question by Counsel for Claimant
1st Question.

What is your name, age and Residence. P.

Answer.

My name is Cornelio Perez my age 44 years, my Residence. Santa Cruz County California.

2d Question.

Are you acquainted with the Rancho called Soquel, claimed in this case if you state what you know of the occupations and Cultivations of said Rancho by the Original Grantee. P.

Answer.

I know said Rancho, I have known it to be in the Occupation of Martina Castro before it was granted to her some 19 or 20 years she had a house, a modern house before the grant and a Corral, horses and Cattle, she had two large fields enclosed and cultivated and before the grant and after the grant she built a large adobe house and she has continued in such Occupation till the present time and is still living there. She gave permission to some men to build a Mill on one corner of the place, a saw mill and that remained there as her property.

Cross Examined by the U. S. Associate Law Agent.

1st Question.

How do you know when said grant was made. P.

Answer:

I know it because I knew that one
Francisco Gira had some stock on the place
and he refused to move them off and then
I saw an order from Governor Figueroa to
said Gira requiring him to remove said
stock because the Land belonged to Man-
tina Castro - and it was well known and
publicly understood among the neighbors
that she had received a grant of the place

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Cornelio Perez +

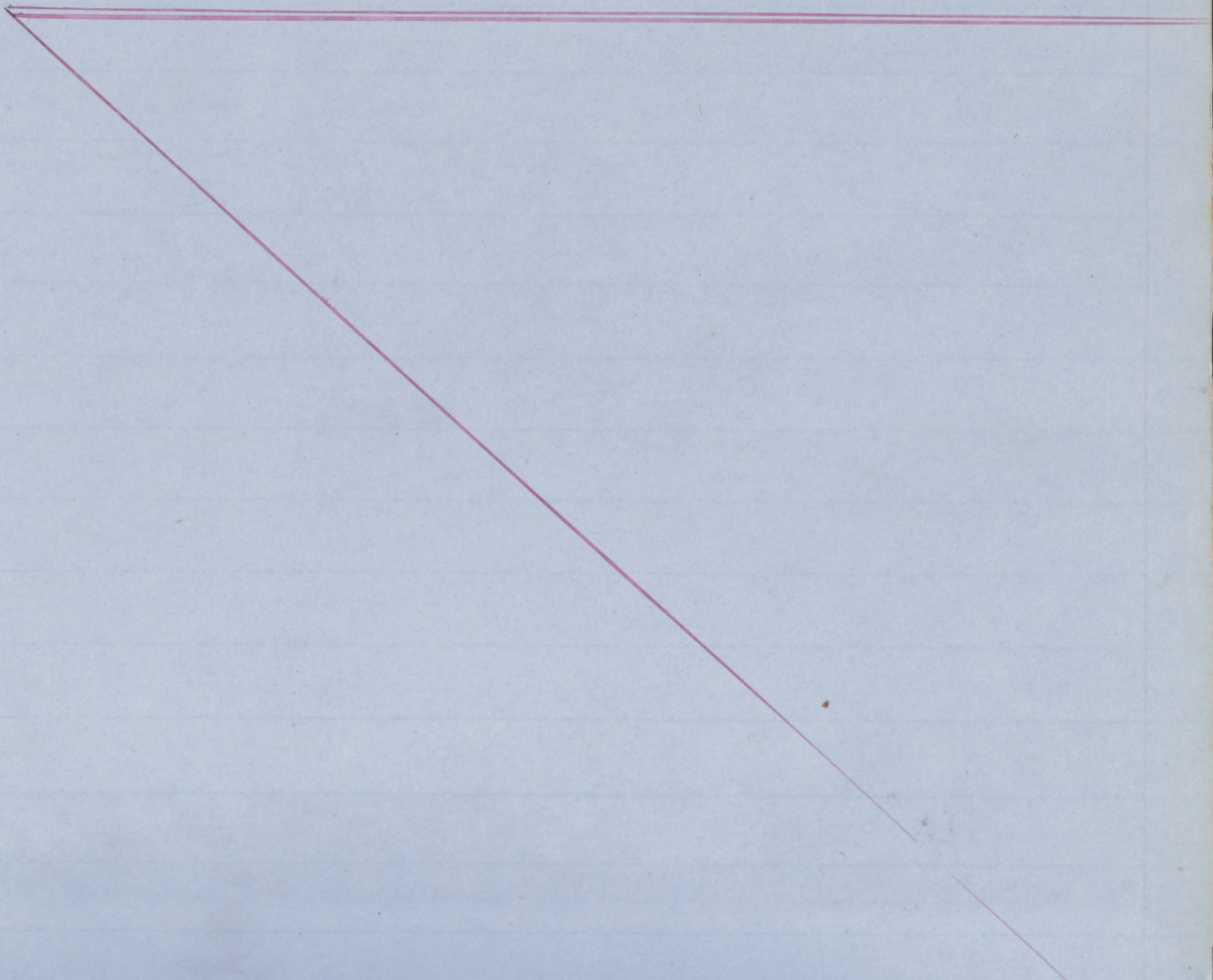
Subscribed and sworn to
before me on this 8th day
of December, A. D. 1854.

Peter Lott.

Commissioner J.

