

CASE No.

366

NORTHERN DISTRICT

PART OF SAN ANTONIO GRANT

Wm. A. DANA. et al

CLAIMANT

DEC 18 1962

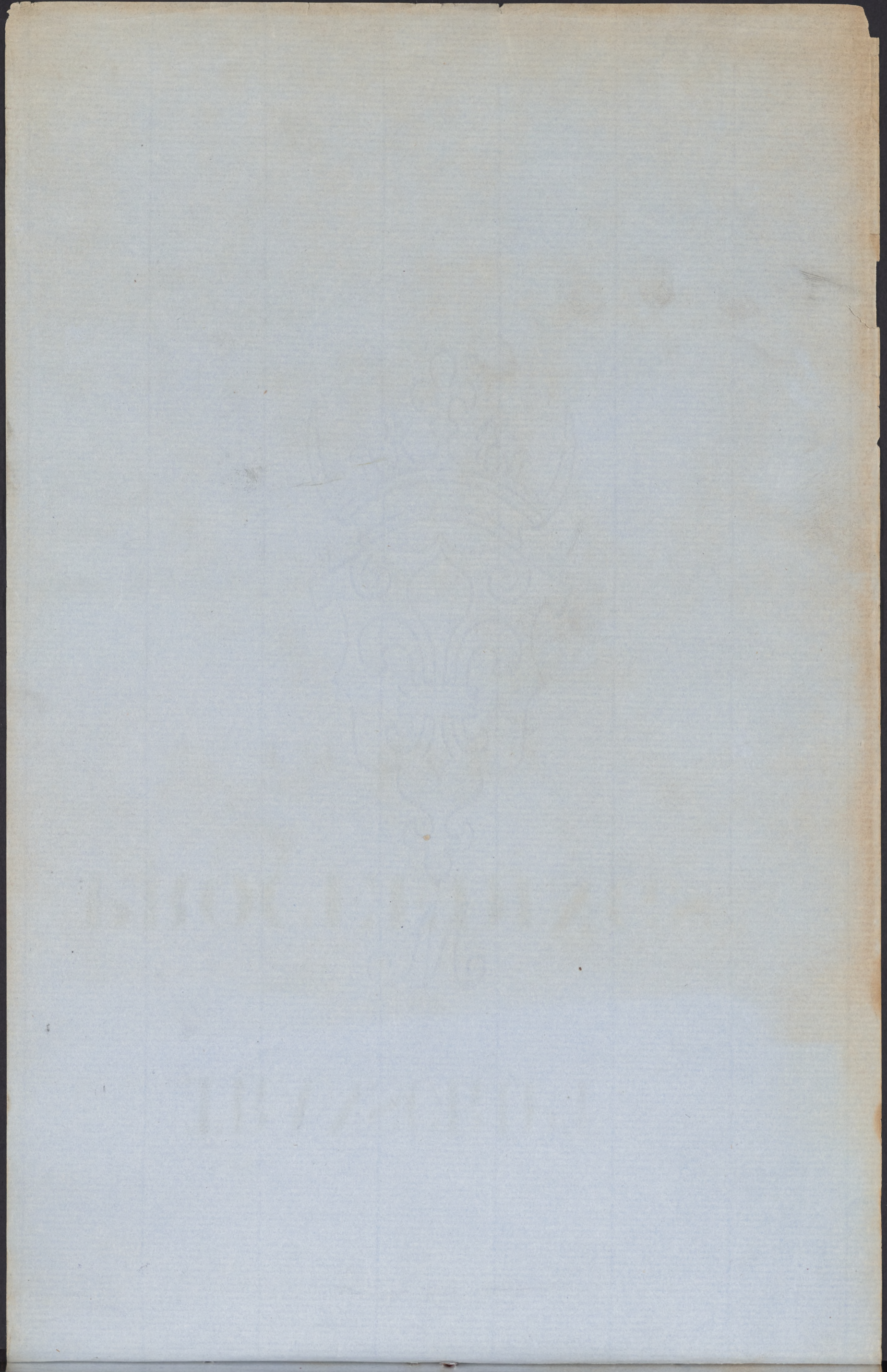
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707

Wants all the
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Sup



TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 707.

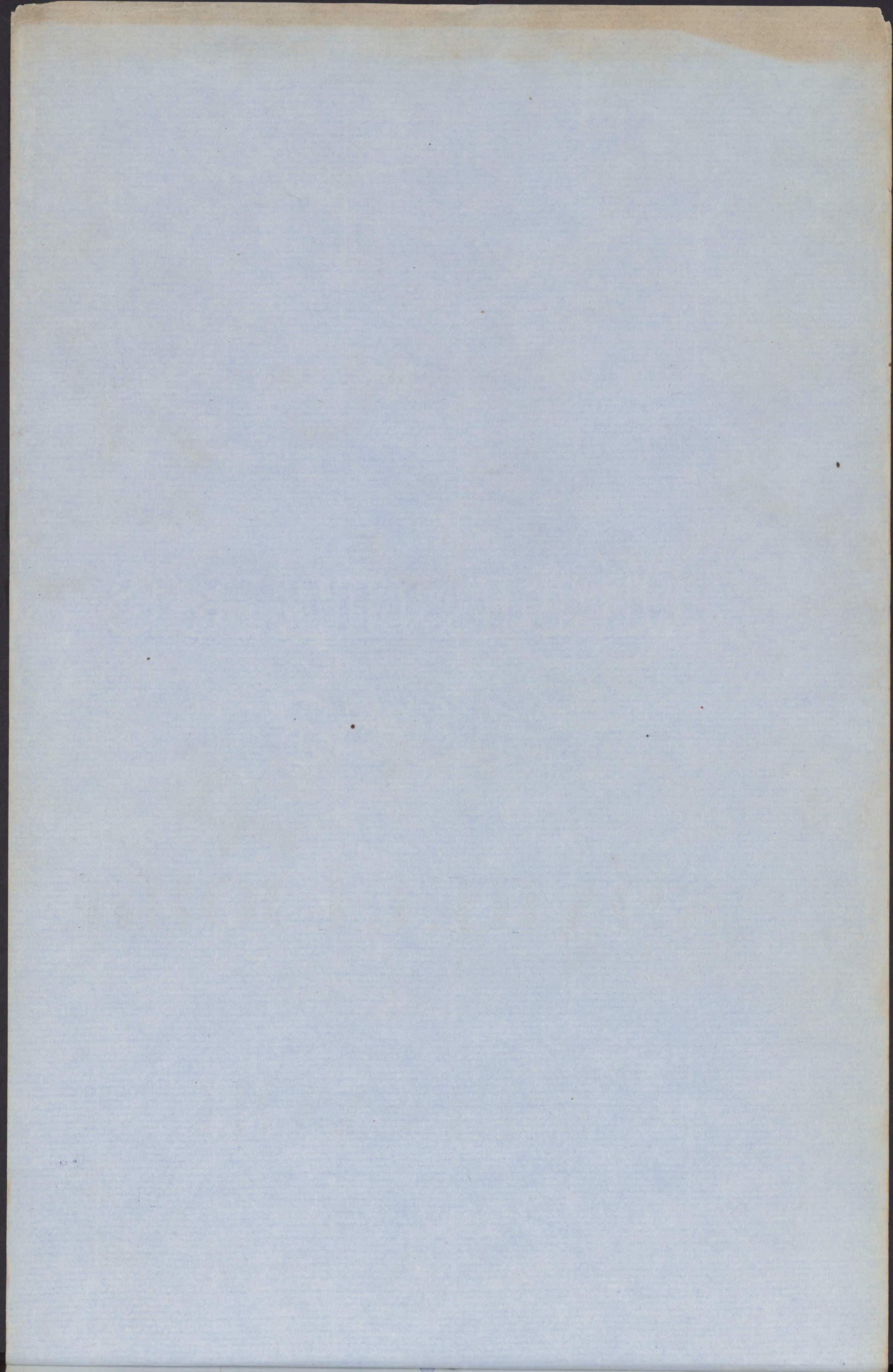
Wm A Dana, et al CLAIMANTS.

VS.

THE UNITED STATES, DEFENDANT,

A part of
FOR THE PLACE NAMED

"San Antonio"



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 *Wm. A. Dana, et al* for the Place named "San Antonio" was presented, and ordered to be filed and docketed with No. 707 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco January 2, 1855.
Case No 707. *Wm. A. Dana et al* for part of the place named "San Antonio" was ordered to be placed at the foot of the 4' clap case on the trial docket.

San Francisco March 13, 1855
Case No 707 was submitted on brief and taken under advisement

San Francisco July 10, 1855
In the same case Commissioner Kelley, Thompson delivered the opinion of the Board rejecting the claim:

(vide page 7 of the transcript)
and the following order was made, to wit:
(vide page 9 of this transcript)

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San Francisco July 17, 1855

In the same case the counsel for the claimant moved that the decree of rejection heretofore entered herein be set aside in the 10th Court, to set aside, and the case be restored to the docket and filed the following stipulations marked A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, respectively to wit:

(vide pages 11, 12 & 13 of this transcript)

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San Francisco July 24, 1855

In the same Commission Kelley Thompson declined the decision of the Board upon the motion of the counsel for the claimant made on the 17th Court overruling the same

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Petition

To The Board of Commissioners for ascer-
taining & settling the private land claims
in the State of California.

Your Petitioners William A. Dana
and Henry D. Dana of San Francisco in the
State of California respectfully represent
to your Honorable Board that they claim
a certain piece or parcel of land which is
the one fourth part, that is to say: the
North half of the South half of a certain tract
of land known & described as "San Antonio"
situated in the County of Santa Clara in
said State of California, less, that is to say,
excepting out of said North Half of said South
half six hundred acres heretofore convey-
ed by one William H. McKee to wit: one
hundred acres to William W. White, and
five hundred acres to Henry C. Curtis
The amount of land claimed by your
petitioners being Two Thousand Five hun-
dred & fifty one acres, and the whole of
said Tract of land known & described as
"San Antonio" being bounded on the South
by the Creek of San José Cupertino on the
North by the Creek of Mataadero, on the
West by the Sierra Madra (Mother Mountains)
de Santa Cruz and extending Eastwardly
to the edge or Termination of the Lomas
Bajas / Snow Hills /

That Your Petitioners claim the said
piece or parcel of land by virtue of a grant
of said Tract known as "San Antonio"
made to Juan Proade Mesa under the
Authority of the Mexican Government by
Juan B. Alvarado Constitutional Governor
of the Department of the Californias bearing
date March 24th 1839 and approved by

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the Departmental Assembly on the 22nd day
of May 1840

Your Petitioners further represents
that said Juan Prado Mesa having died
the said South Half of said Tract known
as "San Antonio" was on the 16th day of
April A. D. 1848 sold & conveyed by the
executor of his will & his heirs at law under
the sanction & by direction of the judicial
authorities having jurisdiction in the
matter to John Ricard. That said John
Ricard conveyed the said North Half of
the said South half to Wm. McKee on the
25th day of March 1849 and that said William
McKee conveyed the said North half
of said South half, less the said one
hundred acres & five hundred acres to
your petitioners on the 30th day of April
1851.

Your Petitioners further represents
that judicial possession of said Tract
of land known as "San Antonio" was
given to the said Grantee soon after said
grant was made & the boundaries there-
of designated & defined & that he & those
claiming under him have been in the
peaceable possession thereof ever since;
and that your petitioners know of no
interfering claim.

Your Petitioners presents herewith a
Liegram of said South Half of said
Tract known as "San Antonio" marked
"A" and exhibiting the portions so as afore-
said conveyed to said White and said
Leotis and pray leave to refer to a copy
of said Original grant & a translation
thereof presented to your honorable

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Board with the joint petition of your
petitioners James W. Weeks for a confir-
-mation of their claim to the whole of
said South Neck and to present such
further proof of title as may be required
by the Board.

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Your Petitioners pray your Honorable
Board to take into consideration their
claim to said piece or parcel of land
and decree their title to be valid and
confirm the same.

And your Petitioners will ever
pray.

March 2nd 1853,

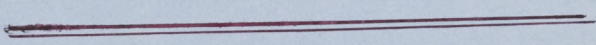
William A. Lova

Henry F. Lova

By Edward Boston their Counsel.

Filed in Office March 2. 1853.

Geo. Fisher Sec.



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No 709 William A. Dana et al.

vs
The United States

} Part of San Antonio
} Santa Clara County.

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Opinion by
Comr. Thompson

No evidence has been filed in support
of this claim, it is therefore rejected

Filed in Office July 10, 1855,
Gen. Fisher Sec

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William A. Dana et al.

vs
The United States

}
}
}

Decree

In this case on hearing the proofs
and allegations it is adjudged by the Commis-
sion that the claim of the said petitioners
is not valid and it is therefore decreed
that their application for a confirmation
thereof be denied.

R. Aug Thompson,

J. B. Farwell,
Commissioners

Filed in Office July 10, 1855,
Gen. Fisher Sec.

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

Order.

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 Sec. - retain one of which transcripts shall be filed with the clerk of the United States District Court for the Northern District of California and the others be transmitted to the Attorney General of the United States.

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United States Land Commission for California

Case No 707

William A. Dana
Henry F. Dana &
James W Weeks

vs

The United States
"Part of San Antonio"

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No 1

Stipulation

It is stipulated that the deed from John Ricord to William H. McKee of a part of the premises claimed in this case dated March 25th 1849 & proved before A. A. Mix. County Recorder for the County of San Joaquin; also the deed of a part of said premises from John Ricord to James W Weeks, dated March 25th 1849 & proved before J. J. Richardson, County Recorder for the County of Santa Clara; also the deed of a part of said premises from William H. McKee to William A. Dana & Henry F. Dana, dated the 30th day of April 1851 and acknowledged before Boyd H. Waller, a Notary Public for the County of San Francisco, may be given in evidence & read on the hearing in this case without other proof of their execution than such as is contained in the certificates of the proof & acknowledgement endorsed upon such deeds for the officers above named and an affidavit of Wm H. McKee this day taken in this case case,

It is further stipulated and agreed that in the above entitled case the Decree respecting the claim shall be set aside and

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the case reinstated for further testimony
July 16th 1855.

J. H. McKee
Law Agent, U.S.

Filed in Office July 17, 1855

Geo. Fisher
Sec.

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No 2 No 707 Wm. A. Dana et al. Claimants

Stipulation Wm. H. McKee says on oath: That he was acquainted with John Ricord whose name is signed to two deeds referred to in a stipulation this day entered into between the Atty for Claimants and the U.S. Law Agent and with his hand writing having seen him write, and that he believes his signatures in said deeds now shown to him are genuine and that the deed referred to in said stipulation as signed by affiant was signed by him and the deed executed as therein set forth

(sd) Wm. H. McKee

Sworn to & subscribed before me
this 16th day of July, 1855

A. B. Farwell Comr.

It is hereby stipulated that the foregoing copy of an affidavit made by the above named Wm. H.

Filed in Office McKee in Case No 706 be used in evidence in this July 17, 1855 case with the same force & effect as if said copy Geo. Fisher were an original deposition regularly taken in this case.

Sec July 16, 1855

J. H. McKee
Law Agent U.S.

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U.S. Land Commission
Case No 707

No 3

It is hereby agreed that the evidence
and testimony taken or admitted in Case
Stipulation No 706 be considered as evidence taken
and admitted in this case with the same
force & effect as if originally taken herein,

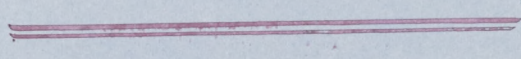
J. H. McKune

July 16, 1855

Loan Agent N.S.

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Filed in Office July 17, 1855
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Office of the Board of Commissioners &c.

This day before Comr. Alphens Felch came José Maria Covarrubias a witness in behalf of Claimant Wm. A. Dana et al. No 706 who after being duly sworn deposed as follows.

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Questions by Mr Norton Atty for the Claimants

Deposition of
José Maria
Covarrubias

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

Answer, My name is José Maria Covarrubias, my age forty five years and I reside in Santa Barbara.

2 Question, Where did you reside and what was your occupation or office from 1838 to 1841?

Answer, In 1839 I became Secretary to the Prefect of the Irish District and resided as such in San Juan Bautista until the middle of the year 1840.

3 Question, Look at the Document now here shown to you, being original Expediente Number 136 and the same document exhibited by Thomas E. Evershed a witness whose deposition was this day taken in this case in your presence and which is described in his deposition, and state what signatures, if any appearing thereon, you recognize as genuine?

Answer, I have examined the Document designated and recognize as genuine the signatures appearing thereon

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as the several signatures of Juan B. Alvarado
José Estrada, & José Zenon Fernandez
My own signature in in part obliterated
those of J. Arquello, Manuel Jimenez
& José Rafael Gonzales, I have often
seen these several persons write and am
acquainted with their hand writing,
J. M. Covarrubias

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Mr Greenhow Associate Law Agent
attended at the taking of this deposition
but propounded no Interrogatories
to the witness.

subscribed & sworn to,
Before me at San Francisco
this 13th day of October A.D. 1853,
Alphens Felch
Com'r.

Filed in Office Oct 13, 1853,
Geo. Fishes Sec.

This day before Comr. Alphens Gulch came Thomas E. Evershed a witness in behalf of claimants Wm A. Dana et al. to job who after being duly sworn deposed as follows.

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Questions by Mr Norton Attorney for the Claimants.

Deposition of Tho. E. Evershed

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

Answer. My name is Thomas E. Evershed, my age twenty nine years, and I reside in San Francisco California.

2. Question. What is your present occupation.

Answer. I am Clerk in the Office of the U.S. Surveyor General for California, and as such Clerk have charge of the Archives of the former Spanish and Mexican Governments in California.

3. Question. Is the Expediente now here produced by you marked "Expediente promovido por el Alferes Prado sobre el pasaje nombrado In Antonio - 13 1/2" a part of said Archives"?

Answer. It is a part of the said Archives and is one of those embraced in the class of complete Expedientes.

4. Question. Please look

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on the expediente on tracing paper now
presented marked "A" and also marked
"Exhibit No 1" with the initials "A F"
and annexed to this Deposition and state
whether the same is a fac simile copy
of said original Expediente and made in
the office of the late Surveyor General
of California.

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Answer. I have examined
the Document. It is a true fac simile
copy of the original Expediente above men-
tioned and was made in the office of
said Surveyor General.

Thos. E. Evershed.

Mr Greenhow Associate Law Agent
was present at the taking of
this Deposition but propounded
no interrogatories to the witness.
Subscribed & sworn to Before me
at San Francisco this thirteenth
day of October A.D. 1853,
Alphens Felch
Commissioner.

Filed in Office Oct 13, 1853,
Geo. Fisher
Secy

This day before Court Thompson Campbell came Antonio Maria Pico a witness in behalf of claimants Wm A. Dana et al. No job. who after being duly sworn deposed as follows;

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What is your name, age, and place of residence?

Deposition
of
Antonio M.
Pico.

Ans. My name is Antonio Maria Pico. I am forty three years of age, and I reside in San Jose.

Were you acquainted with Juan del Prado Mesa in his life time, if so how long had you known him, is he dead, and when did he die?

Ans. I have known him ever since my boyhood, he is dead, and died as near as I can now recollect within the year 1843 or 1844,

Do you know of his having made any last will and testament. If so state by whom it was drawn, and when and where it was executed, and the names of the persons who were present at its execution.

Ans. I do know he made a will which was written by me at his request about two months before his death, he signed it and I as Alcalde signed it also.

Jose Simal one of the subscribing witnesses was present at the execution of said will

Pedro Mesa the brother of the deceased, was appointed Testamentary Executor, and was also present but I do not recollect whether he signed as a subscribing witness or not. The will was executed at the Town or Pueblo of San José, I believe but I do not clearly recollect that Antonio Mesa son of the deceased was appointed second Testamentary Executor.

Were you familiar with the mode of executing wills in California at the time said will was executed, and if so state whether said will was executed according to the usual form?

Ans. I was acquainted with the usual form of executing wills at that time, and can state that said will was drawn up and executed in conformity with the forms and customs known to the law at that time.

Have you seen the will since the death of Pedro Mesa, and if so, where did you see it, and have you recently looked for it in that place, and did you find it, or do you know what has become of it.

Ans. I have seen it once in a box where the Public Archives are deposited in the Office of the Mayor of the Town of San José. I have recently searched for it in the same box where I left it but did not find it, I do not know what has become of it.

Where did Prado Mesa and his family reside at the time of his death, and how long had he resided there?

Ans. He lived on his Rancho about three or four leagues distant from San José, where he had houses fences corrals, had cattle & horses and cultivated considerable grounds.

He lived there for many years more than I can specify, but at least five years previous to his death.

Had the Wife of Prado Mesa died before he did his family consist of young children except his oldest Antonio?

Ans. His wife died first, Antonio the oldest son and the daughter were grown at the time of his death, the other children were small, and I don't recollect their names.

Look at the signature of Juan del Prado Mesa, on the copy of the Expediente on tracing paper in this case and say if you recognize it as a fac simile of his signature.

Ans. I have examined said traced copy of the Expediente, and the signature is the genuine signature of Prado Mesa, it looks a little blurred, but it is his genuine signature. It is the copy of the original and it is his exact hand writing.

(The Associate Law agent objects

To the foregoing Question and Answer

Antonio M. Pico.

Sworn to & subscribed
Before me this 20th
day of October 1853.

Thompson Campbell
Comr.

Filed in Office Oct 20th 1853,
Chas. Fisher Sec

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Case No 706.

United States Land Commission
San Francisco Jan 12, 1854.

Deposition
of
Jose Noriega

On this day before Comr. R. Ang. Thompson
came Jose Noriega a witness in behalf of
Claimants, William A. Dana et al,
Case No 706, who being duly sworn,
deposed as follows, his evidence being
interpreted by the Secretary.

Present Claimants Atty and U.S.
Associate Land Agent.

Witness states his name
is Jose Noriega, his age fifty three
years and residence San Jose, he has
resided in California twenty years.

Question by Claimants Atty,
Look upon the Document now
shown to you marked with the initials
R. S. and herewith filed as exhibit

No 1, and state what you know of its execution?

Answer. I am a subscribing witness to said Document, the signatures of all the parties thereto with the exception of that of Antonio Mesa, which I do not recollect, were made and acknowledged in my presence, as was also that of the Alcalde Charles White.

The said White was 1st Alcalde of San José when said Document was executed.

José Storriega

Sworn to & subscribed
Before me Jan 13.

R. Aug. Thompson

Comr.

Filed in
Office Jan 1854.

14, 1854,

Ce. Fishes

Sec.

Case No 706

United States Land Commission
San Francisco Jan 14, 1854.

Deposition
of James A.
Goell.

On this day before Commissioner R. Aug Thompson came James A. Goell a witness in behalf of claimant, Wm A Lana et al, Case No 706, who after being duly sworn, deposed as follows

Present claimants Atty a U.S.
Asst Land Agent.

Witness states his name is James A. Goell his age twenty six years and residence Santa Clara County and my occupation that of Attorney at Law.

Question by Claimants Atty.

State what you know in relation to the existence, loss, search for, and contents of, the last will and testament of Prado (Mesa) de?

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Answer. Sometime in the summer of 1851, I saw a paper purporting to be the will of Prado Mesa in the Spanish language, among the Archives of the Mayor's office of the City of San José, it was signed by José Fund with whose handwriting I am familiar, as one of the subscribing witnesses. Many of the papers from the office of the old Alcaldes were transferred to said Mayor's Office, I am well acquainted with the Spanish language, and at the time I speak of I read said will, and left it in said office. About a year since I was employed by Mr. Norton Counsel of the Claimants in this case, to search for and produce a copy of said will. I went to the Mayor's Office and searched carefully among the Archives where I had left it, and could not find it. I made enquiry of all the persons, who had been in charge of said Archives, but could find no trace of it.

The said will contained to the best of my recollection an enumeration of the property of the testator which was left to be distributed among his children subject to the payment of his debts, which were also enumerated in said will.

It also contained a clause preferring in everything his elded daughter Encarnacion.

Question by same

Look at the paper now shown you marked with the Initials R. F. No 1. annexed to the deposition of Pedro Mesa filed in this case, and state whether the signature of James W. Weeks thereon is genuine or not.

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Answer, I know the writing of said Weeks, have often seen him write, said signature is his genuine hand writing.

Question by same

Look at the Document now shown you marked "R. F. No 1." hereto annexed and state whether said signature thereon is genuine or not.

Answer, The signature of said Weeks thereon is genuine.

Question by Asst. Law Agent,

Did you read said _____ accidentally or as a matter of business.

Answer, I had been appointed Administrator of the Estate under the impression that Mesa had died intestate. I was informed there was a will, and went to search for it and found it as above stated.

J. Alexander Goell,

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Sworn to & subscribed
before me Jan 14. 1854.

R. Aug Thompson
Comr.

Filed in Office Jan 14. 1854.
Geo. Fisher Sec.

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Case No 706.

United States Land Commission
San Francisco Jan 14. 1854

Deposition
of
Pedro Mesa
On this day before Comr. R. Aug Thompson
came Pedro Mesa, a witness in behalf
of Claimants William A. Dana et al,
No 706, who after being duly sworn, de-
posed as follows, his evidence being
interpreted by the Secretary.

Present Claimants Atty and U.S. Associate
Land Agent.

Witness states his name is
Pedro Mesa, his age is forty six years
his residence in the County of Santa
Clara.

Questions by Claimants Atty.
Did you know Pedro Mesa,
if so what was his relationship to you.

Answer, I know him, he
was my Brother.

Question by same. Did you
know the Rancho on which he resided, if
so, state where it is situated.

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Answer. I know said Rancho
is situated in the County of Santa Clara.

Question by same.

Look at the Original Expediente
referred to in the deposition of Thomas E.
Evershed heretofore filed in this case
and marked Expediente Promobido por el
Alferes Prado sobre el paraje nombrado
San Antonio 136" and now show you
and state whether the signature to the
Original petition in said Expediente is the
genuine signature of said Prado Mesa
or not.

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Answer. I know the hand
writing of said Prado Mesa. I have seen
him write, and have no doubt that his
signature to said document is genuine.

Question. Is the Rancho des-
cribed in said petition the same on
which the said Prado Mesa lived.

Answer. It is the same.

Question by same.

State when your brother
first resided on said Rancho: whether
he resided there before he petitioned
for the grant, and how long he resided
there.

Answer. It is about 17
or 18 years perhaps more, since he first
went to reside on it by the permission
of the Padres of the Mission, and some five
or six years afterwards he petitioned

for the grant; he continued to reside there until his death, which occurred about ten years ago, he left seven children, his wife died before him,

His children are named José Antonio, Encarnacion, Majin, Francisca, Ramon Justiniang, & Micandro.

Question by same.

What became of the family, and what was done with the Rancho after his death.

Answer. They continued to occupy the Rancho. I lived there with them for two or three years after my Brother's death. The Eldest daughter is married to Juan Chrisostomo Soto and three of the children live with her; one with the brother of witness on said Rancho, the two oldest boys live in Sonoma.

Question by same.

In what manner did your Brother occupy said Rancho, and what improvements had he on it?

Answer. When he first went there by permission of the Padres, he built a small wooden house, and afterwards another in which he lived with his family, before his death he commenced a large Adobe house, which I completed afterwards. Before his death he had about 800 Varas by 400 of land enclosed which he cultivated, also another field with about 300 by 200 Varas, he also had an orchard and about 800 head of Cattle at the time

of his death and a band of sixty mares,
the tame cattle ranged about the creek
of Maladero and the wild cattle on the
Arroyo de San José.

Question by the same,

Were there to your
knowledge any land marks on the bound-
aries of said Ranch, and if so how did
you know them to be such?

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Answer, There were

land marks which were shown me
by my brother - on the side of the
Maladero there is hill on which
is a pile of stones raised for a land mark,
on the other side the line runs along
the road to the Arroyo de San José de
Cupertang, called below arroyo del desecho,
from thence it runs up the creek and
binding thereon to a hill called Divisadero
which is one of the land marks.

Question by same,

Do you know the range
of mountains called Sierra Madre de
Santa Cruz and in which direction
from those mountains do the creeks on
Arroyos spoken of in your former answer
run.

Answer, I know said

mountains the creeks referred to run towards
the embarcadero, on the bay.

Question by same,

Were the houses built by
your brother on the plain or on the hills

Answer, The small

wooden houses were situated on the

Arroyo de San Antonio, about 100 yards from it and the adobe house on a small hill about 3 or 4 varas from the other.

Question by Same.

Did your Brother make a will, and if so what became of it.

Answer, He did I gave it to Guillermo Weeks who was then Alcalde. By request of the judge I took charge of the papers and documents of the estate including the will. I kept them until after the Americans took possession of the country after which on the command of the Alcalde I ~~took~~ relinquished them to him and took a receipt for them.

Question by Same.

Who were named executors in said will.

Answer, His Eldest Son Jose Antonio and myself.

Question by Same. Look at the Document now shown you marked with the initials R. J. and annexed to the deposition of Jose Noriega as Exhibit No 1 and filed in this case and state whether the signature of "Antonio Mesa" which appears thereon is the genuine signature of said Jose Antonio Mesa.

Answer, I have seen him write and I recognise the said

signature on said document as genuine

Question by Same.

Look at the Document now shown you marked with the initials R.P. No 1 and herewith filed and state whether the signature of the said Antonio Mesa thereon is genuine or not.

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Answer, I have examined said signature it is genuine.

Question by Same.

Why did you cease to act as executor to said will.

Answer, I had a disagreement with the other Executor and the matter was brought before the Alcalde, and I resigned.

Pedro Mesa

Ivorn to Subscribed

Before me Jan 13, 1854.

R. Aug Thompson
Clerk

Filed in Office July 14, 1854,
Geo. Fisher,
Sec.

32 No 706 United States of America
State of California 3/11.

San Francisco April, 14, 1854.

This day personally came before Peter
Scott a Commissioner appointed to take
testimony to be used before the Board
of U.S. Land Commissioners in said State
Chester S. Seymour, a witness on behalf
of the Claimant in case No 706 on the Locket
of said Board, wherein William A. Dana
et al. are Claimants; and said witness being
deposed in the En-
glish language as follows to wit,

Deposition
of
Chester S.
Seymour

The U.S. Law Agent is present.

Questions by the Attorney for Claimants.

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

Answer. My name is
Chester S. Seymour, my age 40 years, I
reside in New Haven, Connecticut.

2nd Question. Where did
you reside and what was your occupa-
tion in the early part of the year 1848.

Answer. I resided at that
time at San Jose in this State, my occu-
pation was that of a Surveyor, I was
appointed a Surveyor for that portion of
the Country by Col Mason the then Mil-
itary Governor.

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3^d Question. Did you in that year make a survey of the Southern half of the Rancho of San Antonio in the present County of Santa Clara, if you did you do not make a diagram of such survey and reduce to writing a memorandum of the description of the boundaries thereof if you state whether the paper now shown you is the memorandum so made by you, which is now marked "Exhibit 1 annexed to C. S. Seymour's deposition P. 20." and when and where you made it, and also look at the paper marked "Exhibit 2 annexed to this deposition" and say whether the diagram thereon marked and laid down is a correct copy of the one made by you of the survey you are here interrogated about.

Answer. I did make a survey of the South half of the Rancho you mention, at that time, I made a diagram or map of the survey and an abstract of the field notes in writing. This is the abstract I made it in my hand writing, I made it soon after I made the survey, at San José. I cannot say whether it is a correct copy of my map or not. The general outline seems to correspond with my survey. I recognize the various points here very readily.

4th Question. Why did you commence the survey at the point you have described as your place of beginning in the paper just shown you marked "Exhibit

Answer. It was because the owners of the Ranch or claimants, John Ricord and James W. Weeks and the Spaniard Mesa claimed that to be their Northern boundary and I was employed by Ricord to survey their claim.

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5th Question. Did or did not the claimants you have named claim all the vacant land down to Castro's line?

Answer. They did.

6th Question. Is the line you call Castro's line well defined, if yes what is it?

Answer. The line I mean is the one between Castro's Ranch and the Rancho of San Antonio claimed in this case. There is a certain road leading from the Upper road between San Francisco and San José, where the last mentioned road crosses Cupestino Creek, the first mentioned road leads to the Mesa House, that road is the line and a plain road at that time.

7th Question. When you made the survey mentioned were the Mesa family occupying and cultivating the land near the Castro line?

Answer. They were occupying and cultivating portions of the land near the line in the plain below the

low hills, and within the line of my survey. The fact that they were so occupying a portion of the Valley was an additional reason why I embraced it in my survey, and my impression is I have heard Castro admit that the line I run was the correct boundary tho I am not positive.

Cross Examined by the U.S. Law Agent,

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1st Question. Had you the title with you when you made the survey and were you governed by it in fixing your point of beginning as described in your field notes?

Answer. I had the title I was governed by it in all the survey I made except the portion in the plain, I departed from the description in the title on that portion for the reasons I have already mentioned, that the persons who employed me to make the survey claimed it, that they were occupying it and that I did not understand Castro as questioning it as the true boundary. The words of description were in Spanish, substantially translated as follows: "Bounded by the Creek of San José Cupertino on the East, by the Sierra Madre of Santa Cruz on the West, by the low hills and on the North by the Creek del Matadero."

2nd Question. Describe the Mountains on the South Side of the Rancho where you surveyed, and say why you run the line at the base instead of

the top of the mountains?

Answer, The Mountains there are quite steep, about 2000 feet high, they rise abruptly, and the base is a definite boundary. It is a deep and plainly marked ravine between the main mountains and the foot hills, I took the base instead of the top for many reasons. They were useless lands such as were never claimed or understood to be of any use for ordinary purposes, the tops are several miles distant and impracticable places for surveying, and I did not for a moment understand the title to call for them as the line.

C. S. Leyman

Subscribed and sworn to
before me on this 14th
day of April A. D. 1854.

Peter Scott

Commissioner for taking
testimony, &c

Filed in Office April 14. 1854.
Geo. Fisher Sec.

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706
©

United States of America
State of California

San Francisco April 27. 1854.

This day personally came before Peter Scott, a Commissioner for taking Testimony to be used before the Board of U.S. Land Commissions in said State, José Aniol a witness on behalf of the Claimants in Case No 706, on the Docket of said Board wherein William A. Dana and others are Claimants, and the said witness being duly sworn, on oath deposed in the Spanish language which was interpreted into English by the interpreters to said Board as follows, to wit:

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Deposition
of
José Aniol

The U.S. Law Agent is present.

Questions by the Attorney for Claimants,

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

Answer. My name is José Aniol, my age 29 years, my residence is in Alameda County, California.

2nd Question. Did you know Prado Mesa in his life time, and did you see him execute his last will and Testament, and was you a subscribing witness to the same and state the circumstances?

Answer. I did know him, I saw him sign his last will

I was a subscribing witness to it,
It was a short time before he died, at the
Pueblo of San José, at his (the deceased)
brother's house,

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3^d Question, Was said
Mesa of sound mind and memory when
he executed said will?

Answer, He was infirm
of body, but his mind was sound,

Cross. Examined by U.S. Law Agent.

1st Question, Who was
present when the will was executed
besides Yourself?

Answer, I recollect
Pedro Mesa was present, and another
person, I do not recollect whether
it was Antonio Maria Pico or some
one else.

Jose Inual
Subscribed & sworn to
before me on this 27th
day of April A.D. 1854.

Peter Scott
Commissioner for taking
Testimony &c.

Filed in Office April 27th 1854.
Geo. Fisher Sec.

391.9.D.K

Expediente

A. Promovido por el Alfez Prado
Sobre el parage nombrado

Expediente

Exhibi. N.º 1
A. L. annex:
to Depo. of Tho:
mas C. Crested
Taken Oct. 13
1853.

San Antonio

130

mm

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2. S. D. R. Sta Clara Mayo: Exmo Sr Gobernador,
 23 de 1838 } Prádo Meza Alperes de Ca
 Informe el Ad. } Compañia permanente
 ministro de } de Sr Francisco ante
 esta Misión } Q. D. como mejor proceda y
 Alvarado } el derecho copernite hago
 presente: que teniendo un

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numero de ganado mayor que se compone
 de trescientas Reses y setenta bestias, he
 venido a suplicar le me conceda un sitio
 de ganado en el paraje nombrado Sr Antonio
 que segun el diceno que acompaño a Q. D.
 se compone de desde el Arroyo de Sr José
 Capistrano hasta el Arroyo del Matadero
 distante de esta Misión como tres leguas.
 P. D. a Q. D. suplico se sirva conceder
 me el dho paraje para cultivo y fomento
 para la mantencion y subsistencia
 de mi crecida familia. quando lo nece
 sario V. Por no haber papel sellado
 lo hago en comin.

Sta Clara Mayo 23. de 1838

Juan del Prado Meza

Sta Clara 24 de Mayo 1838

El paraje que se solicita en esta misio
 nia es conocido por pertenecer a esta Coe
 =mision, pero por mi parte no hay meo
 en q. se le conceda al solicitante. Q. D.
 disponga lo q. tubiere por conbin

S. S. D. R.

José Estada

Sta Clara Mayo 24 de 1838

Vista la peticion con q. da principio este
 Expediente el informe del Administrador
 de dha Misión por el que accede
 a la pretencion del interesado supuesto
 que no perjudica al Establimto a que

que no perjudica al Establecimiento a que

415

se iaspere pertenecer por hallarse Valdivia con todo lo demas que se tuvo presente y conrino de conformidad con las leyes y Replamentos de la Matena se declara a D^o Jacinto meza dueño en propiedad de su sitio de rancho Mayor segun demuestran el dueño adpmto, sujetandose a lo prevenido en la ley de 18 de Agosto de 1824 y el Replamento de 21 de Noviembre de 1828, libese el despacho correspondiente tomese Razon en el libro que corresponde y dirijase este Expedite a la Diputacion para su aprobacion.

Asi yo el Jefe Superior politico interno de Ca Alta California Juan B. Alvarado lo mande decretar y firme.

Juan B. Alvarado

Monterey, 19. de Mayo de 1840.

Dado cuenta a la Comta Departamental acordeli en sesion de este dia q. pase a la comision de Agricul^{ta}

Jose J. Hernandez
Su.

En 22 del mismo lo devolvi con el dictamen q. se acompaña

Hernandez

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24. S. D. R

{ Here follows }
{ map }

5. L. D. R
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Juan B. Alvarado Gobernador Constitucional del Departamento de California por cuanto el Alfez Prado Mesa ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de D^o Antonio colindante con el Anexo de San José Capistrano por el R en las Lomas bajas y al E. con el Anexo del Matadero; practicadas previamente las diligencias y averiguaciones concernientes según lo dispuesto por leyes y Replamentos: usando de las facultades que me son conferidas a nombre de la Nación Mexicana he venido en concederle el terreno mencionado declarándole la propiedad de el por las presc^{tas} lehas sujetándose a la aprobación de la Exma Junta Departamental y bajo las condiciones sig^{tes}

1^a No podrá cercarlo sin perjudicar las travesías caminos y servidumbres lo disputará libre y exclusivamente destinándolo al uso o cultivo que mas le acomode; pero dentro de un año fabricará casa y Estera habitada

2^a Solicitara del juez Respectivo que le de la posesion jurídica en virtud de este despacho por el cual se demarcara en

6. L. D. R los linderos en cuyos limites pondrá a mas de sus mofoneras algunos árboles frutales o silvestres de alguna utilidad.

3^a El terreno de que se hace donacion es de un sitio de ganacho manso pero mas o menos según esplica el Decimo Respectivo El juez que diere la posesion lo hará medir conforme a Ordenanza quedando el sobrante que Resulte a la Nación para los usos comunes

4^a Si contermina a estas condiciones

Las habeeias Ca.
Tanã libre y ca.
o cultivo que
de un año fabri.

itacta
e pectus que le de

H. L. D. R. posesion juridica
por el cual se
limites pond
algunos arbo
utilidad
3^{na} El teneno
mo otro de poma
gun explicac
te. El puez q
medir conforme
te que resulte
benenites.
4^{ta} Si conhan
sw
En com del
reque
fines

ca. 30. de mil Ocho cientos treinta y nueve
Note. By the Amvsa General
The corresponding page in the Original
is nearly all Obliterated. The dotted lines
show the only legible portions thereon. The
words of the last line "Mil ochocientos
treinta y nueve seem to have been written
since the Writing has been partially oblitera
ted.

9. S. D. R.

45-

le en bald

ma que se tome
Prefectura del

la prefectura
el libro de

ago. 16 de 1840

Covarrubias

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Note by the Surveyor General
The corresponding page in the Original
is nearly all Obliterated. The dotted line
show the Only legible portions thereon.

10. S. D. R.

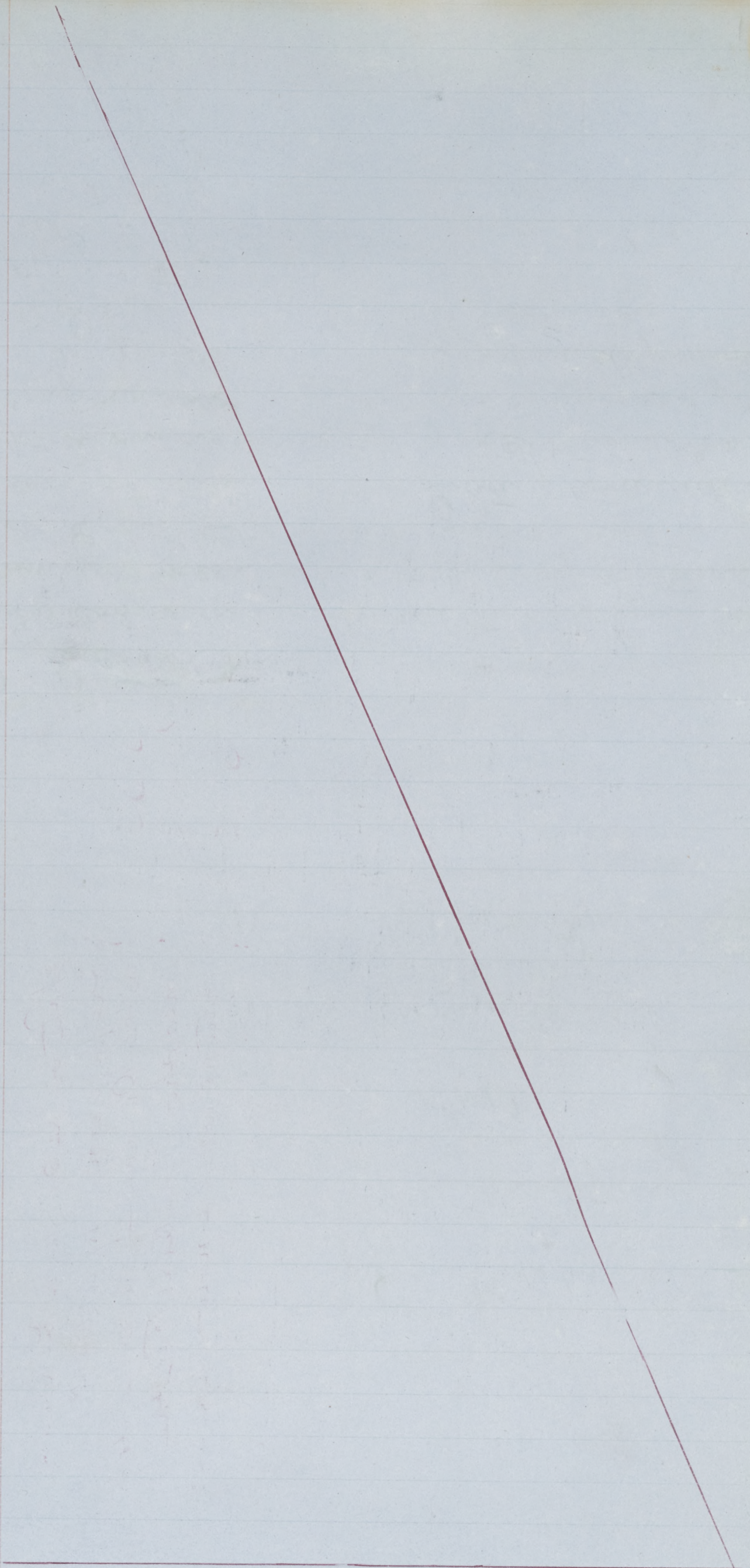
Sello de tres Reales.
Habilitado provisionalmente por la Aduana
Maritima del puerto de Monterey en el
Departamento de las Californias para
los años de mil ochocientos cuarenta y
mil Ochocientos cuarenta y uno.
Alvarado Antonio Maria Osio

Sello

Constitucional

mental en sesion del
probo la concesion
que de mayo. ocho

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12

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Note by the Survey General
The paper is nearly all obliterated
in the Original; and the dotted
lines show the limits of the only
portions which now appear on
the same.

D. Prado Mesa

Decreto de hoy que
obra referente a la parte
nos que le convenyan

1840

Alvarado

Man. Omen

11. L.D.R

Here follows
map

12. L.D.R Excmo Sr.

La comision de Agricultura y Comercio
unidas encargadas p= V. E. de dictaminar
los Expedtes que en la seccion anterior a=
compaño el Excmo Sr Gobern y concedidos
p= el mismo Gobierno; y en conformidad
conformes segun lo actuado e informes y de
mas que veo conviene se ha podido proponer
a Dcleracion de V. E. los articulos
siguientes.

Art. 1º Se aprueba la concecion hecha
por el Gobierno Departamental con fha 24
de mayo de 1838. en la persona de D.
Prado Mesa del paraje nombrado San
Antonio.

2º Que se devuelva al Excmo. Sr. Gobernador el Expedite para los fines convenientes

Monterey Mayo 21. de 1840.

Jose Rafael

Gonzales

L. Arguella

13. L. D. R. Monterey 22 de Mayo de 1840

En sesion de este dia aprobo la C. Junta Departamental los dos articulos con que concluye el dictamen anterior 26 fno^o 22 anterior^o 10.

Manuel Jimeno
Presdt^e

Jose L. Hernandez
Srio.

14. L. D. R. Monterey 10 de junio de 1840.

En Vista de la Aprobacion otorgada en 26 de Mayo proximo pasado por la C. Junta Departamental libese testimonio de ella a la parte de D. Prado Mesa en confirmacion del terreno de D. Antonio que obtuvo en 24 de Mayo de 1838. Es en D. Juan B. Alvarado Gobernador Constitucional del Departamento de las Californias asi lo previene, y firmo de que doy fe.

Alvarado

Office of the Surveyor General of the United States for California

I Samuel D. King Surveyor General of the United States for the State of California and as such now having in my Office and under my custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California Do hereby certify that the fifteen preceding and hereunto annexed pages of tracing paper numbered from

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One to fifteen inclusive exhibit true and accurate copies of certain documents on file and forming part of the said archives in this Office.

Seal In Testimony whereof I have hereunto signed my name officially and affixed my private seal (not having a seal of Office) at the City of San Francisco Cal. the 2nd day of January 1853.

Saml. D. King
Attorney Genl. Cal.

Filed in Office March 2nd 1853

Geo: Fisher Deery

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ND

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NO

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Translation from the Spanish.

"Expediente"

On proceedings at the instance of Second Lieutenant Prado in relation to the place called.

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"San Antonio"

"B"

Translation of Expediente

His Excellency the Governor,

Santa Clara March 23^o 1838.

Let the Administrator of this Ex. Mission report upon on the same

Alvarado

Prado Mesa Second Lieut. Tenants of the permanent Company of San Francisco before Your Honor in the best form, and as the law permits, do represent; that owning a number of Cattle composed of three hundred head, & sixty beasts of burden, I have come

To request Your Honor to grant me one "sitio" square league at the place called San Antonio, which, according to the plat I herewith annex is comprehended from the Creek of San Jose Capertine to the Creek of "Matadero", about three leagues distant from this Ex. Mission.

Wherefore I request Your Honor to be pleased to grant me the forementioned place that I may cultivate and improve it for the support and

subsistence of my numerous family,
 Making the necessary oath &c.
 There being no stamped paper I
 write it on this of the common kind,
 Santa Clara March 23^o 1838.

Inaw del Prado Mesa,

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Santa Clara March 24^o 1838.

The place solicited in this petition
 is known to belong to this Ex-Mission
 but for my part I find no objection
 to its being granted to the petitioner.

Your Honor will dispose what
 may be most convenient.

José Estrada.

Santa Clara March 24^o 1838.

In view of the petition at the
 head of these proceedings, the report of
 the Administrator of said Ex-Mission
 by which he accedes to the petition of
 the interested party, because it does
 no injury to the establishment to which
 this inferred it belongs, and the fact of
 its being vacant, with every thing else
 which was considered to bear in the
 matter, in conformity to the laws
 & regulations on the subject, Don Prado
 Mesa is declared owner in fee of his
 sitio de ganado mayor, (one square
 league) at the place called San Antonio
 as is shown by the annexed plat sub-
 ject to the requirements of the Law of
 August 18^o 1824 and the regulation of

November 21st 1828.

Let the Corresponding patent be issued
let it be entered in the proper book.
and let this Expediente be transmitted
to the most Excellent Deputation for its
approval.

Thus I the Political Chief, ad interim
of Upper California, Juan B. Alvarado
command it to be decreed, and I signed it.
Juan B. Alvarado,

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Monterey May 19, 1840.

It having been commu-
-nicated to the Excellent Departmental
Board, it was agreed in their Session
of this day, that it be transmitted to
the Committee on agriculture.

José L. Fernandez.

On the 22nd of the same month it was
returned with the accompanying opinion.

Fernandez.

Mon

The first map in the original is inserted
here.

Juan B. Alvarado, Constitutional
Governor of the Department of the Californias
Whereas Second Lieutenant Pedro
Meza, has petitioned for his personal
benefit and that of his family, for
the tract of land known by the name

of San Antonio bounded by the creek of San Jose Luperting, on the East by the "Piemra Madre of Sta Cruz" (mountain Range of Santa Cruz) on the West by the hills, and on the North by the creek "del Matadero" having previously complied with the requirements & investigations on the subject agreeably to the laws & regulations; now in the exercise of the authority in me vested, in the name of the Mexican Nation I have thought proper to grant to him the forementioned tract of land, declaring the same to be his property by these presents, subject to the approval of the Most Excellent Departmental Junta and under the following conditions

1. He may fence it without obstructing the crossings, roads & servitudes; he shall enjoy it freely & exclusively, putting it to such use or culture as may best suit him, but within one year at furthest he shall build a house and it shall be inhabited

2nd He shall solicit the respective judge to give him judicial possession by virtue of this patent, by which the boundaries shall be marked out, at the limits of which he shall set besides his land marks some fruit trees or else wild ones of some usefulness.

3rd The land of which donation is made is of one Sitio de Ganado Mayor" (Square league) little more or less as is

exhibited by the respective Plat.

The judge who may give possession will cause it to be measured agreeably to ordinance leaving the excess which may result to the Nation for convenient uses.

4th. If he should contravene to these conditions he shall loose his right to the land, and it shall be opened to denouncement by another.

Consequently I command that viewing these presents as his title, and holding it as firm and valid, the same be entered in the book to which it corresponds and be delivered to the interested party for his security and further ends.

Given in Monterey on the 24th of March 1839.

Note. The following four pages of the original are so obliterated as to be entirely unintelligible, though they seem to indicate a grant & some consequent proceedings.

After them is to be found in the original a sketch of the land petitioned for by Prado Mesa. Then follow the regular proceedings viz:

Most Excellent Sir,

The Committee on Agriculture & Commerce united, Charged by Your Excellency to pass their opinion on the Expedientes which in the preceding session were transmitted by his Excellency the Governor, granted by the same Government, finding them in conformity with the acts, reports and every thing else which we have been

56

able to examine, do propose to Your Excellency's deliberation the following Articles,

Art 1th The concession made by the Departmental Government on the 24th of May 1838 to Don Prado Mesa of the place called San Antonio is hereby approved,

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Qnd That the Expediente be returned to His Excellency the Governor for the purposes that may be convenient.

Monterey May 21th 1840

Jose Rafael Gonzales

J. Arguello.

Monterey 22 of May 1840

In session of today the Excellent Departmental Board approved the Articles with which the preceding opinion concludes

(26 overlined turned into 22)

Mand Jimeno
Pres^t

Jose L. Fernandez
Scri

— Terry 10 of June 1840.

In view of the approval agreed to on the 26th of May ultimo by the Excellent Departmental Board, let a testimony of the same be given to the part of Don Prado Mesa in confirmation of the tract of land of San Antonio which

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he obtained on the 24th of March 1833
Senor Don Juan Bautista Alvarado
Constitutional Governor of the Department
of the Californias thus did provide &
sign which I attest,
Alvarado

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Juan B. Alvarado Constitutional Gov.
-enor of the Department of California,
Whereas D. Prado Mesa has pe-
-titioned for his personal benefit & that
of his

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

5-8

1072

En el pueblo de San José de C. P. de la

R. J.

Exhibi
N.º 1 amex.
to Dcho: of José
Noriega.

En el pueblo de San José De Cal. de la
Alta California a los dieciséis del mes
de Abril de mil Ochocientos cuarenta y
Ocho ante mi Carlos White 1.º Alcalde
de Esta jurisdicción ante los dos testigos
de mi asistencia que despues se nombra
con y con quienes actua en forma de vdo con
paseio D.ª José Antonio Mesa, Maria Jim
to Dcho: of José esca Mesa José Ramon Mesa justiciano
Mesa y Elicandio Mesa a quien doy fe co
nozo y digo que por si y a nombre de sus hijos
herederos, y sucesores y de quienes de Ello
tusen en titulo Voz y causas en cual quera
manera Vendo y da en Venta solerme
y en Enajenacion perpetua a D.ª Juan
Reord ciudadano de los Estados Unidos
y residente de Esta jurisdicción todo el
derecho interes y titulo que tiene al tenens
segun el division hecho por D.ª C. S. Lynnon
Apimensor del medio distrito del Departa
mento de Alta California del Rancho con
ocido por el Nombre de San Antonio del pro
piedad del de defunta Prado Mesa
juntamente con la mitad del ganado bor
coy y equas que pertenese al dho Rancho
los linderos seran mas bien conocido por la
Mapa del dicho Apimensor y de clar y
segun el Enunciado José Antonio, Maria
Concecion, Marina, Maria, Geraniscia José
Ramon, justiciano y Elicandio Mesa notaria
Vencido enajenado ni empeñado el Espesado
tereno y que Esta libre de todo gravamen ta
eito y Espeso y como tal se lo vende en
precio y Cantidad de dos mil doscientas
treinta ^{siete} pesos (2237/10) cuya Valor tiene
entregado al comprador y resivido el Ocho
a su entero satisfaccion y asi mismo

Declaro que es el justo precio y Verdadero
 Valor del Espresado terreno ganado y yeguas
 que ahora vende en la mencionada cantidad
 de Dos mil doscientos treinta y siete pesos
 (2237) y que no Vale mas y aun en el caso
 que mas Valga ò valer pueda del excesum
 poco ò mucha suma hace donacion à favor
 del comprador y de sus hijos herederos y
 sucesores y esta donacion y gracia pura per
 fecta y irrevocable que le hace se llamaron
 en derecho entavivos con insinuacion y
 demas firmas legales con la condicion que
 se entregara al referido Dr. Juan Ricard
 ò à quien le Representan el enunciado
 terreno ganado y yeguas inmediatamente
 habiendo, conde cedido en ello el compra
 dor y el mencionado, José Antonio Maria
 Guanesca José Ramon, justicias y Alcaldes
 Mesa renunciaron las leyes que habian de
 conatos, Ventas y truecos y de otras en
 que hay lecion en mas ò menos del mi
 tado del justo precio y queda obligado
 en que desde ahora en adelante y para
 siempre jamas, quito y aparto à mis
 mos y sus herederos y sucesores y de quienes
 de Ellos tuvieron Voz Recursos y otros eudle
 quiera derecho que le competan el enuncia
 do terreno, ganado y yeguas como ha pasado en
 el comprador y à quien le represente para
 que le posea goze, cambie use enajene y dis
 ponga de Ello como de cosa suya adquirida
 justo y con titulo legitimo y se obligo ademas
 el Otorgante de conseguir los firmas neces
 ari para hacer Valido esta Venta y se somete
 à los tres jueces y justicias que de sus sen
 sas de venen y pueden conoser conforme à
 derecho para que à su cumplimiento

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y apremien como sentencia definitiva
consentido y pasado en esa juzgado que
por tal lo recibi y Renuncio las leyes que
en el caso le favorezean.

En cuyo testimonio asi lo Otorgo y
firmo en miyo y los testigos que doy fe.

- Jose Antonio Mesa
- Mania Concepcion + Mesa
- Mania + Mesa
- Mania Francisca + Mesa
- Jose Ramon + Mesa
- Justiciano + Mesa
- Vicencio + Mesa
- Antonio Mesa Alvaresa

Testigos de uso

Jose Monega

Tomás Campbell # Cha. White
1^o Alcalde

Filed in Office Jan: 14. 1854

Geo. Fisher Secy

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PAGE 55

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1000
1000
1000

63

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Translation
of
"Exhibit R, S,
No 1"
to depo of Jose
Noriega

At the Town of San Jose de Guadalupe
in the Upper California on the 10th day of
the month of April Eighteen hundred and
forty two; Before me Charles White
1st Alcalde of this jurisdiction, and my
assistant witnesses hereinafter named,
and with whom I act in due form,
appeared Don Jose Antonio Mesa, Dona
Maria Concepcion Mesa, Maria Fran-
cisca Mesa, Jose Ramon Mesa, Justini-
ano Mesa, and Nicandro Mesa, whom
I attest I know; and they said that for
themselves and in the name of their chil-
dren, heirs & successors, and of whomsoever
of them who might have right, power,
and cause in any way; they sell, and
grant in solemn sale and perpetual
alienation unto Don Juan Ricard, citizen
of the United States, residing under this
jurisdiction - All that right interest and
title they have to the tract of land, according
to the division made by Mr C. S. Seymour
Surveyor of the Middle District of the
Department of the Upper California
in the Rancho known by the name of
"San Antonio" of the Estate of the late Ruda
Mesa, together with one half of the wild
cattle and mares now pertaining to the
said Rancho, the boundaries will more
clearly appear in the map of said
Surveyor, And the said Jose Antonio
Mesa, Maria Concepcion, Marina, Maria
Francisca, Jose Ramon, Justini-
ano and Nicandro Mesa, do hereby declare
not having sold, alienated or mortgaged
the said tract of land, and that the
same is free from all perpetual temporal,

especial, tacit, and express encumbrance;
 and as such they sell it to him for and in
 consideration of the sum of two thousand
 two hundred and thirty seven dollars
 (2237\$) which sum the vendee has
 paid and the vendors have received to
 their entire satisfaction, and likewise
 they declare the said sum of two thousand
 two hundred and thirty seven dollars
 is a fair price and real value of the
 aforesaid tract of land, cattle, and
 mares hereby sold; and that they are
 not worth more, and even in case
 they are so, of the surplus amount
 whether in a large or small sum they
 make donation on behalf of the vendee
 his children, heirs and successors; and
 such donation perfect and irrevocable to
 be considered as it is called in law
intervivos; with the production of
 these presents before the proper judge
 for his judicial authority and other legal
 securities - with the condition that the
 said tract of land cattle and mares
 shall be forthwith delivered to the said
 Mr Juan Ricord, or his Attorney.
 And the said Jose Antonio Maria Con-
 cession, Majinas, Maria, Francisco, Jose
 Ramon, Justimano and Nicandro Mesa
 hereby relinquish all laws regarding
 contracts, sales, and barter and other
 against-fraud of more or less the moiety
 of a fair price, and they bind themselves
 from henceforth and forever to quit and
 desist from all claims, they and their
 heirs and successors may have to the

said tract of land cattle, and mares =
all of which they hereby grant, relinquish
and transfer unto the vendee and his
assigns to hold, enjoy, use, alienate and
dispose of them as their own property
acquired with just and lawful title
and the vendors further bind them-
selves to obtain other necessary sig-
natures to make this rule valid.

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And they submit themselves to the three
judges and justices, who ought and are
to take cognizance in such a case
according to law, in order to compell
its fulfillment as a definitive judgment
consented and passed in a tried case
and as such they admit it, and relin-
quish the law in their favor.

In witness whereof they have
herunto signed their name together
with myself & the Witnesses, which
I attest,

Asstg witnesses,	Jose Antonio	+ Mesa
Jose Toriega	Maria Concepcion	+ Mesa
James W Weeks	Mazina	+ Mesa
Thomas Campbell,	Maria Francisca	+ Mesa
	Jose Ramon	+ Mesa
	Justiano	+ Mesa
	Alicandro	+ Mesa
	Antonio Mesa	Executor
	Chas. White	1 st Heald

True Translation
Geo. Fisher Sec

Filed in Office July 9, 1855,
Geo. Fisher Sec

66

1877

Alcaldes del pueblo de San José

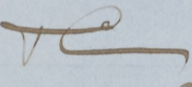
67

R. J. N. 1
 Mesa
 of Pedro Mesa

Don Alcalde del pueblo de San José
 Elabao firmado Respetuosam^{te} ha e pre-
 sente que es hijo y heredero del difunto padre
 que en su testamento en la hora
 de su muerte que en lo eua^l testamento
 fue nombrado uno de los Albaceas y mi tío
 Pedro Mesa el otro y el mismo Don se hare
 signado su pariente de andome, solo de
 manejar dicho Estado el difunto mi padre
 en el tiempo de su muerte debía devitos
 o la suma de un mil trescientos y treinta
 y siete pesos no teniendo mas propiedad
 para pagar estas devitos; mas que una Ran-
 cho conocido en su jurisdiccion por el
 nombre de San Antonio de Pedro Mesa y
 algunos bienes del campo de Panaco ma-
 yor que no pasa de trescientas cabezas
 Los devitos del difunto mi padre era
 por morada y propiedad siendo en el
 tiempo que estava vivo, y los acreedores
 han esperado quatro años para sus pagos
 de la propiedad del Estado; pero no hay
 mas esperanza que sean pagados; sin
 hacer venta de alguna porcion de su pro-
 piedad.

Siendo yo el hijo mayor y he-
 dero como un tanto Albacea del Estado
 no tendria ningun embarazo que se hace
 venta de esta propiedad si no estubiera
 concedido esta propiedad en nombre
 de la familia y como soy uno de las Al-
 baceas y el unico que esta actuando
 en el presente. Espero en la bondad de
 V. de facilitarme con su decreto judi-
 cial de hacer un equitativo y justo y
 Valido venta de alguna parte del men-
 cionado propiedad por el pagamento

de los acreedores y que V. M. haga tola en su poder de hacer el título que doy el compacto legal; los acreedores que hace mención son los siguientes. A. B. Thompson que tiene el demanda puesto ante de V. por la cantidad de ochocientos y cuarenta pesos en cinco Reales y Dr. Santiago M. Kinley de la cantidad de doscientos cincuenta pesos y dos Reales y Don Nathan Spear que tiene demanda de ciento ochenta y un pesos en siete Reales que lo cual es la cantidad de lo que está puesto ante de V. que mas me apuro.

A. V. Duplico de proveer como pido por ser de justicia cuando no sea de malicia y lo necesario. 

Pueblo de San José y de Enero de 1848.

Antonio Mesa

Testigo. Henrique Bee.

La D. Antonio Simón por Alimentos \$ 4/6.

En consideracion del Objeto de peticion hecho por el Sr. Dr. Antonio Mesa como tambien los repetidos urgencias de los acreedores nombrados para sus pagos de juicios cedidos en favor dentro lo pasado; considerando tambien que la propiedad del Estado esta disminuyendose diariamente en su Valor en consecuencia de la falta de suficiente esmero por la parte de los Alcaldes del dicho hacienda; y que dichas deudas esta creciendo y ultimamente llegara a hacer todo el Estado. Solamente que alguno convenio de Equidad sera atenido por dichos pagos. Y el abajo firmado Alcalde

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decreto que el Sr D^o Antonio Mesa
el hijo Mayor heredero y unico Alvoaca
del Difunto Fracdo Mesa, que ha presentado
el arriba petreion tendra la libertad
de vender a cual quere comprador que
asumiera de pagar las mencionadas deui-
tos en una parte mitad de la hacienda co-
mo sus bienes y no mas. Y por la presente
documento: Y el Alcalde del pueblo de
San Jose de Guadalupe, asi declara
Valido la Venta como un titulo legal
con toda fuerza al comprador y sus
asignatarios.

Dado en el juzgado del pueblo
de San Jose de Gua^l - esta - 4 dias
de Enero de 1848

James W. Weeks
Alcalde

Filed in Office Jan. 14. 1854
Geo: Fisher Secy

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W. H. ...
...

71
To The Alcalde of the town of San José

The Undersigned Respectfully sheweth that he is a son and heir of the late Prado Mesa, who left his will at the time of his death; that was in the said will appointed one of the Executors and his Uncle Pedro Mesa another, and the latter has resigned his trust, leaving him alone to manage the estate; that the deceased his father at the time of his death was indebted to the amount of one thousand three hundred and thirty seven dollars - having no other property to pay their debt than a Rancho known by the name of San Antonio, and a few black cattle not exceeding three hundred head,

The debt of his late father was for money and goods had on credit in his lifetime, and the creditors have waited four years for their payment out of the property of the estate; but there is no more hope of their being paid, unless a sale be made of some portion of the property.

That being the eldest son and an heir as well as executor of the estate he has no objection that a sale be made of this property, if it were not granted in the name of the family; and as he is one of the Executors, and at present the only one acting in the matter, he hopes your worship will by a decree direct an Equitable and just sale to be made of some portion of the above mentioned property for the payment of the creditors; and that

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Translation
of "Exhibit R, I,
No 1" annexed
to the Decree of
Pedro Mesa.

Your Worship will do it so as to give
the legal purchaser a title.

The Creditors of whom mention is
made are the following:

A. B. Thompson who has brought a
law-suit before Your Worship for
the sum of eight hundred and four
dollars and five cents; Mr Santiago
McKinley for the sum of Two hundred
and fifty dollars and two cents, and Mr
Nathan Spear, who had a suit for Two
hundred and eighty one dollars and seven
cents. This is what presses him more

He supplicates your Worship to
order as prayed - & protests he is not acting
from malice &c

Town of San José January 7th 1848.
Antonio Mesa,

Witness

Henrique Bee

Mr Antonio Juncal for Alemañtur \$ 7/6

In consideration of the object of the
petition made by Mr Antonio Mesa,
as well of the repeated Urgency by the
Creditors; Considering also that the
property of the estate is daily lowering
in its value in consequence of the want
of sufficient effort on the part of the
Executors of said Estate; and that said
debts are growing, and will lastly come
to swallow the whole estate, unless some
equitable arrangement be made for their
payment,

73

I the undersigned Alcalde do order that
Mr Antonio Mesa, the eldest son, heir
and the only executor of the late Pardo
Mesa: who has presented the above
petition, be at liberty to sell to any
purchaser who will undertake to
pay the above mentioned debt, a
half of the real as well of the other
property, and not more,

And by this Document I the
Alcalde of the Town of San José Gua-
dalupe thus declare to be valid such
sale as a legal one with all force to
such purchaser and his assigns,

Given in the Court of the Town of San
José de Guadalupe this 7th day of Jan-
uary 1848.

James W. Weeks,
Alcalde

True Translation
Geo. Fisher Sec

Filed in Office July 9, 1855
Geo. Fisher Sec

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DM
1848

75-

Pueblo de San José January 14th 1848
Sir

I have this day purchased of Don Antonio Mesa Executor of the deceased Prado Mesa one equal half of the Rancho belonging to the heirs and Estate of said deceased and an equal half of the wild cattle and mares, pursuant to your Judicial Decree made for the payment of certain debts due from the Estate, and I have to request that you will grant an order to C. S. Seymour Esquire for the Middle Department of California to set off to me with metes and bounds the half of said Rancho which falls to my share and that two disinterested persons be appointed to allot me my proportion of the stock in your presence on some day when it will best suit your convenience and when I can attend to brand them.

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Petition &
order of Survey

R. I. No 1.

I have the Honor to be

Your Obt. Servant

James Weeks Esquire John Ricard.
Alcalde.

To C. S. Seymour Esqr

Surveyor for the Middle Department
for California

Sir

You are hereby Authorized and requested to comply with the application to me contained in the above petition as far as regards the measurement of land. The original Title deeds as well to Prado Mesa as to the Applicant John

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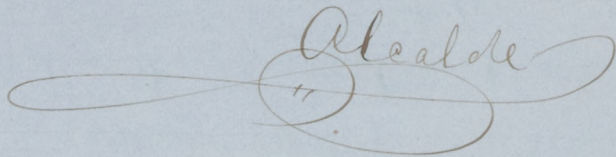
Ricord Esqr will be found at my Office
and will be subject to your inspection.

You will bear in mind in making
the survey that the proportion conveyed to
Mr Ricord is the South half, and also
that when said survey is completed, it
will be requisite to deposit with me
copy of the field notes and a Diagram
together with this original order to serve
as vouchers between the parties interested.

I am &c

James W Weeks

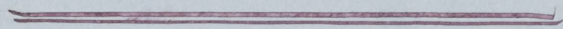
Alcalde



Filed in Office Jan'y 14, 1854,

Geo. Fisher

Sec



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Boundaries

of the Southern half of the Rancho de San Antonio
Belonging to John Ricord Esqr.

Commencing at the Northern
Angle, at a willow marked *B*, in the middle
of a thick clump of sprouts, on the Southern
side of the Upper road from Santa Clara
to San Francisco, at the intersection of
the said Road with the Arroyo de San José
Capentino, the boundary runs $S. 54^{\circ} 45'$

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Exhibit No 1
annexed to Deeds
of G. S. Seymour

W along the land of Mariang Castro 97 ch. 90
links to a live oak marked with three cuts.

Thence $S. 51^{\circ} 25' W$, along said Castro's
land to an oak with 2 cuts at the edge of
the Chermisal, Thence along the other por-
tion of the Rancho de San Antonio, $S 44^{\circ}$
 $45' W$ 66 ch, 10 l. to an oak with 2 cuts
on a hill about 50 rods south easterly
from Mesas House.

Thence along said
portion of the Ranch $S 21^{\circ} 51' W$ (passing
a blazed oak on a hill at 81 chains)
115 chains to the base of the mountain.

Thence along the base of the mountain
 $S 80^{\circ} 10' E$ 65 ch 40 l to a blazed oak.

Thence, along said base, $S 75^{\circ} 25' E$.
75 ch 90 links to another blazed oak,

Thence $S. 57^{\circ} 30' E$ 177 chs to a blazed oak
on the slope of the hills. Thence $S 58^{\circ} 45' E$
31 ch to the Arroyo de San José Capentino
near the foot of a steep bluff.

Filed in Office

April 1854,

G. S. Fisher

Sec.

Thence along said Arroyo to the place of
beginning. Said Admeasurement con-
taining 6102 acres.

Pueblo de San José G. S. Seymour
Apr. April 1. Surveyor for Mend. Dept
1848. W. G.

78

100
100

Know all men by these presents that I own

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"Deed"

Exhibit B
annexed to depo
of C. S. Seymour
P. L.

Know all men by these presents that I Wm^m H. McRee of the City & County of Monterey State of California, for and in consideration of the sum of Seven thousand two hundred dollars to me in hand paid by Henry F. Dana, and William A. Dana both of the City of San Francisco, State of California the receipt whereof is hereby acknowledged, have this day granted, bargained, sold, and conveyed and by these presents, do grant, bargain sell and make over unto the aforesaid Henry F. Dana and William A. Dana and unto their and each of their heirs and assigns, executors and administrators forever, all my right title and interest, claim and demand, both at law and in equity, in and to all that certain piece or parcel of ground, situate, lying and being in the County of Santa Clara, and known as a part of San Antonio Rancho, formerly the property of deceased Juan Prado Mesa, being about twenty five hundred English acres, and being precisely that portion of the Southern half of San Antonio Rancho which was conveyed unto me (the said Wm^m H. McRee) by John Ricardo by deed bearing date 25th of March 1849, and duly entered on the Records of Santa Clara County at the City of San Jose, in "Book of Deeds" B at pages 148 & 149 "save and except six hundred acres of the same already sold by me unto Henry C. Curtis and Wm^m W. White" all of which will more fully, and at large appear, reference being had to the Santa Clara County Archive said Southern half which was sold

to John Ricord by the United heirs of deceased Juan Prado (Mesa), being bounded and described as follows, to wit: commencing at the Northern Angle of the San Antonio Rancho at a willow tree on the Southern side of the Upper, Southern or winter road from San Francisco to San José, where said road intersects or crosses the San José de los Capertinos Creek, and extending thence South Course, $54^{\circ}45'$ west 97 chains 90 links thence South $51^{\circ}25''$ West to the edge of the Cherrisal; thence South $44^{\circ}45''$ West 66 chains 10 links to an oak on a hill about 50 rods to the South East of Mesa's adobe house thence thence South $21^{\circ}50''$ West 115 chains to the base of the mountain; thence along the base of the mountain South $80^{\circ}10''$ East 65 chains 40 links to a blazed Oak; thence South $75^{\circ}25''$ East 75 chains 90 links to another blazed Oak; thence South $54^{\circ}20''$ East 177 chains to a blazed Oak on a slope of the hills thence South $68^{\circ}45''$ East 31 chains to the Arroyo de San José Capertino near the foot of a steep bluff and thence down along said Arroyo de San José de los Capertinos to the willow tree, the place of beginning, said admeasurement containing Six Thousand one hundred and two English acres; as represented on the accompanying diagram.

To Have and to hold the before mentioned, bargained premises, together with all and singular, the rights privileges and appurtenances thereto belonging unto the aforesaid Henry F. Dana

and William A. Dana and unto their heirs and assigns forever, to their sole use benefit and behoof forever.

And furthermore I, the aforesaid William A. McKee hereby do agree to warrant and defend the aforesaid Henry F. Dana and William A. Dana in the title to the aforesaid tract of land against the claims of all persons claiming by through or under me or my heirs and assigns forever, but against no others.

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In witness whereof I have hereunto set my hand and affixed my seal at the City of San Francisco this thirtieth day of April A.D. / 1851 / Eighteen hundred and fifty one.

(Signed) Sealed and delivered,

in presence of Wm. H. McKee (S.S.)
W. W. Brier

State of California
County of San Francisco

On this 30th day of April A.D. 1851 personally appeared before me the subscriber a Notary Public in and for the said County, William H. McKee known to me to be the person described in and who executed the foregoing conveyance who acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In testimony whereof I have hereunto subscribed my name & affixed my Notarial Seal the day & year last above written, Royal H. Waller
Notary Public

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Filed in office April 14, 1854,
Gen. Fisher Dec

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ND

This Indenture made and concluded this twentyfifth day of March in the Year of our Lord One Thousand eight hundred and forty nine:

Between John Ricord of Pueblo de San Jose in the District of San Jose Northern Department of Upper California of the one part and, James W Weeks of the same Pueblo of San Jose of the other part.

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"Deed"

John Ricord
To

James W Weeks

Witnesseth that the said John Ricord for and in consideration of the sum of three thousand dollars well and truly paid at or before the enrolling and delivery hereof the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and conveyed and by these presents does grant bargain sell transfer and convey unto the said James W Weeks heirs or assigns forever all his right, title interest of in and to all that certain lot of land situated and being in the Jurisdiction of San Jose as aforesaid, known as the South half of that portion of the Ranch of the deceased J. Prado Mesa, which was conveyed to the said John by the United heirs of said Mesa in concert with and cooperation of Charles White Esqr, Alcalde, as the same was surveyed by G.S. Seymour Esqr, the field notes and Diagram of which survey now remain on file in the Inuggardo of Pueblo de San Jose.

To Have and to Hold all and singular the above bounded and described lot of ground as aforesaid, together with

all the rights, profits, privileges and appur-
tenances whatsoever thereunto belonging
as fully as the same was held & possessed
by the said John Ricord as aforesaid
unto the said James Weeks his heirs
and assigns to the only proper use
benefit and behoof of the said James
Weeks his heirs and assigns for
-ever.

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In witness whereof the said John
Ricord hath hereunto set his hand and
seal the day and date above mentioned
John Ricord, (Seal)

Signed sealed and delivered
in presence of us
Walter Daylat
Wm H. McKee.

State of California
Santa Clara County 3 p.

Be it remembered that
on this 14th day of November A.D. 1850 before
me personally came Wm McKee as subscri-
-bing witness to the foregoing deed who
upon being duly sworn deposes and
says that he is personally acquainted
with the grantor to the foregoing deed and that
he saw the said grantor sign the said deed
freely voluntarily and for the uses & purposes
therein mentioned. In testimony whereof

Filed in Office I have hereunto set my hand and private
July 17, 1855 Seal (there being no official seal) the date
Geo. Fisher above written.

Sec. (Seal)

J. F. Richardson Recorder
in and for said County,

This Indenture made and concluded this Twenty fifth day of March in the Year of Our Lord one Thousand Eight hundred and forty nine;

Between John Ricord of Pueblo de San Jose in the District of San Jose Northern Department of Upper California of the one part, and Wm H. McKee of Monterey (of Monterey) of the other part

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Witnesseth that, the said John Ricord for and in consideration of the sum of Fifteen Hundred Dollars to him well and truly paid at or before the sealing and delivery hereof the receipt whereof is hereby acknowledged, has granted, bargained, sold transferred and conveyed and by these presents does grant, bargain sell transfer and convey unto the said Wm H. McKee his heirs or assigns forever all his rights, title and interest of in and to, all that certain lot of land situated and being in the jurisdiction of San Jose as aforesaid, and known as the North half of that portion of the Ranch of the Late J. Prado (Mesa), deceased which was conveyed to the said John Ricord by the United Heirs of the said Mesa in concert with and by cooperation of Charles White Esqr, Alcalde, as the same was surveyed by C. S. Leyman Esqr by order of Sa. Weeks Esqr previous Alcalde. the field notes and diagram of which survey now remain on file in the Juzgado of said jurisdiction

"Deed"

John Ricord
To
Wm H. McKee

To Have and to hold all & singular the above, bounded and described lot of ground as aforesaid, together with all the rights, profits, privileges and appurtenances

whatsoever, thereto belonging as fully
as the same was held and possessed by
the said John Ricord as aforesaid unto
the said Wm. H. McKee, his heirs & assigns
to the only proper use, benefit and behoof
of the said W. H. McKee his heirs and
assigns forever.

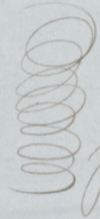
In Witness whereof the said John
Ricord has thereto set his hand and
seal the day and date above mentioned,
John Ricord (Seal)

Signed Sealed and delivered

in presence of us,

Walter Taylor
R. M. Warner

State of California
County of San Joaquin



On this eleven

th day of November A.D. 1850, personally ap-
peared before me Recorder in and for
the County aforesaid R. M. Warner to me
known as a subscribing witness to the foregoing
signature, and who being sworn deposes & says that
the aforesaid John Ricord did acknowledge
the said Deed to be his free act and deed &
that he signed his name thereto as a witness
Given under my hand and seal at Stockton
County & State aforesaid,

(Seal)

A. A. Mix
County Recorder

Filed in Office July 17, 1855,

C. S. Fisher Sec

Office of the Board of Commissioners,

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

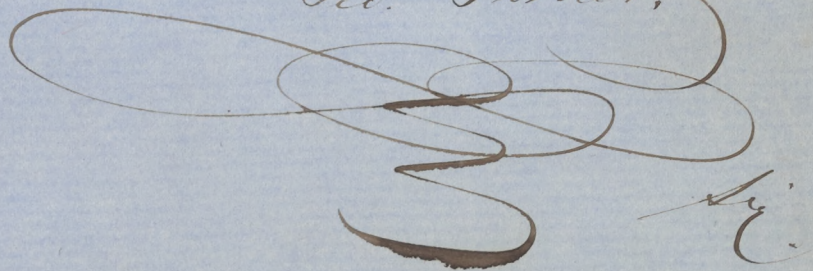
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I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Eighty six* pages, numbered from
1 to *86*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. *77* on the Docket of the said Board,
wherein

Wm A. Dana, et al, are
Claimant against the United States, for the place known by
name of "*Part of San Antonio.*"

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

Geo. Fisher,



366

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

No. 366- 366

THE UNITED STATES,

vs. ND

Wm A. Dana, et al

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 707

Filed, December 24 1855

J. A. Monroe,
clerk.

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Henry F. Dana and
William A. Dana
vs
The United States } No 366
Commissioners Docket
No 707

Appeal from the U.S. Board
of Land Commissioners

Sir Please take notice that
the above named Claimants
will present the appeal in
this case

Respectfully
J. Clarke Atty
for Claimants

To the Clerk of the U.S.
District Court for the North-
ern District of California

U. S. District Court
No. 366

Henry F. Dana &
William A. Dana
vs

The United States

Notice of Appeal
Filed January 19. 1856.
J. Clarke
Deputy.

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J. Clarke Atty
for Claimants

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

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Henry F. Dana and
William A. Dana
as
The United States

No. 366 (S. C. Decret No. 707)

Your Petitioners Henry F. Dana, William
A. Dana respectfully show that unto you viz.
on the 2^d day of March 1853 — they filed
before the United States Board of Land
Commissioners a petition for the confirma-
tion of their claim to a tract of land
situate in the Northern District of California
in the County of Santa Clara for a
description of which land, and the title
of your petitioners trusts, reference is
hereby made to said Petition.

That after hearing said Petition with the
proofs, and the argument of Counsel in the
cause the said Board on the 10th day of
July 1853 rejected said claim as invalid.
That on the 10th day of December 1855 a
Transcript of the records of said cause was filed
in this Court, by virtue whereof and by force
of the Statute in that case made and

provided, an appeal to this Court was duly
effected - That on the 19th day of January
1856 your petitioners filed in this
Court a notice of their intention to
present said appeal

Your Petitioners pray that the decision
of said Board may be reversed, and that
this Court may confirm their title to
the said Land.

Respectfully
J. Clarke Atty.
for Claimants.

M. S. District Court
No. 366

Henry F. Owen x

William A. Owen

vs

The United States

Petition

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Filed January 19, 1856.
J. Clarke
Atty.

J. Clarke Atty.
for Claimants

In the District Court of the United States
for the Northern Dist. of Cal.

The United States }
vs } D.C. 366; L.C. 707
Wm A. Dana et al } 3

The United States by
their attorney deny the validity of the
title set out in the petition of the
appellants and pray that the decision
of the U. S. Land Commission be affirmed
and that the said title be decreed
invalid.

San Francisco; July 12, 1857

Wm Blanding
U. S. Atty.

366

U. S. Dist Court

The United States

vs

Am A. Dana et al

Answer

Filed Feby 12, 1857,
W. H. Cheverus,
Deputy.

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Wm Blanding
W. S. Atty.

At a Stated Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the Court Room, in the City of SAN FRANCISCO, on *Monday* the *23d* day of *March* in the year of our Lord one thousand eight hundred and fifty-seven.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States
vs
Am A. Dana et al

S. C. 366; L. C. 907.

Decree

This cause came on to be heard on appeal from the final decision of the Board of Commissioners to ascertain and settle the private land claims in the State of California, under the Act of Congress approved Mch 3^d A.D. 1851, upon the transcript of the proceedings and decision of the said Board of Commissioners, and the papers and evidence on which the said decision was founded; and it appearing to the Court that the said transcript has been duly filed according to law, and the cause having regularly come to a hearing, it is by the Court hereby ordered adjudged and decreed that the said decision be and the same is hereby in all things affirmed; and it is likewise ordered adjudged and decreed that the claim of the appellants is invalid, and that the said claim be and the same is hereby rejected.

Ogden Hoffman
U. S. District Judge

366

United States District Court, Northern
District of California.

The United States

vs.

Am. A. Dana et al

ORDER.

Decree of rejection

Filed *March 23,* 1857

John. a. Munsie,
CLERK.

By *W. H. Chesebrough,*
DEPUTY.

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Office of the Board of Commissioners,

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

San Francisco, Dec. 10th 1855

J. A. Monroe Esq.

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

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 707 on the Docket of the said Board, wherein

Wm A. Dana, et al, are the Claimant against the United States, for the place known by the name of "Part of San Antonio."

and request your receipt for the same.

I am, Respectfully,

Your Obt Servant,

Geo. Fisher.