

CASE NO.

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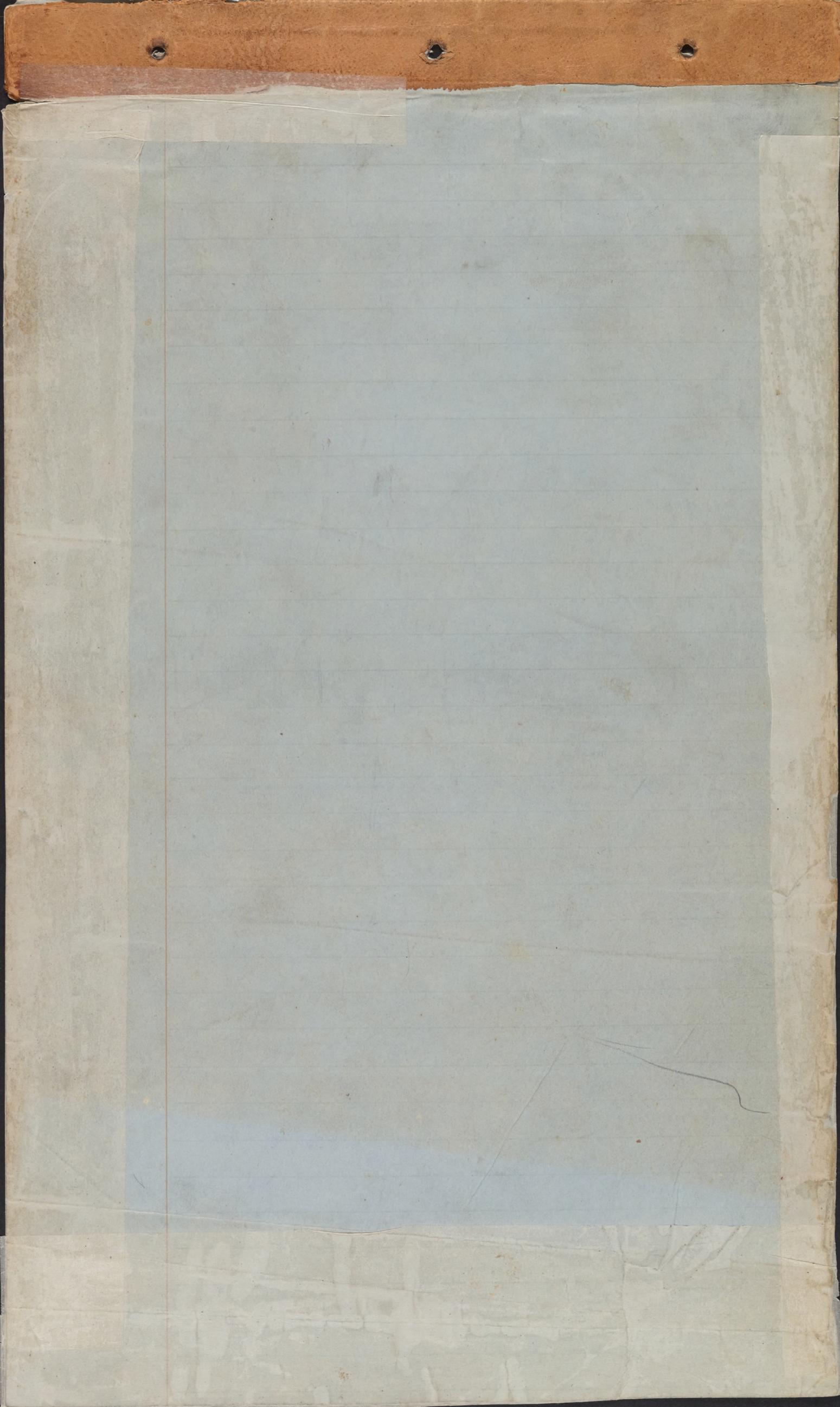
NORTHERN DISTRICT

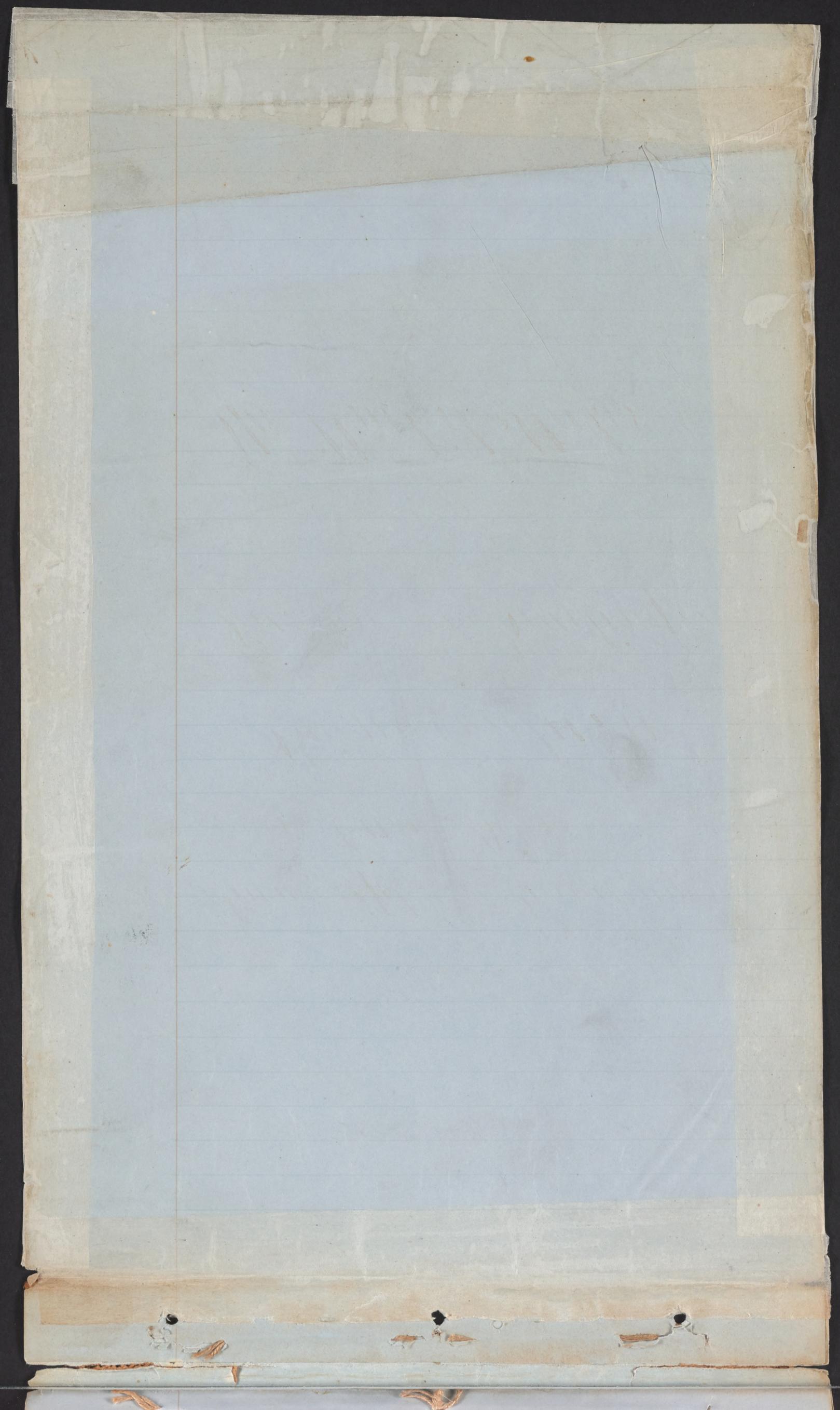
BUENAVENTURA GRANT

PEARSON B. READING

CLAIMANT

ALSO AVAILABLE ON MICROFILM





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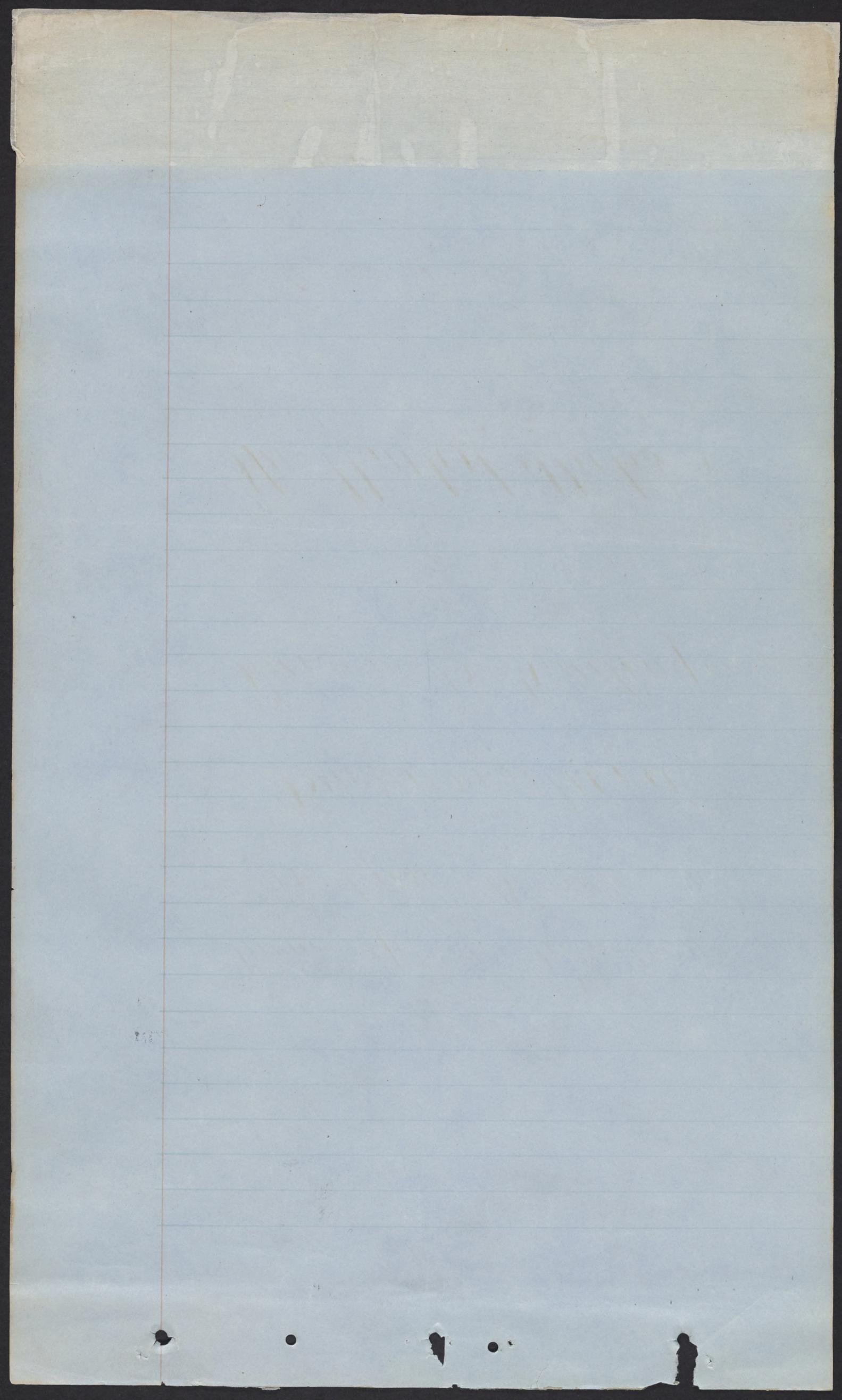
Transcript of the Proceedings
in Case No 28

"Buena Ventura"

Parson B Reading Claimant

vs

The United States Dep't



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Office of the Board of Commissioners
to ascertain and settle private Land
Claims of the State of California

Be it remembered that on this ninth
day of February, Anno Domini One Thousand
Eight Hundred and Fifty Two, before the Com-
missioners 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 Amer-
ica, the following proceedings were had, to wit:

The petition of Pearson B. Reading,
for the Rancho of Buenaventura was
presented and ordered to be filed and
docketed No: 28 and is as follows, to wit:

No: 28. Pearson B. Reading - Claimant

vs
The United States - Defendant

To The Honorable the Board of Commissioners
for settling private Land Claims in California -

The petition of Pearson B. Reading

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respectfully submit to your Hon. Board the accompanying grant and translation of the tract of Land known by the name of Buenaventura, which grant was made to your petitioner by Gov. Micheltoune, on the 4th December 1844, by virtue of the Colonization Law of Mexico, of the 18th Aug. 1824, and the instructions under said Law, dated Nov. 21st 1828. The quantity of land contained in said "^(grant)land" is six leagues (de ganado mayor) its locality is on the River Sacramento, between the "Creek called Lodo & the Island called Langro" and there is no conflicting claim.

The evidence upon which your petitioner relies is the testimony of witnesses who will be produced before your Hon. Board. Respectfully submitted for such action as the nature of the case may require.

(Signed) Crosby & Wood
for Petitioner

Filed Feb'y 9th 1852

(Signed) Geo. Fisher Secy

Upon which petition the following subsequent proceedings were had in their chronological order, to wit—

Saturday March 27th 1852

In case No. 28, Pearson B. Reading, the deposition of John Bidwell, a witness in behalf of the claimant taken before Commissioner Harry J. Thornton was filed and is in the words and figures as follows, to wit, (Vide page 43, of this Transcript.—

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In the same case the deposition of James J. Hensley a witness in behalf of the claimant taken before Commissioner Harry J. Thornton, was filed and is in the words and figures as follows, to wit - (Vide page 50, of this Transcript)

Monday March 29th 1852

In case No 28. Pearson B. Reading, the deposition of Henry L. Ford, a witness in behalf of the claimant, taken before Commissioner Harry J. Thornton, was filed and is in the words and figures as follows, To Wit (Vide page 53, of this Transcript) -

Friday April 9th 1852

In case No. 28. Pearson B. Reading the deposition of David Spence, a witness in behalf of the claimant, taken before Commissioner Hiland Hall, was filed, and is in the words and figures as follows - To Wit - (Vide page 56 of this Transcript) -

Thursday April 22d 1852 -

The following cases set for hearing for to day, were continued to Thursday the 29th inst: to wit -

- No 28 Pearson B. Reading "Buena Ventura"
 - " 30. Cruz Cervantes "San Joaquin alias Rosa Morada"
- In case No 28 Pearson B Reading,

on motion of the counsel for the Claimant
the following order of survey was granted, To Wit,

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No 28 Pearson B Reading "Buena Ventura".
In the purpose of determining with precision
and certainty the limits and boundaries of the
Land claimed by Pearson B. Reading in
his petition No 28, pending before the Commis-
sioners, it is on motion of C. O. Crosby of counsel
for the Claimant, ordered, that an initiatory
survey under the superintendence of the Uni-
ted States Surveyor General of California
be made of the Lands known by the name
of "Buena Ventura" to the extent of six sitios de
ganada mayor, within the limits of the
River Sacramento, the creek called Lodo
or Salt creek, and a point on the west
bank of the Sacramento river, opposite
Bloody Island, running thence westerly
along the South Bluff of Cotton Wood creek,
and vacant and sterile lands - locating
the said quantity of six sitios according
to the claim of said Reading, and having
reference to the sketch or plan annexed to
his petition, but in such manner as to confine
such location within the said limits, and
to include in the survey to be made, the
said quantity of six sitios -

But this order is not in any manner to
determine as against the United States
either the question of Title, the construction
of the grant the location, boundaries, or
extent of the land, to which the Claimant
may be entitled -

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Saturday May 1st 1852
Case No 28. Pearson B. Reading, set
for hearing for Thursday May 6th -

Thursday May 6th, 1852
Case No 28. Pearson B. Reading
Buena Ventura, called and on motion of the
counsel for the claimant, with the consent
of the U. S. Law Agent, continued to Thursday
13th Inst. -

Tuesday May 11th 1852
In case No 28. Pearson B. Reading
the deposition of John A. Sutter, a witness in
behalf of the claimant, taken before Com-
missioner James Wilton was filed and
is in the words and figures, as follows,
To Wit - (Vide page 58 of this Transcript)

Friday May 14th 1852
In case No 28. Pearson B. Reading
the deposition of David Spence, a witness
in behalf of the claimant, taken before
Commissioner Harry J. Thornton, was
filed and is in the words and figures as
follows. To Wit - (Vide page 65 of this
Transcript -

Tuesday May 18th 1852
Case No 28. Pearson B. Reading,
set for hearing on Tuesday 25th Inst.

Tuesday May 25th 1852
The following cases were called
and continued to wit. No 28. Pearson B. Read-
ing

ing - No. 56 Gray Servants -

Tuesday June 1st 1852 -

The following cases were set, in their order for hearing to wit - No 28. Pearson B. Reading & Co -

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Thursday June 17th 1852

Case No. 28 Pearson B. Reading
"Buena Ventura" called and continued -

Tuesday June 22nd 1852

Case No. 28. Pearson B. Reading
"Buena Ventura" called, argument opened by Mr R. Ford, counsel for the Claimant, answered by the U.S. Law Agent and continued until tomorrow, 12 O'clock M. -

Wednesday June 23rd 1852

Case No 28 Pearson B. Reading
Buena Ventura, called, argument by the U.S. Law Agent resumed and concluded and the case taken under advisement by the Board -

In the same case the following agreement was entered into by and between the parties litigant, by their respective counsels, to wit -

J. B. Reading

vs
In the matter of the claim
U. States of Pearson B. Reading vs
U. States, it is agreed by and between the
counsel in this case & the Law Agent, that
the Law of Colonization of the Government

of Mexico, of the 18th of Aug. 1824 & the instructions made pursuant to said Law of 21st Nov. 1828 - The letter of Instructions by the Supreme Government of Mexico to Gov. Michelena of 11th Feb. 1842 & all other Laws Regulations orders & instructions applicable to the case be considered as evidence in this case

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Strosby & Row
(Signed) Geo. W. Cooley
San Francisco } U.S. Law Agent
June 23, 1852

Filed June 23, 1852
(Signed) Geo. Fisher Secy.

Wednesday June 30th 1852
In Case No 28. Pearson B. Reading for the place called "Buena Ventura", the counsel for the Claimant, submitted an authenticated copy of the original Spanish Expediente on file in the Office of the U.S. Surveyor General for California, which copy marked Exhibit B. and the translation thereof marked C. were filed with the petition in this case on the 9th of February 1852, as evidence in behalf of the Claimant, and are as follows, to wit - (vide page 33 of this Transcript -)

Wednesday July 21st 1852
In case No 28. Pearson B. Reading "Buena Ventura" the U.S. Law agent filed an agreement between the parties litigant, relative to the admission of evidence, which is in the words

following to wit -

Claim of P. B. Reading } Before the U. S. Land
16 six square leagues of } Commission for ascertaining
land on the Sacramento } & settling private land claims
River - } in California

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It is hereby agreed be-
tween the above named Claimant and
The United States, that all Laws, Reg-
ulations, orders and Decrees, appli-
cable to the questions arising in said
Claim, are to be considered as in evi-
dence, and taken as proved in the
investigation and adjudication of
said Claim by the Board, and by the
Courts, in all its subsequent stages
up to a final decision, including par-
ticularly the Law of the Mexican Con-
gress of August 18. 1824, and the Regu-
lations under said Law of the 21st No-
vember 1828 - relating to Colonization -

Geo W. Cooley

(signed) } U. S. Law Agent -
} H. Crosby & R. Rose

San Francisco }
July 19th 1852 }

} Atty for Claimant -

Monday August 9th 1852

In case No 28. Parson B. Reading,
for the place called "Buena Ventura" Com-
missioner Hiland Hall delivered the
opinion of the Board, declaring the
Claim valid - The entering of the Decree of final
confirmation being reserved for a future day -

Tuesday Dec^r 14. 1852

In case No 28 Pearson B Reading, for the place named "Buena Ventura" a communication was received from the U.S. Surveyor General for California transmitting a copy of the Map and Field notes of Survey, of the said Rancho of Buena Ventura and is as follows to wit - (vide page 73 of this Transcript)

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Saturday Dec^r 18th 1852

Case No 28. Pearson B. Reading, for the place named "Buena Ventura" Commissioner Harry J. Thornton, delivered his opinion in this case -

In the same case, Commissioner Hiland Hall, delivered the decree of final confirmation of this Board -

Ordered, that the opinions of this Board delivered by Commissioner Hiland Hall on the 9th of August 1852, the opinion of Commissioner Harry J. Thornton delivered this day, and the decree of Final Confirmation of this Board, also delivered this day, in this case, be recorded on the Journal

Which opinions & Decree are in the words and figures as follows, to wit -

Pearson B Reading petitioner

Opinion de-
livered by Com-
missioner
Helena Hall
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the Board of Commissioners, for a con-
firmation to him of six leagues of Land,
to which he claims title under an alleged
grant from the government of Mexico.

Testimony having been taken in sup-
port of the Claim, and the case having
been argued by counsel for the petitioner
as well as by the Law Agent in behalf
of the United States, it has become our
duty to pass upon it.

It appears from the
documentary evidence produced
in the case, the authenticity and genui-
ness of which is shown by hard proof,
and by the public Archives in the
Surveyor General's Office, that the
Claimant presented a petition, to
Manuel Micheltona, Governor of the
department of the California, for a
grant of a tract of Land, known by the
name of Buena Ventura, situated on
the Sacramento River; that the pe-
tition was accompanied by a rough
design, or plat of the land asked for,
and also by a written statement of Capt.
John A. Sutter, at that time having
civil and Military jurisdiction of
the District in which the land was
situated, declaring it to be vacant and
unoccupied, and to be the farthest
towards the frontier of any land, that
had been petitioned for. It further
appears by such documentary evi-
dence, that the said petition was

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on the 1st day of December 1844, referred by the Governor to the Secretary of the Department, who, on the same day, reported that the Petitioner was an honest man, and that the land was vacant and might be granted him; that on the 4th of December 1844, the Governor made a brief decree, under his hand that the title might issue, and that such title or grant, bearing the same date was duly issued to the Claimant, signed by the Governor and countersigned by the Secretary -

This Title or grant purports to pass the Land to the grantee, in full propriety, subject to the approval of the Departmental Assembly and to certain conditions, as they are termed in the grant, which are similar to those found in other California title papers of that period: The only conditions, which it is material to mention, are those which relate to the building of a house within a year, and causing it to be inhabited and to the procurement of judicial profession; there being no evidence or suggestion, that any other of the conditions has been violated -

In regard to the first of these conditions, the proof is that the Claimant, in August 1845, went on the Land and left a Frenchman there to build a house

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a house and keep possession; that in the fall of the same year he put a stock of Horses and Cattle on the Land, and that the Frenchman continued living in the house, and in charge of the stock for some time, but was driven off before the next Spring, by the Indians who had become hostile and that the house was burnt by them.

The unsettled state of the Country growing out of the hostility of the Indians, and the subjugation of California by the United States, prevented the further occupation of the Land, until the month of June 1847, when the Claimant resumed the possession, built a house and put on Horses and Cattle, and has resided on the Land ever since, cultivating it, and raising stock -

Judicial possession of the Land does not appear to have been given: the proof, however is, that such Judicial possession was solicited by the Claimant ^{Capt.} John A. Sutter, in the Spring of 1845 - That Capt. Sutter was at that time and ever after, while the Mexican Government was acknowledged in California, the only officer within the District, in which the Land was situated, who was authorized to give such possession, and that he neglected to give it, in consequence of the distance of the Land (about 150 miles) from his residence and his constant public duties

growing principally out of the unsettled political affairs in the Territory -

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There is no evidence that the grant has been approved by the Departmental Assembly -

The Land is not within the ten leagues or twenty border leagues mentioned in the Mexican Colonization Law of 1824 -

There is no doubt that the granting office was possessed of all the authority to make the grant, which had been conferred on any of the Governors of California and its genuineness is unquestioned. The objections made to its confirmation by the Law Agent, ~~arise~~ arise out of the alleged want of performance by the Claimant of the conditions inserted in the grant, and its want of approval by the Departmental Assembly -

In regard to the condition, which requires the building of a house within a year, we think the proof shows it has been complied with. A House was built within the required time, and it was inhabited until the Claimant's agent was driven away by the hostility of the Indians, and the house destroyed by them. Another house was erected as soon as the state of the Country, became sufficiently settled to render it safe to occupy the land, and it has been

occupied ever since - We do not find any just obstacle in the way of the confirmation of the claim, growing out of this objection -

The words of the grant, in relation to the judicial possession are these -

"The land which has been granted is of the extent of which mention is made. The Judge who shall give the possession shall cause it to be measured according to Ordinance and the overplus which may result, shall remain to the Nation for its convenient uses"

There is nothing in this language which properly entitles it to the name of a condition.

It requires nothing to be done by its Grantee but is only instructive and directory to the Officer who may perform the service of giving such possession - It would be a perversion of language to hold that this simple direction to the Officer in regard to the mode of performing a duty, in which the Grantee is not alluded to, should be construed into an absolute requirement of him, for the non performance of which, his grant should become forfeited.

Forfeitures are not favoured either by the civil Law or in Equity, and there does not appear to be any thing in the terms of this grant, which should inflict so extreme a penalty on the Grantee, for the mere failure of the Officer to give such possession - Indeed from the testimony it would seem that the Grantee had

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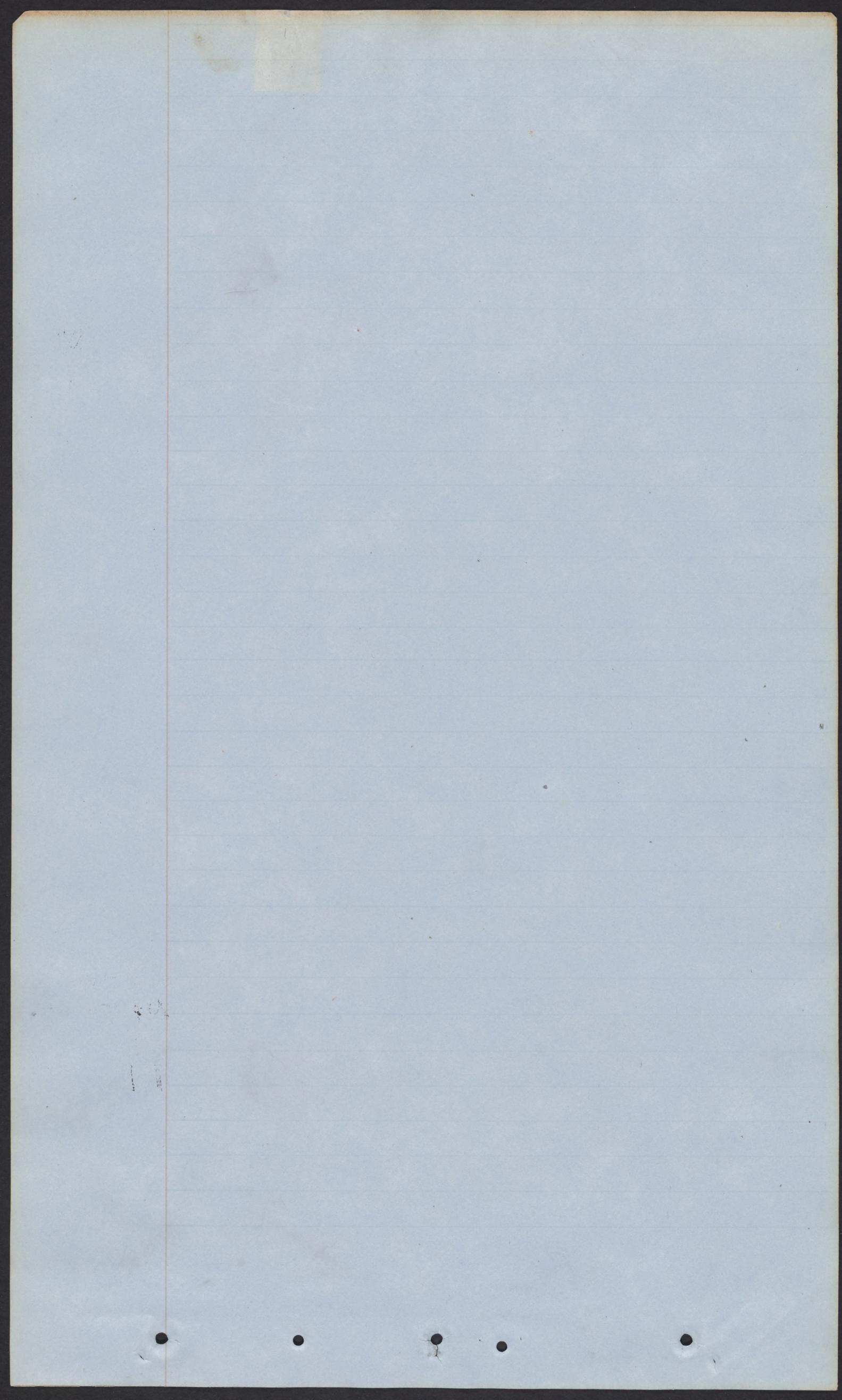
done all that could be done on his part to obtain such possession. A few months after the grant, he sought to obtain such possession, from the only officer having authority to give it, within the District, in which the land was situated, who, for reasons beyond the control of the Claimant, neglected to give it; during the continuance of the Mexican Authority in the Territory -

It is difficult to conceive what more could be required of the Grantee, upon the most rigid construction against him of the language of the Grant -

No Spanish or Mexican Law or Authority has been produced, to show that grants have ever been held forfeited, to the Government by the failure of the party to obtain judicial possession, when possession of the Land in fact had been taken, and it is presumed that none can be found -

Such delivery of possession accompanied by the measurement of the Land, and the placing of land-marks, was at most but a substitute for a survey by which the Land was to be separated and distinguished from the lands of others and of the government.

This survey has been held by the Supreme Court of the United States not to be essential to the validity of Spanish Titles, which Titles have been confirmed by that Court, under surveys ordered by the Court when they had been neglected under the former Government. United States vs Amador 13 Peters 133 - United States vs Goy 13 Peters 133, United States vs Forbes 15 Peters 173 -



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What might be the effect of a judicial possession actually given, upon the location, extent and boundaries of Land described in a grant made by the Spanish or Mexican Government, when such possession should be found to vary from the description contained in the grant or when such description was vague and indefinite, are questions, which do not arise in the present case, and upon which no opinion is intended to be expressed - We do not think the want of such possession in this case furnishes any valid objection to the confirmation of the claim - The remaining objection to the claim is founded upon the want of approval of the grant by the Departmental Assembly -

By the regulations of the Executive Government of Mexico, of Nov. 21. 1828 made for carrying into effect, within the Territories of the Republic, the Colonization Law of the Mexican Congress of August 18th 1824, and under which all Titles were subsequently issued in California, the Governors of the Territories were authorized to make grants of Land. but it was provided by section 5. of the regulations, that the grants of the Governor should not be definitively valid, without the previous consent of the Territorial Deputation.

In the present case, although the claimant had received a formal Title

paper from the granting officer, and under it had taken possession of the Land, previously to the occupation of the Territory by the Troops of the United States, and was in the quiet enjoyment of it, at the time of the treaty of cession by Mexico; yet, as something more remained to be done to perfect his title, viz, the approval of the grant by the Departmental Assembly - his title must be held to be an incomplete and imperfect one

It does not however, follow, because the Claimant's title was ~~was~~ imperfect ~~and~~, that we must necessarily decline to confirm it - The authority of this Commission, by the 8th section of the Act under which it was constituted, extend to all claims to lands in California "made by virtue of any right or title derived from the Spanish or Mexican Governments", and consequently embraces incomplete rights and titles as well as those which had been fully consummated - Indeed the leading object of constituting this Commission so far as the interest of Claimants was concerned, was, as I conceive, to act upon titles of an incomplete and imperfect character - Land, to which a party at the time of transfer of the Territory of California to the United States had a full and perfect title under the Mexican Government, would to

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all intents and purposes be private property, and would in obedience to the Law of Nations and the stipulations of the treaty, be protected by the ordinary Judicial tribunals, without any previous special confirmation of title. But if, notwithstanding, some steps had been taken by the Mexican Authorities towards the appropriation of the Land to the ownership of an individual, there still remained in the Government any interest in the Land, such interest would pass to the United States, by the transfer and treaty, and in order to render the right and title of the individual available a relinquishment of such interest of the United States would be required.

This relinquishment on the part of the United States, this Commission is authorized to make; and in determining upon the justice and propriety of making it, the Commissioners are directed in the 11th Section of the Act under which they are constituted, to "be governed by the Treaty Guadalupe Hidalgo the Law of Nations the Laws, Usages and Customs of the government from which the Claim is derived, the principles of equity and the decisions of the Supreme Court of the United States, so far as they are applicable"

The question is, whether, according to the principles thus laid down, this claim is entitled to confirmation - By the treaty with Mexico thus referred to the Inhabitants of the ceded territory were, among other things, to be protected in the free enjoyment of their property.

The term property used in the same manner in the treaty by which Louisiana was acquired by the United States, has been repeatedly and uniformly held by the Supreme Court of the United States, to comprehend lands held by every species of title, whether inchoate or complete, embracing those rights which lie in contract, and are executory as well as those which are executed. *Saulard v's United States*, 4th Peters 50. *Selasus v's United States* 9th Pet. 117. *Smith v's United States* 10th Pet. 326. 11 How. 63.

In conformity with this construction of the word property, in the Louisiana, and also in the Florida treaty, numerous Boards of Commissioners have been constituted to report, and act upon inchoate and imperfect titles, issued by the Spanish authorities.

The Act of Congress of May 26, 1824 which gave appellate jurisdiction to the Supreme Court of the United States, and under which the decisions

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which are made one of our principles of action upon the titles in California limits and confines the authority of that Court, to titles, which are imperfect. Such incomplete titles have, uniformly, been confirmed by Boards of Commissioners, by Congress and by the Supreme Court, whenever the principles of justice and Equity seemed to demand it. The broad principles which are laid down for our government, appear to require us to do the same, in regard to incomplete titles, protected by the treaty with Mexico.

The imperfect titles arising under former Treaties, were of different Characters in different Sections of the ceded Territory, and it would be tedious to describe them in detail - As an example it may be mentioned that nearly all the very numerous claims to land in upper Louisiana, rested on concessions made by the Lieutenant-Governor of that province, who, in the concessions themselves, admitted and declared, that he had no authority to grant the lands, and that the concession was given in order to enable the interested party, after making a survey, to solicit the title in due form. The

Intendant-General, "to whom" (it was usually stated in the Concessions) "alone belonged by royal order, the granting and distributing all classes of land belonging to the royal domain."

Notwithstanding these express declarations of the want of authority in the Lieutenant-Governor to make grants, the Commissioners to examine these titles, under the Act of July 9th 1832 "for the final adjustment of private land claims in Mexico," adopted a resolution as a principle for their Government in acting upon them, "that what are called incomplete grants, by the custom and practice of the country, were recognized as property, capable of passing by descent, transferable from one to another, and were liable to be sold for debts"; and holding such concessions to be protected by the treaty, proceeded to confirm them, whenever they appeared to be genuine, and were not otherwise objectionable (Report of Com. S. Green's Land Documents) This action of the Commissioners was approved by Congress, and similar principles have since been acted upon by the Supreme Court, under the act of May 1824 above referred to.

By an examination of the

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Mexican Archives, now in the Surveyor General's office and of authenticated copies on file, in the Office of the Secretary of this Board, it is found that, at the time of the conquest of California by the United States, a very large portion of the land in the occupation of its Inhabitants was held by titles wanting the approval of the Territorial or Departmental Assembly. For several years previous to this time, the political affairs of the Territory had been in some confusion; the Deputation had seldom been called together, and when assembled, its sessions had been either very brief or occupied with the consideration of pressing matters of a public character. It was the duty of the Governor by the regulations of 1828, to present the grants to that body for ^{their} approval, but under these circumstances such duty had been greatly neglected, and consequently many grants remained unacted upon. The Assembly had rarely disapproved a grant, that had been made by the Governor, and there seems no reason to doubt, that the great mass of the titles which remained unapproved, would have readily obtained the approbation of the Assembly, if they had been presented to that body, at the time, when the attention of its members

could have been directed to their con-
sideration.

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By the custom and practice of the country, as shown by the acts of the Governors, the Territorial and Departmental Assemblies, and judicial tribunals, the evidence of which is found in the public Archives and authenticated copies before mentioned, and of which I think we may and ought, for general purposes to take judicial notice, it is fully shown that incomplete titles of the character of that under which the present claim is made were like those in Upper Louisiana, treated and considered as property. They were devised by will and inherited, distributed among heirs and devisees by the proper Tribunals, transferred by instruments of conveyance, and sold under insolvent laws for the payment of debts.

Under these circumstances it seems difficult to resist the conclusion, that the title of the claimant in this case, though imperfect was such an one as was intended, under the denomination of property, to be protected by the treaty, and one which it would be the duty of this board to confirm.

There is another consideration which appears to me entitled to some weight in the application of the principles of Equity to Mexican Land titles in this State.

The Government of the United States first acquired possession of the Territory of

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California, by conquest, and under circumstances imposing a strong obligation on its Government to protect and maintain its people in all their just rights and particularly in regard to their rights and titles to Land - In the year 1845, in an anticipation of a war with Mexico, a naval force was ordered to the Pacific, with secret instructions to its commander, Commodore Shoat, that in case he should receive information of the existence of such war, he should immediately take and hold possession of California; and in the performance of this duty, very general and extensive powers were conferred on him. On the 7th day of July 1846, the Commodore having obtained information of the commencement of hostilities, between the two countries, landed a body of Seaman and marines at Monterey, the capital of the territory, took formal possession of the place, and declared that he should hoist the flag of his country, immediately in Monterey, and should carry it throughout California - It invited the inhabitants of the Territory to submit without resistance to the authority of the United States, and promised them protection in their persons, property and religion and also high political privileges under the new government that was about to be extended over them - Among the engagements thus made by this proclamation, was one in relation to land titles, in the following.

words - "All persons holding titles to real estate, or in quiet possession of lands under color of right, shall have those titles guaranteed to them"

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On the arrival of the forces of the United States at the Custom House in Monterey, the proclamation was read to the assembled inhabitants and then posted up in different parts of the Town, both in Spanish and English, and distributed through the Territory -

There can be no doubt, that Commao and Sloat was fully authorized to make the engagements to the people of California which were contained in his proclamation, and that a most solemn obligation was thereby imposed upon the government of the United States to perform them in the sense and in the spirit in which they were made and understood -

It is impossible to say precisely what influenced these promises and engagements in behalf of the United States (which were afterwards substantially repeated in several other proclamations) had in enabling the forces of the United States to complete and maintain the conquest of this Territory. The principal part of the property of the inhabitants of the Territory consisted of Lands and the Stock for which the Lands furnished sustenance, and it cannot be doubted that a solemn engagement to maintain

the inhabitants in their titles, whether they were of a perfect character, or were held under a color of right, would be strongly calculated to lessen the motives of resistance and to render the conquest of the country more easy and expeditious.

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It may be that those who resisted with the greatest energy and perseverance, finally slackened their efforts and surrendered to the invaders relying on the faith of this solemn engagement.

It cannot be doubted that many remained neutral in consequence of it. And who can say that that active and efficient body of Volunteers, composed of inhabitants of California, whose services most essentially contributed to the first and final conquest of the country, and without whose aid the efforts to conquer it, might have been wholly unsuccessful, could have been induced to enter into, and continue in the service of the United States, but for this solemnly pledged faith of the Government to protect and maintain them in the enjoyment of their property.

It appears from the evidence in the case, that the Claimant Pearson B Reading was an Officer in the before-mentioned body of California Volunteers, from its first organization in the month of June 1846, and that he continued to serve in the Battalion, until it was disbanded in the month of May

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of May 1847 - when he returned to re-occupy his Land, which occupation for the reasons before stated, had been temporarily relinquished -

If the Claimant in this case had applied to Congress for a confirmation of his title, on the ground that the faith of the Nation had been pledged to protect and maintain it, and in consequence of which pledged faith he had risked all his property in the Territory and perilled his life in the service of the Government, I do not perceive how the claim could be justly resisted - I am by no means clear that it is not a matter proper to be considered by this Board of Commissioners in applying the principles of equity to the determination of the validity of the claim - It would certainly be a strange sort of equity that should allow us to disregard the plain demands of justice, and sanction a palpable violation of the faith of the nation.

On the whole we are of opinion that in accordance "with the treaty of Guadalupe Hidalgo, the Law of nations, the Laws, usages and Customs of the Government from which the claim is derived, the Principles of Equity and the decisions of the Supreme Court of the United States" the claim of Pearson B Reading ought to be confirmed.

The entry of a final decree

will be reserved to a future day -

(Signed) Hiland Hall Comm'r

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Opinion delivered by Commissioner Harry J. Thornton

I concur fully in the result announced in the Opinion read by Commissioner Hall "that this claim ought to be confirmed"

The reasons which have brought my mind to this result, are not altogether consonant with those expressed in the Opinion above delivered - The considerations on which my determination is founded, have been already fully set forth by me, in the opinion on file in the case of Cruz Cervantes, No 56 of the Docket of this Board.

(Signed) Harry J. Thornton Comm'r

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Decree of final Confirmation

This Board on full consideration, for the reasons in the Opinion above in this case filed on the various grounds affecting the validity of the said claim, having come to the conclusion that the said claim is valid, therefore now proceeds to make and does hereby make the following decree or report of Confirmation, viz: it is decreed that the said claim be confirmed to the extent and quantity of six square leagues, being the same land described in the grant, and of which the possession was proved to have been long enjoyed: Provided, that the said quantity of land granted, and now here confirmed to the claimant, be contained within the boundaries called for in the said grant and

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maps to which the grant refers: and if there be less than the said above named quantity within said bounds, then we confirm to the claimant that less quantity; it being apparent that the said quantity exceeds the minimum of two hundred varas, prescribed by the regulations of the 21st. of November, 1828.

(Signed) Arlana Hall)
(") Harry J. Thornton) Commissioners

No 35 Copy -

Office of the Board of Commissioners
of California Land Claims
San Francisco March 20th 1852 -

Samuel S. King Esq
Surveyor General:

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Sir: There is pending before the Board of Commissioners a petition in favor of Pearson B. Reading, being No 28 on the Docket of the Board claiming a tract of land under a grant from Governor Alca Michelena to Pearson B. Reading, dated Dec 4th 1844, which tract of Land is called Buena Ventura and is described as follows; Its locality is on the borders of the River Sacramento, between the Creek called "Lodi" & the Island called San Juan comprising six sitios de Ganado Mayor -

Will you please inform the Board whether the Mexican Archives in your Office, show that such a grant was made; whether it was approved by the Territorial or departmental deputation and when; whether the papers relating to said grant appear in all respects fair and genuine and whether any particular circumstances have come to your knowledge calculated to cast suspicion on the fairness and validity of the claim

Very Respectfully Yours
(Signed) Geo Fisher

Secretary -

Surveyor General's Office
San Francisco March 29th 1853 -

To the Secretary of the Commissioners of California
Land Claims:

Sir, In reply to your inquiry

No 35 I have the honor to state, that the only
evidence which has been found among the
Archives, as transferred to this office, purporting
to show that such a grant was made as is
specified in your inquiry, is an entry in
the book of Records of grants in 1844, as follows

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"241
" Jⁿ Pearson B. Reading en 4 de Diciembre se le
" dio título en el Rio Sacramento de un terreno
" de seis sitios de ganado mayor"

There is also a document in the shape
of an Expediente filed in the Archives on
the 6th February 1852 by Robert Rose Esq Attorney
purporting that such a grant was made -

The signatures of several officers under the
Mexican Government are appended thereto.

Very Respectfully yours

Saml D King
Surveyor General

(1 S.D.K.)

Elle Cuarto - Los Reales.

Habilitado por la aduana maritima del Puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

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Michellonna - Pablo de la Guerra.

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Pearson B. Reading, natural de los E. U. y residente en este pais desde el año 1842 ante V. E. con el mas profundo respeto me presente y digo:

Que hallandome poseedor de algunos bienes del campo y deseando dedicarme a la agricultura, suplico a V. E. tenga la bondad de concederme el terreno conocido con el nombre de Buenaventura, situado a la orilla del rio Sacramento y son sus linderos al N. tierra baldia, al E. el rio del Sacram. al S. y O. tierras baldias y sierras, como manifiesta el adjunto diseno.

P. B.

(Filed in the archives 6 Feb. 1852 by R. Rose atty. & Saml. D. King Sur Gen.)
Al V. E. suplico se digne acceder a esta mi peticion en lo que recibire merced y gracia.

(2 S.D.K.)

Monterey.

Pearson B. Reading.

C. S. Gobernador

El interesado en esta instancia es hombre de bien, y por el informe que acompaña aparece que el terreno que pide está baldio y en estado de poderse conceder, pero la sup. disposicion de V. E. resolverá lo mejor.

Monterey 1º de Obre de 1844.

Maul Jimeno

Monterey

Dic^{bre}

Dic^{bre} 4 de 1844.

(3 S. D. K.)

Expidase el titulo

Michelt^{re}

Se tomo razon a fojas 6 v^a

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Jurisdiccion del
Rio Sacramento.

(14 S. D. K.)
(Filed in the archives 6th Feb^y.
1852 by R. Rose, atty. &c
Sam^l. D. King S^r Gen^l)

El terreno que solicita el Sr Pearson B. Reading, en este pedimento es baldio y desocupado y es el mas frontero de todos los terrenos que se han pedido en el Valle del Sacramento; Como manifiesta el adjunto diseno; y doy esta certification para los fines que convengan.
Nueva Helvetia a 10 de Oct^{bre} de 1844. J. A. Sutter

(6 S. D. K.)
Sello primero, ocho pesos.

Habilitado provisionalmente por la aduana maritima del Puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

Micheltorena

Pallo a la Guerra.

Ada.
Maril^{al} de
Mont^y

El C. Manuel Micheltorena General de Brigada del Ejercito Mexicano, Ayudante General de la Plana Mayor del mismo, Gobernador Comandante General e Inspector del Departamento de Californias.

Por Cuanto D. Pearson B. Reading
Mexicano por

File in the archives by R. Rose, 11/17/1952

6th July 1852 (stand. King's Seal)

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(7. S. D. N.)

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Mexicano por naturalizacion ha pretendido para su beneficio personal el terreno conocido con el nombre de Buena Ventura en las margenes del Rio Sacramento desde el arroyo que llaman Todoso que está al Norte hasta la isla que llaman de Sangre en estension de seis bovedas de ganado mayor; practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos de la materia usando de las facultades que me son conferidas a nombre de la nacion Mexicana he venido en concederle el terreno mencionado sujetandose a la aprobacion de la Exma Asamblea Departamental y a las condiciones siguientes.

- 1^a No podrá venderlo, enagenarlo, hipotecarlo; imponer senos, vinculo, ni otro gravamen y ni podrá donarlo.
- 2^a No impedirá el cultivo o otros aprovechamientos que por dho terreno adquirieran los indigenas de ese rumbo.
- 3^a Podrá cercarlo sin perjudicar las travesías, caminos y servidumbres; lo disfrutará libremente destinandole al cultivo que mas le acomode, por dentro de un año fabricará casa y estará habitada.
- 4^a El terreno de que se hace donacion es de la estension de que ya se ha hecho mencion, el juez que diere la posesion lo hará medir conforme a ordenanza quedando el sobrante que resulte a la nacion para los usos convenientes.
- 5^a Si contraviniere a estas condiciones perderá su derecho al terreno y será denunciado por otro.

(8 S. D. N.)

En consecuencia mando que teniendose por valido el presente titulo se tome razon de él libro respectivo y se entregue al interesado para su resguardo y demas fines. Dado en Monterrey a cuatro de Diciembre de mil ochocientos cuarenta y cuatro.

Manl. Michelt
Manl. Jimeno. Srio. Cueda

Queda tomada razon de este despacho el libro respectivo a p. 6

Simeno.

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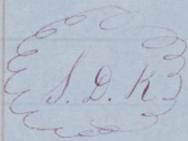
Office of the Surveyor General of the United States
for California.

I, Samuel D. King, Surveyor General of the United States for the State of California and as such now having in my office and under my charge and control a portion of the Archives of the former Spanish and Mexican Territory or department of Upper California, do hereby certify that the eight preceding & hereunto annexed pages of tracing paper numbered from one to eight inclusive and each of which is verified by my initials (S. D. K.) exhibit true & accurate copies of certain documents deposited in this office on the sixth instant by Robert Rose Esq^r Attorney &c & now on file as forming a part of the said archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private seal (not having a seal of office) at the city of San Francisco, this seventh day of February 1852.

Sam^l D. King.

Sur Gen^l Cal.



Fourth-Sea, Two Reals

Authorized provisionally by the Maritime
Customs of the Port of Monterey, in the Department of
the Californias, for the years 1844 & 45

(Signed) Micheltoana — () Pablo de la Guerra

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Most Excellent Señor Governador -

Pearson B. Reading, a native of the U. States & resident in this county since the year 1842, presents himself before your Excellency with the greatest respect & says: That finding himself possessed of some rural property & desiring to devote himself to Agriculture, prays your Excellency to have the goodness to grant him the Land known by the name of Buena Ventura situated on the bank of the River Sacramento, bounded on the north by vacant lands; on the East by the River Sacramento; & on the South & West by vacant lands, and mountains covered with trees (Sierras) as is shown by the annexed plat (desiño) -

Wherefore, He prays your Excellency to grant his petition, by which you will confer upon him great favor & kindness -

Monterey - (Signed) Pearson B. Reading -

To His Excellency Sen. Governador

The interested person in this petition is an honest man & by the accompanying information it is shown, that the land he asks is vacant & can be granted; but the superior disposition of your Ex-
-cellency

Monterey Dec. 1st 1844 -

Let the Sen. Secy. of State give information in regard to this Petition

Michelo^a

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cellency will determine what is best.

Monterey December 1. 1844, (signed) Manuel Jeminos

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Monterey December 4th 1844 -

Let the title be issued.

(Signed) Micheltonna

It was entered folio 6. over.

Jurisdiction of the
River Sacramento

The land which Sen Pearson
B. Reading asks for in this petition is vacant
and unoccupied & is farthest on the frontier of all
the lands which have been petitioned for in the
Valley of the Sacramento, as the annexed Map
shows - & I give this certificate for the purposes
it may subserve -

New Helvetia,
Oct. 10, 1844 -

(Signed) J. A. Sutter

First Seal, Eight Dollars

Authorized provisionally by the Maritime Customs
of the Port of Monterey in the Department of the Californias,
for the years 1844 & 45 -

Micheltonna

Fabla de Guena

Citizen Manuel Micheltonna

Manuel
Custom House
of Monterey

General of Brigade of the Mexican Army - Adjutant General of the Staff of the same, Governor Commandant General & Inspector of the Department of the Californias -

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J. Lozano
(Muddy)

Whereas Don Placido B. Reading a Mexican by naturalisation, has made application for his personal benefit, for the Land known by the name of Buena Ventura, on the margins of the River Sacramento, from the creek called (Lodo), which is on the north as far as the Island called de Sanzno, with six square Leagues in extent, & the proper proceedings & investigations having been previously complied with, according to the provisions of the laws & regulations concerning the matter, by virtue of the authority vested in me, in the name of the Mexican Nation, I have granted to him said Land; subject to the approval of the most Excellent Departmental Assembly & to the following conditions -

1. He shall not sell, alienate or hypothecate it, nor impose on it any tax, entail or any other incumbrance, nor shall he donate it -

2 - He shall not hinder the cultivation or other profits, which the natives of that region may derive from said -

3 - He may enclose it without prejudice to the crossing roads & public uses, he may enjoy it freely, appropriating it to the cultivation which best suits him; but within a year he shall build a house & it shall be inhabited -

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4- The land which has been granted is of the extent of which mention has already been made. The Judge who shall give the Popesino shall cause it to be measured according to ordinance, & the overplus which may result shall remain to the nation for convenient uses.

5- If the contraveno these conditions, he shall lose his right to the land & it shall be denounced by any other person -

Therefore I order that, this title being held as valid, entry be made of it in the proper book & be delivered to the interested party for his security & other purposes -

Given at Monterey on the 4th December 1844
(Signed) Manuel Jimeno { (Signed) Micheltoona
Sec.
3

An entry has been made of this title in the proper book, on page 6 -

(Signed) Jimeno
3

I certify the foregoing to be a true & correct translation from the original filed in office -

San Francisco April 21st 1852

(Signed) Geo. Fisher
Fisher

California

No 28.
Pearson, P.
Reading

Deposition
of John
Bidwell -
43.

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Office of the Board of Commis-
sioners of California Land Claims.

San Francisco March 27th 1852.

On this day before Mary, J. Thornton, one
of the Commissioners for ascertaining and
settling private Land Claims in the State
of California, came John Bidwell a wit-
ness produced in behalf of the Claimant
in the case of the Petition of Pearson, P.
Reading being No 28 on the Docket of the
Commissioners and after being duly sworn,
testified as follows.

The San Agent being notified & attending.

Questions propounded by Claimant's Coun-
sel. -

Question 1st What is your name, age and resi-
dence?

Answer - My name is John Bidwell my
age is 32, my residence is Chico Butte County
California.

Question 2^d How long have you resided
in California and in what part of it?

Answer - I have resided in California
since November 1841, in different parts of
the state but principally in Sacramento
valley.

Question 3^d Are you acquainted with
Pearson P Reading the Claimant of the
above mentioned Ranch, and how long &
where have you been acquainted with him?

Ans - I am. I have been acquainted with
th him since his arrival here in 1843.

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Quest 4th Do you know or not whether a grant of land was made to said Claimant by the Governor of California, and in what year was said grant made? What was the state of the Country at, & subsequent to the date of said grant; and where was the land granted situated?

Ans. - I do know of such a grant having been made to him which was made in 1844. The land granted is situated near the head of the Sacramento Valley on the West bank of the Sacramento River, about 160 miles above Sacramento City, being about 100 miles from the Sea coast and about 160 miles south of Oregon. The Country some three months after the grant was in a state of revolution or resistance to the authority of Governor Micheltorena, which unsettled state of affairs continued more or less until the change of Government or conquest by the United States. The granted land was in the midst of the wild Indians, and about 45 miles above and distant from any white settlement.

Quest 5th Do you know or not, whether said grant was approved by the Departmental Assembly?

Ans. - It was not as far as I know.

Quest 6th Do you know or not, whether any efforts were made by the Claimant, or any person for him, to obtain said approval?

Ans. - I was employed in the business of the Claimant Reading, charged to procure the approval of his grant by the Departmental Assembly. Its session was holden

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in the fall of 1845 at Los Angeles. The distance
of the place where I was was about seven
hundred miles from Los Angeles, and the jour-
ney considered unsafe which prevented my
attendance for the purpose of ^{the said}
approval. Owing to the revolutionary disturban-
ces I did not believe that it was worth while
to go any more on that business. I was pre-
paring to go to Los Angeles when a pro-
clamation was published, commanding
all foreigners to leave the country by
Dr. Pico who succeeded Michel Comen, and
it was also stated that General Castro was
about to visit Sacramento to enforce that order,
which added to the other facts stated, caused me
to decline any further attempt or effort in the
matter.

Question 7th At what time did you make
the last attempt to procure the approval of
the Departmental Assembly to said grant &
why did you not prosecute it?

Ans - The first of June 1846, when the dis-
turbances first commenced, when I was re-
ady to set out a party of General Castro's
soldiers arrived from Sonoma with about
150 horses on their way to Santa Clara the
Head-Quarters of General Castro. They left
Sacramento and encamped on the Cosumnes River
about 15 miles south where they were attac-
ked by a party of Americans, as I was infor-
med, by the orders of Colonel Fremont. -
I know this attack was the first commence-
ment of hostilities, which continued un-
till the final conquest by the American

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Armies of California, and during these Difficulties it was not safe, at any time, to go to the debt of Government. About a month or a half from this date the Governor fled the Country.

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Quest 8th Are you acquainted with the hand writing of Micheltoresca and Manuel Jimeno? and have you ever seen them write?

Ans - I am acquainted with them & have seen them write their names frequently.

Quest 9th State whether the signatures on the Expediente, exhibited to you today by the Surveyor General in his office, are genuine of which this Expediente now shown you marked Exhibit B, is a copy filed in the office of Secretary of the Land Commissioners on the 9th of February 1852 in the case of the Petition of Pearson & Reading & docketed of the cases 49 28.

Ans - I think that the signatures on the original which I have seen at the Surveyor General's office this day are genuine, and I know that I wrote the original petition myself and think I saw the Governor sign his name on the margin of the petition. I believe the signatures on the Expediente wherever they appear are genuine.

(Signed) J. Bidwell.
Sworn & subscribed before
me this 27th of March 1852.

Henry J. Thornton Com^{rs}

Coop's interrogatories by the Law Agent
of the United States.

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Coop's 1st Had you any authority from
the Claimant to obtain the approval of
the Departmental Assembly prior to the
year 1846. if not what time in 1846
was the authority given you?

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Ans - I had no authority actually
given me until 1846 about the middle
of May as near as I can recollect. I
had it in contemplation as in my answer
to interrogatories on examination in chief
to go down to Los Angeles with the ex-
plicit consent of the Claimant & others, but
did not go for the reasons before stated.
The actual power & authorities were not
given to me at that time because I
did not go. If I had gone I would have
received the authority of claimant.

Quest 2^d Why was your journey to Los Angeles
considered unsafe, as stated in your answer to
interrogatory 6?

Ans - The unsafety consisted in the dan-
ger of passing through the San Joaquin
Valley in 1845, on account of the hostili-
ty of the Indians, who had murdered a
man in that year.

Quest 3^d Was there any other route
or mode of going safely to Los Angeles?

Ans - There was by water, but the oppor-
tunities were very seldom.

Quest 4th Upon whom was the approval of
the Departmental Assembly usually obtain-
ed? State your knowledge on that subject and

your means of knowledge.

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ANS - So far as I know it was obtained by the person to whom the grant was made, or by some person acting in his behalf. The way that I got that impression was that when the Capital was in Monterey during the administration of Governor Michelena I secured the title to a Grant of Land myself. The Assemblée Departemental was not in session then, and being anxious to complete my title, I enquired of persons who were intelligent and familiar with the Customs of the Country, and was told I ought to leave my title with some person there to present it to the Assemblée for approval, when they might be in session. I have frequently seen the same kind of titles held by other persons not approved and always heard them express their intention of taking their titles to the seat of Government whenever the Assembly might be in session for the purpose of having them approved. I have known persons to send their titles to the Assemblée while it was in session to obtain their approval.

Quest 5th Have you held any office or offices under the Mexican Government, and if so what offices prior to 1846.

ANS - I never held any office under the Mexican Government - I was authorized by the Secretary of State in 1844 to make a map of the Sacramento Valley but not by any commission.

Further examination by Claimant.
Ques: 1st Have you known any Mexican
born Citizens to apply in person or by At-
torney to the Departmental Assembly for
confirmation of their grants to Land?

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Ans. I have no personal knowledge
of any instance, of that kind, but it was my
impression, that it was the practice of Nat-
uralized Citizens to try & comply with the
customs in that respect.

Ques: 2^d. Who were the persons you have known
to apply in person or by Attorney to the De-
partmental Assembly for confirmation
of their Grants to Land?

Ans: I know a gentleman by the name
of Thomas, a naturalized Citizen - I know
another by the name of Wolfskind - I only
knew this from information from the
parties themselves - I know nothing
personally of the mode of presenting
or procuring the approval of the Assem-
bly, but have understood it was in this
manner - The Governor presiding over
the Assembly, would be presented with
the Titles by the parties interested or
their agents -

(Signed) J. Bidwell

Sworn to & subscribed
before me this 27th of March
1852 -

Henry J. Manton Commr.

Office of the Board of Com-
missioners of California Land Claims
San Francisco March 27th 1852

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On this day before Harry J. Thornton
one of the Commissioners for ascertaining & set-
tling private Land Claims in the State
of California, came Samuel J. Hensley a
Witness produced in behalf of the Claimant
Pearson B. Reading, being No 28 on the
Docket of the Commissioners and after being
duly sworn testified as follows -

The U.S. Law Agent being notified and attending -
Questions by Claimant.

Ques: 1. What is your name, age, and place of residence?

Ans: My name is Samuel J. Hensley, my age about
35 years, my place of residence, San Jose -

Ques: 2. How long have you resided in California
and in what part of it -?

Ans: Since the Autumn of 1843 and have resided
most of the time in Sacramento Valley -

Ques: 3. Are you acquainted with Pearson B. Reading
& how long and when have you known him?

Ans: I have been acquainted with him since 1843 on my
coming to this Country, and have known him ever since -

Ques 4. Do you know or not whether
a grant of Land was made to said
Claimant by the Governor of
California?

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Deposition of
Samuel J.
Hensley

Ans. I have seen a title purporting to be a grant or document from Micheltoreno to Pearson B. Reading, bearing date December 1844 -

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Ques: 5. What do you know of the locations and boundaries of said Land?

Ans. In February 1844 I was on the head of the Sacramento rafting logs down the River, saw this place and recommended it to Mr Reading - He asked me to give him such boundaries, as I would take for myself, if I wished to obtain it - I did so and gave him the boundaries as follows, to wit - Commencing at the mouth of Mud creek, since known as Salt Creek and in Spanish called (Arroyo Lodoso or de Lodos) - I gave it the name of Mud Creek myself it has since been called either Mud or Salt Creek - The miners call it Salt Creek, it empties into the Sacramento River - thence down the Sacramento, to the mouth of Cotton Wood creek, thence in a westerly direction up the Cotton Wood creek, following the East Bluff of said Creek one league, thence north-ely to Mud creek, striking one league from its mouth, thence down said creek to its mouth the place of its beginning -

There is an Island called Bloody Island in the Sacramento named by myself, in consequence of a Battle with the Indians, in which I was personally engaged, which Island still retains that name, and said Island is called by the Mexicans (Isla de Sangre). This Island is opposite the mouth of Cotton Wood Creek, the head of it being

distant about two Hundred yards from
the mouth of said Creek -

Ques: 6. Where does the Claimant now reside?

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Ans. He lives on the land above described
by me as having been granted to him -

Ques: 7. How long has he occupied that
place?

Ans. In August 1845 I spent ten days on the
place with him, looking out for suitable lo-
cations for fields and building spots -
He decided on a place and left a Frenchman named
Julian to build a house & keep possession. He
placed Horses on the place at that time,
and soon after this time, he placed a quan-
tity of Cattle on the said land - The Frenchman
went on and built a house on the site selected
which was afterwards burnt down by the
Indians - The Frenchman was killed af-
terwards by the Indians, and the war breaking
out between the United States and Mexico,
Major Reading joined the Battalion under
Col^l Fremont -

Ques: 8. What are the improvements made
by the Claimant on said Lands, and at what
time when those improvements made?

Ans. In 1845 there was a small House & Corral
built by the Frenchman Julian for Mr Reading
In 1846 nothing was done in consequence of the
war - In 1847 Mr Reading went on the place with
Horses and Cattle - He built a house and put about
forty acres of land under cultivation -

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The said Aound is the land, in which Mr. Reading now lives - He has increased the improvements & cultivation annually and at the present time he has about two hundred acres in a state of cultivation - He has also fruit trees & grape vines growing on the place -

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Cross Interrogatory of the United States Law Agent.

Ques: 1. Have you personal knowledge of all the facts stated by you in answer to interrogatories 6, 7 & 8 and if not state as to any of them how you learned them?

Ans: Yes I have personal knowledge of all the matters which I have stated positively of my own knowledge

(Signed) Saml J. Newley

Sworn to and Subscribed before me this 27th of March 1852

(Signed) Harry J. Thornton
Comr

Office of the Board of Commissioners
of California Land Claims
San Francisco March 29th 1852 -

Deposition of
Henry L.
Ford -

On this day before me Harry J. Thornton one of the Commissioners for ascertaining & settling private Land Claims in the state of California, came Henry L. Ford, a witness produced in behalf of Pearson B. Reading, claimant, being No 28 on the docket of the Commissioners, being duly sworn testifies as follows -

The Law Agent was notified and attended Questions by Claimant.

Ques: 1 What is your name, age and place of Residence?

Ans my name is Henry S. Ford, my age about
Twenty nine, Colusa County, State of Calif. -

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Ques: 2 Do you know Pearson B. Reading, the
Claimant in this case and how long have
you known him?

Ans: I do know him and have known him
since the year 1844 in July at Suttles Fort, New
Helmia

Ques: 3 Do you know the Geographical position
of Rancho Buena Ventura or Reading Grant,
and what are they?

Ans: I do know it - It is a tract of Land
situated on the West bank of the Sacramento
River - Commencing at a point known as
the mouth of Cotton Wood Creek, running thence
in a northerly direction along the bank of
the Sacramento River to the mouth of a creek
commonly known by the name of Mud or
Salt Creek, the miners usually call it Salt
Creek, thence westerly one league to the best of my
information, thence in a southerly direction
one league to the mouth of Cotton Wood Creek -

It is situated by land about 175 miles north of
the city of Sacramento -

Ques: 4th When did you first visit that pa-
tion of the country & what was the occasion -

Ans: I first visited that part of the country
in the month of March 1846 - It was on account
of an outbreak of the Indians, a company was
raised for the purpose of quelling the same, and
I formed one of the company -

Ques: 5. Was any white person then living on,

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said Ranch?

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Ans: There was a Frenchman by the name of Julian in the employ at that time of Mr. Reading. He had been forced at that to abandon the house, standing on the bank of the River, and but a short distance from the present residence of Major Reading -

Ques: 6. What other improvements, were on the Ranch at that time?

Ans: There was a corral and a field of wheat inclosed -

Ques: 7. Do you know if there were Horses and cattle on the Ranch previous to its being abandoned by Julian and to whom did they belong?

Ans: At the time Julian abandoned the Ranch he drove to the Ranch of Mr Thomas, situated about fifty miles to the South of that, several Horses belonging to Major Reading - He informed me that he had had them on the Ranch, since 1845 in October - They were taken off the Ranch at that time, as it was utterly impossible to keep them there, on account of the hostility of the Indians -

Ques: 8. At what time was possession again taken of the Ranch by Mr. Reading?

Ans: It was taken possession of again to the best of my recollection, somewhere about the month of June 1847. and has been occupied ever since by him up to the present time to my certain

my certain knowledge -

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Ques: 9. During the interim from the time said Rancho was abandoned by Julian, to the time it was taken possession of again by Reading, how was Reading engaged?

Ans: He was called into service by Colonel Fremont and acted as first Lieutenant of Artillery, from the 8th day of June 1846, until August in the same year - He was then promoted to the rank of Major and appointed paymaster of the California Battalion, under Colonel J. C. Fremont, and served in that capacity, until the month of May 1847 -

(Signed) Henry L. Ford

The Law Agent declines putting any interrogatories to this witness -

Sworn to & subscribed before me
this 29th of March 1852

(Signed) Harry J. Thouton
Com^r -

San Francisco April 9. 1852

On this day before Hiland Hall one of the Commissioners for ascertaining and settling private land claims in the State of California came Daniel Spruce a witness produced in behalf of the claimant, in the case of Pearson B. Reading, being No. 28 on the docket of the Commissioners and was duly sworn - The Law Agent was notified and attended - In answer to questions put by the counsel for the claimant. The witness testified as follows viz - My name is Daniel Spruce

Deposition of
Daniel Spruce

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my age is fifty three & my residence Monterey. I have resided in Monterey for the last 28 years. I was Alcalde in 1835. In 1836 I was a member of the territorial Assembly & in 1839 & 1840 I was justice of the peace. I was a member of the departmental assembly, under Governor Micheltonena - all these offices I held within the jurisdiction of Monterey. It was the business and duty of the Governor to order his secretary to present Expedientes after the title was given to the interested party, to the territorial or departmental assembly for their approval. If the assembly happened to be sitting at the time of the giving of the title by the Governor, the grant was sometimes approved before the title was delivered to the party, but this was not always the case -

In answer to enquiries sent by the Law Agent, the witness says -

It was often & usually the case that the title was issued & delivered to the interested party before the grant was approved by the Assembly -

This was done that the party might take possession of the land - The assembly not often being in session more than three months in the year & sometimes not for two or three years in succession. The terms of the grant that a house was to be built within a year and other things to be done, could not be complied with unless the party received his title to enable him to take possession of the land -

The general opinion in California was that the Governor had no right to insert such conditions in the grants to Mexican Citizens

but only in grants to foreigners, who had not been naturalized - I do not refer to the approval of the Departmental Assembly -

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In Answer to enquiries propounded by the counsel for the Claimant, the witness further says -

During the administration of Gov. Micheltorena, there was but one or two meetings of the departmental assembly & the sittings were very short -

(Signed) J. Spruce
Sworn & Subscribed
before me

Hiland Hall Const.

Deposition of
Capt. John A
Sutter

Board of Land Commissioners May 11th 1852. The following deposition of Capt. John A Sutter, taken at the request of P. B. Reading to be used in the case No 28. now pending before the board, wherein the said Reading is petitioner praying for the confirmation of a grant of Land known as the Rancho Buena Ventura -

The witness being duly sworn makes answer as follows

Interrogatory 1st What office did you hold under the Mexican Government during the years 1844, 1845 & 1846 in California?

Deponent's Answer - I was military Commandant of the Northern frontier & charged with the civil jurisdiction in all that region

of country -

Interrogatory 2nd - Do you know the Rancho Buena Ventura claimed by P. B. Reading in the above case, and if Yea was it within your jurisdiction?

Deponent's Answer - I do know the Rancho very well and it was within my jurisdiction -

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Interrogatory 3rd - State what you know in reference to its location?

Deponent's Answer - The Rancho aforesaid is situated on the right bank of the Sacramento River. Something over One Hundred & fifty miles above Sutter's Fort -

Interrogatory 4th - During the time you were exercising the civil jurisdiction over that region of Country, did the said P. B. Reading petition of you to be put in judicial possession of said Rancho?

Deponent's Answer - He did in the Spring of the year 1845 -

Interrogatory 5th - Did you give him judicial possession according to the prayer of his petition - if nay - State the reasons for your non compliance with his request?

Deponent's Answer - I could not as I had just returned from a military Campaign under Genl Micheltorena then Governor of California and immediately after my return from duty in the above Campaign, I was obliged to go out again upon military service

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against the Indians, and immediately after
our return from service against the Indians -
Col. Fremont came with his party, and there
was a general revolution throughout the Country.

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During the time of my absence on the first
mentioned campaign, and also while absent
against the Indians as above stated, the said
J. B. Reading was in command of the Fort
called Sutter's Fort by my appointment -
The revolution which followed Col. Fremont's
coming as above stated, resulted in the occu-
pation of Upper California, by the forces of
the United States - For the above reasons I
was not able to give to the said J. B. Reading
juridical possession according to the prayer
of his petition for that purpose -

Interrogatory 6th - Do you or do you not re-
collect that Governor Micheltorrena, addressed
the troops at the Mission Soledad, while you
were upon the Campaign first mentioned
by you above - if yes. State the substance
of that speech as near as you can recollect
in relation to grants of Land -

(The above question objected to
by Geo. W. Cooley Esq. Law Agent of the United
States, on the ground that it is irrelevant
and generally as incompetent -)

Deponent's Answer - I do remember that
Governor Micheltorrena did make a public
address to the troops then in service under him
The troops under my command were part
of his forces at the Mission Soledad in the

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Spring or Winter 1845 - The Governor on that occasion declared to the troops, that those persons then in public service, who had before that time received grants of Land, their grants should be confirmed and those persons then in service who had not received grants of Land, should have grants made to them, upon the recommendation of myself under whom those troops were serving - The Governor professed that he then spoke in behalf of, and undertook to pledge the faith of the Mexican Nation, to the performance of the above engagement by him then made - At the time the above declaration was made by Governor Micheltorena, P. B. Reading was in the public service as commandant of Sutter's Fort as above stated. He was not present with the troops at the time of the above address of the Governor - I think as near as I can recollect that the address of the Governor as above stated, was the latter part of January or the fore part of February A. D. 1845 -

Interrogatories propounded to the Witness John A. Sutter by George W. Cooley Esq. Law Agent of the United States -

Interrogatory 1st by Law Agent - Was there any other Officer besides yourself within the jurisdiction referred to, during all or any part of the years 1844, 1845 & 1846, competent to give to Major Reading juridical possession of the Rancho Buenaventura - if yes who and when was his residence?

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Deponent's answer. There was no other Officer besides myself within that jurisdiction, during those years competent to entertain Major Reading's application to be put in judicial possession of the Rancho aforesaid -

Interrogatory 2nd by Law Agent - Did Major Reading address to you a petition in writing praying to be put in judicial possession of the said Rancho?

Deponent's answer - He did not -

Interrogatory 3rd by Law Agent - In what month of the Spring 1845 did Major Reading make his said request to you for judicial possession of said Rancho?

Deponent's answer - In the fore part of the month of April -

Interrogatory 4th by Law Agent - Where did Major Reading then reside?

Deponent's answer. He resided at the time he made the request at Sutter's Fort. He continued at the Fort during the two Campaigns as I have above stated -

Interrogatory 5th At what precise time did you return from the first Campaign under Micheltorena?

Deponent's answer. I reached the Fort on my return from that Campaign on the 1st day of April 1845 -

Interrogatory 6th by Law Agent - At what precise time did you start on the Campaign against the Indians, was it in the month of April 1845?

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Depon^{ts} Answer - I started on the Campaign as early as the middle of that same month of April - I am very confident, I started with ^{that} in the month of April 1845 on the Campaign against the Indians

Interrogatory 7th by the Law Agent - Was not the interval between your return from the first, and your starting on the second Campaign sufficiently long to have gone to the Rancho to put the Major in possession?

Depon^{ts} Answer - There might have been sufficient time to have done so, but we were all so much occupied in the preparation for the Campaign against the Indians, that we had no opportunity or time to devote to that civil business -

Interrogatory 8th by Law Agent - At what precise time did you start on the Campaign against under Micheltorrend?

Depon^{ts} Answer - On the 1st day of January A.D. 1845 -

Interrogatory 9th by Law Agent - At what precise time did you return from the Indian Campaign -

Depon^{ts} Answer - We were out only a

few days. As near as I can now recollect, we returned about the 17th or 18th of April 1845. I cannot recollect with precision, the day we started on that Campaign and consequently I cannot positively say on what day we returned.

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Interrogatory 10th by Law Agent. How long after your return from the Indian Campaign did you exercise civil jurisdiction under Mexican Authority?

Deponent's Answer. From the time of my return from the Indian Campaign to the time Col. Fremont came which I think was the latter part of April or the fore part of May 1845.

Interrogatory 11th by Law Agent. How long after your return from the Indian Campaign was it before Maj^r Reading left the Fort and went to his Rancho?

Deponent's Answer. I cannot say exactly but I recollect it was only a few days after my return that Maj^r Reading left the Fort. I shortly after heard of Maj^r Reading having joined Col. Fremont's party.

Interrogatory 12th by Law Agent. Had you not sufficient time after your return from the Indian Campaign to have gone to the Rancho and put Maj^r Reading in possession, while you exercised judicial functions, under the Mexican Authority?

Deponent's Answer. I had not.

(Signed) J. A. Sutter.

The foregoing and annexed deposition of John A. Little was taken on the day and year first above written, at the motion of the said P. B. Reading to be used in the case of said Geo. W. Cooley Esq. Law Agent of the United States was present and did not object otherwise than as specially stated in the body of the deposition ~

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The foregoing deposition of the Depoent subscribed and sworn to before me
(Signed) James Wilson Commissioner

Office of the Board of Land
Commissioners for California
San Francisco May 15th 1832

On this day before me Harry J. Thornton one of the Commissioners for ascertaining and settling private Land Claims in the California came David Spence a witness produced on behalf of P. B. Reading whose petition is No 28 in the Docket of said Commissioners, and after being duly sworn testified as follows ~ The Law Agent of the United States was notified and attended ~

Deposition of
David Spence

Question by Claimant -

What is your name age and place of residence?
My name is David Spence, age 53, residence California for 28 years ~

Question 1st Are you familiarly acquainted with the grants of Land in California and with many persons who have heretofore secured grants of Land?

Ans: I am ~

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Question 2: Do you or not know of any in-
stances in which a grant for Land in California
has ever been annulled or revoked by the former
governments of the Country, on the ground that
the grantees had not performed the conditions
annexed to the said grant?

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Ans: To the best of my knowledge I would state
that I never did know of any instance of any
Mexican Citizen to whom a grant had been made
being molested or his grant revoked or annulled
on the ground stated -

Question 3: Would you or not from the circum-
stances of your long residence in California and
from the interest you have taken in this matter
have been most likely to have heard of any
such course of proceeding? The U.S. Agents object
to the above questions and answers on the ground
that they are incompetent -

Ans. It would most likely have come
within my observation if such a course
of proceeding had taken place -

Question 4: How often did the depart-
mental Assembly sit, during the admin-
istration of Gov. Michelena? & how long
did it sit?

Ans - I was a member of the Assembly
during the whole time of his administration and
it did not sit but once during all that time &
then it was a special meeting, which lasted
but a few days only -

Ques: 5. Did you or did you not know of any grant ever having been finally rejected by the Departmental Assembly, when presented by the Governor for its approval?

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Ans. I do not recollect at this present moment, of any such case of rejection.

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Questions by United States Law Agent -

Ques: 1. Do you profess to have been so conversant with the entire proceedings of the Supreme Government of Mexico and the local Government of California, in regard to Lands, that you would have known the fact of any grant or grants being annulled by either?

Answer. To that question I answered that I do not pretend to have been conversant with the entire proceedings of the General Government of Mexico - but generally have had opportunities of hearing of - if any difficulties which might have happened there respecting Land titles in California - I have been intimately acquainted with the proceedings of the local Government of California & as far as I can now recollect, have not heard of any grant or grants having been annulled by either.

Ques: 2. What Official Stations have you held in the local Government of California

of California? & how long?

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ANS: In 1835, I was Alcalde in Monterey, & during the time of Gov. Chico, I was for a short time a member of the Deputation & under Gov. Alvarado Justice of the Peace & during the time of Micheltoena, member of the departmental assembly. & when Governor Riley was in command he appointed me Prefect of the District of Monterey -

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As well as I can now recollect, I was Alcalde in 1835 one year, Justice of the Peace part of 1839 & 1840 - I cannot recollect, how long I was a member either of the Deputation or of the departmental Assembly & think I was prefect only a few months -

Ques. 3. Have you ever known any grant of land made in California to be annulled either by the Spanish, Mexican or the local Government of California for any cause whatever?

ANSWER I have not had an opportunity of knowing the proceedings of the Spanish Government, as I was not in the country during the time of that Government - I do not know of any but have heard within a few days in the city of San Francisco that a grant or grants were not approved by the Departmental Assembly or having found out that the applicants were foreigners and not citizens -

Ques. 4. Have you ever known any case

in which lands granted to a person upon condition have been granted a new to another on account of non performance of the condition by the first Grantee?

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Ans. I have heard an instance of land having been denounced by another person & taken for, but it was said ^{that} before he did so & received the title, he had made some previous arrangements with the first owner in writing & said document with the knowledge of the Governor was attached to the expediente, when the title was given to the second person -

The U.S. Law Agent (signed) J. Spence present -

Sworn to & subscribed before me

this 15th of May 1852

(signed) Harry J. Thornton
Comm^r

Office of the Board of Land
Commissioners for California
San Francisco May 24th 1852

On this day before me Harry J. Thornton one of the Commissioners for ascertaining and settling private Land Claims in California came John A. Sutter a witness produced in behalf of the Claimant Pearson B. Reading being No 28 on the Docket of the Commissioners; and after being duly sworn testified as follows -

Deposition
of J. A. Sutter

The statement on this half sheet is agreed to be taken as a part of the deposition of the witness

witness in the case of Pearson B Reading in
explanation of his answer to 5th direct in-
terrogatory & 12th cross interrogatory of said
deposition

(Signed) Geo H. Cooley

U.S. Law Agent -

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In the month of May 1845 soon after the
last excursion against the Indians, Antonio
Maria Pico accompanied by Jose Noriega
arrived at my Fort, and requested me to give
assistance in cropping the San Joaquin, when
I furnished him with an Indian named
Eusebio, who had before been faithful, for this
purpose. - They carried him with them to
Monterey and then made him presents
of a Carabine, & fine clothing & sent him
back to the Tribe to which he belonged, which
resided on and near the Maguelonne River
in the neighbourhood of my Fort, with in-
structions from Manuel Castro & others, who
had opposed the administration of Gov.
Michelorena, to incite said Indians to
burn the wheat crop of the Americans, as
soon as it was ripe enough to burn, for
the purpose of expelling them from the
Country & depriving the immigrants
from finding food on their arrival -

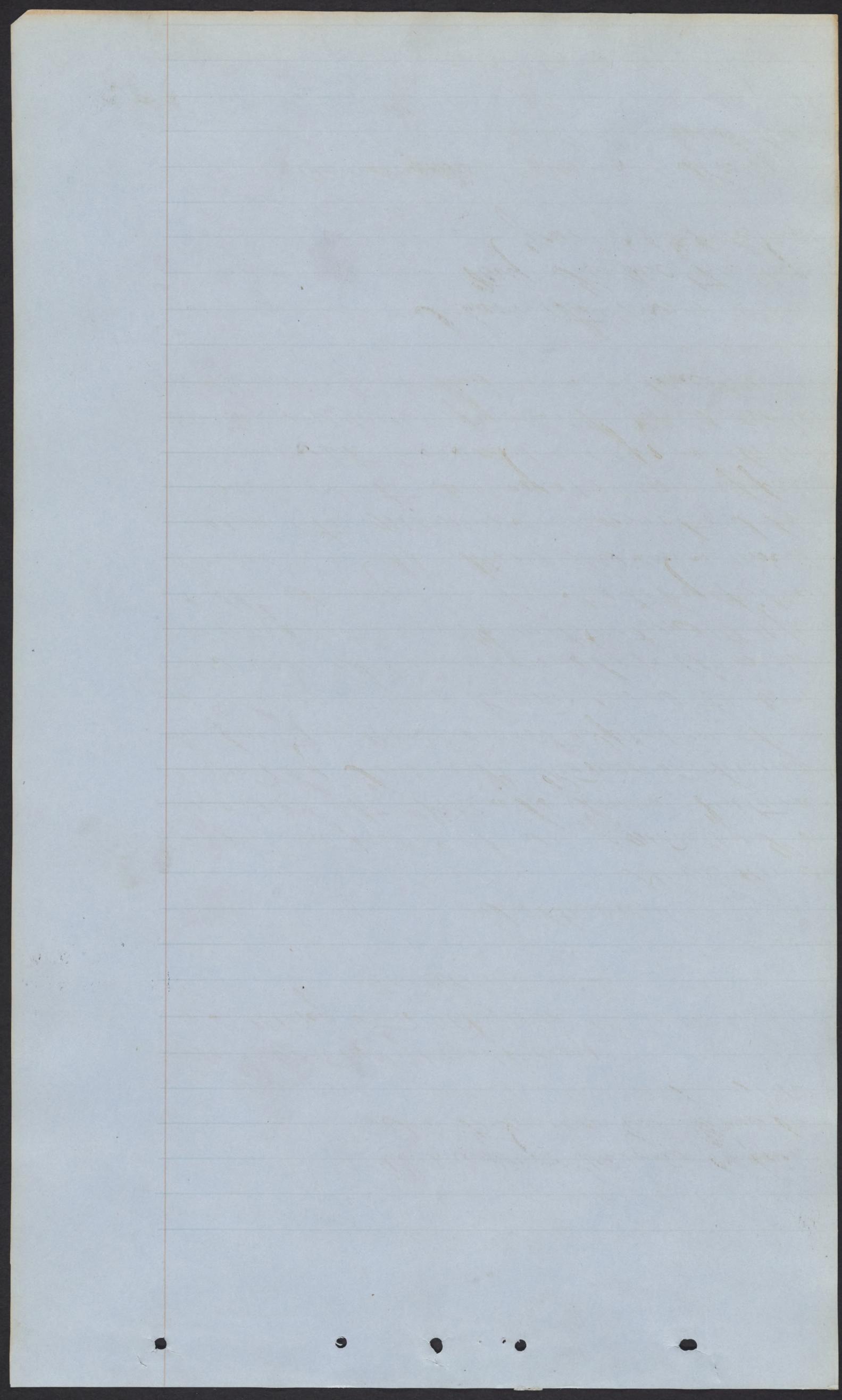
This Indian returned about the first
of June & endeavored to incite the other
Indians of my Fort to insurrection, who in-
formed me of the plot above stated; During
the month of May, there were rumors & fears
of hostilities from the Indians who were

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excited against the Americans, by the Californians, which kept me on the look out during the whole of that month - Early in the month of June William Futnac, arrived at my Fort, stating that the Californians were raising troops to go against the Americans. He knew this fact from the attempt made to press his sons into the service - I remained in this suspense, until Gen. Jose' Castro arrived, sometime in the month of September accompanied by Castellanos Commissioner from Mexico to purchase my Fort & all the Lands belonging to me, south of the American River, for which they offered me, One Hundred Thousand Dollars, in drafts on the Mexican Government.

This proposition I refused - The arrival of these gentlemen & their proposition convinced me, that it was their intention to get me out of the Country if possible, as it was currently rumored, that they were determined to take me to Mexico if they could.

This together with the excited state of the Indians, who sometime in November, as well as I can now recollect, made an attempt to steal my Cavellard of Horses, from the Corral adjoining my Fort, rendered it necessary for me to be on my guard & at my post until the arrival of Col. Fremont, sometime in the month of January 1846, when a difficulty arose between Col. Fremont & Gen. Castro, which caused open hostilities between the Americans & Californians, in which we all sided with Col. Fremont - Which hostilities continued until the change of Government in July 1846. Sworn to & subscribed before me (signed) J. A. Sutter - this 24th day of May 1852 (signed) Harry S. Thronton



U. S. Surveyor General's Office
San Francisco Cal. December
13th 1852.

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Hon^{ble} Board of Commissioners
for settling Land Claims in
California. —

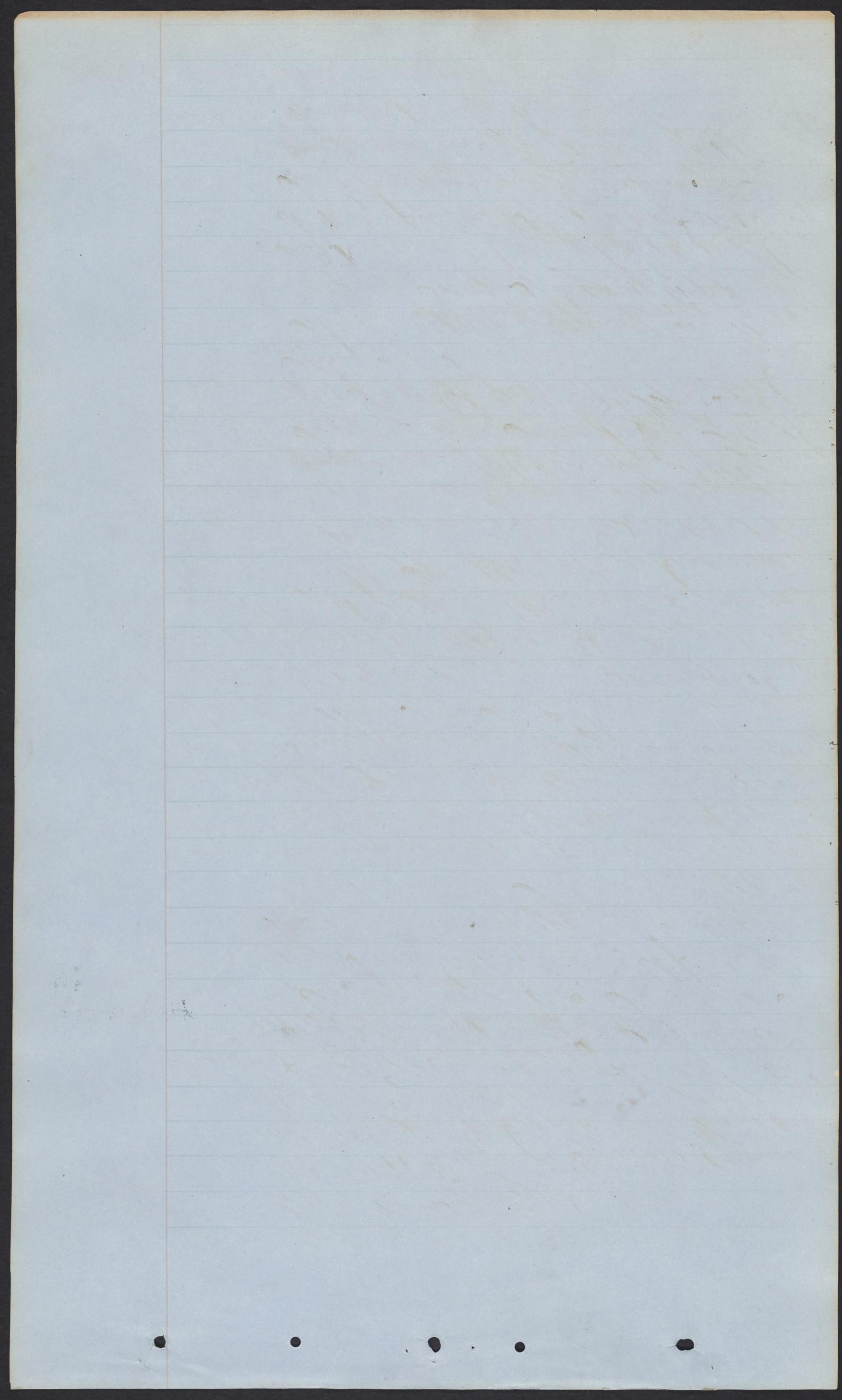
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Gentlemen,

Heretofore I
approved in part of the Survey made by R. N.
Morris of the Rancho Guena Ventura
claimed by Pearson B. Peaving and furnished
the party interested with a plat of the same
for delivery to your Board; but as the Back
Lines were not run agreeably to the manner
contemplated in the instructions that part
of the Survey was objected to by this Office.
However, as Mr Morris has since run these
lines in the manner first directed, I have
approved of the Survey as it now appears,
and herewith transmit a copy of the map
together with a copy of the field notes
from which it has been delineated.

I have the honor to be
Very Respectfully
Your Obedt Servant

(Signed) Saml. D. King —
U. S. Sur Genl Cal



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Field notes of Survey of claim of
Parson. B. Reading called "Euc
nautura, lying in the Sacramento
to River, under order of the Board
of Land Commissioners for Cali
fornia, & instructions of Genl
G. King Esqr U.S. Surveyor Gen
eral, the former dated April 22nd
1852, and the latter dated April
24th 1852, by Ralf. W. Morris,
Deputy Surveyor. The South,
East & North boundaries were
run in the month of May 1852,
with the following assistants.

William Sample }
Charles Ruxton } chairman
F. B. Morris }
W. A. Barker }
Geo. H. Dickerson } axeman.
William Magee }

Claim of Parson. B. Reading.
Traverse of Sacramento River.
Commenced Survey Thursday
May 24th 1852.

Make corner upon Cotton Wood
tree 14 Inches Diameter marked
P.B.R.

N^o 1 opposite the head of Bloody
Island which bears N 45 E. Dist
of River 4.50 Distance to head of
Island 17.00 Hence by traverse of
the Sacramento River.

pt 179 p. 6. 1. 00 To dry bed of Cottonwood creek course W.

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7. 29 To Water
 12. 29 Cross creek to field
 15. 29 End of course on bank of river, which is
 4 chs wide, and opposite south end
 of Readings Island.

Last 3 chs 1st rate land.

2nd 27 1/2 W. 15. 00 End of 2nd course in field
 3rd 28 1/2 W. 20. 00 " " 3rd " " "
 4th 11 E. 12. 00 To Garden -

Traverse of Sacramento River.

17. 50 Cross the same and enter uncultivated
 land about 4 chs from house.
 28. 00 To end of 4th course 1st rate.
 5th 18 E. 1. 00 opposite head of Readings Island.
 6. 00 " foot of Rancheria Island, & ascend

East point of Bluff.

12. 00 Summit & descend
 15. 00 To high bottom on bank.
 18. 00 To end of 5th course. 3rd rate land.
 6th 17 W. 9. 00 Ascend along foot slope of bluff.
 11. 00 To summit & level.
 18. 00 To end of 6th course 3rd rate land. Clay & gravel.

7th 21 W. 15. 50 End of course. 3rd rate as above.
 8th 30 1/2 W. 12. 50 Descend.

14. 00 To creek course N. W.
 14. 50 Cross the same & pass along narrow
 strip of high bottom.
 21. 00 End of 8th course - Edge of this timber.
 Land 3rd rate.

9th 49 E. 1. 50 To creek N. W.
 2. 25 Cross the same
 29. 50 To end of 9th course 2nd rate land - River on
 this course about 2 chs wide.

10th 10 1/2 E. 25. 00 To head of Rancheria Island.

x 27. 00 to any creek - Course N 50 W.
28. 00 Cross the same.

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- 33. 00 The land is level, 2^d rate & sandy.
- 11th A. 18 1/2 W. 58. 50 End of 11th course on dry bed of River.
- 12th A. 31 W. 15. 00 End of 12th course 3^d rate land, level and occasional timber.
- 13th A. 21 1/2 W. 25. 00 To Water of River
- 43. 00 To End of 13th course 3^d rate land.
- 14th A. 32 W. 47. 00 End of course 3^d rate land - Scattering timber.
- 15th A. 61 W. 23. 00 End of 15th course Last 2 chs 2^d rate land.
- 16th A. 41 W. 50. 00 End of course. There is some scattering 2^d rate land, but it is generally 3^d rate. Some little timber. —
- CASE NO. 4 ND
- PAGE NO. 73
- 17th A. 29 1/2 W. 68. 50. End of course 3^d rate Sandy land.
- 18th A. 77 1/2 W. 12. 00. Opposite the mouth of creek and military post of Camp Reading.
- 27. 00. End of 18th course 3^d rate land sandy
- 19th S. 30 1/4 W. 24. 00. Low sandy bottom & come upon edge of plain & some thin timber.
- 25. 00. End of 19th course on 2^d rate land.
- 20th A. 89 W. 49. 00. To end of course 2^d rate land, level and some timber.
- 21st A. 68 1/4 W. 20. 00 End of course. The land on this course is generally 3^d rate & sandy.
- 22nd A. 40 1/2 W. 10. 00. To stones & sand - old bed of River. —
- 72. 00 To higher 2^d rate land.
- 77. 50. To end of 22nd course. Scattering timber.
- 23rd S. 49 1/2 W. 13. 00. End of course generally 3^d rate.
- 24th S. 29 W. 15. 00. End of course Land 3^d rate, covered with round stones.
- * 25th S. 56 1/4 W. 17. 00 End of course. Note by the Surveyor General this course is inserted here from the first set of field notes the same being omitted through mistake.
- 26th A. 81 W. 4. 00 Leave stones & sand, and enter upon 2^d rate ground.
- 25. 00 End of 26th course
- 27th A. 72 W. 10. 00 End of 27th Generally 2^d rate.

283. 83³/₄ W. 54. 50 End of course in front of Hughes house & distant about 3 chs from bridge and Chastan road. Land generally 3^d rate.
- 78
- 29th N. 72³/₄ W. 14. 00 End of course. Land generally high & 2^d rate, and ordinary timber.
- 30th N. 53¹/₂ W. 14. 00 End of course. Land as above.
- 31st N. 42¹/₄ W. 10. 30 To Creek - Course S. W.
11. 70 Cross the same.
68. 00 To end of 31 course. Land generally 2^d rate. Sandy soil, some timber.
- 32nd N. 24¹/₂ W. 8. 00 To Bottom & the land leans off more West.
37. 00 To end of 32 course on a of sand and stones. Land on this course generally 3^d rate - little timber.
- CASE NO. 4 ND
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- 33rd N. 24 E 33. 00 End of course 3^d rate Stones & sand.
- 34th N. 37³/₄ W. 17. 00 End of course 3^d rate.
- 35th S. 82¹/₂ W. 33. 00 To highland.
35. 00 End of 35 course Land 3^d rate.
- 36th S. 83¹/₂ W. 32. 00 2 chs to Road.
34. 00 To low Bottom.
35. 00 End of 36 course Land generally 3^d rate.
- 37th N. 29¹/₂ W. 1. 00 To Clear Creek - Course West.
6. 00 Cross the same at mouth but the creek is generally about 1 chain wide or less.
20. 00 End of 37 course 3^d rate.
- 38th N. 5 W. 11. 50 End of course on Stony bank
- 39th N. 42 E 27. 00 End of course on Stones & sand.
- 40th S. 86¹/₄ W. 20. 50 To Creek - course South.
21. 00 Cross the same.
28. 00 To Creek course South.
29. 00 Cross the same.
31. 50 To end of 40 course 3^d rate land.
- 41st N. 67¹/₄ W. 15. 00 To end of course 3^d rate land, some timber.
- 42nd N. 41¹/₂ W. 15. 50 To Creek Course S. W.

16. 25 Cross the same

21. 00 To end of 42nd course at Post 2.50 from house on Shasta road 2nd rate land generally. -

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From this Post, a line S 42nd E 101.00 to end of 36th course includes an area of 91.17 acres.

42nd 26th E. 3. 00 To slough which has been the bed of the River and through which Sluic creek empties into River - Course N. W.

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4. 50 Cross the same to bottom & growth.

48. 00 To end of 43rd course - 3rd rate land some timber -

44th 2 1/2 W. 11. 00 To end of course 2nd rate - some sand.

45th 3 1/2 W. 11. 00 To end of course 3rd rate as before.

46th 3rd E. 24. 00 To end of course on high 3rd rate level land with a little timber. -

47th 4 1/2 E. 59. 50 To end of course 3rd rate with some timber.

48. 4 1/2 W. 49. 00 To end of course 2nd rate land.

49th 7 1/2 W. 19. 00 To high level open plain timber about 10 chs West -

22. 00 To end of course 2nd rate land.

50. 5 3 W. 15. 00 To " " " " " " "

51st 28 1/2 W. 11. 00 To creek Course N. 40th W. -

12. 00 Cross the same

23. 00 To end of 51st course 2nd rate land.

52nd 1st E. 29. 00 To Creek Course West.

32. 50 Cross the same.

35. 00 To end of 52nd course 2nd rate land.

53rd N. 14 1/2 E. 5. 00 To Gibson's & Quirk's ferry 2nd rate land and some timber -

23. 00 End of course.

54th 7 W. 52. 00 Ascend bluff.

24. 50 To end of course 2nd rate land & some timber

55th 7 1/4 E. 13. 00 To end of high 2nd rate land, & some timber.

56. A. 30 1/2 E. 3. 00 To dry bed of creek - Course West.
 5. 00 Cross the same.
 85 15. 00 To end of 56 Course 2^o rate land.
 57. A. 46 E. 25. 00 To end of course 2^o rate land.
 58. A. 68 E. 3. 50 " " " " generally 3^o rate land
 59. A. 7 1/2 W. 30. 00 " " " " " 3^o rate land
 60. A. 6 1/2 W. 10. 00 " " " " " on edge of high land 2^o rate land
 61. A. 2 W. -
 Continue along edge of high land, & dry bed
 of River - The water at the present stage
 having receded several chs East.
 62. 00 To end of 61st course 3^o rate land.
 62. A. 17 1/2 W. 9. 00 To end of course " " "
 63. A. 22 W. 24. 00 " " " " " " "
 64. S. 60 1/2 W. 9. 00 To high level 2^o rate & open land.
 10. 00 To end of course 1st 9 chs 3^o rate land.
 65. A. 8 W. 22. 00 Ascend point of bluff, about 1/2 ft above
 former land -
 26. 00 To summit about 60 feet above water.
 35. 00 To end of 65 course 2^o rate land.
 66. S. 8 1/2 W. 21. 00 " " " " course 2^o rate & open land.
 67. A. 63 W. 3. 00 Descend to bottom.
 17. 50 To end of course in field 2^o rate land.
 68. A. 88 1/2 W. 22. 00 To Hunt's Ferry (in field)
 45. 00 Leave field.
 58. 00 The Valley is ch wide.
 68. 00 To creek course
 69. 00 Cross the same
 90. 00 To branch course.
 91. 50 Cross the same
 140. 00 Cross point of bluff.
 153. 00 Along foot of "
 150. 00 To end of 68 course Generally 2^o rate land.
 69. A. 49 1/2 W. 3. 60 To Cold creek - Course South. -
 4. 10 Cross the same.

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9 13 Set post on Salt Creek.

Marked P.B.R. & stake one bearing -
a line 3 feet Diameter bears S 20 1/2 W - 4.18
Marked P.B.R. B.T. and No 1
3^d rate land -
We are in the mines. -

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Having completed the traverse of the Sacramento River, and made a plat of the same I have proceeded (in order that I might preserve an uniformity in the width of the survey) to run imaginary lines from and to the most prominent points of the traverse of the River.

Sec 1st Commencing at Cottonwood tree, the place of beginning, I have drawn a line to the end of 8th course of traverse forming section No. 1 & including 89.78 acres - course S 6 1/2 E - 142.00 - The 2^d section formed by a line drawn from the 9th to the 15th courses inclusive and containing 742.36 acres - Course S 13 3/4 E - 222.00
* See "Remarks" of the Surveyor General at the end of these field notes.

See "Remarks" of the Surveyor General at the end of these field notes. -

The 3^d section is formed by a line drawn from stations 16 to 20 inclusive, and containing 456.89 - Course S 60 E - 199.00 - The 4th section by line from station 21 to 29 inclusive - Course S 77 E - 265.00 and includes 394.18 acres - The 5th section by line from station 30 to 36 inclusive - Course S 47 1/2 E - 205.00 containing 295.99 acres. -

The 6th section by line from Stations 37 to 42 inclusive - Course S 41 1/4 E - containing 91.10 acres -

The 7th by line from Stations 43 to 51 inclusive - Course S 89 1/4 E - 240.00 - containing 892.61 acres. -

The 8th section is formed by line from Station 52 to 69 inclusive - Course S 17 1/4 E - 251.00 and contains 1217.60 - The total of the areas of the above 8 sections is 4161.51 for which refer to accompanying tables. -

Having ascertained by examination that 130 chs would be the correct width for the south boundary I proceed to survey the same -

Commencing at Cottonwood corner - along Cottonwood bottom -

- 45. 00 To base of bluff & continue ascending with slope.
- 50. 00 Over very rough ground.
- 130. 00 To White oak tree corner - 2 feet diameter marked P.B.R. - N^o 2 - Land I rate same timber.

From the above point I commenced the survey of the backline.

Back Line of J. B. Reading's Claim
1st Course

- at 6 1/2 M. - 10. 00 Leave hill & enter plain with some timber.
- 56. 00 To Cottonwood creek - course N 80 E -
- 57. 50 Cross the same & continue in sandy bottom subject to overflow. -

See - "Remarks" of Surveyor General at the end of these field notes.

See - "Remarks" of Surveyor General at the end of these field notes.

879 M -

82

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25
"Back Line"

70. 00 To 2^d rate bottom.
78. 00 Leave creek bottom & enter high barren plain
83 142. 00 To end of 1st course Post marked P.B.R.
St 3 - Land generally 2^d rate - The plain
is clay & gravel -

2^d Course -

- St 15 3/4 W-156. 00 To end of 2^d course in plain -
Post marked P.B.R. St 4 - Land level and
3^d rate. -

3^d Course

- St 60. 187-125. 00 To end of 3^d course Post marked P.B.R.
St 5 - Land as above. -

4th Course -

- St 77 W-70. 00 Cross Chasta road - Course North. -
85. 00 To thin timber -
110. 00 To open sandy valley
130. 00 To dry bed of creek - Course at right
angles with line. -
132. 50 Cross the same.
140. 00 To thin timber. -
190. 00 Along point of bluff.
220. 00 Ground very hilly
263. 00 To end of 4th course set Post & stake bearing
Oak 2 1/2 feet Diameter bears St 7 E-80
Post marked P.B.R. St 6 - Land 3^d rate.

5th Course

- St 4 1/2 W- Over broken & mountainous land -
53. 00 To Munday's Gulch. -
65. 00 To dry bed of creek - course North.
66. 50 Cross the same.
67. 00 To dry bed of creek - Course North.
68. 50 Cross the same & ascend - continue over
very broken ground. -

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See - diary of surveyor General at the
end of these field notes. -

330. 00 To bottom. —
 332. 00 To Creek Course North —
 333. 90 Cross the same. —
 340. 00 Ascend, & over very rough ground to
 380. 00 End of 5th course set post & stake bearing
 Oak & Fir bears S 88 W - 35 - 2 1/2 - man-
 led P.B.R. # 7. —

84

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6th Course.

- A 84 W - 50. 00 Descend to clear out bottom.
 51. 50 To creek - Course East
 61. 41 Cross the same to high sandy level with
 some Oak & Pine timber. —
 93. 00 Ascend steep mountain & continue over
 very rough ground.
 160. 00 To Olney creek - Course East. —
 162. 00 Cross the same and continue on sandy bottom.
 210. 00 Ascend mountain & continue over very
 rough ground. —
 252. 00 To dry bed of creek Course East.
 252. 75 Cross the same and continue in creek bottom.
 257. 00 Leave creek bottom & ascend.
 262. 00 To dry bed of creek - Course S.E.
 262. 25 Cross the same & ascend & continue over
 rough ground.
 332. 00 Descend to dry bed of creek - Course E.
 332. 40 Cross the same & continue on valley
 341. 00 Leave valley & ascend & continue over
 rough ground.
 397. 00 Cross Shasta road - Course E & W in valley
 402. 00 Ascend to level ground.
 415. 00 Set temporary post -
 From the temporary post above named
 I ran a line
 A 80 1/4 E - 108. 00 intersecting the line from Station 52 to 67.

See the Demand of the Survey
General at the end of the book.

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of Traverse of River at N. 30 from Station 52.

This line closes Figure #9 which is formed of the lines drawn to different points of the Traverse of the South boundary & the back line forming an area of 1986.42 acres for which refer to table #9. Finding that the termination of the 8th course at 415.00 made the survey wider than 130 chs I continue the course N 84 W over level land. —

N 84 W - 437

To end of 6th course in depression set post, & take bearing at end of 6th course Oak 22 In Dia bears S 78 W - 82 1/2 - Marked P. B. R. # 8. The land on this course is 3rd rate with some timber Mangrove & Chinasaal.

From this point a line drawn South 88 1/2 East 1.11 chs, intersecting 8th line from Station 52 to Station 67 - & with 22 chs upon back line - Course S 8 1/2 E - and with line at 80 1/4 E - 108 chs formed Fig # 10 with an area of 11600 acres for which refer to table # 10. —

The areas of the Figures from # 1 to # 10 inclusive form a total of 23463.93 acres leaving yet to be found 2579.73 acres. —

86

I now commence the Traverse of Salt Creek which is the North boundary of this claim.

Traverse of Salt-Creek. —

- | | | |
|--|----|---|
| 1 st S 70 ³ / ₄ W 4. | 00 | Cross Oregon trail - Course N 48 W - |
| 40. | 00 | To end of 1 st course |
| 2 nd S 66 ¹ / ₂ W 15. | 00 | " " " 2 ^o " |
| 3 rd S 31 ¹ / ₄ W 5. | 00 | " " " 3 ^o " |
| 4 th S 83 ¹ / ₂ W 12. | 00 | " " " 4 th " |
| 5 th S 60 ³ / ₄ W 7. | 00 | " " " 5 th " |
| 6 th S 21 ¹ / ₂ W 16. | 00 | Cross Shasta road — |
| 16. | 50 | To end of 6 th course |
| 7 th S 86 ¹ / ₂ W 2. | 00 | Cross Road |
| 4. | 00 | End of 7 th course. |
| 8 th S 3 W 1. | 00 | Cross road which crosses Salt Creek at this point — |
| 6. | 00 | To end of course & of Traverse of Salt Creek
Take one bearing - White Sulphur Springs
bears S 56 E - 2.52 — |

Having ascertained that a line from the end of 6th course of back line should terminate at last named point on Salt Creek. I have accordingly closed the survey upon that point. —

7th Course —

- | | | |
|-----------|----|---|
| N 64 W 2. | 50 | ascend to level |
| 20. | 00 | Broken ground. — |
| 80. | 00 | Cross Shasta road - Course 4. & continue over very broken ground. |
| 199. | 00 | Intersect traverse of Salt Creek at 600 upon 8 th course - bearing taken above |

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The above line closed Fig^{ts} 11. which contains 2589, 32 acres forming a total of 260,5225 acres, for which refer to Map & also to Table N^o 11. -

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*

Note by Surveyor General - The Fig^{ts} 11 above alluded to, after an examination of the work, is found to contain 2583 ⁵¹/₁₀₀ acres - and the total number of acres mentioned 260,995 ⁷⁰/₁₀₀, or six square leagues and fifty four ⁴/₁₀₀ acres.

I, Ralph W. Harris, Deputy Surveyor, do solemnly swear that in pursuance of Instructions from Genl. D. King, Surveyor General of the U.S. for the State of California, bearing date Apr 24th 1852 I have regularly surveyed the claim of Person B. Reading, called "Barra Ventura" lying upon the Sacramento River & that the above are the true & original field notes thereof.

Ralph W. Harris -
Deputy Surveyor -

Sworn to & subscribed
before me this 7 day of
Oct^r A.D. 1852.

James C. Hainwright
County Clerk
By R. C. Hopkins - Deputy do -

24

Remarks by the U.S. Surveyor General

Upon examination of the work, there is found to be a small difference in the calculated back lines and respective areas mentioned in the preceding field notes.

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The sections mentioned in the preceding notes or courses and the areas is as follows:

Sec 1. Course S 6. 00 45 E	141.79 chs
Area —	90.24 acres
Sec 2 course S 12. 57. 30 E.	222.28 chs
Area —	723.74 acres
Sec 3. Course S 58. 59 E.	194 chs
Area —	458.92 acres
Sec 4. Course S 77. 11 E.	265.79 chs
Area —	397.17 acres
Sec 5. Course S 47. 38 E	214.60 chs
Area	295.96 acres
Sec 6 Course S 42 E	101.01 chs
Area —	91.15 acres
Sec 7 - Course S 8. 19. 15 E	239.96 chs
Area	892.41 acres
Sec 8 Course S 17. 5 E	250.54 chs
Area	1212.98 acres

The sum of these 8 Sections is 4165.08 acres, and not 4161.51 as mentioned in the notes.

Sec or Fig 9 mentioned in these notes comprises 19,250⁷⁶/₁₀₀ acres, instead of 19,186⁴²/₁₀₀ acres.

Sec or Fig 11 mentioned in the preceding notes comprises 116³⁵/₁₀₀ acres, instead of 116 acres.

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Sec or Fig 11 mentioned comprises 2563⁵/₁₀₀ acres forming a total of 26,095.70 acres or 6 square leagues & 54⁴/₁₀₀ acres.

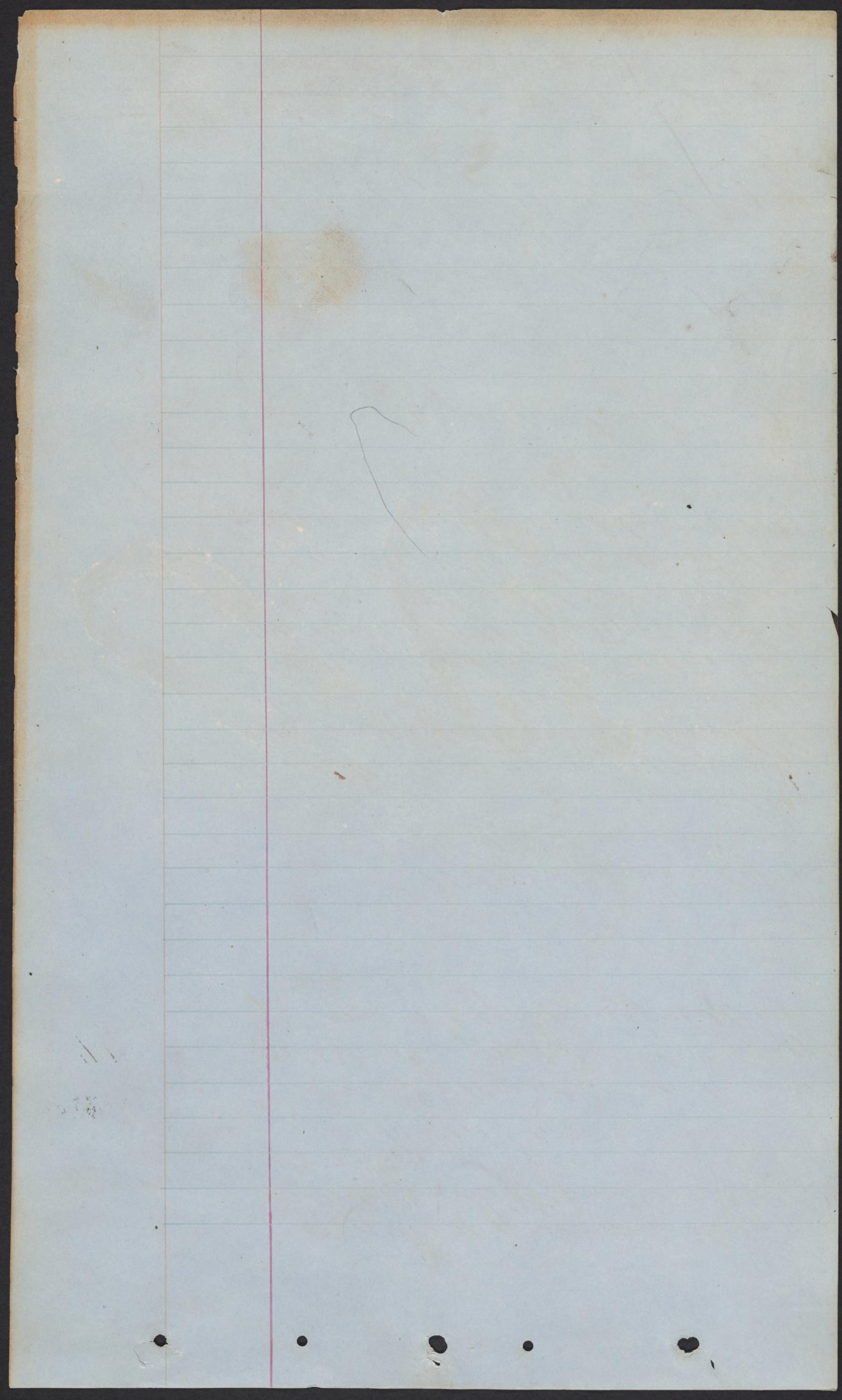
U.S. Surveyor Genl's Office.
San Francisco Dec 11th
1852.

The foregoing field notes in the initiatory survey of the Rancho Buena Ventura, P. B. Reading claimant, having been duly examined & amended being in conformity to the instructions of this Office of the 24th April last, based upon the order of the Board of Land Commissioners dated April 22^d 1852, are hereby approved.

(Signed) Saml. D. King
Sur Genl.

I certify that the foregoing is a true and correct copy of the field notes of the initiatory survey of the Rancho Buena Ventura, claimed by P. B. Reading.

San Francisco Saml. D. King
Dec 13th 1852. Sur Genl.



91

I George Fisher Secretary of the Board of Commissioners to ascertain and settle the private Land Claims in the state of California, do hereby certify the foregoing 30 pages numbered from 1, to 30 both inclusive to contain a true, correct and full Transcript from the Journal of proceedings of the said Board in case No 28, Pearson B. Reading, Claimant, against the United States, for the place named "Buena Ventura". I further certify the foregoing 59 pages, numbered from 31, to 89, both inclusive, to contain a true correct and full copy of the original Depositions of Witnesses and other documentary evidence on file in this Office, in the same case.

In testimony whereof, I hereunto set my hand and affix my private seal, not having a seal of Office at San Francisco California, this Twelfth day of August 1853, and of the Independence of the United States of America, the Seventy seventh -



Geo. Fisher
 Secy.

4-ND
ading -
an Buena
4

#4ND

CASE NO. 4 NDY
PAGE NO. 87

Attorney General's Office
Washington D.C. 11 July 1853.

Pearson B. Reading Claimant

United States

You will please take notice
that the appeal in the above case from
the decision of the Commissioners to ascertain
and settle the private land claims in the
State of California to the District Court
of the United States for the Northern
District of California, will be prosecuted
by the United States.

Clauvin
Attorney General us

To The Clerk of the District
Court of the United States
for the Northern District of
California

San Francisco.

Notices of Ap
peal in case

Pearson B Reading

ad.

The United States

CASE NO. 4 ND

PAGE NO. 88

Filed Aug. 17, 1833

J. W. & M. W. C. C.

CASE NO. 4 NDF

PAGE NO. 89

Attorney General's Office
Washington 11th July 1853.

Pe arson B. Reading, Claimant

vs.

The United States.

You will please take notice that the appeal in the above case, from the decision of the Commissioner to ascertain and settle the private land claims in the state of California to the District Court of the United States for the northern District of California, will be prosecuted by the United States.

Clarking.

To The Clerk of the
District Court of the
United States for the
Northern District of California
San Francisco.

Land Claim No 3

4

The United States

vs

Pearson P Reading

Notice of Appeal

CASE NO. 4 ND

PAGE NO. 90

Filed August 17 1833

John A. Mendenhall
Clerk

CASE NO. 4. ND.

CASE NO. 4 ND

PAGE NO. 91

Attorney General's office
Washington D.C. 11 July 1853

Pearson B. Reading Claimant

The United States

You will please take notice
that the appeal in the above case, from
the decision of the Commissioners to
ascertain and settle the private land
claims in the State of California, to
the District Court for the Southern
District of California, will be
prosecuted by the United States.

Clerking

Attorney General U.S.

To

The Clerk of the District
Court of the United States
for the Southern District of
California

Monterey.

U.S. States Dist. Court

4
South. District of Calif.

Perison B. Reading
vs
The United States
From Atty. General July 11/53

Notice of appeal
N. D.

Filed in the northern
Dist of Cal

Filed Aug. 20/53

A. Taylor
Att

CASE NO. 4ND

PAGE NO. 92

U. S. District Court
Northern Dist. California

CASE NO. 4 ND
PAGE NO. 93

The United States, Appellant

vs

Pearson B. Reading, Appellee.

In the matter of the claim
of Pearson B. Reading for
the Rancho "Buena Ventura"

Now comes the said Pearson B. Reading
by his Attorney & Counsel, and by leave of this Court
files this his motion, and asks the said Court to
dismiss this case from appeal for the following reasons
and grounds of objection to said appeal being pro-
-ceded by this Court to wit:

- II. That said appeal has not been brought or perfected
according to law, in this-
- 1st. That the act of Congress entitled "an act to
ascertain and settle private land claims in
California", approved, March 3^d, 1851, provides
a time and mode in which the decision of the
U. S. Land Commissioners in this case may
be reviewed, and these terms and conditions
were accepted by Claimant Reading, and that
the decisions of said U. S. Land Commissioners
should be final unless appealed under the
provisions of said act, of March 3^d, 1851.
 - 2^d. That in particulars not altered or proposed
to have been altered by any subsequent act
of Congress said appeal has not been

brought or perfected according to, and the proceedings
jurim are not in conformity with, the provisions
of Said act of March 3^o 1837, or with law.

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3^o. That this appeal is in derogation of the rights
of the Claimant-Reading secured to him by the
treaty between the United States and Mexico
commonly called the Treaty of Guadalupe
Hidalgo, and proceedings thereunder.

4th. That it is in derogation of the rights of the
Claimant-Reading under a compact with
the United States existing by virtue of Said
Treaty, the Said act of March 3^o 1837, enacted
to carry into effect and execution the Said
Treaty, and the Claimant-Reading's acceptance
of Said act, of March 3^o 1837.

5th. That by operation of law and the provisions
of Said act of March 3^o 1837, the decision of Said
Commissioners in this case has become final
in favour of the Claimant-Reading, and is
not open to review or appeal.

II. That this Court has no jurisdiction of Said appeal
because.

1st. In order to any jurisdiction over, or cognizance
of, the proceedings or decisions of Said Commission
it is required that a petition be presented to
this Court, and a copy thereof served on the
adverse party, praying Said Court to review

the decision of said Commissioners and the same has not been done, and the time within which it might have been done has elapsed,

- 2^d That there are no provisions lawfully established by which the decisions of said Commissioners in this case can be brought within the jurisdiction of this court, to prevent the reopening of the same into a decree of final confirmation, other than those set forth in said act of March 3^d 1857, and said provisions have not been complied with,
- 3^d That the appeal has not been properly brought or perfected by due process,
- 4th That there are no provisions of law by which an appeal will lie from the decision of said Commission herein,
- 5th That this Court has no appellate jurisdiction over the subject matter of this appeal nor are the parties properly brought before it,
- 6th That the said Commission is not a court established under the 1st, & 2^d Sections of 3^d article of the Constitution of the United States, the tenure of office of said Commissioners not being that of good behaviour, but at the will of the President of the United States, and their jurisdiction Special, and that Claimant Reading has not consented to have his rights tried or heard other than

by any course of law, Except by his acceptance of the terms of said act of March 3^d 1851. and this appeal is not brought in accordance with said act of March 3^d 1851. or his consent, and he protests against imposition of new terms or that this court take jurisdiction

7th. That said act of March 3^d 1851. is not a law enacted by Congress in its legislative or law giving capacity, but in the nature of a contract, and governs both the United States and Claimants as contracts between individuals, and cannot be changed without mutual consent.

8th. The said Commission is not a part of the United States judiciary, established by Congress in its law making capacity, or government capacity, but is a special tribunal established in pursuance of administrative and fiduciary powers as custodian of United States lands.

9th. This court has no appellate jurisdiction except by Sec. 1 & 2 of 3^d Article of the Constitution of the United States.

10th. This court has no appellate jurisdiction under the Constitution and laws of the United States.

Wherefore said appellee Pearson B. Reading by his attorney and counsel moves this court to dis-

CASE NO. 4 ND
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miss this appeal, and to grant an order, judgment &
decree of final Confirmation of said claim, and
Such further or other order judgment & decree as shall
be according to law, and the nature and equity of
this case may require -

E. O. Crosby
Attorney & Counsel for
Pearson B. Reading
Appellee.

2
U.S. District Court
for the
Northern Dist. California

The United States, appellee

vs

Reason B. Reading appellee

Motion to dismiss appeal, &c

E. O. Crosby,

Atty. Counsel for
Reading appellee

Filed Oct. 3^d 1883

John Monroe
Clerk

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U. S. District Court

The United States

^{vs}
Pearson B Reading

Land Claim No. 7
Testimony before a Commissioner
on consent of parties.

CASE 4
PAGE 99

J. J. Warner, being duly sworn, says: I have exam-

ined documents purporting to be the expediente and title papers of Rancho Buena Ventura, to Pearson B Reading, & in the Archives in custody of the Surveyor General of the United States for California, there is a Petition of Pearson B Reading, which is decreed by Manuel Michael Torrano on the 1st of December 1844, Report of Manuel A Jimeno, December 1. 1844; Order to make title by Michael Torrano, Dec. 4 1844; Title of same date signed by Manuel Michael Torrano, and Manuel Jimeno as Secretary of State; Certificate of Record signed by Jimeno, all of which signatures are the true and genuine signatures of the persons respectively, whose names are affixed to said documents, being well acquainted with their signatures, having repeatedly seen them write, I know that they were at the times specified filling the Offices in said documents expressed,

I reside in San Diego County California, I have been a permanent resident of California since the Year 1834, first came to California in 1831

Cross Ex. When I speak of Title above, I mean a paper purporting to be a title, J. J. Warner

United States of America, }
Northern District of California. } ss.

I, *Henry B James* a commissioner duly appointed by the District Court of the United States, for the Northern District of California, under and by virtue of the Acts of Congress, entitled "An Act for the more convenient taking of Affidavits and bail in civil causes, depending in the Courts of the United States," passed February 20th, 1812, and the Act of Congress, entitled "An Act, in addition to an Act, entitled 'An Act for the more convenient taking of affidavits and bail in civil causes, depending in the Courts of the United States,'" passed March 1st, 1817, and the Act entitled "An Act to establish the Judicial Courts of the United States," passed September 24th, 1789, **Do hereby Certify**, That the reason for taking the foregoing *deposition* is, and the fact is, the witness ~~was~~ material and necessary in the cause in the caption of the said deposition named, and that ~~the same was~~

taken by consent of S W Inye Esq in behalf of the United States - and - Cowsby Esq counsel for P B Reading

CASE A-ND
PAGE 100

~~I further Certify, That notification of the time and place of taking the said deposition signed by me, was made out and served on the~~

~~to be present at the taking of the deposition and to put interrogatories, if he or they might think fit~~

I further Certify, That on the *21st* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* I was attended by *S W Inye Esq - by proxy - and Cowsby Esq* and by the witness who ~~was~~ of sound mind and lawful age, and the witness *bring* by me first carefully examined and cautioned, and sworn to testify the truth, the whole truth, and nothing but the truth, and the *deposition was* by me reduced to writing, in the presence of the witness and from *his* statement and after carefully reading the same to the witness ~~who~~ subscribed the same in my presence. I have retained the said *deposition* in my possession for the purpose of *returning*

the same with my own hand ~~to~~ the Court for which the same ~~was~~ taken.

And I do further Certify, That I am not of Counsel nor Attorney for either of the parties in the said *deposition* and caption named, nor in any way interested in the event of the cause named in the caption.



any whereof, I have hereunto set my hand and seal, this *21st* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* and of the Independence of the United States the *seventy eighth*

Henry B James

United States Commissioner, duly appointed by the District Court of the United States, for the Northern District of California.

✓
Vol.

No.

4-ND

United States

Court,

For the

District

of

The United States

vs.

Samuel B. Reading

J. A. Wames Deposition on the part of the
taken before

Henry B. Jones

United States Commissioner, on the

21st day of October 1853

Filed the 21st day of October 1853

J. A. Wames Clk

CASE 4. ND.

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Case of 1841. I have resided
mostly in San Francisco and
Monterey.

Joseph P. Thompson

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We hereby consent that the
foregoing deposition be read
on the trial of the above
cause ~~and all informalities~~
~~as to notice &c are hereby~~
~~waived~~ subject to all legal exceptions
J. W. [Signature]

U. S. Dist. Court

United States

vs

P. B. Reading

Test. de bene esse

of J. P. Thompson

Given Oct. 22 1833

John A. Morrison
Clerk

CASE NO. 4 ND

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United States of America, }
Northern District of California. }

CASE NO 4 ND
PAGE NO. 104

I, *John A. Moore* a commissioner duly appointed by the District Court of the United States, for the Northern District of California, under and by virtue of the Acts of Congress, entitled "An Act for the more convenient taking of Affidavits and bail in civil causes, depending in the Courts of the United States," passed February 20th, 1812, and the Act of Congress, entitled "An Act, in addition to an Act, entitled 'An Act for the more convenient taking of affidavits and bail in civil causes, depending in the Courts of the United States,' passed March 1st, 1817, and the Act entitled "An Act to establish the Judicial Courts of the United States," passed September 24th, 1789, **Do hereby Certify,** That the reason for taking the foregoing deposition is, and the fact is, the witness *was* material and necessary in the cause in the caption of the said deposition named, and that ~~the same~~ *was taken by consent of parties*

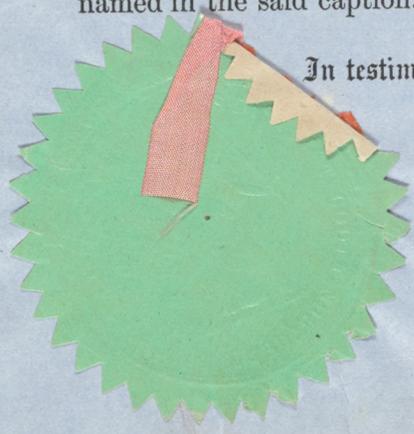
~~I further Certify, That notification of the time and place of taking the said deposition signed by me, was made out and served on the~~

~~to be present at the taking of the deposition and to put interrogatories, if he or they might think fit~~

I further Certify, That on the *22^o* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* I was attended by *the Counsel for the respective parties to this action* and by the witness who *was* of sound mind and lawful age, and the witness *being* by me first carefully examined and cautioned, and sworn to testify the truth, the whole truth, and nothing but the truth, and the deposition *was* by me reduced to writing, in the presence of the witness and from *his* statement and after carefully reading the same to the witness *he* subscribed the same in my presence. I have retained the said deposition in my possession for the purpose of *returning*

the same with my own hand *to* the Court for which the same *was* taken.

And I do further Certify, That I am not of Counsel nor Attorney for either of the parties in the said deposition and caption named, nor in any way interested in the event of the cause named in the said caption.



In testimony whereof, I have hereunto set my hand and seal, this *22^o* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* and of the Independence of the United States the *seventy eighth*

John A. Moore
United States Commissioner, duly appointed by the District Court of the United States, for the Northern District of California.

✓
5
Vol.

No.

United States District Court,
For the Northern District
of California

The United States
vs.
Pearson B. Reading

J. P. Thompson Deposition on the part of the
Appellee taken before

Wm. A. Munroe
United States Commissioner, on the
29th day of October 1853

Filed the 22nd day of Oct^r 1853

Wm. A. Munroe
clerk

CASE NO. 4 ND
PAGE NO. 105

The United States
vs
Pearson B Reading

Testimony by consent
subject only to legal
exceptions, notices &c
waived

R. W. Norris, being duly sworn, says. I

executed a survey of the land in controversy
in this suit, under the Order of the U. S. Board
of Land Commissioners under instructions from
the Surveyor General, as his deputy.

The Map marked "Exhibit A" October 21,
1858, is a Map of the survey made by me
and a copy of the Map in the Surveyors
General Office, of the same tract. The
marked House is the location of the residence
of Pearson B Reading the party litigant in
this suit.

The House is a good adobe house, 80 feet in
length, one story high, four rooms, with
back buildings granary & houses for ~~heads~~
laborers &c

The field adjacent to the house is fenced and
ditched, containing as I estimate a ~~prad~~
of 100 acres.

In the westward adjacent, to this tract, the
face of the country, is entirely barren and
unfit for cultivation or grazing, with the ex-
ception of a few acres, just over the line of
the survey on the Map - in rear of the resi-
dence of Mr. Reading, the general face
of the ~~face~~ country westward is mountainous
rocky & barren,

R. W. Norris,

U. S. Dist Court

The United States

vs

Pe arson B Reading.

Testimony of R W
Norris — Oct. 22, 1853

Filed Oct. 22, 1853
John A. Munn
clk

CASE NO. 4 ND
PAGE NO. 107

United States of America, }
Northern District of California. } ss.

CASE NO. 4ND
PAGE 108

I, *Henry B James* a commissioner duly appointed by the District Court of the United States, for the Northern District of California, under and by virtue of the Acts of Congress, entitled "An Act for the more convenient taking of Affidavits and bail in civil causes, depending in the Courts of the United States," passed February 20th, 1812, and the Act of Congress, entitled "An Act, in addition to an Act, entitled 'An Act for the more convenient taking of affidavits and bail in civil causes, depending in the Courts of the United States,'" passed March 1st, 1817, and the Act entitled "An Act to establish the Judicial Courts of the United States," passed September 24th, 1789, **Do hereby Certify**, That the reason for taking the foregoing *deposition* is, and the fact is, the witness *was* material and necessary in the cause in the caption of the said deposition named, and that ~~he~~ *the same* *was taken by consent*

~~I further Certify, That notification of the time and place of taking the said deposition signed by me, was made out and served on the~~

~~to be present at the taking of the deposition and to put interrogatories, if he or they might think fit~~

I further Certify, That on the *22^o* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* I was attended by *the counsel for the respective parties to this action* and by the witness who *was* of sound mind and lawful age, and the witness *being* by me first carefully examined and cautioned, and sworn to testify the truth, the whole truth, and nothing but the truth, and the *deposition was* by me reduced to writing, in the presence of the *witnesses* and from *his* statement *I* and after carefully reading the same to the witness *was* subscribed the same in my presence. I have retained the said *deposition* in my possession for the purpose of *returning*

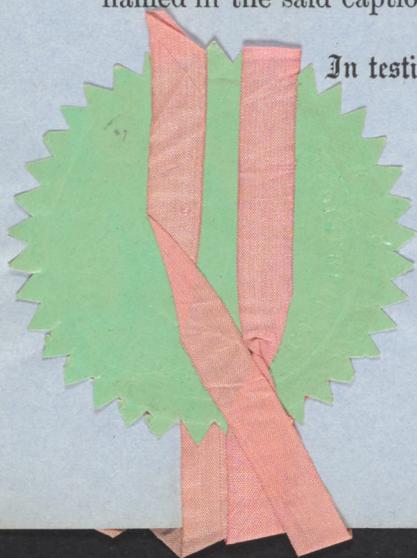
the same with my own hand *to* the Court for which the same *was* taken.

And I do further Certify, That I am not of Counsel nor Attorney for either of the parties in the said *deposition* and caption named, nor in any way interested in the event of the cause named in the said caption.

In testimony whereof, I have hereunto set my hand and seal, this *22^o* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* and of the Independence of the United States the *seventy eighth*

Henry B James

United States Commissioner, duly appointed by the District Court of the United States, for the Northern District of California.



Vol.

4

No.

United States District Court,
For the Northern District
of California

The United States

vs.

Plaintiff Reading

Remond's Deposition on the part of the
appelles taken before

Henry B. James

United States Commissioner, on the 22nd
day of October 1853

Filed the 22nd day of October 1853

John A. Munn
clerk

CASE NO. 4 ND
PAGE NO. 109

CASE NO. 4 ND
PAGE 110

U. S. District Court

Northern Dist. California

The United States, Appellant

vs

Pearson B. Reading Appellee

Motion on the part of the appellee to
~~be~~ be allowed to take further testimony in this
case for reasons set forth in the deposition of the
appellee herewith filed; which testimony consists
of the depositions of John A. Sutter, J. J. Warner
R. W. Norris also herewith filed as also the deposi-
tion of G. P. Thompson.

Crosby, & Howard,
of Counsel for
Appellee.

U.S. Dist Court
Northern Dist. Cal.

J.
The United States
vs. appellant

Pe arson B. Reading
appellee

Motion to take further
testimony

Filed Oct. 25th 1833
Geo. A. Munroe
Clerk

CASE NO. 4 ND

PAGE NO. 111

U.S. District Court

CASE NO. 4ND
PAGE 112

Northern Dist California

United States appellant;

vs.

Person B. Reading appellee

City & County of San Francisco, S.S.

Person B. Reading

being duly sworn says: That since the commencement of the trial of this case and the commencement of the argument, he has discovered evidence material to him in the trial of the cause, which he was not aware of previously and could not have obtained by the exercise of ordinary diligence. Appellant further states that he was duly naturalized a Mexican citizen in the republic of Mexico according to the laws thereof, previous to the grant to him in the above stated case, that letters of citizenship were regularly issued to him by the proper Mexican authorities, that said letters were burned in the city of San Francisco among other papers, in the year A.D. 1851; that appellant has no copy of the same and does not know that any exists; that John A. Sutter as appellant is informed and believes saw and read said letters of citizenship previous to their destruction that appellant was only informed of that fact on yesterday for the first time; said Sutter resides over a hundred and forty miles from this city and he asks a reasonable time to procure

the testimony of said letter,

Affiant further states that since the argument has been commenced in this case, he has discovered important testimony by which he can prove that owing to the revolutions in the country and the conflict and war between the Republics of the United States and Mexico it would have been unsafe and dangerous for him to have occupied in person the land in this case claimed

Affiant further states that he is able to prove by the ^{Deputy U.S.} Surveyor, who executed the Survey under the order of the Board of U.S. Land Commissioners that the lands to the west of said Survey could not have been embraced within the same without including mountains, hills, and barren lands, unfit for cultivation & grazing.

Affiant is not aware that any public record of his letters of Naturalization and he has since examined the Archives now in the custody of the U.S. Surveyor General and no record of said letters of Naturalization can be found in said Archives.

Sworn to Oct^r 21, 1833
Henry B James

U. S. Comm^r

C. B. Reading



U.S. District Court
Northern Dist California
The United States appellant

vs
Pearson B. Reading appellee
Aff: on motion to take
further testimony

8

Filed Oct. 25th 1833
Jno A Mound
Clerk

CASE NO. 4 AND
PAGE 114

Answer, I requested Maj. Reading to do military duty for subduing the hostile Indians, and during the Revolution against Gen. M. Torano, I was compelled to leave the Fort and join Gen. M. Torano with my forces, I then appointed Maj. Reading, Commander of the Fort, with a small garrison and gave him military & civil power, because I had great confidence in him, during this time he performed his duties, to my entire satisfaction. After this there were continual skirmishes & outbreaks with the Indians, and in the year 1846, the Mokolumbo Indians were encouraged by members of Cal^a Gov^t to make attacks upon us, burn our grain fields &c, we then went out against them, Maj. Reading accompanied me, and with much difficulty we reached their Camp, and from sunrise until afternoon we were fighting until our ammunition was exhausted, we had many of our party wounded, Major Reading narrowly escaped with his life in crossing the river. A few days after this Maj. Reading joined Col. Fremont, and remained with him until the end of the war, the conquest of the country, in 1847. The service under Col. Fremont was that of the United States.

Question 5th Will you state whether you had the authority by virtue of your power as a Mexican Officer to require the services of Maj. Reading, and did you so require them?

Answer, I had the power, because Maj. R

2

was a Mexican citizen and I ordered him to perform them,

CASE NO. 4 ND

PAGE 117

Question, 11th Do you think of any other service you required of Maj. Reading?
Answer, I dispatched Maj. Reading with a party of 25 men to the North, to punish the hostile Indians, who had done a great deal of damage and he succeeded in quieting them, this was in the year 1845,
There were many other services required of him as a Mexican citizen, which he performed.

Question State whether in your opinion during the Revolution & hostilities of which you have spoken in 1845 & 46, it would have been safe for Maj. Reading to have resided, personally, on his Rancho of Buena Ventura, V?

Answer, Maj. Reading had hardly time to do so as he was nearly all the time required to do service by me, the most Indians in California at that time were then near his Rancho, after the war Maj. R. immediately met up and settled there,

Question, Will you state whether or not these hostilities & dangers were increased by the war between the U.S. & Mexico?

Answer, They were increased, because all the men were requested to take part in the war,

Crop examined.

Question, How did you know that the letters of naturalization of which you have spoken were genuine letters?

Answer, Because Maj. Bidwell was sent express to Monterey to get them for Maj. Reading and others who desired to become citizens, and on his return he delivered those letters of naturalization in my presence.

Question, Did you read those letters?

Answer I did not read them word for word, but I examined them & found that they were all ^{+ genuine} correct; this was in 1844.

J. A. Sutter

CASE NO. 4 ND

PAGE NO. 118

United States of America, }
Northern District of California. } ss.

I, *Henry B. James* a commissioner duly appointed by the District Court of the United States, for the Northern District of California, under and by virtue of the Acts of Congress, entitled "An Act for the more convenient taking of Affidavits and bail in civil causes, depending in the Courts of the United States," passed February 20th, 1812, and the Act of Congress, entitled "An Act, in addition to an Act, entitled 'An Act for the more convenient taking of affidavits and bail in civil causes, depending in the Courts of the United States,'" passed March 1st, 1817, and the Act entitled "An Act to establish the Judicial Courts of the United States," passed September 24th, 1789, **Do hereby Certify**, That the reason for taking the foregoing deposition is, and the fact is, the witness *was* material and necessary in the cause in the caption of the said deposition named, and that ~~he~~ *the same*

was taken by consent of Counsel for the parties to the said deposition named

CASE NO 4 AND
PAGE 119

~~I further Certify, That notification of the time and place of taking the said deposition signed by me, was made out and served on the~~

~~to be present at the taking of the deposition and to put interrogatories, if he or they might think fit~~

I further Certify, That on the *25th* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* I was attended by *Volney Howard & Crosby Esqrs - Counsel for Plffs* and *J. W. Jones Esq - Counsel for Defendants* and by the witness who ~~was~~ of sound mind and lawful age, and the witness ~~being~~ by me first carefully examined and cautioned, and sworn to testify the truth, the whole truth, and nothing but the truth, and the deposition ~~was~~ by me reduced to writing, in the presence of the witness and from ~~his~~ statement ~~and~~ after carefully reading the same to the witness ~~he~~ subscribed the same in my presence. I have retained the said deposition in my possession for the purpose of *returning*

the same with my own hand *to* the Court for which the same *was* taken.

And I do further Certify, That I am not of Counsel nor Attorney for either of the parties in the said deposition and caption named, nor in any way interested in the event of the cause named in the said caption.

In testimony whereof, I have hereunto set my hand and seal, this *25th* day of *October* in the year of our Lord one thousand eight hundred and *fifty three* and of the Independence of the United States the *seventy eighth*.

Henry B. James
United States Commissioner, duly appointed by the District Court of the United States, for the Northern District of California.



6

Vol.

No.

United States District Court,
For the Northern District
of California

The United States

vs.

Clason B Reading

By *J. Suttles* Deposition on the part of the
Defendant taken before

Henry B. Jones
United States Commissioner, on the 25th
day of October 1853

Filed the 25th day of Oct^r 1853

Geo. Amundson
CLK

CASE NO. 4ND

PAGE NO. 120



CASE NO. 4. ND.

CASE NO. 4 ND
PAGE 121

At a *Special* 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 *Saturday* the *29th* day of
October in the year of our Lord one thousand
eight hundred and fifty-*three*

Present:

The Honorable OGDEN HOFFMAN, JR., District Judge.

The United States Appellants
— vs —
Parson B. Reading Appellee

On reading the application filed by the
U.S. Dist. Attorney praying an appeal from
the decision rendered herein to the Supreme
Court of the United States - it is ordered
that said application be granted -

U. S. Dist. Court

The United States
Appellants

v

Carson B Reading
10 Appellee

Order granting Appeal

Filed Oct. 29. 1853
John A. Morris
Clerk

CASE NO. 4ND

PAGE NO. 122

CASE NO 4ND
PAGE 123

At a *Special* 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 *Monday* the *31st* day of
October in the year of our Lord one thousand
eight hundred and fifty-*three*.

Present:

The Honorable OGDEN HOFFMAN, JR., District Judge.

The United States Appellants
—
Pearson B. Reading Appellee

This Cause coming on for hearing at the above stated
term on the record on appeal from the Board of
United States Land Commissioners appointed to settle
private land claims in California under the Act of
Congress of March 3rd 1851, and also upon the af-
-fidavit of the party claiming, and depositions and
proofs taken in this Court and the argument of
counsel for the United States and for claimant being
heard and the cause fully considered by the Court
therefore, It is ordered Adjudged and decreed by the
Court that the judgment of said Board of United
States Land Commissioners be confirmed.

It is further ordered Adjudged & decreed that the
said Pearson B. Reading be confirmed in his said
title to the land in this case claimed according to
the grant for the same

Ogden Hoffman Jr.
U. S. Dist Judge

✓ 388. #4-ND

U.S. Dist. Court
Law Claim

4ND

9
The United States

vs

Plaintiff & Reading

Final Judgment.

Filed October 31, 1883
In Accordance
Clerk

CASE NO 4 ND

PAGE 124

CASE NO. 4. ND.

The United States Appellant.

vs
Pearson B. Reading Appellee

To the Honorable the Supreme Court of
the United States.

The Appeal of the United States the above
appellant respectfully sheweth that on the
ninth day of February 1852 the above named
appellee filed a Claim before the Board of
United States Commissioners for ascertain-
ing and settling the Private Land Claims in
the State of California under the Act of Con-
gress of March 3^d 1851. Praying for their
Confirmation of his right and title to certain
lands therein described

That on the 18th day
of Dec^r 1852 a final Decree was made
by said Board of Commissioners confirm-
ing said Claim, wherein it was in substance
adjudged that the said Appellee had a good
and lawful right and title to said lands
described in said Claim.

That after such
final Decree, an Appeal was duly taken ac-
cording to law, thereupon, to the District
Court of the United States for the Northern
District of California, and the Cause was
removed thereby into the said District Court
and there tried anew. And such proceedings
were had in the said District Court that

afterwards, to wit, on the 29th day of October
A 1853, the said District Court made a
final Decree whereby it was decreed that
the said Decree of the said Board of Com-
missioners be in all things confirmed.

CASE NO. ND

PAGE 126

121
While said Decree of the said District Court
is as the Counsel for this Appellant is ad-
vised, erroneous and ought to be ~~reversed~~
reversed.

Wherefore this Appellant appeals
from the whole of said Decree of said Dis-
trict Court, to the Supreme Court of the
United States, and respectfully prays that
the said Decree of the said District Court
and all the pleadings, evidence, and pro-
ceedings in said Cause may be sent to
the Supreme Court of the United States
without delay, and that the said Supreme
Court will proceed to hear the said Cause
anew, and that the said Decree of the Dis-
trict Court and every part thereof may be
reversed, and a Decree made respecting said
Claim with Costs against the said Appellee
or such other Decree as to the said Supreme
Court shall seem just

Dated San Francisco } S W Inyo
October 29, 1853, } Counsel for M. S.
Appellant.

U. S. District Court
Land Claim No. 4

//

CASE NO. 4 ND

PAGE NO. 127

The United States

vs

Pearson & Reading

Appeal

Filed Oct. 31, 1893
John A. Munn
Clerk

July 11 1853

CASE NO. 4 ND

PAGE NO. 128

Attorney General's Office
Washington 11th July 1853.

Pe arson B. Reading, Claimant

vs.

The United States.

You will please take notice
that the appeal in the above case from the
decision of the Commissioner to ascertain and
settle the private land claims in the State of
California to the District Court of the United
States for the Northern District of California,
will be prosecuted by the United States.

Oliver
Atty Gen's U.S.

Clerk of U. S. Dist. Court
Northern District
California
San Francisco.

CASE NO. 4 ND.

PAGE NO. 129

Carson B. Reading Claimant

vs.

The United States.

Attorney General's Office

Washington D. C. 11th July 1853.

You will please take notice that the appeal, in the above case, from the decision of the Commissioners to ascertain and settle the Private Land Claims, in the State of California to the District Court of the United States for the Northern District of California, will be prosecuted by the United States.

Clerking
Attorney General United States.

To The Clerk of the
District Court of the
United States for the
Northern District of
California.

San Francisco.

CASE NO. 4 ND

PAGE 130

Attorney General's Office
Washington D. C. 11th July 1853.

Pearson B. Reading Claimant

vs.

The United States.

You will please take notice that the appeal in the above case from the decision of the Commissioners to ascertain and settle the Private Land Claims in the State of California to the District Court of the United States for the District of California will be prosecuted by the United States.

Clement
Attorney General United States.

CASE NO. 4 ND

PAGE NO. 131

Learson B. Reading Claimant.

vs.

The United States.

*Attorney General's Office
Washington D. C. 11th July 1853.*

*You will please take notice that the
appeal in the above case, from the decision of the Commissioners to ascer-
tain and settle the Private Land Claims in the State of California,
to the District Court of the United States for the
District of California, will be prosecuted by the United States.*

*Attest
Attorney General United States.*

CASE NO. 4 ND

PAGE 132

Attorney General's Office
Washington D.C. 11th July 1853.

Pearson B. Reading Claimant

vs.

The United States.

You will please take notice that the appeal in the above case, from the decision of the Commissioners to ascertain and settle the Private Land Claims in the State of California, to the District Court of the United States for the northern District of California, will be prosecuted by the United States

Reading
Attorney General United States

To The Clerk of the District
Court of the United States
for the northern District
of California
Sacramento.

CASE NO. 4 ND
PAGE NO. 133

Attorney General's Office
Washington 11th July 1853.

Pearson B. Reading, Claimant

vs.

The United States.

You will please take notice
that the appeal in the above case, from
the decision of the Commissioners to ascertain
and settle the private land claims in the
State of California to the District Court of
the United States for the Northern District
of California, will be prosecuted by the
United States.

Clint

Atty Gen's U.S.

Clerk of U. S. Dist. Court

Northern District

California

Sacramento,

CASE NO. 4 ND
PAGE 134

Attorney General's Office
Washington 11th July 1853

Peason B. Reading, Claimant

vs.

The United States.

You will please take notice that the appeal in the above case, from the decision of the Commissioners to ascertain and settle the private land claims, in the State of California, to the District Court of the United States, for the Northern District of California, will be prosecuted by the United States.

Clanking

To the Clerk of the
District Court of the United States
for the Northern District of California
Sacramento.

CASE NO. 4 ND

PAGE 135

Attorney General's Office
Washington D.C. 11th July 1853.

Deerson B. Reading Claimant.

v.

The United States.

You will please take notice that the appeal in the above case, from the decision of the Commissioners to ascertain and settle the Private Land Claims in the State of California to the District Court of the United States for the northern District of California, will be prosecuted by the United States

Cushing
Attorney General United States.

To The Clerk of the District
Court of the United States
for the northern District
of California

San Jose.

CASE NO. 4 NDF

PAGE 136

Attorney General's office.

Washington D.C. 11 July 1853.

Pearson B. Reading Claimant.

United States.

You will please take notice that the appeal in the above case from the decision of the Commissioners to ascertain and settle the private land claims in the state of California, to the District Court of the United States for the northern district of California will be prosecuted by the United States.

Cleaving

Attorney General U.S.

To The Clerk of the District
Court of the United States
for the Northern District of California
San Jose.

CASE NO. 4 ND
PAGE 137

Attorney General's Office
Washington 11th July 1853.

Perison B. Reading, Claimant

vs.

The United States,

You will please take notice
that the appeal in the above case from
the decision of the Commissioners to ascertain
and settle the private land claims in the
State of California, to the District Court of
the United States for the Northern District
of California, will be prosecuted by the
United States,

Clunking
Atty Gen'l U.S.

To the Clerk of the United States
for the Northern District of
California.

San Jose

MS
in
Reading
Ms 4-188

CASE NO. 4 ND
PAGE 138

Attorney General's Office
139 Washington 11th July 1853

Peason B. Reading, Claimant
vs.

The United States,

You will please take notice
that the appeal in the above case, from
the decision of the Commission to ascertain
and settle the private land claims in the
State of California, to the District Court of
the United States for the northern District
of California, will be prosecuted by the
United States. *Clarking*

To The Clerk of the District
Court of the United States
for the Northern District
of California.

San Jose

CASE NO. 4 ND
PAGE 139

140

Attorney General's Office
Washington 11th July 1853.

Pearson B. Reading, Claimant

vs.

The United States.

You will please take notice that the appeal in the above case from the decision of the Commissioners to ascertain and settle the private land claims in the State of California to the District Court of the United States for the Northern District of California, will be prosecuted by the United States.

Cushing
Atty Genl U.S.

Clerk of U.S. Dist. Court
Northern District
California
Stockton.

CASE NO. 4 ND

PAGE 140

Attorney General's Office
Washington 11th July 1853.

Pearson B. Reading, Claimant

vs.

The United States

You will please take notice
that the appeal in the above case, from the
decision of the Commissioners to ascertain
and settle the private land claims in the
State of California, to the District Court of
the United States for the northern District
of California, will be prosecuted by the United
States.

Clawson

To

The Clerk of the District
Court of the United States
for the northern District of
California

Stockton.

CASE NO. 4. ND.

CASE NO. 4 ND.

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Attorney General's office
Washington D.C. 11 July 1853.

Pearson B. Reading Claimant.

United States.

You will please take notice
that the appeal in the above case from
the decision of the Commissioners to ascertain
and settle the private land claims in the
State of California, to the District Court
of the United States for the northern
district of California, will be prosecuted
by the United States.

Clerking
Attorney General 40

To The Clerk of the District
Court of the United States
for the Northern District of California
Stockton.

CASE NO. 4 ND

PAGE 142

Attorney General's Office
Washington D. C. 11th July 1853.

Pearson B. Reading Claimant

vs.

The United States

You will please take notice that the appeal in the above case, from the decision of the Commissioners to ascertain and settle the Private Land Claims, in the State of California, to the District Court of the United States for the northern District of California, will be prosecuted by the United States.

Chauncy
Attorney General United States

To The Clerk of the District
Court of the United States
for the northern District
of California.

Stockton

Notices of
Appeals from U. S. Board Land Commissioners
filed with U. S. Dist. Court at Monterey
etc. etc.

Filed August 20th 1853.

Pierpont B. Reading vs. The U. S.
Cruz Cerrantes " do
from Attorney General Jackson.

Filed January 24th 1854

Mis Pico et al. - vs. The U. S.
Pablo Apis " do
Alexander, Mellus, et al. " do
Santiago & Apuello " do
by E. O. Crosby, Counsel.

Filed 18th Instant. (March 1854)

John R. B. Cooper vs The U. S.
John Keys vs do by Atty. General.
Michael White vs the U. S. by E. O. Crosby, Counsel
Transcripts of Commissioners proceedings
filed Dec. 27/53

No 124. "El Sur"

No 222 "Sal Si Pudes"

No 195 Las Melarcitas. Filed Feb 18/54

by Secy Land Commission.
Alfred S. Taylor, Clerk &c.

To the Hon. J. S. A. Ogden
Judge V. C.

No other Causes to try }

CASE NO. 4 ND

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U.S. Dist. Court
S. of Cal
South St. of Cal

Appeals of land
cases in the U.S.
Dist. Ct. S. of Cal.
from Aug¹⁸⁵³ to 18^{mech} 1854

Sent to
Gen. S. R. Ogier
mech 3/54 Inde &c

CASE NO. 4 ND
PAGE NO. 144