Filed in Office Dec 12. 1854

Geo. Fisher - Secy



Yello Teneno Dos Reales:

Habilitado provincialmente por la Adminis-
tracion de la Aduana Maritima de
Monterey para los años de mil Ocho cientos
treinta y cuatro y mil Ocho cientos treinta
y cinco.

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Ligueroa

Rafael Gonzalez

A

Sr. Alcalde Constitucional

Expediente

Martina Castro de Cota Decimada

A. P. L.

ante V. dice que habiendo obtenido la

Exhibited Consecion propia del teneno conocido con el
mi Depo: of nombre de Agnel Teneno ante V. p^o
Jose Bolcoff serba darle la posesion juridica como esta
prebenido en el Art. 24. del titulo de Depo
Teneno que solo expedio veinte y tres de Ocho
viembre del año 1832 que citivamente
è igualmente la enfirmacion respectiva
p^o cuando obrè los Efectos de ocaidos: por
tanto. a. V. Suplica se sirba ponerla
en la posesion que solicita en lo que reci
bre justicia.

Martina Castro +

En la Villa de Boemeforte, Ocho de
Agosto de mil Ocho cientos treinta y cuatro
En virtud de los anteced^{tes} solicituel
proceder por mi el juez a la Medicion
senalamiento de linderos y posesion juridica
que solicita el Interesado en Este Es-
pediente señalandose p^o Ofcentarlo
el dia batore presente mes para lo que de
tataca con Volata de emperenelo los Colm
dantes. Asi yo otro juez de primera instan
cia lo decretè, manelè y firmè con los de
Assist^{tes} con quien actuo p^o Receptoria
à falta de Escribanos publicos doy fe.

Jose Ant^o Bolcoff

Asa. Miguel Ramirez +

" - " - Loas^{tes} Castro +

En la fha presente se le notifico Martina
Castro que an tecede y de la interesada
dijo que lo Oye que se dava por Citada y
lo firmo conmigo y los testigos de Cusa en
forma Establecida. doypée.

Martina Castro f.

José Antonio Bolcoff.

Cusa. Mig^l. Ramirez f.

" " Joaⁿ. Castro f.

En la fha se libaron las boletas de
se mandan en el antecedito para que
conste lo Rubricue f.

En el Rancho de Oynel Catorce de apt^o
de mil ochocientos treinta y cuatro.

En cumplimiento del ante de fha conen-
ueron los Co^o. Colindantes de Este Rancho
y citado p^o la medicion señalam^o. de linder-
os y posesion nombre p^o mediciones a los
Ciudadanos Rafael Robles y Man^o. José
Castro a q^o. previa la aceptacion y pua-
ment^o. procederan al de desempeño de su
Cargo. Asiyo el Alcalde lo decretó man-
dó, y firmé con los de Cusa =

José Anto. Bolcoff

Cusa. Joaⁿ. Castro f.

Mig^l. Ramirez f.

En la fha se le notifico el ante que an-
tesede a los Colindantes y Entendidos
dijeron que lo Oyen y firmaron conmigo

José Antonio Bolcoff

Rafael Castro

Fern^o. Rodriguez

Cusa: Joaquin Castro f.

" Miguel Ramirez f.

En la fha y en el Espesado Rancho Oyn-
nel se les notifico el que antesede a los

En la fha y en el Espuado Manero sup
nel de los notipios el que antecede a los

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Co. Raf. Robles, Juan José Castro y
entendidos dijeron que aceptan y aceptaban
dho Encargo de mididores y juraron a
Dios y la señal de la Cruz de usarlo fiel
y legalmt^{te} a todo su leal saber y enten
der sin dolo fraude contra persona algu
na y primo conmigo ante los testigos
de d^{ca}ssa:

Jose Ant^o Polcoff
Juan José Castro + Rafael Robles +
Asa. Joa^q Castro +
" " Mig^l Ramirez +
Sello tercero Dos Reales:

Habilitado provisionalmente por la A-
duana Maritima de Monterey para los
años de mil Ocho Cientos treinta y cuatro
y mil Ocho Cientos treinta y cinco.

Quijueva Rafael Gonzale O.
En el Rancho de Sugnel en la Referida
a. siendo como a las dos de la tarde y
el presente vez mande a los mididores
nombrados se pongan para la medida
de tierra que han de hacer W. y poner
en el P.D. se cumen la medida teniendo
al C. en donde se midieron y se pusieron
mofoneras y luego desde el O. @ N. @
despues se formaron mofoneras en cada
uno y queda el diseño dibujado en la
misma forma que se midio el terra
de el arandz los d^{hos} mididores haver
el d^{ho} de Ganado Mayor y para que con
ste lo firmo conmigo los Co. mididores

Jose Ant^o Polcoff
Juan José Castro +
Mig^l Ramirez +

En el Referido Rancho de Sugnel y en
la fha Martina Castro Vecina de Brom

=eforte acompañando el juez de 1^a in-
 stancia de otro lugar y testigos que en vir-
 tud de haversele medido las tierras de
 Este Rancho según consta en las diligencias
 anteriores tomaba la Verdadera, corpora-
 l y Real posesion de los expresado sitio
 de Sanalo mayor menos media legua lon-
 gitud y dos millas latitud el juez
 le pertenecion con puestas en título obtiene la
 concesion que de Ella le dio con fecha veinte
 y tres de Noviembre, el Sr. Jefe superior
 político por las facultades que le son
 conferidas en decreto de 31 de Enero úl-
 timo de la Aprobacion que esto hizo la
 Exma. Diputacion de este Territorio en
 fecha diez y siete de Mayo Corriente año.
 Entre y pases por Ella, amance Lirva
 (Sello Cuarto Una Cuartilla)

Habilitado provisionalmente por la Aduana
 maritima de Monterey para los años de
 mil Ocho cientos treinta y cuatro y mil
 Ocho cientos treinta y cinco.

Figueroa Rafael Gonzales
 Español pumadas de tierra con pie Ramo
 de los Corboles y tres predias por los cuatro
 Dientes y otras ceremonias y acto de
 posesion en señal de lo que dijo tomar
 y tomava de dicha tierra y manero el citado
 juez de 1^a instancia que desde entonces
 lo tubieron y reconocido por verdadero señal
 y posesion de Ella de todo referido por di-
 cha Martina Castro que para memoria
 y conservacion de lo venidero y de sus derechos
 por mi el Repetido juez le fuere extendido
 una constancia lo que haer fue autoridad
 con testigos de asistencia con quere de
 Entera en Receptoria a la falta de

Entera en recepción a la familia de...

15-

Escribano publico que no lo hay segun de
recho-Doy Lee.

Jose Antonio Bolcoff
Assn. Diego Castro +
Mig. Ramirez +

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Carlo Tho se devolvi este Exped. a
la Interesada en ^{el} p.º utiles y p.º con
stancia lo puse por Nota.
Nota que Publique

} Here follows,
} map. }

Filed in Office April 18th
1852.

Geo. Fisher Deery

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PAGE _____

Alcaldé Constitucional

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of A.

Espediente said land issued to her on the 23rd of
Translation duly accompanied with the respective

D.

Martina Castro of this vicinity before you says: that having obtained the patent in fee of the land known by the name of Soquel; she applied to you that you may be pleased to give her the juridical possession as provided for in the Art. 4th of the title of November of the year last past which she confirms in Obedo they should produce the desired effects. Therefore she begs that you may be pleased to give her the permission which she solicits by which she shall receive justice.

(Signed) Martina Castro Rev
mark

In the town of Brameforte on the 13th August 1834. In virtue of the foregoing petition the judge will proceed to the measurements, the putting of mites and bounds, and the juridical possession solicited by the party interested in this Expediente for the execution of which purpose the 14th instant is appointed and the adjoining neighbors shall be summoned by written notices; the judge of first instance thus did decree order and sign with those of assistance with whom I act in lieu of a Notary public according to law being no Notary here which I certify.

(Signed) José Antonio Bolcoff
Assisting Witnesses his
Miguel Ramirez mark
Joaquin Castro his mark

On the same date the foregoing decree was notified to Martina Castro and she being informed of the same said she heard it and considered herself summoned to appear and she signed it with me in the Established form which I certify signed) José Antonio Bolcoff
signed) Martina Castro + her mark
assisting Miguel Ramirez + his mark
Witnesses) Joaquín Castro + his mark

On this date the Notices ordered by the preceding Cides were served in Witnesses whereof I signed it with my rubric

At the Rancho of Soquel on the 11th August 1834. In compliance of the foregoing decree the adjoining neighbors of this Rancho appeared and being required for the measurement the putting of meters and bounds and the possession, I appointed measures citizens, Rafael Robles and Juan José Castro. who after having accepted and made Oath shall proceed to the discharge of their commission. Thus did I the Alcalde, decree, order and sign with those of Assistance signed) José Antonio Bolcoff

Assisting Witnesses no
Joaquín Castro + mark
Miguel Ramirez + his mark

On the same date the preceding act was notified to the adjoining neighbors and having understood the same they said they heard it and signed with me.

they heard it and signed with me.

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Signed) José Antonio Boleaff
Rafael Castro. James Rodriguez

Assisting Witnesses. Joaquín Castro ^{his} mark
Miguel Ramirez ^{his} mark

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On the same date at the said Rancho Soquel the foregoing act was notified to Citizen Rafael Robles and Juan José Castro and being duly ~~over~~ informed they said they accepted & do accept the said appointments of measurers and swore by God and the sign of the cross they will perform their duty faithfully and legally to the best of their ability, without causing injury to any person, and they signed it with me before the assisting Witnesses:

Signed) José Antonio Boleaff
Juan José Castro ^{his} mark
Rafael Robles ^{his} mark
Assisting Witnesses) Joaquín Castro ^{his} mark
Miguel Ramirez ^{his} mark

At the Rancho of Soquel on the same date at two O'Clock in the Afternoon the present judge ordered the measurer to proceed to the measurement to be made of the Lands; they began on the West where they placed a land mark and measured towards the East, then they placed a land mark and measured from South to North East, after they placed land marks at each end, and the Sketch was drawn according to the measure taken. The measurer declared that said measure embraced one square league in situ de ganado Mayor. In Witness

whereof I signed it with the measurer
 signed) José Antonio Boleoff
 signed. José Castro + his mark
 " — Rafael Robles + his mark

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Assisting Witnesses.

