

CASE No.

336

NORTHERN DISTRICT

---

PART OF SOULAJULLE GRANT

Wm. M. FULLER

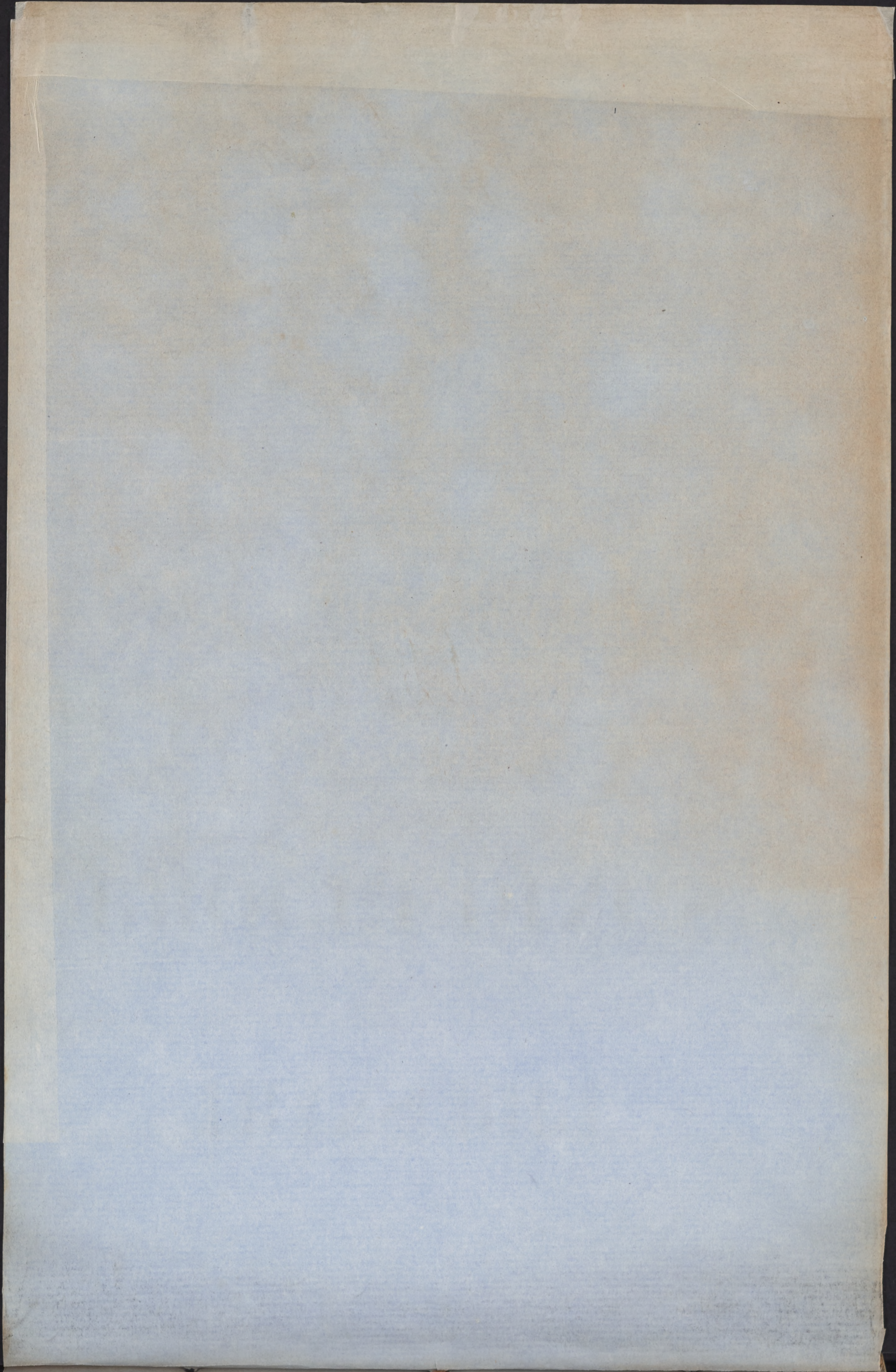
CLAIMANT:

LAND CASE 336 ND 36 pgs.

NOV 30 1962

797

Dup map



TRANSCRIPT  
OF THE  
PROCEEDINGS

IN CASE

NO. 797

*Wm M Fuller*

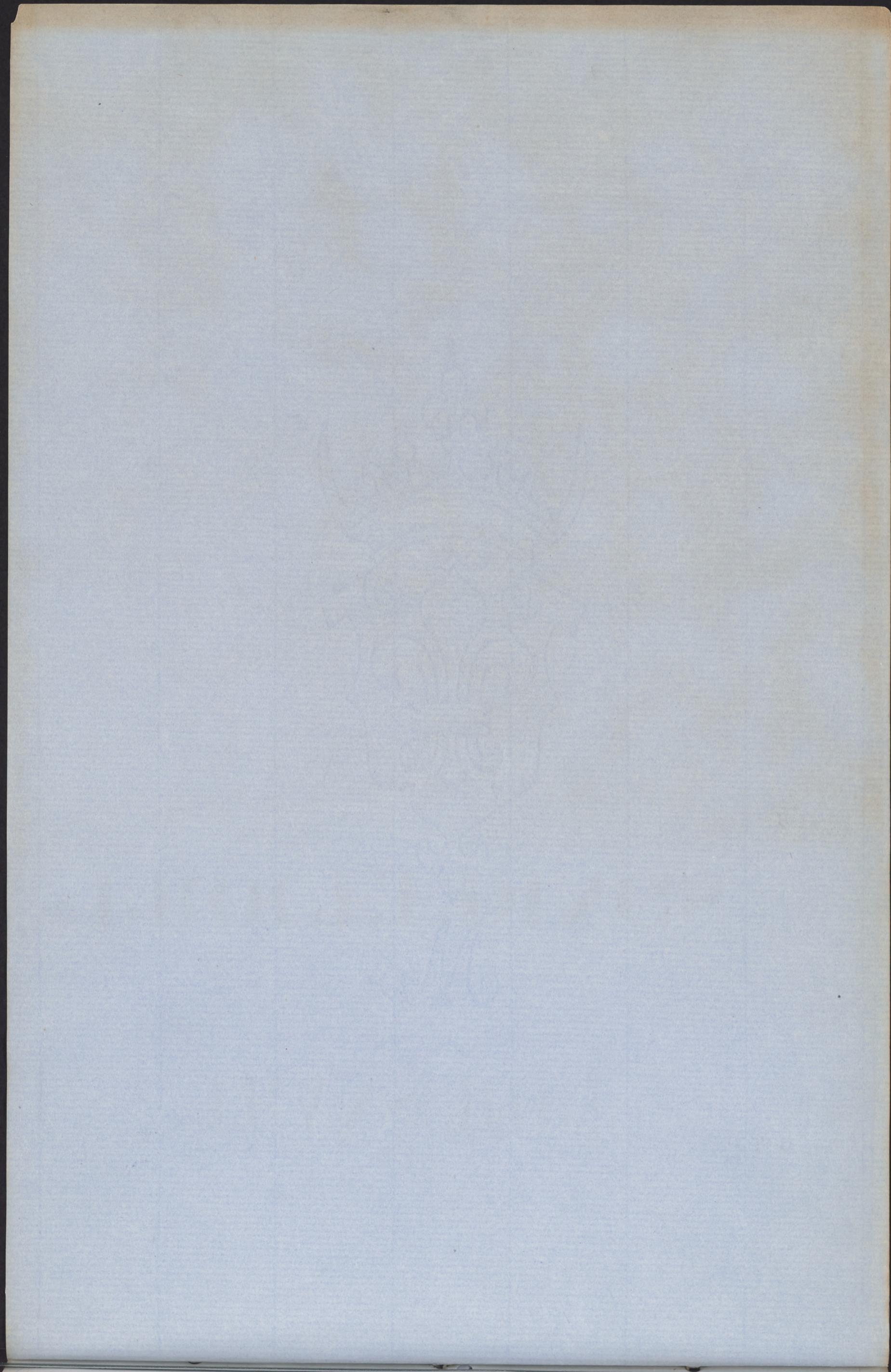
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

