

LAND CASE 337 ND

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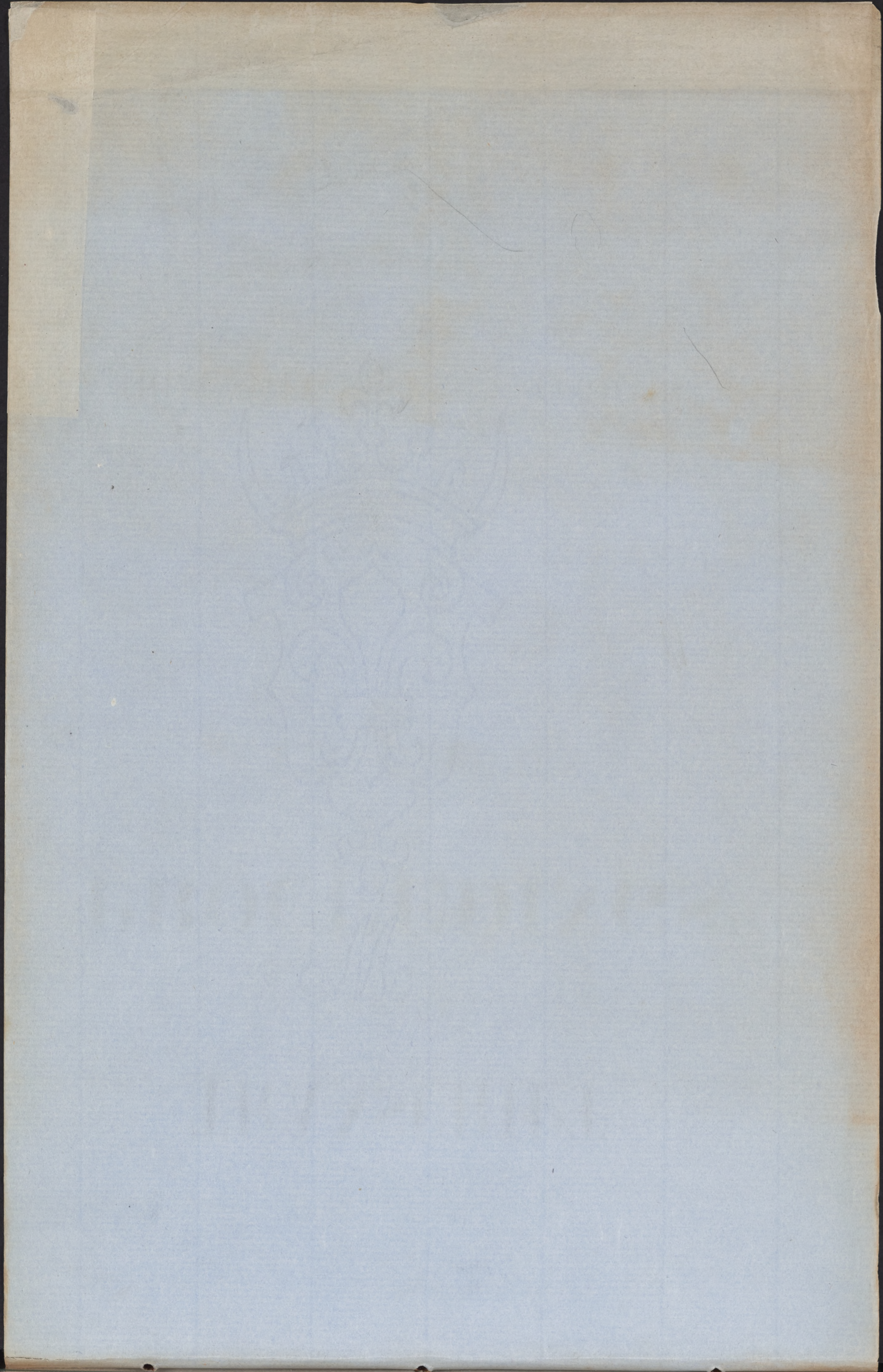
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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 692.

Guillermo Castro

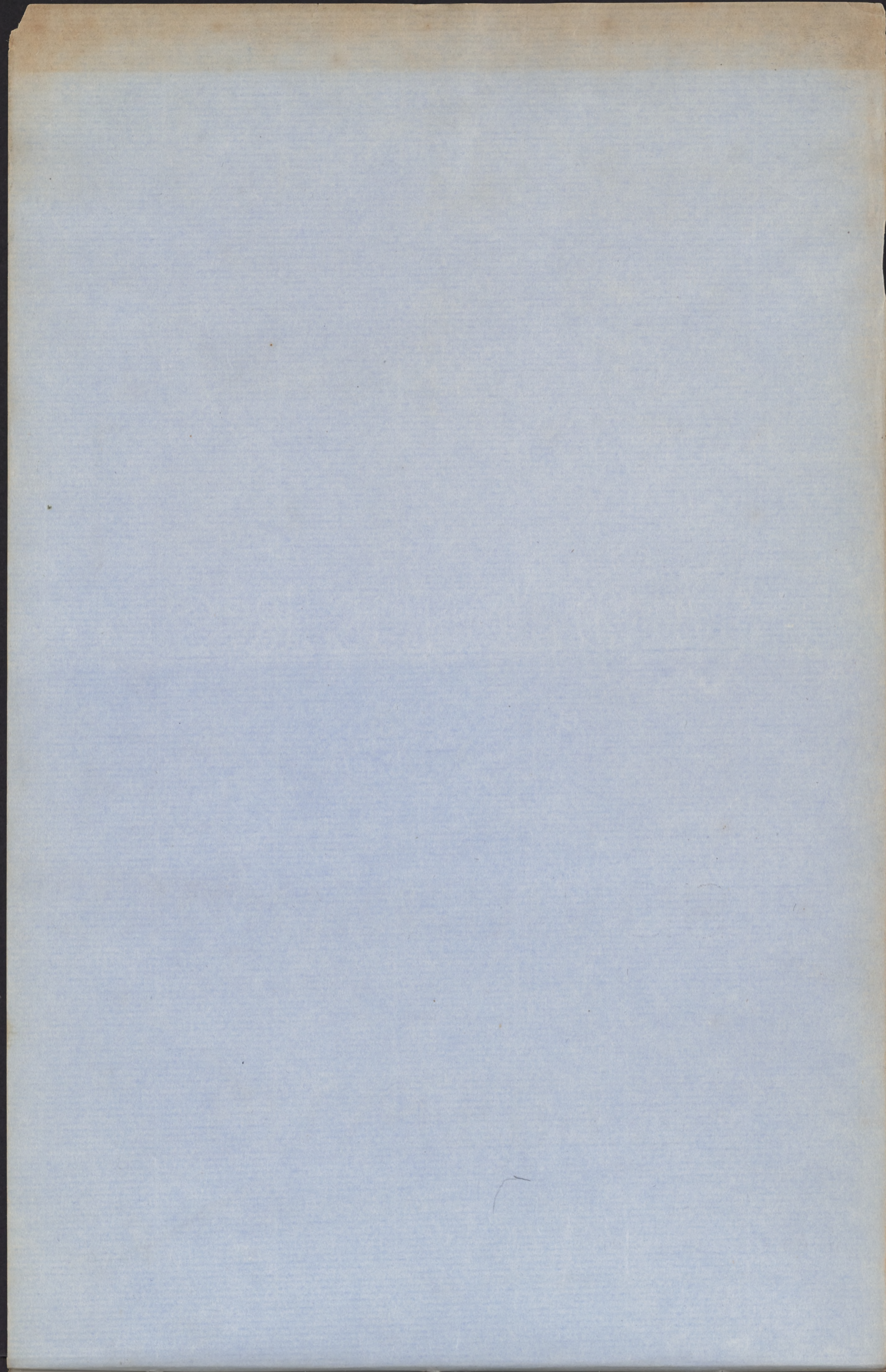
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

San Lorenzo.



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

The Petition of Guillermo Castro,
for the Place named
"San Leandro,"
was presented, and ordered to be filed and docketed with No. 692, and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco January 2, 1854.
Case No. 692, Guillermo Castro, for the place named "San Leandro", was ordered to be placed at the foot of the 4th class cases on the Trial Docket.

San Francisco March 20, 1854.
Case No. 692 was submitted under the Rule of March 21, 1854.

San Francisco May 15, 1855.
In the same case, Commissioner S. B. Farwell delivered the Opinion of the Board rejecting the claim:

(Vide page 9 of this Transcript.)

And the following Order was made, to wit:

(Vide page 11 of this Transcript.)

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Before the Commissioners to ascertain
and settle Private Land Claims in California

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Petition

Guillermo Castro gives notice that
he claims a tract of land in the place
known by the name of San Leandro, situated
in the Country of Contra Costa in said
state according to the boundaries express-
ed in the grant thereof. Said land
was granted on the 14th of January
by Don Juan B. Alvarado, Governor
of the Department of the Californias.

It has been occupied and possessed
according to law.

The original of said grant, and
a translation of it, are herewith filed
and the Claimant asks to be allowed the
necessary testimony & that his claim
may be speedily heard & confirmed

By his Attorney
Wm. Carey Jones.

Filed in Office March 2nd 1853.
Geo. Fisher Sec.

Duplicate

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(Seal) Juan B. Alvarado Gobernador Constitucional del Departamento de las Californias.