Joaquín Castro + his mark
 Miguel Remirez + his mark

At the said Rancho of Joquel, and on
 the same date, Martina Castro a Resident
 of the Village of Braniforte accompanied
 by me the judge of first instance, of the said
 place, and the Witnesses having previously
 measured the lands of said Rancho as
 it appears in the foregoing acts, took the time
 corporal and Real possessions of the said
 square league of (sitio de Ganado Mayor)
 half a league longitudinal and ten miles la-
 titude a little more or less; such land
 belongs to her by a title of concession granted
 she obtained on the 2nd of November
 from the Superior political Chief by virtue
 of the powers conferred on him by a decree
 of 31st January ultimo and by the Appro-
 val of the most Ex^t. Territorial Assem-
 bly issued on the 14th May of the present
 year she entered and walked on said
 land, pulled up grass, threw away handfuls
 of earth, broke off branches of trees threw
 away stones to the four winds and perfor-
 med other ceremonies and acts of possession
 in sign of which she said, she took and
 did take in of said land. The aforesaid
 judge of first instance ordered that said
 Martina Castro should be acknowledged
 hereafter as the true owner and possessor

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of the aforesaid land: and she asked me that in Remembrance, and preservation of her Rights in future, I the aforesaid judge should deliver her a testimony whereof; which I did by virtue of my authority and that of the assisting witnesses with whom I act according to law in lieu of a Notary public, there not being any here which I certify.

(Signed) José Antonio Boleoff
assisting Witnesses
Loaquin Castro ^{his} mark
Miguel Ramirez ^{his} mark

On the same day the Exped^t was returned to the interested party in written folios.

In Witness whereof I noted it down with my Public Seal.

I Certify the foregoing to be a Original and correct translation from the Original filed in Office.

San Francisco the 19th of April 1852

(Signed) Geo: Fisher Secy

Made in Office April 19th 1852

Geo: Fisher Secy

Sello segundo Dose Reales:

Habilitado provincialmente por la Adm. de la Estacion de la Adm. Marina de Montevideo para los años de mil Ocho Cientos treinta y dos y mil Ocho Cientos treinta y tres.

Ligueroa

Rafael Gonzalez

Jose Ligueroa Genl. de Brigada de los Ejercitos Nacionales Mexicanos. Coman

Martina Castrodante Genl. Inspector y Jefe Superior Rancho de politicos de la Alta California.

Joanel

Por cuanto Martina de Castro

Esposa de Miguel Lodge ha pretendido

que se le conceda el terreno conocido con el nombre

de San Antonio para su beneficio personal y el de su familia el terreno conocido con el nombre

de San Antonio

Exhibido en el nombre de Joanel colindante con el Rio de Este

Depo. of Jose nombre y el Sanjoro de las Borregas: practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y Reglamentos usando de las facultades que me son conferidas en decreto del dia de ayer a nombre de la Estacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por la presente

le has entendiendose dicha concesion con entera conformidad a lo dispuesto por las leyes y sin perjuicio del aprovechamiento comun de la Villa de San Francisco por lo respectivo a pastos, aguas, lena, maderas y sujeto a pagar el canon que se le imponga si resultare pertenecer a los ejidos de dicha Villa cuando se arreglan sus limites a Reserva de la Aprobacion o desaprobacion de la Coena Diputacion territorial y del supremo Gobierno y bajo las condiciones siguientes.

1. Que se sometara a las que Estable

que el Reglamento q^o se ha de formar para la distribución de terrenos baldíos y que entre tanto ni el apaciado ni sus herederos podran dividir ni enajenar el q^o se les adjudica: imponer censo vinculo fianza hipoteca ni otro gravamen aunque sea por causa piedadosa; ni padarlo a manos muertas.

2^o Podrá sercarlo sin perjudicar la establos, caminos y servidumbres; lo disputará libre y Colectivamente de otro modo al uso o cultivo que mas le acomode; pero dentro de un año a lo mas fabricara Casa y Estera habitada.

3^o Cuanto se conforme la propiedad solicitara del juez respectivo que le de posesion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites podra a mas de las moneiras algunos arboles putales o silvestres de alguna utilidad.

4^o El terreno de que se hace donacion es de dos millas de longitud por media legua de latitud segun explica el diseño que corre en el Expedite el juez que da la posesion lo hara medir conforme a la ordenanza quedando el sobrante que resulte a la Estacion para los usos comunales.

5^o Si contraviniere a estas condiciones perdera su derecho al terreno y sera renunciabile por Dho.

En consecuencia mande que teniendose por firme y Validos y enviendole de titulo el presente se tome Razon de el en el libro a que corresponde y se entregue a la interesada para su resguardo y demas fines.

Monterey Dos de Agosto de mil Ocho cientos treinta y Cuatro. En Vista de la Aprobacion otorgada en diez y siete de Mayo ultimo por la Excelentissima Diputacion Provincial librese testimonio de Ella y de este decreto a la parte de Dona Martina de Castro en confirmacion a la concecion del terreno de Choquel que obtuvo en veinte y dos de Noviembre de mil ochocientos treinta y tres.

El Señor Don José Guerrero General de Brigada, Comandante General Inspector y Jefe superior politico del territorio de la Alta California. asi lo mande decreto y firmo de que doy fe. Secretario José Guerrero. Agustín V. Gamorano. Convenida a la letra con su Original del cual haze sacar el presente Testimonio para resguardo de la parte de Dona Martina de Castro en Monterey a dos de Agosto de mil Ocho cientos treinta y Cuatro: siendo testigos los Ciudadanos Bernardo Moverete y Bonifacio de Madariaga de esta Vecindad.

En Testimonio de Cada

José Guerrero

Agustín V. Gamorano Jefe

Public Office April 15th 1854

Geo Fisher Secy

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José Figueroa Brigadier General of the National Mexican Army, Comandante General, Inspector and Superior Political Chief of Upper California.

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of B.
Grant and
Approval
Translation
D.

Whereas Martina de Castro, wife of Miguel Lodge has solicited for her personal benefit and that of her family the land known by the name of Joquel, bounded by the River of said Name and the rancho de las Boregas: having previously complied with the preceding and investigations, and in conformity with the laws and Regulations on the subject by virtue of the powers conferred on me in the name of the Mexican Nation, I have by a decree issued yesterday, granted her the above mentioned land, and declaring it to be her property by these presents; this grant being understood in entire conformity with the provisions of the laws and without prejudice to the use that the village Benavente may make in respect to the pastures, water, fire wood and lumber subject to pay the Rent (cannon) which may be imposed on said Land, if it belongs to the commons of said Village when its boundaries be marked out and subject to the approval or disapproval of the most Exct. the Territorial Assembly and to the Supreme Government under the following conditions.

1st That she shall submit to the conditions established by the Regulations to be formed for the distribution of vacant lands & meanwhile neither the grantee nor her heirs can divide or cultivate the

The land adjudicated to them; impose on it any tax, entail, bond, mortgage or any other incumbrance, even for pious purpose nor convey it to mortmain.

2nd She may pence it without detriments to the crossings, roads and servitudes; she shall enjoy it freely and exclusively appropriating it to the use or cultivation that it may best suit her, but within a year at most she shall build a house and it shall be inhabited.

3rd When the Ownership be confirmed unto her, she shall petition the Respective Judge to give her juridical possession in Virtue of this decree, by whom the boundaries shall be marked out, at which limits he shall put besides the land marks some fruit trees or wild trees of some usefulness.

4th The land of which donation is made consists of two miles longitude by half a league latitude a little more or less as Exhibited by the Sketch accompanying the Expediente; the judge who should give the possession shall have it measured conformably to Ordinance in order to mark out the boundaries; the surplus which may result belonging to the Nation for the convenient purposes.

5th If she contravene these conditions she shall lose her Right to the land and it shall be denouneable by another person.

In consequence I Order that this title serving her as a patent and being held as firm and valid, be entered in the corresponding book. and delivered

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to the interested party for his security
and other ends.

Given in Monterey on the 23rd
Nov: 1833.

Signed) José Figueroa
Agustin V. Zamorano. Secy

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It has been entered in the Book of En-
tries of titles in adjudication of lands folio
13. eto. 11. filed in the Archives of the Se-
cretary. under my charge.

Monterey November 23rd 1833

Signed) Zamorano)

Political Government
Upper
California

They approve the Grant made
to Señora Martina de Castro of the land
called Soquel granted on the 23rd
November 1833. in entire conformity
with the provisions of the Law of 18th Au-
gust 1824. and the Art 5th of the Regu-
lations of 2nd November 1828.

Monterey 14th of May 1834.

In session of today the most Excel^l the
assembly approved the proposition of
the foregoing opinion and ordered the
Expediente to be Returned to the supe-
rior political Chief for its further ends

Jose Figueroa
Juan Bautista Alvarado

Secy. 1834

Monterey the 2nd of August on the 14th
In view of the Approval issued on the 14th

of may by the most Ex^t. the Territorial
assembly; let testimony thereof and of this
decree be delivered to the party of Dona
Martina de Castro, in confirmation to the
grant of land called Soquel which she
obtained on the 22^{na} of November 1833
by Don José Figueroa General, Inspector
and superior political Chief of the terri-
tory of Upper California, thus did Order
decree and sign to which I certify;

José Figueroa
Agustin Zamorano. Secy,

I compare literally with the Original
from which I ordered the present testimony
to be taken for the security of the party of
Dona Martina Castro at Monterey on the
2^{na} of August 1834, being witnesses
citizens Bernardo Cavarete and Bonifa-
cio Madanaga of this neighborhood.

In Witness whereof I sign the same
(Signed) José Figueroa
Agustin Zamorano
Secy,

I certify the foregoing to be true and
correct translation from the Original
filed in this Office.

San Francisco the 19th of April 1852
By Geo. Fisher Secy,

Made in Office April 19th 1852.
Geo. Fisher Secy,

Martina Castro }
 vs. } Rancho de Soquel
 The United States }

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Opinion
 of the
 Board

This is a claim for a tract of land situated in the present County of Santa Cruz, two miles in length by $\frac{1}{2}$ a league in width, a little more or less as explained by the Sketch attached to the Espe^{ll}

It is founded on a grant made by Governor Figueroa on the 23rd day of October 1833, which was duly approved by the Territorial Deputation on the 14th of May 1834, and a testimonial of such approval signed by the Governor and Secretary and dated August 2nd 1834. delivered to the grantee for his security.

Judicial possession of the premises was given by the proper Officer on the 14th of August 1834, and the boundaries established. The Originals of all these documents are filed in the Case and their genuineness is established by this testimony.

The grantee is known to have occupied and cultivated the land extensively from a period anterior to the grant up to the present time, and still continues to reside on it. The Validity of the Claim is fully proved and a decree of confirmation will be entered.

Filed in Office January 23rd 1855
 Geo. Fisher Secy

Marciano Castro,
 V^o.

The United States

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In this case we having the proofs and allegation it is adjudged by the Commission, that the claim confirmation of the petitioner is valid, and it is therefore decreed that the same be confirmed.

The land of which confirmation is made is situated in the County of Santa Cruz and is known by the name of Soquel being the same which was granted to the Claimant by Gov. Figueroa on the 23rd day of November 1833 and which has been held and occupied by ever since and is bounded as follows: On the West by the River or Arroyo de Soquel, on the East by the Sanjon, de las Borregas — on the South by the sea and on the North by the hills where a stake was driven to mark the boundary, being two miles in length by half a league in breadth for a more particular description reference to be had to the Original grant, map and Record of juridical possession filed in the case.

Alphens Felch } Commissioners
 R. Aug: Thompson }

Filed in Office Jan. 23. 1855
 Geo. Fisher. Secy.

Martina Castro

Claimant

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Motion

Motion to send a Transcript to both the Northern and Southern Districts for the Reason that the land claimed in this Case lies in Both Districts.

McKime

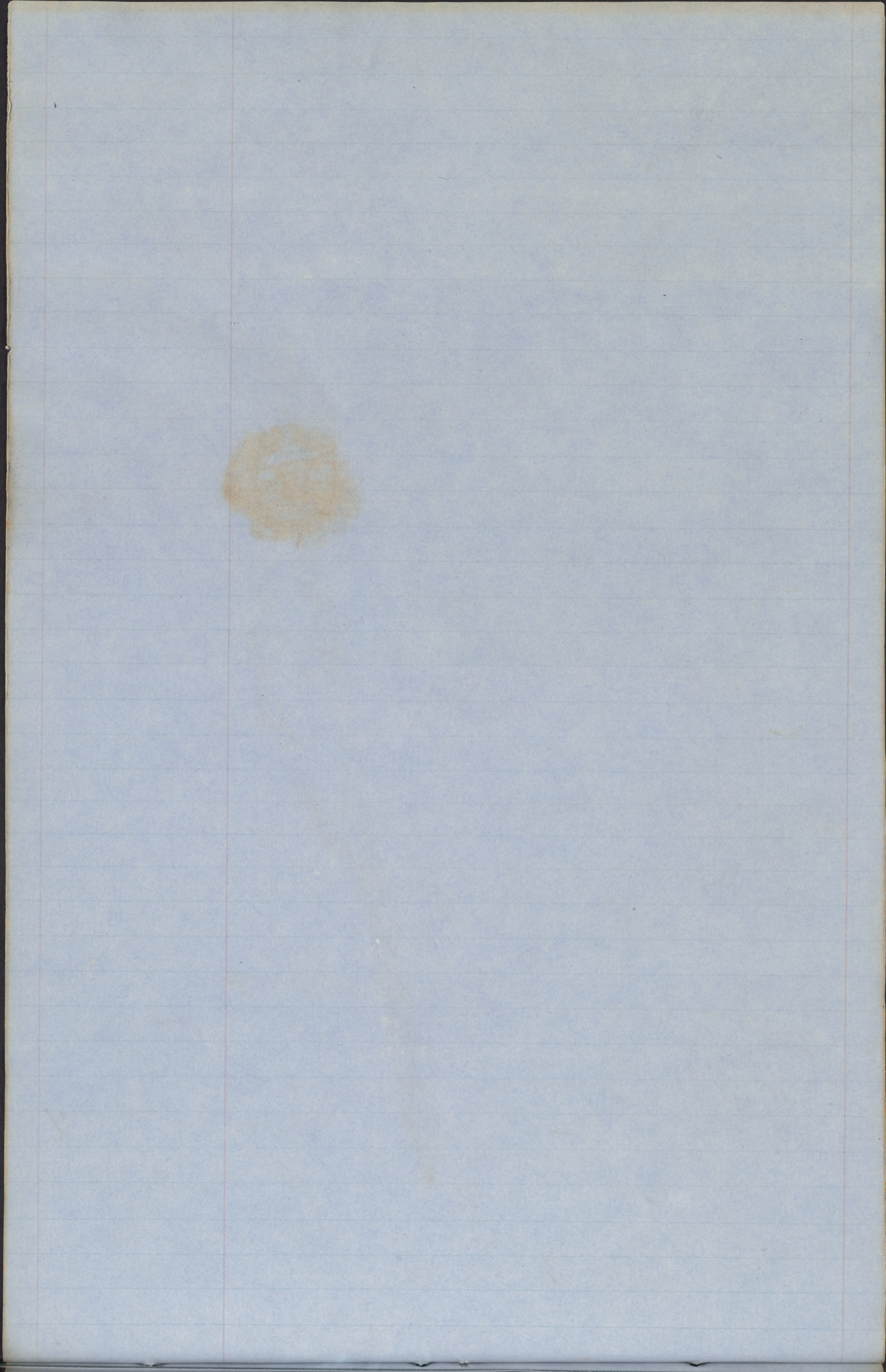
Law Agent

Filed in Office March 6th 1855

Geo. Lisha Deery

Recorded in Journal Vol 4. page 225.

Geo. Lisha Deery



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

J. George Fisher Secretary to
Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Thirty Three* pages, numbered from
1 to *33*, both inclusive, to contain a true, correct and full Tran-
script 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. 184. on the Docket of the said Board,
wherein

Martina Castro is

the Claimant against the United States, for the place known by
name of "*Seguel*."

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 sixth day of *September*
A. D. *1855*, and of the Independence of the
United States of America the ~~seventy~~ *eightieth*

Geo. Fisher



U. S. DISTRICT COURT,

Northern District of California.

No. 295- **295**

THE UNITED STATES,

vs.

MD

Martina Castro

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

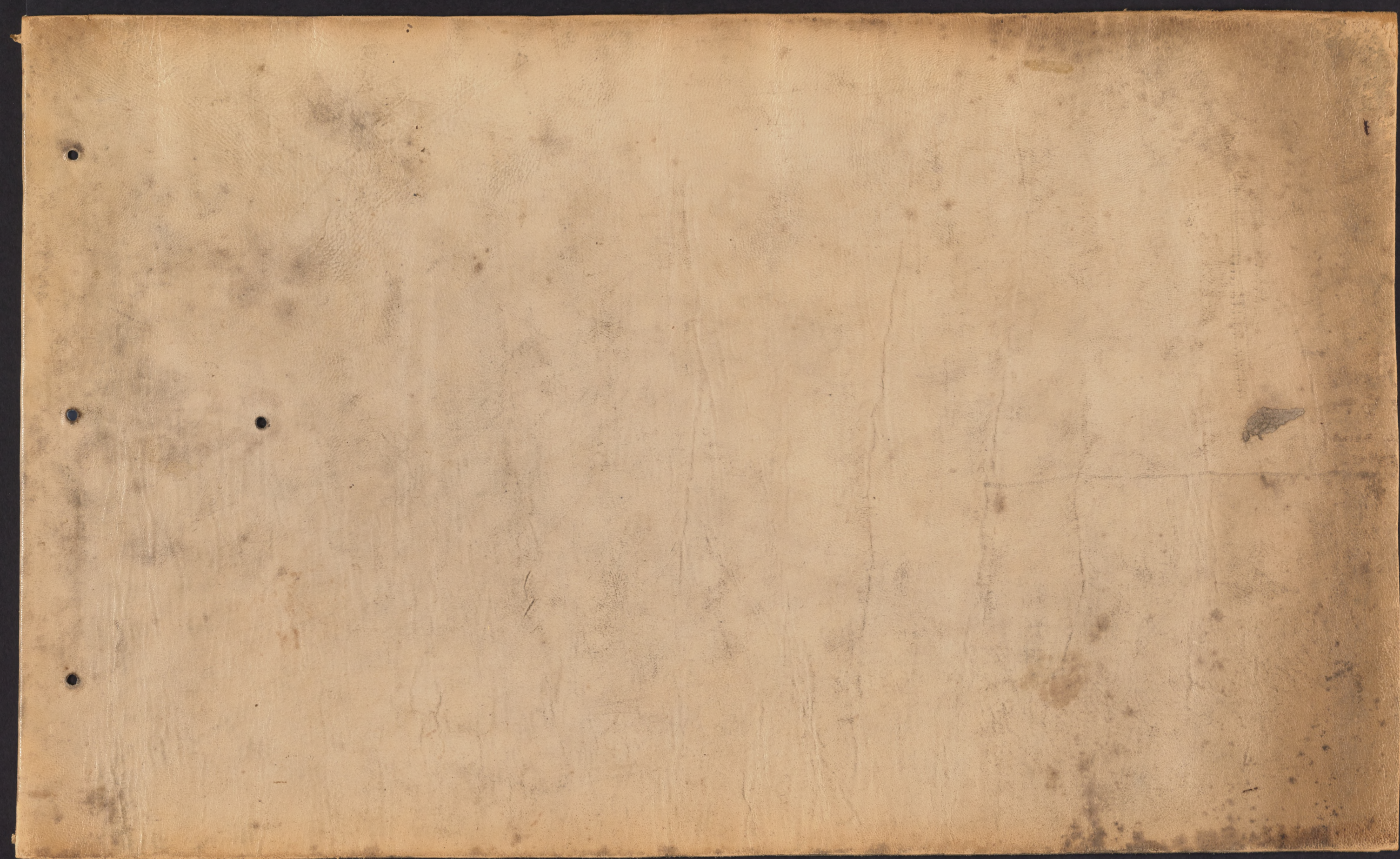
In Case No. *184*

Filed, *October 1* 185*5*

J. A. Monroe,

Clerk

781 184



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

The United States
Appellants
vs
Martina Castro
No.

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 1st day of
May 1834; that a notice of appeal
was filed on the 1st day of May 1834
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. H. Ings
U.S. Dist. Atty

No. 295-

U.S. District Court

The United States

vs

Martina Castro

Petitioner

Filed July 29, 1856,

My Clerk,
Deputy

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Massell

UNITED STATES OF AMERICA,
STATE OF CALIFORNIA.

COUNTY OF SAN FRANCISCO.

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In the ^{District} ~~Circuit~~ Court of the United States for the ^{Northern District} ~~Districts~~ of California.

The United States

vs.

Martina Castro

The President of the United States of America,

To

*Adney A. Hiccox, Ricardo Juan,
John Hames & Thomas Hallen*

GREETING:

You are hereby required, That all and singular business and excuses being set aside, you appear and attend before ^{the Hon. Justices, U.S. Circuit Judges} ~~the Circuit Court of the United States~~ for the Districts of California, ~~to be held~~ at the Court House in the City of San Francisco, on the ^{29th} day of ^{February} ~~the~~ A.D., 1856, at ¹ ~~the~~ o'clock, P. M., then and there to testify in the above stated cause now pending in said ~~Circuit~~ ^{District} Court, on the part of the above named *United States*. And for a failure to attend you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved.

Geo. Pen. Johnston
U.S. Commissioner



~~Witness, The Hon. ROGER B. TANEY, CHIEF JUSTICE OF THE SUPREME COURT OF THE UNITED STATES OF AMERICA, this~~
~~day of~~
~~in the year of our Lord, one thousand eight hundred and fifty-~~ and of our Independence the

~~Attest,~~

~~Clerk,~~

~~By~~

~~Dep. Clerk.~~

UNITED STATES OF AMERICA
STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

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

Original
Sub No. 295
District Court of the United States
FOR THE Districts of California
Maitland

The United States

Maitland vs. Maitland

SUBPOENA.

for J. G. Maitland's witness

Filed, March 1st
1856
day of
Geo. W. Johnston
Clerk.

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I authorize and I appoint Nathaniel Holcomb
to execute and serve this writ
Feb 15th 1856
W. A. Richardson
W. C. Maulsby
By W. Melvin Smith
Deputy

I have served this writ personally on each of the persons
herein named in Santa Clara & Santa Cruz Counties, as follows
to wit on Thomas Fallon on the 16th day of February 1856, on John
Thames on the 27th day Ricardo Swan on the not served Adonijah Whicox
on the ^{not served} 11 days of February 1856, by delivering to them true copies thereof, in person
Wm. A. Richardson W. C. Maulsby
Deputy

United States
vs
Martina Castro

United States District
Court for the Northern
District of California

And the said Martina Castro for answer to the petition filed by the United States in case 295, on the docket of this Court says she admits the claim was confirmed to her by the Board of Private Land Claims & that the land claimed in her original petition before said Board lies vis within the Northern district of California & is within the jurisdiction of this Court but she denies all the other allegations made by the United States in her said petition & prays the decree of the Board of Private Land Claims confirming the land to this claimant may be affirmed & whatsoever else is just & proper in the premises

John Wilson
Atto for Claimt

No. 2957

U. States

vs

M. Castro

ans. to Petition

by M. Castro

Case 2957

John Wilson

Atto for Claim

Laid March 3, 1856,

My Cheives,

Deputy

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California Land Claims.

Attorney General's Office

23 Nov 1855.

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Sir:

In the case of the claim of Martina Castro, confirmed to the claimant by the Commission, case no. one hundred and eighty-four (184), appeal will not be prosecuted by the United States.

I am
Respectfully

Yours truly

Wm. Blanding Esq.
U. S. Attorney
San Francisco.

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

The United States

v

Case No. 295.
Transcript 184.

Martina Castro

In pursuance of a notice from the Attorney General of the United States, hereunto annexed, it is hereby stipulated and agreed that the appeal heretofore taken in this case from the decision of the United States Land Commission to ascertain and settle private land claims in California be dismissed, and the notice of intention to prosecute said appeal filed in this Court by the Attorney General of the United States, be withdrawn, and that the claimant have leave to proceed under the decree of the said Land Commission in her favor, as under Final Decree.

Wm Blomaring
Dist Atty.

John Wilson

Atty for
Martina Castro

No. 295.

U. S. District Court

The United States

v

Martina Castro

Case no. 295
Transcript 1857

Stipulation.

Filed July 22. 1857.
W. H. Cheves,
Deputy Clerk.

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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 Thursday the 22d day of January
in the Year of our Lord one thousand eight
hundred and fifty seven.

Present: - - - The Hon. Og Hoffman, Dist Judge
The United States }
v } Case No: 295: Transcript 184.
Martina Castro }

The Attorney General of the
United States having given notice that no appeal
will be further prosecuted in this case, and a
stipulation having been entered into by the United
States District Attorney for the dismissal of the
appeal from the decision of the Board of United
States Land Commission heretofore rendered in
her favor: On motion of the District Attorney
it is Ordered, adjudged and decreed that the
appeal pending in this Court be dismissed and
that the claimant have leave to proceed
under the decree of the Land Commission here-
tofore rendered in her favor, as under Final
Decree.

Ogden Hoffman
U. S. Dist Judge

No 295

U. S. District Court

The United States

v

Martin Castro

Case No. 295

Transcript 1857

order

Filed July 22, 1857.
W. H. Cheves,
Deputy Clerk.

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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, Sept. 26th 1855

J. A. Monroe 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. 184 on the Docket of the said Board, wherein

Martina Castro is

the Claimant against the United States, for the place known by the name of "*Soquel*."

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,

Geo. Fisher