

CASE No.

309

**NORTHERN DISTRICT**

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SAYENT GRANT

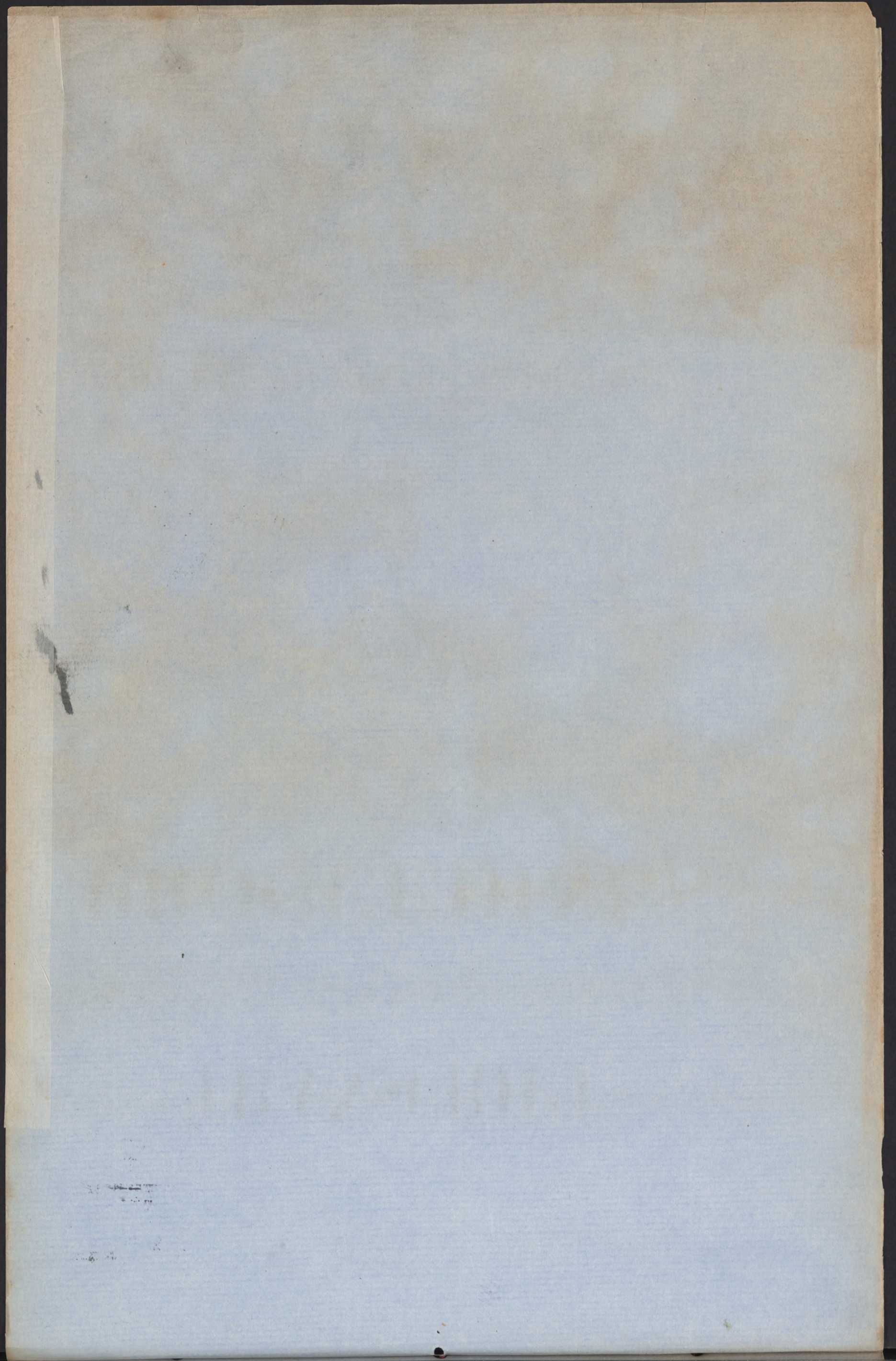
ROBT CATHCART, ADMR.

CLAIMANT:

NOV 27 1962

*Permanently*  
FLOYER BOND  
25% COTTON FIBER  
U.S.A.

771  
Dup



TRANSCRIPT  
OF THE  
PROCEEDINGS

IN CASE

NO.

