

CASE No.

339

NORTHERN DISTRICT

CAMPO de los FRANCESSES GRANT

AGUSTIN IOUAN

CLAIMANT

LAND CASE 339 ND

175 pgs.

DEC 5 1962

MAR 18 1963

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789

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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO.

789

Agustin Soriano CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"*Campo de los Franceses.*"
In the Northern Dist. of Cal.

FOR THE YEAR 1871

THE UNITED STATES DEPARTMENT

OF THE INTERIOR

PROCEEDINGS

OF THE

COMMISSIONERS

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 Agustin Jouan, for the Place named "Campo de los Franceses", was presented, and ordered to be filed and docketed with No. 789, 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 9, 1853.
Case No. 789, Agustin Jouan, for the place named "Campo de los Franceses", was ordered to be placed at the foot of the 4th Class cases on the Trial Docket.

San Francisco February 15, 1853.
In the same case, the deposition of Andrew J. Yates, a witness in behalf of the Claimant, taken before Commissioner Peter Lott, with documents, marked "Exhibit A. P. L.", "B. P. L.", "C. P. L.", "D. P. L.", annexed thereto, was filed.

(Vide page 7 of this Transcript.)

San Francisco, March 20, 1853.
In the same case, the counsel for the Claimant moved for a postponement thereof, upon the facts set forth in the following Affidavit, to wit;

(Vide page 182 of this Transcript.)

Which motion was taken under advisement by the Board.

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San Francisco March 22, 1855.

Case No. 789 was assigned for hearing on the 3^d day of April next.

San Francisco April 10, 1855.

Case No. 789 was submitted on briefs and taken under advisement by the Board.

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In the same case, the counsel for the claimants filed the following stipulation, to wit:
(Vide page 5 of this Transcript.)

San Francisco April 24, 1855.

In the same case, Commissioner R. Aug. Thompson delivered the Opinion of the Board, rejecting the claim.
(Vide page 83 of this Transcript.)

N.

And the following order was made, to wit:
(Vide page 83 of this Transcript.)

To the Honorable Board of Commissioners for settling Private Land Claims

To The Honorable Board of Commis-
sioners for settling Private Land Claims
in the State of California

Your Petitioner Agustin Juan
Shows unto Your Honorable Board
that a certain tract of land was
granted to Guillermo Gulnac and
his family and eleven families more
by Don Manuel Micheltrera on or
about the 13th day of January A.D. 1844
as will fully appear by reference
to the said grant and the Expediente
thereof heretofore presented to this Hon
Board by Charles M. Wicker now on
file with the Secretary thereof and
numbered No 255

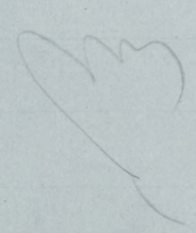
That the said Don Manuel Micheltrera
was at this said time of making said grant
acting Governor of said California under
the Government of Mexico with full and
extraordinary powers to make the said
grant.

That Justo Leanos, Miguel Karoaly
Jose Antonio Bernal, Jose Jesus Mesa
Geronimo Heiguera, Teodosio Flores
Rafael Felix Don Martin & Jose Ramon
Gulnack were included in the said
Eleven families and were part - both
nine thereof favored in said grant equal-
ly with said Gulnack, each of them having
a right and being entitled to one undiv-
ided twelfth part of and share of said
grant and the lands described thereon
as will fully appear by reference

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Petition

Expediente Micheltrera



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to their petition on file before said Board by certain certificates of said Manuel Michelarena referred to thereon and heretofore presented to this Board in support of their claim and also on file as aforesaid and marked "Respectively" B and C" and by reference to said Expediente and by the documentary testimony on file as aforesaid relating to the lands hereafter referred to.

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That the quantity of said land granted as aforesaid is eleven square leagues, and is situated to the east of the San Joaquin River and between said River and McClouds Laguna and known by the name of Campo de las Francesas, Campo Frances, or French Camp, the said lands having been surveyed the map or plot thereof being on file before said Board.

That heretofore your Petitioner purchased from said Carlos Navarro Bernal, Mesa, Heiguera Flores, and José Ramon Gulnack, the undivided two third parts of their respective interests in and to said grant & said lands and from Inara Negueta widow of Rafael Felix, and Basilia Bernal widow of Juan Martin the whole of the respective shares of each of them in the same and this Petitioner is now joint owner of said lands in said proportion with all persons concerned in said grant

and said lands as will better appear

5-
and said lands as will fully appear
by the conveyances of said last named
nine parties to and in favor of your
petitioner, copies and translations
whereof are herewith presented respec-
tively marked "B & C" and for greater
certainty in the premises this petitioner
refers to the said petition filed before
this Hon Board by the said nine
last mentioned persons and to all doc-
uments filed in relation to said grant
lands and testimony taken in regard
thereto.

Wherefore your Petitioner pre-
sents his said claim to this board and
prays that the said Board will pro-
nounce in favor of the same and
confirm the validity thereof to the extent
set forth and evidenced in & by said
deeds documents & testimony & his right
and title aforesaid in and to said lands
& premises accordingly as against
all parties whatsoever,

Dated at San Francisco March 1st 1853.

N. W. Chittenden

Robert Simson

Attorney's & Counsel for Claimant

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

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Before the U.S. Board of Land Commissioners
for settling Private Land Claims in California

Case No 789

Agustin Louan

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For the place called Campo de los
Franceses,

Stipulation

It is hereby consented and agreed
by and between the parties in this
cause that all the testimony and evidence
heretofore taken in case No 255 wherein
Charles M. Weber is claimant and
in case No 788 wherein Justo Larios
et als are claimants be admitted and taken
as testimony and evidence in this case,

J. K. McKune
U.S. Law Agent

Robert Sinson
A. W. Chittenden
Claimants Attorneys

Filed in Office April 10, 1855
Geo. Fisher
Sec

Appidavit wanting

As per deauch warrant

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789 United States of America
State of California 388

Deposition of
Andrew J. Yates

San Francisco July 5, 1855.

This day came before Peter Gato,
Commissioner for taking testimony to be used
before the board of U. S. Land Commissioners
in said State, Andrew J. Yates, a witness
on behalf of the claimant, Augustin Jarama
in case No 789, on the docket of said Board
and said witness being sworn depared as follows;

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The U. S. Land Agent is present

Questions by Mr. Simpson for claimant

1st Question What is your
name age and residence?

Answer My name is
Andrew J. Yates, my age 51 years, my residence
in San Jose California

2d Question State what
office you held in January 1853 and look at
the four documents now shown to you marked
"A. P. L." "B. P. L." "C. P. L." & "D. P. L." as exhibits
to this deposition and state what you know of
their execution respectively by the parties therein
purporting to have executed the same?

Answer I held the office
of Notary Public in the county of Santa Clara.
These four instruments were executed in my
presence, and I as Notary Public took the
acknowledgements of the parties executing them
with testimony of the identity of such as were
not personally known to me. In "A. P. L."
Jose Ramon Gubias wrote his own signature
and his wife Martina Fernandez made her
mark both in my presence, In "B. P. L."
Juite Larios and his wife Cecilia Castro
both made their mark as executing said in-
strument in my presence, In "C. P. L." Miguel
Narvaez wrote his name and his wife Maria

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Raymundo Puebla made his mark, both in my presence. In "D. P. L." José Antonio Bernal and his wife Guadalupe Bernal both made their mark as executing this instrument in my presence. The said deeds were all executed and the certificates of acknowledgment thereon signed by me as Notary Public on the days they respectively bear date and my signature as a witness to the execution in the foregoing documents respectively is my genuine signature
I am present and desire
to copy & examine

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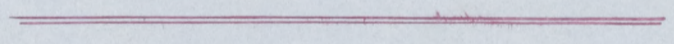
J. H. McPherson
Not. Law Agent

Subscribed and sworn to before
me on this 5th day of February
A. D. 1855

Peter Lato, Commissioner

Filed in office July 5. 1855

(Signed) Geo. Fisher J. Coy



1855

TB
Conyances
y e.

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Este documento hecho el día once de Julio del año de mil ochocientos cincuenta y dos es para Constancia que Justo Leanos del Pueblo de San José Guad. y Agustín Johan del mismo Pueblo se han convenido en lo siguiente, a saber = Que el primero ha recibido del segundo á su entera satisfacción doscientos pesos y q. en consideracion de esta suma recibida, el primero con conocimiento de su familia ha vendido y vende á Agustín Johan para siempre jamas

Seas dos terceras partes de la totalidad del terreno que le corresponde como uno de los socios, en la concesion y donacion de once sitios de ganador mayor, en el paraje nombrado Campo Francas segun consta en el titulo de propiedad incubido á nombre de Guillermo Galvach, en el titulo fué apraciado y otorgado por el Sr. General Sr. Micheltonna

Garantizando dicha venta á Agustín Johan ó sus herederos, con todos los privilegios, derechos y ventajas que pertenecen á dicha Concesion y asegurandoles la paz y pacifica posesion para siempre jamas

Y como de conformidad á esta venta de buena fe y en toda forma del derecho aun extrajudicial, y como prueba este día once de Julio de mil ochocientos cincuenta y dos, no sabiendo escribir, he puesto mi mano y sello en este Pueblo de San José Guad. -

{L.S.} (Ligno) Justo ^{his} Leanos -
mark

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Oritruses = A. J. Yates -

Testigos = { S. Palentina
 { Pedro Sepeda -

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He dado mi consentimiento á la
venta que mi esposo hizo por este doc-
umento á Agustín Juan de las dos ter-
ceras partes de la totalidad del terreno
que le correspondió como uno de los socios
en la concesion y donacion de once si-
tios de ganado mayor en el paraje
combrado Campo Frances - con las
condiciones expresadas en este dho. doc-
umento y de las que confirmo y rati-
fico la dha. venta, y como prueba de
la verdad pongo la Cruz y mi sello
este dia 24 de Enero de 1853 -

(Signed) Cecilio Castro de Leiros

{ S. Palentina } her + mark

Oritruss =

A. J. Yates -

State of California
County of Santa Clara $\frac{3}{3}$ p =

On this twenty
fourth day of January one thousand
eight hundred and fifty three, personal-
ly appeared before me Andrew J. Yates
a Notary Public in and for said County,
Justo Leiros and Cecilia Castro, his
wife, known to me to be the persons de-
scribed in and who executed the foregoing
instrument by the oath of Juan Pedro
Olivera who acknowledged to me that
they and each of them executed the same

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freely and voluntarily, and for the uses
and purposes therein mentioned, and the
said Cecilia Castro, wife of the said Jus-
to Larios, has been made acquainted with
the contents of the said instrument of con-
veyance, and acknowledged on examina-
tion apart from and without the hear-
ing of her said husband, that she executed
the same freely and voluntarily
without fear or compulsion or undue
influence of her said husband and
that she does not wish to retract the same.
In witness whereof I have hereunto set
my hand and affixed my private seal
(no official seal being yet provided) on
the day and year above written -

{L.S.} A. J. Yates
Notary Public.

Este documento hecho el día once
de Julio del año de mil ochocientos
cincuenta y dos, es para constancia
que Miguel Narvaiz del Pueblo de
San José Guadalupe y Agustín Juan
del mismo Pueblo se han convenido en
lo siguiente, á saber: Que el primero
he recibido del segundo á su entera sat-
isfacion Doseientos pesos y que en
consiguencia de esta suma recibida
el primero con conocimiento de su fa-
milia ha vendido y vende á Agustín
Juan

Las dos terceras partes de la total-
idad del terreno que le corresponde co-
mo uno de los socios en la concesion y

donacion de once sitios de ganado mayor en el paraje nombrado Campo Frances, segun consta en el titulo de propiedad mebezado á nombre de Guillermo Gulnack cual titulo fue apraviado y otorgado por el Sr General Micheltorrea.

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Guarantizando dicha venta á Agustín Johan ó sus herederos con todos los derechos, privilegios y ventajas que pertenecen á dha. concesion y asegurandolos la leal y pacifica posesion para siempre jamas, y como de conformidad á esta venta de buena fe y en toda forma del derecho aun extrajudicial, he formado este documento, este mismo dia once de Julio del año de mil ochocientos ochenta y dos en el Pueblo de San José Guad.

(Signo) - Manuel Narvaez
{ L.S. }

Witness

A. J. Yates -

Testigos } J. Balentina -
 } Pedro Lopez -

He dado mi consentimiento á la venta que mi esposo hizo por este documento á Agustín Johan de las dos terceras partes de la totalidad del terreno que le correspondia como uno de los socios en la concesion y donacion de once sitios de ganado mayor en el paraje nombrado Campo Frances, con las condiciones expresadas en este

d
 the document, y declaro que confirmo
 y ratifico la dicha venta, y como prueba
 de la verdad pongo la cruz y mi
 sello este dia 24 de January A.D. 1853
 witness (Signed) M^{te} Raimunda Buena
 A. J. Gates - [S. J.]

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State of California 3
 County of Santa Clara 3 p =

On this twenty
 fourth day of January one thousand
 eight hundred and fifty three, personally
 appeared before me, Andrew J. Gates,
 a Notary Public of said County, in and
 for said County, Miguel Narvaez and
 M^{te} Raimunda Buena, his wife,
 known to me to be the persons described
 in and who executed the present instru-
 ment by the oath of Justo Larios, who
 acknowledged to me that they and each
 of them executed the same freely and vol-
 untarily and for the uses and purposes
 therein mentioned, and the said M^{te} Ray-
 munda Buena, wife of said Miguel
 Narvaez, has been made acquainted with
 the contents of said instrument of convey-
 ance and acknowledged on examination
 apart from and without the hearing of
 her said husband that she executed the
 same freely and voluntarily without
 fear or compulsion or undue influ-
 ence of her said husband and that she
 does not wish to retract the same.

In witness whereof I have hereunto
 set my hand and private seal this 24th day of

ficial (and being provided) the day and
year first above written -

{ T.S. } (Signed) A. J. Gato
Notary Public.

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Este documento hecho el dia
once de Julio del año de mil ochocientos
cincuenta y dos, es para constancia of
Jose Antonio Bernal del Pueblo de San
Jose Guad^o y Agustin Johan del Mis-
mo Pueblo, se han convenido en lo sigui-
ente, á saber = Que el primero ha re-
cibido del segundo á su entera satis-
faccion doscientos pesos of que en con-
sideracion de esta suma recibida el
primero ha vendido y vende á Agustin
Johan para siempre jamas las dos
terceras partes de la totalidad del terre-
no que le corresponde como uno de
los socios en la concesion y donacion
de once sitios de ganado Mayor en el
paraje nombrado Campo Truenas,
segun consta en el titulo de propiedad en-
cabecado á nombre de Guillermo Gulrack
cual titulo fué apraciado y otorgado
por el Sr. General Dn. Micheltorrea -

Garantizando dicha venta á Agus-
tin Johan ó sus herederos, con todos los
derechos, privilegios of ventajas que per-
tencen á dicha concesion of asegurandoles
la leal of pacifica posesion para siem-
pre jamas - Of como de conformidad
á esta venta de buena fe of en toda
forma del derecho, aun extrajudicial
of como prueba este dia once de Julio

15

de mil Ochocientos cincuenta y Dos:
no sabiendo escribir he puesto mi mano y
sello en este pueblo de San José Guadalupe
(signee) José Antonio ^{his} Bernal _{mark}

Witness
A. J. Yates
(Testigos) D. Valentina }
Pedro Lepeda }

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He dado mi consentimiento a la
venta que mi Esposo hizo por este documen-
to a Agustín Joran, de las dos terceras partes
de la totalidad del terreno que le corresponde
como uno de los socios en la concecion y
donacion de Once sitios de panacho maya
en el paraje nombrado Campo Frances
en las condiciones expresadas en este
dho documento y declaro que confirmo
y Ratifico la dha venta y como prueba
de la verdad. pongo la Cruz y mi sello
este dia.

(G.D) Guadalupe Bernal de Bernal
his mark

Witness -

A. J. Yates

Filed in Office Secy 5th 1855

Geo. Fisher Secy

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This instrument made the eleventh
day of July 1880 and eight hundred

This Instrument made the eleventh day of July one thousand eight hundred and fifty-two. Witnesseth.

That Justo Larios of the Pueblo of San José Espe and Agustín Jonan of the same town, have agreed as follows, viz That the first party has received to his entire satisfaction from the second party, Two hundred dollars, and that in consideration of this sum received the first party with the knowledge of his family, has sold and sells to Agustín Jonan forever, the two thirds of the whole land which belongs to him as one of the partners in the grant of eleven square leagues, in the place known by the name of French Camp, as shown in the title headed in the name of William Culrack, which title was granted by Gov. M. Micheltono, granting said sale to Agustín Jonan or his heirs, with all the privileges, rights, and advantages which belong to said grant, assuring him in the lawful and peaceable possession thereof forever, and as a proof of the said sale made in good faith and in due form, though not made before a magistrate and as witness this eleventh day of July one thousand eight hundred and fifty-two, not knowing to write I have set my hand and seal in the Pueblo of San José Espe

(signed) Seal

Justo Larios ^{his} X
J. Belen Lera ^{mark}

Witness
A. L. Yates

Witnesses

Pedro Zepeda

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"6"

Translation

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I have given my consent to the sale which my husband had made by this instrument to Augustin Louan of the two thirds of the whole of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place & called French Camp with the conditions expressed in the said Instrument, and declared that I confirm and ratify the said sale, and as proof of the truth I affix the Cross and my Seal this 34th day of January 1853.

(Signed) Cecilia Castro de Barrios
his X mark

Witness
A. J. Yates

(Acknowledgement in English Vidi "B")



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This instrument made the 26th day of

19
This Instrument made the eleventh day of July in the Year One thousand eight hundred & fifty two, Witnesseth That Miguel Navarez of the Pueblo of San José Gpe and Agustin Jonan of the same Town, have agreed as follows, viz. That the first party has received to his entire satisfaction from the second party two hundred dollars, and that in consideration of this sum received, the first party with the knowledge of his family has sold and sells to Agustin Jonan the two thirds of the whole of the land which belongs to him as one of the partners in the Grant of Eleven square leagues in the place named French Camp, as shown in the title headed in the name of William Gulrack, which title was granted by the Sr General Micheltoena. Granting said sale to Agustin Jonan or his heirs, with all the rights privileges and advantages which appertain to said grant, assuring him and them in the lawful & peaceable possession thereof forever, And as a proof that this sale is made in good faith and in due form, though not before a Magistrate, I have signed this Instrument this same eleventh day of July in the year one thousand eight hundred and fifty two in the Pueblo of San José Gpe

(Signed) Miguel Navarez (Seal)

Witness

A. L. Gates.

Witnesses.

V. Belen Sena

Padro Zepeda

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"Seed"

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I have given my consent to the sale which my husband has made by this Instrument to Augustin Jonan of the Two thirds of the whole of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place called the French Camp with the conditions expressed in the said Instrument, and declare that I confirm and ratify the said sale, and as proof of the truth. I affix the cross and my seal this 24th January A.D. 1853.

(Signed) Maria Raymunda Buelna (Seal)

Witness

A. J. Gates

(Acknowledgement in English vide "B")

=====

This Instruments made the eleventh day of July in the year One Thousand eight hundred and fifty two, Witnesseth,

That José Antonio Bernal of the Town of San José Esp^{al} & Agustín Jonan of the same Town, have agreed as follows, viz: that the first party has received to his entire satisfaction of the second party, two hundred dollars, and that in consideration of this sum received, the first party has sold and sells to Agustín Jonan forever the two thirds of the whole of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place named French Camp as shown in the title headed in the name of William Guback, which title was granted by Sr General M. Michelena, Granting said Sale to Agustín Jonan & his heirs, with all the rights, privileges and advantages which appertain to the said grant, assuring him and them in the lawful and peaceable possession thereof forever and as a proof that this Sale is made in good faith and in due form, though not before a magistrate this eleventh day of July in the year one thousand eight hundred and fifty two, not knowing to write I have set my hand and seal in this town of San José Esp^{al}

(Signed)

Witness
A. J. Yates,

José Ant^o Bernal Seal
mark

Witnesses

J. Belen Tena
Pedro Zepeda

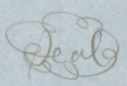
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"Deed"

I have given my consent to the sale which my husband has made by this instrument to Agustín Jonan of the two thirds of the whole of the land which belongs to him as one of the partners in the grant of Eleven ^{square} leagues in the place called the French Camp with the conditions expressed in the said instrument, and declare that I confirm and ratify the said sale and as proof of the truth I affix the cross & my seal this day.

(signed)

Guadalupe Butran de Bernal 
her X mark.

Witness

A. J. Gates

(Acknowledged in English (Vide "B"))

Jose Jesus Mesa
 lo
 Agustin Joan

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Este documento hecho el veinte y ocho de Julio del año de mil ochocientos cincuenta y dos, es para constancia y. Jose Jesus Mesa del Monte del Diablo y Agustin Joan del Pueblo de San Jose Guadalupe se han convenido en lo siguiente, a saber: que el primero ha recibido del segundo, a su entera satisfacción ciento y cincuenta pesos y que en consideración de esta suma recibida, el primero ha vendido al paisano Agustin Joan y le vende para siempre jamás, las dos tercias partes de la totalidad del terreno que le corresponde como uno de los socios, en la concesión y donación de once sitios de ganado mayor en el paraje nombrado Campo Francés, según consta en el título de propiedad recabizado a nombre de Guillermo Gulnaek, cual título fue agraciado y otorgado por el Sr. General Don M. Micheltona

Garantizando dicha venta a Agustin Joan o sus herederos con todos los derechos, privilegios y ventajas que pertenecen a dicha concesión y asegurándole la leal y pacífica posesión, para siempre jamás, y como de conformidad a esta venta de buena fe y en toda forma, en este mismo lugar de Monte del Diablo en la misma Aha. fha., a prueba por no saber firmar he puesto mi mano y sello.

{L.S.} Jose Jesus Mesa
 madre

John M. Jones
 Testigos } Fran^{co}. Mesa

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He dado mi consentimiento a la venta que mi esposa hizo por este documento a Agustín Juan de las dos terceras partes de la totalidad del terreno que le corresponde como uno de los socios en la concesion y donacion de once sitios de ganado mayor, en el paraje nombrado Campo Francés, con las condiciones expresadas en este dho. documento y declaro que confirmo y ratifico la dicha venta y como prueba de la verdad, pongo la Cruz y mi Sello este dia.

{L.S.} Juana ^{her} + Mesa
 Mark

State of California
 County of Contra Costa $\frac{3}{3}$ p:
 On this 27th day of January one thousand eight hundred and fifty three personally appeared before me J. M. Jones, Justice of the Peace in and for said County, Jose Jesus Mesa and Juana Mesa de Miranda, his wife, known to me to be the persons described in and who executed the foregoing instruments, who acknowledged to me that they and each of them executed the same freely and voluntarily and for the uses and purposes therein mentioned and the said Juana Mesa, wife of the said Jose

Jesus Mesa, has been made acquainted with the contents of the said instrument of conveyance and acknowledged on examination apart from and without the hearing of her said husband, that she executed the same freely and voluntarily without fear or compulsion or undue influence of her said husband, and that she does not wish to retract the same -

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

J. M. Jones J. P. Seal

Recorded in Book A Vol 4 pages 291 & 292 San Joaquin County Records - March 5th 1853 at 9¹/₂ o'clk am -

Chas A. Ward

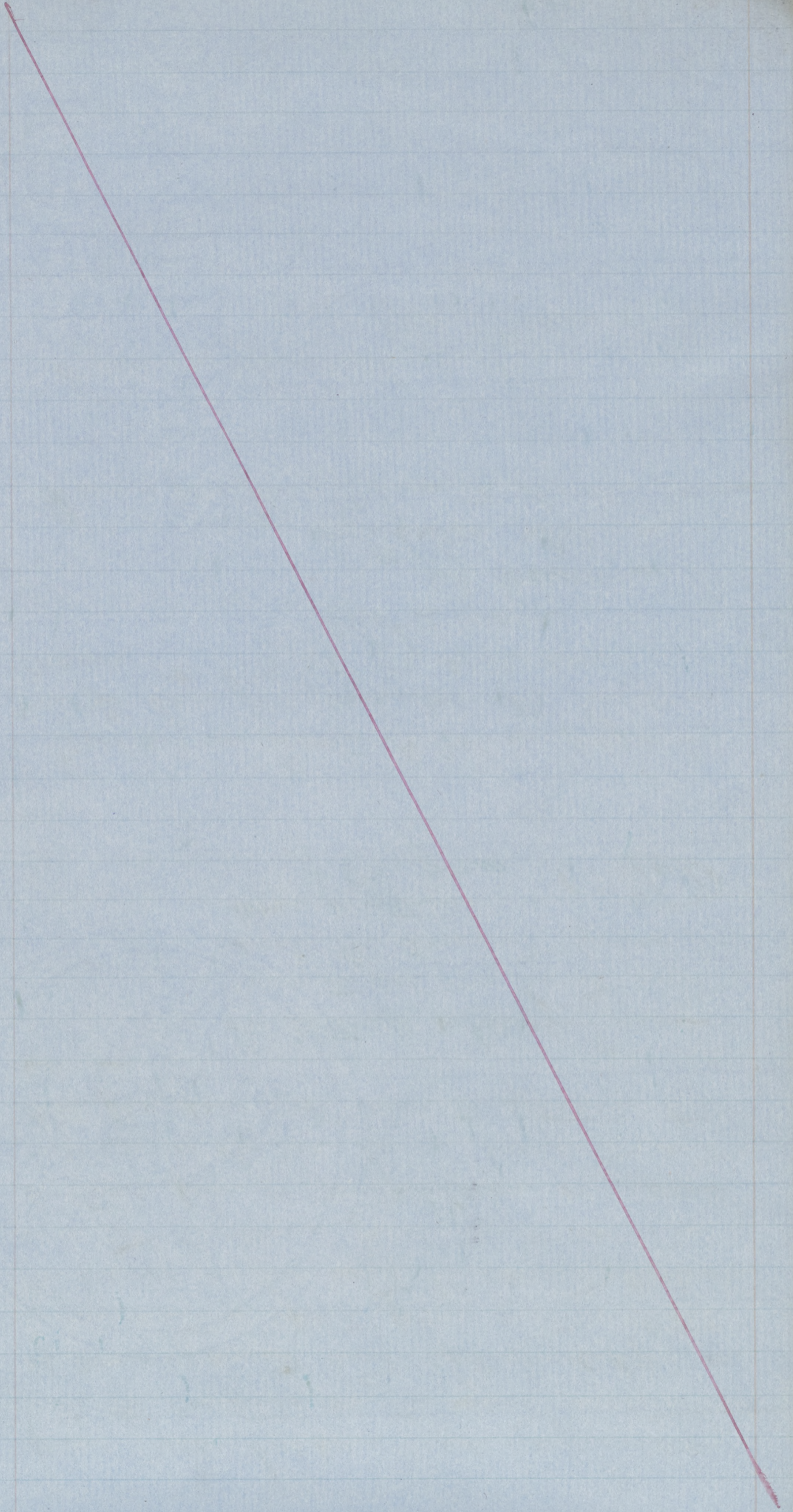
Co. Recorder

by P. Bee Ship -

Deed - Jose Jesus Mesa to Agustin Juana

Filed in Office Apr. 10, 1855.

Geo. Fisher Secy -

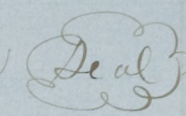


This instrument made the chord right

2
This Instrument made the Twenty eighth
day of July, One Thousand Eight hundred
and fifty two. (Witnesseth,

That Jose Jesus Mesa of the Monte
del Diablo, and Agustin Juan, of
the Town of San Jose, have agreed
as follows, Viz. That the first party
has received to his entire satisfaction
from the second party one hundred
and fifty dollars, and that in consider-
ation of this sum received, the first
party has sold to his Countryman, Agustin
Juan, and sells to him forever, the two
thirds of the whole of the land which belongs
to him as one of the partners in the grant
of eleven square leagues in the place
named French Camp as shown in the
title headed in the name of William
Culnack, which title was granted by
Sr General Don M. Michelena,

granting the said sale to Agustin Juan
& his heirs, with all the rights & priv-
ileges and advantages which appertain
to said grant, assuring him in the
lawful and peaceable possession there-
of forever, and as proof that this sale
is made in good faith and due form
in this same place of Monte del Diablo,
on said date, as witness whereof, and
not knowing to sign. I have set my hand &
seal,

(Signed) Jose Jesus ^{his} Mesa 
Witness, mark

Witness, John M. Jones
" Francisco Asoya

339 ND
PAGE 27

I have given my consent to the sale which my husband has made by this Instrument to Agustin Ionan of the two thirds of the whole of the land which belongs to him as one of the partners in the grant of Eleven square leagues in the place called the French Camp, with the conditions expressed in the said Instrument and declare that I confirm and ratify the said sale, and as proof of the truth I affix the cross & my seal this day

(Signed) Juana ^{her} X Mesa
mark

(Acknowledgement in English vide "B")

Conveyance
—
Geronimo
Noquera
to
A. Juan

Este documento hecho el día veinte y ocho de Julio del año de mil ochocientos cincuenta y dos y para constancia que Geronimo Noquera del Pueblo de San Jose Guadalupe y Agustin Jouan del mismo Pueblo se han convenido en lo siguiente, á saber: Que el primero ha recibido del segundo, á su entera satisfaccion, doscientos pesos y que en consideracion de esta suma recibida el primero ha vendido y vendido á Agustin Jouan, para siempre jamas-

339 ND
PAGE 28

Las dos terceras partes de la totalidad del terreno que le corresponde como uno de los socios en la concesion y donacion de once sitios de ganado mayor en el Paraje nombrado Lempes Frances segun consta en el titulo de propiedad encabezado á nombre de Gutierrez Gubnaek enal titulo fue agraciado y otorgado por el Sr. General Don M. Micheltorrea

Garantizando dicha venta á Agustin Jouan ó sus herederos con todos los derechos, privilegios y ventajas que pertenecen á dicha concesion y asegurandoles la paz y pacifica posesion para siempre jamas — Y como de conformidad á esta venta de buena fé y en toda forma, en este mismo Pueblo de San Jose Guad. á veinte y ocho de Julio del año de mil ochocientos cincuenta y dos por no saber firmar he puesto mi mano y sello

Geronimo + Noquera
mante

Testigos =
Eliseo Trevino -
A. Navarra -

339 ND
PAGE 29

He dado mi consentimiento a la
venta que mi esposo hizo por este docu-
mento a Agustín Juan de las dos ter-
ceras partes de la totalidad del terreno
que le corresponde como uno de los socios
en la concesion y donacion de ciertos sitios
de ganado mayor en el Paraje nombrado
campo Frances con las condiciones es-
puestas en este dho. documento y decla-
ro que confirmo y ratifico la dicha
venta y como prueba de la verdad pongo
la Cruz y mis Sells este dia -

Rosario ^{hija} Feliz de Weigera

Witness =

(mark)

A. Marshall -

Testigo = Juan Larios -

State of California 3
County of Santa Clara 3 P.S.

On this 26th day of
January and thousand eight hundred and
fifty three personally appeared before me
A. Marshall, Justice of the Peace in and
for said County, Geronimo Weigera and
Rosario Feliz de Weigera, his wife, known
to me to be the persons described in and who
executed the foregoing instruments, who ac-
knowledged to me that they and each of them
executed the same freely and voluntarily
and for the purposes therein mentioned and
the said Rosario Feliz, wife of the said

Gerouimo Hijura, has been made acquainted with the contents of this instrument of conveyance and acknowledged on examination apart from and without the hearing of her said husband that she executed the same fully and voluntarily without fear or compulsion or undue influence of her said husband and that she does not wish to retract the same -

In witness whereof I have hereunto set my hand and seal being a scroll for a seal this 26th day of January A.D. 1853 -

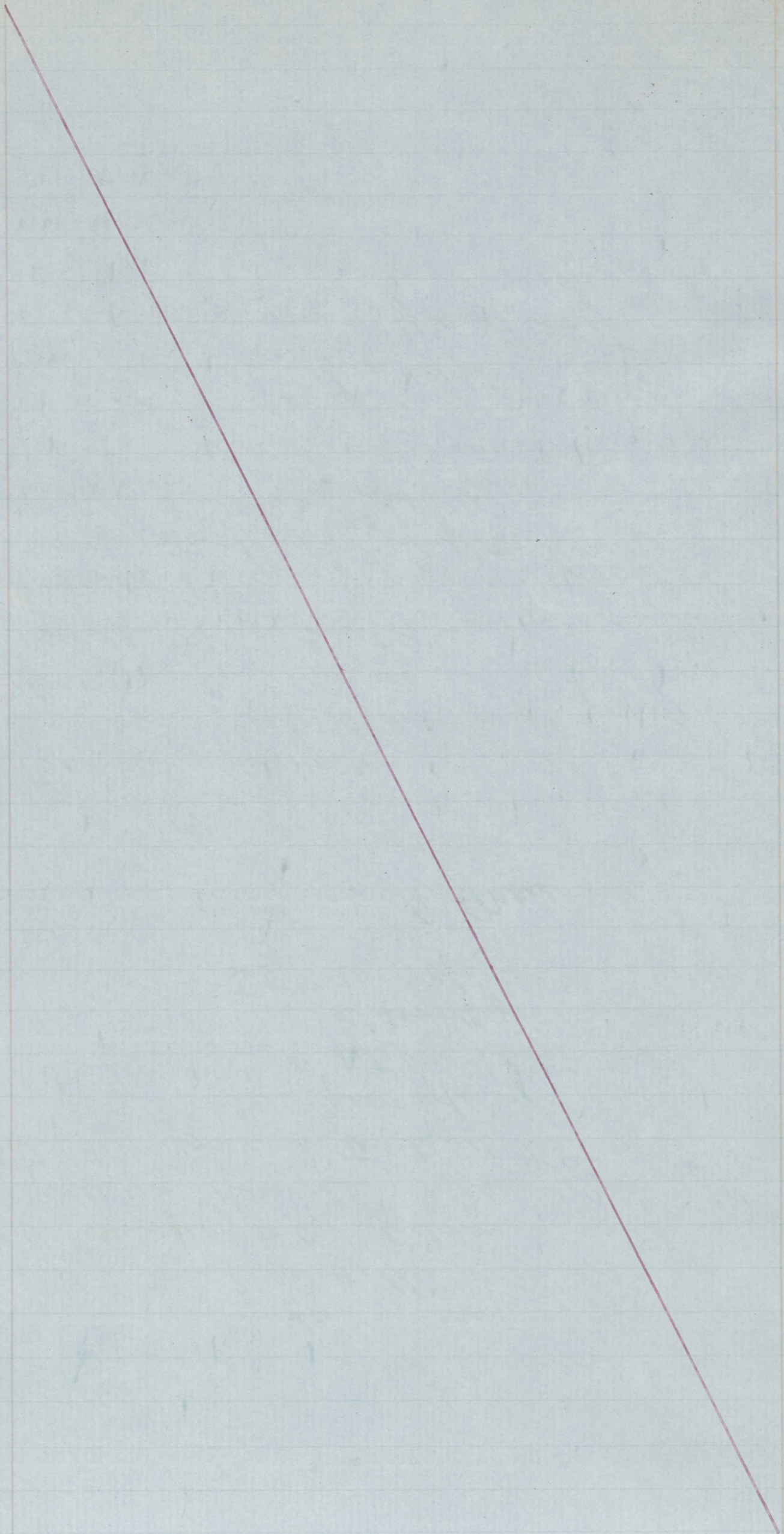
A. Marshall
Justice of the Peace.

Recorded in Book A.
Vol 4 page 293 San
Joaquin County Records
March 5th 1853 at 9 1/2
o'clock a.m.

Chas. A. Ward, Co. Recorder
By B. J. Lee, Secy -

Filed in Office Apr. 10, 1855 -

Geo. Fisher
Secy -



This instrument made the twenty
eight day of 1862

This Instrument made the Twenty eighth day of July in the year of our Lord One Thousand Eight hundred and fifty two. Witnesseth. That Gerónimo Higuera of the Pueblo of San José G^{pe} and Agustín Jonan of the same town have agreed as follows: Viz: That the first party has received to his entire satisfaction from the second party two hundred dollars, and that in consideration of the sum received, the first party has sold and sells to Agustín Jonan forever the two thirds of the whole of the land which belongs to him as one of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place named French Camp as shown in the title headed in the name of William Gulrack, which title was granted by Sr Genl G^m M. Michelena: Granting said sale to Agustín Jonan and his heirs, with all the rights privileges and advantages which appertain to said grant, assuring him and them in the lawful and peaceable possession thereof forever: and as proof that this sale is made known in good faith and in due form, in this same town of San José G^{pe} this twenty eighth day of July in the year one thousand Eight hundred and fifty two not knowing to sign. I have set my hand and seal as proof.

(Signed) Gerónimo ^{his} Higuera ^{mark} Seal

Witnesses

Elisie Prevost
A. Karavina

339 ND

PAGE 31

"Deed"

34

339 ND
PAGE 32

I have given my consent to the sale which my husband has made by this Instrument to Augustin Touan of the two thirds of the whole of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place called the French Camp with the conditions expressed in the said Instrument and declare that I confirm and ratify the said sale, and as proof of the truth. I affix the cross and my seal this day,

(Signed)

his
Rosario x Feliz de Heigueras
marks

(Acknowledgement in English vide "B")

Conveyance
Leobasio Flores
— to —
A. Juan

Este documento hecho el día once de Julio del año de mil ochocientos cincuenta y dos, es para constancia que Leobasio Flores de la Jurisdicción de S. José y Agustín Juan del mismo Pueblo, se han convenido en lo siguiente á saber: que el primero ha recibido del segundo, á su entera satisfacción, doscientos pesos y que en consideración de esta suma recibida, el primero ha vendido y vende á Agustín Juan —

339 ND
PAGE 33

Las dos terceras partes, de la totalidad del terreno que le corresponde como uno de los socios en la concesión y donación de once sitios de ganado mayor, en el paraje nombrado Campo Francés según consta en el título de propiedad, encabezado á nombre de Guillermo Gelnack, cual título fue agraciado y otorgado por el Sr. General Michel-Thomas.

Garantizando dicha venta á Agustín Juan ó sus herederos, con todos los derechos, privilegios y ventajas que pertenecen á dicha concesión y asegurando la legal y pacífica posesión para siempre jamás — Y como de conformidad á esta venta de buena fe y en toda forma toda forma del derecho, y á prueba por no saber firmar he puesto mi mano y sello — En Pueblo San José Gpt. á once de Julio de mil ochocientos cincuenta y dos

Leobasio Flores
A. Juan

Testigos = his
 Justo + Larios
 Mark

Juan Larios -

State of California }
 County of Contra Costa } ss.

339 ND
 PAGE 34

On this 27th day
 of January one thousand eight hundred
 and fifty three, personally appeared be-
 fore me J. H. Livingston Justice of the
 Peace Leopoldo Flores in and of Inman-
 cis Romero known to me to be the person
 described in and who executed the fore-
 going instrument who acknowledged to me
 that he executed the same freely and
 voluntarily and for the uses and purposes
 therein mentioned -

In witness whereof I have
 hereunto set my hand and
 seal this 27th day of Janu-
 ary A.D. 1853 -

J. H. Livingston
 Justice of the Peace -

Recorded in Book A. Vol 4 San Joaquin Co.
 Records page 294 + 295 - March 5th A.D.
 1853, at 9 $\frac{1}{2}$ o'clock am.

Chas. F. Ward

Co. Recorder

by R. L. W. Deputy -

Deed - Leopoldo Flores to Agustin Jovan

Filed in Office April 10. 1855 -

Geo. Fisher

Deputy -

Conyance
 —
 Juana Mesquita
 — to —
 Agustín Juan

Este documento hecho el día cuatro de Agosto del año de mil ochocientos cincuenta y dos es para constancia que Juana Mesquita viuda de Rafael Feliz (difunto) de la Misión de San José y Agustín Juan del Pueblo de San José Guad. se han convenido en lo siguiente, a saber: Que Juana Mesquita ha recibido a su entera satisfacción ciento y cincuenta pesos y que en consideración de esta suma recibida esta otra. Suora he vendido y me de para siempre jamás - La parte del terreno que le corresponde a ella como propiedad personal suya y cual es la mitad de la totalidad del terreno que al difunto le pertenecía como uno de los socios en la concesión y donación de cuatro sitios de ganado mayor en el paraje nombrado El campo Frances según consta en el título de propiedad encabezado a nombre de Guillermo Gudnaack cual título fué agraciado y otorgado por el Sr. General Don M. Michelarena - Garantizando dicha venta a Agustín Juan o sus herederos con todos los derechos, privilegios y ventajas que pertenecen a dicho terreno y asegurando la legal y pacífica posesión para siempre jamás y como de conformidad a esta venta de buena fe y en toda forma en este mismo Pueblo de San José Guadalupe a cuatro de Agosto de mil ochocientos cincuenta y dos por no saber firmar he puesto mi mano y sello a prueba.

Juana Mesquita
 Agustín Juan

Testigos = Francisco Peña
Por no haber firmado como
testigo pongo la Cruz
justo + Larios -
mark

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State of California
County of Santa Clara

On this 26th day of January
any one thousand eight hundred and fifty three
personally appeared before me A. Marshall
Justice of the Peace in and for said County
Juana Mesquitero widow of Rafael Fe-
lig known to me to be the person described
in and who executed the foregoing instru-
ment who acknowledged to me that she ex-
ecuted the same freely and voluntarily
and for the use and purposes therein
mentioned -

In witness whereof I have
herewith set my hand and
seal using a scroll for a
seal this 26th day of January
AD. 1853 -

L. J. }

A. Marshall
Justice of the Peace

Recorded in Book A. Vol 4 pages 295 + 296 San
Joaquin County Records March 5th 1853 at 9^h
o'clock am. - Chas. W. Waid Co. Recorder
By B. J. ... Copy -

Filed in Office Apr. 10. 1855 -
Geo. Fisher, Secy -

This Instrument made the Eleventh day of July, one thousand Eight hundred and fifty two: Witnesseth that Teodosio Flores of the Jurisdiction of San José, and Agustín Jovan of the same place, have agreed as follows, viz. That the first party has received to his entire satisfaction from the second party two hundred dollars and that in consideration of this sum received, the first has sold and sells to Agustín Jovan the two thirds of the whole of the land which belongs to him as one of the partners in the grant of Eleven square leagues in the place named French Camp as shown in the title headed in the name of William Culnack, which title was granted by Dr. General Michelena. Granting said sale to Agustín Jovan & his heirs, with all the rights, privileges and advantages which appertain to said grant, assuming him and them in the lawful and peaceable possession thereof forever, and as proof that this sale is made in good faith and in due form, and in witness thereof not knowing to sign, I set my hand and seal, in the Town of San José Esp. this Eleventh day of July one thousand Eight hundred and fifty two,

339 ND
PAGE 37

"Deed"

(Signed) Teodosio Flores (Seal)
his mark

Witnesses Justo Larios
his mark

Juan Larios

(Acknowledgement in English vide "B")

This Instrument made the fourth day of August in the year one thousand eight hundred and fifty two. Witnesseth;

That Juan Mesquita, widow of Rafael Felis, deceased of the mission of San José and Agustín Jonan of the town of San José Esp. have agreed as follows, viz: That Juan Mesquita has received to her entire satisfaction from Agustín Jonan one hundred and fifty dollars, and that in consideration of this sum received, this said Juvenal has sold and sells to said Agustín Jonan forever the portion of the land which belongs to her own right, being the half of the whole of the land which belonged to the said deceased as one of the partners in the grant of Eleven square leagues in the place named the French Camp as shown in the title headed in the name of William Sulzack which title was granted by Sr. General Don M. Micheltorena. Granting said sale to Agustín Jonan & his heirs, with all the rights, privileges and advantages which appertain to said land, and assuring him in the lawful and peaceable possession thereof forever, and as a point that this sale is made in good faith and in due form, in same town of San José Esp. the fourth day of August one thousand eight hundred and fifty two not knowing to sign. I set my hand and seal for proof.

Seal (signed) Juvenal ^{his} Mesquita
mark

Witness.

Fraquinilina Pena
not knowing how to sign in witness I set my cross

Justo ^{his} Larios
mark

(Acknowledgment in English vide "B")

339 ND
PAGE 38

Deed

Couryance
 - from -
 Basilisa Bernal
 - to -
 Agustín Johan

Este documento hecho el día de Agosto de mil ochocientos cincuenta y dos es para constancia que Basilisa Bernal viuda de Juan Martín (difunto) del Pueblo de Abasco y Agustín Johan del Pueblo de San José Guadalupe han convenido en lo siguiente à saber: Que Basilisa Bernal ha recibido de Agustín Johan à su entera satisfacción doscientos veinte pesos y que en consideracion de esta suma recibida esta dcha. Señora ha vendido y vende à dcho Agustín Johan para siempre jamas - la parte del terreno que le corresponde como propiedad personal suya cual es la mitad del terreno que al difunto le pertenecia como uno de los socios en la concesion y donacion de cinco sitios de ganado mayor en el paraje nombrado Campo Francis segun consta en el título de propiedad irrevocable à nombre de Guillermo Gulnark cual título fué apraviado y otorgado por el Sr. General Don Manuel Micheltorana - Garantizando ella esta dcha. venta à Agustín Johan ó sus herederos con todos los derechos, privilegios y ventajas que pertenecian à dcha. concesion y asegurandole la legal y pacífica posesion para siempre jamas y como de conformidad à esta venta de buena fé y en toda forma en este mismo Pueblo de Abasco à cuatro de Agosto de mil ochocientos cincuenta y dos por no saber firmar he puesto à prueba mi mano y sello.

339 ND
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Basilisa + Bernal -
 mark

Testigos - A. J. Gallapin
 por no saber firmar
 hizo la Cruz como testigo
 Justo + Barrios -
 mark

State of California 3
County of Santa Clara 3 ss:

On this eighteenth day of January one thousand eight hundred and fifty three personally appeared before me Henry Wade a Justice of the Peace and for said County Basilisa Bernal widow of Juan Martin known to me to be the person described in and who executed the foregoing instrument who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned -

339 ND
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In witness whereof I have hereunto set my hand and seal this 18th day of January 1853 at Alviso Santa Clara County -
Henry Wade
Justice of the Peace

Recorded in Book A Vol. 4 page 279 San Joaquin County Records March 5, 1853 at 9 1/2 o'clock am.

Chas. A. Ward
Co. Recorder
By B. J. See, Deputy -

Deed - Basilisa Bernal to Austin Jouan

Filed in Office April 10, 1853 -
Geo. Fisher
Secy -

Este documento hecho el día once de Julio del año de mil ochocientos cincuenta y dos es para constancia que José Ramon Gulrack del Pueblo de San José Guad^o y Agustín Juan del mismo del mismo Pueblo, se han convenido en lo siguiente, á saber = El primero ha recibido del segundo á su entera satisfacción Doscientos pesos y que en consideracion de esta suma recibida el primero con el consentimiento de su familia ha vendido y vende á Agustín Juan para siempre

Las dos terceras partes de la totalidad del terreno que le corresponde como uno de los socios en la concesion y donacion de once sitios de ganado mayor en el paraje nombrado Cempur Frances, segun consta en el titulo de propiedad encabezado á nombre de su difunto padre Guilermo Gulrack, cual titulo fué apraiado y otorgado por el Sr. General Micheltona.

Garantizando á dicho Agustín Juan y sus herederos esta dicha cuenta, con todos los derechos, privilegios y ventajas que pertenecen á dicha concesion y asegurandoles la real y pacifica posesion para siempre jamas - Y como de conformidad á esta cuenta de buena fe y en toda forma del derecho - amparado judicial, he firmado el presente documento, este mismo día once de Julio de mil ochocientos cincuenta y dos - en el Pueblo de San José Guad^o.

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(Signed) Jose Ramon Gulnack
 { L.S. }

Witnesses =

A. J. Yates -

J. Belentena -

Testigos } Pedro Lopez -

339 ND
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No dudo mi consentimiento
 á la venta que mi esposa hizo por este
 documento á Agustín Juan, de las dos
 terceras partes de la totalidad del terreno
 que le corresponde como uno de los so-
 cios en la concesion y donacion de una
 sitio de ganado mayor en el paraje
 nombrado Campo Francés, con las con-
 diciones expresadas en este otro documento
 y declaro que confirmo y ratifico la otra
 venta y como prueba de la verdad
 pongo la cruz y mi sello este dia
 24 de Enero del año de mil ochocien-
 tos cincuenta y tres -

Matiana Fernandez de Gulnack
 her x mark -

State of California }
 County of Santa Clara } S:

On this twenty -
 fourth day of January one thousand
 eight hundred and fifty three, perso-
 nally appeared before me Andrew J.
 Yates, a Notary Public in and for said
 County Jose Ramon Gulnack and
 Matiana Fernandez, his wife, known
 to me to be the persons described in and
 who executed the foregoing instrument

who acknowledged to me that they and each of them executed the same freely and voluntarily and for the uses and purposes therein mentioned and the said Matiana Fernandez, wife of the said Jose Ramon Gulnack, has been made acquainted with the contents of the said instrument of conveyance and acknowledged on examination apart from and without the hearing of her said husband that she executed the same freely and voluntarily without fear and compulsion or undue influence of her said husband, and that she does not wish to retract the same -

339 ND
PAGE 43

{
L.F.
}

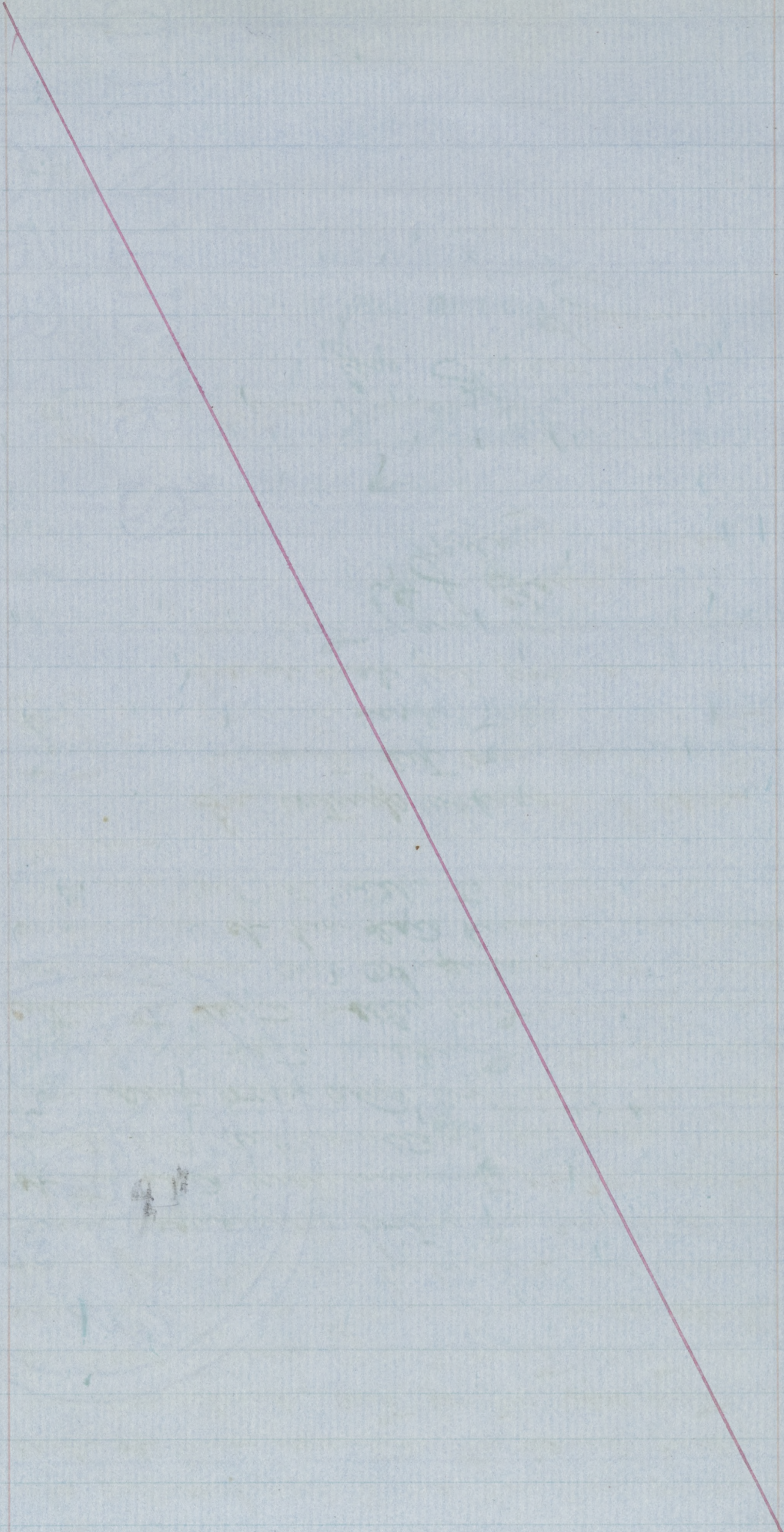
In witness whereof I have hereunto set my hand and private seal (having no official seal yet provided) this day and year above written.

A. J. Gates -
Notary Public

Filed in Office March 2^d 1853
Geo. Fisher

Sey -

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This instrument made the 10th day of August

This Instrument made the fourth day of August in the year one thousand eight hundred and fifty two Witnesseth: That Basiliza Bernal, widow of Juan Martin, deceased, of the Pueblo of Aloiss, and Agustin Juan of the Pueblo of San Jose Ope have agreed as follows, viz;

That Basiliza Bernal has received from Agustin Juan to her entire satisfaction two hundred and twenty dollars, and that in consideration of this sum received the said Juana has sold and sells to said Agustin Juan forever the portion of the land which belongs to her, in her own right, being the half of the land which belonged to the said deceased as one of the partners in the grant of Eleven square leagues in the place named French Camp as shown in the Title headed in the name of William Culrack, which Title was granted by Dr. Sen. M. Michelorena Granting the said Sale to Agustin Juan his heirs, with all the rights, privileges and advantages which appertain to said grant assuring him in the lawful and peaceable possession thereof forever, and as proof that this Sale is made in good faith and in due form, in this same Pueblo of Aloiss, this fourth day of August one thousand eight hundred and fifty two, not knowing to sign I have set my hand and seal as proof

(Signed) Basiliza ^{her} Bernal (Seal) _{mark}

Witnesses

A. J. Gallagher

As I cannot sign I make

the cross as witness

Justo Leanos ^{his} X _{mark}

(Acknowledgement in English vide "B")

Deed

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PAGE 44

339 ND
PAGE 45

Deed

This Instrument made the Eleventh day of July in the year one Thousand eight hundred and fifty two. Witnesseth that Jose Ramon Gulnac of the Pueblo of San Jose Gpe and Agustin Jonan of the same place, have agreed as follows. By the first party has received from the second party to the entire satisfaction of the first party two hundred dollars and that in consideration of this sum received, the first party, with the knowledge of his family, has sold and sells to Agustin Jonan forever the two thirds of the whole of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place named French Camp as shown in the Title headed in the name of his deceased father, William Gulnac which title was granted by the General Michelletre. Granting to said Agustin Jonan & his heirs the said sale, with all the rights, privileges and advantages which belong to said grant, assuring him & them in the lawful & peaceable possession thereof forever and as proof that this sale is made in good faith and in due form, though not before a magistrate I have signed the present instrument this eleventh day of July one thousand eight hundred & fifty two in the Pueblo of San Jose Gpe

(Signed) Jose Ramon Gulnac (Seal)

Witnesses
 A. J. Yates, Witnesses.
 J. Belen Fern
 Pedro Lapeda

I have given my consent to the sale of the land described in this deed

49

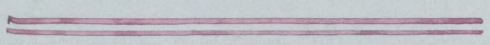
I have given my consent to the sale which my husband has made by this Instrument to Augustin Jonan of the two thirds of the whole of the whole of the land which belongs to him as one of the partners in the grant of eleven square leagues in the place called French Camp with the conditions expressed in the said Instrument and declare that I confirm & ratify the said sale and as proof of the truth I affix the cross & my seal this 24th day of January One thousand eight hundred & fifty three

(Signed)
Martin Fernandez de Calzack (Seal)
his X mark

(Acknowledgement in English "B")

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

339 ND
PAGE 46



57

Res. Joshua Jecy

14

Deposition of
John A. Sutter

San Francisco December 1, 1882

On this day before Commissioner Heland Hall, came John A. Sutter a witness on behalf of the claimant Charles W. Webber petition No 255 and was duly sworn his evidence being given in my book

The United States Associate Law Agent was present

In answer to enquiries by Counsel for claimant the witness testified as follows;

My name is John A. Sutter, my age is 49 years and I have been in California since 1839. In the latter part of 1844 William G. Hubbs applied to me for the juridical papers of the Rancho of Campo de las Famosas where the city of Sutter now stands and I gave it to him

John A. Sutter

Notice acknowledged and no questions asked

A. Gurnham
Associate Law Agent

Sworn and subscribed before me

Heland Hall
Commissioner

339 ND

PAGE 47

Filed in Office December 21, 1852

(Signed) Geo. Parker Gray

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255 Office of the Board of Land Commissioners for California

Deposition of
Walter Herron

San Francisco May 31, 1852

On this day before me Henry D. Hunt one of the Commissioners for ascertaining and settling private land claims in California Comr. Walter Herron a witness for and in behalf of the claimant Charles M. Weber, whose petition is numbered 255 on the docket of said Commission and after being duly sworn testifies as follows;

The Law Agent of the United States was notified and attended.

1st Question What is your name, age and place of residence

Answer. My name is Walter Herron, age is (33) thirty-three years, reside in the city of Stockton and State of California

2^d Question Do you know the Rancho called Camp de los Francos, claimed by Charles M. Weber, and if so, where is it situated and what do you know about its occupation?

Answer I do know the Rancho aforesaid it is situated in the County of San Joaquin, it was first

5-3

255

occupied by Capt. Webber in 1847, who brought on it a band of about one thousand or more of cattle, this is the first I know about its occupation, he has since continued to occupy it. The value of the improvements made by Capt. Webber, and those holding under him I should think was about one million and a half.

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3^d Question What office did you hold in the County of San Joaquin in the year 1858?

Answer, I was County Surveyor

4th Question Was this Rancho ever surveyed by you or under your direction as County Surveyor?

Answer It was

5th Question Examine the map marked Exhibit K and filed with the petition in this case, and say whether it is a true copy of the survey made under your direction as County Surveyor and whether it represents the land claimed by Captain Webber?

Answer, It is a true copy and represents the land aforesaid

Questions by the Law Agent

6th Question At whose request was the survey made?

Answer, At the request of Capt. Webber who pointed out the land to be surveyed. The survey was made as he requested, I did not have the title papers with me at the time of the survey but I have them read on several occasions

339 ND
PAGE 49

I undertook to make the survey according to his request and as I could judge it corresponded with the title.

2^d Question by what claimants under Weber were the explanations made to which you have referred above?

Answer. By persons living in the city of Stettin mostly and persons living on the Rancho.

3^d Question. How long previous to Mr. Weber's taking possession do you know of the land to have been unoccupied?

Answer. I passed through the rancho nearly a year previous and did not see any person living on it.

Walter Herron

The Law Agent of the United States present

Subscribed to and sworn before me this 31st of May, 1852.

Harry S. Thornton
Commissioner

Filed in Office May 31, 1852

(Signed) C. Fisher

D 255
Deposition of
Antonio Maria Pico

San Francisco July 8, 1853.
On this day before Commissioner
Harry S. Thornton came Antonio Maria

55-

255 Pico a witness in behalf of the claimant
C. M. Webb petition No 255 and was
duly sworn his evidence being interrupted
by the Secretary.

The United States Special Law Agent
was present

My name is Antonio Maria
Pico, my age is 44 years, I reside in San
Jose and have lived in California all
my life

I am acquainted with the
signatures of Manuel Micheltonna, Manuel
Jimeno, Pio Pico and Jose Maria Moreno,
their signatures to the papers before me
marked No 1 are genuine

I am also acquainted
with Guillermo Galuna and Rafael Galuna
I saw them sign the papers now before
me, marked No 2 and the signature of
Antonio Maria Pico as alcalde to the
same paper, is my own signature. The
signatures of Sr Guillermo Antonio Simul
Dolores Pacheco, and Jose Fernandez are
also genuine

Antonio M Pico

U.S. Law Agent present.

Sworn to and subscribed
before me this 8th day of
January AD 1853

Harry J. Thornton
Commissioner

Filed in office Jan'y 8. 1853
(signed) Geo Fisher Greig

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Deposition of
Willard Boyzle

This day before Commissioner Robert
A. Thompson, came Willard Boyzle, a
witness in behalf of claimant Charles
M. Weber, No 255 who after being
duly sworn deposed as follows;

Question by Mr. Haller attorney for claimant

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

Answer. My name is
Willard Boyzle, my age is 36 years and
I reside in Santa Cruz in Santa Cruz
County and State of California, I
have lived in California since 1842.

2^d Question Do you know
the rancho called Punch Camp? if you
know it is situated?

Answer. I do know
the Rancho. It is situated where Stockton
now is.

3^d Question When were
you first on the Rancho and what do you
know relative to its first settlement?

Answer. I was first on
it in 1842. In 1844, my father-in-law
and a number of others settled there,
In the fall of 1844 I had offers from
Mr. Spilane to go on myself and settle
there, but I was prevented from so
doing by the death of my father-in-
law and the breaking out of the Mex-
ican war. In 1844 there were
then a few houses on the rancho, with

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then a few houses on the ranch, with

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255 cows and stuck on the place. The buildings and stock belonged to Galena and the settlers there. The settlers now under him. In the spring of 1845 Capt. Weber offered me land and stock if I would go on, but I did not consider it safe, at that time, on account of the Indians. They had killed Lindsay there the same spring
4th Section. What was the state of the country then in reference to Indian hostilities in 1845 and 1846.

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Answer. The Indians were very hostile. It was necessary for a person going through that country at that time to go armed and with company.

5th Section State what you know of the settlement of the Rancho under Capt. Weber?

Answer. In the fall of 1847 I moved on to the Rancho with my family. Capt. Weber was there at the time with a company of men and stock and was making improvements, it was intended for a settlement. He built one house close together on account of danger from the Indians. From that time on, the settlement increased pretty fast. By 1848, it got to be quite a city. I should think there were a hundred families there by the end of that year. By the close of 1849 the land was pretty much all occupied by settlers under Capt. Weber. He had out indentments for persons to settle there, I got six or eight town lots for moving there at an early day with my family. He generally gave promises inland to the early settlers.

6th Section What was

the character of the improvements made there by Captain Weber himself during that period?

Answer. We built houses and corals and farmed it some. In 1847 we had wheat growing there. In the spring of 1848 Captain Weber and the men under him put in spring crops. We had one crop raised in one field which contained some fifteen or twenty acres. In 1849 there were houses at several different places on the Rancho which was built by Captain Weber.

7th Question Do you know whether he gave any lands to settlers on the side of the town?

Answer I know he did give some, and I know that other persons did.

8th Question When you were last there about how many persons do you think were holding land on this rancho under Captain Weber by gift or purchase?

Answer. I moved away from that place in 1850. I was there in 1851. The last time I cannot tell the number, but there were a number of hundreds. It was quite a large city. There were also settlers inside of the city at the time I moved away though all had their land under Capt Weber, so far as I know. I sold the lands which I received of Captain Weber to other settlers.

9th Question State what

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255 You know about Capt Weber's preparation for the settlement of the Rancho in 1845 and 1846

Answer. I was at his place in the Spring of 1845, when he was collecting and purchasing cattle. I spent on the place as he told me at the time

10th Question. What was Captain Weber doing in 1846 and the early part of 1847

Answer. About the beginning of hostilities here in the Mexican War, Captain Weber was taken prisoner by the Mexicans after he was released he served as a Captain in the American service

11th Question. Considering the state of the country in 1846, and the early part of 1847 do you think it probable for him to have made a settlement in this Rancho at this time?

Answer. I do not.

12th Question. Where were Captain Weber's cattle collected previous to taking them on the rancho?

Answer. In the Puella Valley

13th Question. What is the character of the country for traveling between the rancho and the valley?

Answer. At that time you could not take cattle across except when the waters run down, in the fall of the year. There was not more than three months in the year when it could be safe crossing with them.

14th Question. Do you know of Capt. Weber's losing his horses

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in 1846 or 1847?

Answer. I know that he lost horses but do not know the particulars.

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15th Section Examine map marked K, and the initials A. J. filed with the deposition of James Williams in this case and point out the places where Capt. Weber's corral was built in 1847 and 1848.

Answer. The main one was built on Section 20, on the site of land near where the letter T occurs in the word Statute on the map and there was built on Section 83 and also on Section 80, the other one I think was on Section 80.

11th Section Point out on said map the land which you said was cultivated in 1847 and 1848.

Answer. Sections 19 & 6.

17th Section Point out on the same the spot where your father Daniel Helsey's house was built.

Answer. It was on Section 13.

18th Section Look at the traced copy of the map filed with the copy of the expediente in this case and marked with the initials R. J. and state whether the land represented and the map marked K, above referred to is included in the boundaries as represented on said traced map?

Answer. They are

19th Section Point out what other sections on map marked K

255 were occupied by settlers under Weber between 1847 and 1850.

Answer. In 1847, I lived under Weber on section 19, in 1848, I lived on section 6, on which a man by the name of Buckland in 1847 who also held under Weber. I bought him out. The following sections were settled between 1847 and 1850 by settlers under Weber, to wit: Sections 28, 40, 83, 90, 61, 71, 81, 89, 82, 72, 62, 52, 41, 29, 17, 5, 18, 30, 42, 56, 63, 73, 74 or 84, perhaps with 64, 54, 43, 31, 7, 8, 20, 32, 44, 55, 65, 75, 85, 92, 86, 76, 66, 56, 45, 33, 21, 9, 10, 22, 34, 46, 57, 12, 11, 23, 74, 25, 26, 27, 35, 36, 37, 38, 39, 47, 48, 49, 50, 14, 15, 12, 3,

Question by United States Law Agent

How many families did Gulnac settle on the grant.

Answer. Some four or five, their names were Kelsey, John Kelly, James Williams and Lindsey

Question by same

How many houses did they build and how much land did they cultivate and at what time did they settle respectively?

Answer. They built four or five houses, few certainly, they were prevented from cultivating by the Indians. Kelsey made preparations to put in a crop but was taken sick and died. They settled there in the fall of 1844, they remained until the breaking out of the Michilicottine war when they left. After

the war Lindsay returned in the Spring
of 1845 and was killed by the Indians
The Micheltanna war lasted from the
fall of 1844 to the spring of 1845 and
further the dependent South seat,

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Willard Buzgale

Sworn and subscribed before
me this 3rd day of Sept.
1853

R. Aug Thompson
Commissioner

Filed in office Sept. 5th 1853

(Signed) Wm. John Lee

255 Office of Commissioners of Land Claims
in California

Deposition of
James Williams

This day before Commissioner
Alphons Rich came James Williams
a witness on behalf of claimant Charles
M. Weber number 255 who after being
dearly sworn deposed as follows:

Question by me, Walter attorney for the
claimant

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

Answer. My name is
James Williams, my age thirty eight years
and I reside in Santa Cruz County in

and I reside in Santa Cruz County in
 255 the state of California. I have lived
 in California ever since the 10th November
 1843.

2^d Question Do you know
 the Rancho called Punch Lamp? if yes,
 where is it situated?

Answer. I know the
 Rancho. it is situated in the place
 where Stockton now is

3^d Question Where was
 you first on that Rancho?

Answer. I was on it in
 February, A.D. 1844 the first time

4th Question Who occupied
 the Rancho during the year 1844 and what
 improvements were on it at that time?

Answer. A man by
 the name of Lindsay and myself and
 David Kelsey went on to it and built
 four or five houses on it and remained
 until Lindsay was killed by the Indians
 and Kelsey had his family on the place
 I had some horses and mules which I
 worked. Mr. Lindsay had about thirty
 tame cows on the Rancho. William Gulnac
 had also some cattle there which Lindsay
 and myself took care of them, there were
 about one hundred head in all of the
 cattle on the place. Mr. Gulnac had
 a corral on the Rancho. Lindsay and
 myself put out a sallow of the about
 of peach seeds and Mr. Gulnac planted
 some fruit sprouts but I do not know
 when he planted them

5th Question From whom
 did you receive the land on which you
 and the persons above named resided?

Answer. From Mr

Gulnac. I made arrangements with him to go on to the land in July, 1844. I went on sometime in the latter part of that month but remained only about a week at that time. Some time in the latter part of August, Lindsay and myself went on to the place to remain. A few weeks after we got on Mr. Kelsey moved on with his family, a man by the name of Kelly came on with Mr. Kelsey and spent about building and attending to things on the place the same as the other persons who were there. Mr. Gulnac had some horses there, and had some men there who attended to them.

6th Question. What lands were promised by Mr. Gulnac to the several settlers on the place?

Answer. He promised to Lindsay & myself a league each, we were not to take any land lying immediately on the bay when he calculated there would some day be a village or town built on the water but might take it further back. Lindsay & myself selected our lands on the north side of what is now the city of St. Helena. We erected a house and a good strong corral on this land.

7th Question. How long did you remain there and what occurrence took place the same year?

Answer. I was there I should think five months when the Micheltreana revolution came and I went with Capt. Sutter to support the Mexican

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255 Government, Lindsay also went in the same party with me. He returned to the Ranch a few weeks before I did. When I returned to the Ranch I was out of provisions and went on to Sutter's fort and before I got my business arranged to go back to the place, news came that the Indians had killed Lindsay and took all the stock which both he and Gribble had in the place and had driven it to the Mountains. They also robbed the house of all the tools and utensils which Lindsay and I had in it and then burned the house. Kelsey died before this in the fall of 1844 with the small pox. I think it was in February or March 1845 that the Indians committed these depredations.

Q^y Question. What was the state of the country then during the remainder of the year 1845 in regard to the hostility of the Indians and the difficulty of settling there?

Answer. It was thought to be very dangerous. The Indians were very hostile. Capt Sutter sent me out with twenty-three men against the Indians. We had one man killed and five wounded by the Indians in an engagement. The Indians reported to Capt Sutter that thirty-six of their number were killed and wounded in the battle. We got thirteen head of cattle back which they had taken from Lindsay when they killed him.

Q^y Question. What do you know of Mr Gribble's efforts to get settlers on the lands during the period of which you have spoken?

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Answer. I know that he was very anxious to get settlers to go on. I heard him say if men would go on and settle, he would furnish the flour from his mill at home on account of its being so far out of the way and so difficult to get provisions and they might pay it when they got able, and if not it would make no difference.

10th Question What was the state of the country here in 1846, and what were the settlers in the region of country where the Rancho is situated engaged in at the time?

Answer. It was a state of war and almost everybody was engaged in it.

11th Question Could you believe have done anything more to make his settlements at the Rancho than he did during the years 1844, 1845 and 1846,

Answer. I do not know that he could do more than he did. I know that he was very industrious in trying to get settlers.

12th Question Do you think in the then state of the country he could have got Mexicans or Californians to settle there?

Answer. I think not. I know he was trying to get any person he could to settle there, but no Mexicans or Californians did settle there. I frequently heard them when speaking of the place, speak of the danger of the Indians there, and they cautioned me

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255 that there was danger of their killing me,
13th Question Do you know of any efforts by Mr. Lyburne or others to sow wheat on the place

Answer. I brought seed wheat to sow twenty acres and got my plough made at Captain Sutter's fort. Mr. Hickey calculated to get seed wheat of Mr. Lyburne to sow there. The Indians and the revolution in the country and the murder of Lindey interrupted these improvements.

14th Question Was there any other settlements near this Rancho at that time?

Answer. There was none nearer than Sutter's Fort which was about fifty or fifty-five miles distant.

15th Question Do you know Charles W. Weber the present claimant?

Answer. I do.
16th Question What do you know about his settling at this Rancho?

Answer. I know he has claimed it for several years and has put a considerable amount of cattle and horses on it. Some of my relations have settled on it and I think the arrangements made with them by Mr. Weber were favorable. I was there in 1848 and I saw a large amount of stock on the place. In 1849 there were quite a number of buildings on it and a great many settlers. The settlers seemed to be well pleased with their arrangements with Weber.

17th Question Under

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whom did the witness find these lands
at the several times you have mentioned?
Answer. In 1844 they
claimed under Gubias, in 1848 and 1849
they claimed under Waku.

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18th Section Please
examine the map you have presented
to you marked K. map of survey
filed in this case and referred to in
the deposition of W. Haddon and also
marked with the initials A. J. and
point out thereon the place where
you and Lindsay first built your
houses and also where Wiley first built
his house.

Answer. Wiley first
built his house at the head of what was
called Munch Leap Slough in the
place marked on the map as section
30, and at the spot on the slough
first at the end of the road navigation
as represented on the map. Lindsay
and myself first our first house at a
spot which is represented on the map
as in Section 20, and it stood at the
spot where the first letter of the word
Shuttin is placed on said map. We
afterwards built another house about
three hundred yards from the first
and in a direction nearly north. It
must have been first within the limits
of Section 19 as represented on the map.

Questions by Mr. Crumhorn Associate Land
Agent

1st Question Did Embree
ever reside on the land?

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Answer. Not permanently with his family. He was then personally with his stock a considerable time and his son now then with him.

2^d Question Did he build any house then for his residence?

Answer. He did not. He intended to stop with us until he had a house for himself, which he intended to build.

3^d Question How much time was he on the land altogether?

Answer. I cannot tell. He was then from two days at a time to two weeks at a time off and on for about a year.

4th Question How many families did you, Colman settle on the land?

Answer. The only persons who settled under him were Mr. Kelsey, Mr. Kelly and myself.

5th Question Did you or any of you settle under contract with Melgroune? if so what were the contracts?

Answer. I was under a contract with him. I was to go and settle on the place and he was to give me a league of the land north of where Stratten is situated. He was to give Lindsay and Kelsey and Kelly land but I do not know what the terms of these contracts were.

6th Question Did Mr. Colman make any further attempts to settle on the land after the settlers were driven off by the Indians?

Answer. I cannot say.

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that he did

Question by Mr. Howard Law Agent

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1st Question How many families did he have settle on the land what were their names, how many houses did they build and how much land did they cultivate and at what time did they settle?

Answer. I have already stated the number and names of the persons who settled and the time when they settled. They built four houses and cultivated no land except planting a lot of fruit trees

James Williams

This deposition is taken subject to objection on the part of the Law Agent which it is agreed by the Counsel he may make to any question or answer shown at the hearing of the case in which it is taken

Subscribed and sworn to before me at San Francisco the fifth day of September A.D. 1853

Alpheus T. Welch
Commissioner

Taken in office September 1st 1853

(signed) W. Fisher Gray

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Deposition of Peter Lopez
Office of the Board of Commissioners of
This day before Commissioner Alphonse
Julek came Peter Lopez a witness in
behalf of claimant Charles M. Weber
Number 255, who after being duly
sworn deposed as follows:

Questions by Mr. Peckham attorney for the
claimant

1st Question What are
your name, age and place of residence?
Answer. My name is
Peter Lopez, my age is over fifty-three
and I reside in Butte County in California
I have lived in California since the year
1840.

2^d Question How long
have you been acquainted with the lands
called Campo de las Francesas, situated
in San Joaquin County and claimed
in the case of Captain Julek?

Answer. I knew a place
in 1842 which was called French Camp
It was on the North-east side of the San
Joaquin River where there was a bayou
I think the place (French Camp) was some
miles from the river measuring along the
old trail from the river and running in
a westerly direction. The place received
its name of French Camp from a French
trapping party in the employment of the
Hudson Bay Company having a rendezvous
there. In the spring of 1843 I went out
with cattle from San Jose to the Conner
River and passed through the place called
French Camp. William Golue was with
me and we had our cattle together. Golue
wished me to stop at that place

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and offered me a part of the land. I do not know whether he had got a grant for it then or not. He was then looking out for a place to settle. I would not stop there because the Indians were unruly and it was not safe to live there. Gubner was also afraid to stop there and took his cattle on with mine to the Curranos. In the fall of 1844 or the first days of 1845, I was at Truck Camp again and there were four or five houses which had been built there since 1843. I went to the war under Micheltanna and returned there again in the Spring of 1845. A man by the name of Lindsay who lived at the place had been with me to the war had returned a few days before and had been killed there by the Indians and the house where he lived had been burned. The fire was not entirely extinguished when I got there. The houses which I saw there when I passed on my way to the war were inhabited. The Kelley family lived in them and so did Lindsay. I understood they were settlers under Gubner.

3rd Major D. Dixon

would have any conversation with Mr. Gubner about the settlement of these lands. If you state what they were and when they took place.

Answer. I had conversations with him on the subject, he spoke to me about it when we went up with the stock as before stated. In the fall of 1843 I separated my cattle from Gubner's and he kept his at his Suttles at Sacramento City until he could arrange his place at

city until he could arrange his place at

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the French Camp. In 1844 or the beginning of 1845 we got cattle at French Camp for beef. I saw some fencing there at that time.

Questions by Mr. Greenhow Associate Law Agent

1st Question When you passed the French Camp in the fall of 1844 or the beginning of 1845 were you on the way to join Governor Michelletti in his expedition to Los Angeles?

Answer. I was

2^d Question How many families did you find established at French Camp at that time?

Answer. I cannot say, how many families there were but there or few houses, all of which were occupied besides the house that Sunday lived in which I presumed was Michelletti's establishment.

3^d Question Did you join Michelletti at the mission of La Soledad?

Answer. I did

4th Question When did you next visit that part of the country after the time when you found the house burned?

Answer. I have not

been there since

5th Question Did you know any other place called French Camp?

Answer. I do, between Butte river and the Sacramento at the Butte Mountains is a place so called. It is generally called the French Camp by the Buttes.

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1st Question Did you ever
hear of any name being given to the street
or water when the city of Stettin stands
where you visited the San Joaquin Country?
Answer I never did

Peter Lapen

Subscribed and sworn to
before me this 12th day
of November 1853

Alphus Dech
Commissioner

Filed in Office November 14, 1853

(Signed) Geo. Parker Frey

255
Deposition of
W. H. Vanichild

Office of the Board of Commissioners for

This day before Commissioner Alphus
Dech came William H. Vanichild a
witness in behalf of claimant number
255 who after being duly sworn deposed
as follows:

Question by Mr. Howard attorney for claimant

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

Answer. My name is
William H. Vanichild my age is thirty-
three years and I reside at Stettin Cal.
2^d Question Are you

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255 acquainted with the tract of land called
Camp de la Granasa? if so, when
did you first become acquainted with
it?

Answer. I am acquainted
with it and have been ever since October
1847.

3^d Question Who was
occupying it at that time and what was
the extent of the improvements on the
place?

Answer. It was occupied
at that time by Captain Weber and some
other persons. There were probably fifty
or fifty acres of the land in cultivation
and five or six houses and corrals and
other necessary improvements on the place.
There were on it three families who were
living and permanently located there. I
am not positive but there were four, the
number of persons there in all was prob-
ably twenty or twenty-five. Twelve
or fourteen of these were men.

4th Question What was
the position of the houses and improvements
which were there at that time?

Answer. Capt Weber
had a house on the premises where
the city of Stettin now stands. There
were three other houses on the north or
south side of the lake and right where
the heart of said city now is. The lake
was called McCloud's lake. The city
of Stettin is about one and a half
miles from the San Joaquin river.
McCloud's lake empties into the San
Joaquin river. There was also a house
and corral at the French camp about

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five miles from the city of Stettin in a southerly direction which was occupied a greater portion of the time by Capt. Weber and his men. Mr. Joseph Buzze had a house and corral and twenty acres in cultivation on a fork of the lake about half a mile from the present city. Mr. Bricklund had a house and corral and about twenty acres in cultivation about a mile and a half from Stettin. There were some other corrals in the place. Capt. Weber had one on the north side of the Calmarus and there was one other in the place.

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Questions by Mr. Chambers Associate Law Agent

1st Question How old did these houses appear to be when you first saw them?

Answer. There were only two houses built on the place. When I came there, one of them Spige was built the year previous and the two other that summer.

2^d Question Was the place which you call McLeod's lake known by that name when you first saw it?

Answer. I do not know that it was. I do not recollect when I first heard it called so. It was never since I first heard it called by any name I never heard it called by any other.

3^d Question Do you own any land within the limits of the tract claimed by Captain Weber in this case?

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Answer. I do. I claim
to own two hundred and forty-one acres
It is situated about five miles from the
city and in a direction a little north of
east I obtained it of Capt. Weber. He
made a present of it to me. He gave
to many others in the same way

William H. Fairchild

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Mr. Fairchild objects to all the questions and
answers above except the last, and to the
last the claimant's counsel objects.

Subscribed and sworn to
before me this 12th day
of November, 1853 Alpheus Felch
Commissioner

Filed in office November 14th 1853

(Signed) Geo. Parker Jew

255

Deposition of
Juan B. Alvarado

Office of the Board of Commissioners for
This day before Commissioner Alpheus
Felch came Juan B. Alvarado, a witness
in behalf of the claimant Charles W.
Weber, Number 255, who after being
duly sworn deposed as follows:
(His evidence was given in the Spanish language
and interpreted by the Secretary)

Questions by me, the undersigned attorney for the
claimant

1st Question What are

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your name, age and place of residence?

Answer. My name is Juan B. Alvarado, my age is forty-four and I reside at Contra Costa County in California

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2^d Question Please state what was the usage and custom (if any) of the Governor of California in giving further time to the grantee of land to comply with the conditions of settlement and occupation when they had been obstructed by Indian hostilities?

Answer. When persons who had grants were disturbed by the Indians they were permitted to retain their lands and were not disturbed by the Governor who had all due consideration for them in consequence of their peculiar position

3^d Question Do you know of any instances in which lands were denounced for want of occupation and the denunciation refused in consequence of the grantee being impeded in making his settlement by Indian hostilities?

Answer. I do not recollect any such case

Juan B. Alvarado

Mr. Crocker associate San Agent was present at the taking of this deposition but furnished no question to the witness

Sworn to and subscribed
before me this 12th day of
November, 1853
Alphus Fish

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Alphonso Delah

Commissaries

Filed in Office November 14, 1853

(Signed) Geo Joshua Jee

255
Deposition of
Daniel Murphy

Office of the Board of Commissioners &c

This day before Commissioner Thompson Campbell came Daniel Murphy, a witness in behalf of claimant Charles M. Weber Number 255, who after being duly sworn deposed as follows:

What is your name, age and place of residence?

My name is Daniel Murphy. I am twenty-seven years of age, and I reside in Santa Clara County

Are you acquainted with the Rancho called Campo de las Boanas, situated in San Joaquin County and claimed by Charles M. Weber?

Yes, I am acquainted with said Rancho, I have known it since the latter part of 1844, or the beginning of 1845.

State what you know of the settlement, occupation and improvements on this Rancho from your first acquaintance with it to the present time.

There were four houses at the Embucadero on McCloud's Lake in the latter part of 1844, which was the first time I saw it. There was a canal

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There and cattle and horses. Some of the houses were occupied by Mr. Lindsay and his men. I mean one house was then occupied. I did not go to the other houses in account of the small party. There was another at that time north of McCloud's lake when Mr. Williams lived. The corral was about two miles north of the Calaveras Creek. There was another house at the French Camp, this house was not occupied. I was there again in 1846. I went through a portion of the ranch with some of the navy officers to fight the Indians off about a month or two after this time. I returned again through this ranch and at the Calaveras I met Napoleon Smith, who informed me that he was going to settle there with Mr. Weber, with some fifteen or sixteen families. I was not there again until 1848. I met Smith on the ranch and he told me his was going to live there with some fifteen or sixteen families. In 1848 they had a town laid out there I believe some few houses on it. I believe there were several families lived around in the vicinity, there was cattle and horses on the place and I think a Mr. Buckley had some land in cultivation and also a Mr. Boyce, together with two or three corals. The town was laid out right where Metton is now. In 1848 when I was there, the following families resided there, to-wit: Buckley Boyce Said and Thompson. I don't recollect the name of any other persons. In the winter of 1849 I should think the town contained one thousand inhabitants and perhaps more

There was quite a little village there. The name of Stettin was given to this town after the Americans took possession of the Country. The first I heard of the name was in the fall of 1846.

Do you know the place on the Ranch called the Punch Camp and if so describe it

I know the place, it is at the head of the slough and the ground around there is in little hills for some three or four hundred acres. The country round the hills is level. This place called the Punch Camp is well and generally known by that name. I first knew this place in the latter part of 1844. From Punch Camp to Colaveros back in a straight line I think it is not over seven miles and is about five miles from the City of Stettin.

Look at the map now shown you which is a part of document marked A. The map being marked A. T. and say if you can designate on this map the place known as the Punch Camp?

Yes, I can designate that place, the Punch Camp is on the head of the slough near the words Camps Frances when they are written on said map.

Did you know any place at McCloud's Lake in 1844 or at any other time known as the Embassadors and if so describe its position and indicate it in this map if you can.

I heard of that name it was right at the head of McCloud's Lake.

and was right when Stockton now stands
The exact location of said Embankment
as near as I can get at it was about where
Main Street now is in said city of Stockton
I mean when said street approaches the
water.

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Now then any causes in
existence from the year 1844 for two or
three years afterwards tending to impede
the settlement and occupation of the country
in the neighborhood of Dutch Camp?

Yes. I think there were.
The Indians were very hostile then, it was
an exposed frontier position and there were
a great many Indians in the neighborhood.
The Indians would crop over a portion of
the farm in their way to the mountains
from the foot of the San Joaquin River.
This was the only food in that neighborhood
where they could crop. We took Mr. Lindsay
along with us in the Micheltanna war.
We met Mr. Golue on the way up there,
he also went with us. Micheltanna had
in his army about seventy-five foreigners
and Americans down from the north and
about two hundred civilized Indians. I
found that a few days after Lindsay returned
home he was killed and all the stock
then on the ranch was driven off, pretty
much all the people in the north turned
out with Cal Bennett. I don't recollect
the ranch when he started south. It
was in the year 1846. Bennett took with
him about four hundred. About fifty
of this number had accompanied him on
the plains, the rest from the northern
country. Bennett's forces consisted pretty

much of Americans, there were some Germans
 Captain Weber during the war with the
 United States and Mexico was in the
 service of the United States. He was
 a volunteer. I think he was left to guard
 the people of San Jacinto.

Questions by Law Agent

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On your first visit to
 the French Camp were you or your party
 with the people from the Sacramento to
 join General Micheltoun?

I was
 Did you at that time
 know of any place in the country called
 McCloud's Lake?

I heard it called by
 that name at that time.

Did you see at the
 French Camp any fort or preparation
 of defense against the attacks of
 Indians?

No. I did not
 Do you conceive that
 a small number of persons such as
 you found at French Camp, could
 have maintained their position without
 further aid?

I don't know whether
 they could or not.

How many of the
 people settled at French Camp went
 away with you to join General Micheltoun?

One of the number
 being the friend Micheltoun, the
 others were General Williams & Boyle.

Inadvertent now compelled to lean on
account of the small party before that time
also joined Micheltorum. I heard that
Guthrie had resided at Ranch Camp.

In 1846 did you see
any person residing on this land?

I saw no person except
Mr Smith, the gentleman I have already
stated I met on the Ranch.

Did you ever hear of
any settlements being on the place at any
time between the end of the Micheltorum
war and the occupation of California
by the United States?

Mr. Lindsey must
have been there in 1845.

What became of
Mr. Lindsey and of the settlement after
his return?

I heard Lindsey was
killed. I don't know what became of the
settlement.

Daniel Murphy

Sworn to and subscribed
before me this 11th day of
November AD 1853

Thompson Campbell
Commissary

Wtd in Office November 16 1853

(Signed) Les Fisher Grey

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Deposition of
J. M. Murphy

This day before Commissioner Thomp-
son Campbell came, J. M. Murphy a
witness in behalf of the claimant Charles
M. Weber, Number 255 and after hearing
him duly sworn depared and said as
follows:

1st Question What is your
name, age and residence?

Answer. My name is
John M. Murphy. I am twenty-eight
years of age and I reside in San Jose

2^d Question Do you know
whether Charles M. Weber ever put stock
on the Rancho called Campo de los Franc-
ceses, and if so state all you know
about it.

Answer. Sometime in
the summer or fall of 1847, Mr. Weber
took up about two thousand head of
cattle. I went with him up to the rancho,
I know he had cattle since that time up to
1850 at which time I think he sold the
of them. He was living there at the same
time and had a good many people there
with him

J. M. Murphy

Sworn to and subscribed
before me this 19th day
of Nov. A.D. 1853 Thompson Campbell
Commissioner

Filed in office Nov 19. 1853

(Signed) Geo John Jay

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255
 Deposition of
 Napoleon B. Smith.

Board of Commissioners for
 San Francisco Nov 23, 1853

This day before Leon. R. Aug.
 Thompson came Napoleon B. Smith
 a witness in behalf of claimant Charles
 M. Weber petition No 255 and after
 being duly sworn deposed as follows:

(Testimony on behalf of claimant

Present: Leachy & Howard attys for claimant

R. Grunton associate Law Agent)

Witness states his name
 to be Napoleon B. Smith age thirty-
 five years and resides Contra Costa County
 California

Question by claimant's Attorney

Do you know of any
 effects on the part of Charles M. Weber
 the claimant to settle and occupy the
 land called Rancho de los Franciscos
 claimed in the case, if so, state what
 they were

Answer. In June or
 July 1846, I made a verbal contract
 with Mr. Weber to settle a number of
 families on the Ranch. In November or
 December of the same year I sent the
 emigration and made arrangements
 with several families to go and settle
 on it. There were I think seven families
 and my brother and myself and several
 young men, all of whom were to accu-
 pation of the land in condition of

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355 of making the settlement. He went on the land and commenced building houses and making other preparations to spend the winter, when I received a letter from Col Farnmont stating that the parties would not be safe there, and that it was absolutely necessary that we should move down to Santa Clara so as to receive the protection of his troops. He remained there during that winter and at the close of the war, I again attempted to make the settlement, but the families I had engaged had made other arrangements

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Question by same

State if you know what services were rendered by the claimant Capt Weber during the war

Answer, Capt Weber took a very active part on the side of the Americans during the war. He commanded a company of volunteers in Col. Fremont's Battalion and was in actual service during the war. I was not in his company but was present with him in the battle of Santa Clara

Was Gen. Gribble a party to any arrangement made by you for the settlement of said lands?

Answer, He was not to my knowledge

Question by same

Did you know anything of Captain Weber's title to the land in question at the time of the arrangement you spoke of?

Answer, I did. I had

been on the Ranch and saw where a house had been burned which I was told had been occupied by a man by the name of Lindsay, who had been killed by the Indians and his house burned and who was a tenant of Captain Weber. The place where the house stood was called French Leap.

Question by same

Did you ever make any arrangement with Mr. Graham for settling the land?

Answer. I did not.

Question by same

Did you ever hear that Mr. Graham had any title to the said land?

Answer. I never saw the title but I understood that the land was first granted to him.

Question by same

Did you or your party make any settlement on the land?

Answer. We pitched our tents there and commenced cutting timber to build houses; we remained so about two weeks when we were recalled by the letter of Col. Fremont before spoken of. Most of us were encamped when the city of Stockton was started. I do not recollect that any particular name was given to the slough that runs up to Stockton. I never understood that Mr. Graham made any settlement on the place. I never was in the ranch again.

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255 until 1848. when I passed through it, about two years ago I was in Stockton and recognized it as the place where I had encamped. I saw some families on the ranch in 1848 who I understood were placed there by Capt Waku.

N. B. Smith

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Sworn to and subscribed
before me Nov 23. 1853

R. Aug. Thompson

Filed in office Nov 23. 1853

(signed) Geo. Fisher Jew

255
Department of
Calib Heriman

United States of America }
State of California } S.F.

San Francisco June 2. 1854

This day personally came before
Peter Lott a Commissioner for taking tes-
timony to be used before the Board of
U. S. Land Commissioners in said State
Calib Heriman a witness in behalf of
the United States in case No 255 on the
docket of said board wherein Charles
W. Waku is claimant and said witness
being duly sworn in oath deposed in
English as follows: to wit -

The claimant's counsel is present

Questions by the U. S. Land Agent,
1st Question What is your

name, age and residence?

Answer. My name is Caleb Herriman, my age 48. years, my residence in the County of San Joaquin California

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2^d Question How long have you resided in California and at what point?

Answer. I have been in California since the spring of 1847. I lived in Yuba River till the fall of 1847. I moved from there to Stockton and have lived there ever since

3^d Question Were you acquainted with William Gribble, if so, how long have you known him?

Answer. I know him and have known him off and on for 4 or 5 months in the fall of 1847 and the spring of 1848. I have not seen him since

4th Question object to claimants counsel
H.C.

4th Question Had you any conversation with Gribble concerning a grant of land in the San Joaquin river, if so, when, where, and what was the substance of that conversation?

Answer. I had a conversation with him in July or August 1848, at a camp some 6 or 8 miles above where Jamestown now is. I was telling him of some land Mr. Weber had given me to settle upon. He told me he did not think my land of any great value that he (Gribble) was the man who had transferred it to Weber and that he thought Weber had lost the original grant which he gave him and had surveyed so as to

he saw him and had surveyed so as to

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355 include land which was not in the original grant, he said he had transferred to Weber because the time was nearly expired within which he was required to put families on it and he could not do it and it was of no account to him. He told me the land he gave Weber the title for laid between McCloud's lake and the San Joaquin

5th Question objected to by Claimants Answered P.S.

5th Question State

When you first saw the claim and whether there was any vestige of former cultivation and if any, its character and extent?

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Answer. I arrived in the place now called Stocketon in the latter part of September or early in October, 1847; there was one late building on the north side of the slough, where the shipping goes up, that was the only building to my knowledge then erected. I saw no sign of cultivation.

6th Question

If there had been any other cultivation or improvements there would you not from your knowledge of the country and from travelling over it probably have known it?

Answer. There was no appearance of cultivation there, and if there had been or any other improvements there what I have named I could have most likely known it.

7th Question Describe

the house you have mentioned and state who occupied it when you were there?

Answer. I should think it was from 25 to 30 feet square and story high. It did not look very old. It was a very good late house and they

do not last long. There were two white men
and three Indians living in it, one of the
white men was James Welch and the
other was called Ande Baker, an old
Indian was called Juan, son Lorenzo
and the other I do not recollect. There
was a prominent white man then named
William Parikhita

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1st Question State whether
they were there on business of their own or
whether they were occupying the place for
Gulnac or Haku?

Answer. Ande Baker
was a hunter under wages from Captain
Haku. Welch and the three Indians
were vaqueros to take care of the stock
for Haku. Haku kept a store and lived
at that time at San José

2^d Question Did you
ever help to survey the ranch in question
and do you derive your knowledge of it
in part from that source?

Answer. I volunteered
to carry the chain some three or four times
I was not regularly so employed. my
knowledge of the place is derived from
riding over it at almost every point
of the compass and not from any survey

3^d Question Examined by claimant's Counsel

4th Question When you
went to the place in 1847 how much and
what kind of stock was on the ranch
and to whom did it belong?

Answer. I can only
state the amount of stock from what

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255 the Vaqueros told me, they said there was from 1,500 to 2,000 head of Cattle and 400 or 500 head of horses. I was informed that it belonged to Charles Webb

2^d Question Were there any corrals on the ranch? if yes, state all about them

Answer, There was an enclosure there where he used to herd his cattle, a small fence from one length to another, some few rods. I know of no other

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3^d Question. How far any knowledge of the occupation or cultivation of that ranch previous to your leaving there?

Answer. So I know nothing about it before that

4th Question Was Webb on the ranch when you went there? if so, how often and how much was he there after that?

Answer. He was not there when I went there, a week or so after I arrived there he came there with a launch load of provisions for his hands he remained a few days and then went by land to the Pueblo. I know him to make visits there but never knew him to stay there permanently until the fall of 1848 when he built and has lived there ever since

5th Question Did you accept of the offer of a piece of land and when and where was the offer made and what reason did he give, if any, for making it?

Answer. I accepted of

it, but he afterwards gave it away to another person. I never had possession of it, he made the offer to me in Stuckton when he came there with the launch load of provisions mentioned, I understood him that his object was to get settlers in there.

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6th Question How long did you remain at Stuckton when you first went there, and what was your employment?

Answer. I was there about 4 months and was engaged in building 2 1/2 houses in the city of Stuckton, one for myself, one for Mr Thompson & one for Mr. I then went away and was gone about 3 months.

7th Question Was it during the 4 months you was first there or subsequently that you went over the ranch in question?

Answer. It was during the first four months.

8th Question While you were first there 4 months did Weber have other men besides those you have named to come on to the ranch in his employ?

Answer. I recollect but one, his name is Harifit he came from the pueblo of San Jose. A man called Willard Boylce moved in and settled about a mile north of where Weber's home is on the slough.

9th Question In what survey was it that you volunteered to carry the chain?

Answer. Major Heron

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255 was the surveyor who had surveyed before I got there, and the states of his survey were there. I was carrying chain in running off some sections between Lichten and the San Joaquin.

10th Question Who was present at this enclosure between you and Lichten?

Answer. There were a number of people there, but I did not know their names, or were nearly all strangers to each other, it was in the digging.

11th Question Have you any interest in the confirmation or rejection of this claim?

Answer. I have no interest in it any way. Caleb. Herriman

Subscribed and sworn to before me on this 2 day of June A.D. 1854 Peter Latt Commissioner for taking testimony &c

Filed in office June 2 1854

(Signed) Geo Peter Jay

255 United States of America }
State of California } S

Deposition of Bernice O'Neil
San Francisco June 3. 1854
This day personally came before me, Peter Latt, a commissioner for taking

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taking testimony to be used before the Board of U.S. Land Commissioners in said state, Bennett O'Neal, a witness on behalf of the United States in case No 255 in the docket of said Board wherein Charles M. Weber is claimant and said witness being duly sworn on oath deposes in English as follows to-wit

The counsel for claimant is present

Questions by the U. S. Land Agent

1st Question What is your name, age and residence?

Answer. My name is Bennett O'Neal, my age 34 years, my residence San Joaquin County California

2^d Question. How long have you lived in California and where have you mainly resided in that time?

Answer. I have been in California at different times as a trapper as far back as 20 years, but I came to live here permanently about June 1846 and since that time I have lived chiefly in San Joaquin County

3^d Question Are you acquainted with William Johnson, if so how long have you known him and what has been your intercourse with him?

Answer. I am acquainted with him and have known him twenty odd years. I have lived about his house a good deal and he about my camp and my house in the red-rivers, we were very intimate and

255 always very friendly

4th Question Are you acquainted with the districts of country between the San Joaquin and the Calaveras rivers? if so, how long have you known the same and what are your means of knowledge?

Answer. I have been more particularly acquainted with that country since 1846. I travelled once many years before. My means of knowledge are that I have travelled and camped, and hunted over it in various directions for several years.

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5th Question objects to claimant's Counsel

JL

5th Question State if you know whether Colhue ever occupied any part of the country in that district, if so, what has he told you of his reasons for not occupying it. State also what he told you concerning his sale of the land to H. H. State the substance of such conversations as you may have had with him concerning said claim at different times, and about what time these conversations occurred.

This answer is objected to by claimant's Counsel

JL

Answer. He never lived in that part of the country. He told me he went there to settle, I got as far as French Camp, that he started with about 70 head of cattle, some of which he got through to that point, but that he did not settle there because he could not get the families to go with him to make good his claim, and that he could not get cattle there, nor corrals built, that he had not the means to do these things. He emigrated from time to time in 1846, 1847, and even in some part of 1848.

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I asked him once what he got for his land and he told me he had sold it to Wibber for a little grocery bin of some ten dollars which he used at Wibber's store in San Jose and some other little things, that the land was of no account to him. Gubine told me that the time within which he was required to locate the land had nearly run out and that he could not do anything towards it in time. He said he could get single men to go there but not families. When Gubine remarked why he did not go there afterwards and settle, that Wibber would give him land. He said it would do no good, he would have to pay the Government for it, that Wibber's claim could not hold it, that he himself had lost the land in 1845. I think that was the year after he told me in 1846. He said when he sold to Wibber there was only some forty or forty-five days yet to run in which the land had to be settled.

of Michigan State whether or not there was any difficulty with the Indians in that District of Country in those years, and now they peaceable or hostile?

Answer: I never knew of their being in any ways troublesome there, except that they would steal horses. There were no settlers in there in 1846, nor any horses, and in 1847, there were no Indians there of any account, they lived away out in the mountains and on the Calaveras. There was never any thing like Indian difficulties just about there.

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255 that I ever knew of.

1st question asked
by Claimants
Council. Witness
was not then

J.L.

7th Question State whether
or not in the years 1844, 1845 or 1846,
there would have been any difficulty
in these families maintaining a settlement
upon the land in question?

Answer. I know nothing
of 1844 and 1845 but from the summer of
1846 when I came these families might
have settled there without any difficulty
there were no Indians there, and it would
have been an advantage to settle & have
had some Indians there.

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8th Question How many
families had been settled on the land claimed
by Luluae and by Wabon in this case before
the 1st of August 1846, if there was any what
was the character of the settlement?

Answer. There were
no families or people living there in 1846,
and no houses.

9th Question asked
by Claimants Council

J.L.

9th Question How far
acquainted with one Sunday P. of sea,
when did you know him, what was
his business and when did he die, and
under what circumstances? State under
whom and for what purpose did he settle?
and whether he lived north or south of
McClind's Laguna?

Answer. I have seen
Sunday at Fortes fort in 1843. or 1844,
I have seen him once down at McClind's
Lake when he lived there, the place where
he lived was towards the Culaveras in
rather a north-west direction, he dis-
appeared and no one knew what became
of him, as to the character of his set-
tlement there under whom and for what

Purpose to settle I only know from information I know he had a little Irish Camp there.

Cape examined by claimant's counsel

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1st Question How much were you at the land claimed in this case in 1846, and what was your employment in C. Answer. I was passing back and forth from Sutter's fort. I was not located there. It was time of war, we stopped there three days. I passed probably four times through there in that year.

2nd Question How far any personal knowledge of this tract, except what you obtained by passing it a few times and camping there on your way from Sutter down towards the Bay?

Answer. In 1846, that was the only means I had of any personal knowledge of the tract, and in the fall of 1846. I went south with Sumner's battalion and returned in the Spring of 1847. I do not pretend to have any personal knowledge respecting the settlement of the claim in question previous to the latter part of June or early in July 1846, that was the first I knew of the locality with reference to settlements and the like.

his
Bennett + O'Neal
made

Subscribed and sworn to before me on this 3rd day of June AD 1854 Peter Lake Commissioner for taking testimony &c

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255 Filed in office June 3^d 1854

(Signed)

W. Fisher Esq

255 United States of America
State of California

Deposition of
George Bucknell

San Francisco June 3^d 1854

This day personally came before Peter
Lott a Commissioner for taking testimony to
be used before the Board of U. S. Land
Commissioners in said state, George Bucknell
a witness in behalf of the United States
in case No 255 of the docket of said board
wherein Charles M. Weber is claimant and
said witness being duly sworn in oath
deposed in English as follows: To wit

The claimant for corner is present

Questions by U. S. Land Agent

1st Question What is
your name, age and residence?

Answer My name is
George Bucknell, my age 39 or 41. I don't
know positively which. my residence San
Francisco County California

2^d Question Are you
acquainted with the claim of land
near Hechtien called the "Hubner Claim",
if yes, how long have you known it,
and as to your knowledge of the country?

Answer I am ac-
quainted with said claim, have known
it since 1849 and I am intimately

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acquainted with that part of the country.

3^d Question Do you know the position of McCloud's lake? if yes, what quantity of land is there between that lake and the San Joaquin River, bearing east?

Answer. There would be as much as 15 leagues of land in the Triangle formed by the lake, the river, and a line drawn directly from the head of the lake in a south westerly course to the river.

4th Question What is the character of the land north of McCloud's lake as compared with that between that lake and the San Joaquin river?

Answer. The land north of the lake is worth double as much as the land is between the lake and the river.

George Becknell

Subscribed and sworn to before me this 3^d day of June, AD 1854

Peter Tate, Commissioner for taking testimony &c

Filed in office June 3^o 1855

(signed) Geo. Fisher Jewey

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Objected to by Claimant's
Attorney as irrelevant

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Chengiz Sly 255

San Francisco June 7, 1854

This day personally came before Peter
Latt, a Commissioner for taking testimony to
be used before the Board of U.S. Land
Commissioners in said State, Chengiz Sly
a witness on behalf of the United States
in Case No 255, on the order of said board
wherein Charles M. Weber is claimant and
said witness being duly sworn on oath
deposed in English as follows, to-wit:
The Counsel for claimant is present

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Questions by the U.S. Land Agent

1st Question What is your
name, age and residence?

Answer. My name is
Chengiz Sly, my age 68 years, my residence
San Joaquin County California

2^d Question. How long have
you known the land claimed in this case,
in and about Stockton, and what were
the improvements there when you first knew
it?

Answer. I came through
when Stockton is on my way to San Jose
in October, 1847. I was in company with
Mr. Gann who testified here today. I
stopped there at that time pent a day
and a night and all the improvements I
saw, was a little sort of rule camp

3^d Question If there had
been other improvements there would you
have seen them?

Answer. I should have
been likely to have seen them I think

4th Question Are you

acquainted with C. M. Weber, and where did he live when you first knew the land in question, and what connection had he with said land?

Answer. I am acquainted with him. He was at Stockton when I first came there and offered me 100 acres of land within one mile of Stockton if I would settle there. He was trying to get emigrants to settle there. I do not think he lived there, the next time I saw him he was attending store at San Jose.

Question objected to by Claimant's Counsel

P.S.

5th Question. Were you ever with Mr. Weber on the land near Stockton and what did he say to you concerning his Northern boundary?

Answer. Yes he was with us from Stockton out to the side of what he claimed, he came to the Calaveras river and said his land came to that and said the land was his, and that the land on the other side was government land, that if we liked government land better than his we might settle across the river. He afterwards had a conversation with me in which he claimed land on the north side of the Calaveras, and upon my saying that he had only claimed on the south side in 1847, that I had it from his own lips, he replied that his lines were not then established. He had forbidden our cutting timber at French Camp where I first settled and then I moved over on the north side of the Calaveras.

6th Question. What families

of your company settled in San Joaquin Valley in 1847 and how long did they remain there?

Answer, Mr. Campbell

Mr. Simon settled there with their families and I presume they are there yet

7th Question What Indians

was there in 1847 and were they peaceable or not?

Answer, I never saw

any Indians there except the two Yagueros who were there and I know of no Indian difficulties there or of any danger in settling there on that account

Cross-examined by claimant's counsel

1st Question Do you still

claim land on the north side of the Calaveras river, which is also claimed by Mr. Weber in this case?

Answer, Yes. I am on

the same land that is in controversy here I claimed about 160 acres

2d Question Do any

other members of your family also claim land in the same tract claimed by Weber?

Answer, I should think

not. My children claim outside of Weber's claim I believe

Ebenzer Sly

Subscribed and sworn to before me on this 7th day of June A.D. 1854

Peter Galt Commissioner for taking testimony &c

Taken in office June 7, 1854

(signed) Geo. Parker Grey

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255 United States of America }
State of California }

Deposition of
John Sly

San Francisco June 7, 1854

This day personally came before the
Says, a commissioner for taking testimony to
be used before the Board of U. S. Land
Commissioners in said State, John Sly
a witness on behalf of the United States
in case No 255 in the docket of said
Board, wherein Charles M. Weber is
claimant and said witness being duly
sworn in oath deposed in English as
follows, to-wit:

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The claimant's name is present

Questions by U.S. Land Agent

1st Question What is your
name, age and residence?

Answer. My name is
John Sly, my age 34 years, my residence
San Joaquin County, California

2nd Question How long
have you lived in California and at what
point chiefly?

Answer. I came in
the fall of 1846, and have lived chiefly
at Stockton and vicinity.

3rd Question What were
the settlements in and about Stockton
when you first knew the place? and
state particulars

Answer. When I
first knew the place there was one or
two families there, I did not go
about much and cannot say very much

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about it. There was grain sowed then and some improvements, this was in the year 1848. I never knew anything about the place to be certain before 1848. I walked backward and forward through them but can state nothing positive respecting the place before 1848.

4th Question Was you acquainted with Capt. Webber, and when did you become so, and how long have you known him?

Answer. I knew the man when I saw him. I think I have known him by sight since the year 1848.

5th Question Were you acquainted with William Lyburne? if so, how long have you known him and what business connection have you had with him?

Answer. I know him. I first knew him in the latter part of 1847. I worked 9 months in his blacksmith shop.

6th Question What have you heard him say respecting the grant upon which the claim in this case is predicated?

Answer. I have heard him say a great deal, but I cannot recollect much of it. I have heard him say that Webber had no more right to it than himself or any other man, that he had not fulfilled the first part of the Mexican laws.

7th Question On which side of McClure's lake were the improvements which you saw there in 1848 and how far

6th Question objected to by claimant's counsel as calling for hearsay testimony, and for the declaration of a party P.S.

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from said lake &

Answer. On the north or north-westerly side. I do not know the distance, but it is somewhere about a mile or a mile and a half from what might be called the lake

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8th question Whose improvements are they, who sowed the grain and what had said Weber to do with it &

Answer. I do not know whose improvements they were, I do not know who sowed the grain nor do I know what Weber had any thing to do with it or not. I was told that

The statements of others they saw someone who tried there the water was tried but I did not hear much about it objected to as illegal as I never inquired

SLD

John T. Sly
his mark

Subscribed and sworn to before me on this 4th day of June AD 1854

Peter Lott Commissioner for taking testimony &c

Filed in office June 7, 1854

(Signed) Geo Fisher Secy

255 United States of America } of
Deposition of State of California } of

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Nicholas B. Gann

San Francisco June 7, 1854

This day personally came before Peter Latt, a Commissioner for taking testimony to be used before the Board of U.S. Land Commissioners in said State, Nicholas B. Gann, a witness in behalf of the United States in case No 255 on the docket of said Board, wherein Charles M. Hahn is claimant, and said being sworn on oath deposed in English as follows, To wit:

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The Counsel for claimant is present

Question by the U.S. Land Agent

1st Question: What is your name, age and residence?

Answer: My name is Nicholas B. Gann, my age is 46 years my residence San Joaquin County California

2^d Question How long have you resided in California and at what point chiefly?

Answer: I came to California in 1847. I lived in San Jose Valley awhile, then in Santa Cruz Valley. I have lived in and around Stockton since the fall of 1849. I stopped a day or two in Stockton in 1847

3^d Question How long did you remain in the San Joaquin Valley in 1847, who was with you and in what part of the valley did you stop?

Answer: I came to Stockton on the 10th day of October and

left on the 12th for San Jose Valley. I was with a considerable crowd of emigrants I was in what was called Hopper's company. I stopped in Statton on my return on the 14th and then again passed through on the 5th of November. 4th Meeting State particularly the character of the settlement in Statton in 1847.

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Answer. When I first came in the settlements saw quite small Capt. Weber had a fine house then, some Vaynuses, a Mayor-domo and two Indians. There was a front of a house which had been occupied by one Lindsey who had been placed there to take care of the ranch. He had been killed by the Indians as I was told and the house partly burned. I saw no other houses there at that time. my family was sick and I did not go about much.

5th Meeting Where did Capt. Weber live at that time

Answer. Capt. Weber was there at that time and there were 2 white men with him. I cannot say whether he lived there or not.

6th Meeting On which side of McCloud's lake were the ruins of the partly burned house you mentioned situated?

Answer. It was on the north side of what was called McCloud's Lake

7th Meeting What tribe of Indians inhabited that valley in 1847 what were their habits and character

as to peacefulness

Answer. I am not able to give any account of the Indians there. There were 2 villages and they were the only ones I saw. I understood there were Indians scattered around there.

8th Question Besides the settlement you have named was there any other in that vicinity in 1847?

Answer. I saw no other as I passed around there.

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Ascertained by claimants' counsel

9th Question Did any of the emigrants of your Company stop at Stockton at that time?

Answer. Yes, Captain Weber made a proposition to the whole Company to stop and settle there, and promised to give 160 acres of land to each family. As many as 7 or 8 families stopped with the intention of settling under Weber, if they could do so better. I do not know how long they stayed there. Some left in 10 or 12 days, some remained there the winter. The families I think all left. I do not know that any of them remained there permanently, the families there was a man who went in there with his family, but he did not belong to my Company.

Nicholas B. Gann

Subscribed and sworn to
before me on this 7th day
of June A.D. 1854 Peter L. Garrison

for taking testimony &c

Gilda in Office June 7, 1854

(signed) Wm. Fisher Juny

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255 United States of America } of }
State of California }

Deposition of
Wm. B. Hood,

San Francisco June 14, 1854

This day personally came before
Peter Lott, a Commissioner for taking
testimony to be used before the Board
of M. & S. Land Commissioners in said state
William B. Hood, a witness on behalf
of the United States in case No 255 on
the docket of said Board, wherein Charles
W. Weber is claimant, and said witness
being duly sworn on oath deposed in
English, as follows, to-wit:

The Counsel for claimant is present

Testimony by U.S. Law Agent

1st Question What is your
name, age and residence?

Answer. My name is
William B. Hood, my age 40 years my
residence San Joaquin County, California

2^d Question. Are you
acquainted with Charles W. Weber
and the land claimed by him in
this case?

Answer, Geo. I am,

3^d question objected to by
claimant's counsel as
leading the witness
P.L.

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acquainted with both. 3^d question Look at
papers marked Exhibit C. Y. Z. No 1,
C. Y. Z. No 2, and C. Y. Z. No 3, and each
attached to this deposition and make a
point thereof, and say whether they contain
accurate descriptions of the shape of
country at and in the vicinity of the land
claimed by Weber in this case, stating
how far you means of knowledge as fully
and at large as though particularly
interrogated thereunto.

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Answer, I copied this
traced copy C. Y. Z. No 2 from the paper
C. Y. Z. No 1, of the township and range
lines, and noted on my copy the points
where the river San Joaquin intersects
these lines and also the Calaveras and
Worman Slough. I also marked in my
copy Weber's north boundary by the
words "Weber's claim boundary" another
mark "A" is marked as a boundary of
Weber's claim as laid down in No 1,
on an east and west line, and also a
point marked "Munch camp" which is
marked "Artino" on No 1. The base line
runs near Munch camp a little south
of it running east and west. The
principal black lines running at
right angles through said map No 2,
represents the Township lines. I laid
down the river on No 2 by the scale of
miles on No 3. The squares represented
on Map No 3 marked in pencil correspond
to those on No 2. I mean the small squares
on No 3 mean the corner where Section
is laid out. I find the river San Joaquin

varies about a mile on the ramp line in Map No 3, from the representation of it on Map No 1, at the point "C" on my copy No 2 and at point "B" in said copy No 2 the river in No 1 and No 3 in at the same points. The Ranch Camp slough at "E" in No 2 varies about $\frac{1}{4}$ of a mile being that distance further north in map No 3 than in No 1. Another slough at "F" on No 2 is a half mile further south on No 3 than it is on No 1, and a barrens river at point marked "G" is $\frac{1}{4}$ of a mile further north on No 3 than on No 1. I have been over a portion of the country represented by these maps and the locations appear to be correct. I live in the neighborhood on the land represented on the map, and have lately travelled over the same grounds at 2 different points. My knowledge of the courses and distances I derive from the map of the surveyor General.

4th Question Look at the map marked "K," "A. J." and refer in this case, and compare it with "C," "Y. J." No 2, above mentioned and point out where the place marked "Stockton" in Map "K" "A. J." will properly come by that representation in map No 2.

Answer. I cannot upon examination make any satisfactory comparison of points on the two maps for the reason that I cannot know how far the basis of the map "K," "A. J." may depart from that of the township survey of the government.

5th Question At what

115-

255 point on map No 2 is the Laguna
McClure, and is there more than one
Laguna of that name in that District
of Country?

Answer. It is at the
point marked "H" on said map No 2,
and I know of no other lake of that
name in that region of country.

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1st Question. Are you
acquainted with the direction and dis-
tance of Stockton City from the Laguna
McClure? if yes, state it.

Answer. As near as
I can tell from Weber's map it runs
through the northern part of the incor-
porated limits of the City of Stockton.

2nd Question. Are you
acquainted with various Tribes of Indians
and Indian character generally and with
the character of the particular Tribe in-
habiting the San Joaquin District? if
yes, what is your means of knowledge
and what the character of the said
Tribe?

Answer. I have travelled
through the country of hostile Indians
Apaches, Comanches, &c on the frontiers
Texas, Mexico and California and I
have travelled among the mountains
of California and saw a good many
Indians in San Joaquin Valley. I
came to the country in 1850 and since
that time I have always considered
the Indians in the San Joaquin Valley
as harmless.

William B Hood

Subscribed and sworn to

before me on this 15th day
of June A.D. 1854

Peter Gate Commissioner

Filed in office June 15th 1854

(signed) W. Fisher Jew

339 ND
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255

United States Land Commission
San Francisco June 23. 1854

Deposition of
Hans Patten.

On this day before Commissioner
Alphens Rich came Hans Patten, a
witness in behalf of the United States
in case No 255 in which Charles W
Webb is claimant, who after being
duly sworn deposed as follows:

Question by Mr. Standing Associate Land
Agent,

1st Question Please state
your name, age and place of residence
and your occupation

Answer. My name is
Hans Patten, my age is fifty three years
my residence is Benicia and my occa-
pation is that of surveyor. I have
followed that business almost thirty
years

2^d Question Look at
the documents now here exhibited to
you marked "C. Y. T. No 1" "C. Y. T.
No 2" and "C. Y. T. No 3" attached to
the deposition of William D. Ford.

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255 heretofore taken and filed in this case - compare the scope of country therein laid down with the words of description contained in the translation of the grant under which the claim in this case is set up, and say whether seven leagues can be located according to the calls of the grant?

(Mr. Howard objects to this question)

Answer. I have examined said document. The grant as I understand it calls for the seven leagues since on the east. There appears to be considerable difference in the laying down of the river in these two maps. The newer map which is document, DC. 4. 7. 2103^d seems to be the most reliable and is the most accurate. I have travelled over the land. The river at the portion of it represented on the map runs in an easterly direction, and could not form the boundary of a tract of land so large as seven leagues.

Q^d Question. What are your means of judging on this point?

Answer. My having travelled across the country and along the river. My opinion that the seven leagues cannot be so located as to extend to the river is founded chiefly on the map in connection with my knowledge of the course of the river.

(Mr. Howard objects to this answer)

H. Patton

Subscribed and sworn to
before me this twenty-third

day of June A.D. 1854

Alphens Felch
Commissioner

Weld in office June 23. 1854

(signed) *Alphens Felch*
Sec. Fishu Jury

339 ND
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255 United States of America }
State of California } 24

Deposition of
John A. Suttle

San Francisco June 23. 1854
This day personally came before
Peter Latu, a commissioner for taking testi-
mony to be used before the Board of U.
S. Land Commissioners in said State,
John A. Suttle a witness in behalf
of the United States in case No. 255
wherein Charles M. Webb is claimant
and said witness being duly sworn
in oath depose in English as follows
to wit:

The name for claimant is present

Testimony by the U.S. Land Agent

1st Question What is your
name, age and residence?

Answer. My name is
John A. Suttle, my age 57 years, my
residence Sutter County California

2^d Question In your
former deposition in this case you state

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355 that William Urbac applied to you for juridical paper of the rancho of Campo de las Franccas when Tueton was in and that you gave it accordingly State now how you gave that paper

Answer. I do not remember exactly the circumstances. I think, if I am not mistaken, it was once when I was passing said Rancho on my way to Monterey. I was on a journey, and did not spend much time, and I did about as I usually did. I rode with Urbac and several persons he had with him as colonists there, and a man in my employ who was in company with one named Tomas Smith and one James Smith and some Indian Vagueros. We started a little north of the March Camp and rode to the Milk Lake, then across to the San Joaquin river and we rode out toward the hills. we rode some 7 or 8 miles from north to south. we did not ride far east, we did not pretend to measure the land, it had not then been surveyed. We did not ride near the Calaveras river. The time was in the fall of 1846.

Cross examined by claimant's counsel

What question objected by Law Agent as not relating to examination in chief

Do you know the names of any of those persons settled there by Urbac?

PL

Answer. One was Wiley one Lindsay and several whose names I do not remember. I believe Joseph Anzley was there but I do not know the time that he left there

All examined by U.S. Law Agent

1st Question Where were
 Akeley and Lindsay settled soon after
 had you seen them there, and what
 do you know of their settlement?

Answer. They were settled
 at what is called French Camp. I
 have not seen them there after. They
 were building houses there. They were
 not there so long the Indians were
 troublesome

2^d Question Were not
 the Indians in that Valley Diggee
 Indians?

Answer. They were
 Mountain Indians, some Chaktan Indians
 who ran away from the mission were
 amongst them and they were very bad

3^d Question Do you
 know of your own knowledge that the
 Indians there were hostile? if so,
 state what circumstances of hostility
 you know of?

Answer. I know
 that they were hostile, they stole all
 the cattle and horses and they killed
 Lindsay and Juan Dastu, my secretary,
 and wounded another man at the
 same time named Barber, and another
 man was wounded whose name I
 cannot now remember

4th Question How did
 you know these things was it from
 your own knowledge or from informa-
 tion?

Answer. I know of
 my own knowledge. I was at Lindsay's
 house, and saw that it was broken open

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and that Lindsay was killed, the next day
after his death, and I know my secretary
was killed, I started a party down there
the day after Lindsay was killed to quell
these Indian depredations

John A. Sutter

339 ND
PAGE 117

Subscribed and sworn to
before me on this 23^d day
of June A.D. 1854

Peter Lath Commission
for taking testimony &c

Filed in Office June 23. 1854

(Signed) Geo Fisher Judge

Deposition of
Robert W. Noble

255

United States of America }
State of California } &c

San Francisco July 24. 1854

This day came before Peter
Lath. Commission for taking testimony
for the Board of U. S. Land Commissioners
in said state, Robert W. Noble, a witness
on behalf of the United States in case
No 255 on the docket of said Board,
wherein Charles M. Weber is claimant
and said witness being sworn deposed
as follows:

The claimant's counsel is present

Present by the U. S. Land Agent

Present What is

your name, age and residence?

Answer: My name is Robert W. Hall, my age 47 years, my residence San Joaquin County California

2^d Question Are you acquainted with the districts of country in the neighborhood of the city of Stockton in San Joaquin County?

Answer: I am with pretty much all of the country south and west of Stockton east to French Camp, and the San Joaquin. I do not know much about the part north of Stockton

3^d Question Have you ever been to the city of Mexico? If so have you ever, or by yourself, or your agents, examined the public archives in that city, to ascertain whether there was any record of a grant or a confirmation of a part to William Galtman or C. M. Weber, and state with what success you have had the archives searched?

Answer: I have lived in the city of Mexico many years ago. I was in the republic of Mexico in 1850. I requested a friend then living in Guanajuato to ascertain if the Galtman grant of land in California was recorded in the archives of Mexico. In the year 1851 he wrote me that he had applied to Minnas Ledo, then a Senator in the Mexican Congress to have the archives examined to ascertain if said record was there and that he had examined and found the archives in such a state of confusion that he could not ascertain

This answer objected to
by claimants named

F. L.

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255 whether there was any such grant there,
he could find none

R. W. Noble

Subscribed and sworn to
before me on the 24th day
of July AD 1854

Peter Latt
Commissioner for

Filed in office July 24, 1854

(Signed) Geo. Parker Frey

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255 United States of America }
State of California } 3/8/54

Deposition of
John C. Hays

San Francisco Augt 11, 1854

This day came before Peter Latt
Commissioner for taking testimony to be
used before the Board of U.S. Land
Commission in said State, John C.
Hays, a witness on behalf of the U.
States, in case No 255 on the docket of
said Board, wherein C. M. Weber is
claimant, and said witness being sworn
deposed as follows:

Claimant's Counsel present

Testimony by U.S. Law Agent

Section What is your
name, age and residence?

Answer. My name is

John C. Hays, my age 38 years, my
residence San Francisco County California
2^d Question Did you as
United States Surveyor General for the
State of California order a survey of
the land claimed in this case by C.
W. Weber? If yes, what branch of the
public service assigned it?

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Answer. I did officially
order such survey in order to separate
the public lands from the private claims
in that vicinity. I am instructed by
the Government under an act of Congress
to make such surveys

3^d Question objected to by
claimant's counsel as
far as relates to any
conversation except
with claimant
Weber

3^d Question Did you
previous to ordering said survey have any
conversation with any of the parties in-
terested in preventing this claim? If
yes, with whom?

P.S.,

Answer. Yes I had
a conversation with Mr. Peck an attorney
in the case, and with Maj. Hammond

4th Question Was it
at the instance of either of the gentlemen
that you ordered said survey? If yes,
which one of them?

Answer. I did not
order it at the instance of either of them.
Maj. Hammond applied to me verbally
to have a survey of the tract made, I
told him I should not make it under
an application from him, but that as
I was then having lands in that vicinity
be surveyed, I should shortly have
have this survey made, that it would
be necessary for me to do so. I ordered
the survey soon perhaps than I should

255 have done in consequence of this application. Major Hammond recommended some person to me as a competent surveyor who lived in Stockton, but I did not know him and did not appoint him. When I was ready to have the survey made, I appointed Jasper S. Whitney who was the County Surveyor of San Joaquin County, a Deputy United States Surveyor who under my instructions made the survey.

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Q. Did you consult with said Hammond or Peck as to that appointment?

A. I did not. I think I told them I had appointed him or that I intended to do so.

Q. Has said Whitney done any other work as your deputy?

A. No he has not as yet done any other.

Q. As Surveyor General have you been in the practice of surveying private ranches before their confirmation for the purpose of segregating them from the public domain? if yes, under what act of Congress do you deem yourself authorized so to do?

A. I have done it only in one or two instances before. An act of Congress passed some one or two years ago, the date of which I do not recollect I understand as authorizing such surveys. The instances I speak of are some in this county between the City and San Jose when some two or three claims were surrounded by public land and I surveyed the claims in order to ascertain the extent of the government land.

Case Examined by Claimant's Counsel

1st Question. Where the public lands bound on Mexican or Spanish grants. Can they be surveyed or ascertained without running the lines of those grants?
 Answer. No, they cannot. We are compelled to run the lines of the grants if we wish to separate the public domain from them.

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Re-examined by U.S. Land Agent

This question objected
 by claimant's Counsel
 as irrelevant
 P.S.

1st Question. Are you interested in any Spanish or Mexican land claims in California? if so state your interest as to each case.

Answer. I am interested in two Mexican claims, one is the Cappuzzer grant in this county on which I have been living and the other the Paracta claim in Mariposa County. I have no interest in the grant in this case or any other in the state.

2nd Question. What is the extent of your interest in the grants above named?

Answer. I am not disposed to answer that question unless I am compelled to do so.

3rd Question. How do you ascertain the extent of a claimant's rights without there is a deed of confirmation of his claim, so as to segregate said claim from the government land?

Answer. In separating the government land from the Spanish

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258 claims. I do not pretend to determine the extent of their claimants' rights, but merely the extent of his grant and claim as deduced from the title papers

Re-examined by Claimant's Counsel

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Question Were you interested in the Cappingen and Piratta grants before you became Surveyor General?

Answer Yes, long before. I was living on the Cappingen Grant nearly a year before

Cross-examined by U.S. Law Agent

This question objected to by Claimant's Counsel as irrelevant

P.L.

Question To what extent was you interested in said claims before you became Surveyor General?

Answer I am not inclined to answer, though the record will show

John C. Hays,

Subscribed and sworn to before me on this 11th day of August AD 1854

Peter Salt
Commissioner

Filed in Office August 11, 1854

(signed) Geo Fisher Jew

255
 Deposition of
 J. J. Warner

United States Land Commission

San Francisco Aug 15. 1854

On this day before the Commission sitting as a board, came J. J. Warner a witness in behalf of the United States in case No 155 in which case Charles M. Weber is claimant, who after being duly sworn deposed as follows:

Questions by the U.S. Land Agent

Question 1st Have you been acquainted with the character of the Indians in the San Joaquin river Valley in the district of country where the town of Hector is now situated? if yes, state when you were acquainted with and what was their character?

Answer: I was one of the party of hunters during the fall of 1832, engaged in catching beaver on the San Joaquin river for the entire distance of the Valley of the river, and again in the latter part of the summer of 1833; on which occasion the Indians were peaceable and docile. We travelled singly and alone through all that section of the country, suffered from no hostile demonstrations or attacks from the Indians, since 1833, I had no personal acquaintance with the Indians in that section of the country.

Question 2^d Are you acquainted with the signature of Manuel Michelena former Governor of California? if yes, state your means of knowledge and look at his name as it appears attached to the grant filed in this case, and the entire

255 sheets affixed, and say whether, in your opinion, they are genuine?

Answer. I am acquainted with his signature, having seen him sign his name to documents which I had in my possession for some years. I have no reason to doubt that the signature attached to the above described paper is genuine.

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Question 3. Look at Document No. 2 attached to the deposition of Antonio Maria Pico and filed in this case, and at the last word in the seventh line from the bottom of the first page thereof, and say what word was originally written in that place and what word was since written over it?

Answer. The word "una" apparently was first written and the word "la" subsequently overwritten thereon.

Cross-interrogations by the Claimant's Counsel

1st Cross Int. What was the effect of the civil war during the time of Micheltornu and the war between the United States and Mexico, upon the disposition of the Indians who resided in the valley of the river San Joaquin and the adjacent country towards the settlements?

Answer. From general report throughout California at that time, it was inimical and hostile. I have no personal knowledge of any hostile action on the part of the Indians, but from common report I know that there were acts of hostility.

Direct Examination by the U.S. Law Agent returned

Question 1st What hostile acts do you refer to?

Answer. I am unable to refer to any particular hostile acts, and my knowledge is put together upon the facts more of troops and military forces being sent them in consequence of some acts of the Indians, than from a recollection of any particular acts of the Indians, there being but little intercourse at that time between Los Angeles my residence and the valley of San Joaquin, except by the way of Monterey and San Jose.

J. J. Warner

Subscribed and sworn to before the Commission sitting as a Board, this 15th August, 1854

Attest: Geo Fisher Justice

John in office August 15th 1854

(Signed) Geo. Fisher Justice

255 United States of America }
State of California } J. J.

Deputation of Jasper S. Whiting

San Francisco Aug 10. 1854
This day came before Peter Lott, a Commissioner for taking testimony to be used

before the Board of U. S. Land Commission
Jasper S. Whiting, a witness on behalf of
the claimant C. M. Weber, in case No
255, in the docket of said Board. Said witness
being now deposed as follows:

The U. S. Land Agent present

Questions by Claimant's Counsel

1st Question What is your
name, age and residence?

Answer. My name is
Jasper S. Whiting, my age 27 years, my
residence San Joaquin County California

2^d Question Are you
acquainted with the tract of land claimed
in this case?

Answer. I am

3^d Question Are you a
practical surveyor?

Answer. I am. I am
a deputy surveyor for the U. S. Surveyor
General for the State of California

4th Question. Did you
ever execute a survey of the land claimed
in the case, if yes, state in what manner
and from what data?

Answer. I have made
such a survey from data furnished me
from the office of the U. S. Surveyor
General of California consisting of
the decree and the amount of land
granted with instructions to obtain
what information I could with other
documentary and to make my survey
according to their data and such information
As to the manner of the survey (summed)

339 ND

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at the intersection of the Inles of the San Joaquin River with the north bank of McCloud's Laguna, as that was the best known natural point on the diseño. I measured six charts along the Inle across French Camp slough the other well known point, then subtracting the distance between those points $3\frac{1}{2}$ leagues Spanish I obtained the sum of the distances to be run north of McCloud's Laguna, and south of French Camp slough. I then found the corresponding distances on the diseño, and established the following proposition: as the sum of these distances on the diseño is to the distance actually to be run north and south of these two points, so is one of these distances on the the diseño to the corresponding distance actually to be run; In accordance with this proposition I completed the measuring of the Inle line, and established the north-west and south-west corners. I ran the wathene and meridian boundary lines in accordance with the course shown on the diseño. $3\frac{1}{2}$ leagues Spanish in length and the eastern line parallel with the general trend of the western or Inle line and thence $3\frac{1}{2}$ leagues Spanish in length.

The diseño which I used in making the survey is a fac-simile an exact copy of the original diseño in the Surveyor General's office and a fac-simile of the one in the expediente marked "Exhibit 1. to dep of J. S. Whiting." "P.L."

I sub-section What
guarred you in adapting the line of the
Inle for the return line of the survey,
Answer. The fac

255 of the design and the instructions of the Surveyor General. The north-west and south-west corners are established in the topography of the design, on the edge of the hill, and that necessarily makes the west line to run along the hill.

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6th Question What would be the length in exact measurement in chains of $3\frac{1}{4}$ Spanish leagues?

Answer. It would be 729 chains and 16 links.

7th Question How far did your survey extend north of McLeod's lake and south of French Camp?

Answer. It extended 19 $\frac{1}{2}$ chains north of McLeod's lake, and 310 chains south from French Camp along which is the most southerly stream represented on the design.

8th Question State how long you have been a practical surveyor and whether you are a graduate of any scientific school, if yes, what one?

Answer. I have been 17 years a practical engineer and surveyor. I was educated at Bowdoin College in Maine.

Cross Examined by U. S. Tax Agent

9th Question How long have you been deputy surveyor for the United States Surveyor General in California?

Answer. Since the 12th day of July last.

10th Question Were your instructions in writing? if yes, give

then contents.

Answer. They were in writing. I received some verbal explanations of them when they were given to me. I received two separate instructions of the first: the certified copy marked "A. P. L." and of the 2^d "B. P. L." here with filed are true copies.

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3^d Question Why did you not take the river San Joaquin for a western boundary instead of the Gule?

Answer. Because the map or diagram accompanying my instructions showed that some of the lines reached the river, but, that on the contrary, the north-west and south-west corners were on the edge of the Gule.

4th Question Were you governed wholly in the matter by the termination of the dotted lines on said diagram touching the Gule? if not, what other principle governed you?

Answer. I was not wholly governed by the dotted terminations of those lines. I saw that said dotted lines reached the Gule, and proved by measurement on the diagram that they were correct.

5th Question What public service required the survey?

Answer. The separation of private lands from the public domain of the United States in order to settle the lands of the government.

6th Question Is the Surveyor General proceeding at this time or has he been, to survey and settle

Answer. The land has been Townshiped in that vicinity as to sectioning I can only give hearsay evidence.

7th Question Was not the survey you made at the instance and for the benefit of interested parties in this case?

Answer. I assumed it under seal. Hoop for the government that is as far as I can state.

8th Question. A part of your instructions being to survey the land between the river San Joaquin on the east and the Laguna de Colima why did you not obey that part of your instructions?

Answer. Because immediately following in the instructions I was told to be governed by the accompanying map or diagram, and moreover because it was an impossibility.

9th Question Why did you not start at the edge of the Inle on McLand's lake instead of at its mouth?

Answer. I was misled if the Commissioner has written that I did commence as your question suggests. I said I commenced at the intersection of the Inle of the said river with the north bank of McLand's lake and I wish my answer so to appear. The Commissioner has inserted the words "Inle of the" on 2d page of this deposition as he knows the witness did testify as thus corrected.
J. Latt. Comr

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PAGE 131

8th question objected to by Claimant's Counsel as not showing the substance of the whole instruction and especially that part respecting the diagram
J. L.

10th Question How did you establish the northeast corner of this survey?

Answer. By taking the course of the northern boundary from the diestro and running on that course $3\frac{1}{2}$ leagues Spanish from the northwest corner.

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11th Question How did you establish the southeast corner?

Answer. I ran from the southeast corner southward on a line parallel with the general extent of the line of the Inle $3\frac{1}{2}$ leagues and connected $3\frac{1}{2}$ leagues from the southwest corner.

12th Question What is the general direction of McCloud's lake compared with the course of the San Joaquin river opposite your survey?

Answer. It is very nearly at right angles to the course of the river when they intersect but the river is so crooked about there it is difficult to judge its course.

13th Question What is the general course of McCloud's lake?

Answer. The general course by compass is south $73\frac{1}{2}^{\circ}$ west.

14th Question How far is it from that point when you commenced the survey to the north west corner of the survey?

Answer. It is 194 chains.

15th Question What is the direction of McCloud's lake as laid down on the diestro?

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255

Answer. I should judge
it to be about such 70th north,
16th Question In making
your survey to correspond with the directions
and the courses marked thereon, did
you adopt a true or magnetic north?
and give your reasons why.

Answer. I adopted
the magnetic north, because there is
no variation marked in the directions.

17th Question Set down
the courses, direction and distances you ran
on the Inlet line.

Answer. They will
appear on the map marked "C. P. L."
to be filed in this case.

18th Question What is
the distance from the San Joaquin river
to the south-east corner of your survey?

Answer. I never
measured it but from the directions I
should judge it to be about a half
league.

19th Question What is
the distance from the point where you
commenced the survey to the junction
of the Laguna with the
San Joaquin river?

Answer. I never measured
it, it is impracticable. I should judge it
to be over a mile, but how much over
I cannot say.

Re-examined by Claimant's Counsel

20th Question What is
the character of the land covered by Inlet
on the banks of the San Joaquin adjoining

your survey in this case?

Answer. It is wet, marshy, overflowed land, generally impassable with here and there patches over which a person can with difficulty wade about. Its width varies from 1 to 3 miles as near as a compass run can determine, but I do not intend to speak accurately.

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PAGE 134

2^d Question objected to by
Law Agent as leading
P.L.

2^d Question Is the line of the Lake as shown on the map distinctly marked by natural features on the ground?

Answer The line of Lake which I state to correspond with that is quite distinct.

Crops examined by U.S. Land Agent

1st Question What is the character of the land surveyed and what is your estimation of its value?

Answer. I have reported it as 1st, 2^d, and 3^d rate to the Surveyor General's office; it varies in different parts. I can form no satisfactory estimate of its general value, some parts have sold as high as \$25. per acre and some is comparatively valueless.

2^d Question What information did you obtain in addition to that furnished you by the Surveyor General, enabling you to make the survey, and from whom did you obtain it?

Answer. I cannot say that I obtained any such. I was aware of the position of McCloud's Lagoon and the Truck Camp Slough, and that was

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255 all I deemed necessary

3^d Question Was Capt C. M. Weber with you at any time while you were making your survey?

Answer. He was not,

Re-examined by claimants counsel

339 ND

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1st Question How many settlers are there on the land in question claiming under C. M. Weber? and how many squatters?

Answer. The land embraces the city of Stockton when all claim under Weber I believe and the occupants of 1/4 of the land east of the city claim under him, and as to the squatters I do not know. I know men about the city because I have surveyed their lands for them. There are not many squatters or it so far as I know

Cross-examined by W. J. Law agent

1st Question objected to by claimants counsel as irrelevant J. L.

1st Question About how much land heretofore claimed by C. M. Weber and sold by him to others is left out of this last survey?

Answer. There is quite a large piece of the old survey left out by this, most of which is held by deed from Weber, but very little of it was purchased, they new deeds of gift to settlers. It would be perhaps a sixth part of the whole survey on the Calaveras side

Jasper S. Whitling

A 40

Subscribed and sworn to
before me on this 10th day
of August A.D. 1854 Peter Latt
Commissary

Filed in office August 11. 1854

339 ND
PAGE 136

(Signed) Peter Latt

for 189
1141

1823

339 ND
PAGE 137

Exped. promovido p.^a D.^{no} Guil
= Cerro Guinae en Policituel del
Paraje que se llama

N.^o 240

2 Dello Quarto Dos Reales.

Habilitado provincialmt^{te} por la Aduana
Maritima del Puerto de Monterey en el
Departamento de las Californias para
el año de mil ochocientos cuarenta y
tres.

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Micheltrena Manuel Castanares

(Sello)

Como Sr. Gobernador del
Departamento de ambas
Santas Barbas, Californias.

Dijo 29. de 1843 } Guillermo Gulna R Mejia
Hallandose en } en su p^{ta} naturalizacion de
Marcha el Goba } profesion Henero y residit^{te}
nado que suscri } en el pueblo de Sr. Jose
ve con direccion } de Guadalupe, ante la
a Monterey y Ca } notaria justificacion de
cramento podria } V. C. en la forma mas
ocurrir el intere } legal q^{ta} a mi derechos con
sado al primer } Genza pareces y digo: q^{ta}
punto recavando } hace el termino de veinte
antes el informe } y un años q^{ta} existo en el
de la prefectura } pais; casado con mujer
del primer distri } Mexicana hace diez y ocho
Micheltre } años: en cuyo enlace; he te-

nido y tengo siete hijos a
quienes antes que la divina providencia
quite e mi vital aliento; quiero de fualdes
una proporcion suficiente p^{ta} q^{ta} puedan
mantener con aquel honor q^{ta} corresponde
a todo hombre de bien. p^{ta} est, evento con
la cantidad de Doscientos Cabezas
de Ganado mayor, 40 Bestias entre mu-

3 las, Yeguas y Caballos. Al mismo tiempo
hay otros sujetos de la misma clase ma
tambien casados con Mexicana q^{ta} se
comprometen a estar en mi compania

p^o formar como una Clase de pueblo en
 el pais. para verifiquen este y p^o la se-
 =juridad y fomento de los bienes de of-
 =hago mención y algunos otros que tambien
 tienen los sujetos que se comprometen a
 vivir en mi compañía solicito V. C. se
 se ova ampliarme el derecho de poder
 arbitrar p^o el Objeto indicado el terreno
 que demuestra el Dueno que a compañía
 compuesto de Once sitios de Ganado ma-
 yor vivenclose al mismo tiempo rebisen
 el Documento of. m. cluso dado p^o el
 juez Respectivo de aquella parte en
 2) donde (Sello Cuarto Dos Reales:
 Habilitado provisionalmt^o por la Adu-
 ana Maritima del puerto de Monterey
 en el Departamento de las Californias
 para el uso de mil Ocho cientos eia-
 renta y tres.

Micheltoena Manuel Castañares

(Sello) acredita estar el terreno baldio
 y sin pretendiente alguno: por tanto
 V. C. suplico se dignen acceder
 a favor del interesado de la of. recibi-
 =re gracia y meree el jurando no ser de
 malicia y lo necesario.

pueblo de S^o José Julio 14 de 1843

Guillermo Gulnac

Como Sr. Gobernador

Don Guillermo Gulnac meficio natura-
 lizado pretende en la presente inst^a se
 le conceda por V. C. el terreno nombrado
 Campo Frances que se halla al Este
 S del Rio S^o Joaquin; y esta prefectura
 impuesta del informe que da Don Juan
 A. Sutter presumido a D^o para q^o
 no en cuenta ni convint^o en que se le

1144

conceda este al expresado Gulnae si
fuere del superior agrado de V. E.
Monterey D^o 18 de 1843.
Jose R. Estada

339 ND
PAGE 140

Sello Monterey D^o 5 de 1843
Sevase informar por los conocimientos
practicos que posee del terreno el Sr. Cor^o
D. Mariano Guad. Vallejo:
Michelta

C. Juegado del Distrito } y Certifico que
del Rio Sacramento. } el terreno por cual
el Señor Don Guillermo Gulnae, cui-
dadano de la Republica Mexicana
quiere pedir al Gobierno no es ocupado
de ninguna persona.
Nueva Helvetia Junio 8 de 1843.
L. W. Dutten

af. Here follows
2 Maps 3

S. ^{Gov} Monterey Oct. 26 de 1843
 No habiendo informado el S. Vallejo
 ni haber manifestado carecer del cono-
 cimiento de las posesiones del S. D. J. J. J.
 Ref. el S. Gov de este Gobierno

339 ND
 PAGE 141

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Michelt
 Excmo. Sr. Gobernador
 Aunque Sr. Guillermo Gulnac es acree-
 dor para que se le atienda a su solicitud
 pero seria conveniente saber si la Estension
 que pide es para la formacion de la
 Colonia que menciona por que en este
 caso parece preciso que se copien los
 nombres de las personas que la formen
 para que en el titulo se explique que
 el terreno es para beneficio de todos; pero
 se pretende el paraje para el solo sera
 mucha estension y a su ejemplo pediriam
 otros y dentro de poco no que daria terreno
 para los demas que quieren habe endarse
 por el Rio de San Joaquin.

por lo espuesto V. G. dispondra lo que
 le pareciere por conviniente.

Monterey Noviembre 28 de 1843.

Mont. Jimeno

Monterey Enero 10. de 1844.

Conforme en un todo con lo informado
 por el S. Gov de su despacho espresa
 el interesado si es p. Colonia y citandose
 en el caso el Titulo dandose los nombres
 de los Asociados y si individualmt.
 pide limitarse prudencialmt.

Michelt

Monterey 13 de Enero de 1844

Vista la peticion con que da principio
 este Expedt. los informes que parecen
 con todo lo demas que se tubo presente

y que conuino, de conformidad con las leyes
y Replamientos de la Materna, se le conceda
10. -den once sitios de ganado mayor a Don
Guillermo Gulnack para su beneficio
personal y el de su familia y el de Once
familias mas, entre el Rio de San Joaquin
al Este y la Laguna que llaman de N.
Claud, sujetandose a las condiciones
que se estipularen. Librese el correspondiente
despacho, tomese Razon en el libro que
corresponde. El E. A. Gobernador asi
lo mando decretar y firmo.

Office of Surveyor General
of the United States for California

I John C. Hays, Surveyor General
of the United States for the State of
California, and as such having in my
Office and under my charge and cus-
tody a portion of the Archives of the former
Spanish and Mexican territory or Depart-
ment of Upper California, by virtue of
the power vested in me by law Do hereby
certify, that the 10 preceding and hereunto
annexed pages of tracing paper, numbered
from One to Ten inclusive, exhibit a true
and accurate copy of a certain docu-
ment now on file and forming a part
of the said Archive in this Office

In Testimony whereof I have
hereunto signed my name Official-
ly and caused my Seal of Office
to be affixed at the City of San Francisco
Cal. this Eighteenth day of November
1853.

San Francisco
Cal. This Eighteenth day of November
1854

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John C. Hays
U. S. Surveyor General
for California

Filed in Office Aug: 11th 1854

Geo. Fisher Secy

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PAGE 143

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149 255

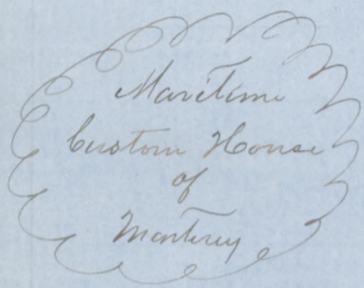
Translation of
Expediente

Stamp March Dos Rios

Provisionally authorized by the maritime custom
house of the Port of Monterey in the Department
of the Californias for the year eighteen hundred
and forty three

(Sgd) Micheltrona

(Sgd) Manuel Castaños.



339 ND
PAGE 144

Santa Barbara

July 25th 1843.

The Government
embassies being
at this time on the
road going to
Monterey and San
Clemente - the
person interested
may apply at the
first named point
obtaining first
the report of the
Prefecture of the
said District.

(Signed)
Micheltrona

To his Excellency, the Governor of the De-
partment of both Californias

I, Guillermo Gulmak, a Mexican
by naturalization, by profession a
blacksmith and resident in the Pueblo
of San José de Guadalupe, before the
well known justification of your Ex-
cellency, in the most loyal and
favorable manner, appear and say
that for the term of twenty one years
I have lived in this country, was
married to a Mexican woman eighteen
years ago, in which union I have
had and have several children to
whom, before the Divine Providence
cuts short my vital breath, I wish
to leave sufficient property to enable
them to maintain themselves with
that honor which corresponds to my
man of good character. For this
purpose I have the number of
two hundred head of long cattle,
forty animals between mules, mares
and horses. At the same time there
are other persons of my class also
married to Mexicans, who bind
themselves to be in my company
for the purpose of forming a kind
of Pueblo in the country - In order

To carry this into effect, and for the security and increase of the property of which I make mention and also of some other which is held by the persons who bind themselves to live in company with me, I request that your Excellency will be pleased to extend to me the right to occupy for the purpose indicated, the land shown on the map which I transmit herewith, consisting of eleven square leagues, having the goodmap at the same time. To receive the document which I enclose from the proper magistrate of that part of the country, in which it is shown that the land is vacant and is not claimed by any person.

Wherefore, I pray Your Excellency to have the goodness to grant this in favor of the person instructed from which I will receive grace and favor, ensuring that this is not done from malice and whatever else may be necessary.

Pueblo of San José July 14, 1843.

(Signed)

Guillermo Gálvez

To His Excellency the Governor

Don Guillermo Gálvez
a naturalized Mexican requests in the present petition that there be granted to him by Your Excellency the land named "Campo Francisco" which is situated to the east of the river San Joaquin, and the Prefecture having examined the report given by Don Juan A. Sotelo, the magistrate nearest to said place, finds no objection to this being granted to the said Gálvez

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if it should be the superior pleasure of
Your Excellency
Monterey, September 1843
(Signed)

José Ramón Estrada,

Monterey Oct 5 1843

Let the Señor Colonel
Don Mariano Guadalupe Vallejo be pleased
to report from the practical knowledge
of the land which he may possess.

(Signed)

Micheltona

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PAGE 146

Juzgado of the District
of the Sacramento River

I certify that the land
which Señor Don Guillerme Gutierrez, a
citizen of the Mexican Government, is
not occupied by any person

Nueva Helvetia June 8th 1843

(Signed)

J. A. Sutter

Part of
the deposit
of the Cal.
Irrigation

Monterey, Oct 20 1843

Señor Vallejo not having informed, as
he has made known that he has no

knowledge of the proceedings of Sir J. Sutter,
let the Secretary of this Government report
(Signed)

Micheltorrea

To his Excellency the Governor

339 ND
PAGE 147

Although Don
Guillermo Gutrac is entitled to have his
petition attended to, yet it would be
proper to know whether the extension
which he requests is for the formation of
the Colony which he mentions, for in
this case it appears necessary that the
names of the persons who form it should
be expressed in order that in the Title
it may be explained that the land is
for the benefit of all; but if he petitions
for the place for himself alone, the extent
is very great and after his example others
will petition and within a short time
there will be no land left for others
who may wish to settle in the river San
Joaquin

For the foregoing
reasons Your Excellency will decide that
which you may think proper

Monterey, November 28th 1843
(Signed)

Mmanuel Jimeno,

Monterey January 1st 1844

In entire
conformity with the report of the Senior
Secretary of my office let the person
interested say if it is for the colony, and
having the names of the partners - and

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in this case let the title be issued men,
knowing the names of the partners - and
if he requests it (for himself) individually
let him ask for it within prudent limits,
(Signed)

Micheltorona

Montreux January 13th 1844

Having seen
the petition with which this expediente
concerns, the reports which precede
together with all other things which were
represented and deemed proper to be
considered, in conformity with the laws
and regulations on the matter, I have
signed licenses are granted to Don
Guillermo Gubius for his own personal
benefit and that of his family, and also
that of other families, between the
riva San Jovannin on the east and the
laguna called thus of Melchora subject
to the conditions which may be stipulated
Let the corresponding title be issued and
let note be made in the proper book
His Excellency the Governor thus ordered
decreed and signed

Done in office May 31st 1852

(Signed)

Gaspar J. J. J.

339 ND
PAGE 148

A 574

1871
1870

Manitoba del 1870 al 1871

155-
for 189-

Dello primero Ocho Pesos:
Habilitado provisionalmt. 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.

firmado / Micheltrona
firmado Pablo de la Guerra

339 ND
PAGE 149

Manuel Micheltrona General
de Brigada del Ejercito Mexicano
Ayudante General de la plana mayor del
mismo, Gobernador Comandante General
e Inspector del Departamto. de las Californias

Por cuanto Don Guillermo Gulnak
Mexicano por naturalizacion, ha pretendido
para su beneficio personal el de su familia
y el de Once familias mas el terreno co-
nocido con el nombre de Campo de los pan
eses en Estension de Once sitios de Ja
nada mayor, entre el Rio de San Joaquin
al Este y la Laguna que llaman de M^{te}
Cland practicadas previamente las dili-
gencias y averiguaciones concernientes
lo dispuesto por Leyes y Reglamentos, usando
de las facultades que me son conferidas
a nombre de la Nacion Mexicana he veni-
do en concederle el terreno mencionado
declarandole la propiedad de el por las
presentes letras sujetandose a la aprova-
cion de la Esma. Asamblea Departam-
y bajo las condiciones sigtes.

No podra venderlo, enagenarlo ni hipote-
carlo el que se le adjudica, imponer censo
vinculo pignorativo ni otro gravamen alguno.

1^a Podrá ser arbol sin perjudicar las hovecias
caminos y servidumbres; lo disputará libre
y Exclusivamente destinándolos para el uso ó
cultivo que le convenga, pero dentro de un año
fabricará casa y estarán habitando las
familias que menciona.

3^a Cuando se le conforme la propiedad del
terreno solicitada, del juez respectivo que le
de la posesion juridica en virtud de este
despacho por el cual se demarcaran los lindes
en cuyos limites pondra á mas de la omofone
ras algunos arboles frutales ó silvestres ó
de alguna utilidad.

2^a El terreno de que se hace mencion
es de Once sitios de ganados mayor segun
explica el Diceno Respectivo. El juez que
diere la posesion lo hará medir conforme
á Ordenanza, quedando el sobrante que
resulte á la Etacion para los usos comu-
nentes.

4^a Si contraviniere á estas condiciones
perdará sus derechos al Terreno y será denun-
ciable por otro.

En consecuencia mando que
sirviendole de título el presente y teniendose
por firme y Valido se tome razon de el
en el libro Respectivo y se Entregue al Inte-
resado para su resguardo y dema. fine. o.
Dado en Monterrey á diez de Enero de mil
Ochoientos cuarenta y cuatro.

firmado / Man. Jimeno / firmado Man. Michelk-
Srio

Queda tomada Razon de Esta Consecion
en el libro Respectivo @ f. 5.

firmado Jimeno
Haleam Office May 31th 1852

Srio. Lecha Secry

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Stamp First 8 dollars

Translation of Title

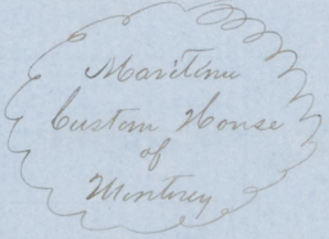
255

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

(Signed) Micheltrona

(Signed) Pablo de la Cruz

339 ND
PAGE 151



Mmanuel Micheltrona General of Brigade of the Mexican Army, Adjutant General of the staff of the same, Governor, Commandant, General and Inspector of the Department of the Californias

Whereas, Don Guillermo Arce, a Mexican by naturalization, has asked for his own personal benefit, for that of his family and also other families for the land known by the name of "campo de las Francesas", in extent eleven square leagues, between the Rio de San Joaquin on the east and the Laguna called McCloud; having previously made the examinations and certifications concerning it as directed by the laws and regulations, using the powers which are conferred on me in the name of the Mexican nation, I have granted to him the said land declaring to him the ownership of it by these present letters, subject to the approval of the most excellent departmental Agency and under the following conditions:

- 1st He cannot sell, alienate or hypothecate what is granted to him, impose tax, entail mortgage or other incumbrance;
- 2^d He may enclose it without prejudice to the crops, roads, roads and servitudes; he shall enjoy

it fully and exclusively, making such use, or cultivation, of it as he may see fit, but within one year he will build a house, and the aforementioned families shall inhabit it.

3rd When the ownership of the land is confirmed to him, he will ask the respective magistrate to give him the judicial paper in virtue of this dispatch, by which the boundaries shall be marked out and in their limits shall be placed besides the houses, some fruit trees or vine vines of some utility.

4th The amount of land is eleven square leagues as shown in the respective map. The magistrate who may give the paper will have it measured conformably to ordinance leaving the surplus which may result to the nation for its eminent uses.

5th If he shall contravene these conditions he will lose his right to the land and it will be denounceable by another.

In consequence I order that serving as a title this present, and being held as firm and valid, note be taken of it in the respective Book, and it will be given to the party interested for his security and further ends.

Given in Monterey the 18th day of January A.D. 1844

(Signed)

Mmanuel Micheltona

(Signed)

(Signed)

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Manuel Jimeno
Secretary

Note is taken of this grant in the Respective
Book at folio 5.

(Signed) Jimeno

339 ND
PAGE 153

Given in office May 3rd 1852

(Signed)

Chas Parker Jacey

160

161.
por 189.

E
Copy of Ap-
proval.

Provisorio Gobernador Constitucional del
Departamento de California

(Solo) La Cámara Asambleas Departamen-
mental en Sesion de hoy tubo a bien
decretar lo siguiente.

Se aprueba la concesion hecha a favor
de Don Guillermo Gulnac, del rancho
conocido con el nombre de campo de los
premeados en Estacion de Quince sitios
de ganado mayor, entre el Rio de San Joa-
quin al Este, y la Laguna que llaman
de M^o Bland que le fue concedido
por el superior Gobierno Departamental
segun titulo librado con fecha tres de
Enero de mil ochocientos cuarenta y
cuatro de entera conformidad con la
Ley de 21 de Noviembre de 1828,
y para resguardos de la parte de Don Guil-
lermo Gulnac, lo hago asi saber.

Dado en la Ciudad de los Angeles
Capital del Departamento de Califor-
nia, en papel comun por falta de
sellado a quince del mes de Junio de
mil Ochocientos cuarenta y seis.

(firmado) Provisorio
(firmado) José Matias Moreno
Dno. Int^o

Filed in Office May 31st 1852
Geo. Fisher Secy

339 ND
PAGE 154

162

[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page]

163

255 Pio Pico, Constitutional Governor of the
Department of California

translation of
Approval.

The most Excellent Departmental Assembly
in session of this day has thought
proper to decree the following:

339 ND

PAGE 155

"Approved, the grant made in favor of Don
Guillermo Gulnau, of the place known by the
name of "Campo de las Francesas" in extent
seven square leagues, between the river San
Juan to the East, and the Laguna which
is called that of "McClena" which was
granted to him by the Superior Departmental
government, according to the title issued
dated Jan'y 13th one thousand eight hundred
and fifty-four in entire conformity with the
law of August 11th 1824, and the supreme
regulations of November 21. 1828"

And for the security of the party Don Guillermo
Gulnau. I thus make it known

Given in the City of Los Angeles the Capital
of the Department of California, on common
paper for want of stamped on the fifteenth
day of the month of June one thousand eight
hundred and fifty six

(Signed)

Pio Pico

(Signed)

Jose Matias Morua

Secretary ad interim

To be in office May 31st 1852

(Signed)

No Joshua Jey

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1855
MD

La ciudad de Montevideo fué fundada por el Adelantado
Marcelino del Puerto de Montevideo en el año 1537

165-
for 789.

Sello cuarto Dos Reales:

Habilitado provisionalmt^{te} por la Aduana
Maritima del puerto de Monterey en el De-
partamento de las Californias para los
años de mil Ocho cientos cuarenta y cuatro

Copy of Letter y mil Ocho cientos cuarenta y cinco.

Naturalisation firmado) Micheltraena
firmado) Pablo de la Guerra

por años del Adm^o

(Sello) firmado) Guillo Ed. Hartnell

Manuel Micheltraena, General de
Brigada del Ejercito Mexicano, Ayudante
General de la plana Mayor del mismo, Gober-
nador, Comandante Gal. e Inspector del
Departamento de California.

Regido a poses
q.

Habiendo D. Carlos Maria Weber
Originario de Alemania, cumplido con
las condiciones y requisitos que previene
la Ley Respectiva que arregla el modo con que
debe concederse la Carta de Naturaliza-
cion a los Extranjeros y acompañado los docu-
mentos que lo acreditan declaro al referi-
do D. Carlos Maria Weber por las presentes
naturalizado en la Republica Mexicana
en virtud de la autoridad que por aquella
Ley se me confiere.

Monterey Febrero 20 de 1844

firmado) Man^{te} Micheltraena

firmado) Man^{te} Jimeno
G^{ro}.

Filed in Office May 31st 1852

Geo. Fisher Secy

339 ND

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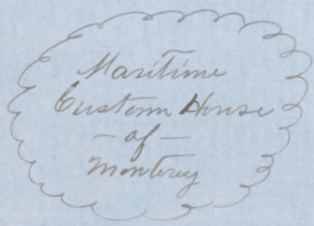
167
Translation of Letter of
Naturalization of Weber.
755

Stamp Smith, Duc Riales

Provisionally authorized by the Maritime Custom
House of the Port of Monterey in the De-
partment of the Californias for the years
1844 and 1845

(Sgd) Manuel Michelena

Por Pablo de la Grana
(Sgd) N. Don Hartman



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Manuel Michelena, General of Brigade of
the Mexican Army, Adjutant General of the
Staff of the same, Governor, Commanding General
and Inspector of the Department of Californias

Registered on folio 9
Rubric of
Simons

Por Carlos Maria Weber, a native of Germany
having complied with the conditions and re-
quisites provided by the respective law, which
regulates the manner in which the letter of
naturalization should be granted to fore-
igners, and having transmitted the
documents which show it, I do, by
these presents, declare the said Don Carlos
Maria Weber, naturalized in the Mexican
Republic, in virtue of the authority which
is, by that law, conferred on me
Monterey, February 20, 1844

(Sgd) Manuel Michelena

(Sgd) Manuel Jimeno
Secretary

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Mapa del primer viaje de la Expedición
Marítima del Puerto de San Felipe

169
por 189.

Copy of Leon
veyance

Dello Auntes Meccu Real
Habilitado provisionalmt. 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 ochocientos cuarenta y cinco
firmado / Micheltoena
firmado / Pablo de la Guerra

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Por auto del Actmo
Guillermo Edo Hartnell
En el pueblo de San José Guadalupe
à los tres dias del mes de Abril de mil
Ocho cientos Cuarenta y Ocho. Ante mi
Antonio Maria Pico Alcalde de 1^a nomi
nacion del juzgado de Esta municipal
dad y ante los testigos de Afoistencia con
quienes actuo en la forma establecida
à mas de los instrumentales de que al fin
se hara mención: parecio de presente el
civil. Guillermo Edo. Guinae y dijo: que
por si y à nombre de sus sucesores y here
deros y quien de ellos hubiera titulo vodo y
causa vende y da en publica Venta y
enagenacion perpetua la accion que poseo
en el Rancho llamado el Campo de los Pan
ceses à D^{na} Carlos Maria Ulbarriz Mexi
cano por naturalizacion y Vecino de dicho
pueblo el que adquirio por titulo dado
por el Excmo Senor Gobernador y Coman
dte. Gal de Este Departamento D. Ma
nuel Micheltoena, con fecha trece de Ene
ro de mil Ocho cientos Cuarenta y cuatro
como consta de los documentos y. ha pre
sentado y doy fe he visto el cual Rancho
con todo el derecho que del pertenecia le
bando al expresado D. Carlos Maria Ulbar
en la cantidad de Dos cientos pesos mita

en plata y mita Efectos los que se le entrega-
 ron al mencionado vendedor en el Acto de
 la venta dandole desde esta fha por concluido
 el contrato y por tanto se de todo el derecho
 de propiedad, posesion y posesion que tiene
 de dicha parte del terreno al mencionado
 vendedor. D. Carlos Maria Ribera y desde
 hoy en adelante y para siempre se desapo-
 deca quita y aparta a sus herederos y suce-
 sores del dominio posesion y otros cualesquie-
 ra derechos que le competen al mencionado
 terreno los sede a favor del comprador para
 que lo posea y goce pacificamte y haga de
 el, el uso que le convenga entre y se apode-
 de dicho terreno y tome la posesion que
 le corresponde y por derecho le compete
 y a la firmeza y Validacion de lo que
 en virtud de esta venta hace obligo el
 Otorgante su persona y bienes habidos y por
 haber y con ellos se somete al fuero y juris-
 diction de los señores jueces que del caso
 alben en caso de qualquiera estado que
 sean para que sean para que a su cumpli-
 miento le complen y estechen como por sen-
 tencia pasada en autoridad de cosa juzga-
 da, Renuncia todas las leyes a su favor
 en esta virtud asi lo Otorgo y firmo por
 ante mi y los testigos de asistencia en
 defecto de Escribanos publicos siendo
 los Instrumentales los C. C. Antonio Suñol
 Dolores Pacheco y José Fernandez
 firmado) Guillermo Gulnaek
 firmado) Antonio M^o Pico
 signed) Antonio Suñol
 firmado) Dolores Pacheco
 firmado) José Fernandez

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Dijo yo M^o Isabel Cesena y hijos q^d convi-
nimos y aprobamos la venta hecha por mi
Esposo del anterior terreno a favor de
D^o Carlos M^o Uibai y para resguardo
lo firmaron ante Dos testigos de q^d doy fe
en el pueblo de S^o José 3 de Abril de
1845.

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firmado Isabel + Cesena de Gulnaek
" Panfilo Gulnaek
" José R. Gulnaek
" Antonio M^o Juei
" Antonio Ornel
" M^o Galindo

Filed in Office May 31st 1852

Geo. Fisher Secy

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18

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[Faint handwritten text at the bottom edge of the page, likely bleed-through from the reverse side.]

173 255

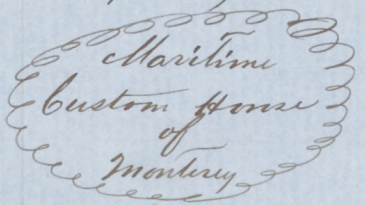
Translation of
conveyance

Fifth Seal, Half Real

Provisionally authorized by the Maritime
Custom House of the Port of Monterey in
the Department of the Californias for
the years 1844 and 1845

(Signed) Micheltonna

Pablo de la Guerra



By reason of the absence
of the administrator

(Signed) Guillermo Ed. Hartnett

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In the town of San José Guadalupe
on the third day of April A.D. 1845, before
me Antonio Maria Lico first alcaide of the
said Municipality and before the assisting
witnesses with whom I act in due form,
beside the witnesses to this instrument whose
names are mentioned at the end, appeared
and presented himself citizen William
Gulbrae, and declared that in behalf of
himself, his heirs and successors, and for
any or either of them, who may have any
rights, title or interest therein, that he sold
and passed in the sale and perpetual alienation
all the rights and property he possessed in the
Rancho known and called "El Campo de los
Franceses" to Don Carlos Maria Weber, a
naturalized citizen of Mexico, and a resident
of the said Pueblo, which (Rancho) he
acquired by a grant made to him by his
excellency the Governor and Commandant
General of this Department, Don Manuel
Micheltonna, under date of the 13th day
of January A.D. 1844, which appears by
the document which he has presented, and
to which I certify I have seen, which
said Rancho together with all the rights
belonging thereto, he sells to the aforesaid
Don Carlos Maria Weber for the sum of

two hundred dollars, one half in silver, and the other half in goods which were paid to the said vendor at the time of the act of sale, thereby making the said sale from this date completely executed, in consideration whereof he cedes all rights of property, possession and usufruct, which he has in the said land to the said Don Carlos Maria Weber, and from this time, henceforth and forever, he divests himself, his heirs and successors of the property, possession and usufruct and all other rights whatsoever in the above mentioned land which he cedes in favor of the said purchaser, that he may possess and enjoy it peacefully and devote it to such uses as he may think proper and may enter and take possession of the said land which belongs to him; and to give firmness and validity to what in virtue of this sale the said vendor has done, he binds his person and goods, both present and future, and with them he submits to the tribunal of the judge having jurisdiction thereof, in whatever state this may be and for its completion to be held and considered as a sentence passed in the authority of a thing adjudged; and he renounces the benefit of all laws in his favor in virtue whereof this document was made and signed before me and the undersigned assisting witnesses in the absence of a notary public, the witnesses being Antonio Linares, Dolores Pacheco, and Jaco Fernandez

(Signed)

Guillermo Galvae

(Signed)

Antonio Ma Pico

175-

(Signed) Dolores Pacheco

(Signed) Antonio Señal

(Signed) José Hernandez

We the undersigned, Maria Isabel Cesira and children, hereby declare that we agree to and approve of the sale made by my husband of the above mentioned lands, to Don Carlos Maria Weber, and for his security we sign the document before the assisting witnesses to whom I give faith, in the Pueblo de San José, on the 3^d day of April, 1845.

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(Signed) Isabel Cesira de Gubnac

(") Parfili Gubnac

(") José R. Gubnac

(") Antonio Señal

(") Antonio Malico

(") H. Galindo

Filed in office May 31st 1852

(Signed)

Geo Fisher Jcy

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Instructions for Survey
A. J. L.

U. S. Surveyor General's Office
San Francisco, July 12th 1854

Sir:

It being deemed important to the Government that the lines which separate the public lands from those claimed by individuals between the Base line and the 3^d Tier of Townships north and between ranges 5 & 8 east, should be ascertained and marked upon the ground, you are hereby furnished with such information as this Office affords in relation to the limits of the tracts in those Townships which are believed to be claimed by individuals.

You are hereby directed to proceed to those Townships and after making all inquiries as you may deem necessary to ascertain the true limits of the public lands you will proceed to run and mark such lines as from the knowledge acquired you may have good reason to believe will be lines of the public domain, and connect the same as far as practicable with any other lines heretofore run under the direction of this office.

You will carefully preserve all documentary evidence of any kind which may be put in your possession affording any information in relation to those boundaries, and enter in your notes such other important information in regard to the same as may come orally to your knowledge, making due return thereof together with your field notes and your report, in which you will state in full your reasons for running the various lines you may survey under these instructions for the consideration

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1978

and decision of this office

As in some cases the lines which you may run may depend upon the true area of a grant in conjunction with its other boundaries, you are hereby authorized to ascertain such other boundaries and its area for a full understanding of the matter at this office. In every such case you will run these lines in the same manner as if they were undisputed lines of the public lands and thus obviate in any event the necessity of a resurvey.

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The boundaries separating the public from private lands should be carefully measured, and the courses and distances ascertained in chains and links. Each corner to be designated with the corresponding initials letters and number in regular succession.

The variation of the needle should be accurately observed as frequently as possible and the survey made with reference to the meridian. Your chain must be tested by the standard in this office.

Great care should be taken in all measurements and observations, so as to preclude the necessity of a revision in the field at any time hereafter.

Your field notes are to be accompanied by accurately protracted maps and in case of any error being ascertained by a correct taking of the courses and the contents resulting therefrom calculated to four figures of decimals as in the systems of Davis or Gammur.

All observations and calculations in detail having reference to the above

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250 Fairness of the lines of any area of a tract should be entered in your field book.

I herewith enclose a copy of the instructions for the survey of Oregon applicable also in this State, which will show you more fully the mode required by the Department. Your affidavits as well as those of your assistants should be entered before commencing the work and after its completion.

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Whenever a reference is made to Spanish or Mexican measure, you will consider the vara equal to thirty three English inches and the square league as containing $4,340 \frac{277}{1000}$ acres.

The lines of private grants should be exhibited in connection with those of the public survey as often as practicable with a view to locate them hereafter with all precision.

Very Respectfully

John C. Hoays
U.S. Surveyor Genl

To

Mr. Jasper S. Whitney
Dep. Sur

P.S. I herewith enclose a copy of the lines run in the general survey in the neighborhood of the tract in question. Also your appointment and the requisite oath and bond which are to be executed and returned to this office.

John C. Hoays

Filed in Office August 11, 1854

(Signed)

Ces Fisher Secy

180

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100
100
100

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Instructions for Survey
B. P. L.

U. S. Surveyor General's Office
San Francisco, July 12th 1854

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Sir:

In connection with your instructions of today for the survey of the line separating public from private lands, I herewith transmit for your knowledge and government a copy of a map the original of which is annexed to a grant embraced within the limits mentioned in your instructions. The "Expediente" in the matter on file in this office purports to show a grant for eleven square leagues between the river San Joaquin on the east and what is called the Laguna of McCloud in favor of Guadalupe Gutierrez.

For want of a description of more definite boundaries the said copy of a map will serve as a guide to indicate that tract. That copy together with all the important evidence you may be able to obtain in reference thereto will enable you to separate that tract from the public domain.

Should you ascertain that there are other grants within the limits referred to in your instructions you will endeavor to obtain all possible information in relation to them and report the facts to this office for further action in the segregation of similar tracts.

Very Respectfully,
Yours

John C. Hayes

U. S. Sur. Genl Cal

Jasper S. Whitney Esq. U. S. Dep Sur. California

Filed in office Aug 11th 1855

(Signed)

Geo Fisher Geary

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182 No 789 U.S. Board of Land Commissioners for settling private land claims in Cal.
Robert Simson being duly sworn deposes and says that he is claimant's atty.
in case No. 789, now pending before this Commission and wherein Agustin
Jovan, is claimant. That the deponent has been retained as such atty.
through medium of one Aquilin Jovan who is the attorney in fact and agent
of the said claimant. That the deponent has heretofore communicated with the
claimant and with the witnesses to be produced in the said cause by means
of the said Jovan, who alone is completely acquainted with the names, surnames,
and places of residence of the said claimant and witnesses. That said cause
788 and also cause 789 wherein the said Jovan is claimant involve the
same questions of law and fact. That the said Jovan is now absent from
the state of California having been detained, and being now detained
and deponent is informed and believes, as a prisoner in the Republic
of Mexico, under accusation of a political offence against the laws of
that republic, and that when the said Jovan left California, to visit
said Mexico it was his intention to be absent from California, but
at that time and soon to return thither. That the deponent cannot
prepare the said cause for submission to this Board, without the pres-
ence of the said Jovan, or without his written direction in answer
to letter long since sent to him respecting the conduct of said cause
and respecting the said names and places of residence. That the
deponent is informed and believes the said Jovan has been prevented from
returning to California and from replying to the said letter by reason of
his said imprisonment, and also by reason of the revolutionary disturbances,
prevailing in said Mexico. That the said witnesses are mostly obscure persons, res-
iding in parts of the country widely distant from each other, and can only be brought
before the Board by the deponent at great expense, whereas as deponent only be-
lieves the said Jovan on his return can bring them before with very little
trouble and expense. That the deponent has examined the case of the claimant
in said cause and considers the claim therein to be well grounded.

Robert Simson

Subscribed and sworn to before me
on the 20th day of March A.D. 1855

S. B. Yarnall Corie

Filed in office March 20, 1855
(Signed)

Geo. Fisher Jay

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No 789

Agustín Jarama

The United States

Part of

Campo de las Franquesas.

Opinion

This is a claim for certain portions of the land petitioned for by Justo Larios and others in case No. 788 in which the opinion of the Board has just been delivered, declaring their claim to be invalid. For the reasons contained in that opinion the application of the present claimant for a confirmation of his claim must also be denied.

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PAGE 169

Filed in office April 24. 1855

(Signed) Geo. Fisher

No 489

Agustin Jonan
of the United States

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Decree

In this case on hearing
the proofs and allegations it is adjudged
by the Commission that the claim of the
petitioner is not valid, and it is therefore
denied that his application for a confirmation
thereof be and the same is hereby denied

A. Aug: Thompson
S. B. Farnell

Commissioner

Filed in Office April 24, 1855

(Signed) Geo Fisher Secy

Order

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And it appearing to the satisfaction of the Board that the land hereby adjudicated is situated in 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



1898
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Office of the Board of Commissioners,

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

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 to be one hundred and eighty five pages, numbered from 1 to 185 both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 789 on the Docket of the said Board, which in

Agustin Suman is

the Plaintiff against the United States, for the place known by the name of "Campo de los Franceses."



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 first day of November A. D. 1855, and of the Independence of the United States of America the seventy-eighth.

Geo. Fisher

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

No. 339

THE UNITED STATES

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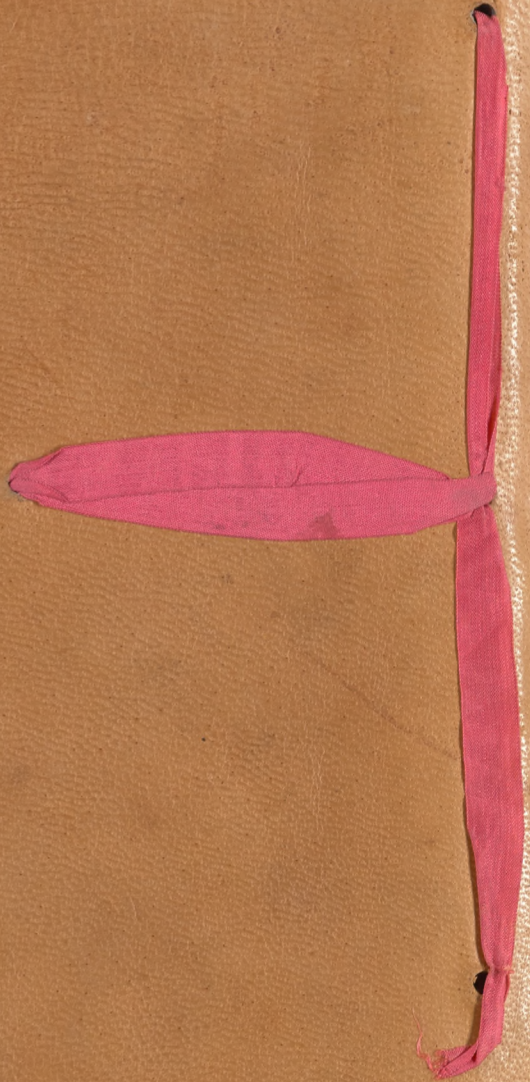
Agustina ...

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

In Case No. *789*

Filed, *December 1*, 185*5*

Wm. A. ...
Clerk.



United States District Court
Northern District of California

No. 339

Agustin Soran
vs
The United States of America

The United States Land Commission to ascertain and settle private land claims in the State of California, having rendered its decision in the ^{above} case designated on the docket of said Commission as No. 489 against the claim and title of the said claimant to the place or land called, Campo de Los Franceses, situated in said District, Notice is hereby given that it is the intention of the said claimant to prosecute his appeal from the said decision
April 15th 1856

Robert Simson
Claimant's Attorney

No. 339

United States District Court
Northern Dist. of California

339 ND

Agustin Souan

vs

The United States of America

Claimant's Notice of intention
to prosecute appeal

Campo de los Franceses

Lid April 16, 1856
Chever,
Tepic

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PAGE 175

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

San Francisco, ^{Nov 19th} Oct. 27th 1855

J. A. Merritt 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. 789 on the Docket of the said Board, wherein

Aguistin Inman is
the Claimant against the United States, for the place known
by the name of "Campo de los Franciscos"

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher

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Augustin Jouan

339 ND