

CASE No.

367

NORTHERN DISTRICT

---

BOSQUEJO GRANT

PETER LASSON

CLAIMANT



DEC 18 1962

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TRANSCRIPT  
OF THE  
PROCEEDINGS

IN CASE

NO. 182.

*Peter Loassen*

CLAIMANT

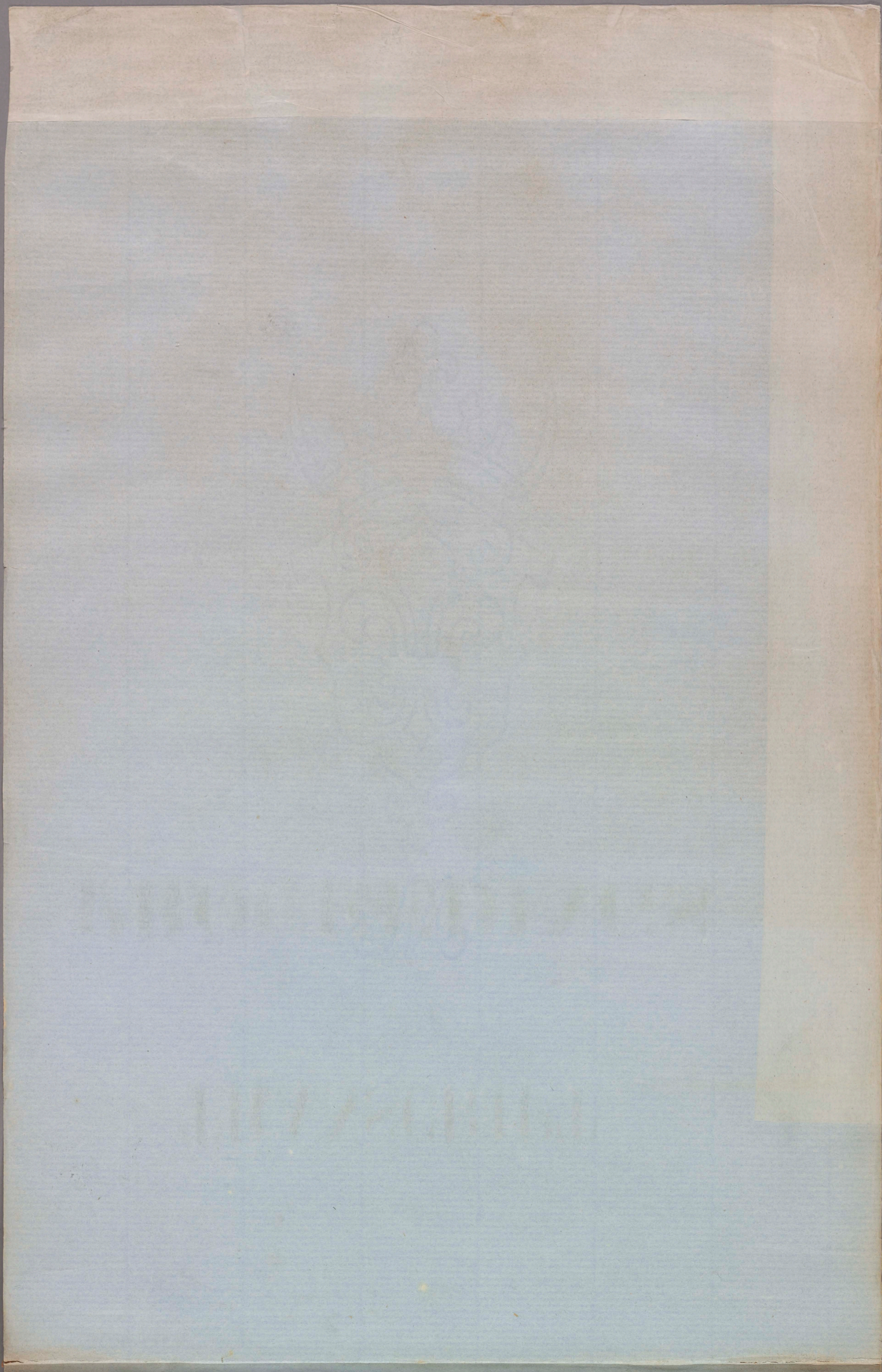
VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"Bosquejo"*







Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of Peter Lassen, for the Place named "Bosquejo", was presented, and ordered to be filed and docketed with No. 182 and is as follows, to wit;

(Vide page 3 of this Transcript.)

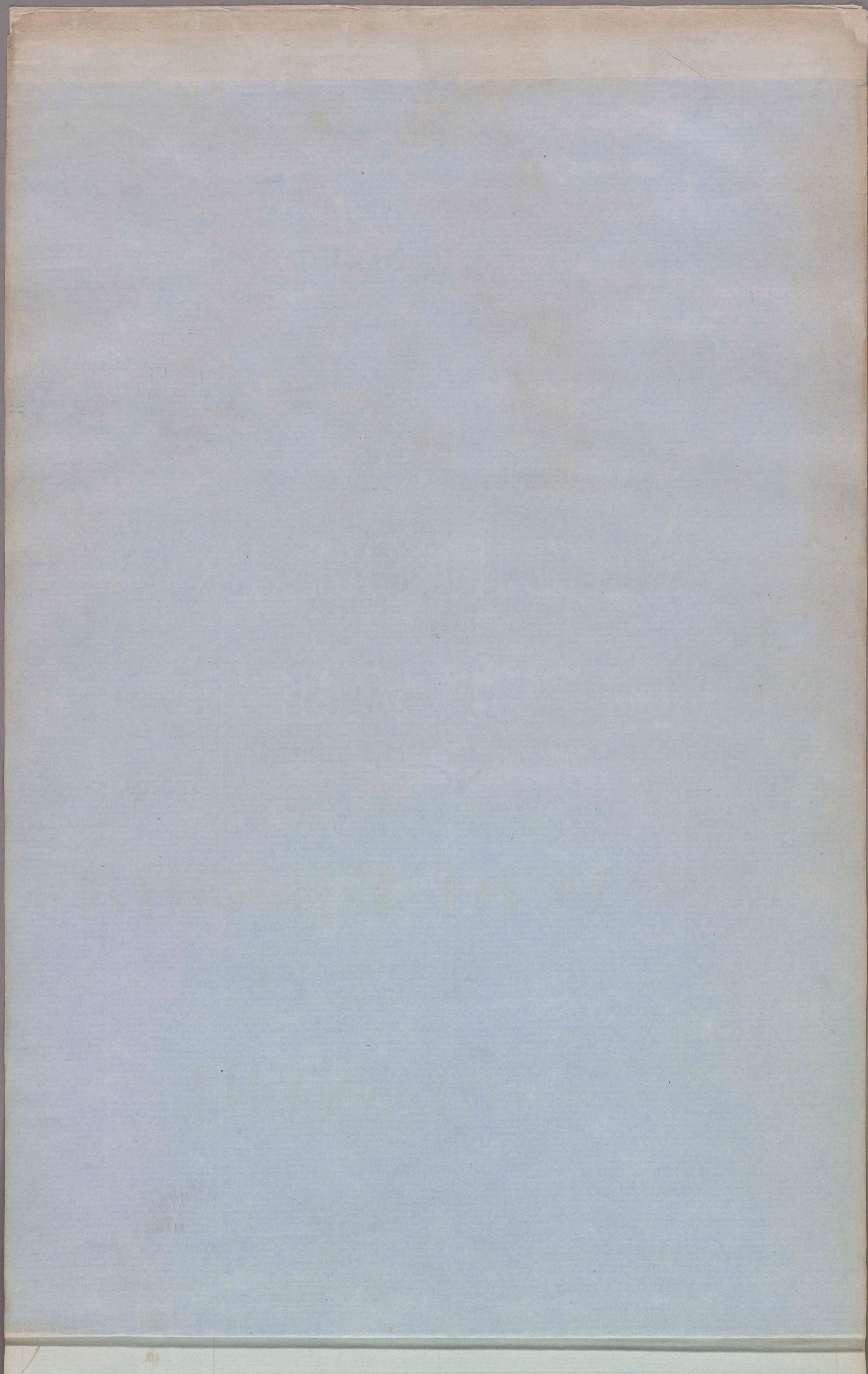
Upon which Petition the following subsequent Proceedings were had in their chronological order, to wit;

San Francisco April 14' 1852.  
In case no. 182, Peter Lassen for the place named "Bosquejo", the deposition of Peter Brandt, taken before Commissioner William Hall, was filed;  
(Vide page 7 of this Transcript.)

San Francisco April 24' 1852.  
In the same case the deposition of Wm B. Ide, a witness in behalf of the claimant, taken before Commissioner Harry D. Durrant, was filed;  
(Vide page 10 of this Transcript.)

San Francisco July 15' 1853.  
In the same case the deposition of James Alexander Forbes, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed;  
(Vide page 16 of this Transcript.)







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San Francisco Aug. 23<sup>rd</sup> 1853.

In the same case the deposition of John A. Sutter, a witness in behalf of the claimant, taken before Commissioner R. Aug. Thompson, was filed.  
(See page 19 of this Transcript)

San Francisco Sept. 14<sup>th</sup> 1853.

In the same case the deposition of Henry L. Ford, a witness in behalf of the claimant, taken before Commissioner R. Aug. Thompson, was filed.  
(See page 23 of this Transcript)

San Francisco Oct. 29<sup>th</sup> 1853.

In the same case the depositions of David Sutton and Daniel Sill, witnesses in behalf of the claimant, taken before Commissioner Alpheus Felch, the last with document number A. S. Francisco thereto, was filed.

(See pages 27 & 30 of this Transcript)

San Francisco Nov. 5<sup>th</sup> 1853.

In the same case the deposition of Thomas M. Ide, a witness in behalf of the claimant, taken before Commissioner R. Aug. Thompson, was filed.  
(See page 33 of this Transcript)

San Francisco June 20<sup>th</sup> 1854.

Case no. 182, on motion, was ordered to be placed at the foot of the 1<sup>st</sup> class cases on the trial docket.

San Francisco August 22<sup>nd</sup> 1854.

Case no. 182 was argued and submitted.

San Francisco July 24<sup>th</sup> 1855.

In the same case Commissioner J. B. Farrell delivered the opinion of the Board confirming the claim.  
(See page 61 of this Transcript)

And the following order was made, to wit:  
(See page 64 of this Transcript)

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N

Religion

Religion



State of California  
City and County of San Francisco

To the Honorable William Hall Harry J. The  
Director and James Wilson sitting as a Board  
of Commissioners for the purpose of ascertaining  
and settling Private Land Claims  
in the State of California

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Pete Lassen  
a citizen of said State and resident of the  
County of Butte in said State respectfully  
represents and states,

That on the eleventh  
day of October in the year eight hundred  
and forty three being a session and  
deliberation of the Department of Mineral  
Affairs of the State of California  
presented his Petition bearing date  
the said day to the Governor of the State  
of said State Manuel Pittetum asking for  
a grant to your Petitioner of an acre of land  
called Bosquijo and consisting of seven hundred  
square and which is situated on the east  
bank of the Sacramento River at a place  
above and below where Deer Creek empties  
into said River and of which an map was pre-  
sented with said Petition

That on the same  
day to wit the eleventh day of October A.D. 1843  
the said Governor by an order of that date  
referred the said Petition to the Secretary  
of the Department to report thereon after  
asking for such information as he should  
deem necessary

That on the same day to wit  
October 11th A.D. 1843 the said Secretary of the  
Department Manuel Pinnis by an order of that  
date directed the same to be sent to the Prefect  
of the first District to inform himself in  
regard to its subject matter and afterwards  
to be forwarded to the Judicial Affairs of Sac-  
ramento to report thereon and then after to be  
returned to the Office of the Secretary, That  
on the next day to wit October 12th A.D. 1843  
the said Prefect of the first District to wit, The  
District of Monterey, Estrada by order of that



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date referred the same to the Judicial Officer of the settlement of San Helvia to wit of Sacramento Don Juan A Sutter to inform if the land asked for was vacant and also any other particulars relative to it which he should deem fit

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That afterwards to wit on the 31th day of November A D 1843 the said Judicial Officer of said District of Sacramento Don Juan A Sutter by report of that date reported that the land asked for in said Petition was not occupied and that it was the same described in the map accompanying his said report

That afterwards to wit on the 26th day of July A D 1844 the said Secretary of the Department by report of that date reported to the said Governor that in the case of many similar Petitions it had been resolved that there should be a delay of a term until the said Governor should be able to make the visit to the Rivers Sacramento and San Joaquin and suggesting if approved by the Governor that said Petition should remain pending until the others referred to should be acted on

That on the same day the said Governor made an order of that date that the land asked for by your Petition might be occupied provisionally until he should decide pursuant to the above mentioned suggestion of the Secretary of the Department

That afterwards to wit on the 22nd day of December A D 1844 the said Governor made a decree and Grant whereby he granted to your Petition the tract of land was asked for by your Petition and other tracts of land to the same vicinity situated and situated that copy of said decree should be given by said Mr Sutter to the possessors in whose Petitions he had reported partially to have a formal title and with which they should present themselves to the Governor for it to issue

The said title in any form and



5  
The said title in due form and with the  
conspiring sealed paper,

That afterwards

to wit on the 26th day of December A.D. 1844  
the said John A. Sutter in pursuance of the  
directions of said decree delivered to you  
Petitioner a copy of said decree by him duly  
certified to be a copy by a certificate bear-  
ing date the said 26th day of December  
A.D. 1844

That as soon as practicable after  
the making of the aforesaid report by the  
said John A. Sutter your Petitioner took  
possession of said tract of land to wit early  
in the Spring of the year 1844 and has since  
since resided upon and occupied the same  
according to the usages and customs of the  
country

That very soon after the date of  
said decree and Grant to wit in the month  
of December A.D. 1844 or January A.D. 1845  
civil war or Revolution broke out in  
said Department of Upper California  
and your Petitioner enlisted and served in  
the Army of the Regularly constituted San-  
tistas until the latter Part of said year  
1845 when the Astatutory Government  
was overthrown and the said Government  
pelled from the country

That soon thereafter  
to wit early in the Spring of the ensuing year  
the military disturbances known as the  
Bear Flag war broke out and were speedily  
followed by the occupation of the country  
by the American Forces and the events of the  
war which was terminated by the treaty  
of Guadalupe Hidalgo and that the dis-  
raged condition of the country and of the  
administration of its public affairs pre-  
vented your Petitioner from procuring  
a ratification of his said Grant by the  
Departmental Assembly and a title in due  
form and with the conspiring sealed paper  
and your Petitioner has with presents copies  
of the aforesaid Petition to the said Govern-



6  
and of the map accompanying the same  
and of the aforesaid annual orders and reports  
and of the said decree and Grant and of the  
said certificate of the said John A. Sutter  
and which are numbered consecutively  
from number one to number two inclusive  
and translations of the same bearing cross  
pending numbers

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and your petition also  
herewith presents annexed to this petition  
a copy of a map and field notes of a survey  
made on the 4th day of March A.D. 1846 by  
William J. Ide Land Surveyor and numbered  
respectively Schedule A and Schedule B. and  
I wish your petition refers for a more  
particular description of the locality and  
boundaries of the said tract of land so granted  
to him;

and which he claims and asks to have  
confirmed. And your petition refers to the  
aforesaid documents and to the testimony of  
witnesses to which he is produced and to the  
orders and decrees of the Government of  
Mexico confirming pursuant to the said  
Government the various rights upon by  
your petition in support of his said claim

and  
your petition further shows that at the  
time of presenting said petition and the  
making said Grant there was not on  
it there nor any other person claiming to the  
land so granted to your petition but that  
said tract of land was quite far from any in-  
habited portion of said Department and  
formed the frontier settlement existing on  
the lands occupied by the unchristianized  
Indian tribes

and your petition further shows  
that at the time said Grant was as aforesaid  
said made to him he was a naturalized citizen  
of the Republic of Mexico and that said Manuel  
Merkittum had full power and authority  
to make said Grant by virtue of his office  
of Surveyor of said Department of California  
and of the express powers granted to him by the



Supreme Government of said Republic  
 Peter Lassen by  
 Norton & Wilson  
 his attorney  
 Filed in Office April 14th 1852  
 George Fisher  
 Secretary  
 Records in Records of Petitions Volume  
 1 Pages 45, 46, 47, and 48  
 George Fisher  
 Secretary

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Depo. of  
 J. Bidwell

San Francisco April 14, 1852  
 On this day before Helmer Hall one of the  
 Commissioners for ascertaining and settling  
 Private Land claims in California came  
 John Bidwell a citizen of said Republic  
 of the claimant in the petition of Peter  
 Lassen being number 182 in the District  
 of the Commission and was duly sworn  
 The Land agent was duly  
 notified and attended by Mr. Brewster  
 In answer to questions put  
 by the counsel for the claimant the witness  
 testifies as follows  
 My name is John Bidwell  
 My age is thirty and my residence is in  
 El Dorado County and I have resided  
 in California over ten years and most of the  
 time in Sacramento Valley  
 I am acquainted  
 with Peter Lassen I became acquainted with  
 him in March 1843 at New Helvetia which  
 was in the Sacramento District  
 at that time  
 we went in company up the Sacramento  
 Valley and he made a settlement for  
 arando on the east bank of Sacramento  
 River at a point where Deer creek empties  
 into that River  
 The land was then unoccupied  
 and there was no settlement near there  
 about seventy five miles from it I am ac-  
 quainted with the hand writing of Peter  
 Lassen and the signature to an original



8  
Paper now known as pertaining to be a  
Petition from him to the Governor of Calif  
-ornia and dated October 11th 1843 for a grant  
of the land before mentioned is there no  
doubt his genuine signature

I am also au-  
-thorized with the said entry and signa-  
-tures of Manuel Quintanilla Manuel  
Garcia Secretary of State Estreana and John  
Ashton whose signatures also appear upon  
the same paper and there is no doubt the  
signatures are genuine

The last signature  
on the 4th page of said Paper was made upon  
the paper by Manuel Quintanilla in my  
presence said Paper is marked 1844

On 2d I saw  
gave me the paper relative to Monterey to obtain  
his title, at that time the report of Lepton  
Sutton was on the paper and also all that has  
precedes is on the paper, I saw the Secretary  
sign his report which now appears on the  
paper

and I afterwards took it to Governor  
Quintanilla and he made the subsequent  
entry and signed it in my presence as before  
stated This took place at the date the paper  
bears being July 10. 1844

I returned with the  
paper to New Britain afterwards in October  
or November 1844 I took this paper with others  
of a similar character to Monterey to obtain  
the title but there was nothing done for  
the reason that the Governor was occupied  
with official business of importance

I after-  
-wards returned the paper to me I saw  
a sketch or map of the land being shown me  
I cannot say that it accompanied the Petition  
when presented it to Governor Quintanilla  
in July 1844. There was a map of some kind  
but I cannot say whether it was this or not  
I did not pay sufficient attention to it to  
enable me to identify it now. Our creek  
ran through the upper part of the land



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In the fall of 1843 when I was at Capt  
Sutter's Hook farm in Feather River and  
saw Mr Lassen pass up with his stock and  
baggage sent to later possession as usual  
of the land in Deer Creek

In the summer  
of 1844 I was at his place where he was  
living in a house with the land and also a  
Blacksmith shop.

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The buildings are on the  
north bank of Deer Creek a mile or two from  
the mouth of the stream from town that his  
claim extends from about a league above  
Deer Creek and four leagues below

The letter  
A outline plan before mentioned seems to stand  
opposite the mouth of what might represent  
Deer Creek the place is marked number  
10. In 1844 Mr Lassen had cattle Ran-  
ging on both sides of Deer Creek

Mr Lassen  
has occupied and resided upon the premises  
concerning San Juan town near 1844  
In 1844 there were no lands occupied near the  
mouth of five miles from said Lassen

as per  
suspecting to be grant to different indi-  
-viduals upon whose Petitions Captain John  
-Adair had reported favorably and an author-  
-ity to give copies of it dated December  
-22nd 1844 and signed Manuel Quintana  
being shown the witness herewith

He is acqu-  
-ainted with the land writing of Manuel Quintana  
-and that his signature to said paper  
is genuine made a copy of said paper which  
is now shown me and marked number 8 &  
-9 of 1844 and certified by J. Adair witness date  
of December 26 1844

The certificate of J. A.  
-Adair is genuine and I have compared the  
-copy made by me with the original and  
-it is a true copy. The Quintana was com-  
-menced in the latter part of December 1844  
-and left Monterey with a writing for

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Sos Angeles early in January 1845 and  
capitulated to General Castro about February  
22, 1845 and he soon afterwards left for Mexico  
Mr Lassen and myself found in Mr Buttrick's  
army under Captain Sutter

In answer to questions put  
by the Law Agent the witness says  
I made the  
copy of the General Grant before mentioned  
at San Helvetic from the original written  
by me for Captain Sutter

The original was  
brought by Pablo Gutierrez about the  
21st of December 1844, and a pass would usu-  
ally make the journey from Monterey to San  
Helvetic in two or three days

J. Bidwell  
Saw and subscribed

Before me  
Helena Hall  
Commissioner

Filed in Office April 14th 1852

George Fisher  
Secretary

Recorded in Record of the Vol 1 p. 105 to 103

George Fisher  
Secretary

Depo. of  
W. B. Ide

Office of the Board of Commissioners of Land  
Claims

San Francisco April 24. 1852  
On this day before me Harry J. Thornton  
one of the Commissioners for ascertaining  
and settling Land Claims in California  
came William B. Ide and he produced  
in behalf of the claimant Peter Lassen  
whose Petition is Number 182 with the Deeds  
of said Commissioners

The witness being  
advised from affidavits as follows, That an  
agent of the United States was notified  
and attended by Mr. Graham

Questions propounded by claimant  
Questions propounded by agent  
name agent place of residence



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Answer My name is William B. Ide  
age fifty my residence is Ida Townshipp State of  
California

Question 2. Are you acquainted with  
the claimant in the lease and do you know  
the land claimed by him

Answer I do know the claimant  
and the land claimed by him

3 Question Please look at the map  
and paper filed with the Petition of the claimant in  
the office of Secretary of the Board of Land  
Commissioners to ascertain and settle private  
Land claims in California

7  
Which is No  
182 in the Doct of Leases the said paper and  
map being referred to in said Petition as schedule  
A and B. and state whether the writing of said schedule  
is genuine made at the time it purports  
to be made.

And if your signature therein where  
it occurs is genuine and also examine the said  
map and state what your opinion is of its execution  
and of the survey of the land purporting therein

Look  
also at the copy of field notes of a line of said  
map and survey filed herewith and marked F  
and state whether the same is an accurate copy  
of what it purports to be and whether your signature  
where it occurs therein is genuine

Answer I have examined  
the document described in the interrogatory and  
know it to be genuine It was made by me and  
bears my true and genuine signature

I also examined  
the map described in said Petition marked and  
stated in the interrogatory at the request of the  
claimant and the line of the western boundary  
above was ran out by me.

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I did not follow the  
mandate of the Sacramento River being prevented  
by high water but sketched the River conjecture  
ally. The copy of my field notes marked F and  
filed as above stated in the interrogatory is cor-  
-rect it was made by me and is genuine

Question 4. State how and when



did you obtain the starting point of the line which you say you ran out

Answer I have stated that I ran the line at the request of the claimant who informed me that he claimed one league north of the mouth of Deer Creek in the Sacramento River

The remainder of this land being on the said River on the other side of the said Creek accordingly I commenced at the mouth of the said Creek,

We ran parallel with the said Sacramento River one league and retraced the line crossing the said Deer Creek and extending the said line to where it is represented as terminating on the Sacramento River at a sycamore tree marked with two crosses,

In running the line from the mouth of Deer Creek as mentioned above for one league I crossed over at about seven chains from the termination of said line a dog arroyo.

I ran at each extremity of the east line for about half a mile at the upper end making the two ends less at the lower end, also in the course of the survey to serve as a guide for completing the same if pursued at any future time

Question I will you examine the map and state whether the number of leagues marked in the east and west lines are correctly stated

Answer There is evidently a mistake in the statement of the number of leagues in these two boundaries.

The scale of the map and the field notes marked I refer to of the line ran by me will show that is such mistake.

On the line ran by me the distance should have been five leagues instead of fifteen and when in the writing as cutting the line off two occurs it should be five and when fifteen occurs it should be five This mistake occurred from my want of familiarity in profiting by leagues & from the blunder of plating off the map

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Question 6, Will you examine the map filed in this case and refer to it in the petition presented to the Board in this behalf as Exhibit Number and state whether the section of the Sacramento River in the sketch and the small tributaries marked as running into it in the East side of the same correspond with your knowledge of the country and if you please designate by the names of the said tributaries as now called these streams

Answer Name looked at the said map now shown to me and think the sketch is generally accurate.

Streams called Rio de la Plume being the most easterly one represented in. Feather River the next westward Arroyo de la Butte the next westward also Arroyo de las Manzanitas what Frenchman as Dickins Creek which is now known called Union.

The next called on said map Rapids is Deer Creek opposite to mouth of which is the letter A, the next called also Rapids in the map is Hole Creek

Question 7 Did you ever see this map Exhibit Number and when referred to before this time

Answer I saw it at the time from the line above mentioned as run by me in the possession of the Claimant Lassen

Question 8 How and by whom was the land known Claimant occupied at the time you made the survey

Answer It was occupied by the Claimant Lassen who had upon it had in it more than one hundred head of stock cattle and houses he cultivated corn fields and was then clearing another

Question 9 Where have you resided since that time

Answer About six or seven miles westward from this Ranch

10 Question Have you been frequently at Lassen Ranch since that time



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answer I have been frequently  
there before and afterwards

Question 11 How and by whom  
have the premises, during that time

answer Always by Peter Lassen  
and those claiming under him

Question 12 on which side of  
Dear Creek are the buildings and on which  
side the settlements

answer When I first saw the town  
- isis the buildings (in October or November 1845) and  
settlements were on the north side and I think  
- would think our 300 head of stock in the  
- and cattoburns and mules.

Whit's pass  
- found mostly on the south side which  
also had his large house and he com-  
- menced ploughing on the south side some  
- time during the winter of 1845 or 1846 and  
- he has been cultivating about his place  
- that time

By himself and those under him  
and buildings have been erected on both  
sides and occupied by him and those under  
him down to the present time

Question by the Law Agent

Question When you made  
your survey of this tract was represented in  
your testimony what instruments did you  
use

answer I used the plain  
azimuth compass and chains

Question What did you  
estimate the length of the Spanish league  
in English measure in measuring your  
survey

answer 222 Alvaris and  
22 links

Question How many Eng-  
- lish yards did you estimate the Spanish  
league to be in length

answer I understand the  
Spanish vara to be eight feet and less than  
the English yard that we measure and eight  
varas are equal to one hundred yards English

and not having any measure of the

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and not having any means of knowing at that  
time how many vacans make a spanish league  
I used the same number of vacans for the spanish  
league as there are yards in the English league  
which according to my recollection gave 222  
English leagues  $\frac{222}{1000}$

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marked on the map from your own  
observation

answer They are not the  
upper arc was given to me by Mr Lassen  
as having been fixed by Fremont and  
the lower one I have taken from the calculation  
of the first

5 Question Did Mr Lassen  
give you any reason for selecting a point  
distant one league north from the mouth  
of Deer Creek as the northern point of the  
Survey

answer I do not recollect  
unless it may have been from arrange-  
ment among the adjoining claimants  
as to the respective boundaries of their lands

6 Question Are the dotted  
lines on the map number 10 running  
eastward from the Sacramento River  
upward at the time when you saw it in  
1846

answer I think they were  
Wm B. Ide

The Law Agent being notified and presented  
the above form to and subscribed before me  
this 24th of April 1852

Henry J. Hunt  
Commissioner

Filed in office April 24th 1852

Geo. Fisher

Secretary

Recorded in Record of Nevada Vol 1 Page  
166 to 169

Geo. Fisher

Secretary



San Francisco July 15th 1853

Arthur Day before Commissioner Alphonse  
Fitch came James Alexander Forbes and two  
persons on the part of the claimant Peter  
Lassen Petition Number 182 and was duly  
summed his conduct being given in English  
The United States Land Agent  
was present

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Questions by Mr Justice attorney  
following

1 Question What are your  
name age and place of residence

Answer My name is James  
Alexander Forbes my age is forty eight years  
and I reside at Santa Clara in California  
I have resided in upper California about  
twenty six years

2 Question When did you  
reside in the year 1843 and what was your  
occupation or official character at that time

Answer I resided near Santa  
Clara I was agent of the Hudson Bay Company  
for the interior of California My official pos-  
ition was that of British Vice Consul for  
Upper and Lower California

3 Question Was you ac-  
quainted with Peter Lassen the claimant in  
this case Name Manuel Martinez Manuel  
Gomez and Esteban and John A Sutter  
Answer I was

4 Question Please look at the  
Document here presented marked on the back  
side with the initials A F and also  
marked with the initials H H filed in this  
case,

Purporting to be the petition of the  
claimant for a grant of land and the  
name of Manuel Martinez Martinez with  
the reports of certain other officers relative  
to the same,

Said Petition bearing date  
October 11th 1843 and say if you recognize  
the signature of Manuel Martinez  
where it occurs in two places therein and also  
the signature of Peter Lassen Manuel Gomez  
where it occurs in two places therein



when it occurs in the places known to them  
and John A. Sutter

answer I recognize all of  
them they are the genuine signatures of these  
persons respectively. The body of the petition  
signed by Lasser is in the hand writing of  
George Allen

This was written in Monterey  
usually employed by foreigners to write in  
the Spanish language. He did not know  
eighteen hundred and forty five or about  
that time

5 Question Did you have  
opportunity from your official relations  
written and frequently to see these persons write  
and do you know their hand writing

answer I am intimately  
acquainted with their hand writing I have  
frequently seen them write and have had  
correspondence with all of them

6 Question Look on the paper  
before printed marks with the back  
thereof Numbered with the initials H H  
and also with the initials A F filed in this  
case purporting to be a sketch or map and  
say whether you recognize the map and if you  
know by whom it was made

answer I do recognize it  
it was made by myself at the request of  
Mr Lasser about the time he made applica-  
tion to the Governor for the grant.

This is all  
in my hand writing except the part which  
appears in pencil which are trans-  
lations of the Spanish words therein or a part  
of them in English

The words there transla-  
ted are rapid twice land ashed for by Peter  
Lasser being place and rivulet twice  
Mr Lasser came highly recommended to me  
from Oregon.

He wanted my advice about the  
means of obtaining a grant to the land which  
he desired and I gave him a chance and made  
him this map of the land.



I did not at that time go into the land  
but made the map from running I presented  
Mr Lassus Petition for the land to Governor  
Pucheltina together with this sketch or map  
I understand on the margin of the Petition  
was made by Governor Pucheltina in  
his own hand writing at the time I presented  
the Petition to him

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Question by Mr Howard  
Law Agent

1 Question Do you recollect the  
time when this sketch or map was made  
Answer It was made about the time  
before the presentation of the Petition I do not  
recollect the exact time

2 Question What office did  
Estada hold in the year 1843  
Answer He was prefect of the  
Protonotariat of California

3 Question Do you know  
where this sketch or map has been since  
it was presented to Governor Pucheltina  
Answer It was returned to  
me by Governor Pucheltina and afterwards  
given by to Mr Lassus I think I gave it to  
Mr Lassus in 1846 but am not certain  
as to the time

There was a Political Commis-  
-sion in California and Governor Pucheltina  
was expelled and held the paper in the  
mean time for safe keeping

John A. Forbes  
J A F

Subscribed and sworn to before me at San  
Francisco this fifth day of July 1853  
Asst. Secy  
Commissioner

Filed in Office July 13th 1853  
George Fisher  
Secretary  
Revised in Evidence B. Vol 3 Page 19  
Geo Fisher Secy



Depo. of  
J. A. Sutter

Office of the Commissioners of Land Claims  
in California

This day before me Commissioner Robt  
a Thompson came John A Sutter and was  
in behalf of Claimant Peter Lassen from  
- Nov 1842 and after being duly sworn depose  
as follows

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Present Edmund Weston  
Esq attorney for Claimant and Volney  
Howard Esq United States Land  
agent

Question by Claimants  
Attorney

What is your name age  
and place of residence

Answer My name is John A  
Sutter age fifty years and residence Stock  
farm Sutter County California

Question by same Do you  
know Peter Lassen if so how long have you  
known him

Answer I have known him  
since 1841

Question by same Please to  
look at the document down from your  
number Number 1 with the initials A S  
and H H and state whether you know the  
Signatures of Manuel Estada and John A Sutter  
which appear in that document and say whether  
they are genuine or not

Answer I am acquainted with  
the signatures of all the persons named and  
have no doubt they are genuine

Question by same Please  
to read the report on that document and  
say to be made by you and state if genuine  
in all the time it bears date

Answer It is in English  
writing and was made by me at the time it  
bears date

Question by same Please to  
look at the sketch or map numbered on the  
back Number 10 and with the initials H H  
and also A S and say if that is the sketch or



Man referred to in said report

answer It is the same  
Question by same Do you  
know where the land applied for by Peter  
Lassen is situated

answer Yes my well  
Question by same When you  
made that report were there any settlements  
in that vicinity

answer There were not Peter  
Lassen was the first that went up into  
the upper Sacramento valley and to per-  
turb him from the Indians at one time  
with the hundred small Indians  
except about twenty who were white  
men

Question by same Please to  
look at the document number 8 and 9  
with the initials H. and state whether  
your signature to the certificate on the  
back is genuine and whether it was made  
at the time bears date

answer It is genuine and was  
made at the time of its date

Question by same State whether  
Peter Lassen was with you at that time  
to have with the army of frontiers and if  
so where you met

answer He did we marched  
~~from~~ first to San Jose then to Monterey where  
we joined the General frontiers and  
marched into him to Los Angeles and  
Peter Lassen did his duty as a faithful  
soldier

Question by same Did you  
know James Alexander Forbes at that time  
if so where did he reside and in what  
capacity

answer I did he was then  
the British Vice Consul and resided in  
Santa Clara near San Jose

Question by same Please to  
look at the document number 13 with the  
initials M. J. and state whether the signatures  
of James frontiers and James Garrison  
are genuine or not

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all genuine or not

answer They are genuine  
Cross examined by U.S. Law

agent

Question by Law Agent Have  
you any distinct recollection of the mass or  
sketch referred to in the preceding part of  
your deposition

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answer I have not but it is  
generally correct I have been with the gun and  
put the latter in possession as it was  
my duty to do

Question by same Do you  
know where the original of the document  
marked numbers 8 and 9 and 14 & 15 now is

answer In the archives in  
the possession of Sr. De Sola in the  
proper General's Office

Question by same For whom  
did General Nuttall issue the original  
paper at the time it was issued

answer To me by courier  
or express

Question by same State  
why the document in title was delivered  
to you and all the circumstances connected  
with what is termed the General's title

answer It was done at my  
request The General was then blockaded  
in Monterey and would not allow the  
titles to be delivered and other things  
and at my instance he sent me the general  
title

There are many imprints chiefly  
American who are desirous of obtaining  
same

and I advised the General to give  
them this title at once and he has  
not time to do it in any other way

When the General was blockaded and the  
the courier came with the paper above  
referred to

Question by same State what  
method you adopted in giving the titles



to each individual father

answer By giving certified copies of the original paper numbers Nos 8 and 9 and 11 to those who had rendered quitrents since to the country and who applied to me

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PAGE 23

Quinn Nuttall made a very request made as such to the soldiers and promised lands to all those whom I should recommend as worthy to receive it.

The general title was issued before the men marched and the copy to Lassen was also delivered before we marched from San Helvia. In some cases the copies were not delivered to the parties until after my return.

But only to such as I thought deserved it. In the speech of Quinn Nuttall he promised to confer grants to all whom I should recommend referring as well to those to whom copies had been delivered as to those I might deliver them to afterwards.

Question by Saml. When you gave possession to Peter Lassen of the land granted him did you measure the land or establish any corners.

Answer I did not. I did not consider it necessary I did not measure the land, or go through any of the customary ceremonies.

There are no surveys or measures of measurement it was expected that the lands would be surveyed afterwards.

Question by Saml. By whom and upon what authority was it concluded that government grants should be surveyed after private possession.

Answer The government had no survey and if the owner of a farm wanted it surveyed he did it at his own expense. It was not the custom in giving judicial possession to use a compass to measure the land with a rope or line. In giving such possession they never measured the



possessor in plain view measured the  
land with a rope & claim many things etc

J. A. Sutter

Sum. and deposited before me August  
18th 1853

M. Aug. Thompson  
Commissioner

Fishers Office August 28th 1853

George Fisher  
Secretary

Records in Board of B. Vol 3 Page 62

George Fisher  
Secretary

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Depo. of  
H. L. Ford

Office of Commissioner of Land Claims in  
California

This day before me Commissioner Robert A. Thom-  
pson came Henry L. Ford a witness in behalf  
of claimant Peter Lassen Number 182 who  
after being duly sworn deposed as follows  
I am the father and legal  
attorney for claimant and W. E. Howard  
Esq. U.S. Law Agent

Question by claimants  
attorney What is your name and place  
of residence

Answer My name is Henry  
L. Ford my age thirty years and my residence  
Colusa County California

Question by same  
What time have you resided in California  
Answer Since the 11th of  
September 1842

Question by same do you  
acquaintance with Peter Lassen if so state  
how long you have known him and all your  
known relations who's settlement on and  
subsequent occupation of the land claimed  
by him in this case

Answer I am acquainted  
with Peter Lassen I have known him since May  
1844 at that time he was living on the land  
known as the Thomas Lassens Number  
he had in it at that time one hundred and  
eighty head of cattle and about a hundred



head of lands behind also above and back  
- south of Hop situated with the north side of Deer  
Creek about a mile from the Sacramento  
River

He also owned and a small  
field of wheat grown with his cattle and mules  
the range with the north side of Deer  
Creek,

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In October of the same year he  
built a canal with the north side of Deer Creek  
a quarter of a mile from the creek and  
about two miles from the Sacramento River  
said canal,

Was capable of holding about  
five hundred head of cattle. In the months  
of July and August 1847 he built a Adobe  
house on the south side of Deer Creek some  
distance on the creek about a mile from Sacra-  
- mento River,

and enclosed with willows  
and cotton wood live fence about thirty acres  
of land, since April 1847 he has resided  
in Colusa County on the opposite side of  
the Sacramento River, from Lassus Ranch  
and about four miles below the Adobe house

The  
said Lassus has been in the occupation of  
said Ranch ever since Thomas in 1844  
he went to the Atlantic states with Commodore  
- Cook in July 1847 and was absent  
about eight or nine months,

During which time  
his partner Daniel Hill and another named  
John Stephens occupied by Lassus remained  
on the Ranch and attended to his business  
for him

Said Lassus still occupies said Ranch  
and has been annually extending his meadows  
and cultivating wheat on the side of the creek  
with the very poor success about four hundred  
acres

Heustler by name whom  
you first knew him in the Spring of 1844  
where his present neighbors and how  
have the adjoining lands been since occupied

Answer at that time his



... at that time his  
manuscript was in ...  
- down who resides at the confluence of the  
Gyba and Frattor Rivers about seventy five  
miles below said Lassus Ranches

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Mr Neal  
settled in 1845 on Butte Creek about 28  
miles south of Lassus in the fall of the  
same year the Rancho Blanco was occupied  
by Indians of Mr Dickey about 18 miles from  
Lassus,

and about the same time Mr Lovell  
occupied the Rancho adjoining with the  
American Spanish League from Durbin  
and Mr Dyer settled about eight miles south  
of him,

These are the names of Rancho which  
have been occupied since as far as known  
to Austin by some state  
in what manner Rancho have been occu-  
- pied in California so far as you have observed  
since your residence in the county.

... up to the time of  
the occupation of the county by the American  
Rancho were generally used for grazing  
stock very little land being cultivated  
except what was necessary for the sustain-  
- ance of the inhabitants of such Rancho

There  
being no market of consequence for any  
but Indian and Indian it was not customary  
prior to that time to enclose any lands  
except small for marking cattle

and small  
lots of from two to twenty acres for the culti-  
- vation of wheat and vegetables (the cattle ranges)  
in the remainder of the Rancho under the  
care of the Indians,

whose duty it was to  
keep them within the boundaries of the  
respective proprietors

to Austin by some that  
are the boundaries of Lassus Rancho as  
occupied by him in the manner stated  
in your preceding answer during the time



Yontlaunhunnit

Answer The mountains

ridgway has been marked by a creek called  
Arroyo Seco or dry creek just one league  
north of Deer Creek

South (his cattle ran  
up) about four leagues from Deer Creek  
was a place called the springs.

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The eastern  
boundary is the Sacramento River the  
Eastern boundary I don't know

The western by same state  
what is the character of the land as you  
go back from the Sacramento River

Answer For about one  
league from the Sacramento River the  
land is fit for the run and on prairie  
lands or grazing purposes is valuable

Question Look at the  
map marked Number 10 and note the  
initials H H and A P filed in this land  
and state if you recognize it as a sketch of  
the section of country where the Rancho  
is located and name if you can the  
River and creeks laid down on it

(The above question ob-  
jected to by Mr. Law Agent)

Answer I do recognize  
said map it is a rough sketch but to a person  
acquainted with the country it would be  
easily recognized.

Especially taking the  
Rio de la Pluma as marked on the map  
as starting point

The first creek above  
said River would be Butte Creek the  
next Eligo there are several small creeks  
which are not in the title and have no out-  
lets

The next above them marked Rapids  
is Deer Creek and the next marked Rapids  
is Mill Creek

Cross Examined

Question by United States  
Law Agent

State at what point on said



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State at about point in said  
Sketch or map the houses of Peter Lassen  
are situated

Answer One is situated on the  
south side of the first creek numbered Ra-  
pids about a mile from Sacramento River  
the other on the north side about two miles  
from the River

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I trust by some how  
many squatters and their cattle Ranches  
claiming preemption

Answer There are several  
men squatted on it who have built  
houses I do not know how they claim  
and further this defendant says he not

Henry L. Ford  
know to and subscribed before me this  
13th day of September 1853

H. Aug. Thompson  
Commissioner  
Filed in Office September 14th 1853  
Geo Fisher  
Secretary

Records in Volume B Vol 3 p 188  
George Fisher  
Secretary

De Prof  
D. Sit

Office of the Board of Commissioners &c  
this day before Commissioner Alplius Fitch  
came Daniel Sell applicant in behalf of  
claimant Peter Lassen number 81  
who after being duly sworn deposed as  
follows

Question by Mr Norton  
Attorney for claimant

Question What are your  
name age and place of residence

Answer My name Daniel  
Sell reside in Butte County in California  
and am fifty seven years of age

Question Do you know  
Peter Lassen and his Ranch on First  
Creek and how long have you known  
them

Answer I would have to have



from from since 1844 and the Ranch since  
1844

3 Question where have you  
resided since 1844 in the Spring  
answer Oursaid Ranch  
except that in 1849 I went to New York and  
was absent about one year on my return  
went back to the place and have lived on  
it ever since

4 Question where has said  
Lassen resided during the time that you  
have lived on the place

answer He has always  
made his home there he has been off  
and on on business but that has been  
his place of residence

5 Question Do you remem-  
ber his planting an apple yard there

answer He planted a  
vineyard on the Ranch on the south  
side of Deer Creek in the Spring of  
1846

6 Question Do you know  
of Colonel Fremont being there and en-  
camping with his party at Deer Creek  
if you know

answer I do It was April  
8th 1846 I am unable to give the exact  
time by referring to a number and date  
of a change which I made to him at that  
time which I can read now I have seen  
with me

7 Question Do you remem-  
ber of Col. Fremont making any geogra-  
phical or astronomical observations at  
the time he was there

answer I do I sat with  
him two nights while he was taking the  
observations

8 Question Do you know  
William B. Ide if you do you know of his  
making a survey of said Ranch

answer I know him He  
made a survey of the Ranch in the Spring of 1846  
as near as I can recollect I know that it was

near the Bear flag was



deposited Bear flag war  
9 Question Do you ever  
know where the tree marked by 400 as  
the starting point in the Sacramento River  
now stands

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answer I do they are now  
- doing now

10 Question Where does the  
tree to mark the starting point of the  
- then line stand in reference to Deer Creek  
and the Dry Arroyo mouth of it

answer It stands about  
three or four days north of the Dry Arroyo  
or Dry Creek and about one Spanish league  
north of the mouth of Deer Creek

11 Question Where does the tree  
which marks the starting point of the south  
line stand in relation to Deer Creek and  
the Springs

answer The distance from  
the mouth of Deer Creek down to this  
tree is four Spanish leagues.

The tree stands  
in a westerly direction from the Springs  
about in a due west course Deer Creek  
is a little north of a due east course from  
the tree Deer Creek from the Springs runs  
a little to the north of an east and west  
line from the tree to the Springs

12 Question Look at the  
Schedule to this deposition annexed hereto  
and say if you have compared the 4 to  
- acts Annex with the original printed  
document furnished to you pursuant to  
have been made and state if they are  
correct copies from said original The said  
paper is marked Schedule A with the  
initials A F and date appended

answer I have examined  
it and find it a correct copy of the original.

13 Question I am told  
- you that you first went on to Lassen's  
Ranch to the present time when you  
saw the position and location of your  
- said ash has claimed and occupied it



Answer to the claimant on the path to the dry creek and cultivated and used it for his cattle until the spring made by the

It was then found that one league from Deer Creek north run on dry creek two or four leagues

Out to south from Deer Creek he claimed and occupied for farming and his stock to the spring supposed to be four leagues from Deer Creek

Daniel See

Mr Guntton associate Law Agent was present at the taking of this deposition but proposed no questions to the witness

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

Aplous Felch

Commissioner

Filed in Office

October 29th 1853

Geo Foster Secy

Recorded in Co B. Vol 3 Page 324

Geo Foster

Secretary

Depo of D. Dutton

Office of the Board of Commissioners &c This day before Commissioner Aplous Felch came David Dutton witnesses in behalf of the claimant Peter Lassen former 182 who after being duly sworn deposed as follows

Questions by Mr Porter Attorney for the Claimant

1 Question What are your name age and place of residence

Answer My name is David Dutton my age is thirty nine years and reside at Solano County in California

2 Question Are you acquainted with Peter Lassen if you are have you known him

Answer I have known the claimant since 1839

3 Question Do you know the

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Question Do you know the  
 Ranch where herds are in Deer Creek  
 which is claimed by him in this case if so  
 state what you know as to his moving  
 into it and its subsequent occupation

Answer I know that an eld  
 Grite full of 1843 I assisted him in driving  
 cattle from the Lossume Ranch to his Ranch  
 we started with one hundred and forty head  
 but lost some on the way

We arrived at the Ranch  
 with about one hundred and twenty head but both  
 there at the same time some horses and mules  
 but I do not remember the number,

We also  
 took provisions and a full set of blacksmiths  
 tools He located on the south side of the creek  
 about twenty or forty yards from the stream the  
 nearest inhabitant or neighbor at that  
 time was Gordon who lived on the Guba  
 River some twenty five miles from Lassus  
 Ranch

Hobbs farm was then occupied  
 and was about the same distance off  
 after the year 1843 Hunt for years on  
 Butte Creek about twenty five miles  
 from Mr Lassus Ranch

During that  
 time Mr Lassus was in the place himself  
 or had persons he employed by him and  
 continued to occupy and improve it his cattle  
 ran some distance north of Deer Creek  
 along and below Pine Creek and to within  
 six or eight miles of any place His cattle  
 were shod near Pine Creek and near  
 some Springs

Question Does not Pine  
 Creek fork and afterwards come out at  
 the Springs above mentioned

Answer I am not  
 able to say

Question Please look  
 at the map or sketch herewith to you  
 marked number 10 1844 annexed to the  
 deposition of Bidwell heretofore taken



and filed in this case and state that you recognize it as a correct sketch of the portion of the country on the Sacramento River where the Rancho in question is situated

Answer I have examined it and recognize it as a sketch of that portion of the country

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Question Please name the Rancho and locate laid down on the map running into the Sacramento River on the east side as they are now called

Answer The most southerly is Trouton River Mill Rancho the first Rancho north of Deer Creek

Question Do you know at what time Mr. Lusk settled on his Rancho

Answer I do not think it was a later time after Mr. Lusk went into his

Question Was Lusk a blacksmith by trade if so did he carry on that business on his Rancho where you lived on Butte Creek

Answer He was and carried on the business there during that time

Question Did he during that time build a Grist Mill on his Rancho

Answer He did it was operated by horse power he ground for the neighbors and took grain there to be ground I think the mill was built the second year after he arrived there

David Dutton  
Mr. Green his associate San agent was present at the taking of this deposition but for some reason no questions to the witness Subscribed and sworn to before me on this 29th day of October 1853 deplains Felch Commissioner Filed in Office Oct 29. 1853 Geo Fisher Secretary Records in Vol No 3. P. 322. Geo Fisher Secy



Depo of  
J.M. Ide

Office of the Board of Commissioners &c &c  
This day before Commissioner  
N. Aug. Thompson came James M. Ide an  
attorney in behalf of Umanian

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Pete Lasson  
Number 182 subapter being duly sworn  
deposed as follows

Testimony in behalf of  
Umanian

Present Justice Attorney for  
Umanian, and Robert Brumby Esq  
Associate Law Agent

Witness states his name  
to be James M. Ide his age thirty two and  
his residence Colona County California

Questioned by Umanian's  
attorney What is your father's name and  
occupation and do you know of his making  
a survey of a Ranch for Pete Lasson if so  
state what you know of said survey

Answer My father's  
name is William B. Ide and his occu-  
pation is that of a surveyor from of survey-  
ing the Ranch of Pete Lasson

It was made at the time and assisted in making  
it. It was made in the winter of 1843-4  
we were engaged with two or three weeks  
my father afterwards made a map of  
the survey from his field notes.

The map now  
shown me filed in this case and numbered  
Schedule A & B, is in my father's hand  
writing and I believe it to be the map then  
made by him. I remember to have been  
being at Lasson's Ranch in the Spring  
of 1846 on his way to Oregon the survey was  
made prior to that time

Questioned by same Have  
you recently been in said Ranch and can  
you recognize any of the corners or boundaries  
there marked

Answer Have been there within



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after dark The Sycamore tree forming upper  
curved stands in the slough and in consequence  
of high water we could not get to it  
to make it.

But it may be easily found by  
tracing out the line which is distinctly marked  
but a small distance out from the bank  
of the slough.

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I saw the same line on the  
map & it is on it have now the same  
marks which I made at the time of the  
survey partially overgrown but still dis-  
tinct

Question by same Look at the  
map run down your files in this case  
and marked number 10 and with the ini-  
tials H H and A F and state whether you  
recognize it as a correct delineation of the  
country where Sessons Manor is situ-  
ated

Answer would recognize  
it as a sketch of that portion of country but  
it is not as accurate

as if it had been  
made by actual survey

The most fortunate  
stream that laid down would recognize  
as Peaton River.

The next as Butte Creek  
The first marked Rapids is over creek

I  
also recognize the two small streams  
springing south of Deer Creek and represented  
on the map as terminating before reaching  
the River. A person making a map from a  
General knowledge of the country without  
a survey would in my opinion make very  
poor such a map

Question by same When did you Peaton die  
Answer He died last December James M Ide  
survived and subsisted before me November  
5th 1853 N. Aug. Thompson Commissioner  
Filed in Office November 5th 1853

Geo. Foster Secretary  
Recorded in Co B. Vol 3 P 363 Geo. Foster Secy

The within described survey commences on the bank  
of the Peaton River at the mouth of the Peaton River



Schedule as

The within described survey commences on the bank of the river Sacramento opposite an island at a Sycamore tree, 18 inches in diameter marked t.t. From which an oak tree 4 feet du bears N. 44 1/2° E. 5.10 chains ditto another oak 4 feet in diameter bears 37° 10' E. 4.12 chains distant, from 2<sup>d</sup> last mentioned tree, the most westerly of the Sixte Butte bears N. 11 1/4° E. Ranging with these two oak trees a mountain peak bears N. 73° 58' E. Thence from said Sycamore tree N 60° E 14 leagues 2 miles and 13 chains Thence N. 30° W 15 leagues, thence south 60° W 14 leagues 2 miles 6 chains to a sycamore tree 2 feet in d on the bank of the Sacramento, thence along the east bank of the river Sacramento to the place of beginning containing twenty five leagues (a very little more or less)

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8

The scale used in drawing the within map is 160 chains to the inch and in the survey (222.22 chains) 222 chains and 22 links, make a Spanish league

Independence March 8, 1846

William B. Cole Sur

Description of the N.W. line, commencing at a Sycamore tree 2 feet in diameter standing on the bank of the Sacramento River, thence N. 60° E 8 chains across a slope to a stake marked with a cross on the sides answering to the corner (from which an oak tree 2 1/2 feet diameter marked bears N. 40° 58' E. 2.26 chains distant) from 2<sup>d</sup> stake N. 50° E past an oak 18 in in diameter marked with a cross one link south of the line, thence N. 60° E to the creek striking 3 Sycamore trees which are marked + thence the aforesaid course ranging a little North of the highest land run in that direction

Filed in office April 14, 1852

(Signed)

Jos. John Gen



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9. 5

Manuel Micheltréna Gral. de Brigada del  
Ejército Mexicano, Ayudante Gral. de la Plaza  
Mayor del mismo Gobernador Comandante  
Gral. e Inspector del Departamento de California.

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Es. N.º 4.  
Grant n.º 209.  
H.H. annexed to the  
Dep. of Y. Bailwell  
April 11.  
1852.

No pudiendo ahora por estar sumamente ocupado este Gobierno Supremo Departamental extender uno por uno los títulos respectivos a todos los ciudadanos que han solicitado terrenos con informes a su favor del Sr. D.º Augusto Sutter Capitán y Jefe encargado de la División de Nueva Elvetia y Sacramento, a nombre de la Nación Mexicana las consigna por estos libros la propiedad para ellos y sus familias de los respectivos marcados en sus instancias y diseños a todos y a cada uno de los que hayan solicitado y obtenido informes favorables del expresado Sr. Sutter, hoy Jefe de la Jta. sin que nadie pueda disputarles su propiedad, sirviéndoles una copia de este que les dará mas adelante al Sr. Sutter de título formal con el que se presentarán a este Gobierno para extenderles el mismo título en la debida forma y papel sellado correspondiente y por la debida Constancia en todos tiempos por este documento que será reconocido a cada uno por todas las autoridades civiles y militares de la Nación Mexicana y en los demás Departamentos, autorizando debidamente con los sellos militares de Gobierno en Monterrey a veinte y ocho de Diciembre de mil ochocientos cuarenta y cuatro.

Jef. Manuel Micheltréna.

Es copia que certifico.  
Nueva Elvetia - Diciembre 26 de 1844.

J. A. Sutter.

Filed in Office. April. 14<sup>th</sup> 1852.

Geo. Fisher. Sec.

Recorded in Record of Evidence  
Vol. I. page 106.

Geo. Fisher. Secy.



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301 76



39 G N° 8  
Translation  
of Grant N° 4

Manuel Michelena Brigadier General of the Mexican Army Captain General of the Staff of the same Honor Commandant General and Inspector of the Department of the Californias

367 ND  
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This Supreme Departmental Government not being obliged on account of close occupation to prevent hereby the respective titles to all the titles in which have solicited lands with favorable information from Señor Don Augustus Sutter Captain and Judge.

Charges with the jurisdiction of New Helvetia and Sacramento in the name of the Mexican Nation. I grant them by this letter the ownership of their said lands and to their heirs that of the respective land designated in their Petitions and designs.

To all and each one of those who may have selected and obtained favorable information from said Señor Sutter up to this date,

So that you may respect their ownership a copy of this which Señor Sutter shall in future give them being stamped with title with which they shall present themselves to this Government to have extended to them the same title in due form and in corresponding sealed paper

and for all private and public actions I give this document which shall be recognized and respected by all the authorities Military and civil of the Mexican Nation.

In this and other Departments being duly authorized by the Military Seal and Order of the Government in Mexico

December 22nd 1844

Manuel Michelena  
I certify this to be a copy from Helvetia June 8th 1846

J. A. Sutter  
Office of the Board of Commissioners of California Land Claims San Francisco July 7th 1852  
I certify this purport to be an exact and correct translation



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from an authenticated copy of the original  
Spanish Document which authenticates copy  
is on file in this Office in case number 182  
Peto Sasser, Bosquijo

George Fisher  
Secretary

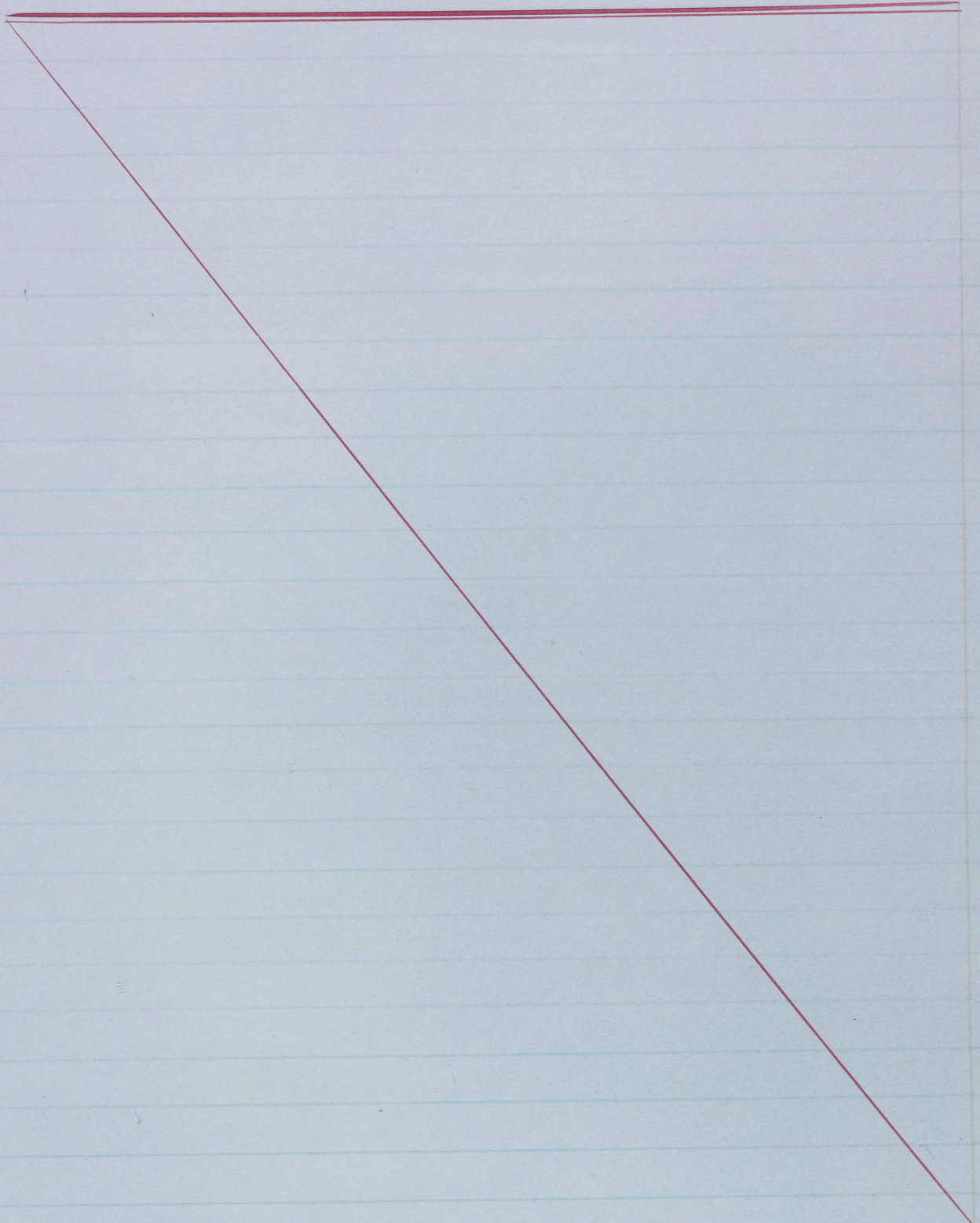
Filed in Office April 14th 1852

Geo Fisher  
Sury

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Recorded in Records of Evidence Vol 2 Pages  
106 & 107

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1844.

Expediente.

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1. 1844.

Expediente

Promovido por el Ayuntamiento natural  
-irado D<sup>o</sup> Alberto G. Gomez en solicitud  
del terreno que se expresa en la solicitud.

N<sup>o</sup> 405.



Sello cuarto de reales.

2.

Habilitado provisionalmente por la Aduana Maritima del puerto de Monterrey en el Depart<sup>o</sup> de las Californias para el año de mil ochocientos Cuarenta y mil ochocientos noventa y cinco.  
Micheltoreau. Pablo de la Guerra.

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Aduana Marit<sup>a</sup>  
de Monterrey.

Monterrey. Dec.<sup>ra</sup> 16 de 1844.

Informe al S. Srío del despacho tomándolo los que crea necesarios al efecto.

Micheltoreau.

Exmo Señor Gobernador.

Alberto G. Toomes, natural de los E. U. casado con Mexicana y residente en este Departamento desde el año de 1841 ante V. E.

Con el mas profundo respeto

me presento y digo: que hallandome poseedor de algunos bienes del campo y obsecuro de dedicarme a la agricultura Suplico a V. E. tenga la bondad de con tener me el terreno situado en las margenes del rio Sacramento, cuyo parage es baldio, consta de cinco sitios de ganado mayor, y son sus linderos al N. rancho de Dye al E. tierra baldia, al S. el rancho de Hassen y al O. el Rio Sacramento como manifiesta el adjunto croquis. P. tanto a V. E.uego se digno acceder a esta mi peticion en lo que recibire Merced y gracia.

Monterrey. a 18h.

Alberto G. Toomes.

Sor. Gobernador.

3.

D.<sup>o</sup> Alberto G. Toomes tiene acostumbrada su honrales y posibilidades para ocupar el terreno que pide a V. E. esta casado con Mexicana, y tiene su establecim.<sup>to</sup> de Carpinteria en esta Capital en union de Roberto G. Toomes, y ambos han satisfecido al publico con su buen servicio y como por su industria han adquirido un numero crecido de ganado mayor y mas que han consiguiendo se las personas que pujan en este articulo en lugar de plata, se encuentran en la necesidad de un terreno en donde poner estos bienes por lo que no encuentro inconveniente para que V. E. les conceda su peticion si asi lo tubiere a bien.

Monterrey 19 de Diciembre de 1844.

Martín Linares.

4.



Monterrey Dho. 30 de 1844.

Concedido.

Michelt.<sup>o</sup>

Jurisdiccion del Rio Sacramento.

El terreno que solicita en este permiso, el ciudadano D<sup>o</sup> Alberto G. Fomes es baldio y desocupado y no pertenece a pueblo ni individuo alguno, y por esta certificacion para los fines que le convenyan.

J. A. Sutter.

Nueva Helvetia. a 10 de Mayo de 1844.

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Here follows a map or plan.

4. El Ciudadano Manuel Micheltorea General de Brigada del Ejercito Mexicano, Ayudante General de la Plaza Mayor del mismo, Gobernador Comandante General e Inspector del Departamento de las Californias. =

Por cuanto D. Alberto G. Fomes, Mexicano por naturalizacion ha pretendido para su beneficio personal y el de su familia el terreno concedido con el nombre de Rio de los Molinos, colindante con las margenes del Rio Sacramento, comensando los linderos desde el arroyo de los Berrendos, hasta donde midan cinco Sitios de ganado mayor por la parte del Sur: practicados previamente las obligaciones y arrendaciones convenientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose a la aprobacion de la Exma. Asamblea Departamental y bajo las condiciones siguientes.

1<sup>o</sup> No podrá venderlo, enajenarlo, ni hipotecarlo, imponer censo, vinculo, finca ni otro gravamen alguno. = 2<sup>o</sup> Podra sercarlo sus



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las traversías Caminos y Servidumbres, lo disfrutará libre y exclusivamente testiguando lo al uso y cultivo que más le acomode pero dentro de un año fabricará Casa y estará habitarla. 3º Solicitara' del Quer respectivo que le dé la posesion Jurisdic'ca en virtud de este despacho por el cual se demarcarán los linderos en cuyos limites podra' o mas de sus molinos algunos árboles frutales o silvestres de alguna utilidad. 4º El terreno de que se hace donacion es de cinco sitios de quando mayor. El Quer que diere la posesion lo hará medir conforme a ordenanza que otorgo el Subnunte que usate a la nacion para' los usos convenientes. 5º Si contraviniere a estas condiciones perdera' su derecho al terreno y sera' denunciado por otro.

En consecuencia mandado que sirviendose de titulo el presente y teniendose por firme y validero se tome razon de el en el libro respectivo y se entregue el interesado para su resguardo y otros fines. = Dado en Monterey a veinte de Diciembre de mil ochocientos cuarenta y cuatro. = Dada tomada razon de esta concesion en el libro respectivo a' foyas 14.

Angelos Octubre 8 de 1845.

Dado cuenta en sesion de hoy con este Espi'te a la honra. Asamblea Departamental a unido pasar a la comision de terrenos baldios.

Pio Pio. Penite.

Agustin Olvera. Sec.

Quinto suor.

9.

Habiendo hecho cargo con la escrupulosidad posible la comision de terrenos baldios del espediente promovido por el Ciudadano Mejicano por naturalizacion al parage nombrado Rio de los molinos situado en las mangenes del Rio Sacramento y combeniendo la comision de que las diligencias practicadas en dicho expediente fueron suficientes para que el Superior Gobierno del Departamento hubiese concebido el mencionado parage pone a la aprobacion de V. E. la proposicion siguiente Se aprueba la concesion hecha por el Superior Gobierno del Departamento en titulo librado con fecha 20 de Diciembre de 1844 en favor del Ciudadano Mejicano por naturalizacion Antonio J. Thomas del parage conocido con el nombre de los molinos

4. H5



4. H5

del parage conocido con el nombre de los molinos  
situado en las margenes del llamado Sacramento  
en estension de cinco Sitios de ganado mayor de  
propriedad con la ley de 18 de Agosto de 1824 y el  
articulo 5º del reglamento de 21 de Noviembre de  
1828. Sala de Comisiones en la Ciudad de los  
Angeles. Octubre 21 de 1845.

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10. Angeles Octubre. 8 de 1845.  
Guanco de la Guerra. Narciso Botetto.

En Sesion de hoy se aprobo por  
la Santa Asamblea Departamental la proposicion  
del dictamen presente mandando se vuelva el  
espediente original para los fines que sean convenientes.  
Pro. Dto. de. Augustin Chena. Frii  
En la fha se libro a la parte la copia respectiva.

Office of Surveyor General of the United States  
for California. I John C. Hays, Surveyor  
General of the United States for the State of Calif<sup>a</sup>  
and as such now having in my office and in  
my charge and custody a portion of the  
Archives of the former Spanish and Mexican  
Territory or Department of Upper California  
by virtue of the power vested in me by law, do  
hereby certify that the ten preceding and hereunto  
annexed pages of tracing paper, numbered from  
one to ten inclusive, exhibit a true and accurate  
copy of a certain document now on file and for-  
ming part of the said archives in this office.  
In testimony whereof I have hereunto  
signed my name officially and caused my seal  
of office to be affixed at the City of San Francisco  
this tenth day of November a.d. 1853.

John C. Hays.  
U.S. Surveyor G. for Calif<sup>a</sup>

Filed in office. June 15. <sup>th</sup> 1854.

Geo. Fisher. Secy.



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Translation  
of  
Expediente

1844

Expediente instituted by the naturalized citizen  
Don Alberto G. Lozano asking for the lands  
mentioned in the Petition  
No 405

Formal Seal Two Reales

Provisionally determined  
by the Maritime Customs House of the Port of  
Manzanillo in the Department of the Californias  
for the years one thousand eight hundred  
and fifty four and one thousand eight hundred  
and fifty five

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Quitatunas

hablo al al Sr. Sr.

Maritime Customs

To the most Excellent

Seal

Governor

House of Manzanillo

Alberto G. Lozano Native

Manzanillo December  
16th, 1844

of the United States residing  
to American Woman and

Let the Sr. resident of this Department  
entirely of Dispatch since the year 841 present  
request taking such myself before your Excellency  
information as he with the most profound respect  
may think proper for and say  
and in the matter

Quitatunas

That being the  
owner of some rural property  
bienes de campo and wish  
- my to devote myself to ag  
- in culture. Beg your Excell  
- my will have the goodness  
to grant me the land sit  
- water on the banks of the

River Sacramento which place is vacant  
and is of the extent of five square leagues (sitios  
de Ganado Mayor) the boundaries of which are to  
the north the Rancho of the Spaniards to the  
east vacant lands to the south the Rancho of  
San Simon and to the west the River Sacramento

as  
appears by the accompanying map. Therefore beg of  
your Excellency that you be pleased to accede to  
my petition in which I shall receive a favor

Manzanillo

of

of 1844

Alberto G. Lozano



Sir General

Sir Albert G. Thomas has a good character  
as a man of honor and is able to occupy the  
land which he solicits of you by selling  
he is married to a Mexican woman and  
has his establishment as a carpenter in the  
Capitol in company with Robert H. Thomas  
and both have satisfied the public with their  
good services,

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and have acquired also by their  
industry numerous breeding cattle which  
they have received in payment for their  
labor in place of money they are the owners  
of a tract of land situated near their cattle  
for which reason no inconvenience can re-  
-sult from your Excellency according to his  
request if you should think it proper

Montevideo 19th December 1844

Manuel Jimenez

Montevideo December 20th 1844

Granted

Verdadero

possession of the }  
Rios Sacramento } The land which the citizen  
Don Albert G. Thomas solicits in this petition  
is vacant and unoccupied and does not belong  
to any town or any individual and for the  
necessary cause I give this certificate  
J. A. Sutter

Nueva Helvetia }  
October 10th 1844 } The citizen Manuel Ruiz  
- Atienza Brigadier General of the Mexican Army  
Adjutant General of the staff of the same General  
Commandant General and Inspector of the  
Department of the Californias

Whereas Sir

Albert G. Thomas a Mexican by naturalization  
has asked for his personal benefit and that of  
his family the land known by the name of  
the River of the Mills (Rio de los Molinos  
bounded with the banks of the River Sacra-  
-mento commencing the boundaries from the  
Arroyo de los Barridos) creek called Barridos  
and running south to include five square leagues  
the precise investigation and measurement



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been had in conformity with the laws and  
 Regulations and in virtue of the provisions  
 - found upon me in the name of the Mexican  
 Nation have granted him the aforementioned  
 lands declaring him the owner of the same  
 by these presents letters subject to the appoin-  
 - tment of the most Excellent Departmental  
 assembly and under the following conditions  
 1st He will not sell alienate mortgage or  
 impose any tax or other irregular burden  
 2nd He may enclose without prejudice to the  
 crossings roads and frontages he will enjoy  
 in full and by closing putting it to the use  
 or cultivation which may best suit him  
 but within a year he shall build a house  
 and it shall be inhabited

3rd He shall solicit the respective Judge  
 to give him provisional possession by virtue  
 of this Despatch by which the boundaries will  
 be marked out in the limits of which he shall  
 put besides the land marks some point two  
 nails or rods of some utility

4th The land of which donation is made con-  
 - sists of five square leagues (Sitios de Sano  
 Mayor)

The Judge who shall give the possess-  
 - ion will have it measured according  
 to the measure and the surplus shall re-  
 - main to the Nation for its common uses  
 5th If he should contravene these conditions  
 he shall forfeit his right to the land and it  
 shall be annexed to another

I therefore declare that these presents being held as firm and  
 - valid are not to be made in the res-  
 - pective book and that it be delivered to the  
 interested party for his security and further  
 ends

Given in Montevideo in the twenty sixth day of  
 December one thousand eight hundred and forty  
 five

Due note has been made of this grant in the  
 - respective book on Page 141  
 angles October 8th 1845.

This expediente having been submitted in today's



session to the next bycellent Departmental assembly It was ordered that it pass to the Committee in vacant Lands

Pro Prio

President

Agustín Alvará Secretary

Excellent Sir

The Committee in vacant Lands having made the most careful examination of the Expediente instituted by the citizen by naturalization Alonzo G. Townes asking for the place called Rio de los Nubios situated on the banks of the River Sacramento have come to the conclusion that the necessary examinations and steps having been made in relation to said Expediente were sufficient for the concession of said place by the Superior Government of the Department now submit to you by calling the following propositions

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The concession made by the Superior Government of the Department in article issued on the 20th of December 1844 in favor of the Mexican citizen by naturalization,

Alonzo G. Townes of the place known by the name of Rio de los Nubios situated on the banks of the Sacramento River of the extent of five square leagues in conformity with the law of the 18th of August 1824

and article

3th of the Regulations of the 21st of November of 1828 is approved. Member of the Committee at the city of Los Angeles October 18th 1845.

Narciso Botello Francisco de la Guerra Angeles October 8th 1845 for session of to day the next Excellent Departmental assembly approved the foregoing proposition directing the original expediente to be returned for the necessary use

Pro Prio President Agustín Alvará The same date the proper copy was delivered to the party

The Board of Land Commis for California J. S. Fisher Secy of the Board solemnly certify that the foregoing is a true and correct translation from the authentic French Free Simile copy of the original Spanish Doc in file in the U.S. Surveyors Gene Office which authenticated duplicate copy is in file with the Office since Nov 1842 P. Lassen Chairman Geo. Weston Secy filed in Office June 16 1844 Geo. Weston Secy



Sello tercero sin peso.

Abogado de oficio provisionalmente por Aduana  
maritima del puerto de Monterrey en el Depart<sup>o</sup>  
de las Californias para el año de mil ochocientos  
cuarenta y tres.

(Seal) Micheltorena. Manuel Castañones,  
Excmo. Sr. Gobernador.

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No. 26. No. 1.  
Espectante Brig<sup>o</sup>  
comunicado Dep of.  
John Birdwell  
April 21. 1852.

No. 1 A. F.

Pedro Lassen natural de Dinamarca y residente  
en este Territorio hace tres años ante V. E. con el  
debiido respecto me presento y digo que hallandome  
poseedor de trescientos y unas cuantas de ganado  
mayor y cerca de ciento cincuenta cabelllos y  
mulos y deseando fomentar los pero falta un  
sitio de purpuro por tal efecto por cuyo motivo

Monterrey. Oct<sup>o</sup> 11 de 1823. Suplico a V. E. que me  
Inf<sup>o</sup> el Sr. Sr. del despacho conceda un sitio baldio  
pidiendolo antes los q. enca situado en el Rio Sacram<sup>to</sup>  
convenientemente.

Micheltorena. Consiste de cinco leguas  
en cuadro segun consta el adjunto croquis. P. A.  
a. V. E. Suplico humildemente que me conceda  
otro. parrage por lo cual recibire merced y gracia.

Monterrey. 11 de Obre de 1823.

Peter Lassen.

Como dispone el E. S. Gobernador, puse este Exped<sup>te</sup>  
al Sr. Prefecto del 1<sup>er</sup> Distrito para que se  
sirva informar sobre su contenido y dirijase  
despues al encargado de Justicia del Sacramento  
para que diga lo que le ocaura y era cuando que  
sea todo vuelva a la Secretaria para cumplir  
con lo prevenido en el Sup<sup>or</sup> Decreto de fecha de  
hoy.

Monterrey. Octubre 11. de 1823.

Manuel Jimeno.

Informe el Encargado de Justicia del Establim<sup>to</sup>  
de N. N. Don Juan A. Lutter si el terreno que  
se pretende es baldio con las demas explicaciones  
de estilo que creyere necesarias. Prefectura del  
primer Distrito. Monterrey Obre 12 de 1823.

Estrovala.

El terreno que solicita en este documento Pedro  
Lassen y que se llaman el Bosquejo situado en  
el Rio Sacramento y presente esta desocupado  
y es el que esta representado en esta Mapa: y



esta certificacion para los fines que convengan.  
 Nueva Helvetia. noviembre 30 de 1853.  
 Suggato del Distrito del Rio Sacramento.

E. J. Tobemador J. A. Suttles.

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Amuehas solitudes de la naturaleza como la puesta  
 se les ha puesto la providencia de esperarse hasta  
 que v. e. pueda hacer la ruta por los rios del Sacra-  
 mento y San Joaquin: y como tambien no hay  
 un diseño general de aquellos terrenos no se  
 podran hacer tal vez con acierto las certificaciones  
 que se peticionen por lo que si v. e. lo tiene a bien  
 podra quedar pendiente este asunto hasta que se  
 despachen las solitudes a que me refiero.

Monterey. Julio 26 de 1854.

Manuel Jimeno.

Monterey. fha. idem.

Olupelo provisionalmente hasta sus solitudes  
 despachadas. Micheltorena.

Recorded in Record of Evidence Vol 1. pages  
 103. & 104.

Geo. Fisher. Secy.

Filed in office. April 11<sup>th</sup> 1852

Geo. Fisher.  
 Secy.



53

Translation

D  
Nº 3  
Translation  
of  
Espediente  
H. H. No 2

And Seal One Dollar  
Principally authorized by the resolution  
of the House of the P. of M. in the  
Department of the California for the year 1843  
M. M. Castaneda  
To His Excellency the Governor

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P. M. Lasser  
a native of Denmark and for three years resident  
of this Territory appears before your Excellency  
with due respect and says:

That being possessed  
of more than three hundred head of cattle and over  
fifty hundred and fifty horses and mules  
and desires of increasing  
his stock but having no suit-  
able place for it

Montevideo, October  
1843

The Secretary of State  
will report to your Excellency to grant to me vacant  
after asking for place situated in the River  
such information Sacramento which is called  
as shall deem necessary and consists of five  
leagues square as appears from  
the annexed map

and I therefore  
humbly pray your Excellency  
to grant to me said place  
in which will receive a  
fair and abundant

Montevideo, 11th October 1843

P. M. Lasser  
In accordance with the resolution of his Excel-  
lency the Governor let this Espediente be referred  
to the P. of M. of the first District that he  
may report upon the subject matter after which  
it shall be forwarded to the judicial office of Sac-  
ramento who will state what shall occur therein  
and all this being done

Let the Record be set on  
and to the Office of the Secretary in compliance  
with the permission of the Superior decree of this  
date

Montevideo, October 11th, 1843 Aguirre and Jimenez  
Let the judicial office of the settlement of  
New Helvetia Don Juan as above inform if the land



asked for is vacant with the usual Partitions  
also relative to which I shall deem fit  
Office of the Prefect of the 1st District Monterey  
October 12th 1843      Seguid Estrada  
The land asked for in this Petition by Pedro Lassen  
situated in the River Sacramento called Bosques  
is not at present occupied,

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And it is the same that  
is described in the accompanying map and I give  
this certificate for such uses as shall deem fit  
to be made of it

New Helvetia Number 30 Oct 1843  
Judicial Office of the District  
of the River Sacramento

Seguid J. A. Sutter

To His Excellency the Governor

In the case of many  
Petitions of the character of the foregoing it has  
been resolved.

That the delay of action  
until your Excellency shall be able to make  
the visit to the River Sacramento and San  
Joaquin.

And as also there is no general map  
of these lands perhaps the grant asked for  
cannot be properly made into extracts

Hence  
Should your Excellency approve of it then appli-  
cations may remain pending until those to which  
I refer shall be acted upon

Monterey July 26th 1844

Seguid Manuel Jimenez

Monterey date as above

Let him occupy it for  
usually until my decision on my visit above

Seguid Neulutturna

Office of the Board of Commissioners of California  
Land Claims San Francisco July 7th 1852

Identify the foregoing to be true and exact trans-  
lation from the original Espediente in file in this  
Office in case 1082 Pedro Lassen Bosques and  
made as Exhibit 14 of the Geo Foster Survey  
Filed in Office July 7th 1852 Geo Foster Survey  
Record in volume Vol 1 Pages 104 & 105

Geo Foster Survey



1. 55-

El Ciudadano Manuel Micheltorena General de Brigada del Ejercito Mexicano, Ayudante Gen. de la Plaza Mayor del mismo, Gobernador Comand. General e Inspector del Departamento de California.

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Doc. n.º 13. B. F. annexed to Dep. of John A. Sutter.

Habiendo D.º Pedro Lassen, natural de Dinamarca, cumplido con las condiciones y requisitos que previene la ley para conceder cartas de Naturaliza a los Estrangeros por la presente Naturalizar al expresado D.º Pedro Lassen en virtud de la facultad que por aquella ley, se me confiere.

Monterey, a 25. de Julio de 1844.

Manuel Michelt.º  
Manuel Jimeno. Secy.

Filed in office Aug. 23. 1853.

Geo. Fisher. Secy.

Translation

Citizen Manuel Micheltorena General of Brigade of the Mexican Army, Assistant General of the staff thereof, Governor, Commanding General and Inspector of the Department of the Californias

Pedro Lassen a native of Denmark having complied with the conditions and requirements prescribed by law for the granting of naturalization letters to foreigners, I have concluded hereby to naturalize the said Don Pedro Lassen, by virtue of the powers conferred on me by the said law.

Monterey July 25. 1844

(Signed) Manuel Micheltorena  
(Signed) Manuel Jimeno Secy

Attest and correct translation  
Geo Fisher Secy

Filed in office Aug 23. 1853

(Signed) Geo Fisher Secy



56

1881

1881

57

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E No 6  
Field Notes  
of  
Survey  
annexed to the  
Depo of W B  
I de

Copy  
Field notes of a survey of length of line for  
New Lassen March 4th 1846,

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beginning  
in the bank of a slough ed River to West  
line at a stake 10 chains N 45° W from the  
mouth of a certain creek known as Meadows  
Creek

Said N W line is marked by a + in the  
oak tree averted on a large limb of an oak  
3 1/2 feet in diameter,

and also by averted on a  
Sycamore tree which bears N 45° E in said  
line 32 or 4 1/2 chains distant from the place  
of beginning in the N W line the Sacramento  
River is distant 7.50 chains to the edge of the  
steep bank or spur of the

Thence	Chains	"	"	"	Thence	Chains
S 45° E	29.92	"	"	"	S 42° E	90.00
S 58 1/4° E	10.25	"	"	"	S 82 3/4° E	17.50
S 16 3/4° E	222.22	"	"	"	S 45 3/4° E	3.00
S 16 3/4° E	170.00	"	"	"	S 29 3/4° E	47.00
S 45° E	120.00	"	"	"	S 45° W	45.00
S 45° E	228.44	"	"	"	S 45°	75.67
S 27° E	36.28	"	"	"	S 30° E	15.07
S 13 1/4° E	89.45	"	"	"	S 60° W	9.15
S 9 1/4° E	21.22	"	"	"	S 31° E	0.70
S 45° W	1.13	"	"	"	To a square SW	
		"	"	"	corner 18m	

diameter marked + in the S E and N W sides  
from which an oak 4 feet in diameter bears N  
44° 30' E 5.10 chains Dist averted oak 4 feet in  
diameter bears N 37° 10' E 4.12 chains Dist from  
the last tree the most westerly of the latter Butte  
bears N 11° 45' E

Measuring with a tape said trees  
averted Butte bears N 73° 30' E from Lassen house  
(2 miles N E by from mouth of Deer Creek the  
west latter Butte bears N 20 3/4° E and the sta  
butte bears N 20 1/2° W

True copy William B. Ide Land Surveyor  
for the Department California by appointment  
General Wason  
Filed in Official file 14th 1852  
Gen. Preston Levy



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Records in Record of Land and Volume Page  
170 Geo Fisher  
Secretary

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Schedule  
a  
a F annexa  
to Depo of  
D. S. W.

Schedule B,  
a F

Schedule to Disposition of Daniel

Sell

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Extracts from Geographical Memoir upon  
Upper California by John Charles Fremont  
being Senate Miscellaneous Document No  
148 of the first session of the 30th Congress  
at Page

23 of said Document under date March 31  
as follows. In the afternoon about half an mile  
above its mouth we encamped in Deer Creek  
a portion of these beautiful tributaries to the  
Sacramento

It has the usual broad and fertile  
bottom lands common to these streams, wooded  
with Groves of Oak and alway Aycarume (Pla-  
tanus occidentalis) distinguished by bearing  
its balls in strings of three to five and peculiar  
to California.

Mr Lassen a native of Germany  
has established a ranch here which he has  
stocked and is gradually bringing into  
cultivation.

Wheat as generally throughout  
the whole country gives large returns Cotton  
planted in the way of experiment was not  
succeeded by first and succeeded well.

And various  
lately planted apple yards fruit with the Sac-  
ramento Valley is considered to be singularly  
well adapted.

The Indians are not yet sufficiently  
understood and too little has been done in agric-  
-ulture to afford certain knowledge of the capacities  
of the country

This farm is in the 40th degree of Lat-  
-itude and position in the Merid being in 30° 57' 00"  
and Longitude 121° 56' 44" west from Green-  
-wich and elevation above the sea 360 feet  
at Page

57 of said document in a table of latitudes  
as follows April 4 | Latitude 39.57.04 | Longitude 121.56.44 | Deer Creek  
opposite Lassen's House half an mile above its mouth on the  
Sacramento

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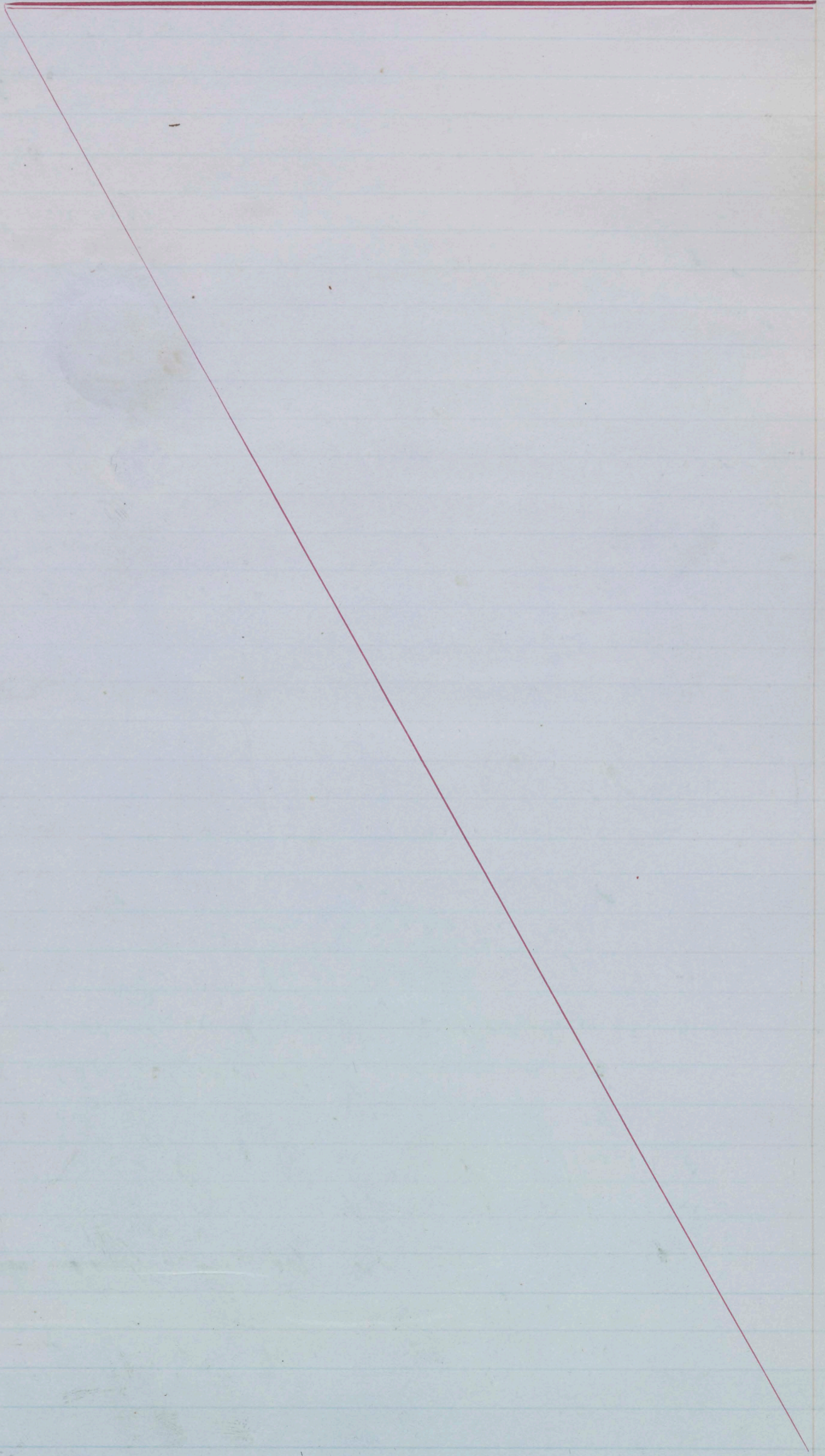


60

Folio in Office October 29th 1833

Geo. F. Fisher  
Secretary

367 ND  
PAGE 57



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61

Opinion of  
Board by  
Com. Furvell

Peter Lassen  
vs  
The United States

For a place called  
"Bosquesjo" in the County  
of Butte containing  
Five Square Leagues

367 ND  
PAGE 58

In this case the Claimant has offered in Evidence in Support of his claim first a trace Copy from the Archives in the office of the Surveyor General of the U. S for the State of California of his Expedient dated the 11<sup>th</sup> of October 1843 with the usual references and reports accompanying the same, and the Claimant has also filed an authenticated Copy of what has been denominated the general title issued by Governor Schemeltrauer on the 22<sup>nd</sup> day of October 1844 which said grant was intended to operate as provisional title to all the applicants for grants in the vicinity of the Sacramento and New Helvetia who have proceeded to that date made their proper application and had obtained a favorable report thereon by Capt. John A. Sutter which said general title has already been passed upon by this Board and adjudged to be valid, and to confer a right of Confirmation on all that come properly within its provisions.

The evidence in this case shows clearly that this claim is one included in said title, and also that the Conditions of Settlement and Settlement have been <sup>fully</sup> complied with and a decree of Confirmation will be entered hereon.

Filed in Office  
July 24<sup>th</sup> 1855  
Geo. Fisher

Seal

Confirmed



62

22  
10



63

Decree of  
Confirmation

Peter Lapon  
vs  
The United States

In this Case on hearing the proofs and  
allegations it is adjudged by the Commis-  
sion that the claim of the said petitioner  
is valid, and it is therefore decreed that  
his application for a Confirmation thereof  
be allowed.

367 ND  
PAGE 59

The Land of which Confirma-  
tion is hereby given is called "Boquijo"  
situate in the County of Butte and  
contains five square Leagues and to  
be hereafter located according to Law  
with reference to the map and accom-  
panying the Expediente, and the depositions  
of Mr. B. Lee and John Beecher which  
are on file and constitute a part of the  
Evidence in this Case

R. Aug. Thompson

S. B. Furwell

Commissaries

Filed in office July 24. 1855  
Geo. Fishu Secy

Recorded in 3<sup>rd</sup> Vol of Decisions  
p 148

Geo. Fishu Secy



367 ND  
PAGE 60

And it appearing to the satisfaction of the Board that the land hereby applied for 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 are founded be made out and duly certified by the Secretary one of which transcripts shall be filed with the Clerk of the United States District Court for the Northern District of California and the other be transmitted to the Attorney General of the United States



Office of the Board of Commissioners,

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

367 ND  
PAGE 61

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 *Sixty four* pages, numbered from  
1 to *64*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *182*, on the Docket of the said Board,  
wherein

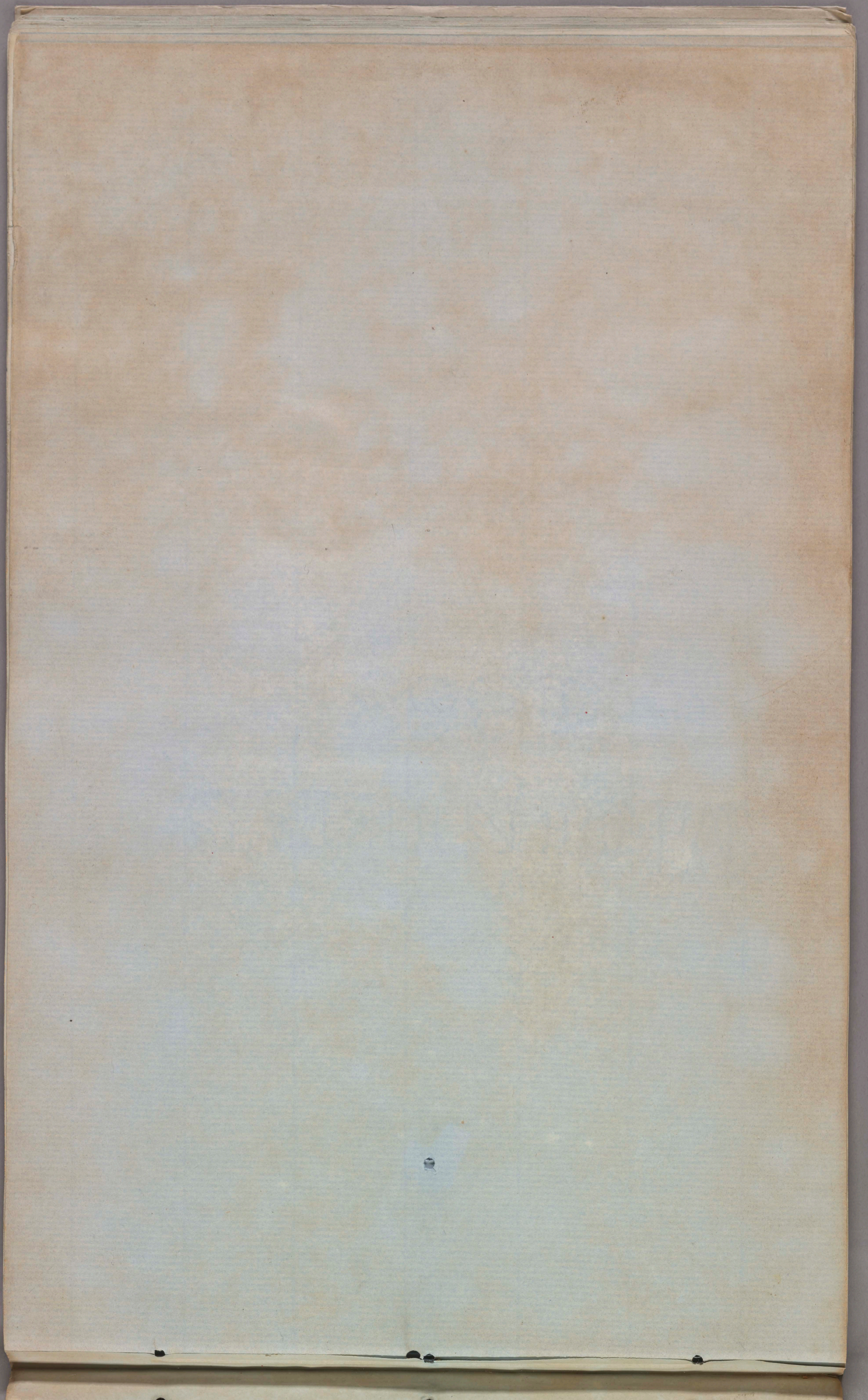
*Peter Lassen* is  
the Claimant against the United States, for the place known by  
the name of *Bosquejo*.

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

*Geo. Fisher*

*Geo. Fisher*











U. S. DISTRICT COURT,

*Williams*  
District of California.

No. 367

THE DANIEL STAPLES,

367

ND

367

OF THE  
THE  
ND. COV  
188



Office of the Attorney General of the United States,

Washington, 11 Feby. 1856.

102.) "Basquiso"

Peter Lassen Claimant

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 1st day of January, 1856, the appeal in the district court of the United States for the *Northern* district of California will be prosecuted by the United States.

*Cushing*

Attorney General.



No. 367

United States

- ad -

Peter Lassen

Appeal Notice

No. 182

Filed April 4, 1856

Cherred,  
Deputy.

367 ND

PAGE 63



District Court of the United States, in and for the  
Northern District of California

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PAGE 64

The United States  
Appellants

vs  
Peter Lassen  
Claimant & Appellee

No. 367 =

An appeal from the Board of  
U.S. Land Commissioners for California

No. 182 on the docket  
of said Board: for  
Bosquejo.

Then comes the said claimant &  
appellee into Court & for answer to the petition  
of the said appellants says,

That he admits that the said transcript &  
notice of appeal, in said petition mentioned  
were filed as therein alleged; and avers that  
the said land claimed in this cause is in the said  
Northern District of California.

And for a further answer to the said petition  
the said claimant & appellee denies that his said  
claim is invalid, as is alleged in said petition,  
and avers that his title to the land claimed in  
this cause is a good & valid one, and ought to be  
confirmed. -

Wherefore the said appellee prays that the  
decision of the said Board of Land Commissioners  
in this cause be affirmed, and the title of the said  
claimant & appellee be decreed to be valid

San Francisco  
April 2<sup>nd</sup> 1851

And he will swear May

Eward Boston  
Counsel for Claimant & Appellee



U.S. District Court —  
Northern District of California

No. 367 —

The United States

— vs —

Peter Lassen

Answer:

Filed April 30, 1856.

Cherney  
Deputy.

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PAGE 65

Edward Norton  
Counsel for Plaintiff & Appellee



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

The United States } No. 317. —  
Appellants } An appeal from the Board  
of U.S. Land Commissioners  
for California - No. 182 on  
the docket of said Board;  
vs }  
Peter Lassen }  
Claimant & Appellee }

The petition of the United States by their  
Attorney represents: that this cause is an  
application for a review of the decision of  
the Board of Commissioners whereby the  
claim of the said Appellee was confirmed  
as appears by reference to the Records in  
the case. That a transcript of the said  
Records was filed in this Court on the 24<sup>th</sup>  
day of ~~October~~ <sup>December</sup> 1855; that a notice of appeal  
was filed on the 19<sup>th</sup> day of ~~February~~ <sup>January</sup> 1856.  
~~4<sup>th</sup> day of April A.D. 1856~~  
And that the land claimed, lies in the  
said District.

That the said claim is invalid —  
Wherefore Appellants pray that the said  
decision of the Board be reversed and  
that this Court deem the said title to be invalid

San Francisco }  
April 21<sup>st</sup> 1856 }

Respectfully,  
A. Hassell, Atty. U.S. Atty.



U.S. District Court, <sup>District</sup> Northern  
of California!

The United States  
vs appellants

Peter Lassen  
appelles  
Petition

No. 367 =

Filed April 30, 1856.  
Chenoweth,  
Deputy.

367 ND  
PAGE 67

This hereby stipulated required that the foregoing Petition  
and the answer on the part of the claimant  
papers in the foregoing within suitable cases,  
files herewith, may be held in files "more pro  
tuned" on of the 21<sup>st</sup> of January.  
April 29<sup>th</sup> 1856 =

Edward Norton  
Clerk for claimant & appellees  
Arthur  
Caring U.S. District Attorney



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

The United States } Transcript  
Appellants } No. 367  
vs. }  
Peter Lafen } ~~Bosquejo~~  
Appellee } Bosquejo

Stated Term of the Court  
March 2d. 1857.

Hon. Ogden Hoffman Judge

On appeal from the final  
decision of the Board of Commissioners  
to ascertain & settle private land  
claims in the State of California

Decree

This cause came on to be heard  
at the said, stated term of the  
Court on appeal from the final  
decision of the Board of Commissioners  
to ascertain & settle the private land  
claims in the State of California  
under the act of Congress approved  
on the third day of March A.D.  
1851 upon the Transcript of the  
proceedings and decision of the  
said Board of Commissioners and  
the papers and evidence on which  
the said decision was founded;  
and it appearing to the Court  
that the said Transcript has been



duly filed according to law  
and counsel for the respective  
parties having been heard it is  
by the Court hereby Ordered, Adjudged  
and Decreed, that the said  
decision be and the same is  
hereby in all things affirmed;  
and it is likewise further Ordered  
Adjudged and Decreed that  
the claim of the said appellee,  
Peter Lopez, is a good & valid  
claim and that the said claim  
be and the same is hereby confirmed.  
The land of which confirmation  
is hereby given is called "Bosquejo"  
situate in the county of Butte, as  
formerly called but now called the  
county of Tehama, and containing  
five square leagues and to be  
hereafter located according to  
law with reference to the map  
accompanying the expediente  
and the depositions of Wm B.  
Ide and John Bidwell which  
are on file and constitute a  
part of the evidence in this case.

Order Hoffmann  
U. S. Dist. Judge



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Ready

United States Dist Court

The United States

v

Peter Lassen

Decree of Confirmation,

Filed March 2, 1857.

W. H. Chewers,

Deputy.

367 ND  
PAGE 70



At a Stated Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the Court Room, in the City of SAN FRANCISCO, on *Wednesday* the *first* day of *April* in the year of our Lord one thousand eight hundred and fifty-seven.

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PAGE 71

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

Peter Lassen

D. C. 367; L. C. 182

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



367

United States District Court, Northern  
District of California.

*The United States*

vs.

*Peter Lassen*

ORDER.

*granting appeal*

Filed *April 1st,* 1857

*John A. Monsie,*

CLERK.

By *W. H. Cheever*

DEPUTY.

367 ND

PAGE 72



**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 *29th* day of  
*July* in the year of our Lord one thousand  
eight hundred and fifty-seven.

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PAGE 73

Present :

The Honorable OGDEN HOFFMAN, District Judge.

The United States

v.

Peter Lassen.

D. C. 367. L. C. 182.

The Attorney General  
of the United States having given notice  
that appeal to the Supreme Court of the  
U. S. will not be prosecuted in this case,  
and a stipulation to that effect having  
been entered into by the District Attorney:

On motion of the U. S. Attorney  
it is Ordered Adjudged and decreed that  
the order granting appeal to the Supreme  
Court of the U. S. heretofore entered herein,  
be vacated, and that claimant have  
leave to proceed under the decree here-  
tofore rendered in his favor, as under  
Final Decree.

Ogden Hoffman  
U. S. Dist Judge



367

United States District Court, Northern  
District of California.

*The United States*

vs.

*Peter Lassen*

ORDER.

*vacating appeal*

Filed *July 29,* 1857

*John A. Monroe,*

CLERK.

By *W. D. Cheever*

DEPUTY.

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

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PAGE 75

The United States

v. }  
} D. C. 317; L. C. 182

Peter Lassen

In pursuance of  
notice received from the Attorney General  
of the United States, it is hereby stipulated  
and agreed that the order granting appeal  
to the U. S. Supreme Court heretofore entered  
herein, be vacated, and that claimant  
have leave to proceed under the decree  
of this Court, heretofore rendered in his  
favor, as under final decree.

San Francisco July 27, 1857  
P. Della Torre

v. S. atty  
Edward Norton  
att. pr Peter Lassen

John Wilson  
Atto



367

U. S. District Court

The United States

vs  
Peter Lassen.

---

Stipulation.

---

Filed July 29, 1857.

W. D. Cheever,  
Deputy.

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No 182.

Peter Lopez, Claimant

Bosquejo

J. W. Mandeville Esq  
U. S. Surveyor General  
for the State of California  
Sir,

In reply to the protest filed by Mr Mastick (representing the Nye grant) against the survey made in this case, we desire to say but a few words. And First, we suggest that the Nye grant by a recent decision of the Supreme Court has been rejected, consequently the claimants under it have not the right to protest against the survey. Second: Mastick by his protest claims, that the grant should be located and surveyed in a square form: But he suggests no reason why it should be so located and surveyed.

We presents for your consideration the Map made by W<sup>m</sup> B. Ide and which shows a tract of land of twenty five leagues in a square form and which Map we presented to the Land Commission showing the locality & boundaries of the tract we claimed: If the Decree had given us the whole quantity which we claimed of course the survey must have corresponded in form, and also in extent with the exterior lines of our claim and of the Map which we presented as showing its boundaries.

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But the decree only gives us five leagues, that is, only one fifth of the quantity which we claimed and although this lesser quantity must be located within the exterior limits of the larger tract we can see no reason why the form may not vary as well as the extent.

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PAGE 78

By the Decree the land is to be located with reference to the original Map presented by Lapeen to Governor Michel Tomena and the testimony of Ide and Bidwell.

This Map is so made that it affords no specific aid in determining either the form or the extent of the claim. The testimony of Bidwell is that Deer Creek runs through the North part of the tract and that Lapeen claimed that it "extended from about a league above Deer Creek and four leagues below". The testimony of Ide is that Lapeen "claimed one league North of the mouth of Deer Creek on the Sacramento River the remainder of his land being on the said river on the other side of the said Creek;" and when Ide made his survey the only line which he actually ran and worked extended from a point one league above the mouth of Deer Creek on the Sacramento River. Clearly if the survey did not embrace the land on Sacramento River to the extent of four leagues below the mouth of Deer Creek it would locate our land without reference to the testimony of Ide & Bidwell instead of locating it with reference to their testimony. The Decree might have provided for locating the land with reference to the Map alone, but inasmuch as it also refers to the depositions



of Ele & Ridwell, they cannot be disregarded but must be considered.

Third. He claims that the survey should begin one league north of Deer Creek instead of beginning at its mouth.

If by the terms of the Decree the survey might properly have begun one league north of Deer Creek, unfortunately for us on the north we come in conflict with Albert G.ooms who has his patent and we have been obliged to agree upon a compromise line by which we surrendered a portion of the finest land which we claimed. But Mr Mastick who represents the Nye claim has no reason to complain of this - because the south line is not varied by it. The survey does not extend south of a point four leagues below the mouth of Deer Creek, and to which point it would have extended if it had begun one league above the mouth of Deer Creek.

Still less has the United States, or any body who may wish hereafter to get title from her any reason for objection. By their Decrees Gooms and Saper were each entitled to five leagues of land, that is ten leagues in all, but by the arrangement between them and by the survey of the Saper claim, to which we do not now object they obtain in all but a little over eight leagues of land.

August 16, 1859. E. D. Sawyer,  
C. A. Cook, &

McDonnell & Shook  
of Counsel for Samuels



Brief of Claimant  
to the Bosquejo  
or  
Lassen Grant

Filed Aug 19/59

367 ND  
PAGE 80



To,

J. W. Mandeville Esq.  
U. S. Surveyor General  
for California.

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PAGE 81

The undersigned on behalf of the claimant to the Bosquejo or Lopez Grant, in answer to the protest filed on the part of "Numerous persons" by Messrs Crockett & Crittenden respectfully submit.

First: That there is no merit in the protest of Messrs Crockett & Crittenden, because it does not appear from the protest and papers annexed thereto nor from any papers connected with this Grant or elsewhere whom Messrs Crockett & Crittenden represent, or that any person or persons represented by them, if any there be, have any title to the land in question, consequently it is entitled to no consideration.

Second: We still adhere in the location of this Grant, that it commenced about one league above the mouth of Deer Creek, but Gooms had an older grant (Gooms grant was made December 20<sup>th</sup> 1844. and Lopez Dec. 22<sup>nd</sup> 1844 and delivered to him by Gen Sutter Dec. 26<sup>th</sup> 1844 as appears by the certified copies of the petition of Gooms & Lopez annexed to the protest of Messrs Crockett & Crittenden) hence the claimant under Lopez has compromised this disputed line with Gooms and this compromise line has been recognized, and we say



rightfully by the Surveyor General and the land  
conceded by Tooms deducted by the Surveyor  
General out of the five leagues belonging to the Lapsen  
Grant, hence whatever Tooms has conceded to the  
Lapsen Grant the U.S. Government has gained.

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PAGE 82

Who then can find fault with this compromise  
line? Certainly not the government of the United  
States, because she has been the gainer -  
Tooms finds no fault, nor does the claimant of  
the Lapsen Grant, and these being the only  
parties in interest there can be no objection to  
the survey of the Lapsen Grant in this particular  
third. We are obliged to correct Messrs Crockett  
Hittendens in the impression their statement  
of the evidence of Bidwell in their 4<sup>th</sup> objection  
wherein they state that ("Lapsen's house and all  
his improvements were above the mouth of Deer  
Creek") might convey. Bidwell also says that  
"He (Lapsen) had cattle ranging on both sides of  
Deer Creek". Ide in his testimony says ("When I  
"first saw the premises, the buildings, in October or  
"November 1845 - and cultivation were on both sides  
"the north side of Deer Creek) and he (Lapsen) had  
"I should think over 300 head of stock pastured  
"mostly on the South side where he had also his  
"large corrals" and he commenced ploughing on  
"the South side in the winter of 1845. or 1846 and he  
"has been cultivating on both sides since that time  
"and buildings have been erected on both sides



"and occupied by him and those under him down  
"to the present time"

Fourth As to the location of the Lapsen Grant  
we hold that by the Decree of the U. S. District Court  
after the compromise with Gooms, it could not have  
been located differently. The effect of the Decree is to  
have the Lapsen Grant "located according to the es-  
pediente and the depositions of Wm B Ide and John  
Bidwell which are on file."

The testimony of Bidwell is "Deer Creek ran through  
"the upper part of the land. In the summer of 1844-  
"I was at his (Lapsen's) house. The buildings were on the  
"North side bank of Deer Creek a mile or two from its  
"mouth. I understood from him his claim extended  
"from about one league above Deer Creek and four  
"leagues below."

The testimony and Map of Ide are to the  
same effect and if this Grant is to be located with  
reference to the testimony of these witnesses the  
Grant must extend down the Sacramento River  
four leagues below Deer Creek. If their testimony  
should be disregarded then the Decree of the U. S.  
District Court is to that extent nullified.

This cannot be done. The Surveyor General must  
take the Decree and its reference to the testimony  
for land-marks and locate the Grant according  
to instructions therein contained. This we say the  
Surveyor General has done, and take the Decree  
the expediente the testimony of Bidwell & Ide



together with the compromise line with  
the survey of the Lapeer Grant is correct  
All of which is respectfully submitted -

E. D. Sawyer

Atty for Claimant  
Mary Keane

Brief of Claimants  
to the Prospector

or

Lapeer Grant  
in reply to the pro-  
test of Rupert

Crockett & Crittenden

Filed Aug 19/59

367 ND

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At a *Stated* Term of the District Court of the  
UNITED STATES OF AMERICA, for the Northern District of  
California, held at the Court House, in the City of SAN FRANCISCO,  
on *Friday* the *28* day of  
*October* in the year of our Lord one thousand  
eight hundred and fifty-nine,

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Present:

The Honorable OGDEN HOFFMAN, District Judge.

*The United States*

vs.

*Peter Lassen*

*No. 367 : L. C. 182.*

*"Rosquejo"*

It being suggested to the Court  
that the survey of the land claimed in this case,  
made under final decree and approved by the  
U. S. Surveyor General for California is erroneous;  
on application of J. R. Wise Esq, Acting U. S. Atty  
it is ordered that said Surveyor General return  
to this Court a certified copy of the plat of said  
approved survey, and that the United States have  
ten days from and after the return thereof to  
file exceptions thereto; and it is further ordered  
that a certified copy of this order be served  
upon the said Surveyor General for his in-  
formation.



367  
District Court of the United States  
IN AND FOR THE  
Northern District of California.

The United States

vs.

Peter Lassen

Order to return survey  
and allowing Mr. S.  
10 days to file exceptions

Filed Oct. 28, 1859.

H. A. Chivers Clerk.

By

Deputy.

367 ND  
PAGE 86

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

Clerk's Office,  
of the said Court.

I hereby Certify the foregoing to be a true copy from the Minutes

By

Deputy.

Clerk.

Printed & personally by copy on J. M. Marshall  
Survey done in the city of San Francisco  
Oct 28 1859.

J. S. Johnson  
J. M. Marshall  
J. S. Marshall  
Deputy



U. S. District Court.

The United States

v.

Peter Lassen

3 No. 367: L. C. 182.  
3 "Rosquejo"

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And now come the United States by their acting attorney Jully R. Wise, and except to the survey of the land claimed herein, made under final decree and approved by the U. S. surveyor General for Cal. Aug 19, 1859; a certified copy of the plat of which said survey was filed in this Court, pursuant to its order, on Nov 5, 1859.

And the United States aver:—

- 1<sup>st</sup> That the final decree in this case directed the <sup>location</sup> survey of the land confirmed to be made with reference to the map accompanying the expediente and the depositions of Wm. B. Ide and John Bidwell, on file in the case.
- 2<sup>d</sup> That the said approved survey is erroneous in this, that it does not conform to the direction of said decree, but has been made without regard to the true intent and meaning thereof.

Wherefore the United States pray



that the said survey approved by the  
said Surveyor General on the 19<sup>th</sup> August  
1859 be set aside as erroneous, and  
that the said Surveyor General be required  
to resurvey the said land in accordance  
with the decree of confirmation.

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San Francisco, Nov 15, 1859.  
Jully R. Wise,  
acting U. S. atty.



367

U. S. District Court

The United States

v.

Peter Lapew.

Exceptions to survey  
by United States

A copy of the within  
served upon me  
this 15<sup>th</sup> day of Nov. 1889

Edward Norton

Filed Nov 15. 1889

M. A. Chever

Clerk

367 ND

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United States District-Court  
Northern District of California

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PAGE 90

In the matter of the case of  
Peter Lassen  
vs.  
The United States

To, Peter Della Torre Esq-  
District-Atty, and  
Gully R. Wise, acting  
Dist Atty-  
Gentlemen,

Please take notice  
that we shall move the District-Court  
of the United States in & for the Northern  
District of California on Friday the 25<sup>th</sup>  
day of Nov. instant, at the opening of the Court  
on that day or as soon thereafter as Counsel  
can be heard for a rule order and judgment  
confirming the survey of the property decreed  
to said claimant, which survey was made  
by Con Schmidt U.S. Deputy Surveyor

Yours<sup>tr</sup>

Edward Norton  
E. Cook & McDougal & Sharp  
Counsel for Claimant



No. 367

U. S. District Court

In the matter of the  
Case of Peter Lassen  
vs.

The United States

Notice of Motion to  
confirm Murray.

Admit service of a copy of  
within notice this 23<sup>rd</sup> day  
of November A.D. 1859 -

Jully R. Wise  
Acting U. S. Atty.

Filed Nov. 23. 1859,

W. A. Cheverus,

Clk.

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

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PAGE 92

The United States

<sup>vs</sup>  
Peter Lassen

And now comes Edward Norton  
attorney for counsel for the above named  
Peter Lassen, and suggests & makes it  
appear to this Honorable Court that said  
Peter Lassen is dead, and that before  
his death he conveyed the property  
claimed by him in this suit, to Henry  
Gerke, and <sup>now</sup> therefore the district attorney on  
behalf of the Government, and the attorney  
for said Lassen consenting <sup>in open court</sup> that it is  
judicially ordered that all for ~~the~~ <sup>the</sup>  
name of Henry Gerke be substituted  
in this proceeding in the place & stead of  
Peter Lassen & that all further proceedings  
be prosecuted & conducted in the name  
of said Henry Gerke, with the same force  
& effect as if the said Lassen was still  
living & the party defendant in said case

Edw. Hoffman  
U. S. District Judge



No. 367.

U. S. Dist. Court.

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The United States,

— as —

Peter Lassen

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Order removing  
suit in name of  
Mary Gerke, ~~et al.~~

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Filed Nov: 30, 1859,

W. A. Chivers,  
Clerk

N 367 ND

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At a Stated Term of the DISTRICT COURT OF THE  
UNITED STATES OF AMERICA, for the Northern District of  
California, held at the Court Room, in the City of SAN FRANCISCO,  
on *Saturday* the *third* day of  
*December* in the year of our Lord one thousand  
eight hundred and fifty-*nine*

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Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

v.

Henry Genke, substituted  
for Peter Lapen, deceased.

No. 367: L.C. 182.

"Bosquejo."

This cause came on to be heard upon exceptions to the survey, and was argued by counsel for the respective parties, and due deliberation had in the premises, whereupon it is now ordered, adjudged and decreed that the survey made under final decree heretofore entered herein, by the U. S. Surveyor General for California, of the land claimed in this case, the field notes of which were approved by him on the 19<sup>th</sup> day of August, 1859, and a certified copy of the plat whereof was filed in this Court, pursuant to its order, on the 5<sup>th</sup> day of November, 1859, be and the same is hereby declared to be erroneous and null in conformity with the said final decree, and the same is hereby annulled and set aside.

And it is further ordered, adjudged and decreed that the said Surveyor General cause a resurvey of the said land to be made in conformity with the true intent and meaning of said final decree, to wit: the first or western line to commence at a point on the Sacramento river one spanish league north from the mouth of Deer Creek, thence southerly down the Sacramento river to a point five spanish leagues distant in a straight line from the point of beginning; thence easterly one spanish league; thence northerly on subdivision offset lines, in a direction parallel to the course of said Sacramento river, and at a distance the average distance from said river of one spanish league, five spanish leagues; thence westerly, by a line parallel with the southern line, to the place of beginning, so as to include



UNITED STATES DISTRICT COURT,  
Northern District of California.

The United States

vs.

Henry Geoke, substituted  
for Peter Lassen

Order setting aside survey  
and directing resurvey

Filed December 3, 1859,  
W. G. Cheverest,

CLERK.

By

DEPUTY.

Towne & Bacon, Printers, 125 Clay Street, corner Sansome.

within the lines of such survey, the quantity of  
five square leagues of land and no more; it being  
the true intent and meaning of said final decree  
to conform to the claimant five square leagues of  
land, to be located in a rectangular form on the  
Sacramento river, with the eastern line to correspond  
in its course, as near as may be, with the present  
direction of said river.

And it is further ordered that a certified  
copy of this order be served upon the said Henry  
Geoke for his information and guidance.

John W. Stephens  
Rich. George



At a Stated Term of the District Court  
of the United States for the Northern  
District of California, held at the  
Court Room in the City of San Fran-  
-cisco on Tuesday the fifth day of  
February, in the year of our Lord one  
thousand eight hundred and sixty  
one:

Present:

Hon. Ogden Hoffman, District Judge.

The United States

v.

Henry Gerke

32 No. 317 "Rosquejo's"  
Final Decree.

It appearing to the  
Court that the land claimed in this case  
was confirmed to Peter Lassen by decree  
filed on March 2, 1857; that an order  
granting an appeal in behalf of the  
United States was entered on April 1<sup>st</sup> 1857;  
that in pursuance of a stipulation en-  
tered into by and between the U. S. District  
Attorney and the attorney for claimant  
an order was entered on July 29<sup>th</sup> 1857  
vacating said order of April 1<sup>st</sup> 1857, and  
allowing said claimant to proceed under  
said decree of March 2, 1857, as under  
final decree; that an order was entered



on October 28, 1859, directing the Surveyor General of the United States for the State of California to return to the Court a certified copy of the plat of the official survey of the land confirmed to the said Peter Lassen, which said order was granted on application of the U. S. District Attorney; that in pursuance of said order of October 28, 1859, the said Surveyor General of the United States duly filed, on Nov 5, 1859, a certified copy of the plat of his said official survey; that on November 15, 1859, the U. S. District Attorney filed his exceptions to said survey in behalf of the United States; that on November 30, 1859, an order was entered substituting Henry Gerke, the successor in interest of said Peter Lassen, in the place of said Peter Lassen; that on December 3, 1859, an order was entered setting aside the said official survey of the Surveyor General of the United States, and directing a new survey to be made of the land confirmed in accordance with the terms of said order; and that in pursuance <sup>of</sup> ~~to~~ said last mentioned order of December 3, 1859, the said Surveyor General of the United States for the State of California caused a new survey to be made, and



on the 24<sup>th</sup> day of January, 1861, returned to this Court a certified copy of the original plat thereof, which was duly filed by the clerk:

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Now Therefore, this cause having regularly come to a hearing, counsel for the respective parties having been heard, and due deliberation had in the premises, It is Ordered, adjudged and decreed, that the land heretofore confirmed to Peter Lassen, known as "Posgrejs", lying and being in the Counties of <sup>of</sup> Tehama, <sup>and Butte,</sup> Northern District of California, and containing within its exterior boundaries the area of twenty two thousand two hundred and six  $\frac{22}{100}$  ( $22,206\frac{22}{100}$ ) acres, be and the same hereby is finally confirmed to the said Henry Gerke.

And it is further Ordered, adjudged and decreed, that the land hereby finally confirmed to the said Henry Gerke is the same land surveyed by A. W. Von Schmidt, Deputy U. S. Surveyor, under instructions from the Surveyor General of the United States for the State of California, the field notes whereof were approved by said Surveyor General on the 21<sup>st</sup> day of January A. D. 1861, and a certified copy of the original plat whereof was returned by him



to this Court and filed by the Clerk on the 24<sup>th</sup> day of January, 1861; which said survey is hereby approved, confirmed and adopted by this Court as the official survey of the land hereby finally confirmed to the said Henry Gerke.

And it is further ordered, that the said certified copy of the original plat of said official survey, filed in this Court as aforesaid on the 24<sup>th</sup> day of January A.D. 1861, be attached hereto for a more particular and exact description of the exterior boundaries of the land surveyed as aforesaid and hereinbefore finally confirmed to the said Henry Gerke.

Cydon Hoffman  
H. L. Dick Judge



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U. S. District Court

The United States

v

Henry Gerke

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"Bosquejo"

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Final Decree.

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Final Febry 5, 1861,

M. D. Chaves  
Clerk.

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

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The United States

v. Henry Yerkes. } No. 367  
"Boagnejo."

San Francisco, Feb 1, 1861.

To Salmon Benham Esq;  
U. S. Attorney,

Sir.

You are hereby notified  
that on Tuesday next, the 5<sup>th</sup> day of February  
instant, at 11 o'clock, A. M. I will move  
the Court to finally confirm and approve  
the official survey of the land finally  
confirmed herein, made in pursuance of  
the order of said Court entered December  
3, 1859; a certified copy of the plat of  
which said survey was filed in the  
Clerk's office of said Court on the 24<sup>th</sup>  
day of January, 1861.

Yours &c.

Wm. P. Williams  
Atty for Claimant.



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U. S. District Court

The United States

v.

Henry Gerke  
Petitioner  
vs.  
Peter Lassen

Notice of motion  
to confirm survey

Recd copy within this  
14th day of February, 1861.

Nathan Denham  
U. S. atty:

Filed February 5, 1861,  
N. D. Cheved,  
367 ND Clerk

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Geo J Williams  
atly for claimant



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

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The United States

Henry Gerke. } No. 367.  
"Bosquejo"

San Francisco, Feb 1, 1861.

Josiah Benham Esq,  
U. S. Attorney,  
Sir:

You are hereby notified that on Tuesday next, the 5<sup>th</sup> day of February instant, at 11 O'Clock, A. M. I will move the Court to finally confirm and approve the official survey of the land finally confirmed herein, made in pursuance of the order of said Court entered Dec 3, 1859; a certified copy of the plat of <sup>which</sup> said survey was filed in the clerk's office of said Court on the 24<sup>th</sup> day of January 1861.

Yours &c.

Wm B Williams  
atty for Claimant.



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N. V. Dist Court

The United States

Henry Enke

Notice to confirm  
survey.

J. C. Penham Esq.,  
n. f. atty.

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Jos B Williams  
att. for Enke



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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, Dec 10<sup>th</sup> 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. 182 on the Docket of the said Board, wherein

Peter Lassen is

the Claimant against the United States, for the place known by the name of "Bosquejo"

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

G. W. Fisher