771

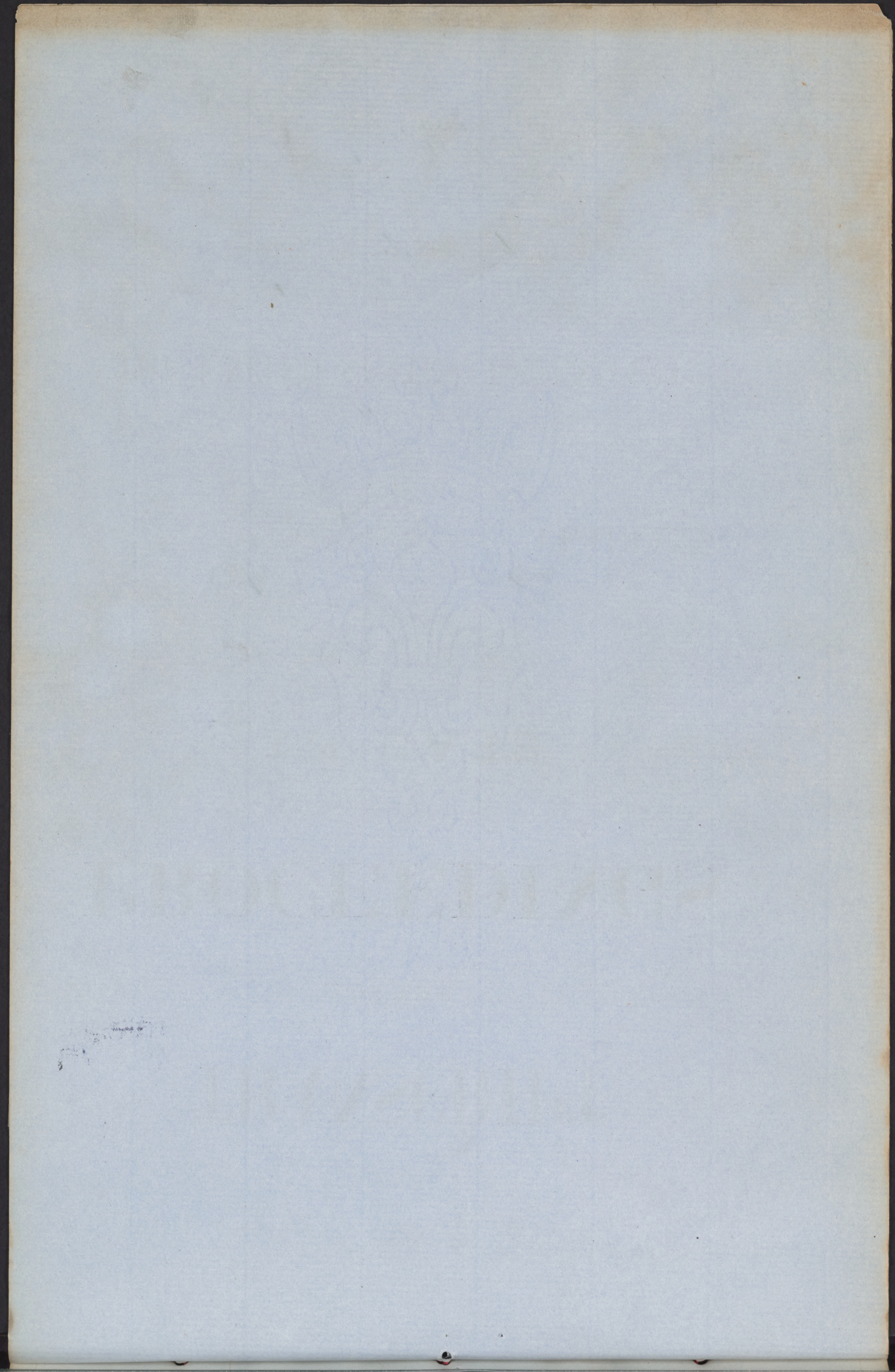
Robt. Cathcart, Adm<sup>r</sup> CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Sayerst"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *second day of March*, 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;

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The Petition of *Robt. Cathcart, Adm<sup>r</sup>* *for the Place named*  
*Sargent*  
was presented, and ordered to be filed and docketed with No. *771* 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 January 9' 1855.*  
Case no. *771*, *Robt. Cathcart, Adm<sup>r</sup>* for the place named "*Sargent*," was ordered to be placed at the foot of the 4<sup>th</sup> class cases on the Trial Scket.

*San Francisco January 23' 1855.*  
Case no. *771* was submitted under the Rule of *21<sup>st</sup>* March 1854.

*San Francisco April 17' 1855.*  
In the same case Commissioner *S. B. Farnell* delivered the Opinion of the Board rejecting the claim.

(Vide page *5* of this Transcript.)  
and the following order was made, to wit;

(Vide page *6* of this Transcript.)





3 Petition

To the Honorable The Board of Commissioners  
for ascertaining and settling the private Land  
Claims in the State of California

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The petition of Robert Lathrop Public Admin-  
istrator of the County of Santa Cruz and  
Administrator of the Goods and Chattels and  
Real Estate of Joaquin Buelna in behalf of  
the heirs of said Buelna respectfully represents

That on or about  
the first day of July in the year 1833 the  
said Buelna presented his petition to Jose  
Figueroa then Governor of California for a  
grant of Land situated in upper California  
on the Banks of the River San Lorenzo of  
the extent of two leagues, or thereabouts in  
length and one league in breadth, that shortly  
thereafter, to wit, in the month of October in  
the year 1833 the said Governor of California  
granted to the said Joaquin Buelna the  
said tract of Land then and now known  
as the "Sageo Rancho" situated on what is  
now the County of Santa Cruz in the State  
of California

That the said Buelna used then  
in the possession of the said Rancho of "Sageo"  
and continued in the possession thereof for a  
long time thereafter, and that the said Rancho  
or tract of Land has been occupied and im-  
proved and is still occupied

That your petitioner  
further represents that the said "Espediente"  
or grant of said Land to the said Buelna  
is now on file in the office of the Surveyor  
General of the State of California to whom  
he has been to request a Copy of which your  
petitioner has not been able to procure since  
the said Estate has come into his possession,  
but which he will offer in evidence to your  
Honorable body together with other proofs  
to establish the title of the said Buelna  
Your petitioner further

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represents that the Original grant of said Rancho  
of Sargent has not found among the papers of  
the said Joaquin Buelna deceased and he  
prays that a certified Copy and translation  
thereof may be accepted in lieu thereof

Your petitioners therefore pray  
that your Honorable Commission will conform  
the title of the said Rancho of Sargent to the  
said Joaquin Buelna and his heirs, and that  
a patent for the same may issue out of the  
proper Department of the Government of the  
United States

And your petitioners will ever pray

Santa Cruz Feb. 25. 1853

H. Richardson  
Atty for Robert Cathcart  
Public Administrator of Santa  
Cruz Co. in behalf of the  
Estate of Joaquin Buelna

Filed in Office March 2<sup>d</sup> 1853

Geo. Fisher  
Secy

Recorded in Vol 2 of Petitions on pages 169-170

Geo. Fisher  
Secy

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Opinion of  
the Board

No. 770

Robert Cathcart ad vs  
vs.

The United States

This claim  
is presented with the naked petition alone  
without proofs of merit and is therefore re-  
jected.

Rejected

Filed in office April 17 1853

Geo. Fisher

Secy

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Decree

No. 770

Robert Cathcart ad vs

vs

The United States

In this case after  
hearing the proofs and allegations, it  
is adjudged by the Commission that the  
claim is not valid and it is therefore  
decree that the application for a con-  
firmation thereof be denied.

R. Aug. Thompson

S. B. Farnell

Commissioners

Filed in office

April 17 1853

Geo. Fisher

Secy

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Order

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

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Office of the Board of Commissioners,

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

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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 Six pages, numbered from  
1 to 6, 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. 771 on the Docket of the said Board,  
where

Robt. Cathcart, Admr. is

the claimant against the United States, for the place known by  
the name of Sayent.



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

G. Fisher.  
Geo. Fisher.

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U. S. DISTRICT COURT,  
*Northern* District of California.

No. 309-

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THE UNITED STATES,

MD

vs.

*Robt. Cathcart, Admr.*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *771.*

Filed, *October 23, 1853*

*J. A. Monroe,*  
*Clk.*

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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, Oct. 15<sup>th</sup> 1858

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. 771 on the Docket of the said Board, wherein

Robt. Lathcart, Admr. is —  
the Claimant against the United States, for the place known by the name of "Gayent" —  
and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher