CASE NO.
314
NORTHERN DISTRICT

BUACOCHA GRANT
MARIA TEODORA PERALTA
CLAIMANT:

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 648.

Maria Teodora Peralta CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Buacocha"

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 twenty eighth 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 Maria Teodora Peralta, for the Place named "Buacocha," was presented, and ordered to be filed and docketed with No. 648 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

San Francisco August 29 1853.

In Case no. 648, Maria Teodora Peralta for the place named "Buacocha", the deposition of Manuel Castro, a witness in behalf of the claimant, taken before Commissioner Thompson Campbell, with document marked (A) Thompson Campbell, annexed thereto, was filed:

(Vide page 11 of this Transcript.)

In the same case the deposition of Dr. W. Halleck, a witness in behalf of the United States, taken before Commissioner Thompson Campbell, in continuation of the depositions of Manuel Castro, was filed:

(Vide page 27 of this Transcript.)

San Francisco Aug. 31 1853.

In the same case the deposition of William A. Richardson, a witness in behalf of the claimant,

taken before Commissioner Alpheus Felch, was filed:

(Vide page 12 of this Transcript)

San Francisco June 7th 1854.

Case No. 648 was ordered to be placed at the foot of the 1st class Cases on the Trial docket.

San Francisco August 17th 1854.

In the same Case the Counsel for the Claimant presented the following Affidavit, viz:

(Vide page 32 of this Transcript)

which having been considered the continuance was granted - and upon Motion of the Counsel the said Case was ordered to be placed at the foot of the 2d class Cases on the trial docket.

San Francisco October 17 1854.

Case No. 648 with the Consent of the U. S. Law Agent was ordered to be placed at the foot of the 4th class Cases on the trial docket.

San Francisco Oct. 17 1854.

In the same Case the Counsel for the Claimant filed the following Affidavit, viz:

(Vide page 33 of this Transcript)

Whereupon, on motion, it is Ordered, That the Case be continued.

San Francisco November 9th 1854.

In the same Case the depositions of Juan Foster and J. J. Warner, witnesses in behalf of the Claimant, taken before Commissioner Peter Lott, were filed:

(Vide pages 14 & 15 of this Transcript)

San Francisco December 22 1854.

In the same Case the deposition of Ygnacio Pacheco, a witness in behalf of the Claimant, taken before Commissioner Peter Lott, was filed:

(Vide page 17 of this Transcript.)

San Francisco January 23 1855.

In the same Case the Counsel for the Claimant filed the following papers, to wit:

1st The Affidavit of Maria Bernardo Duarte de Valencia. (Vide page 29 of this Transcript.)

2d The petition of Claimants heirs by way of Amendment of the Original petition (Vide page 7 of this Transcript.)

3d The following Motion, to wit: (Vide page 31 of this Transcript.)

San Francisco Jany 29 1855.

In the same Case the deposition of Manuel Castro, a witness in behalf of the Claimant, taken before Commissioner Peter Sott, was filed. (Vide page 19 of this Transcript.)

San Francisco Jany 30 1855.

Case no. 648 was submitted on briefs & taken under advisement by the Board.

San Francisco February 24 1855.

In the same Case Commissioner Alpheus Felch delivered the decision of the Board upon the motion of the Counsel heretofore filed, to wit, on the 23d January last, granting the same.

Whereupon, it was Ordered, That the petition of the Claimants heirs by way of Amendment be admitted on the Record in this Case.

San Francisco Apl. 3 1855.

In the same Case Commissioner S. B. Farwell delivered the Opinion of the Board rejecting the claim; (Vide page 35 of this Transcript.)

N. And the following order was made, to wit: (Vide page 37 of this Transcript.)

4

ing and Settling Private Land Claims in

5 Petition

314 ND
PAGE 5

To the U. S. Land Commissioners for the ascertaining and Settling Private Land Claims in California.

The petition of Maria Teodora Peralta respectfully showeth unto your Honorable Body that on the 8th day of November 1845 she made and presented her petition in writing to the Government, soliciting for herself the grant of the tract of Land, known as "Bucoche" and that such petition was referred to the Sub prefect for a report thereon.

That upon his report and upon the report of many adjoining land holders and Magistrates being in favor of your petitioner, Pio Pico, by virtue of his authority as Constitutional Governor of California, declared your petitioner the Lawful owner of said Land on the 18th of February 1846 and Ordered the proper Documents to be Executed.

That such title never issued in Consequence of the Occupancy of California by the americans, and the abolishment of the Mexican Authorities.

And your petitioner further saith, that all the Original papers, as petitions references, and reports, and decree for the granting of the grant, are in her possession; and will be filed together with this petition for the Inspection of your Hon. Bodies.

That said Land is situated in the present County of Marin, is known by the name of Bucoche, contains two and One half Square leagues, and is bounded by the Ranchos of Fernando Feliz Juan Miranda, Bautolo Boyques & Lemelo.

That your petitioner has been in the quiet and peaceable possession of said Land from the year 1845, has always Exercised free and undisputed Ownership over the Same, and is not aware of the Existence of any title conflicting with or Superior to her Own.

She therefore claims to be the lawful Owner thereof and prays that your Honorable body will Confirm her claim and

6

and title thereto

Clarke Taylor & Beckh

Attys for Dna Peralta

Filed in Office Feby 28. 1853

Geo. Fisher

Secy

Recorded in Vol. 2 of Petitions on pages 18-19

Geo. Fisher

Secy

Petition of heirs of Teodora Peralta

314 ND
PAGE 7

U.S. Land Commission Case No. 648
For the place called
Bucocho.

To the Honorable the Board of U.S. Land Commissioners for settling private Land Claims in the State of California.

The petition of Maria Bernarda Duarte de Valencia for herself and her Coheirs herein after named respectfully shewes by way of amendment of the Original petition filed in the said Case No. 648 On February twenty Eighth A.D. Eighteen hundred & fifty three as follows to wit;

That the petitioner is the legitimate daughter of Teodora Peralta in the said Original petition named as Claimant of the said place or Land called Bucocho.

That the said Teodora Peralta died intestate during the month of November A.D. 1850 and that Mariano Duarte, the husband of said Teodora Peralta and the father of this petitioner died intestate during the year Eighteen hundred and forty seven.

That the heirs of the said Teodora Peralta are as follows to wit Ascension Jose, Maria Bernarda this deponent — Dolores — Josefa Alvino — and Lucio, being legitimate sons and daughters of the said Teodora, and Guadalupe & Nicolas Bernal who are of age and Maria Antonio Pacheco and Jose Ramon Pacheco, who are minors, legitimate and Children of the said Teodora —

That there are no heirs of the said Mariano Duarte, save those hereinbefore named as heirs of the said Teodora Peralta

That the said land & place called Bucocho is bounded, described & limited as is set forth in the petition filed as aforesaid in the name of the same Teodora Peralta, and in the Expediente heretofore filed in this cause, and that after and since the granting thereof herein as referred to, the same has been occupied and possessed by the said Teodora, till the time of her death, and thereafter up to the present time by her heirs —

That in consequence as the petitioner verily believes of misapprehension and mistake on the part of those who were instrumental in filing the said petition - confirmation of title is therein prayed for in the name of Teodora Peralta therefore deceased.

That as appears by the said original petition, and in consequence as the petitioner verily believes of like misapprehension, and mistake it is therein alleged that on the Eighteenth day of February A.D. Eighteen hundred and forty six, Pio Pico by virtue of his authority as Constitutional Governor of California, declared the said Teodora Peralta the lawful owner of said land and ordered the proper documents to be executed, and that such title never issued in consequence of the occupancy of California by the Americans, and the establishment of the Mexican authorities.

And this petition shows by way of amendment and correction thereof that as she is informed and verily believes such title did in fact issue; to wit; a written document of concession signed by the said Pio Pico as Governor as aforesaid granting the said land called Budocha to the said Teodora Peralta in obedience to the written order for the extending of said title given and signed by the said Governor on the 18th day of February One thousand Eight hundred and forty six, which order is contained in the expediente heretofore filed in this cause.

That as the petitioner is informed and verily believes, the said document of concession and also a map of the said land and a certificate of possession thereof were delivered to the said Teodora Peralta at the time of the said granting of said land and within the knowledge and distinct recollection of this petitioner, were held and possessed by the said Teodora Peralta during her life time - that within a short period the petitioner as she is informed & verily believes the rest of said heirs have believed the same to be on file along

petitioner has made and caused to be made

heirs have believed the same to be on file along

9

with the said Espediente in this cause — That the petitioner has made and caused to be made diligent search therefor without finding the same & the only believing that the same have become lost or destroyed since the death of the said Teodoro Peralta as is stated in the Affidavit of the petitioner heretofore filed in this Cause

314 ND
PAGE 9

And the petitioner prays for Confirmation of the said title to said Sonora or place Called Buvocha to his favor of herself of the said Other heirs of the said deceased Teodoro Peralta, and that this petition be taken together with his Amendment & Correction of the said Claim & petition herein for filed in this Case in the Name of the said Teodoro Peralta

Robert Simpson
Attorney of Petitioner and her Coheirs

Filed in Office Jan. 23. 1853

Geo. Fisher Secy

80

11 Deposition of Manuel Castro

314 ND
PAGE 10

Office of Commissioners of Land Claims in California —

San Francisco Aug 29. /53

This day before Com: Thompson Examiner Manuel Castro a Witness in behalf of Claimant Maria Teodora Peralta No. 648 who after being duly sworn deposed as follows

What is your name age and place of residence.

Manuel Castro is my name, my age is thirty One years, and my place of residence is in Sonoma California

Look on the paper now shown you and marked (A) which purports to be a petition by the Claimant, and a decree of Concession by Pio Pico. State what you know in relation to the genuineness of said document and the signatures thereto?

I know said Document, I have had it before in my hands, and recognize it as a genuine document, also the signature of Jose Decante, Ygnacio Pacheco, Fernando Feliz, Simeon Murphy, Ignacio Berro Pico, Manuel Castro, which is my own signature, as genuine wherever they occur in said document I have seen them We write frequently and am well acquainted with their signatures

State what you know in regard to the possession, occupation and improvement of the land by the Claimant

About the latter part of the year 1845 I passed through Yerba Buena to Sonoma way the way of the said Rancho going and Coming, where I stopped a part of the day, and there I found the present Claimant with her family of Children and servants living in a house, they cultivated some of the grounds and had some Cattle on that occasion. I saw somethree hundred head of Cattle On the Ranch. Some twenty or thirty horses. And there were Corrals on the place. The Pico referred to was Pio Pico's sign

alone, and I signed the Document as Prefect of the Second District in California

Questions by the Land Agent

Have you seen the document which you signed as Prefect until the present time?

After I sent the document to the Governor I have not seen it until now

In whose hand writing is the body of the Document signed by Pico

I believe it is in the handwriting of Governor Pico.

Where was Governor in February 1846 the time when this Document bears date

I was in Monterey, and I understood Governor Pico was in Los Angeles

Manuel Castro

Sworn to & subscribed before me this 29th day of August A.D. 1853

Thompson Campbell Comr.

Filed in Office Aug 29. 1853

Geo. Fisher Secy

Recorded in Ev. B Vol 3 p 97

Geo. Fisher Secy

Deposition of W A Richardson

Office of the Commissioners of Land Claims in California

San Francisco Aug 30. 1853

This day before Commissioner Stephens Felch came William A Richardson a witness in behalf of the Claimant Maria Teodora Peralta Case No 648 - Who after being duly sworn deposed as follows

Questions by Mr Black Atty for Claimant

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

Answer. My name is William A Richardson, my age fifty eight years and I reside at Sausalito in the Marin County and State of California. I have lived thirty one years in California

2d Question. Look on the Document now here presented to you marked "A Thompson Campbell" filed in this Case, and answer to the

state what you know in regard to the genuineness

Campbell" filed in this case, and annexed to the

103

deposition of Manuel Castro taken therein, and state what you know in regard to the genuineness of said document and the signatures thereto

Answer. "The document is genuine – "The signatures of Jose Ducate, Ignacio Pacheco Ismolao Murphy, Fernando Sais and Manuel Castro who was Prefect of the District Francisco Serrano and Pico are genuine – The latter is the signature of Pio Pico former Governor of California.

I have often seen each of them write and have correspondence with them Ismolao Murphy was Justice of the Peace and Administrador of the Mission of San Rafael in Marin County; he had been dead about Eight Months –

3rd Question. State what you know in regard to the Occupation and improvement of the Rancho known by the name "Buancocho"

Answer. I know the Rancho well It was occupied by Maria Teodora Peralta during her lifetime – that is from the year 1844 until her death about two years ago – She had a house on it which was built for her by her Son Jose Ducate in 1844, in which she lived. They had Cattle on the Rancho and Cultivated a large part of it

Questions by Mr. Navarro on the part of the United States –

1 Question. Was there any house built on the Rancho after that mentioned in your last Answer

Answer. Not any dwelling house

2. Question. About how much land was there under Cultivation?

Answer. About fifty acres

Wm. A. Richardson

Subscribed and sworn to before me at San Francisco this thirteenth day of August A.D. 1853

Alpheus Felch Commissioner

314 ND
PAGE 12

Filed in office Aug. 31 1853
Geo. Fisher
Secy

Recorded in Ev B Vol 3 p. 109
Geo. Fisher Secy

Deposition of
No. Foster

United States of America }
State of California } ss

San Francisco November 8. 1854
This day Came before Peter Sole Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State John Foster a witness On behalf of Claimant Maria Teodora Peralta in Case No. 648 On the Docket of said Board, and said witness being duly sworn deposes as follows

The U. S. Law Agent is present
Question by Counsel for Claimant
1st Question. What is your name age and place of residence?
Answer. My name is John Foster My age 39 years. My residence in the County of Los Angeles California
2d Question. How long have you been a resident of California?
Answer - I have been a resident of California twenty years.
3d Question. How long have you been acquainted with Pio Pico former Governor of California, and what have been your relations if any with him
Answer. I have known Pio Pico for the past twenty years - I am Connected by Marriage with his family. He is my brother in Law, and have frequent and Continued correspondence with him since 1839. I have also been a Secretary under him.
4th. Question. Are you acquainted with his Signature and writing?
Answer. I am. I have frequently seen him write
Question 5th. Look upon the document now shown you marked P S and filed in this Office Feb 28. 1853 and say if the Signature and Rubric of Pio Pico on the fourth and last written folio of said document is his true and genuine Signature?

alias of the said Pio Pico as is also the Rubric

Answer. The signature is the true and genuine signature of the said Pio Pico as is also the Rubric the body of the Order in the Spanish Language preceding and to which the signature is affixed is also in the hand writing of the said Pico

Question 6. Do you know in what Capacity or Office the said Pio Pico was acting at the time specified in the aforementioned Order viz Feb 18. 1846?

Answer. At the date mentioned he was Governor of the Department of California

Questions by Opposite Land Agent

1 Question. Was not his general signature written in a bolder hand and more distinctly than that now shown you?

Answer. His hand writing was not perfectly uniform, but always such as to be recognized, at times he was nervous

John Forster

Testes subscribed and sworn to before me on this 9th day of November A.D. 1854

Peter Sole Commissioner &c

Filed in Office Nov. 9. 1854

Geo. Fisher Secy

Recorded in Ev. B Vol 11 p 96

Geo. Fisher Secy

United States of America }
State of California } ss

San Francisco Nov. 8. 1854

This day came be Peter Sole Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State J. J. Warner a Witness on behalf of claimant Manuel Jocome Pacheco in Case No. 648 on the Docket of said Board, and said Witness being duly sworn deposed as following

Deposition of J. J. Warner.

The U. S. Land Agent is present

Questions by claimants Counsel

1st. Question. What is your name age

and place of residence?

Answer. My name is J J Warner My age 46 years My residence San Diego, and the adjoining county of Los Angeles, for more than twenty years.

3d Question. Are you acquainted with the signature of Pio Pico former Governor of California if you how long have you been acquainted with the same?

Answer. I am acquainted with the signature of the said Pico having frequently seen him write during the past twenty years in which I have been acquainted with him.

3d Look on the Document now shown you marked P & and Exhibited in the deposition of John Forster this day and say if the signature of Pio Pico, on the fourth and last written folio of said document, is his true and genuine signature and Rubric.

Answer. I have no doubt of the signature and Rubrics being the true and genuine signature of the said Pico the document preceding and to which the signature is affixed, being an Order in the Spanish language is also in the hand writing of the said Pico

Questions by the Associate Land Agent

1st Question. Are you intimate with Pio Pico whose signature you have Examined if so what are your relations with him?

Answer – My acquaintance with the said Pico was at first, arising from Commercial transactions with him about 1836. I became intimately acquainted with his family and have so Continued up to this time. The relation between us is that of friendship, and one growing out of the Ordinances of the Roman Catholic Church.

J J Warner

Subscribed and Sworn to before me on this 8th day of November AD. 1854

Peter Lott Comm'r &c

Recorded in Ev. B Vol 5 p 616

Geo. Fisher Sec'y

Filed in Office Nov. 9 1854

Geo. Fisher Sec'y

Geo. Fisher Secy

1 Deposition of Ygnacio Pacheco

United States of America }
State of California } ss.

San Francisco Dec. 20. 1854

This day came before Peter Tait Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State Ygnacio Pacheco a Witness on behalf of the Claimant, Marco Antonio Peralta in Case No. 648 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.

The U. S. Associate Land Agent is present

Questions by Claimants Counsel

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

Answer. My Name is Ignacio Pacheco, My age Forty Eight years & my residence is in the County of Marin State of California on my Rancho Called San Jose.

2d Question. What office if any have you filled in California under the Mexican Government, and during what years did you fill the same

Answer. From the year 1836 until about the year 1846 I was Second Alcalde of San Rafael. Timoteo Murphy being First Alcalde of the same place

3d Question. Do you know the land a place Called Nocoche? If you state where the same is situated and describe the same

Answer I know the land well. It is situated in Marin County near my own Rancho and is bounded by the Rancho of Bartolo Boyorquez, Juan Martin, Fernando Feliz - Juan Miranda and the Indian Camilo

4th Question. Look upon the document marked "A" & P L in the Deposition of John Foster Nov. 1854, and state what you know of the genuineness of the Signatures there in appearing

Answer. I am well acquainted with the Signature of Bartolo Boyorquez Juan Martin, Fernando Feliz, Camilo, and Timoteo

314 ND
PAGE 16

Murphy on the 2d Page of said Document and of Jose Dueñas upon the first page thereof - I saw the said signature written in my presence, when I my self signed my name upon the said 2d page also the name of Timoteo Murphy on the 3rd page is the true signature of said Murphy -
The signatures of Francesco Guerro upon the seventh page are also genuine, also those of Manuel Castro who was Prefect at the time of the dates mentioned in said Document are genuine
Also the signature of Pico, I mean Pio Pico former Governor of California on the Eighth page I recognize to be genuine - I know their hand writing were, and all those whose signatures appear in the said Document I have seen write, and those whose copies are affixed in said Document I saw affix the same.

5th. Question. In whose hand is the body of the writing which appears on the 1st 2d 3d & 6th pages of said Document.
Answer. In the hand writing of Antonio Ma Osio who now lives in Lower California. The signature of Maria Teodora Peralta upon the sixth page, I know to have been signed by said Antonio Ma Osio for the said Maria Teodora Peralta, at her request made in my presence, that he should sign the same for her
Jose Dueñas whose name appears on the first page is the son of the said Teodora Peralta - Osio wrote the same at my own, and at her request - I know his hand writing were
6th. Question. State what you know of the Occupation and Cultivation of said Land by the parties thereof, Teodora Peralta and her heirs?
Answer. Maria Teodora Peralta were with her family upon the said Land from about the year 1843 or 1844 until her death about 3 years ago, he died of Cholera, and her heirs have Occupied it since her death till the present time. A house was upon

her family in 1843 or 1844, and ever since a

death till the present time. A house was upon

the Land & occupied by the said Teodora and her family in 1843 or 1844, and was since a house has been there.
The family cultivated a part of it and had Cattle and horses upon the Land was since their said Occupation thereof

7th. Question. State if you know by whom possession was given of the said land to the Mad Teodora Peralta?