Por cuanto el Sr. Guillermo Castro ha pretendido para su beneficio personal y el de su familia, una parte del terreno conocido con el nombre de San Fernando, colindante con el Rancho del Sr. Luis Peratta y con el terreno de San Lorenzo, practicadas previamente las diligencias y averiguaciones correspondientes segun lo dispuesto por leyes y reglamentos: uso de las facultades que me son conferidas, he venido en concederle permiso para que por la parte de las Linderas de Dho. terreno, sin mas pasar la linea que de Norte a Sur forma los aguajes del terreno puede estar searse, pudiendo hacer sus Linderas en cualquiera parte de todo el sitio sin perjudicar a los Indigenas alli establecidos: entendiendose esta concecion provisionalmente hasta que el Gobierno arregle los linderos que le correspondan al Sr. Estuvello actualmente establecido en el sitio mencionado. Dado en Monterey a 14 de Enero de 1850.

Juan B. Alvarado.

Manuel Jimeno. Seco.

Filed in Office. March. 2. 1853.

Geo. Fisher. Secy.

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Juan B. Alvarado, Constitutional Governor
of the Department of the Californias.

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"B"

Translation
of
Expediente

(Civil Government)
Seal
(of Upper Cal^a)

Whereas the Citizen
Guillermo Castro
has solicited for

his personal benefit and that of his
family, a portion of the land known
by the name of "San Leandro" bordering
upon the Rancho of the Citizen Ferris
Peralta and the land of "San Lorenzo"
all the preliminary legal investigations
and proceedings relating to the same
having been made as provided by the
laws & regulations; By virtue of the Author-
ity in me vested, I have granted
him leave to settle upon the rising
part of said land without infringing upon
the line, which running from North
to South, forms the Salt Water pond
of said land - with power to cultivate
any part of the said Sitio but without
detriment to the native Indians settled
thereon; this grant being understood
to be temporary, and until the Gov-
ernment shall determine as to the
boundaries belonging to Mr. Estudillo,
who is actually residing on the
aforementioned land.

Given at Monterey on this 14th
day of January 1840,

(Signed) Juan B. Alvarado
(Signed) Manuel Jimeno
Secy.

Filed in Office March 2, 1853. G. Fisher

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Guillermo Castro
vs
The United States

For one league of land in
a place called "San Leandro"
in the County of Contra Costa,

Opinion
by Comr. Farwell

This claim is based upon a grant supposed to have been issued by Juan B. Alvarado on the 17th day of January 1840 which is not authenticated by any proofs whatever, the claim therefore is invalid and a decree will be entered accordingly.
Rejected,

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Filed in Office May 15th 1855,
Geo. Fisher Sec.

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Guillermo Castro
vs
The United States

Decree

In this case after hearing the proofs and allegations it is adjudged by the Commission that the claim of said Petitioner is not valid, and it is therefore decreed that his application for a confirmation thereof be denied.

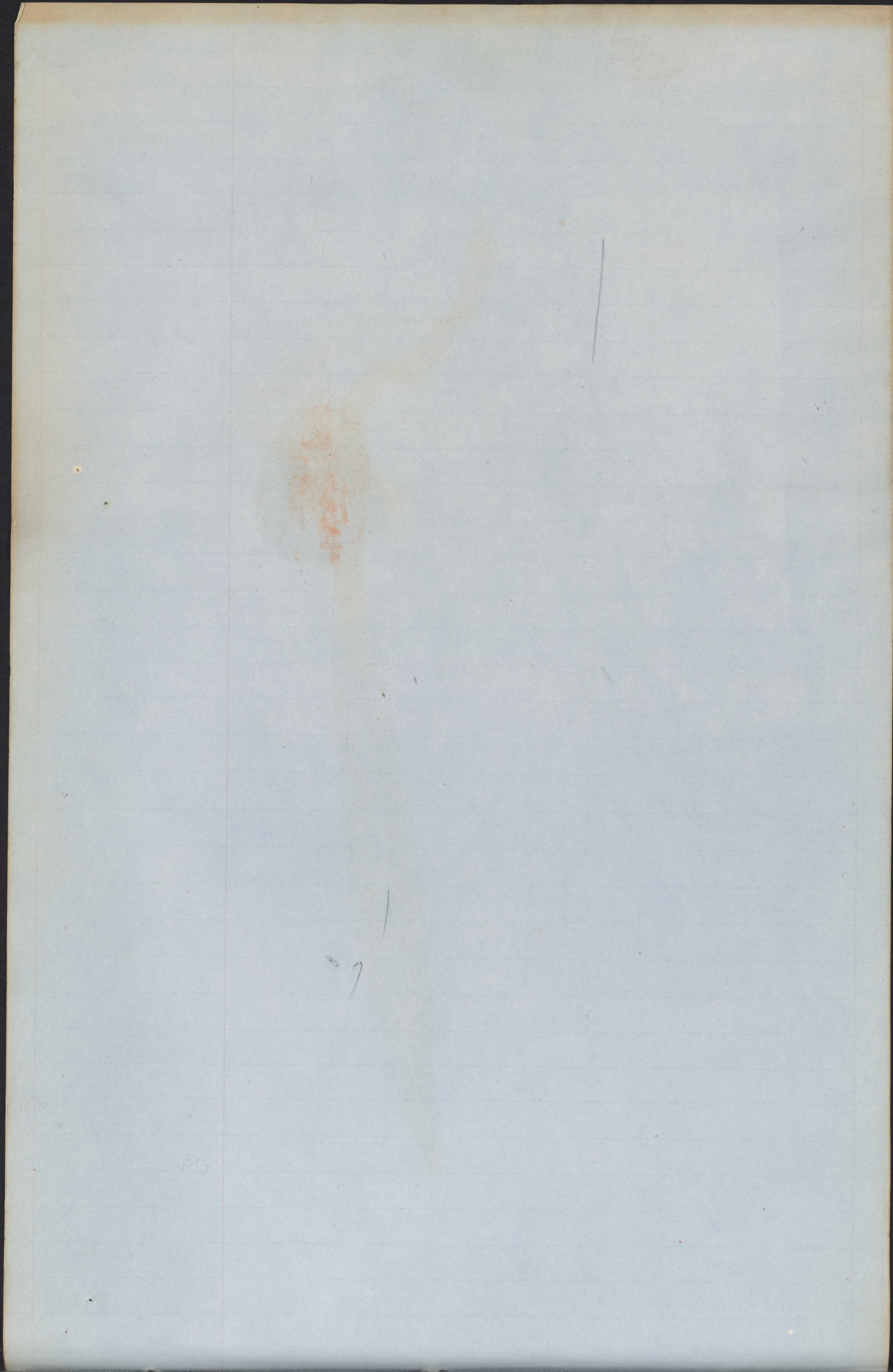
R. Aug Thompson

J. B. Farwell
Commissioner

Filed in Office May 15, 1855,
Geo. Fisher Sec.

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 & 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 *Eleven* pages, numbered from
1 to 11, 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. 92, on the Docket of the said Board,
wherewith

Guillermo Castro is
the Claimant, against the United States, for the place known by
the name of *San Leandro.*

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*.

G. Fisher
G. Fisher



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

No. 337

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THE UNITED STATES,

vs.

M D

Juliano Castro.

TRANSCRIPT OF THE RECORD
FROM THE
BOARD OF U. S. LAND COMMISSIONERS.

In Case No. 692.

Filed, *November 7* 185 *5*

John A. Murray,
Clk

United State District Court }
Northern District of California }

N. 337-

The United States }
vs }
Guillermo Castro }

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In the above stated Cause
numbered 692 - upon the Docket
of the United States Board of
Commissioners to ^{ascertain} settle private land
claims in the State of California -
the said Board having rendered
its decision rejecting the claim
& title of the undersigned to the
lands referred to in the transcript
heretofore filed with the
Clerk of said Court in the premises

Notice is hereby given that it is
the intention of the Claimant in
said cause to prosecute his appeal
from said decision

Guillermo Castro

U.S. District Court
Southern Dist. of California

No 337

The United States

vs

Guillermo Castro

Notice of intention to
prosecute appeal

Filed May 6, 1856.
Cheves,
Deputy.

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At a *Special* 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 *ninth* day of
March in the year of our Lord one thousand

eight hundred and fifty-*Seven*.

The Hon. M. Hall McAllister, Circuit Judge,
The Honorable OGDEN HOFFMAN, *Jr.*, District Judge.

Present:

| | | |
|--|---|---|
| <p><i>The United States.</i></p> <p style="text-align: center;"><i>vs.</i></p> <p><i>Guillermo Castro.</i></p> | } | <p><i>D. C. 337.</i></p> <p><i>S. C. 692.</i></p> |
|--|---|---|

And now at this day, on motion
of the claimant's Attorney, it is
ordered by the Court that the
appeal herein be, and the
same is hereby dismissed,
the said Attorney stating to the
Court that the land claimed
herein had been heretofore
decreed to the claimant *Guil-*
ermo Castro, in another case.

337.

United States District Court, Northern
District of California.

The United States.

—vs.—

Guillermo Castro.

*Order dismissing
appeal.*

Filed *March 9th* 1857

John A. Monroe,
Clerk.

by W. A. Chaves,
Deputy.

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Office of the Board of Commissioners,

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

San Francisco, Oct. 27th 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. 692 on the Docket of the said Board, wherein

Guillermo Castro is

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

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.



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