*a part of*  
FOR THE PLACE NAMED

*"Boudajille"*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Wm M. Muller* <sup>part of</sup> for the Place named "*Soulafille*" was presented, and ordered to be filed and docketed with No. *797* and is as follows, to wit;

(Vide page *3* of this Transcript.)

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

*San Francisco Nov. 10. 1853*  
In case No. *797*. *Wm. M. Muller* for part of the place named *Soulafille* the counsel for the claimant filed the following stipulation, to wit:  
(vide page *5* of this transcript)

*San Francisco Dec 31' 1853*  
In the same case the counsel for the claimant filed the following stipulation, to wit:  
(vide page *6* of this transcript)

*San Francisco Jan 9' 1855*  
Case No. *797*, was ordered to be placed at the foot of the *4'* class cases on the Trial Docket

*San Francisco Jan 23' 1855*  
Case No. *797* was submitted under the rule of *March 21' 1855*

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San Francisco April 17. 1855

In the same case Commissioner R. Aug. Thompson delivered the opinion of the Board rejecting the claim

(vide page 31 of this transcript)

and the following order was made to wit:

(vide page 33 of this transcript)

=====

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PAGE 3



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

Petition

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Your petitioner William M. Fuller of the County of Los Angeles in the State of California, respectfully represents to your Honorable Board that he claims a certain tract of land called a part of Enlajulle or the Rancho of Ramon Mesa, containing one and one sixteenth square miles more or less, situated in the County of Marin in said State of California, that he claims the same in fee by virtue of a grant made to Jose Ramon Mesa, under the authority of the Mexican Government by Manuel Micheltono, Governor of the Department of the Californias, bearing date 29<sup>th</sup> March 1844 and approved by the Territorial Deputation on the

Your petitioner further represents that the said grantee on the fifth day of March transferred his right in said land (together with four other square miles) to your petitioner as will be seen by an authenticated copy of the conveyance now on file before your Honorable Board in case number 233 being the claim of Joshua S. Brackett to a portion of the land so transferred, said copy is marked F. and is referred to for a more particular description of the land herein claimed. Your petitioner has lost the original conveyance and cannot present the same to your Board.

Your petitioner would further represent that judicial possession of said tract of land was given to the said grantee the \_\_\_ day of \_\_\_ and the boundaries thereof designated and defined, and that he and those claiming under him have

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been in the peaceable possession thereof ever since,  
and that he has no knowledge of any inter-  
fering claim -

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Your petitioner cannot present  
herewith the original grant of said land in  
the Spanish language together with a trans-  
lation of the same, as the same is not in  
his possession and neither is he entitled to  
it, and will make further proof of title if  
required by the board.

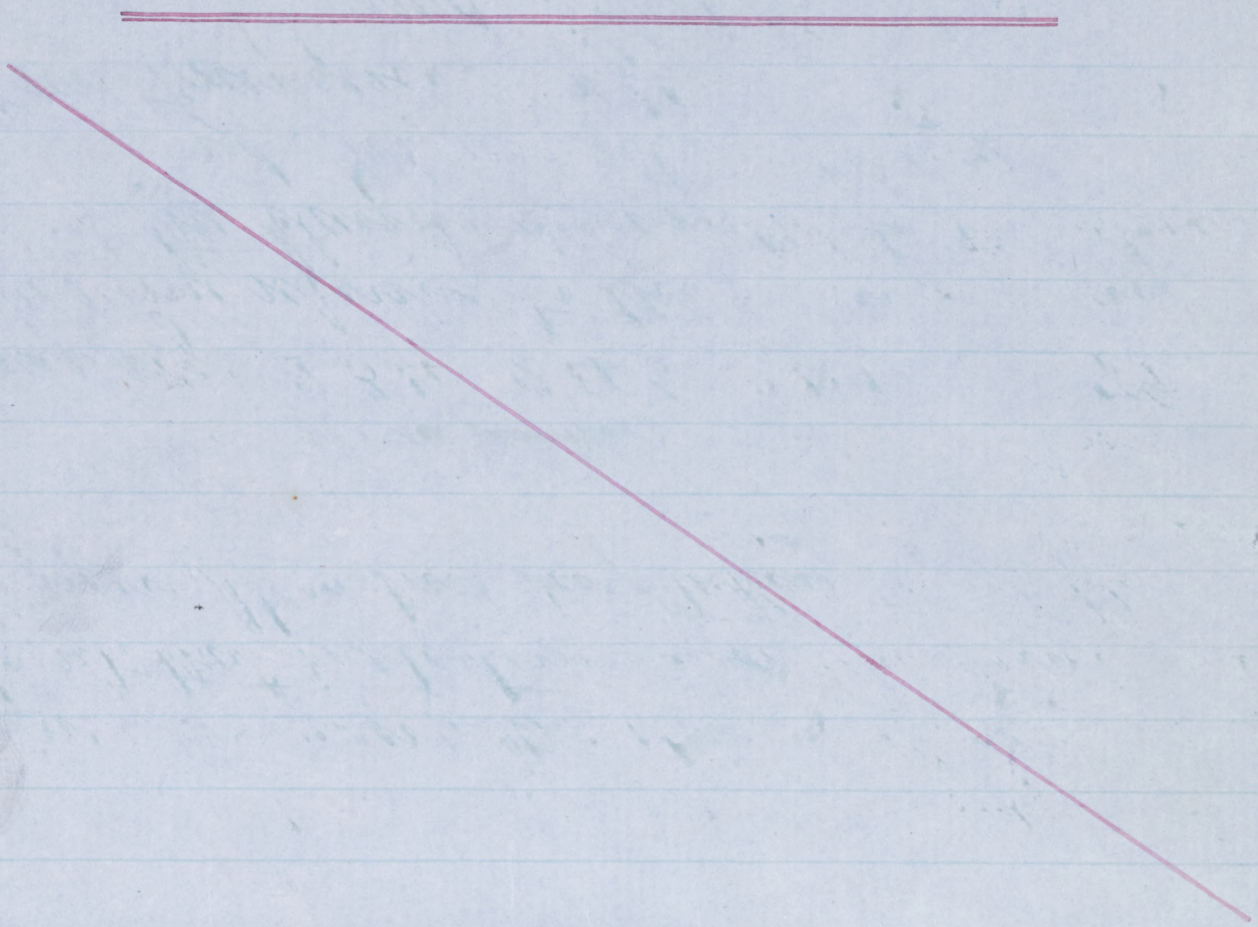
Your petitioner prays your hon-  
orable board to take into consideration his  
claim to said tract of land and decree his  
title to be valid and confirm the same.

And your petitioner will ever  
pray.

William M. Fuller.  
By Robert Hopkins,  
his Attorney.

Filed in Office March 3 1853.

Geo: Fisher,  
Clerk



No 233.

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It is hereby stipulated and agreed by Robt Gurnham, the Acting U. S. Deas Agent, that the testimony or deposition of José Ramon Mesa this day taken before Judge Felch, Commissioner, in the Case No 233, shall be considered as taken in the following

Stipulation cases viz: 234. 245. 246. and 797. The same referring to the original grant which the claims designated by the above mentioned Nos. are all embraced.

San Francisco Nov 10<sup>th</sup> A. D. 1853.

(Signed) Robert Gurnham.

Asst. Deas Agent, U. S.

(Signed) Robert Hopkins.

Atty for claimant.

I George Fisher, Secretary to the Board of U. S. Deas Commissioners, do hereby certify by the foregoing to be a true and correct copy of the Stipulation on file in this Office in case No 233. wherein Joshua S. Brackitt is the claimant for the place named Surlajulle.

Witness my hand.

Geo: Fisher,

Secy.

Filed in Office Nov 10<sup>th</sup> 1853.

Geo: Fisher.

Secy.

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We agree that the Evidence taken in No 233.  
relative to the Rancho granted to Ramon  
Mesa shall be used by either party and be  
equally applicable to No 234, 245, 246,  
247 and 797 involving the same grant.  
Dec. 31' 1853.

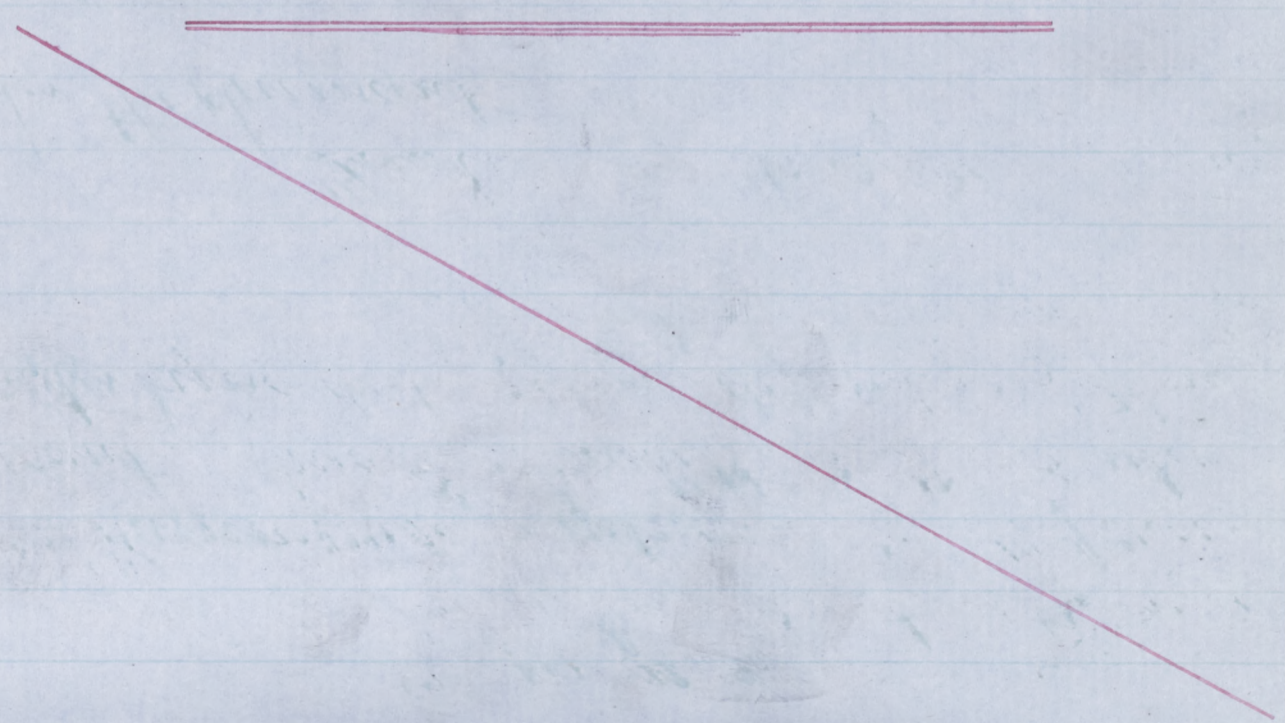
Stipulation.

(Signed) Shattuck, Spear & Bristol  
for Claimants.  
(Signed) Robert Gunkers.  
West. Law Agent, U.S.

I George Fisher, Secretary to the  
Board of U. S. Land Commissioners, do  
hereby certify the foregoing to be a correct  
copy of a Stipulation on file in case No  
233.

Witness my hand.  
Geo: Fisher,  
Secy.

Filed in Office December 31' 1853.  
Geo: Fisher,  
Secy.



Office of the Board of  
Commissioners &c, &c.

This day before Comr Alphons Felch, came  
Jose Ramon Mesa, a witness in behalf of clai-  
mant Joshua S. Brackett, No 233 who,  
after being duly sworn, deposed as follows,  
The Secretary Mr Fisher, acted as interpreter.

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Deposition of  
Jose Ramon  
Mesa.

Questions by Mr Spear, Attorney  
for the claimant.

1 Question.

What are your name, age and place  
of residence?

Answer.

My name is Jose Ramon Mesa, my age  
twenty nine years, and I reside in the County  
of Contra Costa, in California.

2 Question.

Look on the paper now here exhibi-  
ted to you purporting to be a grant by Go-  
vernor Micheltona to Jose Ramon Mesa,  
and marked Exhibit No. 1. with the initials  
A. F. and annexed to this deposition and state  
whether you recognize the document and if so  
what it is?

Answer.

I cannot read or write, but I know  
that this paper is the title to my Rancho.  
I know that Micheltona and also Serrano  
signed this paper. They signed it in my  
presence.

(The witness pointed out the signa-  
tures of each on the document)

3 Question.

State what you know about the  
occupation and improvement of the Rancho.

8  
named in the grant, and called Soulajulle's  
Answer.

The same year when the grant was made to me I settled on this land, built a house and lived in it, put some cattle and horses on the place and built a corral and enclosed and cultivated some of the ground, and made a garden, planted some fruit trees and grape vines. I think I planted something like two hundred fruit trees there at that time. I lived on it about four years from the time I first settled on it after which I retired to Sonoma in consequence of sickness, and left my brother on the place, occupying it for me. When my brother left the place another man occupied it for me. During all this time we had some men in our employment living on said Rancho. It was so occupied up to the time I sold it. I sold the greater part of it to Verguez, and the remainder to some Americans.

4 Question.

What are the boundaries of the Rancho above named?

Answer.

It is bounded on one side by the land of the Rancho known by the name of Laguna de San Antonio, on one side by the land known by the name of Nicasio, on another side by the boundary of the land of Juan Martin. There is a small creek near the house of permanent water. There is also a water hole near where the house stood.

5 Question.

Did you ever receive juridical

Did you ever receive juridical possession of the property.

Answer.

I never did. The same year when I was about getting juridical possession the Americans took possession of the country.

6 Question.

Have you any interest at the present time in the land?

Answer.

I have not.

7 Question.

Did you ever apply for juridical possession of the land, if not, why not?

Answer.

I never did apply for it, because I was afflicted with a sore leg for eleven years so that I could not move and did not get well until about two years ago.

8 Question.

In what County is the said Rancho situated?

Answer.

I do not know in what County it is. It was in the jurisdiction of San Rafael at that time.

José Ramón <sup>his</sup> Mesa.  
mark

Mr Greenhaw, Associate Law Agent was present at the taking of this deposition, but propounded no questions to the witness.

Subscribed and sworn to before me this tenth day of November 1853.

Alpheus Felch. Commissioner.

10.  
Filed in Office Number 10 '1853.  
Geo: Fisher.  
Scrij.

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Deposition  
of James  
Haines

Office of the U. S. Board of  
Land Commissioners &c  
San Francisco Dec 31 '1853.

This day before Commissioner Thompson  
Campbell, came James Haines a witness  
in behalf of claimant Joshua S. Brackett,  
petition No 233, and being sworn depose  
as follows.

1 Quest.

What is your name, age and place  
of residence?

Ans.

My name is James Haines, I am  
fifty eight years of age, and I reside in  
Marin County.

2 Quest.

Are you acquainted with the Rancho  
called Guadalupe?

Ans.

I am acquainted with it, I live eight  
years within about half a mile of it. I know  
of Jose Ramon Meri living on said place  
about two years, he had a house, corral and  
cattle there, and when he left the place his  
brother took possession and after having lived  
there about twelve months they sold and left.  
Ramon Meri first settled there about the  
year 1845.

3 Quest.

Look on the map now show you



11  
which is a part of the Espediente filed in this case, and marked B, and state whether the natural objects represented on said map, as the boundaries of said Rancho are so plainly designated that a survey could locate the land?  
Ans.

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There is a creek running right through the Rancho and empties into Tomales Bay. The said tract of land lies between the region of country called Nicacic, and the Laguna San Antonio, and that the line dividing the Rancho from the land of Don Martin has been settled by a Justice of the Peace.

Questions by Mr Greenhow.

1 Quest.

How long did Don Ramon Mesa live upon the land himself?

Ans.

He lived there about twelve months, it might be a little more, he left the place before the Americans took possession of the country, his brother then lived on it for eighteen months when he left, since which time no one has lived on it. No person to my knowledge has pretended to use it in any way since that time.

Re-examined by Claimant.

1 Quest

Do you know whether Ramon Mesa by himself and brother occupied said Rancho until he sold it to the present claimants?

Ans.

They did so occupy it, by having cattle on it, and the first year they cultivated

a part of it. After Ramon Mesa's brother left the place as I have before stated they never worked or lived on said place, but they kept some horses there.

2 Quest.

Who was living on this Rancho at the time the Americans took possession of the country?

Ans.

No one was living on it at that time.

3 Quest.

At what time did the Americans take possession of the country?

Ans.

It was either in the year 1846 or 1847, I don't remember which.

4 Quest.

You state that Ramon Mesa settled on said place in the year 1845, that he lived there about one year, and that then his brother took possession and lived there eighteen months, will you now state whether you are clear in your recollection that Ramon and his brother occupied the place for two years and a half altogether.

Ans.

Yes, somewhere thereabouts.

Question by Mr. Graham.

1 Quest.

Are you certain that neither Ramon Mesa nor his brother, nor any other person acting under them lived on this land at the time when the Americans took possession of this country?

Ans. No, they did not, they had left before

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Ans. No, they did not, they had left before

That <sup>his</sup> James X <sup>mark</sup> ~~Ramos~~.

Sworn to and subscribed  
before me this 31<sup>st</sup> day  
of December A. D. 1853.  
Thompson Campbell  
Comr.

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Filed in Office Dec 31 1853.  
Geo. Foster.  
Secy.

Deposition  
of Jori de la  
Rosa.

Case No 233.  
United States Land Commission  
San Francisco, Jan. 14 1854.

On this day before Commissioner R. Aug.  
Thompson, came Jori de la Rosa, a witness  
in behalf of claimant Joshua S. Brackett,  
case No 233. and after being duly sworn,  
deposed as follows, his evidence being interpre-  
ted by the Secretary.

Present Claimant's Atty, & U.S. Asst. Secy.  
Agent.

Witness states his name is Jori de  
la Rosa, his age sixty three years, and resi-  
dence Sonoma, Cal.

Question by Claimant Atty.  
Do you know Jori Ramon  
Mera and the Rancho de Boulajulli, if  
so, state who was in possession of said Ran-  
cho at the time of the first occupation of  
the country by the Americans?

Answer.  
I know said Mera and the S. Rancho.

At the time of the American occupation of the country it was in the possession of the said Mera, who was living on it - immediately after he obtained his grant he built a house on it.

José de la Rosa.

Subscribed & sworn to  
before me Jan 14 '1854.

R. Aug. Thompson.  
Comr.

Filed in Office Jan. 14 '1854.

Geo: Fisher.

Deputy

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1. L. D. R.

1844

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# Expediente

B  
Capdte

Promovido por El Ciudadano José  
Ramon Meda En petencion del  
Paraje conocido con el nombre  
de  
Toulapulle

265

16

2. L. D. R. del Cuerto Dos Reales:

Habilitado provisionalmente por la Aduana  
maritima del puerto de Monterey en el  
Departamento de las Californias para  
los años de mil Ocho cientos cuarenta  
y cuatro y mil Ocho cientos cuarenta y  
cinco.

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Micheltorena # hablo de la Buena

*Este*  
Como digno Gobernador  
Monterey Mayo 21 } El Ciudadano José Ra-  
de 1844. Informe } mon Meoa, natural de  
el O. Rio del Des- } Este Departamento y de  
pacho tomados antes } eno de la jurisdiccion  
los que necesite } de Sonoma ante D. Cres-  
Micheltorena } petrosant. en derecho  
y como mejor proceda digo que desde el año  
pe. p. do dirijo a V. E. una instancia en ex-  
licitud de un penaje conocido con el Nombre  
de San Rafael inmediatamente a la Emision  
de San Rafael y como sin duda creo ha-  
-ha padecido Estar me veo precisado  
a ocurrir de nuevo a la generosidad de  
V. E. a fin de que en Vista del Informe  
que debidamente acompaño del Encargado  
de dicho Establecimiento me haga las gracia  
de considerarme el terreno indicado colindando  
por el sur y el Oeste con el paraje llamado  
Chicasio; por el Norte con la Laguna de  
San Antonio y por el Este con el Rancho de  
San Martin, cuya Estension es de tresci-  
tos de ganado mayor segun explica el  
diseño que a V. E. tambien adjunto, el

3. L. D. R. cual estoy ocupando como medio año  
con una pequeña casa, corral, huerta y  
bienes semovientes con consentimiento

facultad a once años de servicio que me este

bienes de mis bienes con consentimiento  
del referido Encargado, por lo que y en U-  
tención a once años de servicio que preste  
en la cantera de las Lomas y el que actu-  
almente doy como mayor domo de la predicha  
Emision espero que V. E. tomara en con-  
sideracion mi pedido.

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Por tanto a V. E. rendiéndole  
suplico se digné acceder a mi favor de  
lo cual recibiré gracia y justicia cuando  
lo necesariere V. E.

Monterey Mayo 21 de 1844.

No se firma +  
Como Sr. Gobernador.

El informe unico que se podia pedir era  
el del Encargado de San Rafael, el cual  
ya da su parecer segun consta por la  
certificacion que acompaña el interesado  
y siendo favorable y estan el terreno baldio  
se le puede poner en este mismo expediente  
un decreto de consecucion provisional mien-  
tras la secretaria se ocupa de los ne-  
gocios que V. E. quisiere mandar a Mexico  
por conducto de la Goleta "California"  
pero no obstante la sup<sup>a</sup> disposicion de  
V. E. sera lo mas combiniere.

H. L. D. R.

Monterey 22 de Mayo de 1844

Man. Jimeno

Monterey Mayo 24 de 1844.

Conf.

Michelto  
Como Sr. Gobernador

El interesado estan muy empeñado para  
que se le estienda el titulo por que dice  
que vive muy lejos pa<sup>a</sup> volver a concluir  
su asunto y si V. E. justa puede exten-  
der el titulo del terreno que pretende

18

el cual esta Valerio, no pertenese a ninguno  
y los informes son favorables.

Monterey 29. de Mayo de 1844

Man. Inmenio

Comps

Micheltra

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S. S. D. R. Monterey 29. de marzo de 1844

Vista la peticion con que da principio este  
Expedite, los informes que preceden con todo  
lo demas que se tubo presente y de uso conrino  
de conformidad con las Leyes y Replamentos  
de la materia declaro dueño en propiedad  
del terreno nombrado Soulafulle al Ciudadano  
Ramon Mesa, colindante con La  
Laguna de San Antonio, con el terreno de  
Chicasin y con el Rancho de Dr. Juan Mar  
tin en Estension de tres sitios de ganado me  
yor. Librese el correspondiente despacho to  
mese Razon en el Libro Respectivo y dirijase  
este Expediente a la Exma Asamblea  
Departamental para su Aprobacion  
El Exmo. Sr. Gobernador General de  
Bridada del Ejercito Mexicano Apudte  
General de las plazas mayor del mismo asi  
lo mande decreto y firmo de que doy fee

C. S. D. R.

Here follows  
{ Map }

F. S. D. R. en 1800 con el nombre de...



19. Y. S. D. K. El que suscribe Encargado del Establecimiento de San Rafael.

4  
Certifico que el terreno llamado San Luis que se halla bastante distante de esta Emision a Ramon Mesa Mayor domo de la misma pero que fuera a establecerse allí no pertenece a propiedad particular ni corporacion y lo verifico hace como seis meses poniendo en el una pequeña casa corral, huerta y ganados y que este Establecimiento tiene tierras suficientes para sus breves y labores, y no necesita de dicho terreno.

San Rafael 10 de Marzo. 1844.  
Simon Murphy

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  
custody a portion of the Archives of the  
former Spanish and Mexican Territory  
or Department of Upper California  
Do hereby certify that the seven pre-  
ceding and hereto annexed pages  
of tracing paper numbered from One to seven  
inclusive and each of which is verified  
by my initials (S. D. K.) exhibit true and  
accurate copies of certain documents  
on file and forming part of the said  
Archives in this Office.

In Testimony whereof  
Seal

I have herewith signed my name Officially  
and affixed my private seal (not having  
a seal of Office) at the City of San Francisco  
-co Cal- this sixth day of Nov<sup>r</sup> a. D  
1859.

Saml. D. King  
Surveyor General Cal<sup>a</sup>

Filed in Office May 20<sup>th</sup> 1859  
Geo. Fisher Secy

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Fourth Seal, Dos Reals.

Provisionally authorized by the Maritime Customs House of the port of Monterey, in the Department of the Californias, for the years 1844 & 1845.

Micheltreana.

Pablo de la Guerra.

C. Translation of Expediente

(seal)

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Monterey, March 21<sup>st</sup> 1844.

To His Excellency the Governor.

Let the Secretary of State report upon the same, taking previously such information as he may deem necessary.

The citizen Jose Ramon Mesa, a native of this Department and resident of the jurisdiction of Sonoma before your Excellency respectfully and in due form of law, says; That since last year I addressed to your Excy a petition soliciting a tract of land known by the name of Guadajillo in the vicinity of the Ex-Mission of San Rafael and

as said communication has doubtless been mislaid, I am now compelled to renew my application to the goodness of your Excellency, to the end that in view of the report I therein made of the person in charge of said establishment, you will do me the favor to grant me the land above referred to, bounded on the South and West by the land called Nisacic. On the North by the Seagon of San Antonio and on the East by Juan Martin's Rancho the extent of which is Three "sitios de ganado mayor" (square leagues) as is shown by the map which also accompanies this to your Excellency - said land I have been occupying about one half year with a small house a corral (cattle pen) garden and personal

estate with the consent of the aforesaid person  
in charge for which reason, and in view of the  
fact of the eight years service I owe the arms  
of my country, and my actual services as  
Standard of said Mission, I trust that your  
Excellency will take my request into consid-  
eration.

Whence I humbly beseech your  
Excellency will deign accede to my request  
by which I shall receive favor and justice,  
making the necessary oath &c.

Monterey, March 27<sup>th</sup> 1844.

I know not how to write X.

To His Honor the Governor.

The only information which  
could have been asked, must have been from the  
Administrator of San Rafael, who has already  
given his opinion as is evidenced by the certifi-  
cate which the interested party bears with an-  
nexes, all of which being favorable, and the  
land vacant, a decree for a provisional grant  
may be made on these very proceedings,  
whilst the Secretary concludes the matter  
which your Excellency desires to send to  
Mexico by the Schander California.

Nevertheless your Excellency's  
superior disposition of it will be deemed  
the most proper.

Monterey, March 27<sup>th</sup> 1844.

Man. Jimeno.

Asst<sup>d</sup>

Michelena.

To His Excellency the Governor.

The interested party is very

ampires that his title should be issued to him, because he says he lives at too great a distance to return for the purpose of completing said business, and if your Excellency please the title to the land petitioned for can be made to him, the same being vacant land, and not pertaining to any one, while the reports are favorable.

Monterey, March 29<sup>th</sup> 1844

Manl. Jimenez.

App<sup>d</sup>  
Micheltrana.

Monterey, March 29<sup>th</sup> 1844.

In view of the petition which heads these proceedings, the preceding reports with everything else bearing on the subject, all in conformity with the laws and regulations in the matter, I declare the citizen Ramon Mesa to be owner in fee of the land called Sordajillo, bounded by the Season of San Antonio, by land of Niacin, and by the Rancho of Juan Martin, said land being to the extent of three sitios de ganado mayor (square leagues). Let the corresponding patent be issued and be recorded in the proper book, and let these proceedings be transmitted to the Excellent Departmental Assembly for their approval.

His Excellency the Governor, Brigadier General of the Mexican Army, Adjutant General of the staff of the same, thus did command, decree and sign, which I attest.

The undersigned administrator of the establishment of San Rafael.

To hereby certify that the land called  
 Enlapille, is far enough from this Ex. Mis-  
 sion, that it was vacant and I gave permis-  
 sion to Ramon Mesa, Steward of the same,  
 for the purpose of establishing himself thereon,  
 as it did not belong to any private indi-  
 vidual or corporation, that he went on and  
 has occupied it there six months, and  
 there built a small house, a corral (cattle  
 pen) and cultivated a garden, and had cat-  
 tle thereon, and that this establishment has  
 lands sufficient for its own stock and tillage  
 and needs not the adjacent land.

San Rafael, March 20<sup>th</sup> 1844.

(Signed) Timoteo Murphy.

Filed in Office May 20<sup>th</sup> 1852.

Geo: Fisher.

Secy.

Grant

Se habilita provisionalmente por la Actuaria 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 (cat) Micheltorena. Pablo de la Guerra.

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El ciudadano Manuel Micheltorena, General de Brigada del Ejercito Mexicano, Ayudante General de la Plaza Mayor del mismo. Gobernador Comandte General e Inspector del Departamento de las Californias.

Por cuanto el Ciudadano Manuel Mesa ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Soulajulle, colindante con la laguna de San Antonio, con el terreno nombrado de Pieacio y con el rancho de Don Juan Martin: practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he hecho en concederle el terreno mencionado declarando le la propiedad de el por las presentes letras sujetandose a la aprobacion de la Exma. Asamblea Departamental y bajo las condiciones siguientes.

1.<sup>o</sup> No podra venderlo, enajenarlo, ni hipotecarlo, imponer censo, vinculo, fianza hipoteca ni otro gravamen alguno.

2.<sup>o</sup> Podra cercarlo sin perjudicar las transias comunas y servidumbres: lo disfrutara libre y esclusivamente destinandolo al uso o cultivo que mas le acomode, pero dentro de un año a lo mas fabricara casa y estara habitada.

3.<sup>o</sup> Solicitara del Buen respectivo que le de la posesion juridica en virtud de este despacho por el cual se demarcaran las lindas en

en cuyos límites pondrá a veces de las maderas  
algunos arboles frutales o silvestres de alguno cultivo.

1.º El terreno de que se hace mención es de  
tres sitios de Ganado Mayor por más o menos  
según explica el diseño respectivo. El Jefe que  
diere la posesión lo hará medir conforme a  
ordenanza quedando el sobrante que resulte a  
la nación para los usos convenientes.

5.º Si contraviniere a estas condiciones  
perderá su derecho al terreno y será denunciado  
por otro.

En consecuencia mandó que servido  
de título el presente y teniéndose por firme y  
valedero se tome ración de él en el Libro a que  
corresponde y se entregue al interesado para su  
resguardo y demás fines. Dado en Monterrey  
a veinte y nueve de mil ochocientos Cuarenta  
y cuatro.

Manuel Micheltonerra.  
Manuel Sueno. Mio.

Queda tomada ración de este Despacho  
en el Libro respectivo: a f.º 8.

Sueno.

Filed in Office. May. 30<sup>th</sup> 1857.

Geo. Fisher. Secy.



Third Seal, One Dollar.

Provisionally authorized by the Maritime Custom House of the port of Monterey in the Department of the Californias for the years 1844 & 1845.

Micheltona.

Pablo de la Guerra.

E.  
Translation  
(Grant) -

(seal)

Citizen Manuel Micheltona, Brigadier General of the Mexican Army, Adjutant General of the staff of the same, Former Commandant General and Inspector of the Department of the Californias.