Answer. I myself gave possession of the same to the said Maria Teodora Peralta in my Official Capacity as Second Alcalde at the time of the granting thereof

Cross Examined by U. S. Associate Law Agent

1st. Question. Who built the house on said Land of which you have spoken and when was it built?

Answer, Alemo the son of Teodora Peralta built it for his Mother and it was built in 1845

Ygnacio Pacheco

Subscribed and sworn to before me on this 20th day of December 1854

Peter Sohl Commissioner

Filed in Office Dec 22d 1854
Geo. Fisher Secy

Recorded in Rec. B Vol 11 p. 97
Geo. Fisher Secy

Offices of the Commissioners of Land Claims in California

On this twenty seventh day of January A.D. 1855 before me Peter Sohl, Commissioner for taking testimony to be used before the Board of said Commissioners appeared Manuel Castro a witness on behalf of the Claimant in said Case No. 648, and the said witness being by me duly sworn deposed as follows.

Deposition of Manuel Castro

Question 1st. Do you know anything of the survey or a title or document of Concession of the Land called Buucocho in favor of

Teodora Peralta by the Government of California while under Mexican rule. If you state what you know thereof, when & whence the same was issued

Answer. All that I know is that in the latter part of the year 1845 Teodora Peralta desired me to obtain for the Government a formal concession to her of the said lands. I applied to the Government therefor on her behalf & forwarded to the government the application therefor, and also the papers contained in the Expediente marked "A" Thompson Complete referred to in my former deposition in the case I sent the documents from Monterey to the Government at Los Angeles about the beginning of January 1846 - After sending the documents to the Government I resided Los Angeles on public business. While there I made enquiry at the Office of the Secretary of the Government respecting the said concession & learned that the title had been issued & dispatched to the interested party during April 1846

Question 2. Who was Secretary at that time and where is he now

Answer. Mariano Moreno was Secretary then. He is now in Mexico

Mariano Castro

Subscribed and sworn to before me
On this 27th day of January A.D. 1855

Peter Lott Commissioner

Filed in office Jan 29 1855
Geo. Fisher Secy

Recorded in Ev. B Vol 11 p 393

Geo. Fisher Secy

Expediente.

Sor. Juez de paz.

Mª Teodora Peralta ante V. con el debido respeto se presenta y dice que pretende solicitar del Gobierno Departamental el punage conocido con el nombre de Manocha que se halla baldio entre los Ranchos de los Sres. Bartolo Boyorques, Fernando Feles, Juan Miranda y Camilo: y para acompañar á la representacion que debo hacer el Sor. Gobernador a S.E. suplico a V.S. el que pida informe á los Sres. mencionados y que digan si les pertenece y si se puede adjudicar a la persona que lo solicite.

Juno. d. Sn Rafael. Junio 26 de 1845.
A ruego de mi madre Mª Teodora Peralta por no saber firmar.
José Duarte.

En el mismo dia de la fha. que antecede, ante mi Ignacio Pacheco Juez de paz empleado de la Jurisdiccion de este pueblo, dijeron los Sres. Bartolo Boyorques, Fernando Feles, Juan Miranda y Camilo y para acompañar á la representacion que debo hacer el Sor. Gobernador á V.E. suplico á V. el que pida informar á los Sres. mencionados y que digan si les pertenece y si puede adjudicar a la persona que lo solicite.

Juno d. Sn Rafael Junio 26 de 1845.
A ruego de mi madre Mª Teodora Peralta por no saber firmar.
José Duarte.

En el mismo dia de la fha que antecede, ante mi Ignacio Pacheco Juez de paz empleado de la Jurisdiccion de este pueblo dijeron los Sres. Bartolo Boyorques Fernando Feles Juan Miranda, Juan Martin y Camilo que el punage que pretende Dª Teodora Peralta lo reconocen por baldio y que puede solicitarlo con toda la estension que tenga pues no llegara á los sitios de ganado mayor en la inteligencia de no perjudicar ni pretender despues nos terrenos que el sobrante que quede despues de la medicion y posesion de sus terrenos. Y para constancia firmaron con migo los que supieron y los que no formaron una señal de cruz.

Ignacio Pacheco.
Camilio. Bartolo Boyorques.

22

Juan Martin. Timoteo Murphy.
Fernando Felis.

Timoteo Murphy, Juez Constitucional del Pueblo de San Rafael.

Certifico. q. el paraje conocido con el nombre de Buenocha, hasta hoy lo e reconocido p.a valdio y de consiguiente puede adjudicarse la persona que lo solicita en la inteligencia de no perjudicar en su terreno á los colindantes. Compron.te Solicitante Mª Feodora Peralta.

Doy este en el Pueblo de San Rafael. Nov.re 29 de 1845.

Timoteo Murphy.

Sor. Prefecto de este distrito.

Mª Feodora Peralta natural de este Departam.to y vecino del pueblo de San Rafael, ante V. S. con el mas rendido respeto en derecho digo: Que desde el mes de Junio del presente año solicité provisionalmente al Juez de este punto el paraje conocido con el nombre de Buenocha que se halla baldio colindante con los señores Fernando Felis, Juan Meranda, Bartolo Bayorques y Camilo segun demuestra el adjunto documto que debidamte acompaño a V. S. por el que vera que los colindantes ya dieron su informe juntamte con el Juez respectivo por lo que suplico á V. S. se sirva mandar tomar lo que V. S. crea mas conveniente.

P. F. á V. S.a rendidamte pido y suplico proveer como llevo pedido de lo que espero recibir gracia y merced de lo que juro lo necesario &c. Dispensando el uso del papel comun por no haber en este lugar del sellado correspondte.

San Rafael. Noviembre 8 de 1845.

Mª Feodora Peralta.

Otro S.r: el terreno se compone de dos sitios de ganado segun esplica el diseño respectivo.

Berba Buena. Noviembre 20 de 1845.
Informe el Subprefecto de este partido lo que crea conveniente.
Castro.

En vista del decreto que antecede informe el Juez

Yerba Buena. Nbre. 26 de 1845.
En vista del decreto que antecede, informe el Juez 1º de S. Rafael, si la solicitante obtiene los requisitos que previene la ley y si el documento q. incorpora con su representación es legal y todo lo que crea conveniente
Franco Guerrero.

Yerba Buena. Dbre. 14 de 1845.
S. Prefecto.
En vista del informe que da el Juez de S. Rafael y siendo lo interesado casado y hallandose ausente su marido V. S. en uso de su determinación, y en vista del documento que presente, puede darle el giro que estime de Justicia.
Fco Guerrero.

Exmo. Gov. Pdo.
En vista de los informes que anteceden y siendo la interesada hija del pais y cargada de familia aunque se halla su marido ausente la Prefectura no dificultad en que se le conceda la gracia que solicita pero V. E. lo resolverá como lo juzgue justo y acertado.
Monterey Dbre 20 de 1845.
Manl Castro.

Angeles Febrv. 18 de 1846.
Estiendase le el titulo que se le asegure la propiedad al interesado.
Pico.

Filed in Office. Feby. 28. 1853.
Geo. Fisher.
Secy.

24

25

Translation of Expediente

Sr Justice of the Peace

Ma. Teodora Peralta with due respect presents herself before you and says: That intending to solicit from the Government Departmental the the location known by the name of Buancocha which is in a vacant state and situated between the Ranchos of Bartolo Boyorquez, Fernando Feliz, Juan Mercado, and Camilo, and to accompany the representation I must make to his Excellency the Governor, I pray you that you will demand a report from the mentioned gentlemen, and that they will say whether it belongs to them, and if it can be adjudicated to the person soliciting it. I answer etc

San Raque June 26th 1845

On request of my Mother Ma Teodora Peralta who does not understand to sign

José Duarte

On the same day as the foregoing, before me Ignacio Pacheco, Copulative Justice of the peace of the jurisdiction of this Pueblo. Bartolo Boyorquez, Fernando Feliz, Juan Mercado and Camilo, stated that the location solicited by Da Teodora Peralta is known to be vacant and that she can solicit it, in its whole extent, for it will scarcely amount to two square leagues, in the understanding not to injure or after claim more land than the surplus which after the mensuration and population of her lands may remain. And in attestation they signed with me, namely those who knew how and those who did not made a sign of the cross-

Ignacio Pacheco

Camilo X Bartolo Boyorquez X José Martin X
Fernando Feliz — Timoteo Murphy

Sr Prefect of this District!

I Ma Teodora Peralta a native of this Department and vecine of the Pueblo of San Raque with the utmost respect, according to Law say before you; that since the month of June this year, I provisionally solicited the Justice

of this place for the location known by the name of Buscocho which is in a vacant State land bordering on Fernando Feliz, Juan Miranda Bartolo Bayarez and Lumilo, as shown in the annexed document I hereby duly accompany to you, by which you will see that the bordering land owners, already have given their report jointly with the respective Justice; Wherefore I pray you to be pleased to take those which you may think Expedient.

Therefore I humbly ask and pray you to provide as I have requested, whereby I Expect to receive favor and mercy: and to which I make the necessary Oath, while you will be pleased to dispense the use of Common paper as there is no corresponding stamped paper to be had in this place

San Rafael Nov. 8th 1848

Mr. Francisco Peralta

Postscriptum. The land consists of two leagues and a half square, as Expressed in the respective stretch

Yglesia Buenos 9th Nov. 1848

In view of the foregoing pose claim the 1st Justice of San Rafael will report whether the petitioner is possessor of the qualifications provided by law, and whether the Document he incorporates with his representation is legal and to state all he may think Expedient

Franco Guerrero

Yglesia Buenos Dec. 14th 1848

San Rafael

In view of the reports given by the Justice of San Rafael, and the interested party being married and his husband being absent you show, by a resolution of yours and in virtue of the Document presented can give it the Conclusion you may deem pose.

Franco Guerrero

In view of the foregoing reports

Excellent Sir Governor,

In view of the foregoing reports and the interested party being a daughter of the Country, and brotherness with a family, though her husband is absent, the Prefecture don't find any difficulty whatever granting her the favor she solicits, but your Excellency will resolve as you think dem just and fit

Monterey Decb 20th. 1845.

Manuel Castro

Angeles Feby 18th. 1846

Let the title deed to secure the Ownership to the interested party be issued

Pico

Filed in Office Oct. 1st. 1853

Geo. Fisher Secy

Deposition of H. W. Halleck in continuation of Manuel Castro's deposition of Aug. 29 1853 —

Law Agent calls H. W. Halleck on the part of the government in the foregoing case

Were you formerly keeper of the records in California? and are you acquainted with the handwriting of Pio Pico formerly Governor of this state?

I was keeper of said records and am acquainted with his hand writing

State whether the signature to document (A) in case No 648 is the genuine signature of Pio Pico and state you means of knowing his hand writing?

I have seen him write his name and have had correspondence with him. This signature does not look to me like his genuine signature. He writes his name in different ways and his signature at different times differ very much in appearance. I have compared his different signatures in his presence, and he told me they were genuine all of them, although they differed very much from each other. This same

to have been written with a very bad pen; and although differing from his ordinary signature it may nevertheless be genuine. His handwriting differs more at different times than any other governor of California I have ever seen

Whether the body of the document signed by Pio Pico is in the handwriting with his signature?

I think it is

Is not the handwriting much worse than the ordinary handwriting of Pio Pico?

I do not know that it is worse than his ordinary handwriting, but it does not look to me like his handwriting

Questions by Attorney for claimant

On what occasions have you seen Pio Pico write, and when did the correspondence take place to which you have referred?

I saw him write his name on a number of occasions within a year and had official correspondence with him in 1848.

Have you any means of knowing what the handwriting of Pio Pico was in 1845?

I have none except seeing his signature on official documents in the archives and on title papers, some of which letters I have shown to him and he told me they were his genuine signatures

Was the opinion you have expressed based on the means of knowledge you have just stated?

It was

H. W. Halleck

Sworn and subscribed
the 29th day of August AD 1855

Thompson Campbell
Commr

Filed in office August 29, 1855

(signed) Geo Pohn Jeay

29 Affidavit of Ma. B Deculde Valencia for Amendment

314 ND
PAGE 27

U. S. Land Commission
No. 648. For the place called Bucoche

Maria Bernarda Deculde de Valencia being duly sworn deposes and says, that she is the legitimate daughter of Teodoro Peralta named as claimant in said Cause No 648

That the said Teodoro died intestate during the month of November A.D. One thousand Eighte hundred and fifty and that Mariano Deculde her husband died intestate during the year One thousand Eighte hundred and Forty Seven or Forty Eighte

That the heirs of the said Teodoro Peralta, deceased are as follows to wit: Ascencion, Jose, Maria Bernardo this deponent, Dolores Josefa, Alvino and Loreto — being legitimate sons and daughters of the said Teodoro — and Guadalupe and Nicolas Bernal who are of age and Juan and Maria de los Reyes Bernal and Maria Antonia Pacheco, and Jose Ramon Pacheco who are minors and legitimate grandchildren of the said Teodoro

That there are no heirs of the deceased Mariano Deculde save those herein before named as heirs of the said Teodoro Peralta

That the petition in this Cause was filed on February 28th 1853 through the instrumentality of persons who did not properly inquire into the facts involved in the Case, and who prepared and filed the said petition without due Consultation with, & enquiry from such of the heirs of the said Teodoro as were acquainted with said facts

That as appears by said petition, and as deponent truly believes through mistake and misapprehension the said petition prays for Confirmation of title in the name of the said Teodoro Peralta therefore deceased, as Claimant of the Rancho or tract of land called Bucoche and through like mistake it is stated in said

petition that on the Eighteenth day of February A.D. One thousand Eight hundred and forty Six Pio Pico Governor of California, declared the said Teodoro to be the lawful owner of the said Land and ordered the proper document of title "to be Executed, but that such title never issued in Consequence of the occupancy of California by the Americans & the abolishment of the Mexican Authorities"

And this deponent is informed and verily believes that such title did in fact issue to and in favor of the said Teodoro Peralta, to wit, a written document of Concepion signed by the said Pio Pico, as such Governor, granting the said Rancho or land called Buocoocha to the said Teodoro Peralta, in Obedience to the written Order for Extending of said title given and signed by the said Governor on the 18th day of February 1846 & Contained in the Expedientes heretofore filed in this Case

That in the knowledge and recollection of the deponent the said Document of Concepion and also a map of the said Land, and also a certificate of the giving possession thereof, were together with the Expedientes formerly in the possession of the said Teodoro Peralta and that only within a short period this deponent, and, as she verily believes, the rest of the said heirs have been aware that the said document of Concepion, map and certificate were not on file in said Cause along with said Expedientes

That this deponent since being informed of the fact that the said papers are not on file in this Cause has made diligent but unsuccessful search for the same & she verily believes that the same have become destroyed or mislaid since the death of deponents Mother the said Teodora Peralta by neglect or carelessness of the some of the said heirs who are persons unfamiliar with business affairs, of limited Education, and not aware of the value & importance of such

the same cannot be found & that such

not affecting the validity or importance of such

31

documents, and that as the deponent truly believes the same cannot be found & entirely lost

And further deponent saith not

Maria Bernardo her X mark Duarte de Valencia

Subscribed and sworn to before me on this 22nd day of January A.D. 1855 "The contents being made known to the witness in the Spanish language by interpreter to the Board

Peter Tait Commissioner

314 ND
PAGE 29

Filed in Office Jan 23. 1855
Geo. Fisher Secy

Recorded in Ev. B Vol 11 p 278
Geo. Fisher Secy

Motion to amend petition

U.S. Land Commission No. 648
"For the place called Becoocha"
In the Said

Case No. 648 in behalf of Maria Bernardo Duarte de Valencia & the other heirs of Teodoro Peralta, now deceased, named in the affidavit whereon this motion is based it is now moved that leave be granted the said heirs to amend the petition and claim heretofore filed in said Case by filing in amendment thereof and additional or supplementary petition in name & behalf of the said heirs and in accordance with the facts & statements in said affidavit set forth and contained, and praying for a confirmation of title to said Land or place called Becoocha to and in favor of them the said heirs instead of to & in favor of the said deceased Teodoro Peralta named in said Case as claimant of the said place or land.

This motion is based upon the said affidavit sworn to by the said Maria Bernardo heretofore filed in said Case and upon said additional or supplemental petition herewith presented to this Honorable Board

Robert Simpson Atty of petitioner
Maria Bernardo de Valencia
& her Co-heirs

Filed in office Jany 23rd 1855
Geo. Fisher Secy

32

Affidavit of Robt. Simson for continuance

314 ND
PAGE 30

U. S. Board of Land Commissioners
Case 648c

Robert Simson, being duly sworn deposes and says that he is sole Owner of the Rancho Called "Bucocha" the claim whereto has heretofore been presented to said Board for Confirmation in said Case No. 648. That as Deponent is informed and verily believes, certain documents, relating to the title, grant and possession of said Rancho and necessary to the proof thereof, have heretofore been delivered to the Attorney who presented the said claim as aforesaid. That the said Attorney is now absent from the State of California, and is expected shortly to return to said State. That at the instance of this deponent, diligent search for said documents has been made among the papers and in the Office of said Attorney and this deponent is informed by the partners of the said Attorney, and verily believes that the said Documents cannot be found; and that it will be impossible to find the same until the said return of said Attorney — That this deponent has fully examined the grounds on which Confirmation of said claim is sought and truly believes that the claimants in said Cause, cannot safely proceed to trial without the said documents being produced in Evidence therein, and that the application based on this affidavit for a continuance of said Cause and delay of trial thereof is made not solely for delay but for purposes of Justice

Robert Simson

Sworn before me this Eighth day of August A.D. 1854

Alpheus Felch
Commissioner

Filed in Office Aug 17, 1854
Geo. Fisher Secy

Recorded in Ev. B Vol 5 p 290

Geo. Fisher Secy

Geo. Fisher Secy

33

U. S. Board of Land Commissioners
Case 648

Robert Simson being duly deposes and says that he is part Owner of the Rancho called Bocoocha, the Claim whereto has heretofore been presented to said Board in said Case 648 –

That said Case has heretofore been Continued upon affidavit of the deponent filed therein. That the facts stated in said Affidavit still Exist and are true as stated in said Affidavit, save that the Attorney therein mentioned has lately returned to the State of California, but that sufficient time has not Elapsed as deponent is informed and believes, to search for and find the Documents referred to in said Affidavit and that the same has not yet been found

That the application for further Continuance based on this and said preceding Affidavit, is made not Solely for delay but for purpose of Justice

Robert Simson

Sworn before me this
17th day of October A.D. 1854
Alpheus Felch
Commissioner

Affidavit

Filed in Office Oct. 17. 1854
Geo. Fisher Secy

Recorded in Journal Vol 4 p 73
Geo. Fisher Secy

35

Opinion of the Board by Com S. B. Farwell

Maria Teodora Peralta
vs
The United States

Claim for a place called Bucareli

The petitioner in this Case states in the first application for a Confirmation, that in November 1845 she presented her application for a grant to the proper Prefect of the district for the Lands in question and that the Same was referred to the Sub Prefect for his report thereon, and that the report of the Said prefects was presented to Governor Don Pio Pico for his Consideration and action, and that the Said Governor On the 18th day of February 1846 entered the following Order "Let the title deed to secure the Ownership to the interested party be issued" and in consequence of the occupation of the Country by Americans and in the abandonment of the Same by the Mexicans the Said title was never issued.

On the 23d. day of January 1855 by leave of the Commission the Affidavit of Maria Bernarda Duarte a daughter of the above named Claimant was filed, setting forth that the petition was drawn up and filed through Mis apprehension of the facts in the case and that a grant had been issued by Governor Don Pio Pico and that the Said grant together with the proceedings in giving judicial possession had either been lost or mislaid and that at the time of filing the petition the Said Maria Teodora was deceased leaving the deponent and others named in Said Affidavit heirs of the estate of the Said deceased, upon the presentation of which Affidavit the Counsel asked and obtained leave to amend the petition herein to Conform with the facts set forth in the Affidavit.

The proofs in the Case establish the fact of the decease of the above named petitioner, and that the

persons named in the aforesaid affidavit are the heirs of the deceased—

And that the Expediente was presented to the Prefect as Stated in the said petition just on file, and by him referred to the Second Prefect, and a report of the Second Prefect to the Governor, and his Order thereon as Stated in the petition, but there is no Evidence that any grant was ever made by the said Governor, nor any Satisfactory Evidence that any perfected Measurement was ever had, so as to enable the Board to determine the locality and boundaries of the Land, so as to enable them to render a decree of Confirmation, provided a grant had been issued in due form— The proofs of Occupancy and Cultivation are Satisfactory and the motives and endeavors of the petitioners doubtless good, and if they had used the proper diligence in procuring the issue of the grant and perfected Measurement and formal possession, there would be no difficulty in disposing of this Case agreeable to the prayer of the amended petition, but in the absence of the issue of the grant, and a segregation of the Land we are unable to come to but the One Conclusion, that this claim must be rejected, and a decree will be Entered accordingly

(Rejected)

Filed in Office April 3. 1855

Geo. Fisher Secy

Recorded in Record of decisions Vol 2 page 610c

Geo. Fisher Secy

37 Decree

Heirs of Maria Teodora
Peralta deceased
vs
The United States

314 ND
PAGE 34

In this case on hearing the proofs and allegations it is adjudged by the Commissioners that the claim of the said petitioners is not valid, and it is therefore decreed that their application for a confirmation thereof be denied

Alpheus Felch
R. Aug. Thompson
S. B. Farwell
Commissioners

Filed in Office April 3 1855
Geo. Fisher Secy

Recorded in Record of Decisions Vol 2
page 612
Geo. Fisher Secy

And it appearing to the satisfaction of the 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 decision in this case and of the papers and evidence upon which the same is founded, be made out and duly certified by the Secretary, One of which shall be filed with the 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.

Office of the Board of Commissioners,

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

I, George Fisher — Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing Thirty Seven — pages, numbered from 1 to 37, 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. 648 on the Docket of the said Board, wherein

Maria Teodora Peralta is — Claimant against the United States, for the place known by the name of "Buococha" —

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~~ eightieth

Geo. Fisher.

Secy.

314

U. S. DISTRICT COURT,

Northern District of California.

No. 314 — 314

THE UNITED STATES,

vs.

Maria Teodora Peralta.

ND

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 648.

Filed, October 23 1855

J. A. Moore,

Clerk.

Que Todos Sepan Por Estos Presentes

Know All Men By These Presents

that I, Guadalupe Bernal, one of the
que yo, Guadalupe Bernal una de las
nietas y herederos de Doña Teodora
grandchildren and heirs of Doña Teodora
Peralta, deceased, of the County of Contra
Serafta, difunta, de Condado de Contra
Costa, State of California for and in consideration
Costa, del Estado de California por y en consideracion
of the sum of Two hundred and fifty
de la cantidad de doscientos cincuenta (250)
dollars to me in hand paid by Nathaniel
pesos a mi en manos pagada por Nathaniel
W. Chittenden and Robert Simson, both of
W. Chittenden y Roberto Simson, ambos de
the City and County of San Francisco, said
la Ciudad y Condado de San Francisco, del dicho
State at a before the ensealing and delivery
estado, á ú antes de sellar y entregar
of these presents the receipt whereof is
de estos presentes el recibo de la cual es
hereby acknowledged have given, granted,
por esto reconocido he dado, concedido,
bargained, sold and conveyed and by
tratado, vendido y trasferido y por
these presents do give, grant, bargain,
estos presentes doy, concedo, trato
sell and convey unto the said N. W.
vendo y trasfiero a los dichos N. W.
Chittenden & Robert Simson, their heirs
Chittenden & Roberto Simson sus herederos
and assigns forever, All the estate, right,
y interventores para siempre. Todo la propiedad, derecho,
title, interest, claim and demand whatsoever
titulo, interes, reclamacion y demanda cualquiera
as well in law as in Equity which I
tanto segun la ley como segun la equidad que tengo
have as one of the grandchildren and
como uno de los nietos y
heirs of Doña Teodora Peralta, deceased,
herederos de Doña Teodora Peralta, difunta,
or otherwise of, in and to all that
ó de otro modo, de, en é á todos los
parcel or tract of land situated in the
terrenos situados en el
County of Marin, said State and known
Condado de Marin, de dicho estado y conocidos
and designated as the Rancho of Buocochá
y nombrados por el Rancho de Buocochá
Talenqueché or Guadalupe and bounded
Talenqueché ó Guadalupe con los limites
and described as follows, to wit: by the
y descritos como sigue, á saber: colindando
Ranchos of Fernando Feliz, Juan
con los Ranchos de Fernando Feliz, Juan
Miranda, Bartolo Bojorques and Camilo
Miranda, Bartolo Bojorquez y Camilo
being a sobrante and the same conceded
siendo un sobrante y el mismo concedido
to and occupied by the said Doña
á y poseido por la dicha Doña

314 ND
PAGE 36

Teodora Peralta, difunta y su familia
Teodora Peralta, deceased and family
y hoy generalmente conocido como el Rancho
and now commonly known as the Rancho
de la familia de Duarte, con las fabricaciones
of the Quarte family with the tenements,
herencias y adjuntos pertenecientes
hereditaments and appurtenances thereunto
de cualquier modo al dicho Rancho
belonging or in any wise appertaining
pertenecientes tengan y posean todos y cualesquiera
To Have and To Hold all and singular
las dichas premisses por esto vendidas y traspasadas
the said premises hereby sold and conveyed
o que asi se entiendan con los adjuntos
or intended so to be with the appurtenances
los dichos N. W. Chittenden
unto the said N. W. Chittenden. and
Roberto Simson sus herederos y entiendentes
Robert Simson, their heirs and assigns
para siempre jamas
forever. En Testimonio de lo cual yo he puesto
In Witness Whereof I have hereunto
a esta mi mano y sello este el veinte y tres
set my hand and seal this twenty third
dia de Enero de mil ocho
day of January One thousand eight
cientos y cincuenta y cuatro
hundred and fifty four
Sellado, firmado y entregado
Sealed signed & delivered
en la presencia de
in the presence of } Guadalupe Bernal
Fred B. Van Vleck

State of California
County of San Francisco } ss

On this twenty third day of January One thousand eight hundred and fifty four before me, a Notary Public in & for said County, personally appeared Guadalupe Bernal known to me to be the person described in & who executed the foregoing instrument & acknowledged to me that he executed the same freely & voluntary for the uses and purposes therein mentioned

In Witness Whereof I have hereunto set my hand official seal the day & year last above written

[illegible]
Notary Public

Deed

Guadalupe Bernal

to

N. W. Chittenden

& Robert Simson

Buscoscha

5

Filed May 19 1854

at 3 o'clock P. M

& Recorded in Book a

of deeds pages 370. 1.

Jas L Pouidexter

Recorder

D. S. Sayles

Dep

$7.00

1/36

Que Todos Sepan Por Estos Presentes

Know All Men By These Presents

that we Josefa Duarte de Moraga, una
que nosotros Josefa Duarte de Moraga, y one
de los hijos y herederos de Dña Teodora
of the children and heirs of Dña Teodora
Peralta, deceased and Francisco Moraga, husband
Peralta difunta y Francisco Moraga su marido
of the said Josefa Duarte de Moraga of
de la dicha Josefa Duarte de Moraga del
the County of Contra Costa, State of California
Condado de Contra Costa, del Estado de California
for and in consideration of the sum of
por y en consideracion de la cantidad de
One thousand dollars ($1000) to us in hand
Mil Pesos ($1000) á nos en las manos
paid by Nathaniel W. Chittenden and Robert
pagado por Nataniel W. Chittenden y Roberto
Simson, both of the City and County of San
Simson, ambos de la Ciudad y Condado de San
Francisco, in said state, at or before the
Francisco, de dicho estado, á ó antes de
sealing and delivery of these presents, the
sellar y entregar de estos presentes, el
receipt whereof is hereby acknowledged have
recibo de lo cual es por esto reconocido hemos
given, granted, bargained, sold and conveyed
dado, concedido, tratado, vendido y trasferido
and by these presents do give, grant, bargain
y por estos presentes nosotros damos, concedimos, tratamos,
sell and convey unto the said N. W. Chittenden
vendimos y trasferimos á los dichos N. W. Chittenden
and Robert Simson, their heirs and assigns
y Roberto Simson, sus herederos y interventores
forever, All the estate, right, title, interest,
para siempre, Toda la propiedad, derecho, titulo, interes,
claim and demand whatsoever, as well in
reclamacion y demanda cualquiera tanto segun la
law as in Equity, which we have or which
ley como segun la Equidad que tenemos ó que
either of us has, particularly which the
cualquiera de nosotros tiene, particularmente que la
said Josefa Duarte de Moraga has as
dicha Josefa Duarte de Moraga tiene como
one of the children and heirs of the said
una de los hijos y herederos de la dicha
Dña Teodora Peralta, deceased, of, in and to
Dña Teodora Peralta difunta de, en é á
All that parcel or tract of land situated
todos los terrenos situados
in the County of Marin, said state and
en el Condado de Marin, de dicho Estado y
known and designated as the Rancho of
conocidos y nombrados por el Rancho de
Buococha, Talenquechi or Guadalupe and
Buococha, Talenquechi ó Guadalupe y
bounded and described as follows, to wit, by
con los limites y descritos como sigue, á saber,
the Ranchos of Fernando Feliz, Juan Miranda,
por los Ranchos de Fernando Feliz, Juan Miranda,
Bartolo Bojorquez and Camilo, being a
Bartolo Bojorquez y Camilo, siendo un

Sobrante y el mismo concedido á y
Sobrante and the same conceded to and
poseido por la dicha Doña Teodna Peralta
occupied by the said Dna Teodna Peralta
difunta y su familia y hoy generalmente conocido
deceased and family and now commonly known
como el Rancho de la familia de Duarte con
as the Rancho of the Duarte family, with
las fabricaciones, herencias y adjuntos
the tenements, hereditaments and appurtenances
pertenecientes de qualquiera modo al dicho Rancho para que
thereunto belonging or in any wise appertaining
Tengan y Posean todos y cualesquiera las
To Have and To Hold all and singular the
dichas premisas hecho vendidas y trasferidas ó
said premises hereby sold and conveyed or
que así se entienden con los adjuntos los
intended so to be with the appurtenances unto
dichos N. W. Chittenden y Roberto Simson
the said N. W. Chittenden and Roberto Simson
sus herederos y interventores para siempre jamas
their heirs and assigns forever.

En testimonio de lo cual nosotros la
In Witness Whereof we, the
dicha Josefa Duarte de Moraga en su derecho
said Josefa Duarte de Moraga in her own
propio y el dicho Francisco Moraga hemos
right and the said Francisco Moraga have
á esto puesto nuestras manos y sellos respectivamente
hereunto set our hands and seals respectively
este el nueve dia de Marzo de mil ochocientos
this ninth day of March one thousand eight
cincuenta y cuatro
hundred and fifty four.

Firmado, sellado y entregado
Signed sealed & delivered
en la presencia de
in the presence of

Josefa Duarte her ✝ de Moraga
mark

Francisco Moraga

O. Rowe

Frederick B. Van Vleck

State of California
County of San Francisco } ss.

On this ninth day of March one thousand eight hundred and fifty four before me, a Notary Public, in and for said County personally appeared Josefa Duarte de Moraga and Francisco Moraga her husband, known to me to be the persons described in and who executed the foregoing

Instrument and acknowledged that they and each of them well knew the contents thereof and executed the same freely & voluntarily for the uses and purposes therein mentioned And the said Josefa Duarte de Moraga, wife of the said Francisco Moraga having been made acquainted by me with the contents of said Instrument acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the said Instrument freely & voluntarily without fear or compulsion or undue influence of her said husband and that she does not wish to retract the same

In Testimony Whereof I have hereunto set my hand and Official seal the day and year last above written.

W. Jones
Notary Public

Reconocemos haber recibido de los señores N. Guillermo Chittenden y Roberto Simson toda la consideracion y precio del derecho, titulo y interes en el Rancho de Buocochá ya vendido á ellos por nosotros por acto de traspaso con fecha de el 9 de Marzo de 1854. y que no tenemos reclamacion ninguna en contra de ellos ó cualquiera de ellos por causa de esto ni por causa de ninguno cosa cualquiera.

Testigo
Fred R Van Fleet

Josefa Duarte de Moraga her mark
Francisco Moraga

Deed

Josefa Duarte de Moraga
& Francisco Moraga
to
N. W. Chittenden
& Robert Simson

Buococha'

3

1/9

Filed May 19 1854
at 8 o clock P. M. &
Recorded in Book A
of Deeds pages 368, 9.

Jas L Powidescer
Clerk
D. S. Sayles
Dep'y

$7.75

United States District Court
Northern District of California

No 314

Maria Teodora Peralta
Maria Bernarda Duarte de Valencia & als
Claimants

vs

The United States of America

The United States Land Commission to ascertain and settle private land claims in the State of California having rendered its decision in the above case designated on the Docket of said Commission as No. 648 against the claim and title of the said claimants to the place or land called Buvcocha situated in said District Notice is hereby given that it is the intention of the said claimants to prosecute their appeal from the said decision –

April 16th 1856

Robert Simson
Claimants' Attorney

No 314
United States Dist. Court
Northern Dist. of California

Maria Teodora Peralta
Ma Benarda Dta de Valencia et als

vs

The United States of America

Claimants notice of intention
to prosecute appeal

Buococha

One

Filed April 16, 1856,
Chenery
Deputy.

United States District Court
Northern District of California

No 314

Maria Teodora Peralta
vs
The United States of America

The appellants in this cause respectfully show that within the time required by law a claim for the place or land called Buococha was presented to the United States Board of Land Commissioners to ascertain and settle private land claims in the State of California with a view to the confirmation of the right and title thereto in the name of the said Maria Teodora Peralta the original grantee of said Buococha from the Mexican Authorities of California.

That the said Buococha is situated in said District and is a Sobrante or surplus of about two and one half square leagues bounded by the Ranchos of Bartolo Bojorques Fernando Feliz, Juan Miranda and Camilo in the County of Marin in said State.

That the said Board upon showing of the death of the said Maria Teodora Peralta and on Motion on the part of her heirs, allowed her said heirs to be substituted for her as claimants in said cause and thereafter gave its decision against and rejected the said claim and title, whereas the Appellants allege the same to be good and valid and deserving of confirmation.

That heretofore to wit on October 23rd 1855 in the matter of said claim a transcript of the proceedings and decision of said Board and of the papers and evidence upon which the same are founded was filed

with the Clerk of this Court, and thereupon, appealing to this Court from said decision, the Appellants filed their notice of their intention to prosecute their appeal, with the Clerk of this Court - within the time limited by law -

That the only heirs of the said Teodora Peralta are as is stated in the said transcript — Ascencion Bernal de Buelna, José Duarte, Maria Bernarda Duarte de Valencia, Dolores Duarte de Liesgo, Josefa Duarte de Moraga, Alvino Duarte and Dolores Duarte de Pacheco who are legitimate sons and daughters of said Teodora, and Guadalupe Bernal and Nicolas Bernal, who are of age, and certain minors, viz, Juan Bernal and Maria de los Reyes Bernal, Maria Antonia Pacheco and José Ramon Pacheco, legitimate grandchildren of said Teodora -

That of the said heirs, the said José and Alvino by certain mesne conveyances ready to be produced have conveyed all their interest, right, title and share in and to said Buococha to said Maria Bernarda Duarte de Valencia who thereby is the owner of the one third part of said Rancho, and that in like manner the said Ascencion, Dolores, Josefa and Loreto and Guadalupe and Nicolas have heretofore conveyed all their interest right, title and share in and to said Buocochá to N. W. Chittenden and Robert Simson, who thereby are the owners of the one half part of the said Buocochá - the said minor heirs of said Teodora Peralta still being owners of their respective shares thereof -

And these Appellants as part of this petition and of the evidence in this case refer to the said transcript and to the papers and documents relating to said Buocochá heretofore on file before the said Board and they pray that the said decision be reversed

and reversed and that their title and claim to said Buvocha be confirmed by this Court.

Robert Simson
in pro - per - & as
Attorney of Appellants

No 314

United States District Court
Northern District of California

Maria Teodora Peralta
vs
The United States of America

Petition on Appeal

Filed May 3, 1856
Rhodes
Deputy

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

The United States
ads
Ma: Jes: Peralta

D.C. 314 : L.C. 148

The United States by their Attorney deny the validity of the title set out in the petition of the appellant and pray that the decision of the U.S. Land Commission be affirmed and that said title be decreed invalid

San Francisco: Jeb 12. 1857

Wm Blanding
U.S. Atty

314

U. S. District Court

The United States
ads
Ma: Jes: Peralta

Answer

Three

Filed Feby 12. 1857.
W. H. Chevers,
Deputy.

314 ND
PAGE 50

Wm Blanding
U. S. Atty.

U S Dist Court
Northern Dist of California

The United States
vs
Maria Teodora Peralta et al

Robert S Wilson being duly sworn deposes and says that in the above stated cause he is Attorney of Record for the said Maria Teodora Peralta the appellant therein That on the part of said appellant the said case cannot safely be proceeded with for that the deponent has after much search and diligence by sending letters & messages been unable to procure the attendance of a certain witness named Jose Duarte whose testimony is material to the case of the appellant in said cause - And deponent further says that the said witness as deponent is informed and verily believes resides in Marin County and that his testimony can be obtained in this cause within two weeks from the date of this affidavit - That in said cause it has already been shown by affidavit that the map and final grant have been lost or mislaid and by said witness deponent verily believes and expects to prove with other matters that said map & grant heretofore existed and were

in the possession of the said Maria Teodora Peralta and that the same has been lost as aforesaid — And the deponent further says that the application for the continuance of said cause for two weeks based on this affidavit is made not for delay but for purposes of justice

Robert Simson

Sworn to & subscribed
March 9. 1857
before me,
W. H. Chaves,
Deputy Clerk.

U.S. District Court
Northern District of Calif.

374.

Maria Teodora Peralta
vs
The United States

Affidavit for Continuance

Four

Filed March 9, 1857
W. H. Chevers,
Deputy.

UNITED STATES DISTRICT COURT,
Northern District of California.

Maria ~~Antonia~~ Teodora Peralta et al
vs
The United States

San Francisco, March 17th 1857

ON this day, before John A Monroe a Commissioner of the United States for the Northern District of California, duly authorized to administer oaths, &c., &c., came José Ramon Mesa a witness produced on behalf of the Claimants in Case No. 314, being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, in Case No. 648 on the Docket of the said Board of Commissioners, and was duly sworn and testified as follows — his evidence being interpreted by J. Edgar Geymes a sworn interpreter

PRESENT: Blanding U. S. Dist Attorney —
Robert Simpson on part of Claimant

QUESTION BY

What is your name age ~~occupation~~ and residence?

My name is José Ramon Mesa, my age 83 years, I am a Rancher. I live in Marin Co. I know the land called "Buococha". It is bounded by the ranchos Juan Martin, Bartolo Bojorquez, Camilo and Fernando Feliz. and my own Rancho and the Miranda. I knew Maria ~~Antonia~~ Teodora Peralta during her lifetime — I know ~~and~~ heard and seen that she received a Concession from the Governor Pio Pico in the year 1846 of the said land. I was present when she received the Concession from the hands of Timoteo Murphy the Alcalde at San Rafael. — I was present when Timoteo Murphy called on Doña Maria ~~Antonia~~ Teodora Peralta

at her house and told her that he had good news for her and ~~that~~ he delivered to her, her grant for the said land. He (Timoteo himself) said that he had received it from the Governor Pio Pico. The grant title was a concession of a league ~~and~~ and a half more or less within the Ranchos above mentioned. I heard the document read at that time by José Duarte the son of Doña ~~Ildefonsa~~ Teodora Peralta. Were present at the reading Timoteo Murphy, the said person who read it, Maria Teodora Peralta and myself. Being a neighbor and my rancho being next I was interested to know if the title was good or bad. I know the said land to have been occupied by the claimant and her family since 1845 and until the squatters knocked down the house last year. The land was a solvante and ~~by it being~~ occupied by her provisionally and by consent of the neighbors perhaps 2 years previous to the concession.

X. Exa. ~~D.~~ I think that I am pretty certain that it was in the year 1846 before the American came here. The title had a seal on it like all seals on Government titles. It was signed by Governor Pio Pico and I believe it was signed by Manuel Moreno the Secretary. I saw the Expediente at the same time that I saw the Title there was also a ~~[illegible]~~ 'pasivo' attached. I heard the Expediente read. There was also a petition. The petition was signed by Maria Teodora Peralta. I do not recollect for certain that it was signed by her ~~either~~ it was either by her or one of her sons or some body of the family. I do not recollect the date of the petition but I believe, I think, but I am not certain ~~but~~ that it was in the year 1846

The order was sent to Timoteo Murphy to say whether the land was vacant or not. Timoteo Murphy was the 1st. Alcalde of San Rafael. There was a report from Timoteo Murphy that the land was vacant. It can not Certain that it was Murphy who signed the report it is so long a time ago. Somethings about this matter I remember somethings I don't it is so long a time ago. I think that the names of Manuel Castro and Francisco Guerrero was attached to some of the papers. The husband of Dona Maria Teodora Pealta was not present. I think that he was dead

I am not sure

Sworn to and Subscribed before me this 17th. day of March 1857.

Jno A. Monroe
U.S. Commrs.

José Ramon his X Mark Mesa

314 ND
PAGE 56

No 314.

U. S. Dist. Court.

The United States

— ads —

Maria Teodora Peralta.

Deposition of
José Ramon Mesa.

Filed

Filed March 25, 1857,
W. H. Chevers,
Deputy.

314 ND
PAGE 57

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 26th day of March in the year of our Lord one thousand eight hundred and fifty-Seven.

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

Maria Teodora Peralta & als Appellants vs The United States Appellee	No. 314 On petition of Appeal from the U.S. Board of Land Comm.rs to ascertain & settle private land claims in the State of California

Upon motion of Robertson counsel for the appellants in the above stated cause — the U.S. District Attorney for said District, Wm. Blanding Esq. being present — It is Ordered by the Court that a commission to take the deposition of Jose Matias Moreno a resident of the town or County of San Diego in said State be issued, and that the said Commission be executed by J. R. Gitchell Esq. of said San Diego — and in case of his inability or unwillingness to execute the same then that the same be executed by the County Judge of the County of San Diego in said State at said town or at such other place in said County as such commissioner may appoint — ~~and~~ that the deposition of said witness be read in evidence on part of said appellants on trial of the above stated cause and that said deposition of said witness

No 314

United States District Court, Northern District of California.

Maria Teodora Peralta & als

vs.

The United States

Order for Commission.

Lex

Filed March 26th 1857.

John A. Monroe,
Clerk.

by N. St. Chevers
Deputy.

314 ND
PAGE 59

be taken upon interrogatories filed or to be filed by the applicants with the clerk notice thereof to the district attorney — of the specification of which time & place cross-interrogatories may be filed by him the same commission should be issued.

Ex parte.

Dated 26th March 1857.

United States District Court
Northern District of California

Maria Teodora Peralta & als
Appellants } No 314
vs
The United States
Appellee

On petition of appeal from the U S Board of Land Commissioners to ascertain and settle private Land Claims in the State of California

Interrogatories to be propounded to José Mateias Moreno of the County or town of San Diego in the State of California to be used with his replies thereto as evidence upon the trial of the above stated cause on the part of the said appellants.

1st.

What is your name, age and place of residence?

2°

Have you ever held any Public office

in California under the Mexican government thereof?

If yea, State what office you so held when, and for what period you held such office, where you resided and who was Governor during said period.

3d

Had you as such Public officer anything to do with Concessions of lands in California or with the documents relating to such Concessions.

If Yea. State what were your duties in that respect.

And State by whom such documents were usually written and despatched

4th

Did you know or know of, Juana Isidora Peralta

If Yea, State what you know of any Concession of lands made to her during your term of office.

State what lands were granted to her by such Concession.

State what you know Concerning any expedients or documents relating to such Concession

State of what documents such

expedente may have been composed

5th

State whether or not during your term of office any written grant or document of Concession of said lands was issued to or in favor of said Maria Teodora Peralta — and If so issued, who wrote the same — according to what order was the same made and issued, and if said order were in writing. Who wrote the same;

6th

State as nearly as you can the purport and contents of the said grant or document of Concession, if any there were,
What lands, if any, were granted by it and to whom they were granted.
And also state by whom was the said grant or document of Concession executed and signed.

7th

What was done with the said grant or document after its execution.

8th

Have you ever before testified in this

case

If you state whether or not there were then shown to you certain original papers in the office in the City of San Francisco where are kept the documents formerly belonging to the United States Land Commission

State whether and where and under what circumstances you had ever previously seen the said papers and State all other matters that you know respecting the same

9th

From what circumstances do you recollect this grant of land to Maria Teodora Peralta

State all circumstances or matters relating to the same that you can recollect –

Declare fully in respect thereto and in respect to every matter relating to any such concession or grant of lands to said Maria Teodora Peralta as fully as if you were particularly interrogated regarding the same.

Robert Simson
Appellants Attorney

No. 314

U. S. District Court
Southern Dist. of California

Maria Teodora Peralta
vs
The United States

Interrogatories to
José Matias Moreno

Seven

Filed March 26. 1857.
W. H. Chevers,
Deputy.

UNITED STATES DISTRICT COURT,
Northern District of California.

Maria Teodora Peralta
vs
The United States — San Francisco, April 3d 1857

314 ND
PAGE 66

ON this day, before Inot A. Monroe — a Commissioner of the United States for the Northern District of California, duly authorized to administer oaths, &c., &c., came Cayetano Arena a witness produced on behalf of the Claimants in Case No. 314, being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, in Case No. 648 on the Docket of the said Board of Commissioners, and was duly sworn and testified as follows — his evidence being interpreted by Wm M. Meeks — a sworn interpreter

PRESENT: Simpson & Chittenden & W. Blanding U.S. Dist. Atty.

QUESTION BY Claimants Counsel

1st Q. What is your name age and residence — ?

Answer — My name is Cayetano Arena — age 32 years — and residence San Buenena Ventura — I have held offices under the Mexican Govt. as a writer in the Governors Office when Pio Pico was Governor which I think was a part of the year 44. all of 45 and a part of 46 — but I do not accurately remember — during this time I resided at Los Angelos — My duties in the office were to write in the Office of such papers as were given to me

by the Secretaries, and a part of my duties was to write out such grants as were given to me by the Secretaries. The Governor ordered the issuance of the grants and they were ordinarily written by the Secretaries or employes of the Office and forwarded by the Secretaries -

I have never seen Maria Teodora Peralta - but knew her by reputation

I know of a grant to Maria Teodora Peralta during my term of office. - In the first place a petition was made to a judge in this place, by him submitted to Don Manuel Castro for his report who was then Prefect - and by the Prefect sent up to the Governor who ordered the Secretary to issue the title. The Secretary then wrote the title himself and sent it to Manuel Castro the Prefect to be delivered to Maria Teodora Peralta - The grant was for a tract of land with a strange name containing some leagues & a half or two leagues - and was situated somewhere near San Rafael - I know of my own knowledge that the papers were issued, because it was an unusual thing to issue grants to a woman - there only having been one or two grants to my knowledge of that kind issued - I only know as to the location of the land that it is situated near San Rafael - I have seen the Documents in the Surveyor's Office and they are the original & genuine papers.

I know the signatures of Pio Pico and Manuel Castro - The name of the grantee I recollect was - Buscha -

Cross Ex'd. The papers I saw consisted first of a petition to the Justice of the Peace and one or two reports of the Judges and Prefect - and then the Governors Decree. The petition was for a Solarie The grant was written by Matias Moreno the Secretary - I had nothing to do with writing the grant - I know about this grant of my own knowledge because it was one of the first grants made during the administration of Matias Moreno was Secretary - I saw the Grant itself when it was writing out in the Governor's office in Los Angeles - It had the two signatures of the Governor and Secretary - That they sent the grant by the public post from Los Angeles to Monterey but I do not know in whose hands it fell or what became of it - The Secretary of the Government sent it - It was sent to the Prefecture - I do not remember for certainty but I think that it was in the month of April 1846 when Matias Moreno the Secretary came into Office -

I saw the Expediente in the archives this morning

Sworn to subscribed
before me this 3rd April 1857.

Jno A. Monroe
U.S. Commr.

Cayetano Arenas

314 -

U. S. Dist: Court.

Maria. J. Peralta.

-vs-

The United States.

Deposition of
C. Arenas

Filed April 10. 1857.
W. H. Chevers.
Deputy.

Eight

UNITED STATES DISTRICT COURT,
Northern District of California.

Maria Teodora Peralta
vs
The United States

San Francisco, June 17. 1857

ON this day, before J. Edgar Symes a Special Commissioner of the United States for the Northern District of California, duly authorized to administer oaths, &c., &c., came Maria Bernada Duarte de Valencia a witness produced on behalf of the Claimant.

in Case No. 314, being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, in Case No. 648 on the Docket of the said Board of Commissioners, and was duly sworn and testified as follows — ~~his~~ her evidence being interpreted by W. N. Meeks. a sworn interpreter,

PRESENT: Robert Sinson, Atty for Clt. and W. Blanding, U. S. Dist. Atty:—

QUESTION BY Claimant.

What is your name, and residence.

Answer.

Maria Bernada Duarte de Valencia. My residence is Alameda County, Cal. I am the daughter of Maria Teodora Peralta, the claimant in this case. My mother had nine children, to wit. Juan Bernal, Ascencion Bernal, José Duarte, Alvino Duarte, Bernada Duarte, which is myself, Dolores Duarte, Josefa Duarte, Guadalupe Duarte, & Loreto Duarte. Witness is here shown a paper, and is asked if it be a true statement of the family as it now exists. Said paper being hereto attached,

and replies that it is, I know the rancho of "Buacocha". It was granted to my Mother. I have seen the documents pertaining to the title of said rancho. If I remember they consisted of a title, informations, or reports, and the espediente. There was a map also. I have seen the map, and concession which were given by my brother Alvino to an Agent, Casanueva. The grant was made by Governor Pico. It appears to me in the year 1845. I have seen the concession in the possession of my Mother. She had provisional possession of the land for a little more than a year before the issuing of the concession by Pio Pico, which was in 1846, after the grant. The family held possession of the rancho up to the year 1856, when the house was knocked down by the squatters. Now, I have no interest in the rancho of "Buacocha," Two of my shares I have sold for my subsistence, and my other share I have transferred for the education of my children. The diseño or map is that which was given to Casanueva, and the concession I think was lost, for the reason that it was not fastened to the espediente.

Cross Examined.

I saw the Grant at the rancho of Ignacio Pacheco. I dont remember very well.

but think it was between the years 1846. or 1847. My Mother lived with Ygnacio Pacheco. The way in which I came to see the Grant was because my Mother showed ~~it to me~~ me the papers. The grant had a seal to it. I think it had a printed heading. I think it was signed by the Governor, and Matias Moreno. It was for that vacant land of the rancho of "Buacocha". It was something like two leagues, more or less. It was a Sobrante. I have ~~[illegible]~~ searched for the papers because my Mother told me she had looked for ~~it~~ it (the grant), and was sad because she could not find it. She said it was last when the Americans came to the country. My Mother lived on the rancho at the time the Americans came here, and a little time after, about one year. Then she went to live at the house of Ygnacio Pacheco. All the papers were not lost. Those which were not lost are the same presented to the Commission. The expediente together with some reports in favor of my Mother, were presented to the

Commission. At the time my Mother died I had one share. 1/9. and after she died I acquired two other shares from my brothers. which is 3/9 in all. or 1/3. I sold the two shares acquired from my brothers. to two Germans. I do not know of my own knowledge that the ~~paper~~ Grant was delivered to my Mother. because I was not present at the time. but I have seen it in her possession.

~~Durieux Returned.~~

Nº Bernardo Duarte De Velasco

Sworn to and subscribed June 17th. 1857. before me.

J Hagan Geyne

Special Coms.

Maria Teodora Peralta.

Died November 1850.

1st marriage to Apolinario Bernal dec.d

2nd marriage with Mariano Duarte dec.d

- Mª Ascencion married to Juan Buelna — 1/9 — Share sold to & now owned by N. W. Chittenden & R. Simson
- Juan ~~Bernal~~ Ernal married to Chona Soto dec.d — 1/9
  - Guadalupe — 1/36
  - Nicolas — 1/36
  - Shares sold to & now owned by N. W. Chittenden & R. Simson
  - Juan a minor — 1/36
  - Mª de los Reyes a minor — 1/36
- Guadalupe dec.d 1st wife of Ignacio Pacheco — 1/9
  - Mª Ant.a Pacheco a minor — 1/18
  - José Ramon Pacheco a minor — 1/18
- José Duarte — 1/9
- Mª Bern.a Duarte married to Bruno Valencia — 1/9
- Dolores married to Mag.n Pasqo — 1/9 — Share sold to and owned by N. W. Chittenden & R. Simson
- Jorja married to Franc.o Morago — 1/9 — Share sold to & owned by N. W. Chittenden and R. Simson
- Alvina — 1/9
- Loreto 2nd wife of Ignacio Pacheco — 1/9 — Share sold to and now owned by N. W. Chittenden and R. Simson

No 314

U. S. Dist Court
Northern Dist of California

The United States
— Ads —
Maria Lodoza Peralta Decs

Table of Steers

No. 314.

U. S. Dist. Court.

The United States.

vs

Mn. Teodora Peralta.

Deposition of

Mn. B. D. de Valencia.

Filed July 30. 1857,
W. H. Chevers,
Deputy.

Nine

UNITED STATES DISTRICT COURT,
Northern District of California

San Francisco, May 3 1856

ON this day, before me, Geo. Pen. Johnston a Commissioner of the United States for the ~~Northern~~ Districts of California, duly authorized to administer oaths, &c., &c., came José Matias Moreno a witness produced on behalf of the Appellants in Case No. 314, being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, in Case No. 648 on the Docket of the said Board of Commissioners, and was duly sworn and testified as follows—his evidence being interpreted by Wm. M. Meeks a sworn interpreter

PRESENT:

Robert Simson Esq appearing on behalf the Claimant & appellants - no U.S. Dist Atty is present, that office in the Nth Dist of Calª being now vacant.-

QUESTION BY Appellants

1st

What is your name, age and place of residence

Answer — My name is José Matias Moreno - My age is thirty seven years - My residence is in the County of San Diego

2nd

State what is your intention as to leaving the Northern District of California

Answer — I intend to leave said District by the Steamer Sea Bird on her next trip. I believe to day I do not know when I shall return hither.-

3rd

Have you ever held any public office in California under the Mexican Government thereof, If yea, State

when and for what period you held such office, where you resided and who was Governor of California during said period.

Answer —— In April 1846 I was appointed to the Office of Secretary to the Government of the Department and continued to hold said office until the Mexican Government ceased in California on its conquest by the Americans. I resided during that period mostly in Los Angeles. Pio Pico was Governor during all that period and had been so for a long time previously.

4th

Had you as Secretary anything to do with concessions of lands in California or with the documents relating thereto? If yea - State what your duties were in that respect.

Answer —— All documents relating to concessions were written out either by me or by the clerks in my office. At that time in California there were but few clerks to be had and I was in the habit frequently of writing such documents myself. All documents of the Government were written and dispatched either by me personally or under my supervision.

5th

Did you know Teodora Peralta? State what you know of any grant of lands made to her during your Secretaryship.

Answer —— I never knew her personally as she lived in the Northern part of the Department. I remember that while I was Secretary a concession of lands was made to her by the Government. The land was a Sobrante named Buacocha.

The Expediente in the case was composed of

documents that were forwarded to the Government by Don Manuel Castro, Prefect of the first District in California - I myself wrote the grant or document of Concession which was issued in accordance with Governor Pico's decretal to that effect written at the end of the Expediente -

6th

State as nearly as you can the purport and contents of the said Grant or Concession -

Answer ~~~ I cannot state exactly its purport and contents - — It was like other grants issued where the grantee had previously been in possession of the lands granted - By it, there was granted to Maria Teodora Peralta, the Sobrante or surplus called Buacochá according to the description thereof in the Expediente - — The grant was duly executed by the proper officer being signed by Governor Pio Pico and by myself as Secretary -

7th

What was done with the said grant or document of Concession after its execution?

Answer ~~~ After its execution I dispatched it to the grantee and have not seen it since - I sent it by the usual Post of the Public service -

8th

Have you ever seen the said Expediente since the time of issuing the said concession? If yea - State all the matters that you know respecting it -

Answer ~~~ Never until to day when at the request of the Appellants I went to the office where are kept the papers formerly belonging to the United States Land Commission -

The Expediente marked "A Thompson Campbell"

was there shown me, filed in Case Number 648 being the claim of Maria Teodora Peralta for the place called Buocochá - At the request of one of the Appellants I carefully examined the said Expediente and I recognise it to be the same which was formerly in the Secretarys Office at Los Angeles while I was Secretary - The decretal order which is written at the end of the said Expediente in the words —

" Angeles Fb° 18 de 1846
" Estiéndasele el titulo que le asegure
" la propiedad al interesado -
" Pico

I recognise to be in the hand writing of Govr Pio Pico and signed with his genuine signature and rubrica - I have often seen him write and am well acquainted with his hand writing, signature and rubrica -

9th

Were there not many grants of land made during your said Secretaryship? If yea, How is it you so well remember circumstances attending this Grant of Buocochá to Maria Teodora Peralta?

Answer — I recollect this from several circumstances - She belonged to a family well known in California - Hers was one of the first grants made after I entered upon my duties as Secretary -

It was also an unusual thing to grant lands directly to a woman - During my Secretaryship I recollect only three such concessions, viz - this Grant of Buocochá to Maria Teodora Peralta - another of six leagues of land called San Jacinto to Doña Rosario Estudillo de Aguirre - Another an approbation by the Assembly of a grant to the sister of the latter, Maria Antonia Estudillo de Pedrorena of the Rancho del Cajon in the present County of San Diego

These three titles were all dispatched about

the same time and were among the first which passed through my hands after I entered upon my Secretaryship. They were dispatched in the beginning of May 1846. & in each case the respective documents were sent to the grantees forthwith by the usual Post of the public service.

Sworn to & subscribed
before me this 3rd day
of May A.D. 1856
Geo. Pen. Johnston
U.S. Commissioner

José Matias Moreno

U. S. District Court
Northern Dist of Cal^a

No 314

The U. S. of America
ads
Maria Teodora Peralta

Deposition of Jose Mattias Moreno, a witness produced on behalf of the Claimant

Filed May 9, 1856
[illegible]
Deputy.

May 28th 1859

Cross Examination: U.S. Atty

P. Della Torre

Present: —

Question 1.

Look at the document now shown to you marked "A. Thompson Campbell" filed in this case before the Board of Land Commrs. & which purports to be an Espediente for the land claimed in this case, & say if you mean to swear that the words "Angeles Tro 18 de 1845 Estiendasele el titulo que le asegure la propiedad al interesado

Pico"

on the 8th page are the genuine handwriting, signature & rubrica of Gov. Pio Pico?

Answer

I believe these words to be in his handwriting. The P in his name is a little different from that which he generally made but still I

believe it to be his genuine signature.

Question 2.

Compare that signature with the one appended to the letter addressed to you by Pio Pico under date of the 20th of April 1846 & attached to your deposition in the case of the United States ads Henry Cambuston filed within a few days past & see if there are any & what differences?

Answer 2.

There is a difference. The signature to the letter is well written & the other is badly written. I think the signature to the words quoted above is genuine because I am positive that the words themselves are in his handwriting.

Question 3.

Did you ever see Pico make such a signature

as that upon this alleged Espediente?

Answer - 3.

I never saw him make a rubrica like the one to this signature. I have some doubt of it being his rubrica. I rather think it is not his rubrica. I have no confidence in it.

Question 4.

When a ~~the~~ "titulo" was issued to a petitioner for lands during the Mexican possession of California what was done with the petition, his ciño informes & other proceedings in the matter?

Answer 4.

They remained in the Government archives. They were then known by the name of Espediente.

Question 5.

Among Mexicans & especially for official purposes was not the forming of the rubrica a matter of more

care & importance than the forming of the letters of the name which composed the other portion of the signature?

Answer 5.

I think not. Sometimes people would sign & make their rubricas in a careless & rapid manner & at other times carefully & well.

Question 6.

Is it not customary among the educated for each person to have a certain & well defined rubric?

Answer 6.

Yes sir. It attends at pleasure but generally it is ~~[illegible]~~ the same.

Question 7.

Were there not under the Mexican laws many official acts which could be attested by the Rubrica alone without the signature of the name?

Answer 7.

In some cases this was done.

Question 8.

Was it not then important that an Officer in high position should be particular in preserving a uniformity in his "autobics" so that his attestations thereby might be recognised with certainty?

Answer 8.

When a person was appointed to an important office a circular was sent around to the several departments or officers bearing his autobic — generally well made — but when he became well known he would sometimes make his autobic with less care & not exactly like the one on the circular. It was important that he should not change it but some would not be as well made as other.

Re-examination in Chief

Question 9.

What office did Pico hold in Calª during the years 1845 & 1846?

Answer 9.

He was Governor. Civil Gov. of California.

Question 10

Did the Expediente always remain in the archives as has been asked? ~~were they ever transmitted to the parties interested~~?

~~The last clause~~

~~The~~

Answer 10

The Original Expediente always remained in the archives.

Question 11.

Was it customary for persons to vary the form of their Rubricas at different periods of their lives?

Answer 11

It was customary to do so but notice was first given to correspondent stating the new one which had been adopted.

Question 12.

You have declared in your former examination in Chief that you sent the expediente and Grant here shown to you by the usual Mail of the public service to the Grantee; on Cross examination you declare that expedientes remained in the Government Archives; explain what was done with the Expediente in this case upon the issuing of the Grant, of which you have testified?

The U.S. Attorney desires to have the witness understand that he the witness on his direct examination

This question withdrawn

José Matías Moreno

Sworn to & subscribed
before me this 28th
day of May 1859.
Geo: Pen: Johnstone
U.S. Commissioner

After this deposition closed the witness desired to state that in reply to the 3d question on his examination in Chief he is made to say ~~that~~. "In April 1846." &c. & that this was not what he did state but that his statement was that "On the first day of May 1846. &c. ~~The~~

José Matías Moreno

Sworn to & subscribed
before me this 28th
day of May A.D. 1859.
Geo. Pen. Johnstone
U.S. Commissioner

Mem: Cross Examination had subsequently to the Direct examination & attached afterwards.

In the Dist Court U.S.
N. District of California

No. 314

The United States
vs
Maria Teodora Peralta

Deposition of Jose
Mattias Moreno a
witness produced in
behalf of Claimant

Filed May 31st 1859
W. H. Chevers
Clerk.

Gen

United States District Court
Northern District of California

The United States of America
ads
Maria Teodora Peralta & al
appellants

Claim
No. 314
For the place called Buococha

Robert Simson

being duly sworn deposes and says that in the above stated cause he is attorney of the appellants and is also a party interested in the lands therein claimed

That heretofore the same has been submitted to the Court upon verbal understanding between deponent and the U.S. District attorney of said District that said cause be argued or that briefs be filed therein, after said submission thereof —

That Pio Pico while Governor of California in the year 1846 made the grant to said Maria Teodora Peralta and certain writings which with others form the Expediente in this cause appear in his hand writing

That said Pio Pico is now temporarily in said District Court in the City of San Francisco and is an important and necessary witness in this cause without whose testimony the claimants cannot safely finally submit their case herein, and who as deponent is informed and believes can testify as to the validity of said writings and the signature of said Pico thereto signed, and also as to the issuing of the grant to said Teodora by the then Government of California —

That at the time of said submission said Pico was not in said district and it was believed by deponent that it would be impossible to obtain his testimony herein

That the motion of appellants hereon based, for the opening of this cause and for leave to take the testimony of said Pio Pico therein is made not for delay but for purposes of justice

Robert Simson

Sworn to and subscribed September 8th. 1859. before me,

W. A. Cheever.

U. S. Comm'r.

United States District Court
Northern District of California

No. 314.

Maria Teodora Peralta et al

vs

The United States & Fremon

No. 314

Affidavit

of Robt. Simson.

Filed Sept. 8. 1859.

W. A. Cheever.

Clerk.

By

Clerk

314 ND
PAGE 95

At a Stated Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the Court House, in the City of SAN FRANCISCO, on Thursday the eighth day of September in the year of our Lord one thousand eight hundred and fifty-nine,

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States,
vs.
Mª S. Peralta,
et al.

No. 314.

On reading and filing affidavit of R. Simson, and on motion of the said Simson, Counsel for the Claimants, it is ordered by the Court that this cause be, and the same is hereby restored to the trial docket, for the purpose of taking the testimony of Pio Pico.

No. 314.

District Court of the United States

IN AND FOR THE

Northern District of California.

The United States,

vs.

M. S. Peralta, et al,

Order opening cause & allowing deposition of Pio Pico to be taken.

Filed September 8, 1859.

W. A. Chevers Clerk.

By

Deputy.

Twelve

314 ND

PAGE 96

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

Clerk's Office,

I hereby Certify the foregoing to be a true copy from the Minutes of the said Court.

Clerk.

By

Deputy.

UNITED STATES DISTRICT COURT,
Northern District of California,

The United States
vs
ads
Maria Teodora Peralta
et al

San Francisco, Septr 9 1859

314 ND
PAGE 97

On this day, before Butler McAllister a Commissioner of the United States for the Northern District of California, duly authorized to administer oaths, &c., &c., came Pio Pico a witness produced on behalf of the Claimant in Case No. 314, being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, in Case No on the Docket of the said Board of Commissioners, and was duly sworn and testified as follows — his evidence being interpreted by John P. Brodie a sworn interpreter

PRESENT:

T. R. Frisi Acting U. S. Atty
Robt Simpson for Claimants

QUESTIONS BY Claimant's Attorney

Quest. 1. Your name, age & place of residence?
Ans — Pio Pico — 58 years of age — I reside in the County of Los Angelos
Quest 2. Did you during the years 1845 & 1846 hold any official employment in California, and if so state what that official employment was, and

during what time you held the same?

Ans 2. ~~During the year 1846~~ I was Governor of California from the end of the year 1844, until August or September 1846 –

Ques 3 – Examine the document or Expediente in this cause filed herein before the U. S. Land Commission and marked "A" Thompson Campbell and say if you recognise in it your handwriting, signature, & rubrica, & say what are the words, if any, written thereon by you?

Ans 3 — The portion of the Expediente on the 8th page of the Expediente in these words

" " Angeles Febro 18 de 1846 – "
" Expiendasele el titulo que le "
" asegure la propiedad al in- "
" teresado. – "
" Pico "

are in my handwriting, and ~~the~~ ~~Expendes~~ the signature & rubrica appended to it are mine –

Ques 4 – State if you remember whether any concession was made in conformity with your decree in the words quoted above?

Ans 4 – I do not know – I do not recollect – But the lady herself told me that she had a grant of land – (Ex Atty

objects to the last part of foregoing answer, because it is not responsive to the question & is heavenly evidence

Ques 5; State what was usually done, with the documents which formed the expediente when concession of land was made in California during your term of office as Governor?

Ans 5 They remained in the Archives in the Secretary's Office as usual.

Ques 6. Please state if such documents did not frequently pass to the possession of the Grantees without being left in the archives?

(Ques objected to as leading;
Objection withdrawn)

Ans 6. I believe not, the title papers alone was delivered —

Cross Examination

Ques 1 Have you a good memory?

Ans 1. I have not — I have a very feeble memory —

Ques 2 Do you recollect the fact of having signed this Expediente

or when you signed it - or do you know anything more about it except that you see your handwriting & signature there?

Ans 2. I have no recollection of having signed, or when, except from seeing my handwriting, but I am sure that I did write it, and sign it -

Ques 3. Are you sure when you signed it?

Ans 3. I believe I am sure -

Ques 4 When did the Claimant tell you she had a grant?

Ans 5. I think it was in 1855 at Los Angelos she told me she had a grant but that the title papers had been mislaid or lost -

Ques 6 By what means do you arrive at this date?

Ans 6. Because about a week or two ago the lady put me in mind of having spoken to me on the subject at Los Angelos at that time -

Ques 7. After making the order which you made in this case, could you not have refused a title?

Ans 7. No -

Ques 8. Had you the power to refuse the title?

Ans 8. I could if proper cause was shown to the Government -

Ques 9 - Are you certain that you signed no documents relating to lands in California after July 1846?

Ans 9. I am certain but I may have signed as late as August & September when I left California -

Ques 10 Are you certain that you signed no such documents after August or September 1846?

Ans 10 I am certain that is documents with regard to land -

The witness states that the lady that he had the conversation with in Los Angeles in 1855 & two or three weeks ago in this City was Bernarda Duarte - I do not

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

No 314

María Teodora Peralta et al

v

The United States

Dep of Pio Pico Witness for Claimants

Filed Sept. 16 1859.
W. H. Chevers
Clerk.

Thirteen
$3.25

314 ND
PAGE 102

know brothers the bros the parties
or her daughter —

Pio Pico

Subscribed & sworn to before me this
9th Feb 1859.

Walter Chelleriéto
Notary

DISTRICT COURT OF THE UNITED STATES,

Northern District of California.

314 ND
PAGE 103

The United States
adst
Ma Teodora Peralta,

San Francisco, May 1, 1861,

On this day, before ~~me, WILLIAM H. CHEVERS, a Commissioner of~~ District Court of the United States for the Northern District of California, ~~duly authorized to administer oaths, &c., &c.,~~ came R. C. Hopkins

a witness produced on behalf of the United States

in Case No. 314, being an appeal from the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, in Case No. 648 on the Docket of the said Board of Commissioners, and was duly sworn and testified as follows— ~~his evidence being interpreted by a sworn interpreter, to wit: By~~

PRESENT: Cachoun Benham, Esq. U. S. Atty. and P. Della Torre for the U. S. and Robert Simson, for Claimant.

QUESTION 1ST, By Counsel for the U. S.

Your name, age, occupation, and place of residence?

Ans.

R. C. Hopkins, of lawful age, am keeper of the Archives of the former Spanish, and Mexican Government, in possession of the Surveyor General of the

United States for California, and resides in San Francisco.

2. What papers have you brought from said Archives to be exhibited to the Court.

Ans. I have brought — 1st the original Expediente of the grant to Mª Teodora Peralta of a place named Huocecha — 2d — Original Expediente and grant to Dª Mª del Rosario Estudillo de Aguirre of the Rancho of "San Antonio, Viejo y Nuevo" 3d — Original Expediente & grant to Antonio Estudillo de Pedroena, of the place named "El Bayou"

R. C Hopkins.

Sworn to and subscribed before me this first day of May A. D. 1861, in open Court.

W. H. Chevers, Clerk.

314 ND
PAGE 104

No. 314.

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES,

V.

Ma. J. Peralta.

DEPOSITION OF

R. C. Hopkins

on part of United States

taken in open Court.

Filed May 1, 1861,

W. H. Chevers,

Clerk.

Fourteen

314 ND

PAGE 105

The United States
vs
Maria Teodora Peralta

The claim in this case is founded on an alleged grant by Pio Pico made in the spring of 1845 —
The Expediente which is produced by the claimant shows that in 1845 she ~~applied~~ petitioned to the Alcalde of San Rafael to obtain a report from the Comandante of a certain tract she desired to obtain from the Government, in order that the report might accompany her petition to the Governor for a grant of the land.
On the same day the magistrate certifies that the Comandante had stated before him that the solicitude asked for, was vacant and might be granted.
On the 8th November 1845 she ~~applied~~ presented a petition to the Prefect, in which she set forth her previous application to the Alcalde and the report of that officer and requested him to take such further proceedings as might be necessary.

Thus petition was referred by the Prefect to the Sub Prefect and by the latter to the first judge of San Rafael -

On the 29th November the 1st judge ~~latter~~ reports the land to be vacant

On the 20th December Castro the Prefect recommends to the Governor that the title issue

And on the 18th February 1845 the Governor attaches to the expediente an order to that effect

The Expediente containing all these documents is produced by the Claimants. The Archives contain no record or trace whatever of any of these proceedings -

There seems no reason however to doubt the genuineness of any of the papers except the last and most important of all: viz the order by the Governor that the title issue - The signature of ~~Pico to this order bears a very suspicious appearance~~ this order and the signature are evidently in Pico's handwriting - But his signature bears little resemblance to those elsewhere found in the Archives,

but the uniform & striking peculiarity of resemblance to genuine signatures is especially marked in the letter "P" adopted by him at a much later period

3a

No explanation is offered of the circumstance that the expediente is found in the claimants' possession — Had it ever reached the Governor, and had he made the order for the issuance of the title, it is difficult to imagine how it found its way into the claimants' hands and has since been preserved, while the title paper which it is alleged was issued has been lost —

If however after obtaining Castro's recommendation the claimants procured the expediente from that officer an order to send it to the Governor and through accident or neglect omitted to do so, until the war broke out in possession of the expediente & the absence of a grant are easily understood —

It is unnecessary critically to examine the testimony by which the existence of a grant and its loss have sought to be established —

In this case there is neither a grant nor archive evidence

What in the absence of both the

b

3 latter evidence alone, ~~but~~ as the nature of the testimony the Court will exact before confirming a claim is very explicitly laid down by the Supreme Court in U. S vs Castro 24 How 350 - and by the authority of that case I am governed - I may add that the fact that the Expediente is not found in the archives but in the claimants possession is far stronger evidence to my mind that it was not presented to the Governor than the somewhat inconsistent statements of the witnesses who have attempted to prove that a grant was in fact issued - Nor is this Evidence materially weakened by the circumstance that at the end of the Expediente is an order that the title issue for that order has a very suspicious appearance and there are no means of knowing with certainty at what time Pio Pico appended it to the Expediente -

The fact too that in his petition to the Board the claimant himself stated that no title was issued owing

4 to the Political circumstances is of some significance — for although the petition was amended on the allegation of a mistake or misapprehension of those in charge of the claim — it seems highly improbable that a mistake on so important a matter could have been committed, or that the claimants could have failed to apprise her counsel of the fact that she had received a grant and that it had been lost —

The confirmation of this claim is urged on the authority of the U. S vs Alviso 23 How. 318 — But that case differs from this in the circumstance that Alviso so far back as 1838 obtained from the Governor permission to occupy the land sought while the proceedings were pending to perfect the title —

The report of the case states that it was proved that his occupation commenced in 1840 and had continued for 14 years — during which time he had been recognized

5

as owner of the land - "no imputation was made against the integrity of his documentary evidence and no suspicion existed unfavorable to the bona fides of his petition or the continuity of his possession and claim"

In the case at bar the circumstances are very different

It is by no means satisfactorily proved that the petition and accompanying reports were ever laid before the Governor - No grant is produced - nor any corroborative proofs from the archives - the only evidence offered is parol testimony ~~coming from~~ some of which comes from witnesses well known to the Court - and a brief order signed by Pio Pico, which may have been a very recent addition to the expediente - In Aloiso's case the Governor after granting the provisional permission to occupy naturally returned ~~the~~ the papers it to the petitioner for the reports &c required. It was therefore found in his possession or that of the officers whose informes were asked for

But in this case if the claimants allegation be true and the Governor not only ordered the title to be issued but actually signed ~~the~~ & delivered ~~the~~ it, there is no mode of accounting for the fact that the expedients was not returned by him and recorded as usual –

The evidence of possession & occupation is far less strong & satisfactory than in Alviso's case Richardson swears that the claimants was occupying the lands in 1844 – Castro testifies that she was living there in 1845 –

Mrs B. Duarte de Valencia the daughter of the claimants swears to the reception of the grant & that for about a year previous to its delivery she had occupied the land under a provisional licence –

But there is no record evidence whatever of any such provisional licence –

It certainly did not come from the Governor for the petition was sent to him for the first time

7 in January 1846 – and the only action he is claimed to have taken on it was to issue the final title at once –
It was not granted by the Prefect, the Sub Prefect, or the Alcalde for the expediente shows that no such grant was solicited and that those officers merely made favorable reports to be laid before the Governor –
Pacheco swears that he gave him possession after the grant in his capacity as Alcalde
But this statement seems quite incredible –
~~It~~ ~~Lin~~ 1st the grant not having been approved ~~it was~~ ~~qui~~ no judicial possession could regularly or legally be given –
2 The grant being for a sobrante no judicial possession could be given of it until the boundaries of all the colindantes were determined and the extent of the sobrante ascertained –
3 The legal evidence of the giving of judicial possession is the formal record of the pro-

8 ceeding — No such record is produced — nor is its absence accounted for — The claimant has not even offered the testimony of any of the colindantes & neighbors who must have been present at the ~~proceeding~~ ceremony. ~~It was on~~ We have only the bare statement of Alcalde that he gave possession at the time of the granting thereof —

~~Your a state of the a~~

It is probable however from all the testimony that, about the date of the first application to the Alcalde, and the certificate of the colindantes that the land was vacant, the claimants went upon it and erected a house &c. This was in the Summer of 1845 — She had no written permission to do so but it was probably not objected to because there seemed no obstacle to her obtaining the title —

But that title she did not in all probability obtain — At least there is no evidence of sufficient according to the rules

9 laid down by the Supreme Court to justify me in pronouncing that the grant issued —
If then the petition was never presented, or not acted on by the Governor I am unable to discover ~~any thing~~ in the fact that she moved on the land and occupied it for about a year prior to the conquest of the Country any satisfactorial equities which require or authorise a confirmation —
The case is undoubtedly a hard one for the claimant or rather her heirs for she is now deceased she is said to have been of a reputable family — and the report of the Alcalde the Prefect &c show that she would have had no difficulty in obtaining the land But if by ~~mistaken~~ accident or neglect she failed to get it I see not how this Court can ~~supply the~~ remedy the misfortune —
My opinion is that the decree of the Board rejecting the claim should be affirmed.

No. 314.

U. S. District Court.

The United States
vs.
Maria Teodora Peralta.

Opinion
Rejecting Claim.

Filed April 4th 1863.
W. H. Chevers,
Clerk.

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 13th day of May in the year of our Lord one thousand eight hundred and sixty-three

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States
v.
Maria Teodora Peralta

No. 314

This cause came on to be heard on the appeal of the claimant from the final decision of the Board of Commissioners to ascertain and settle the private land claims in the State of California, under the Act of Congress approved March 3, 1851, upon the transcript of the proceedings and the decision of the said Board and upon the further evidence in this Court taken by order of the Court; and it appearing to the Court that the said transcript was duly filed according to law: Now Therefore, the cause having been regularly brought to a hearing, counsel for the respective parties present and heard, and due deliberation had in the premises, It is ~~now~~ Ordered, adjudged and decreed that there is no error in the decree of the said Board, and the said decree is hereby affirmed. And it is further Ordered, adjudged and decreed that the claim of the said Maria Teodora Peralta is invalid, and that the same be and hereby

is rejected; and that the petition of the said claimant Maria Teodora Peralta for a confirmation he and the same hereby is dismissed.

Ogden Hoffman
Dist. Judge

No. 314

UNITED STATES DISTRICT COURT

Northern District of California.

The United States

v.

Maria T. Peralta

Decree rejecting claim

Filed May 13, 1863.

W. H. Chevers
Clerk.

314 ND
PAGE 118

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 Tuesday the 15th day of September in the year of our Lord one thousand eight hundred and sixty-three.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States
v.
Maria Teodosa Peralta.

No. 314.

In this case, on application of R. Sinson, Esq. Counsel for Claimant, made in open Court, it is ordered by the Court that an appeal in behalf of the Claimant, from the final decision of this Court rendered in said Cause at the December Term 1862, be, and the same is hereby granted, and that a certified transcript of the pleadings, evidence, depositions, and proceedings in the said Cause be sent to the Supreme Court of the United States without delay.

No. 314.

UNITED STATES DISTRICT COURT

Northern District of California.

The United States.

v.

Maria Teodora Peralta.

Order granting appeal in behalf of the Claimant.

Filed September 15, 1863.

W. H. Chevers.

Clerk.

UNITED STATES OF AMERICA, ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Honorable the Judges of the District *Court of the United States, for the* Northern *District of* California

Greeting:

Whereas lately, in the District Court of the United States for the Northern District of California before you, in a cause between Maria Teodora Peralta, appellant and The United States, appellee, (No. 314 for the place called "Buacocha") the decree of the said district Court entered on the 13th of May 1863 is in the following words, viz:

"It is ordered, adjudged and decreed that there is no error in the decree of the said board, and the said decree is hereby affirmed. And it is further ordered, adjudged, and decreed that the claim of the said Maria Teodora Peralta is invalid, and that the same be, and hereby is, rejected, and that the petition of the said claimant, Maria Teodora Peralta, for a confirmation be, and the same hereby is, dismissed."

as by the inspection of the transcript of the record _____
_____ of the said district
Court, which was brought into the Supreme Court of the United States by virtue of an appeal

agreeably to the act of Congress, _____
_____ in such case made and provided, fully and at large appears.

And whereas, in the present term of December, in the year of our Lord one thousand eight hundred and sixty five the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel: **On consideration whereof,** it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed. 26 Mar:

You, therefore, are hereby commanded that such further proceedings be had in said cause,

as, according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding:

Witness the Honorable Salmon P. Chase Chief Justice of said Supreme Court, the first Monday of December in the year of our Lord one thousand eight hundred and sixty five.

COSTS OF

Clerk ..... $

Attorney ... $

$

Issued by Geo. Middleton

Clerk of the Supreme Court of the United States.

314

No. 1, December Term, 1865.

MANDATE

SUPREME COURT UNITED STATES.

Peralta vs. U. States

Filed Mandate June 13 1866

E. G. Lockwood Clk

By Saml Phillips Deputy

314 ND

PAGE 124

Warranty Deed

314 ND
PAGE 125

This Indenture made the twenty-ninth day of March in the year one thousand eight hundred and fifty five Between José Duarte of the County of Alameda in the State of California of the first part and Maria B. D. Valencia of the same place of the second part Witnesseth, that the said party of the first part in consideration of the sum of Eight hundred dollars ($800) to me duly paid before the delivery hereof, has bargained and sold, and by these presents does grant and convey to the said party of the second part her heirs and assigns forever, All the right title and interest of said party of the first part in and to the Rancho Buocoche situate in the County of Marin in said State, being the entire interest in said Rancho which said party of the first part inherits, or is to inherit from his Mother now deceased, which interest is undivided and consists of One Ninth of said Rancho, which Rancho contains about three leagues more or less - with the appurtenances, and all the estate title and interest of the said party of the first part therein. And the said party of the first part, does hereby covenant and agree with the said party of the second part, that at the time of the delivery hereof the said party of the first part is the lawful owner of the premises above granted and seized thereof in fee simple absolute and that he will Warrant and Defend the above granted premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns forever.

In Witness Whereof the said party of the first part have hereunto set my hand and seal the day and year first above written

José Duarte (Seal)

Sealed and Delivered in the presence of
F. W. Lloyd
Alb. Buckelbank

State of California
County of Alameda } S S

On this 29th day of March A D One thousand Eight hundred and fifty five before me A M Brackelbank a Notary Public in and for said County personally appeared José Duarte known to me to be the individual described in, and who executed the foregoing conveyance and acknowledged that he executed the same freely and voluntarily, for the uses and purposes therein mentioned

In Witness Whereof I have hereunto set my hand and affixed my Official Seal in the City of Oakland, County aforesaid the day and year first above written

Seal

"A M Brackelbank"
Notary Public

Deed (2)

José Duarte
to
Maria B Valentin

Recorded for Record
June 22. 1855 at 4
o'clock P.M. Recorded
in Book C of Deeds
Page 27
Leonidas Taylor
Recorder

1/9

2 C. D

314 ND
PAGE 127

This Indenture made the Eleventh day of June in the year of our Lord one thousand eight hundred and fifty five Between Alvino Duarte of the County of Marin in the State of California of the first part, and Maria Bernarda D Valencia of the County of Alameda in said State of the second part, Witnesseth, that the said party of the first part, for and in consideration of the sum of one hundred Dollars, lawful money of the United States of America to her in hand paid by the said party of the second part, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged has remised, released, and quit claimed and by these presents does remise release and quit claim unto the said party of the second part; and to her heirs and assigns for Ever.

All the right, title and interest in and to that certain tract of land known as BUCOCHA Ranche situate in the County of Marin in said State said interest being the undivided One Ninth part of said Ranche of said party of the first part.

Together with all and singular the tenements hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof. And Also all the Estate, right, title, interest, property, possession claim and demand whatsoever, as well in law as in Equity, of the said Party of the first part, of, in, or to, the above described premises and every part and parcel thereof with the appurtenances.

To Have and to Hold all and singular the above mentioned and described premises together with the appurtenances, unto the said party of the

second part and assigns forever —

In Witness Whereof the said party of the first part has hereunto set his hand and seal the year first above written

314 ND
PAGE 128

Signed Sealed and delivered in presence of
Alex Brackelbank

his (Seal)
Alvino X Duarte
Mark
by Alex Brackelbank
Witness

State of California
County of Alameda } S.S.

On this Eleventh day of June A.D. one thousand Eight hundred and fifty five before me a Notary Public personally appeared Alvino Duarte to me known to be the individual described in, and who executed the foregoing instrument, and who acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and affixed my Official Seal, in the County aforesaid the day and year first above written

Seal

Alex Brackelbank, Notary Public

Alvino Duarte
to
Maria B Valencia

Deed

Return for Record
June 22 1855 at 4
Oclock PM Recorded
in Book C of Deeds
Page 28

David O Taylor
Recorder

115

This Indenture made the nineteenth day of November in the year of Our Lord One Thousand Eight hundred and fifty six Between Maria Bernarda Duarte de Valentia and Bruno Valentia of San Leandro Alameda County State of California of the first part and Raphael Shayer and Joel L Polack of the City and County of San Francisco same State of the Second part. Witnesseth - That the said parties of the first part for and in consideration of the sum of Eleven hundred Dollars lawful money of the United States of America to them in hand paid by the said parties of the Second part at or before the ensealing or delivery of these presents, the receipt whereof is hereby acknowledged hath granted, bargained, sold, released, remised and conveyed and by these Presents doth grant, bargain, sell, release, remise and Convey unto the said parties of the second part and to their heirs and assigns for ever - All of two ninths undivided interest in the fee formerly belonging to Alonzo Duarte of Marin County, State aforesaid and Jose Duarte of Alameda County and Conveyed to Maria Bernarda Duarte de Valentia and Recorded in Liber C pages 27 and 28 in the Records of the Recorders Office Marin County State aforesaid - and being the Sobrante Ranch called Buococha originally granted by Governor Pio Pico to Maria Teodora Peralta A D 1846 and numbered in the Docket of the United States Land Commission No 648 - and on the Docket of the U S District Court of the Northern District of California No 314 said Ranch is bounded by the Ranches of Bartolo Bojorques Juan Martin Fernando Feliz Juan Miranda and Camulos - Together with all and singular the tenements hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversions, remainder and remainders, rents, issues, and profits thereof.

To have and to hold - all and singular the above mentioned and described premises, together with the appur-

tenances unto the said parties of the second part their heirs and assigns forever.

In Witness Whereof the said parties of the first part hath hereunto set their hands and seals the day and year first above written. ~~In Witness Whereof the said parties of the first part~~

314 ND
PAGE 130

The name of Bruno Valentia was inserted above before being signed sealed and delivered in presence of Wm C Sewett

Maria her + mark Bernarda de Valentia (Seal)

Bruno Valentia (Seal)

State of California } ss.
County of San Francisco }

On this twentieth day of November AD 1856. before me Wm C Sewett Notary Public personally appeared the within named Maria Bernarda de Valentia and Bruno Valentia severally known to me to be the same persons described in and who executed the annexed instrument and they severally duly acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned And the said Maria Bernarda de Valentia who is personally known to me to be the person whose name is subscribed to the annexed instrument as a party thereto, having been by me made acquainted with the contents of such instrument, duly acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the same freely and voluntarily, without fear or compulsion or undue influence of her said husband, and that she does not wish to retract the execution of the same

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year last above written

Seal

Wm C Sewett Notary Public

3 | 19 November 1856 | Deed | Maria Fedora Bernarda de Valentia and Bruno Valentia to Asphalt Mines and S Polack | Brooklyn in Marin County | Recorded at the request of R Shaya March 2. 1857 at 11 O'Clock Am in Liber D of Deeds pages 36 and 37 | Daniel T Taylor Recorder Marin County | fees 4.00

This Indenture made this 23rd day of February 1857
Witnesseth that for the consideration of Ten dollars which I hereby acknowledge to have received in full I hereby transfer all my right title and interest to Raphael Shayer of the City and County of San Francisco that I have in the Ranch of Buococha - sold on the 19th November 1856 - to Raphael Shayer and myself by Maria Bernarda Duarte de Valentia and Bruno Valentia together with every right appertaining ~~to the same~~ thereto in law and in Equity

In Witness whereof I have hereunto set my hand and Seal the day and year above written

Witness to Signature } John Middleton "J S Polack" (Seal)

State of California
County of San Francisco } ss

On the ~~twenty~~ third day of February A D one thousand eight hundred and fifty seven before me John Middleton a Notary Public in and for said County personally appeared J S Polack to me personally known to be the individual described in and who executed the foregoing Instrument, and acknowledged that he executed the same freely and voluntarily 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 first above written "John Middleton"
Notary Public

Seal

Recorded for Record at the request of R. Sharpes March 2nd 1857 at 8 min. 8 o'clock A.M. in Book D of Deeds page 37 "Daniel J Taylor" Recorder Alameda County

(4)

Deed

I S. Polack
to
Raphael Shayer

Bucoecha
in Marin County

Recorded at the request of
R Shayer March 2. 1857
at Eleven Oclock Am in
Lib D of Deeds page 37

Daniel J Taylor
Recorder Marin County

314 ND
PAGE 132

Sepan todos por estos presentes que nosotros Ascencion

Know All Men By These Presents that we Ascencion Bernal de Buelna una de los hijos y herederos de Doña Teodora Peralta difunta y Juan Buelna el marido de la dicha Ascencion Bernal de Buelna del Condado de Alameda, del Estado de California por y en consideracion del cantidad de mil quinientos pesos ($1500) a nos en la mano pagado por Nathanel W. Chittenden y Robert Spinson ambos de la ciudad y condado de San Francisco de dicho estado, al ó antes de sellar y entregar estos presentes el recibo de la cual se por esto reconocido

Ascencion B. de Buelna
& Juan Buelna
to
N. W. Chittenden &
Robert Spinson

314 ND
PAGE 133

Bernal de Buelna one of the Children and heirs of Doña Teodora Peralta, deceased, and Juan Buelna, husband of the said Ascencion Bernal de Buelna, of the County of Alameda, State of California, for and in consideration of the sum of fifteen hundred dollars ($1500) to us in hand paid by Nathanel W. Chittenden and Robert Spinson, both of the City and County of San Francisco in said state, at or before the unsealing & delivery of these presents, the receipt whereof is hereby acknowledged have given, granted, bargained, sold and conveyed and by these presents do give grant bargain sell and convey unto the said N. W. Chittenden and Robert Spinson, their heirs and assigns forever. All the estate right title interest claim and demand whatsoever, as well in law as in equity which we have or which either of us has, particularly, which the said Ascencion Bernal de Buelna has as one of the children and heirs of the said Doña Teodora Peralta, deceased, of in and to all that parcel or tract of land situated in the County of Marin said State and known and designated as the Rancho of Bococha, Palenqueche or Guadalupe and bounded and described as follows, to wit; by the Ranchos of Fernando Feliz, Juan Miranda, Bartolo Bojorquez and Camilo, being a sobrante and the same conceded to and occupied by the said Doña Teodora Peralta difunta y en familia and now generalmente conocido como el Rancho de la familia Duarte commonly known as the Rancho of the Duarte family with the appurtenances

Sepan todos por estos presentes que nosotros Ascencion Bernal de Buelna una de los hijos y herederos de Doña Teodora Peralta difunta y Juan Buelna el marido de la dicha Ascencion Bernal de Buelna del Condado de Alameda del Estado de California por y en consideracion del cantidad de mil quinientos pesos ($1500) a nos en la mano pagado por Nathanel W. Chittenden y Robert Spinson ambos de la ciudad y condado de San Francisco de dicho estado, al ó antes de sellar y entregar estos presentes el recibo de la cual se por esto reconocido

con las fabricaciones herencias y adjuntos pertenecientes de cualquiera modo al dicho Rancho Juan Buelna

Have given, granted, bargained, sold and conveyed and by these presents do give grant bargain sell and convey unto the said N. W. Chittenden and Robert Spinson, their heirs and assigns forever. All the estate right title interest claim and demand whatsoever, as well in law as in equity which we have or which either of us has, particularly, which the said Ascencion Bernal de Buelna has as one of the children and heirs of the said Doña Teodora Peralta, deceased, of in and to all that parcel or tract of land situated in the County of Marin said State and known and designated as the Rancho of Bococha, Palenqueche or Guadalupe and bounded and described as follows, to wit; by the Ranchos of Fernando Feliz, Juan Miranda, Bartolo Bojorquez and Camilo, being a sobrante and the same conceded to and occupied by the said Doña Teodora Peralta difunta y en familia and now generally known as the Rancho of the Duarte family with the appurtenances

and W. Hold all and singular the said premises
hereby sold and conveyed or intended so to be, with
the appurtenances unto the said N. W. Chittenden and
Robert Simson, their heirs and assigns forever.

In witness whereof we the said Ascencion
Bernal de Buelna in her own right and the said
Juan Buelna have hereunto set our hands and
seals respectively this sixteenth day of November
One thousand eight hundred and fifty three

Signed, Sealed & Delivered
in the presence of } Ascencion Bernal her + mark de Buelna

C. V. Joice
Robert Ashmi Newland

Juan his + mark Buelna

State of California
County of San Francisco } ss

On this sixteenth day of November One thousand eight hundred & fifty three before me a Notary Public in and for said County personally appeared Ascencion Bernal de Buelna and Juan Buelna her husband known to me to be the persons described in and who executed the foregoing Instrument and acknowledged that they and each of them knew the contents thereof and executed the same freely and voluntarily for the uses and purposes therein mentioned — And the said Ascencion Bernal de Buelna, wife of the said Juan Buelna having been made acquainted by me with the contents of said Instrument — acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the said Instrument freely and voluntarily without fear or compulsion or undue influence of her said husband and that she

does not wish to retract the same

In testimony whereof I have hereunto set my hand and official seal the day and year last above written

E. V. Joice
Notary Public

Filed for Record Dec 1 10 o'clock A.M. 1853 and recorded in Book A of Deeds pages 319. 20. 21
Dec 10. 1853

Jas L Pomeroy
Recorder
Daniel S Sager
Deputy

Dolores Duarte de Reesgo & Joaquin Reesgo to Nathl Chittenden & Robert Simon

314 ND
PAGE 136

Sepan todos por estos presentes que nosotros Dolores
Know all men by these presents that we Dolores
Duarte de Reizgos una de los hijos y herederos de
Duarte de Reizgos one of the children and heirs of
Doña Teodora Peralta difunta y Joaquin Reizgos
Doña Teodora Peralta, deceased and Joaquin Reizgos
el marido de la dicha Dolores Duarte de Reizgos del
husband of the said Dolores Duarte de Reizgos of the
Condado de Alameda del Estado de California por y en
County of Alameda, State of California for and in
consideracion de la cantidad de mil quinientos ($1500)
consideration of the sum of fifteen hundred ($1500)
pesos y nos en la mano pagado por Natanael G. Chittenden
dollars to us in hand paid by Nathaniel W Chittenden
y Roberto Simon ambos de la Ciudad y Condado
and Robert Simon, both of the city and County
de San Francisco de dicho Estado a ó antes de
of San Francisco, in said State, at or before the
sellar y entregar de estos presentes el recibo
ensealing and delivery of these presents, the receipt
de lo cual es por esto reconocido hemos dado concedido
whereof is hereby acknowledged, have given granted
tratado vendido y traspasado y por estos presentes
bargained, sold and conveyed and by these presents
nosotros damos, concedimos, tratamos, vendemos, y trasferimos á
do give, grant, bargain, sell and convey unto
los dichos N. G. Chittenden y Roberto Simon
the said N. W. Chittenden and Robert Simon,
sus herederos y interventores para siempre toda la propiedad, derecho
their heirs and assigns forever, all the estate, right
titulo, interes, reclamacion y demanda cualquiera tanto
title, interest, claim and demand whatsoever, as
segun la ley como segun la equidad que tenemos ó
well in law as in equity, which we have or
que cualquiera de nosotros tiene particularmente que la
which either of us has, particularly which the
dicha Dolores Duarte de Reizgos tiene como una de los
said Dolores Duarte de Reizgos has as one of the
hijos y herederos de la dicha Doña Teodora Peralta
children and heirs of the said Doña Teodora Peralta
difunta, de, en é á todos los terenos
deceased, of, in and to all that parcel or tract of
situados en el condado de Marin de dicho Estado
land situated in the County of Marin said State
y conocidos y nombrados por el Rancho de
and known and designated as the Rancho of
Buocochá, Jalenqueché, ó Guadalupe con
Buocochá, Jalenqueché or Guadalupe and
los limites y derechos como siegue á saber; colindante
bounded and described as follows, to wit; by the
con los Ranchos de Fernando Feliz, Juan Miranda
Ranchos of Fernando Feliz, Juan Miranda,
Bartola Bojorquez y Canals siendo un sobrante
Bartola Bojorquez and Canals being a sobrante
y el mismo concedido á y poseido por la
and the same conceded to and occupied by the
dicha Doña Teodora Peralta difunta y su familia
said Doña Teodora Peralta, deceased & family
y nos generalmente conocido como el Rancho de
and now commonly known as the Ranchs of
la familia de Duarte con las fabricaciones
the Duarte family, with the tenements,
herencias y adjuntos pertenecientes
hereditaments and appurtenances thereunto
de cualquiera modo al dicho Rancho
belonging or in any wise appertaining

Para que tengan y posean todo y cualesquiera las dichas
To Have and to Hold all and singular the said
premises por esto vendidas y transferidas ó que se
premises hereby sold and conveyed or intended so
extienden, con los appurtenencias unto los dichos N. W.
to be, with the appurtenances unto the said N. W.
Chittenden y Roberto Simson sus herederos y
Chittenden and Robert Simson their heirs and
interventores para siempre jamas
assigns forever

En testimonio de lo cual nosotros la dicha Dolores
In Witness whereof we the said Dolores
Duarte de Reisgos en su propio derecho y el dicho
Duarte de Reisgos, in her own right and the said
Joaquin Reisgos hemos á esto puesto nuestros manos y
Joaquin Reisgos have hereunto set our hands and
sellos respectivamente este el veinté y seis dia de Octubre
seals respectively this twenty sixth day of October
de mil ocho cientos cincuenta y tres
one thousand eight hundred and fifty three —
Firmado, sellado, y entregado
Signed, sealed, & delivered
en la presencia de
in the presence of

Doña Dolores Duarte her de Reisgos mark

Fredrick B Van Vleck

Joaquin Reisgos

State of California
County of San Francisco } ss

On this twenty seventh day of October one thousand eight hundred and fifty three before me a Notary Public in and for the said County personally appeared Dolores Duarte de Reisgos and Joaquin Reisgos her husband known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they and each of them well knew the contents thereof & executed the same freely and voluntarily for the uses and purposes therein mentioned — And the said Dolores Duarte de Reisgos, wife of the said Joaquin Reisgos having been made acquainted by me with the contents of said instrument acknowledged to me on an examination apart from and without the hearing of her said husband that she executed

the said Instrument freely and voluntarily without fear or compulsion or undue influence of her said husband and that she does not wish to retract the same

In testimony whereof I have hereunto set my hand and official seal the day and year last above written

C. V. Pouce
Notary Public

Received for record Oct 29, 1853 at 3 o'clock P.M. & recorded in Book A of Deeds Page 300

Jas L Pomeroy
Recorder Marin County

Josefa Duarte de Moraga
& Francisco Moraga
to
N W Chittenden
Robert Simson

Sepan todos por estos presentes que nosotros Josefa
Know All Men By These Presents that we Josefa
Duarte de Moraga una de los hijos y herederos
Duarte de Moraga one of the Children and heirs
de Doña Teodora Peralta difunta y Francisco
of Doña Teodora Peralta deceased and Francisco
Moraga el marido de la dicha Josefa Duarte de Moraga
Moraga husband of the said Josefa Duarte de Moraga
del Condado de Contra Costa del Estado de California
of the County of Contra Costa, State of California
por y en consideracion de la cantidad de mil
for and in consideration of the sum of One thousand
pesos ($1000) a nos en la mano pagado por Nathaniel
dollars ($1000) to us in hand paid by Nathaniel
W Chittenden y Roberto Simson ambos de la
W Chittenden and Robert Simson, both of the
Ciudad y Condado de San Francisco de dicho Estado
City and County of San Francisco in said State,
á otro antes de sellar y entregar de estos
at or before the sealing and delivery of these
presentes el recibo de lo cual es por esto reconocido
presents, the receipt whereof is hereby acknowledged
hemos dado concedido tratado vendido y trasferido
have given, granted bargained, sold and conveyed
y por estos presente nosotros damos concedimos tratamos
and by these presents do give grant bargain
vendimos y trasferimos á los dichos N W Chittenden
sell and convey unto the said N W Chittenden
y Roberto Simson sus herederos y intervenidores para
and Robert Simson, their heirs and assigns forever
siempre todo la propiedad derecho titulo interes reclamacion y demanda
All the estate right title interest, claim and demand
cualquiera tanto segun la ley como segun la Equidad que tenemos
whatsoever as well in law as in Equity which we
have o que cualquiera de nosotros tiene particularmente que
have or which either of us has, particularly which
la dicha Josefa Duarte de Moraga tiene como una
the said Josefa Duarte de Moraga has as one
de los hijos y herederos de la dicha Doña Teodora
of the children and heirs of the said Doña Teodora
Peralta difunta de en y a todos los terrenos
Peralta, deceased, of, in and to all that parcel
o tract of land situated in the County of Marin,
situados en el Condado de Marin
said State and known and designated as the
de dicho Estado y conocido y nombrado por el
Rancho de Brocochá Jalenquechí ó Guadalupe
Rancho of Brocochá Jalenquechí or Guadalupe
y con los limites y descritos como segue a saber
and bounded and described as follows, to wit; by
colindantes con los Ranchos de Fernando Feliz Juan Miranda
the Ranchos of Fernando Feliz Juan Miranda
Bartolo Bojorques y Camilo siendo un sobrante
Bartolo Bojorques and Camilo, being a sobrante
y el mismo concedido a y poseido por la
and the same conceded to and occupied by the
dicha Doña Teodora Peralta difunta y su familia
said Doña Teodora Peralta deceased and family
y hoy generalmente conocido como el Rancho de la
and now commonly known as the Rancho of the
familia de Duarte con las edificaciones, herencias
Duarte family, with the tenements, hereditaments
y adjuntos pertenecientes de cualquier modo al dicho
and appurtenances thereunto belonging or in any
Rancho
wise appertaining — To Have and To Hold all
Para que tengan y posean todos

y Cualquiera by dicha premisas por esto vendida
and singular the said premises hereby sold
y traspasadas que así se entienda con los
and conveyed or intended so to be with the
adjuntos y dichos N W Cuttenden y
appurtenances unto the said N W Cuttenden and
Roberto Simon sus herederos y interpretores para
Robert Simon his heirs and assigns forever
siempre jamas En testimonio de lo cual nosotros los dichos
In witness whereof we the said
Josefa Duarte de Moraga en su derecho propio y
Josefa Duarte de Moraga in her own right and
el dicho Francisco Moraga pones a este presente
the said Francisco Moraga have hereunto set
nuestro manos y sellos respectivamente este nueve
their hands and seals respectively this ninth
dia de Marzo Mil Ochocientos cincuenta y
day of March One thousand eight hundred
and fifty four tres
Firmado sellado y entregado
Signed sealed & delivered
en la presencia de
in the presence of } Josefa Duarte her + mark de Moraga

C. V. Scott Franco Moraga
Frederick B Van Reich

State of California
County of San Francisco } ss

On this ninth day of March One thousand Eight hundred & fifty four before me, a Notary Public, in and for said County personally appeared Josefa Duarte de Moraga and Francisco Moraga her husband, known to me to be the persons described in and who executed the foregoing instrument and acknowledged that they and each of them well knew the contents thereof and executed the same freely and voluntarily for the uses and purposes therein mentioned And the said Josefa Duarte de Moraga, wife of the said Francisco Moraga having been made acquainted by me with the contents of said instrument acknowledged to me on an examination apart from

and without the hearing of her said husband that she executed the said Instrument freely and voluntarily without fear or compulsion or undue influence of her said husband and that she does not wish to retract the same

In testimony whereof I have hereunto set my hand and Official seal the day and year last above written

E. A. Joice
Notary Public

Filed May 19 1854 at 3 o clock P.M. & Recorded in Book A of Deeds page 368-9

Jas L Pomdexter
Clerk
D S Taylor
$1.75 Dpty

Loreta Duarte de Pacheco & Ignacio Pacheco
to
N W Chittenden &
Robert Simson

314 ND
PAGE 148

Know All Men By these Presents that we Loreta Duarte de Pacheco, one of the children and heirs of Doña Teodora Peralta, deceased and Ignacio Pacheco husband of the said Loreta Duarte de Pacheco, of the County of Marin, State of California, for and in consideration of the sum of One thousand ($1000) dollars to us in hand paid by N. W. Chittenden and Robert Simson of San Francisco in said State, at or before the ensealing and delivery of these presents the receipt whereof is hereby acknowledged have given granted, bargained, sold and conveyed and by these presents do give, grant, bargain, sell and convey unto the said N.W. Chittenden and Robert Simson their heirs and assigns forever all the Estate, right title, interest claim and demand whatsoever as well in law as in equity which we have or which either of us has and particularly which the said Loreta Duarte de Pacheco has, as one of the children and heirs of the said Doña Teodora Peralta deceased, of, in and to all that parcel or tract of land situated in the County of Marin, said State and known and designated as the Rancho de Buocochá, Palenqueche or Guadalupe and bounded and described as follows, to wit, by the Ranchos of Fernando Feliz, Juan Miranda Bartolo Rodriguez and Camilo, being a Sobrante and the same conceded to and occupied by the said Doña Teodora Peralta, deceased and family and now commonly known as the Rancho of the Duarte family; with the tenements hereditaments and appurtenances thereunto belonging or in any wise appertaining. To Have and to Hold all and singular the said premises hereby sold and

transferidas ó que asi se entienden con las adjuntas
conveyed or intended so to be with the appurtenances
a las dichas
unto the said N W Chittenden and Robert Simson
sus herederos y sucesores para siempre
their heirs and assigns forever

En testimonio de lo cual firmaron
In witness whereof we
la dicha Loreta Duarte de Pacheco en su derecho
the said Loreta Duarte de Pacheco in her own right
propio y el dicho Ignacio Pacheco hemos de esto puesto
and the said Ignacio Pacheco have hereunto set
nuestro sellos respectivamente este 26a dia
our hands and seals respectively this 26th day
de Mayo de mil ochocientos cincuenta y cuatro
of May, One thousand eight hundred & fifty four

Firmado sellado y Entregado
Signed Sealed & Delivered
en la presencia de
in the presence of

Loreta Duarte her + mark de Pacheco
Ignc Pecheco

Daniel S. Taylor

State of California
County of Marin } ss

On this 26a day of May One thousand eight hundred and fifty four before me Jas L Ponderton, Recorder in and for said County personally appeared Loreta Duarte de Pacheco and Ignacio Pacheco her husband known to me to be the persons described in and who executed the foregoing Instrument and acknowledged that they and each of them well knew the contents thereof and executed the same freely and voluntarily for the uses and purposes therein mentioned — And the said Loreta Duarte de Pacheco wife of the said Ignacio Pacheco having been made acquainted by me with the contents of said Instrument acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the said Instrument freely and voluntarily without fear, or compulsion and that she does not wish to retract the same. In testimony whereof I have hereunto set my hand & official seal the day & year last above written Jas L Ponderton Recorder

Dave L Taylor Deputy

Received May 26th 1854 at 11 oclock a.m.
& Recorded in Book a of deeds page 572

Jas L Pomeroy
Recorder
Daniel S Day Jr
Deputy

Sepan todos por estos presentes que

Know all men By these Presents that

I, Guadalupe Bernal, uno de los nietos

Guadalupe Bernal
to
N W Chittenden &
Robert Simon.

1/8/1

314 ND
PAGE 145

and heirs of Doña Teodora Peralta, deceased,

y herederos de Doña Teodora Peralta difunta,

of the County of Contra Costa del Estado de

del Condado de Contra Costa del Estado de

California, for and in consideration of the sum

California por y en consideracion de la

of two hundred and fifty Dollars to me in

cantidad de dos cientos cincuenta ($250) pesos en mi en

hand paid by Nathaniel W. Chittenden and

manos pagada por Nathaniel W. Chittenden y

Robert Simon, both of the City and County

Roberto Simon, ambos de la ciudad y Condado

of San Francisco said State at or before

de San Francisco del dicho Estado á ó antes

the sealing and delivery of these presents the

de sellar y entregar de estos presentes el

receipt whereof is hereby acknowledged have

recibo de la cual es por este reconocido he

given, granted, bargained sold and conveyed

dado concedido tratado vendido y traspasado

and by these presents do give grant, bargain

y por estos presentes yo doy concedo trato

sell and convey unto the said N. W. Chittenden

vendo y traspiero á los dichos N. W. Chittenden

& Robert Simon their heirs and assigns forever

& Roberto Simon sus herederos y intesionarios para siempre

all the estate right title, interest, claim and

toda la propiedad derecho titulo interes reclamacion y

demand whatsoever as well in law as in Equity

demanda cualquiera tanto segun la ley como segun la Equidad

which I have as one of the grandchildren and

que tengo como uno de los nietos y

heirs of Doña Teodora Peralta, deceased, or

herederos de Doña Teodora Peralta, difunta, ó de

otherwise of in and to all that parcel or tract of

otro modo de en y á todo los terrenos

land situated in the County of Marin, said

situados en el Condado de Marin, de dicho

State and known and designated as the Rancho

Estado y conocidos y nombrados por el Rancho

of Bnocochá Jalenquechá or Guadalupe and

de Bnocochá Jalenquechá ó Guadalupe con

bounded and described as follows, to wit: By

los limites y descritos como sigue — es saber colindante

the Ranchos of Fernando Feliz, Juan Miranda,

con los Ranchos de Fernando Feliz, Juan Miranda,

Bartolo Rojorquez and Camilo being a sobrante

Bartolo Rojorquez y Camilo siendo un sobrante

and the same conceded to and occupied by the

y el mismo concedido á y poseido por la

said Doña Teodora Peralta, deceased and family

dicha Doña Teodora Peralta difunta y su familia

and now commonly known as the Rancho

y hoy generalmente conocido como el Rancho

of the Duarte family, with the tenements —

de la familia de Duarte, con las fabricaciones

hereditaments and appurtenances thereunto —

heredigas y adjuntos pertenecientes

belonging or in any wise appertaining to have

de cualquiera modo al dicho Rancho para que tengan

and to hold all and singular the said premises

y posean todo y cualquiera los dichos premises

hereby sold and conveyed or intended so to be
with the appurtenances unto the said H. W. Cuttendin
and Robert Simson, their heirs and assigns forever.

In Witness Whereof I have hereunto set
my hand and seal this twenty third day of
January One thousand eight hundred and fifty
four —

Signed Sealed & Delivered
in the presence of

Guadalupe Bemal

E. V. Jocé

Fred. B. VanVleck

State of California
County of San Francisco } ss

On this twenty third
day of January One thousand eight hundred
& fifty four, before me, a Notary Public in & for
said County, personally appeared Guadalupe
Bernal known to me to be the person described
in and who executed the foregoing Instrument and
acknowledged to me that he executed the same
freely and voluntarily for the uses and purposes
therein mentioned

In Witness Whereof I have
hereunto set my hand & Official
seal the day & year last above
written

E. V. Jocé
Notary Public

Filed May 19. 1854 at 3 o'clock P.M. & Recorded
in Book A of Deeds pages 370. 1

Jas L Pondexter
Recorder

D L Taylor
Dpty

Nicolas Bernal
to
N W Chittenden &
Robert Simson

314 ND
PAGE 147

Know All Men By Them Presents
that I Nicolas Bernal, one of the grandchildren
and heirs of Doña Teodora Peralta, deceased, of
the County of Contra Costa State of California
for and in Consideration of the Sum of One
hundred and fifty Dollars to me in hand paid
by Nathaniel W Chittenden and Robert Simson
both of the City and County of San Francisco
said State, at or before, the ensealing and delivery
of these presents the receipt whereof is hereby
acknowledged have given, granted, bargained, sold
and conveyed, and by these presents do give, grant
bargain, sell and convey unto the said N W Chittenden
and Robert Simson, their heirs and assigns forever
all the estate, right, title, interest, claim and demand
whatsoever as well in law as in Equity which
I have as one of the grandchildren and heirs
of Doña Teodora Peralta, deceased, or otherwise
of, in and to all that parcel or tract of land
situated in the County of Marin said State
and known and designated as the Rancho of
Brocochá Talenguché or Guadalupe and
bounded and described as follows, to wit; by
the Ranchos of of Fernando Feliz; Juan Miranda
Bartolo Bojorquez and Camilo, being a Sobrante
and the same conceded to and occupied by
the said Doña Teodora Peralta, deceased and
family and now commonly known as the Rancho
of the Duarte family with the tenements,
hereditaments and appurtenances thereunto
belonging or in any wise appertaining, to Have
and to Hold all and singular the said premises
hereby sold and conveyed or intended so to be, with

Dios todos sepan por estos presente
que Yo Nicolas Bernal uno de los nietos
y herederos de Doña Teodora Peralta difunta del
Condado de Contra Costa del Estado de California
por y en Consideracion de la Cantidad de ciento
y cincuenta pesos á mi en mano pagada
por Nataniel W Chittenden y Roberto Simson
ambos de la Ciudad y Condado de San Francisco
del dicho Estado ay ó antes de sellar y entregar
de estos presente el recibo de lo cual es por esto
reconocido he dado concedido tratado vendido
y traspedido y por estos presentes de que grant
trato vendo y trasfiero a los dichos N W Chittenden
y Robert Simon sus herederos y entesionentre para siempre
toda los propiedad, derecho titulo interes reclamacion y demanda
cualquiera tanto segun la ley como la Equidad que
I tengo como uno de los nietos y herederos
de Doña Teodora Peralta difunta o de otro modo
de, en y a todo los terrenos
situados en el Condado de Marin de dichos Estados
y conocidos y nombrados por el Rancho de
Brocochá Talenguché ó Guadalupe y
con los limites y descritos como sigue a saber
Cojundante por los Ranchos de Fernando Feliz; Juan Miranda
Bartolo Bojorquez y Camilo, siendo un Sobrante
y el mismo concedido y poseido por
el dicho Doña Teodora Peralta difunta y
su familia y hoy generalmente conocido como el Rancho
de la familia de Duarte con las fabricaciones
herencias y adjuntos pertenecientes
que cualquiera made al dicho Rancho Para que tengan
y Posean todo y cualquiera las dichas premisas
por esto vendidos y transferedas o que se entienden con

the appurtenances unto the said N.W. Chittenden and Robert Simson their heirs and assigns forever

In witness whereof I have hereunto set my hand and seal this twenty fifth day of July one thousand eight hundred and fifty four

Signed sealed & delivered in the presence of
Fred. B Van Vleck

Nicolas Bernal

State of California
County of San Francisco

On the twenty sixth day of July one thousand eight hundred and fifty four before me a Notary Public in and for said County personally appeared Nicholas Bernal known to me to be the person described in and who executed the foregoing instrument & acknowledged to me that he executed the same freely & voluntarily for the uses and purposes therein mentioned

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

T. A. Lynch
Not. Pub.

Received for record March 5. 1855 at 10 o'clock A.M. Recorded in Libr C of Deeds page 26

Jas L Poindexter
Recorder
By D. J. Saylor
Clerk

No 314

U. S. Dist Court
North Dist of California

Mc Teodora Peralta et al
vs
The United States -

Mesne Conveyances

Copies

United States District Court
Northern District of California

Maria Teodora Peralta et al
Appellants
vs
The United States
Appellee

No 314

On petition of appeal from the U. S. Board of Land Commissioners to ascertain and settle private Land Claims in the State of California

Interrogatories to be propounded to Jose Mateus Moreno of the County or town of San Diego in the State of California to be used such his Replies thereto as evidence upon the trial of the above stated Cause on the part of the said appellants.

1st

What is your name, age, and place of residence?

2d

Have you ever held any Public office

in California under the Mexican Government thereof?

If yes, State what office you so held When and for what period you held such office, Where you resided, and who was Governor during said period.

3.

Had you as such Public officer anything to do with Concessions of lands in California or with the documents relating to such Concessions

If yes State what were your duties in that respect.

And State by whom such documents were usually written and despatched.

4.th

Did you know, or know of, Maria Teodora Peralta.

If yes, State what you knew of any Concession of lands made to her during your term of office

State, what lands were granted to her by such Concession

State what you know concerning any expediente or documents relating to such Concession

State of what documents such

expedients may have been composed.

5th

State whether or not during your term of office any written grant or document of Concession of said lands was issued to or in favor of said Manuel Teodoro Peralta And if so issued, who made the same according to what order was the same made and issued. And if said order were in writing. Who made the same?

6th

State as nearly as you can the purport and contents of the said grant or document of Concession. if any there were,
What lands, if any, were granted by it and to whom they were granted,
And also state by whom was the said grant or document of Concession executed and signed,

7th

What was done with the said grant or document after its execution,

8th

Have you ever before testified in this

case.

Q. Open. State whether or not there were then shown to you certain original papers in the office in the City of San Francisco where are kept the documents formerly belonging to the United States Land Commission.

State whether and where and under what circumstances you had ever previously seen the said papers, and state all other matters that you know respecting the same.

Q. 4.

From what circumstances do you recollect this grant of land to Maria Teodora Peralta?

State all circumstances or matters relating to the same that you can recollect.

Declare fully in respect thereto and in respect to every matter relating to any such concession or grant of lands to said Maria Teodora Peralta as fully as if you were particularly interrogated regarding the same.

Robert Simson
Appellants Attorney

No 314

U.S. District Court
Northern Dist of California

Maria Teodora Peralta
vs
The United States
Co:
Interrogatories to
Jose Matias Moreno

Filed 26 Mar '57

314 ND
PAGE 155

Que todos lepan por estos presentes

Know All Men By These Presents

que yo, Nicolas Bernal, una de las nietos
that I, Nicholas Bernal, one of the grand children
y herederos de Doña Teodora Peralta, difunta, del
and heirs of Doña Teodora Peralta, deceased, of
condado del Contra Costa, del Estado de California
the County of Contra Costa, State of California,
por é en consideracion de la cantidad de ciento
for and in consideration of the sum of one hundred
y cincuenta Pesos á mi en mano pagado por Nataniel
and fifty Dollars to me in hand paid by Nathaniel
W. Chittenden y Roberto Simson, ambos de la Ciudad
W. Chittenden and Robert Simson, both of the City
y Condado de San Francisco, del dicho Estado á ó antes
and County of San Francisco, said State, at or before
de sellar y entregar de estos presentes, el
the sealing and delivery of these presents, the
recibo de lo cual es por esto reconocido, he
receipt whereof is hereby acknowledged have
dado, concedido, tratado, vendido y trasferido y
given, granted, bargained, sold and conveyed and
por estos presentes yo doy, concedo, trato, vendo
by these presents do give, grant, bargain, sell
y trasfiero á los dichos N. W. Chittenden y
and convey unto the said N. W. Chittenden and
Roberto Simson, sus herederos y interpretores para siempre
Robert Simson, their heirs and assigns forever
toda la propiedad, derecho, titulo, interes, reclamacion y
all the estate, right, title, interest, claim and
demanda cualquiera tanto segun la ley como la Equidad
demand whatsoever as well in law as in Equity
que tengo como uno de los nietos y
which I have as one of the grand children and
herederos de Doña Teodora Peralta, difunta, ó
heirs of Doña Teodora Peralta, deceased, or
de otra modo, de, en é á todos los
otherwise, of, in and to all that parcel or
terrenos situados en el Condado de Marin
tract of land situated in the County of Marin
de dicho estado y conocidos y nombrados por el
said State and known and designated as the
Rancho de Buococha, Talenqueché ó Guadalupé
Rancho of Buococha, Talenqueché or Guadalupé
con los limites y descritos como sigue á saber
and bounded and described as follows, to wit:
colindante por los Ranchos de Fernando Feliz, Juan Miranda,
by the Ranchos of Fernando Feliz, Juan Miranda,
Bartolo Bojorques y Camilo siendo un sobrante
Bartolo Bojorques and Camilo, being a sobrante,
y el mismo concedido á y poseido por la
and the same conceded to and occupied by the
dicha Doña Teodora Peralta, difunta y su familia
said Dona Teodora Peralta, deceased and family
y hoy generalmente conocido como el Rancho de
and now commonly known as the Rancho of
la familia de Duarte con los fabricaciones, herencias
the Quarte family with the tenements, hereditaments
y adjuntos pertenecientes de cualquiera modo
and appurtenances thereunto belonging or in any
al dicho Rancho para que tengan y posean todos
wise appertaining to have and to hold all
y cualesquiera las dichas premises por esto vendidos y
and singular the said premises hereby sold and
trasferidas ó que así se entienden con los adjuntos
conveyed, or intended so to be, with the appurtenances

los dichos N. W. Chittenden y Roberto Simson
unto the said N. W. Chittenden and Robert Simson,
sus herederos y interventores para siempre jamas
their heirs and assigns forever.

In Testimonio de lo cual yo he puesto a esta mi
In Witness Whereof I have hereunto set my
mano y sello este el veinte y cinco dia del Julio
hand and seal this twenty fifth day of July
de mil ochocientos cincuenta y cuatro.
One thousand eight hundred and fifty four

Sellado, Firmado y Entregado
Signed, sealed & delivered } Nicolas Bernal
en la presencia de
in the presence of
Fred B. Van Vleck

314 ND
PAGE 157

State of California
County of San Francisco }

On this twenty fifth day of July One thousand eight hundred and fifty four before me, a Notary Public in and for said County personally appeared Nicholas Bernal, known to me to be the person described in and who executed the foregoing instrument & acknowledged to me that he executed the same freely & voluntary for the uses and purposes therein mentioned.

In Witness Whereof I have hereunto set my hand and official seal the day & year last above written.

W. Tynch
Not. Pub

DEED

Nicholas Bernal

to

N. W. Chittenden &

Robert Simson

Buococha'

6

1/36

Received for record
March 5 1853 at 10
o'clock a.m. Recorded
in Liber C. of deeds
page 26

Jas L. Poindexter
Recorder

By D. S. Sayles
Clerk

314 ND

PAGE 158

Sepan todos por estas presentes

Know All Men By These Presents

que nosotros Dolores Duarte de Riesgos una de
that we, Dolores Duarte de Riesgos one of
los hijos y herederos de Doña Teodora Peralta,
the children and heirs of Doña Teodora Peralta,
difunta, y Joaquin Riesgos, del marido de la dicha
deceased, and Joaquin Riesgos, husband of the said
Dolores Duarte de Riesgos, del condado de Alameda
Dolores Duarte de Riesgos, of the County of Alameda,
del Estado de California por y en consideracion de la
State of California for and in consideration of the
cantidad de mil quinientos ($1500) pesos á nos en
sum of fifteen hundred ($1500) dollars to us in
las manos pagado por Nataniel G. Chittenden y
hand paid by Nathaniel G. Chittenden and
Roberto Simson, ambos de la ciudad y condado de
Robert Simson, both of the City and County of
San Francisco de dicho estado, á el antes de
San Francisco, in said state, at a before the
sellar y entregar de estos presentes, el
ensealing and delivery of these presents, the
recibo de lo cual es por esto reconocido hemos
receipt whereof is hereby acknowledged have
dado, concedido, tratado, vendido y trasferido
given, granted, bargained, sold and conveyed
y por estos presentes nosotros damos, concedimos, tratamos,
and by these presents do give, grant, bargain,
vendemos y trasferimos á los dichos N. G. Chittenden
sell and convey unto the said N. G. Chittenden
y Roberto Simson, sus herederos y interventores
and Robert Simson, their heirs and assigns
para siempre, Toda la propiedad, derecho, titulo, interes,
forever, All the estate, right, title, interest,
reclamacion y demanda cualquiera, tanto segun la ley
claim and demand whatsoever, as well in law
como segun la equidad, que tenemos ó que cualquiera
as in equity, which we have or which either
de nosotros tiene, particularmente que la dicha Dolores
of us has, particularly which the said Dolores
Duarte de Riesgos tiene como una de los hijos
Duarte de Riesgos has as one of the children
y herederos de la dicha Doña Teodora Peralta,
and heirs of the said Doña Teodora Peralta,
difunta, del, en é á todos los terrenos
deceased, of, in and to all that parcel or
tract of land situated en el condado de Marin
situados
de dicho estado y conocidos y nombrados por el
said state and known and designated as the
Rancho de Buocochá, Talenquechá ó
Rancho of Buocochá, Talenquechá or
Guadalupe, con los limites y descritos como se sigue
Guadalupe, and bounded and described as follows,
á saber; colindante con los Ranchos de Fernando Feliz,
to wit; by the Ranchos of Fernando Feliz,
Juan Miranda, Bartolo Bojorquez y Camilo
Juan Miranda, Bartolo Bojorquez and Camilo
siendo un sobrante y el mismo concedido á y
being a Sobrante and the same conceded to and
poseido por la dicha Doña Teodora Peralta,
occupied by the said Doña Teodora Peralta,
difunta y su familia y hoy generalmente conocido como
deceased & family and now commonly known as

el Rancho de la familia de Duarte, con los
the Rancho of the Duarte family, or with the
fabricaciones, herencias y adjuntos pertenecientes
tenements, hereditaments and appurtenances thereunto
de cualquiera modo al dicho Rancho — para que yo Yo he
belonging or in any wise appertaining. To Have
y Posean todos y cualesquiera los dichos premisas
and To Hold all and singular the said premises
por esto vendidas y trasferidas o que asi se entienden
hereby sold and conveyed or intended so to be;
con los adjuntos — los dichos N. W.
with the appurtenances unto the said N. W.
Chittenden y Roberto Simson sus herederos y
Chittenden and Robert Simson, their heirs and
interventores para siempre y jamas
assigns forever.

En testimonio de lo cual nosotros la dicha Dolores
In Witness Whereof we the said Dolores
Duarte de Riesgos en su propio derecho, y el dicho
Duarte de Riesgos, in her own right and the said
Joaquin Riesgos hemos á esto puesto nuestras manos y
Joaquin Riesgos have hereunto set our hands and
sellos respectivamente este el veinte y seis dia de Octubre
seals respectively this twenty sixth day of October
de mil ochocientos cincuenta y tres
One thousand eight hundred and fifty three —
Firmado, Sellado y Entregado
Signed, Sealed & Delivered
en la presencia de
in the presence of

Dolores Duarte her + de Riesgos
mark

Frederick B. Van Vleck Joaquin Riesgo

State of California
County of San Francisco } ss

On this twenty ~~sixth~~ Seventh day
of October one thousand eight hundred and fifty three
before me, a Notary Public in and for said county
personally appeared Dolores Duarte de Riesgos &
Joaquin Riesgos her husband known to me to
be the persons described in and who executed the
foregoing Instrument and acknowledged that they &
each of them well knew the contents thereof &
executed the same freely and voluntarily for the
uses and purposes therein mentioned — And the
said Dolores Duarte de Riesgos, wife of the said
Joaquin Riesgos having been made acquainted by me

with the contents of said instrument acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the said Instrument freely and voluntarily without fear or compulsion or undue influence of her said husband and that she does not wish to retract the same.

In Testimony Whereof I have hereunto set my hand and official seal the day & year last above written.

O N Price
Notary Public

Deed - Buccochá

Dolores Duarte de Riesgos
& Joaquin Riesgos
to
N. W. Chittenden &
Robert Simson

Received for record
Feb 29th 1853 at 3 o
clock P.M. & recorded
in Book A of Deeds
Page 300

Jas Lowndes
Recorder Marin Coun

79

Que Todos Sepan Por Estas Presentes

Know All Men By These Presents

que nosotros Loreta Duarte de Pacheco, una de
that we, Loreta Duarte de Pacheco, one of
los hijos y herederos de Doña Teodna Peralta,
the children and heirs of Doña Teodna Peralta,
difunta y Ignacio Pacheco, el marido de
deceased and Ignacio Pacheco, husband of
la dicha Loreta Duarte de Pacheco, del
the said Loreta Duarte de Pacheco, of the
Condado de Marin, Estado de California, por y
County of Marin, State of California, for and
en consideracion de la cantidad de mil —
in consideration of the sum of one thousand
Pesos a nos en las manos pagado por
($1000) — dollars to us in hand paid by
N. W. Chittenden & Robert Simson, of San Francisco,
de dicho estado á ú antes de sellar y
in said State, at or before the ensealing and
entregar de estos presentes, el recibo de lo cual
delivery of these presents, the receipt whereof
es por esto reconocido hemos dado, concedido,
is hereby acknowledged have given, granted,
tratado, vendido y trasferido y por estos
bargained, sold and conveyed and by these
presentes nosotros damos, concedimos, tratamos, vendimos y
presents do give, grant, bargain, sell and
trasferimos á los dichos
convey unto the said N. W. Chittenden and
Robert Simson sus herederos y interventores para siempre
Robert Simson their heirs and assigns forever
Toda la propiedad, derecho, titulo, interes, reclamacion
All the estate, right, title, interest, claim
y demanda cualquiera tanto segun la ley como
and demand whatsoever as well in law as
segun la equidad que tenemos ó que cualquiera de
in equity which we have or which either of
nosotros tiene y particularmente que la dicha Loreta
us has and particularly which the said Loreta
Duarte de Pacheco tiene como una de los hijos
Duarte de Pacheco has, as one of the children
y herederos de la dicha Doña Teodna Peralta,
and heirs of the said Doña Teodna Peralta,
difunta, de, en é á todos los
deceased, of, in and to all that parcel or
terrenos situados en el Condado de
tract of land situated in the County of
Marin, de dicho estado y conocidos y nombrados
Marin, said State and known and designated
por el Rancho de Buococha, Talenquechá
as the Rancho of Buococha, Talenquche
ó Guadalupé con los limites y descritos como
or Guadalupe and bounded and described as
siguen, á saber: Colindante con los Ranchos de Fernando
follows, to wit: by the Ranchos of Fernando
Feliz, Juan Miranda, Bartolo Bojorquez y
Feliz, Juan Miranda, Bartolo Bojorquez and
Camilo, siendo un Sobrante y el mismo
Castro, being a Sobrante and the same
concedido á y poseido por la dicha Doña
conceded to and occupied by the said Doña

Teodna Peralta, difunta y su familia y
Teodna Peralta, deceased and family and
hoy generalmente conocido como el Rancho de la
now commonly known as the Rancho of the
familia de Duarte con las fabricaciones herencias
Duarte family; with the tenements, hereditaments
y adjuntos pertenecientes de cualquiera modo
and appurtenances thereunto belonging or in
al dicho rancho para que tengan y posean
any wise appertaining to have and to hold
todos y cualesquiera las dichas premisas por esto
all and singular the said premises hereby
vendidas y trasfridas ó que asi se entiendan con
sold and conveyed or intended so to be with
los adjuntos los dichos
the appurtenances unto the said N. W. Chittenden
sus herederos y
and Robert Simson ——— their heirs and
interventos para siempre
assigns forever

En testimonio de lo cual nosotros la
In Witness whereof we. the
dicha Loreta Duarte de Pacheco en su derecho
said Loreta Duarte de Pacheco in her own
propio y el dicho Ignacio Pacheco hemos
right and the said Ignacio Pacheco have
á esto puesto nuestro manos y sellos respectivamente
hereunto set our hands and seals respectively
este dia de Mayo
this 26th day of May
mil ochocientos cincuenta y quatro
one thousand eight hundred and fifty four.

Firmado, Sellado y Entregado
Signed, Sealed & Delivered } Loreta Duarte de Pacheco
en la presencia de
in the presence of
her mark

Daniel S. Gay Wm } J. W. Pacheco

State of California
County of Marin } ss

On this 26th
day of May One thousand eight hundred
and fifty four before me a Jas L Poundexter Recorder
in & for said County personally appeared Loreta
Duarte de Pacheco and Ignacio Pacheco, her
husband known to me to be the persons
described in and who executed the foregoing
Instrument and acknowledged that they and
each of them well knew the contents thereof
and executed the same freely and voluntarily for

the uses and purposes therein mentioned —

And the said Loreto Quarte de Pacheco wife of the said Ignacio Pacheco having been made acquainted by me with the contents of said Instrument acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the said Instrument freely and voluntarily without fear or compulsion or undue influence of her said husband & that she does not wish to retract the same

In Testimony Whereof I have hereunto set my hand and Official Seal the day and year last above written

Jas L Porter
Recorder

David S. Sayles
Deputy

Deed

Loreta Duarte de Pacheco
& Ignacio Pacheco
to
N. W. Chittenden
& Robert Sinnesson

Bucocha

Received May 26 1854
at 11 o'clock a.m,
& Recorded in Book a of
deeds page 372.

Jas. L. Pouindexter
Recorder
Daniel T. Sayles
Deputy

1/9 4

$8.00 Paid

Know All Men By These Presents

that we, Ascencion Bernal de Buelna one of the children and heirs of Doña Teodora Peralta, deceased, and Juan Buelna, husband of the said Ascencion Bernal de Buelna, of the County of Alameda, State of California, for and in consideration of the sum of fifteen hundred dollars ($1500) to us in hand paid by Nathaniel W. Chittenden and Robert Simson, both of the city and County of San Francisco, in said state, at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged have given, granted, bargained, sold and conveyed and by these presents do give, grant, bargain, sell and convey unto the said N. W. Chittenden and Robert Simson, their heirs and assigns forever, All the estate, right, title, interest, claim and demand whatsoever, as well in law as in equity, which we have or which either of us has, particularly, which the said Ascencion Bernal de Buelna has, as one of the children and heirs of the said Doña Teodora Peralta, deceased, of, in and to all that parcel or tract of land situated in the County of Marin, said state and known and designated as the Rancho of Buococha, Talenqueche or Guadalupe and bounded and described as follows, to wit; by the Ranchos of Fernando Feliz, Juan Miranda, Bartolo Bojorquez and Camilo being a sobrante and the same conceded to and occupied by the said Doña Teodora

Peralta, difunta y su familia y hoy generalmente
Peralta, deceased and family and now commonly
conocido como el Rancho de la familia de Duarte,
known as the Rancho of the Duarte family,
con las fabricaciones, herencias, y adjuntos
with the tenements, hereditaments and appurtenances
pertenecientes de cualquiera modo al dicho Rancho para que
thereunto belonging or in any wise appertaining
Tengan y Posean todos y cualesquiera los
To Have and To Hold all and singular the
dichas premisas por esto vendidas y trasferidas a que asi
said premises hereby sold and conveyed or intended
se entienden, con sus adjuntos
so to be, with the appurtenances, unto the
dichos N. W. Chittenden y Roberto Simson sus
said N. W. Chittenden and Robert Simson, their
herederos y interventores para siempre jamas.
heirs and assigns forever.

314 ND
PAGE 168

En testimonio de lo cual nosotros la dicha
In Witness Whereof we, the said
Ascencion Bernal de Buelna en su propio derecho
Ascencion Bernal de Buelna in her own right
y el dicho Juan Buelna hemos a esto puesto
and the said Juan Buelna have hereunto set
nuestro manos y sellos respectivamente este diez y seis
our hands and seals respectively this sixteenth
dia de Noviembre de mil ocho cientos
day of November, One thousand eight hundred
cincuenta y tres.
and fifty three.

Firmado, Sellado y Entregado
Signed, Sealed & Delivered
en la presencia de
in the presence of

Ascencion Bernal her mark de Buelna

Juan his mark Buelna

C H Poole

Robert Erskine Navland

State of California
County of San Francisco } ss

On this sixteenth day of November one thousand eight hundred and fifty three before me, a Notary Public in and for said County personally appeared Ascencion Bernal de Buelna and Juan Buelna her husband known to me to be the persons described in and who executed the foregoing Instrument and acknowledged that they and each of them well knew the contents thereof and executed the same freely and voluntarily for the uses and purposes therein mentioned - And the said

Ascencion Bernal de Buelna wife of the said

Ascencion Bernal de Buelna, wife of the said Juan Buelna having been made acquainted by me with the contents of said Instrument — acknowledged to me on an examination apart from and without the hearing of her said husband that she executed the said Instrument freely and voluntarily without fear or compulsion or undue influence of her said husband and that she does not wish to retract the same.

In testimony Whereof I have hereunto set my hand and official seal the day and year last above written

O V Coles
Notary Public

Received for Record Dec 1st 1853 10 o'clock am and recorded in Book A of Deeds pages 319. 20. 21.
Dec 10 1853

Jas L Poindexter
Recorder

Daniel S Sayers Deputy

Deed

Ascencion Bernal de Buelna
& Juan Buelna
to
N. W. Chittenden &
Robert Simson

Bucocha

2

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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. 15th 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. 648 on the Docket of the said Board, wherein Maria Teodora Peralta is the Claimant against the United States, for the place known by the name of "Buacocha"

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,
Geo. Fisher