Whereas the citizen Ramon Mero has petitioned for his own personal use and that of his family, for the land known by the name of 'Sullayille' bounded by the Sagon of Don Antonio, the land called Miras, and the Rancho of Juan Martin, and whereas the requirements and investigations of the laws and regulations have been complied with, now by virtue of the power invested in the name of the Mexican Nation, I have thought proper to grant unto him the above mentioned land, declaring the same by these presents to be his property, subject to the approval of the Excellent Departmental Assembly under the following conditions -

1<sup>st</sup>. He shall not sell, alienate, mortgage, nor subject it to intent, bond, security, nor to any other incumbrance whatsoever.

2<sup>d</sup>. He may fence it, without obstructing crossings, roads and structures. He shall enjoy it freely and exclusively, applying it to whatever use and culture may best suit him, but within one year he shall build thereon a house which shall be inhabited.

3<sup>d</sup>. He shall solicit from the respective

Judge the judicial possession of said land by virtue of this patent, by whom the boundaries shall be marked out, at the limits of which there shall be set besides the proper land marks some fruit trees or the wild ones of some usefulness.

4<sup>th</sup> The land of which donation is made is of Three sitios de ganado mayor, (square leagues) a little more or less, as is shown by the respective map. The Judge who may give the possession will cause the same to be measured agreeably to ordinance, leaving the sobrante of excess, which may result to the nation for such uses as may be deemed proper.

5<sup>th</sup> If he contravene to these conditions, he shall forfeit his right to said land, and it shall remain open to denouncement by any other person.

I therefore command that signing this title as firm and valid, the same be entered in the corresponding book and then delivered to the interested party for his own security and further ends.

Given in Monterey this 29<sup>th</sup> day of March 1844.

(Signed) Man. Michelena.  
(Signed) Man. Jimeno.  
Secy.

This patent is recorded in the proper book at folio 8.

(Signed) Jimeno.

Filed in Office May 20<sup>th</sup> 1852.

Office of the Board of Commissioners  
of California Land Claims

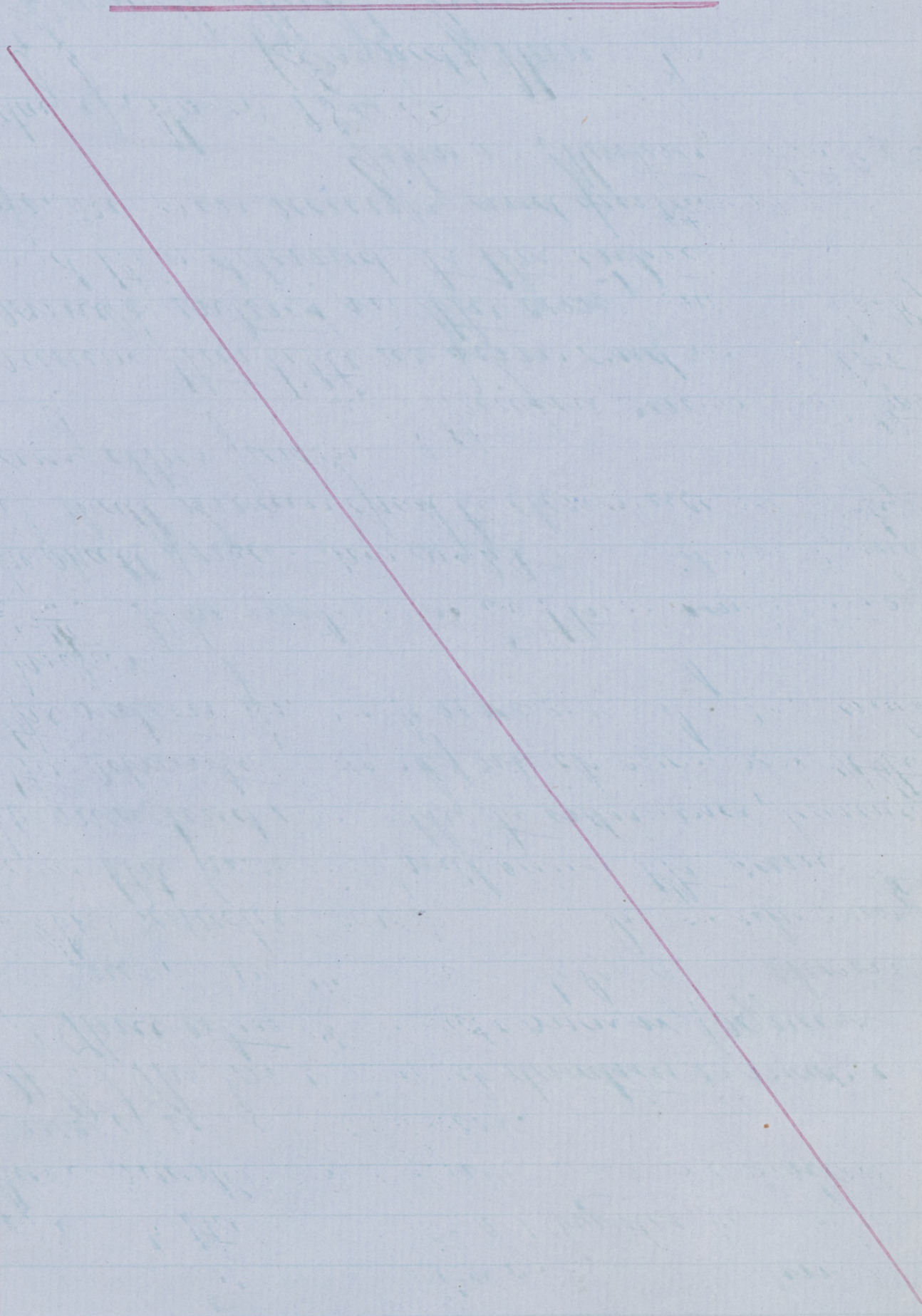
29

I certify the foregoing to be a correct translation of the original filed in office in case No 233.

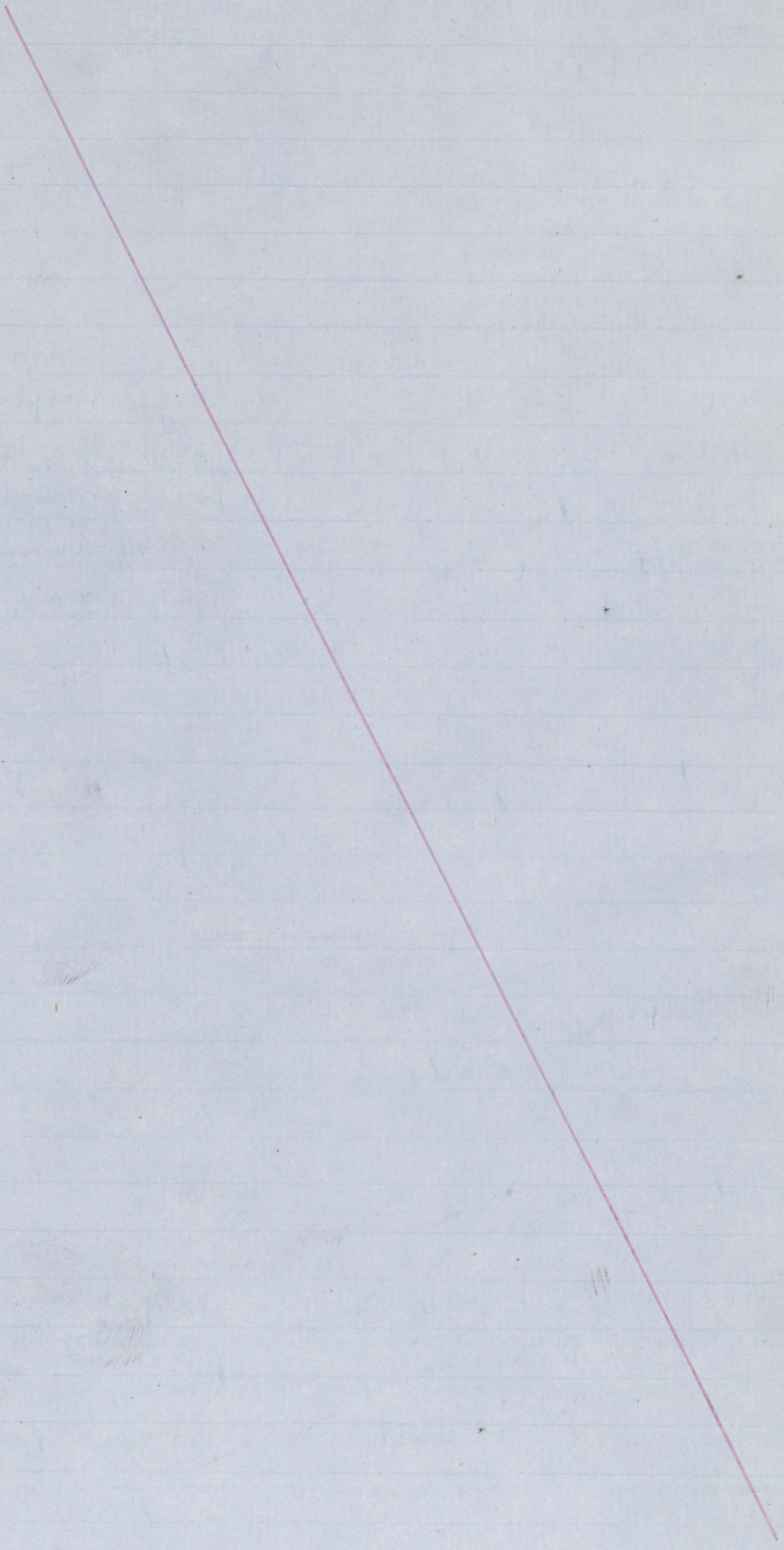
San Francisco May 24<sup>th</sup> 1852.  
Geo: Fisher.

Filed in Office May 20<sup>th</sup> 1852.  
Geo: Fisher.  
Dicy.

336 ND  
PAGE 30



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31.

No 797

Wm. M. Fuller

vs

The United States

Part of "Soulayulle"

Opinion by  
Comr. R. Aug  
Thompson

This claim is founded on the same  
title and derived through the same  
mesne conveyances which were considered  
and decided in case No 233 Joshua  
S. Brackett vs The United States and  
must for the reasons given in the  
Opinion delivered in that case be rejected

336 ND  
PAGE 31

Filed in Office April 17, 1855

Geo. Fisher  
Sec.

797

William M. Fuller

vs

The United States

Part of Soulayulle

Decree

In this case on hearing the proofs  
and allegations it is adjudged by the  
Commission that the claim of the Peti-  
tioner is not valid and it is therefore  
decided that his application for a confir-  
-mation thereof be and the same is hereby  
denied.

R. Aug Thompson

S. B. Farwell

Commissioners

Filed in Office April 17, 1855.

Geo. Fisher Sec

32

1871  
MAY 15

Order

And it appearing to the satisfaction of this Board that the land hereby adjudicated is situated in the Northern District of California it is hereby

Ordered that two transcripts of the proceedings and of the decisions in this case and of the papers and evidence upon which the same are founded be made out and duly certified by the Secretary, one of which transcripts shall be filed with the Clerk of the United States District Court for the Northern District of California and the other be transmitted to the Attorney General of the United States.





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

I George Fisher Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing Thirty Three pages, numbered from  
1 to 3, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office in Case No. 79 on the Docket of the said Board,  
wherein Wm. H. Fuller is

the Plaintiff against the United States, for the place known by  
the name of "Part of Berdajalle"



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

Geo. Fisher

336

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

No. 336-

336

THE UNITED STATES,

vs.

NO

*Wm. M. Fuller.*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case

797

Filed, Nov

7  
J. A. [unclear]

1852

At a stated Term of the District Court of the United States of America for the Northern District of California, held at the Court Room in the City of San Francisco on Monday the twenty third day of February in the Year of our Lord one thousand eight hundred and fifty seven.

Present:

The Hon Oden Hoffman, Dist Judge

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The United States }  
                  adv        } D.C. 336; L.C. 797  
Hon W. Fuller        }

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It appearing to the satisfaction of this Court that the Transcript in this case has been filed in this Court for more than six months; that the Board of Commissioners to ascertain and settle the private land claims in the State of California, from which this case is appealed to this Court, rejected the claim set up therein by the Claimant, and that the proper notice of intention to appeal has not been filed in this cause within the time limited by law: It is, therefore, Ordered, on motion of the U.S. Attorney, that this case be dismissed and struck from the docket of this Court.

336  
L.C. 797

U. S. Dist Court

The United States

Ad

Wm W. Fuller

order

Filed Febry 23, 1857,  
W. H. Cheever,  
Deputy.

336 ND  
PAGE 35

Office of the Board of Commissioners,

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

San Francisco, Oct. 27<sup>th</sup> 1855

J. A. Monroe Esq.

Clerk of the U. S. District Court for the  
Northern District of California.

Sir;

I herewith transmit you, pursuant  
to the requirements of the Act of Congress, approved August 31st,  
1852, a Transcript of the Record of the Proceedings and of the  
Decision of this Board, of the Documentary Evidence and of  
the Testimony of the witnesses upon which the same is founded,  
in Case No. 797 on the Docket of the said Board, wherein

Mr. M. Fuller is

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

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher