

CASE No.

372

NORTHERN DISTRICT

PUNTA de QUINTIN GRANT

B. R. BUCKELEW

CLAIMANT

LAND CASE 372 ND

65 pages

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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 740.

B. R. Bucklew

CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Punta de Quinlan"

ИЗДАНИЕ ПЕРВОЕ

ИЗДАТЕЛЬСТВО "СВЕТЛОТ" МОСКВА

1950

В. В. ВУЗОВСКИЙ

БИОГЕНЕТИЧЕСКАЯ

ТЕОРИЯ

ВУЗОВСКИЙ

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 B. R. Bucklew,
for the Place named
 "Punta de Quintin"
was presented, and ordered to be filed and docketed with No. 740 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

San Francisco April 1st 1853.
In case no. 740 B. R. Bucklew for the place named "Punta de Quintin", the deposition of David Spene, a witness in behalf of the claimant, taken before Commissioner Henry D. Thornton with document marked H. D. T. and translation thereof, annex thereto, was filed;

(Vide page 5 of this Transcript.)

San Francisco October 31st 1853.
Case no. 740 was ordered to the foot of the docket,

San Francisco February 17th 1854.
In the same case the deposition of James Black, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed;

(Vide page 6 of this Transcript.)

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San Francisco March 18' 1854,
In the same case the depositions of William A.
Richardson, James Miller and James Black,
witnesses in behalf of the United States, taken
before Commissioner Alpheus Fitch, were filed;
(See pages 9, 10 & 11 of this Transcript)

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San Francisco April 6' 1854,
In the same case the deposition of John Martin,
a witness in behalf of the claimant, taken before
Commissioner Peter Sott, was filed;
(See page 14 of this Transcript)

San Francisco April 15' 1854,
In the same case the deposition of John B. R.
Cooper, a witness in behalf of the United States,
taken before Commissioner Peter Sott, with exhibits
marked "no. 1 & 2. P. S." annexed thereto, was filed;
(See page 19 of this Transcript)

San Francisco June 28' 1854,
In the same case the deposition of Antonio Ortega
a witness in behalf of the claimant, taken before
Commissioner Peter Sott, was filed;
(See page 25 of this Transcript)

San Francisco January 9' 1855.
Case no. 740 was ordered to be placed at the
foot of the 4' class cases on the trial docket,

San Francisco March 13' 1855.
Case no. 740 was submitted under the Rule of
March 21' 1854.

San Francisco April 2' 1855.
In the same case the counsel for the claimant
filed the following stipulation, to wit:
(See page 31 of this Transcript)

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San Francisco July 9' 1855.

In the same case the claimant filed the following Stipulation, to wit:

(See page 32 of this Transcript.)

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San Francisco July 10' 1855.

In the same case Commissioner R. Aug. Thompson received the Opinion of the Board concerning the claim:

(See page 55 of this Transcript.)

And the following order was made, to wit:

(See page 57 of this Transcript.)

N.

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5-

To the Honorable Commissioners to settle private Land Claims in California.

Petition

The petition of Benjamin W. Buckelew respectfully represents:

That on the 24th day of September A.D. 1840, Juan B. Alvarado, Governor of California by virtue of authority in him vested, granted to Juan B. R. Cooper the tract of land called "Punta de Quintin Corte de Madera, la Laguna y cañada de San Anselmo," containing two square leagues of land more or less, according to the boundaries set forth in the grant and map, the same being situate in the present county of Marin.

That said grant was duly approved & the juridical possession given in due form:

That the said Cooper & wife afterwards sold & conveyed the said tract of land to the Petitioner: all of which is fully shown in the original title papers, the Expediente and transfer deed, which the petitioner begs leave to adduce in evidence in support of this petition.

That the petitioner & those under whom he holds, have been for some thirteen years or more, and the petitioner now is in the quiet & peaceful possession and occupation of said tract of land & that he knows of no conflicting claim.

Wherefore he prays the Commissioners, on the final hearing of this petition & the evidence he may adduce to confirm to him the aforesaid tract of land.

By his Atty: Walleck, Beachy & Billings

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

San Francisco, April 1st 1853.

Deposition of David Spence
On this day before Com^r Harry J. Thornton came David Spence a witness on behalf of the claimant B. R. Buckelew, petition N^o 740 and was duly sworn, his evidence being given in English.

In answer to enquiries by counsel for claimant the witness testified as follows:

My name is David Spence, my age is nearly 55 years; I reside in Monterey & have lived in California 29 years.

I am well acquainted with the signatures of Juan B. Alvarado

Deposition
of
David Spence

Alvarado, Manuel Jimeno, Timoteo Murphy & Juan
B. R. Cooper, having often seen them write; their signa-
tures to the title papers marked Exhibit N^o 1 & attached
to this deposition are their genuine signatures.

D. Spence.

U. S. Law Agent present.

Sworn to & subscribed before me this 1st of April 1853.

Harry S. Thornton, Com^r &c

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Filed in office April 1st 1853.

Geo. Fisher, Sec.

United States Land Commission,

San Francisco, Feby. 17. 1854.

On this day before Commissioner Alpheus Felch came James
Black a witness in behalf of Claimant B. R. Bucklew, case
N^o 740, who after being duly sworn, deposed as follows

Deposition

of
James Black.

Questions by Mr. Beady attorney for claimant.

1st Question. Please state your name, age & place of residence?

Answer. My name is James
Black, my age is forty four years & I reside in Marin County
California.

2nd Question. Please state what you know about the settle-
ment & cultivation of the land claimed in this case, called
Punta de Quintin by Captain Juan B. R. Cooper?

Answer. I know that he
had that place occupied in the latter part of 1840 &
the beginning of 1841. He had at that time a house &
corral on the place. The house & corral were built
in the latter part of 1840 or the beginning of 1841.

He had also horses and mares on the place some of
which were put on in 1840 & some in 1841. I was employed in
the year 1840 & in 1841 & 1842 and a part of 1843 in cutting
timber on the place. I was at work for myself, but paid Captain
Cooper one tenth of the timber for the privilege of cutting it.
In 1841 I cut lumber on the place for Captain Cooper; he paid
me by the thousand for cutting it; Captain Cooper took the

lumber

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lumber to the Sandwich Islands for sale. He went in his schooner to the Island with the lumber. He was captain of the schooner; I think she was called the California but I am not certain. I saw Captain Cooper frequently on the Rancho; He was looking over the place and in 1841 he was there getting off his lumber. There was a wooden house built on the place in 1844 or 1845. I think it was built by a Mr. Cordua on a part of the land which he leased of Captain Cooper.

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I saw cultivation there in 1840 & 1841 which was made by the servants of Captain Cooper. They had indian corn pumpkins, water-melons & beans.

In 1842 I think he had wheat seed there.

Captain Cooper had his stock & servants there until he sold the place.

In the latter part of 1842 he leased the place or part of it to the United States Government. They erected a saw mill on it. I think this was in 1842, but am not certain of the year.

There were two small houses built on the place, one in 1840 & the other in 1841, and also another in 1844 or 1845. I lived about four years on the place. In 1839, 1840 & 1841. I left the place in the fore part of 1842 and went on to it again in 1843 & remained on it at that time about six months.

Questions by W. McKune Law Agent.

1st Question. How near do you live to the land and how long have you resided there?

Answer. I live above twelve miles from the Rancho where I have resided a little over seven years.

2nd Question. Please state whether you are acquainted with its boundaries & if yea what they are?

Answer. I am acquainted with them only by hearsay. They are the sugar loaf hill on the north, the Malpais hill or mountain on the south & the bay & salt water marsh on the east. I do not know the western boundary. On sugar-loaf Hill is a pile of stones which is a

is a land mark. I do not know any other monument which is a boundary. The Rancho is about four leagues from the coast of the ocean; it is on the border of the Bay of San Francisco, the bay bounds it on the east.

5th Question. Did you ever know Captain Cooper to reside on the Rancho?

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Answer. I never did; I should have known it if he had resided there between the years 1840 & 1844. In 1845 he had about one hundred & fifty horses there; there was no horse on the place put up by Captain Cooper until 1844 or 1845, excepting those occupied by his servants. They occupied continuously.

In addition to what is above stated as to the boundaries of said Rancho, the same is bounded on the north or rather north west by the Rancho of Domingo Saenz; the sugar loaf is at the corner of the two Ranches and is the boundary between them.

4th Question. Did you know Timothy Murphy, former alcalde of San Rafael, if yes, in what language did he usually write his official acts?

Answer. I knew said Murphy in his life time. He usually wrote his official acts in the Spanish language; he wrote his name in English.

(To this question & answer Mr. Peachy objects on the ground that the original document is present & it is intended to impeach it, the attention of the witness should be called to the document itself.)

James Black

Subscribed & sworn to before me this 17th day of February 1854.

Alpheus Felch, Commissioner

Filed in office, Feb: 17. 1854

Geo. Fisher, Sec.

United States Land Commission

San Francisco, March 20th 1854.

On this day before commissioner Alpheus Felch came James Miller a witness in behalf of the United States,

Case

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Case No 740 who after being duly sworn deposed as follows:
Questions by Mr. McKinnis, law agent.

Deposition

of
James Miller.

1st Question. Please state your name, age & place of residence?

Answer. My name is James Miller,

my age forty one years & I reside in Marin County California.

2nd Question. How long have you lived in California?

Answer. Since the latter part

of 1844. I have resided in what is now called San Rafael township ten years & still reside there. My residence is between five & six miles from Punta de Quintin. I have known the Rancho known by that name ever since I have resided in California.

3rd Question. Was there any house on the Rancho Punta de Quintin at the time you arrived in California?

Answer. There was no house on it at that time excepting Indian houses or huts. There were three or more indian huts on it & they were occupied by indians. I think the indians were servants of Captain Cooper's; I saw some of them at work for him. The indians had their families there. These indian huts were on that part of the Rancho near where Mr. Buckleio's house now stands. They were in the same cañada

4th Question. At what time was the next house which was built on the Rancho erected & by whom? & on what part of the Rancho?

Answer. I think it was in the latter end of 1845 or the beginning of 1846. At that time Captain Juan B. R. Cooper built a house on it. It was built in the bend of the valley and within six or eight hundred yards of where the indian huts above mentioned were standing; the house was still there the last time I passed that way about two weeks ago. The house was built of timber & about sixty feet long. The timber was split and one end put into the ground.

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5th Question. Where did Captain Cooper reside at the time the house was built?

Answer. On the said Rancho Punta de Quintin a part of the time. I saw him also at San Rafael. I lived on said Rancho about one year beginning May 1844 to the best of recollection. I built a little shanty of my own on it in which I lived. I was engaged in cutting, splitting & sawing timber and I was to give Captain Cooper one tenth part for the timber. I did not cultivate any of the land but I saw some of it cultivated. The cultivation was in the same valley where Mr. Bucklew's house now is. It was done by the indians, by Captain Cooper's orders to the best of my knowledge. I do not know of his giving orders to them. To the best of my knowledge I think Captain Cooper's horses eat a part of the crops; there was no fence. There was a good corral on the farm when I lived there.

6th Question. Did you ever hear Captain Cooper say he had a family or where his family resided?

Answer. He told me that his family was in Monterey; I saw some of them in San Rafael along with him; I saw his son on the said Rancho and I helped him to catch horses there to take to Monterey.

7th Question. Did Captain Cooper or his family reside on the farm.

Answer. He did not make it his home there, but he came occasionally and staid some times several days on the Rancho. I have known him to eat & sleep on the Rancho. He used to stop with my brother in law James Murphy when he came there; Murphy lived on said farm. I never saw Captain Cooper's wife there; she might have been there without my knowing it; I was away up in the woods; all that I saw there was his son & himself.

Questions by Mr. Beachy, attorney for the Claimant.

1st Question. Was it before or after the war that the house
which

11. which you say was built of timber was erected?

Answer. It was before the war I think it was finished before the war with the United States.

2nd Question. Did captain Cooper build another house on the premises?

Answer. He did; it was a story and a half or two story house built of timber; it was a good house; I cannot tell in what year it was built.

3rd Question. Was there any stock on the place when you first knew it in 1844?

Answer. There was, it belonged to Captain Cooper & was branded J.R.C. The corral on the place was used at that time. Don Timothy Murphy attended to the stock principally for him; he did not live on the Rancho; Don Timothy Murphy had vaqueros there to take care of the stock.

This rancho adjoins the rancho of said Murphy. I saw Captain Cooper paying some of the Indians who were on the place for their services.

Questions by Mr. McKune.

1st Question. Who inhabited first the house built by Captain Cooper in 1845 or 1846?

Answer. Mr. Cordua hired the house from Captain Cooper & lived in it; he went in very soon after it was finished; it was before the war with the United States; before there was any talk of the war.

2nd Question. Who built the second house on the place?

Answer. It was built by Mr. Mahan for Captain Cooper; I cannot tell the date when it was built.

Filed in office
march 29th 1854

Geo. Fisher,
Sec.

James Miller.
Subscribed & sworn to before me this 20th day of march
1854.

Alpheus Felch,
com^r

United States Land Commission,

Sant

San Francisco, march 20th 1854.

On this day before Commissioner Alpheus Felch came William A. Richardson, a witness in behalf of the United States in case N^o 240, who, after being duly sworn, deposed as follows:

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Questions by Mr. McKune, Law-Agent.

Deposition
of
William A.
Richardson.

1st Question. Please state your name, age & place of residence?

Answer. My name is William A.

Richardson, my age is fifty eight years and I reside in Marin County California.

2nd Question. Are you acquainted with the Rancho "Punta de Quinten"? If yes how long have you been acquainted with it?

Answer. I have been acquainted with it ever since the year 1839.

3rd Question. Do you know the Cañada de San Anselmo & how long have you known it?

Answer. I do not know it by that name.

4th Question. Do you know where the house at present occupied by Mr. Bucklew is situated?

Answer. I do.

5th Question. State whether or not it is in the same Cañada in which the Indians were located in 1840, 1841, 1842 & 1843?

Answer. It is in the same Cañada.

(Mr. Peachy objects to this question & answer because the question is leading.)

6th Question. Did the Indians cultivate the said Cañada?

Answer. They did.

Questions by Mr. Peachy, attorney for claimant.

1st Question. Was the place occupied in 1840? if yes by whom?

Answer. It was. Captain Cooper had horses on the place at that time. There was a house on the place occupied by an indian & there was also a corral.

The House

The house was built by the indian who lived in it; he was in the employment of Captain Cooper and was taking care of the horses; the indian's name was Refino.

There was another house on the place close to the place where they crossed the creek going to San Rafael which was occupied by Cordua; he built it on a lease from Captain Cooper or an agreement for breeding fowls of which he has a great many there. I think it was in the year 1843, that the house was built but I do (not) recollect precisely.

Willm A. Richardson.

Subscribed & sworn to before me this 20th day of March 1854

Alpheus Felch,

Commissioner.

Filed in office, March 20th 1854.

Geo. Fisher, Sec.

United States Land Commission,

San Francisco, March 20th 1854.

On this day before Commissioner Alpheus Felch came James Black, a witness in behalf of the United States, case N^o 740, who, after being duly sworn deposed as follows.

Questions by Mr. McKune, Law-Agent.

Deposition

of
James Black.

1st Question. Please state your name, age & place of residence?

Answer. My name is James Black,

my age is forty four years and I reside in Marin County California.

2nd Question. When did you first know the Rancho called Punta de Quintin?

Answer. In 1834.

3rd Question. Please state particularly on what part of said Rancho the house was built which is mentioned in your answer to the 2nd question in your deposition heretofore taken in this case & now here presented to you? Please state also when & by whom it was built & give a description of the house?

Answer. That house was built on the banks of the Creek & about five or six hundred yards below the place where the house now occupied by

W?

Mr. Bucklew stands. It was built to the best of my knowledge in the latter part of the year 1840 or the beginning of 1841; it was a tule house & was built by an indian by the name of Deochnez, and he was sometime called Toro.

He was in the employment of Captain Cooper and he lived in the house while he was taking care of Captain Cooper's stock.

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There was another house built of sticks & mud which was on the creek one hundred & fifty or two hundred yards above where Bucklew now lives. This house was there in 1840 or 1841, I am not certain which. Both of the houses above mentioned were in the same cañada where Mr. Bucklew now lives. I know no other name for it but the Cañada.

4th Question. Did Captain Cooper's family ever reside on the farm?

Answer. Never to my knowledge. I lived on said Rancho in 1839, 1840, 1841, 1842, 1843 & the beginning of 1844. During that time they did not reside on the place to my knowledge.

James Blackie.

Mr. Beachy, attorney for claimant was present at the taking of this deposition but declined to propound any questions to the witness.

Subscribed & sworn to before me this 20th day of march 1854.

Alphens Felch, commissioner

Filed in office, march 20th 1854.

Geo. Fisher, Sec.

United States of America }
State of California }

San Francisco, April 6th 1854.

Deposition
of
John Martin

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, John Martin a witness on behalf of the claimant in case No. 740 on the Docket of said Board in which B. R. Bucklew is the claimant & the said John

Martin

Martin being duly sworn on oath deposed as follows, to wit:

The U. S. Law Agent is present.

Questions by Mr. Beachy attorney for Claimant.

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

Answer. My name is John Martin, my age 67 years, my present residence in Marin County California.

2nd Question. Are you acquainted with the Rancho called Punta de Quentin, if yes, please state what you know of its first settlement & of its occupation, cultivation & improvements from that time?

Answer. I am well acquainted with the Rancho named. The first I knew of it, it belonged to the Mission of San Rafael, that was about 1830. In 1840 or 1841 I knew it to belong to Capt. Cooper; it was then occupied by his servants in his name. The land was cultivated at that time in beans, corn, wheat & other things. Cooper had considerable sowings of his own, besides the patches which belonged to the Indians themselves which was customary when Indians were employed in husbandry.

The Indians worked the land for Cooper. I have frequently seen him pay them, sometimes in money, sometimes in goods; Captain Cooper used to run the schooner River from the Islands into this Bay after I came here in 1822 and I was well acquainted with Capt. Cooper before he got the land.

The schooner California was commanded by Capt. Cooper when he owned this land, and he used to carry the produce from his farm on her; she was a government schooner. I know of two houses being there in 1840 & 1841; I slept in one of them in 1841; there was then a corral, horses and mares over 100, quite a large band. There was also another corral at that time at a point on the Rancho which was called "La Lagunita".

3rd Question. Please state what you know about the boundaries of this Rancho?

Answer. I believed it is bounded on the East by the bay of San Francisco, by the westward I

only

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only know of the Lagunita as a boundary, by the Northward
by the Hoameke Hill which divides it from Domingo Luis's
Ranch; on the south it goes to the Sierra Alta or big hill, it was
to a brook on the South^{east}ward where it joins the land of
John Reed.

Cross-examined by U. S. Law Agent.

1st Question. Do you know the Cañada de Anselmo, if yea,
state where it is?

Answer. I do not know any par-
ticular valley by that name; I know a man so called.

2nd Question. How do you know that the Rancho of Punta
de Quintin, belonged to the Mission of San Rafael in 1830?

Answer. Because it was occupied
by the Mission's Stock & it was so occupied till the Mission was
broke up.

3rd Question. How far is it from the mission?

Answer. The land runs a
considerable distance; I suppose the nearest part of the
Rancho is not over $\frac{1}{4}$ or $\frac{1}{2}$ of a mile from the old mission
building.

4th Question. How did you know it belonged to Capt.
Cooper in 1840 & 1841?

Answer. I knew it from him, he
told me when visiting at my house that he owned the
tract of land mentioned.

5th Question. When & how did you first learn the bound-
aries of the Ranch Punta de Quintin?

Answer. I knew them from Capt.
Cooper's own word in 1844 or 1845. I know no more of the
boundaries except what the old man (Capt. Cooper) told me
himself.

6th Question. Have you ever passed over or across said
Ranch, if yea how often?

Answer. I have several times passed
about over the Ranch on my own account going to different
places Saualito & so on; I do not recollect the particular times,
tho' it has been frequently since 1830.

7th Question. Are there any obstructions which would

prevent

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prevent a measurement of said Rancho?

Answer. I do not know any.

8th Question. How do you know that in 1840 & 1841 the Rancho was occupied by the servants of Capt. Cooper in his name?

Answer. I know it by his own word.

9th Question. How much land had he cultivated there about that time & how do you know it was his?

Answer. He had 50 or 60 acres in cultivation and the Indians had little patches all about; I know it was his from himself.

10th Question. Where did Capt. Cooper reside from 1840 till the present time?

Answer. His residence was in Monterey, where he had a family; he came frequently to his farm, his son John used to come & look after the farm also.

11th Question. How far in the Rancho in question from the sea shore and how far from the navigable waters of the Bay of San Francisco?

Answer. The land is bordering on the bay, and I do not know the distance from the sea shore, it may be 20 miles, it may be more or less than that; I cannot form a correct idea of the distance.

12th Question. What kind of house was it you slept in on the land in 1841 and who occupied it?

Answer. It was a stick house 10 or 12 feet long & probably 8 wide, some Indians belonging to Capt. Cooper occupied it.

13th Question. How do you know those Indians belonged to Capt. Cooper?

Answer. By actual knowledge; I lived amongst them on the farm & about the Mission; I knew the whole of them.

14th Question. How far was that house from the present residence of Buckelew?

Answer. It cannot be less than a quarter of a mile, it is in the same cañada.

Re-examined by Claimants' Counsel.

1 Question

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1st Question. From what you know of the boundaries of this Rancho & the Character of the Country over which the lines run, considering the hills, marshes, the woods & creeks, would you say there would be no obstruction to the measurement of the boundary lines of this Rancho?

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ANSWER. I do not think the nature of the Country would offer any obstruction.
(This last question objected to by the Law Agent as leading.)

2nd Question. Are there no hills through which the boundaries of this Rancho run?

(Objected to by Law Agent as leading.)

ANSWER. Yes there are high hills on the westerly & southerly sides.

3rd Question. Are any of the boundaries of this Rancho covered with forests?

(Objected to by Law Agent as leading.)

ANSWER. Yes in many places.

4th Question. Did you ever travel all around the boundary lines of this Rancho?

ANSWER. No Sir.

Filed in office
April 6th 1854.

John ^{his} + ^{mark} Martin

Subscribed & sworn to before me on this sixth day of
Geo. Fisher, Sec. April A. D. 1854.

Peter Lott Commissioner for
taking testimony.

United States of America, }
State of California }

San Francisco, April 15. 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, John B. R. Cooper a witness on behalf.

14 Deposition
of
John B. R.
Cooper.

behalf of the United States in case N^o. 740 on the docket of
said Board wherein Benjamin R. Bucklew is claimant,
and the said witness being duly sworn deposed in the English
language as follows to wit:

The claimant was present in person acting for himself.

Questions by U. S. Law-Agent.

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

Answer. My name is John B.

R. Cooper, my age 60 years, my residence Monterey, California.

2nd Question. Are you acquainted with the Rancho Punta
de Quintan, if yea, state if you are acquainted with the Cañada de
Anselmo?

Answer. I am acquainted both
with Rancho and the Cañada mentioned.

3rd Question. Are you acquainted with the location of the
house now occupied by Benjamin R. Bucklew on said Ranch,
if yea, state whether it is in the Cañada de Anselmo?

Answer. I know the location of
the house mentioned and I consider it in the Cañada
de Anselmo.

Cross-examined by claimant in person.

1st Question. Please to describe the extent & limits of the Cañada
de Anselmo?

Answer. I understand the said
Cañada to be the whole of that valley following the creek up to
the line of Domingo Luis on both sides of the creek. It may be
a mile & a half in length and a half mile wide, in some places
 $\frac{3}{4}$ of a mile & in other less in width.

2nd Question. How many Indians were residing on the
Ranch for whom the reservation in the grant was made, on
what part of the Ranch did they reside; when did they
remove therefrom, & for what cause were they removed?

Answer. There were perhaps
2 or 3 families of them; I do not think there were more than two.
They were about four hundred yards more or less from the present
dwelling.

dwelling house of Benjamin R. Bucklew on the bank of the Creek west of the house.

They planted the next year after I got the grant and then they left there; they went of their own accord to the Rancharia Nicalis where their relatives lived.

3rd Question. Did your occupancy, improvements & cultivation interfere with the occupancy of the Indians for whom a reservation was made in the title or grant whilst they should continue to occupy a certain part of said Rancho?

Answer. No, they did not interfere with the Indians in any way. The principal man of the Indians there was employed by my agent in taking care of the stock belonging to me.

The law-agent objects to the foregoing question & answer as being wholly irrelevant to the examination in chief & leading.

4th Question. Did you obtain a grant of land now situated in Marin County, California from the former government of this territory or State, the same being called Punta de San Quintin Corte de Madera, San Anselmo & la Laguna?

Answer. Yes I obtained such a grant from Governor Alvarado.

5th Question. Look at the papers marked "Exhibit N. 1." to the deposition of David Spence taken in W^o 740, H. I. T. now shown you and say what they are; state also whether you are acquainted with the signatures to said documents, if yea, whether they are genuine?

Answer. I have examined the document; it is a grant of the land, The Expediente & the juridical possession, I know the signatures of Alvarado, Salvador Vallejo, Don Manuel Jimeno & Timothy Murphy. There are the genuine signatures of the persons severally named. The other signatures to the document I do not know. Upon examination, I find it to be the grant of the land & juridical possession; the Expediente is not here.

6th Question. Was you placed in the juridical possession of said land, if yea, by whom and is this document in part

a record

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a record of that act?

Answer. I was put in juridical possession of the land by Salvador Vallejo and a part of this document is the record of the act of said possession.

7th Question. When did you occupy this land under the grant, did you make any improvements on it, if yea, when & what were they?

Answer. I occupied the land in question immediately after I got my title, I had a small house built, a corral, some fencing and cultivation; these improvements were made in the year 1840; when I obtained this grant and occupied the land I was attached to a vessel & I acknowledged Timothy Murphy as my agent to carry on the farm and make the improvements; The cultivation was of wheat, barley, corn, beans, potatoes, pumpkins &c I had horses & mares on the place & there were cattle under my permission.

8th Question. Were the houses you had built on the place inhabited, if yea, by whom, and when were they first inhabited?

Answer. The house I had built was occupied by an Indian in my service named Rufino; he lived in the house with his family as soon as it was built.

9th Question. Did you lease a part of the Rancho in question to one Cordua, if yea, what did he do under the lease?

Answer. I leased a part of the Rancho to Cordua; I let it to him to raise fowls and pigs, and it was agreed between us that he was to carry on a butchering establishment. He built a house there and raised a number of fowls. This was about 1847; I do not recollect the time exactly, I think it was after the war commenced or during the war between Mexico & the United States.

10th Question. Did you make a contract or lease of any priviledges upon this Rancho to an Officer of the Government of the United States in behalf of the Government, if yea look at the paper shown you marked "exhibit 1" annexed to the deposition of John R. R. Cooper April 15. 1854 "P.S." and say whether that is the said contract and did the Government

government agents operate under it?

Answer. I made a contract such as you mention and this paper is the original written contract and the government agents under it went on & established a saw mill & cut timber on the place.

11th Question. Did you make a second lease to Robert Allen, if yea, look at the paper now shown you marked "Exhibit 2" annexed to deposition of John B. R. Cooper April 15th 1854 "P.L."?

Answer. I did make a contract with Robert Allen and this is the original contract between us.

12th Question. Were you in the Mexican Naval Service during your ownership of this Rancho?

Answer. I was aboard of a Mexican vessel belonging to this territory employed by the Mexican Government to carry the mail from California to other parts of Mexico on the coast.

13th Question. Did you ever make your residence on any Ranch in California and how long have you resided in this country?

Answer. My family has generally resided in Monterey and I have been on different Ranches two & 4 months at a time, but I never lived permanently on any one Ranch.

14th Question. Did you contract for and have a house built on the Rancho in question, just previous to your selling the same, if yea, on what part of the Rancho was it built? and of what description was the house?

Answer. Yes I contracted for and had a house built a short distance before I sold the Ranch, on the left hand side of the road leading from Corte de Madera to the Cañada de Anselmo, where Mr. Buckelew now resides. The house was on the side of a hill about $\frac{3}{4}$ of a mile from said Buckelew's present residence,

It was a small house (wooden) I do not recollect the dimensions.

15th Question. Did you sell the said Rancho to B. R. Buckelew the present claimant, if yea, look at the paper now shown you, marked exhibit N^o 3 annexed to the deposition of John B. R.

Cooper

Cooper, April 15. 1844 "P. L." and say if that is your act & deed of conveyance, and if the consideration mentioned therein is the true price paid?

Answer. I did sell the said Rancho to B. R. Bucklew the present claimant. This is the original deed of conveyance and the consideration herein named is the real amount which was paid by him for said Rancho.

16th Question. Will you mention the names of the adjoining lands to said Rancho?

Answer. The north is adjoined by the mission and lands of Timothy Murphy, the western part by lands of Domingo Sais adjoin, the south by the widow Reed's farm, formerly John Reed, on the east the place is bounded by the bay of San Francisco.

17th Question. Describe the North Eastern boundary of the said Rancho, and state what is embraced within it and the nature of the ground?

Answer. All the land there is embraced inside of the Rancho bounds, which is attached to Punta Quintin, the boundary there is a creek.

18th Question. Say whether a small hill on the south side of the creek you mention is a part of the Rancho?

Answer. Yes all the land embracing the hill on the marsh, all on that side of the creek as I before said are a part of the Rancho.

19th Question. Were there any obstructions to the accurate measurement of this Rancho at the date of the juridical possession?

Answer. I do not know of any except its being a thick timbered country.

20th Question. What is the general character of the surface of the country over which the boundaries run?

Answer. Generally speaking it is an uneven country, thickly wooded mountain.

The foregoing questions & answers of the cross-examinations by claimant are each & all objected to by the U. S. Law-Agent on the same ground stated in his objection noted

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noted to question & answer N^o 3.

Re-Examination of U. S. Law-Agent.

1st Question. Were not all those improvements of which you speak in the Cañada de Anselmo?

Answer. The houses were in the Cañada de Anselmo & the Corral, fence &c. There was another corral built in the "La Lagunita".

2nd Question. How much land was cultivated by you and how much by the Indians?

Answer. In one body about a space of about 400 varas long & about 200 varas wide, and above that another piece, I think larger than this described, tho' I do not recollect the extent of it.

3rd Question. When & how were the lines established, stating herein particularly all you know about the location of the lines, what were the land marks, how, by whom, and in what manner were the lines established?

Answer. The boundaries were marked out by Salvador Vallejo, Victor Prudon & others when the juridical possession was given; on the north side they took the Creek that runs along side of Punta de Quintin and followed the creek up till they struck the road, then they followed the road up in a westerly direction to a round hill, then they went ^{up} to Domingo Sais's line and thence off towards what is called the Sierra San Jerome; that is as far as I saw them measure; I was on board of my vessel part of the day.

4th Question. How far is the Rancho Punta de Quintin from the sea coast?

Answer. I should say six or seven leagues.

5th Question. Was not all the cultivation of which you speak performed by Indians residing in the Cañada?

Answer. The work was all done by Indians employed by me through my agent Mr. Murphy. They lived some in the Cañada, some in the ex-Mission San Rafael. I employed them to come & work on the farms as was the custom throughout the country at that time.

6th Question. Was not such cultivation for their own use and benefit

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Question. Was not such cultivation for their own use and benefit, if may, what part was cultivated for you and what amount of proceeds did you ever receive from such cultivation?

ANSWER. Besides the Cultivation by me, the indians had their patches of their own the first year or two that I farmed it, but I had my cultivation independant of theirs; I cannot say how much proceeds I have received from it, quite enough however to pay the expenses of the Cultivation and improvements.

7th Question. What kind of a house was built on the Rancho in 1840, by whom, for what use, of what dimensions and who lived in it?

ANSWER. It was a small house, say 12 by 20 feet, built by me for the use of the people I had in my employment on the place.

My man Rufino & Deokinios and others lived in it.

8th Question. When and how long were you employed as mail agent of the Mexican Government and in what service?

ANSWER. I was so employed about 6 or 7 years from 1839 to 1845 or 1846. I commanded the Vessel, her name was the California, a schooner bought by the department of California as a transport to run for carrying the mail, Government Stores, passengers &c. from this part to the other part of Mexico.

John D. W. Cooper.

Subscribed & sworn to before me on this 15th day of April A. D. 1854.

Peter Lott.

Commissioner for taking testimony &c

Filed in office, April 15th 1854.

Geo. Fisher, Sec.

United States of America }
State of California } ss.

San Francisco, June 27. 1854.

Deposition
of

Antonio Ortega This day personally came before me Peter Lott a commissioner for

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for taking testimony before the Board of U. S. Land Commissioners in said state Antonio Ortega a witness on behalf of the claimant Benjamin R. Bucklew in case No 740 on the docket of said Board & said witness being duly sworn & deposed on oath in the Spanish which was interpreted into English by the interpreter to said Board as follows, to wit:

The U. S. Associate Law Agent is present.

Questions by Claimant in person.

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

Answer. My name is Antonio Ortega, my age is 72 years, my residence in California.

2nd Question. Are you acquainted with the Rancho of Punta de Quintin in Marin County upon which the claimant now resides, if yes state its location & boundaries and quantity of land and what you know of juridical possession being given, when, how & to whom & by whom?

Answer. I know the Rancho named very well; I have known it since; I have known it since 1841. It is bounded on the north by the Rancho of Providencia, which belonged to Domingo Saiz, and Murphy's ranch on the east of the Bay of San Francisco, on the south by land of Juan Reed and there is a mountain there called San Clemente; The arroyo de los Esteros divides this Rancho of Punta de Quintin from Reed's Rancho. There is a mountain called San Jeronimo on the west side of the Rancho of Punta de Quintin & Rafael Cache also bounds it on the west or Northwest. Juridical possession of the Rancho claimed was given by Salvador Vallejo as alcalde to Juan Cooper in October 1841. I was present and saw the possession given; they did not measure the land, they were governed by a view of the boundaries where it joined Saiz's ranch at a red hill we heaped up a pile of stones. The land was not measured because we were all tired and had been measuring Murphy's & Saiz's land several days & the bordering ranches were all measured & there was no necessity to measure. The low parts of the Rancho

were

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were very wet and muddy and the hills were covered with trees and it would not be measured; the Rancho contains as we calculated from looking at its boundaries about two & a half square leagues, more or less; the Claim was for 2 square leagues more or less and that quantity was intended to be given.

5th Question. State what you know of the occupation, improvements & Cultivation of the Rancho in question, giving dates as near as you can?

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ANSWER. Juan Cooper had an Indian on the Rancho named Rufino who planted there for Cooper in 1840. He had a house there at that time in which he lived & a corral; he planted wheat, barley, potatoes, peas, pumpkins and other things, all along from the Laguna to where Buckelew's house now stands; it might be 1000 varas long and less than 200 varas wide; he had at that time 11 yoke of oxen & 60 horses or more on the place and a few sheep. The Indian named was in Juan Cooper's employment; the rancho continued to be occupied & cultivated under Cooper's direction till 1850, when M.^r Buckelew bought it.

4th Question. Do you know a part of said Rancho called Cañada de "San Anselmo" if you do you know of any body occupying the same besides Cooper & his employees either at the time or after the juridical possession was given?

ANSWER. Yes I know it; I never knew of its being occupied by any body else but Cooper & his employees till Buckelew bought it.

5th Question. Where did you reside when the juridical possession was given?

ANSWER. In San Rafael Mission.

6th Question. Were there any Indians besides those employed by Cooper living in Cañada de Anselmo at the time of juridical possession or afterwards?

ANSWER. No; there were none except those that were working for Cooper & Murphy.

7th Question. Was there a Rancheria of Indians living

living near said Cañada de Anselmo?²⁴

Answer. No there were none.

8th Question. Were there any on the Rancho of Domingo Sais?

Answer. There were Indians there but they were working for Sais as the others did for Cooper.

9th Question. Do the Ranchos of Cañada de Herrera join so that they cannot be divided except by a fence or some artificial boundary?

Answer. They do adjoin; there is a stone & red wood tree which mark the boundary between that called Herrera & that called Anselmo. There are some 5 or 6 trees, but 2 of them were pointed out as the boundary. They are not the same valley, they run in different directions but come together at that point. Where there is elevated ground between them. I cannot ride from one to the other without passing over elevated ground.

Cross-examined by U. S. Associate Law Agent.

1st Question. What separates the Rancho claimed in this case from the Ranchos of Murphy & Sais on the north?

Answer. There is an Estero between Murphy's Ranch and the Ranch claimed and a mountain & Cañada between Sais' & the one claimed.

2nd Question. Are the natural boundaries of the Rancho claimed, so well defined as to be easily distinguished & ascertained?

Answer. They are: I could go & point them out definitely any time.

3rd Question. Were there any other ranchos in that part of the Country claimed by Cooper or Bucklew?

Answer. No there were none; Cooper had a claim in the mountains about 20 leagues North of Sonoma.

4th Question. Name all the persons who were present when juridical possession was given?

Answer. Capt. Salvador Vallojo Timoteo Murphy, now deceased, Domingo Sais now

deceased

deceased, Rafael Cacho now deceased, Juan Sais now deceased, William A. Richardson, Gregorio Briones & myself.

5th Question. How was the possession given?

Answer. We all met upon the place and the alcalde pointed out the boundaries by merely looking at them, and told the claimant Cooper that land was given to him in the presence of the Company. Cooper was told to put up land marks, by marking trees &c. Cooper at the time pulled up the grass, threw stones & earth about & broke branches as was the custom.

We gave this possession as we had done of several other Ranchos about that time, we were on horse back.

6th Question. Were all the boundaries of the Rancho pointed out by the Alcalde?

Answer. They were.

7th Question. Was you ever on the place before juridical possession was given?

Answer. Yes I was frequently there before that.

8th Question. What is the average width & length of the said Rancho claimed?

Answer. It is irregular in its shape and is about a league & a half each way.

9th Question. What is the shape of the Rancho?

Answer. It is an irregular oval farm.

10th Question. Did you ever see the title papers, & were the boundaries of the Rancho described in them?

Answer. Cooper showed me the title but I did not read it; Cooper opened the title and told me it was the title; I did not care to read it; I saw Avarado's signature to it.

11th Question. If you did not measure the Rancho, nor ride around the boundaries of it, how do you know that it contained two square leagues?

Answer. I know it because I have walked over it and rode over it for many years; there may be more or less than that quantity in it.

12th Question. How do you know the Indian who was planting there was in Cooper's employ & how often did you see cultivation there?

Answer. I understood it from the Indians & Cooper; Cooper wished me to take the management of the place for one half of every thing on it; it was planted every year while Cooper had it.

13th Question. Who built the house & Corral on the place?

Answer. The Indians for Cooper.

14th Question. Where did Cooper reside from 1840 to the present time?

Answer. At Monterey.

15th Question. How far is the last part of the Ranch from the Ocean?

Answer. I do not know.

Re-examined by claimant in person.

1st Question. Do or do not the Cañadas of Herrera & San Anselmo run together on level ground; explain your former answer?

Answer. They do so come together; the road from Sausalito to San Rafael runs round there and crosses a point of the hill at the bend between the two Cañadas and yesterday I was thinking of the road.

2nd Question. Was there an independant tribe of Indians at a place called "Tamascal" on or near the Rancho of Punta de Quintin, who were not employed by any of the whites in the Cañada of San Anselmo or Herrera?

Answer. Tamascal was in the mouth of the Cañada de Herrera on Saiz's land and the Indians there worked in Saiz's employment and was nothing of the kind such as an independant tribe on either of the Ranches who were not employed by one or another of the neighbouring whites.

Antonio Ortega

Subscribed & sworn to before me this 28th day of June

1854.

1854.

Peter Lott.

Commissioner, &c.

Filed in office, June 28th 1854.

Geo. Fisher, Sec.

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Before the Board of
United States Land
Commissioners &c

N^o 740

Punta de Quintin.

Stipulation.

B. R. Bucklew

vs.

The United States

It is hereby stipulated that claimant have the privilege of filing a traced copy of the Expediente duly certified by the Surveyor General and that the testimony of Salvador Vallejo be taken with the same effect as though the case had not been submitted reserving to the United States the right to introduce any testimony deemed by the Law-Agent necessary on behalf of the United States.

J. W. McRune

U. S. Law-Agent.

Filed in office, April 2nd 1855.

Geo. Fisher, Sec.

(Spanish document follows.)

Stipulation

Before the Board of
United States Land
Commissioners

No 440

Santa de Puente.

B. R. Bucklin

of
the United States

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It is hereby stipulated by
and between the above named parties that the
above entitled case be determined by said Board
upon the testimony already introduced and
that the stipulation heretofore filed in res-
ference to the introduction of further testimony
be withdrawn

July 9, 1855

J. H. McKim

U.S. Land Agent

B. R. Bucklin

Filed in office July 9, 1855

(Signed)

Ces John Gray

LYRC

ND

Exhibit. n^o 1. to
the deposition of
David Spence taken
in n^o 440.

No. 1.1.

Jusgado de Sonora.

Espediente

Instruido p^o medir y dar posesion de dos
sitios de Ganado Mayor, en el Rancho
de Quinten al Ciudadano Juan Cooper
el dia 19 de 8.^{bre} de 1851.

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Aves.

D. Salvador Vallejo.

Festigos de asta.

{ D. Fernando Felis... }
{ D. Simotes Murphy. }

Sello. 1. Seis pesos.

He habilitado provisionalmente por la Aduana
marítima de Monterrey para los años de
1839. y 1840.

(Seal) Alvarado. Antonio M^o Osú.

Juan B. Alvarado, Gobernador Cons-
titucional del Departamento de las Californias.

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Por cuanto Don Juan Cuper ha presentado para
su beneficio personal y el de su familia el paraje
conocido con el nombre de la Punta de Quintas
Coste de Madera y la laguna con la esclusión
de la Cruzota de San Anselmo y entera de
las indias la estan ocupando colindante al E.
con el Mar al O.E. con las tierras de San
Seromino, al N. con las del vecino Domingo
Sajins y al S. con el arroyo de los Esteros y la
Sierra: practicadas previamente las diligencias
y averiguaciones convenientes según lo dispuesto
por leyes y reglamentos, usando de las facultades
que me son conferidas a nombre de la nación
Mexicana he querido en concederle el terreno
mencionado, declarándole la propiedad de el
con las presentes letras, sujetándose a la aprob-
ación de la Junta Departamental y
a las condiciones siguientes.

1^a Podrá cercarlo sin perjudicar las tra-
cesas comunales y sean nombres: lo disfrutará
libre y esclusivamente destinándolo a uso o cultivo
que mas le acomode pero dentro de un año
fabricará casa y estará habitada.

2^a Solventará del fisco respectivo que le
posea la Jurisdicción en virtud de este despacho
por el cual se demarcarán los límites en
cuyos límites podrá abrir canales de las arroyos
a algunas apholes fincas o sembrados de alguna
naturaleza.

3.^a El terreno de que se hace mención es de dos sitios de ganado mayor poco mas o menos, segun explica el diseño que corre en el espaldante. El Juez que diere la posesion lo hara cumplir conforme a ordenanza, quedando el sobrante que resalte a la Nacion para los usos convenientes.

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

En consecuencia mandado que serviendo le de titulo el presente se tome rason de el en el libro que corresponde y se entregue al interesado p.^{ta} su resguardo y demas fines.

Dado en Monterrey a veinte y cuatro de Septiembre de mil ochocientos cuarenta.

Juan B. Alvarado.

Manuel Jimeno. Frio.

Cuenta tomada rason de este titulo en el libro de asientos sobre adjudicaciones de terrenos valdidos a fojas 3.^{va}

Jimeno.

I do hereby certify that the Rancho y Estancia so called has been unoccupied by the Indians of San Rafael for the last two years and located in the town at Mecasio.

San Rafael. 3rd October 1846.

James Murphy.

Alcalde Constib.^l of this jurisdiction.

Sello tercero Dos Reales.

He sido titulado provisionalmente por la Real Cedula insertada en el puerto de Monterrey en el Depart.^o de las Californias, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y cinco.

Jimeno.

Antonio Maria Oro.

P.^o Comandante de la frontera del Norte, encargado de la Jurisdiccion civil de la misma.

Juan B. R. Cooper, vecino de esta jurisdiccion dueño del Rancho de la Puerta

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como mejor proceda de otro. ante V. pudiese y digo
que como consta del titulo que presento con la
solemnidad y juramento necesario, tengo en mi
dho. terreno los sitios de ganado mayor mas
o menos bajo los linderos que espresa dho. titulo:
y por que necesito p^a que en todo tpo conste
hasta donde se llegar y si me perjudican o prej-
udico a alguno de los circunvecinos a ellos
se ha de servir V. mandar que procediendo
las diligencias acostumbradas de identidad
vista de ojos y reconocimiento se proceda con citacion
de los circunvecinos o la mediata de mis dhas
tierras, p^a cuyo efecto nombro desde ahora y
p^a cuando el caso se llegue p^a medidor a D^o
Antonio Ortega vecino de esta jurisdiccion, in-
diligente en la materia y que los otros que
fueren nombrados, nombren p^a la daga a otros
medidores y habiendolo hecho asi los q. nombrados
con el referido Ant^o Ortega p^a mi nombrado
aparezcan, acepten y firmen y en su conformidad
se proceda a otras medidas.

P. S. A. V. Suplico y habiendo presentado
dho. documento se sirva mandar hacer como
hecho pedido y hecho q. sea, lo que se deservan otros
requisitos con las diligencias originales que se
hicieren para su guarda de mi dho. este escrito
y todo lo necesario, etc.

Sⁿ Rafael 8^{to} 16. 1841.

Dona B. B. Cooper.

En el mismo pueblo, dia, mes y año ante mi
el Cui^{do} Salvador Valijo encargado de jurisdiccion
de esta jurisdiccion, se leyó esta peticion y visto
la habe p^a presentarla con el documento que
expresa y nombrado que con citacion de los
circunvecinos se haga reconocimiento de identidad
vista de ojos y reconocimiento de otras tierras, etc.
etcog p^a verlo a arrieter puluvalute etc.

lo propio, suavete y firme con los de mi asta.
Salvador Valles.

assa. Fernando Poli. Simotes Murphy.

En el mismo pueblo, dia mes y año Yo el
Jues con los de mi asta p^o proceder a la inscrip-
cion de identidad hire jures ante mi al
Ciud.^o Igno Pacheco, vecino de esta Jurisdiccion
de oficio habrador del cual recibí juramento
que hizo p^o Dios y la señal de la Cruz en
forma, a cargo del cual prometió obrar
verdad y sinceridad preguntado p^o el conocimiento
de las tierras y parajes, terminos y linderos
pertencientes al rancho Punta de Quitin
Dijo: que hace cinco años es vecino de esta
jurisdiccion y sabe que las tierras pertenecientes
a otro rancho son del Ciud.^o Juan Cooper
y tienen p^o linderos al N. el rancho de la
Providencia al S. el arroyo de las Interas y la
Sierra al E. el mar y al O. las tierras de
Sr^o Genonimo que les ha visto y reconocido
varias veces y esta pronto a ir a otras tierras
con el presente jures y señalarle los parajes
terminos y linderos donde llegan: que lo otro
es la verdad p^o el juramento que tiene hecho
en que se afirmó y ratificó. Declano sero
mayor de veinte y cinco años y no tocarle
las grades de la ley y firmo con miso y los
de asta.

assa. Igno Pacheco.

Simotes Murphy. Salvador Valles.

assa. Gas^o Ferris

Ato Continuo fueron llamados y
comparacion sucesivamente los Ciudadanos
Greg^o Bricios y Rafael Garcia, ambos vecinos
de esta jurisdiccion y mayores de veinte
y cinco años, y declararon aduertidamente
lo mismo y el anterior juramento con miso

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y las de esta.

Geronimo Briones.

Pascual Larios. año. Innoto Murphy.

Salvador Vallejo. año. Fernando Larios.

Estuvo en el campo en el porraje nomb-
rado Tautatimé, como el año en el a la
inmediación de Sr. Rafael y desde el cual se
descubren los límites del expresado rancho
de Punta de Quintín el día diez y ocho de
Octubre de mil ochocientos cuarenta y uno
presentes el Ciudadano Juan Cooper dueño del expresado
rancho, Domingo Las y Rafael Pacheco testigos
y circunvecinos Sr. Ant. Ortega y Sr. Federico
Richardson medidas las tierras por sus crans-
miados y papeles presentados y el referido
Juan actuado por receptancia con dos testigos
de esta. por falta de escribano público por no
a ver y reconocer dho. las tierras del rancho
y en virtud de ser impracticable la medida
por el referido rancho a causa de los
muchos obstáculos que hacen insuperables
muchas partes de él. las medidas como
señaladas a vista de ojos y según su
leal saber y entender podría tener dho.
rancho dos sitios de ganado mayor por más
o menos y los testigos señalaron los parajes
comprendidos en dho. rancho y por la parte
de Quintín Conte de Maderna y la Laguna.
Siendo los límites al N. la Provicencia al
E. el arroyo de las Sierras y la Sierra al S.
el mar. y al O. las tierras de Sr. Geronimo
Declararon las medidas citadas enteras
el Ciudadano Juan Cooper de las tierras que le
corresponden según el título que se halla a la
cabeza de este expediente por tanto lo cual y en
virtud de ser verdadera posesión y posesión
a consideración, arranco piedras y yerbas

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y tino' por los Cuatrocientos a manufacturas
 de su legal y legitima posesion que tanto por si
 su consecuencia el referido Juez mandó que
 por una claridad de los Linderos que van
 esperados huiere a su corte y mancion a sus
 notuieras de piedra y cal en atto de una de
 vara pa que en todo tpo conté de conarse y
 p'terminas y Linderos de sus tierras p' los unos
 circunstancias a ellas y de haberse ejecutado
 esas medidas quieto y pausivamente sin cont
 racion de persona alguna lo pidio por
 testimonio y go del referido Juez con las de año.
 le oyo de haber pasado como dho es. (y que las
 esperadas medidas) sin dolo fraude ni engaño
 en contra de alguna persona y p' una segund
 y ratificacion del Juramento que tienen hecho
 firmaron con sus y las de sus años.

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Domingo Sr. Rafael Cachio.
 Yg Cacheco. Gregorio Guindet.
 ana. Finotes Murphy. Salvador Vallejo.
 ana. Gumundo Peles.

En.

Piled in office. March 30. 1853.

Geo. Fisher Secy.

40

1898
MAY 10

{
Dollars
}

Dix dollars. — Dix dollars.

Provisionally authorised by the Maritime Custom House
of Monterey for the years 1839 & 1840.

Alvarado.

Antonio Maria Osio

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Custom House
Seal

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

"B."

Translation of
title & Juridical
possession.

Whereas don Juan Cooper has for his own personal benefit
and that of his family petitioned for the place known by
the name of Punta de Quintin, Corte de Madera & la Laguna
=na, exclusive of the Cañada de San Anselmo while the In=
=dians continue to occupy it, bounded on the east by the sea,
on the west by the lands of San Jeronimo, north by those of the
resident Domingo Saiz and on the south by the arroyo de
los Esteros & the Sierra: the proper measures & examinations
being previously made as required by laws & regulations;
using the powers conferred on me in the name of the Mexican
Nation, I have granted him the aforesaid land, declaring
to him the ownership of it by these presents, subject to the
approval of the most Excellent Departmental Junta and to
the following conditions.

1st He may enclose it without prejudice to the Croppings,
roads & servitudes; he will enjoy it freely & exclusively, making
such use or cultivation of it as may best suit him, but within
one year he will build a house & it shall be inhabited.

2nd He will request the proper magistrate to give him ju=
=ridical possession in virtue of this patent, by whom the boundaries
will be marked out in the limits of which, besides the land
marks, he will place some fruit trees or wild ones of some utility.

3rd The land of which mention is made is two square leagues
a little more or less, as shown by the map which goes in the Ex=
=pediente. The magistrate who may give the possession will
cause it to be measured in conformity with the ordinance,
leaving the surplus which may result to the nation for its
convenient uses.

4th If he shall contravene these conditions, he will loose
his right

H 2

his right to the land and it will be denounceable by another person.

In consequence I order that this present serving him for a title, note be made of it in the corresponding book, and it be given to the person interested, for his security and other purposes.

Given in Monterey on the twenty fourth of September, One thousand eight hundred & forty.

(Signed)

Juan B. Alvarado.

(Signed) Manuel Jimeno,
Secretary.

Note has been made of this title in the book of entries of grants of vacant lands, on folio 3

(Signed) Jimeno.

I do hereby certify that the Cañada of Anselmo so called has been unoccupied by the Indians of San Rafael for the last two years & located in the Mission farm at Nicasio.

San Rafael 8th October 1846

(Signed) Timothy Murphy,

Alcalde Constit. of this jurisdiction.

Stamp Three Two Reals.

Provisionally authorised by the Maritime Customs house of the Port of Monterey in the Dept. of the Californias, for the years eighteen hundred & forty & eighteen hundred & forty one.

Jimeno.

Antonio Maria Osio.

To the Señor commandant General of the Northern frontier, charged with the jurisdiction civil of the same.

Juan B. R. Cooper, resident of this jurisdiction, owner of the Rancho of La Punta de Quintin, as I may best proceed in law, before you appear & say: that appears by the title which I present with the necessary solemnity & oath.

I have in

I have in my Rancho two square leagues of land more

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the title which I present with the necessary solemnity & oath.

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I have in my ^{said} rancho two square leagues of land more or less, within the boundaries described in said title; and as it is necessary for me that it should in all time appear how far they extend, and whether any of the neighbors to them prejudice me, or I them; you will be pleased to order that after taking the customary measures of identity, view & examination & summoning the Colidantes, the measurements of my said lands be proceeded to, for which purpose I appoint measurer, now & for ~~when~~ the time may arrive, Don Antonio Ortega, resident of this jurisdiction, skillful in the matter, and let the other persons interested appoint other measurers on their part, and having done so, let those they may appoint and the said Antonio Ortega by me appointed, appear, accept and swear and in conformity therewith, said measurements be proceeded to.

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Wherefore I pray you that admitting said document, you will be pleased to order as I have asked, on this being done, that said documents be returned to me with the original official acts which may be made for the security of my right, this petition and whatever else may be necessary.

San Rafael, October 16. 1841.

(Signed) Juan B. R. Cooper.

In the same town, day, month and year, before me Citizen Salvador Vallejo "Encargado de Justicia" of this jurisdiction, this petition was read and having seen it, I admitted it with the document it refers to; and I order that summoning the Colidantes, information be taken of identity, view & examination of said lands, at which I am ready to assist personally. Thus I provided, ordered & signed, with those of my assistance.

(Signed) Salvador Vallejo.

(Assisting witnesses.)

(Signed) Fernando Peliz

(Signed) Timoteo Murphy
in the

In the same town, day, month & year, I the magis-
trate with those of my assistance, in order to proceed to
the information of identity, caused to appear before me
citizen Ignacio Pacheco, resident of this jurisdiction
by occupation a labourer, of whom I received oath,
which he made by good Our Lord and the sign
of the Cross in form, under which he promised to
speak the truth and being asked for the description
of the lands and places, terminations & boundaries
pertaining to the Rancho of Punta de Quintin: he said
that for five years he has been a resident of this jurisdiction
and knows that the lands pertaining to said Rancho
are of the citizen Juan Cooper, and have for boundaries
on the North of the Rancho of La Providencia, on the
South the Arroyo of Los Esteros & the Sierra, on the east
the sea and on the west the lands of San Jeronimo; that
he has seen & examined them on various occasions and
that he is ready to go to said lands with the present magis-
trate & point out to him the places, terminations & boundaries
where they extend; that what he has said is true, by the
oath which he has made, which he affirmed & ratified.

He declared that he was more than twenty five years
of age and that the legal exceptions do not affect him; & he
signed with me & those of assistance.

Ignacio Pacheco
Salvador Vallejo

Assisting Witnesses
Timoteo Murphy
Fernando Beliz.

In continuation citizens Gregorio Briones & Rafael Garcia
were called & appeared successively, both being residents of this
jurisdiction and more than twenty five years of age and they
declared identically the same as the preceding, signing
with me & those of assistance.

Assisting witnesses Gregorio Briones
Timoteo Murphy, Rafael Garcia, Fernando Beliz,
Salvador Vallejo.

Being in the fields in the place named Tantomalines
a high

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a high peak in the neighbourhood of San Rafael and from which the boundaries of the aforesaid Rancho of Punta de Quintin can be seen, on the eighteenth of October one thousand eight hundred & forty one, present citizen Juan Cooper owner of the aforesaid Rancho, Domingo Saiz, and Rafael Cacho, colindantes & neighbors, - Don Antonio Ortega & don Guillermo Richardson, measurers, the witnesses by me examined and the papers presented. I the aforesaid magistrate, acting in virtue of my office with two assisting witnesses, for want of a notary public, proceed to see & examine the lands of said Rancho; and the actual measurement of the aforesaid Rancho being impracticable on account of the many obstacles which render impassable many parts of it, the measurers as experts declared after viewing it, that according to the best of their knowledge and understanding, said Rancho contained about two square leagues of land a little more or less and the witnesses pointed out the places included in said Rancho, and they are, the Punta de San Quintin Corte de Madera and la Laguna, the boundaries being on the north la Providencia, on the South the arroyo of Los Esteros, on the east the sea and on the west the lands of San Jeronimo.

The measurers declared Don Juan Cooper to be informed of the land which correspond to him according to the title which is found at the head of this expediente. For all which & in sign of true possession and accustomed ceremonial he pulled up stones & grass & straws to the four winds, manifestation of his legal & legitimate possession which he in person took.

In consequence the aforesaid magistrate ordered that for greater clearness of the boundaries which have been described, he should make at his own cost and expenses some bounds of masonry more than a vara high, that in all time it may appear, they be recognised and remain for terminations & boundaries of his lands by the other neighbors thereto. And that said measurements were executed quietly & peacefully without contradiction of any person; he asked this for a testimony and. I the aforesaid magistrate
with

with those of my assistance give it, that all passed
 has been said without craft, fraud or deceit against
 any person and for greater security and the ratification
 of the oath which they have made, they signed with me
 and those of my assistance

(Assisting witnesses.

Simoleo Murphy
 Fernando Felix.

Domingo Dary +
 Rafael Bacho
 Ignacio Bacheo.
 Gregorio Briones
 Salvador Vallejo

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In view of this expediente being concluded in which
 it appears that juridical possession of the Rancho named
 Punta de Quintin, one league & a half from this Pueblo,
 has been given to Citizen Juan B. R. Cooper who took it
 in person, let this original be given to the party for the uses
 he may find convenient, with the document he presented
 Citizen Salvador Vallejo "encargado de justicia" of this
 jurisdiction, acting in virtue of my office with two
 assisting witnesses for want of a notary public, thus pro-
 vided, ordered & signed it on the 19th October, one thousand
 eight hundred & forty one.

(Assisting witnesses

Simoleo Murphy
 Fernando Felix.

Salvador Vallejo

I certify the foregoing to be a correct transla-
 tion from the original Spanish document, filed in this
 office in claim N^o 39 of Benjamin R. Bucklew an-
 nexed to the deposition of

Filed in office, March 3^d 1853.

Geo. Fisher, Sec.

Know all men by these presents that we John B. R.
 Cooper, Maria Jeronimo Encarnacion Vallejo his wife &
 Anrito Cooper daughter and now of age all of the
 city & County of Monterey in the State of California for and

in consideration

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Deed

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in consideration of the sum of fifty five thousand dollars well & truly paid by Benjamin R. Bucklew of the city & county of San Francisco, in the State aforesaid have granted bargained, sold & conveyed and by these presents do grant bargain, sell & convey unto the said Benjamin R. Bucklew, his heirs & assigns forever, all our right title & interest of, in & to now or hereafter in law & equity, all that certain tract of land, farm called & known by the name of Corte Madera, Punta de Aunтин, Lagunito and the Cañada Anselmo situated, lying & being in the county of Marin State of California containing two or more leagues of land bounded & described in the original deeds, herewith annexed as granted & conveyed unto the said John B. R. Cooper by deed dated September the twenty fourth A. D. 1840.

To have & to hold the above manner Rancho as bounded and described in the original deed hereunto annexed, together with all & singular the rights, profits, priviledges, ways, water courses, hereditaments & appurtenances therewith belonging or in any wise appurtenant unto the said Benjamin R. Bucklew his heirs & assigns to the only proper use, benefit & behoof of the said Benjamin R. Bucklew his heirs & assigns forever.

And we the said John B. R. Cooper & Maria Geronimo Encarnacion Vallejo his wife & Annista Cooper daughter for ourselves our heirs & assigns do covenant & promise and agree to & with the said Benjamin R. Bucklew his heirs & assigns that we and each of us will & shall forever warrant & defend the said Benjamin R. Bucklew his heirs & assigns in the title & full possession of the said Rancho or farm land against all or any persons claiming the same by, through or under us.

In witness whereof we have hereunto set our hands & seals this twenty fifth day of October A. D. 1850.

Signed, sealed & delivered in presence of }
William S. Johnson } John B. R. Cooper {Seal}
Geo. Hyde } Encarnacion Vallejo de Cooper {Seal}
Ana Cooper {Seal}

State of California }
County of Monterey }

On this twenty eighth day of October A. D. 1850, before me Recorder in & for the County aforesaid personally came John B. R. Cooper, Maria Geronimo Encarnacion Vallejo his wife & Annita Cooper their daughter to me known to be the same persons described in and who as the grantors thereof executed the foregoing conveyance & they severally acknowledged that they had executed the same for the uses & purposes therein expressed & the said Maria Geronimo Encarnacion Vallejo and Annita Cooper daughter of the said John B. R. Cooper having had the contents thereof explained to them, were by me examined, separate & without the hearing of the said John B. R. Cooper & they severally acknowledged that they had executed the same freely and voluntarily & without fear or compulsion of the said John B. R. Cooper & that they did not either of them desire to retract the execution thereof.

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Given under my hand & official seal the day & year last aforesaid.

Wm S. Johnson,
Recorder of Monterey County.

Filed in office, March 3rd 1853.
Geo. Sisher, Secy.

This contract made & concluded in the town of San Francisco, upper California this fifth day of May 1847 between John B. R. Cooper on the part of the owner or owners of a section of timber land lying upon the north side of the bay of San Francisco, upper California known as "Cooper's Ranch" of the first part & Captain Joseph L. Folsom, assistant Quartermaster of the U. S. Army on the part of the United States of the second part.

Exhibit No 1
"P. L."

Witnesseth that the said party of the first part agrees to allow the said party of the second part to erect one or more

more

P. L. to allow the said party of the second part to erect one or

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more Saw mills upon any portion of the lands before mentioned, belonging to the party of the first part which may be most suitable for the purpose of cutting lumber for the use of the United States the respective parties binding themselves by the following conditions to wit:

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The party of the second part is to be allowed to cut timber of every kind which may be required for the use of the Government on the land of the party of the first part, to erect a house or Shanty if necessary for the use of the men employed to keep such oxen, horses, mules &c as may be necessary in getting out the lumber on the land and to have the uninterrupted use of the landing or "embarcaderos" for removing the timber cut. It being agreed however, that no trees shall be cut or injured when not wanted for the use of the Government if it can be avoided in getting out the logs &c and that such trees as are cut for the Use of the United States shall be the exclusive property of the government, and it is further agreed that so long that the party of the second part continues to cut timber upon the land of the party of the first part no other saw mills shall be erected thereon for sawing lumber except such lumber be wanted for the use of the party of the first part.

The said party of the second part for & in consideration of the performance of this agreement by the party of the first part, hereby engages to pay or cause to be paid to the said party of the first part or his heirs or assigns the sum of five dollars per thousand feet, board measure for all the lumber sawed under this contract whether it consists of boards, planks, joists or framing timber & should trees be cut for shingles eight thousand of the latter are to be estimated as one thousand feet of boards & the trees are to be paid for accordingly.

The conditions of this contract are such that the lumber cut shall be paid for quarterly or semi-annually to suit the parties and the contract is to continue in force during the pleasure of the United States.

So the true & faithful performance of all & every of the foregoing

Filed in office
April 13th 1854
Geo. Fisher,
Sec.

foregoing agreement, we the said parties do hereby
bind ourselves. In virtue whereof we hereunto set our
hands the day & year above written. Done in triplicate.
Witness
John B. R. Cooper.
Edw^a Hopkins Harrison } J. L. Tolson, Capt.
Capt. A. M. W. S. A.

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This indenture made the first day of march A. D. 1850
between John B. R. Cooper & Talbot H. Green of San
Francisco of the one part & Robert Allen of the other
part;

Exhibit N^o 2.

Whereas the said John B. R. Cooper by a certain
writing or letter of attorney under his hand and seal duly
executed dated the twenty second day of february A. D.
1850, amongst other things therein contained, did au-
thorise the said Talbot H. Green in the name of him
the said John B. R. Cooper & on his behalf to execute
leases for certain lands in California; now this inden-
ture witnesseth that for & in consideration of the rent,
covenants & agreements hereinafter mentioned contained
& reserved on the part & behalf of the said Robert Allen
to be done & performed, made & paid; he the said John
B. R. Cooper by his said attorney Talbot H. Green hath
granted, demised & let & by these presents doth grant
demise & let, unto the said Robert Allen, his executors &
administrators all that piece or parcel of land com-
monly known & designated by the names Corte Madera,
Quintin, Lagunita & Canada Anselmo, situate, lying
& being in the County of Marin, State of California with
all & singular the appurtenances thereunto belonging.

To have & to hold all and singular the said demised
premises unto the said Robert Allen, his executors &
administrators from the first day of march A. D. 1850,
for & during the full & complete term of two years thence
next ensuing.

Yielding & paying for the same yearly and every year
during the said term unto the said John B. R. Cooper
his heirs & assigns, the sum of one dollar and such & other
and further

and further sum or sums of money as shall or may become justly due & owing & at the time & times specified hereinafter mentioned, unto the said John B. R. Cooper, by virtue of the covenants & agreements herein contained.

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And the said John B. R. Cooper by his said attorney Talbot H. Green doth covenant, promise & agree with & to the said Robert Allen his executor & administrators that he the said Robert Allen his executors & administrators shall have the right to cut timber, upon the said piece or parcel of land & all the mineral privileges, yielding & paying therefor as hereinafter specified & mentioned.

And the said Robert Allen for himself, his executors & administrators doth covenant, promise & agree with & to the said John B. R. Cooper his executors, administrators & assigns that he, the said Robert Allen shall take the whole of said piece or parcel of land under his charge & control; that for all cordwood cut on said piece or parcel of land he shall pay for the same unto the said John B. R. Cooper the sum of one dollar & fifty cents per cord; all kinds of square, round or hewed timber the sum of five dollars per thousand feet; all boards & planks the sum of two dollars per thousand feet; and all other articles including coal if found or other minerals that he said Robert Allen shall sell or dispose of, he shall pay to the said John B. R. Cooper ten per cent of the net proceeds thereof; and that the said Robert Allen shall render a fair & just account every three months during the said term hereinbefore demised & granted; the first account to be rendered at the end of three months from the date hereof, of all products & pay to the said John B. R. Cooper the amount or sum & sums justly due according to the true intent & meaning of these presents at the end of every three months during the said term as aforesaid; & the said Robert Allen doth further covenant, promise & agree that he shall & will not transfer, sell or assign or set over his interest in the said piece or parcel of land
its timber

its timber privileges, ^{nor its mineral privileges} during the said term, for the whole or any part thereof, nor for the whole or any part of the said piece or parcel of land.

But it is hereby expressly understood & agreed upon between the parties hereto & the privilege is hereby granted that the said Robert Allen may at his pleasure during the said term sublet or rent out under him parts & parcels of the said piece or parcel of land for farming purposes, providing that all the improvements of whatever kind made & erected thereon shall be & remain on said piece or parcel of land & parts thereof so subletted, at the expiration of the term or time hereby granted free of all cost or charge whatever.

And also all other improvements made & erected on the said piece or parcel of land by the said Robert Allen, shall be & remain upon the said granted & demised premises at the expiration of the said time or term.

And the said John B. R. Cooper by his attorney for himself his executors, administrators & assigns do covenant promise & agree with & to the said Robert Allen his executors & administrators that he the said John B. R. Cooper shall & will extend the time of the term of this lease during one year, providing the said Robert Allen shall require it, upon notice of at least two full months, before the expiration of the term hereinbefore granted.

In testimony whereof the said John B. R. Cooper by his attorney Talbot H. Green & Robert Allen have hereunto set their hands & seals this first day of July A. D. 1850.

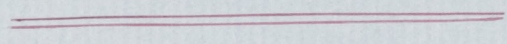
John B. R. Cooper, by his attorney Talbot H. Green {Seal}

R. H. Allen {Seal}

Signed, sealed & delivered in presence of
George Hyde
William M. Hoffman.

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MD



State of California }
 County of San Francisco }

On this first day of July one thousand eight hundred & fifty personally appeared before me a notary public in & for the said County Talbot H. Green, known to me to be the attorney in fact of John B. R. Cooper and the said Talbot H. Green acknowledged to me that he executed the within instrument as the attorney in fact of the said John B. R. Cooper & also appeared before me the said notary public B. H. Allen known to me as the person described & who executed the within instrument who acknowledged that he executed the same for the uses & purposes therein mentioned.

William M. Coffman.
 Notary Public, County of San Francisco.

Recorded in County Recorder's Office 19th July 1850 at 25 minutes past 3 P.M. in book No 1. of leases pages 36, 37 & 38

John A. McGlynn
 County Recorder
 by James O. Grady deputy.

We the parties undersigning this amendment to the lease made between John B. R. Cooper & Robt. Allen on the first day of March A.D. 1850 do agree to modify said lease in the manner to wit:

The aforesaid Robert Allen does hereby relinquish & release unto Benjamin R. Buckelew, (late purchaser of Rancho of John B. R. Cooper & to which the aforesaid lease pertains) all claims to the use of the land of the aforesaid Rancho, excepting such portions as Joseph Daniels & William Reynolds have selected for cultivation & other needful purposes, which reservations are respectively situated near the Steam Saw mills conducted by the aforesaid J. Daniels & W. Reynolds under the direction of the aforesaid Robt. Allen. But the free privilege of the use of the water

water courses & landings as well as the roads & Cross roads & liberty to pass & repass and graze animals over the entire place is in all respect unbridged.

And the right to cut wood and all description of lumber by the said Robt. Allen, as also the mineral priviledge remain entire & unaltered.

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In testimony we hereunto affix our names & seals in the City of San Francisco on the twenty seventh day of November in the year one thousand eight hundred & fifty.

R. H. Allen {Seal}
B. R. Buckelew. {Seal}

Witness:
Wm. M. Rabi.

State of California }
County of San Francisco }

This twenty seventh day of Nov. 1850 personally appeared before me Wm. Rabi a notary public, Robert Allen, & B. R. Buckelew both personally known to me to be the parties who executed the within deed & acknowledged that they executed the same freely & voluntarily for the purposes therein mentioned & the aforesaid B. R. Buckelew did in my presence refund unto the aforesaid Robt. Allen the sum of one dollar & releases the farther annual payment of one dollar mentioned in the original lease which is here annexed & forms a part & parcel of the instrument, in consideration of the above relinquishment of the use of lands as above specified and the above named Robt. Allen did acknowledge and accept the above mentioned sum of money & release of farther annual payment.

In testimony whereof I have signed these presents & caused my seal of office to be thereunto affixed the day & year last above written.

Filed in Office
April 15th 1854
Geo. Fisher
Secy.

Wm. M. Rabi, notary public
County of San Francisco.

No 740

Benjamin R. Buckebw }
vs } "Prunta de Guintrin"
The United States }

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Opinion by
C. W. Thompson

This is a claim for a tract of land situated in Marin County, containing two square leagues, a little more or less and is founded on a grant made by Governor Juan B. Alvarado to Juan Cooper on the 4th day of September 1840. The original of which is filed in the case and its genuiness established by proof.

On the 25th of October 1850 the said Cooper and wife conveyed the premises to the present claimant by proper legal conveyance.

Judicial possession of the land was given to the grantee by the proper Officer on the 10th day of October 1841 and the boundaries pointed out.

The evidence shows a full compliance with the conditions of the grant, and the boundaries are defined with sufficient certainty to obviate any difficulty in the location of the particular tract intended to be granted. a decree of confirmation will be entered.

Confirmed.

Filed in Office July 10. 1855
Geo. Fisher Sec.

No 740

Benjamin R. Buckelew }
 vs }
 The United States, } 3

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In this case on hearing the proofs and allegations, it is adjudged by the Commission that the claim of the petitioner is valid and it is therefore decreed that the same be confirmed.

Decree of
 Confirmation

The land of which confirmation is made is known by the name of "Punta de Pintin" situated in the County of Marin, containing two square leagues a little more or less as shown by the map contained in the Expediente and described in the original grant and record of judicial possession filed in the case, to which said documents reference is hereby made for a more particular description. Provided that the quantity of land above mentioned be contained in the boundaries described in said grant and judicial possession, and if not, then this confirmation shall be for so much thereof as may be embraced by them.

R. Aug Thompson

V. B. Farwell

Commissioners

Filed in Office July 10, 1855.

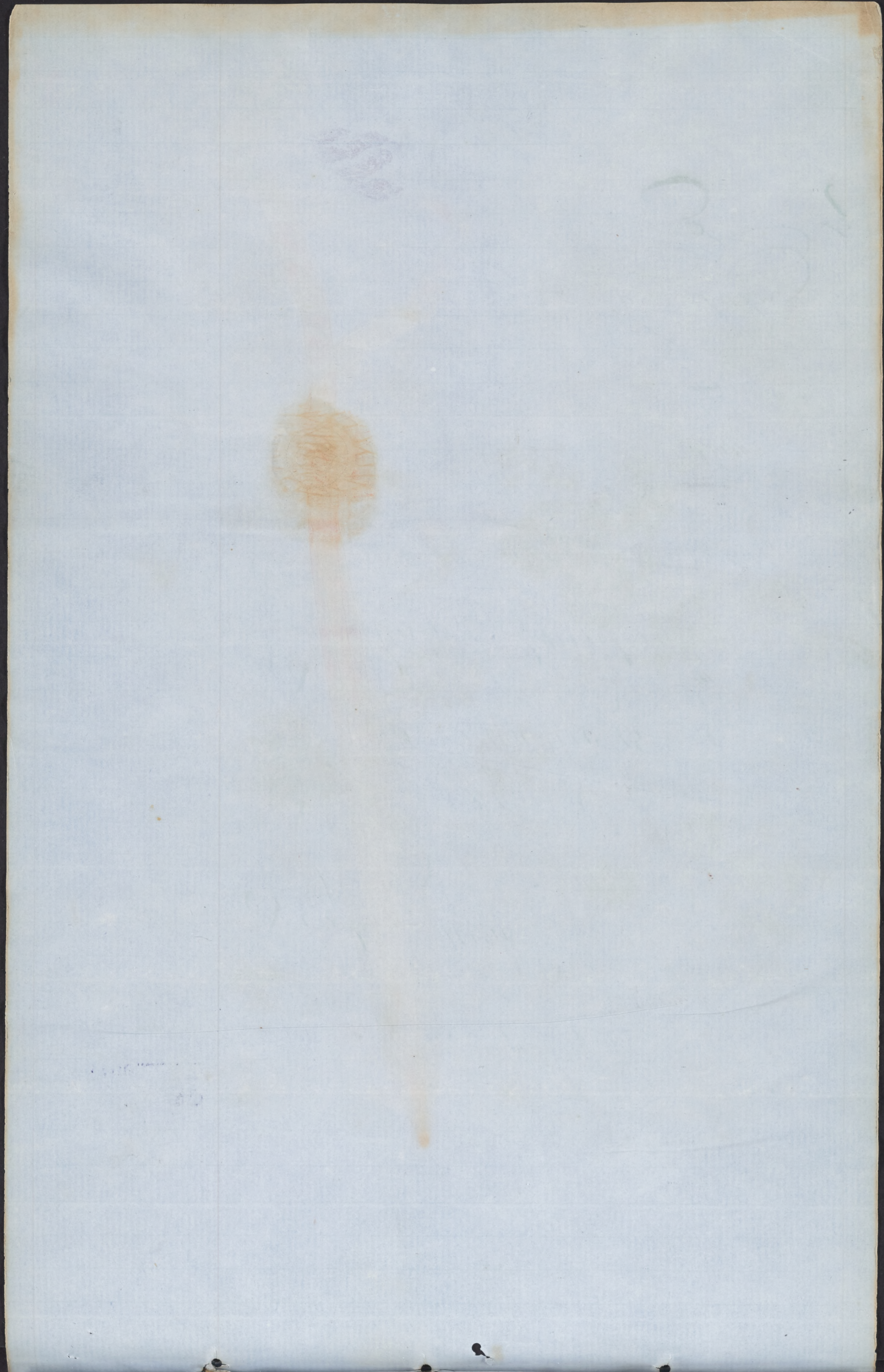
Geo. Fisher Sec.

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Order

And it appearing to the satisfaction of this Board that the land hereby adjudicated is situated in the Northern District of California it is hereby ordered that two transcripts of the proceedings and of the decisions in this case and of the papers and evidence upon which the same are founded be made out and duly certified by the Secretary, one of which transcripts shall be filed with the Clerk of the United States District Court for the Northern District of California and the other be transmitted to the Attorney General of the United States.



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Office of the Board of Commissioners,

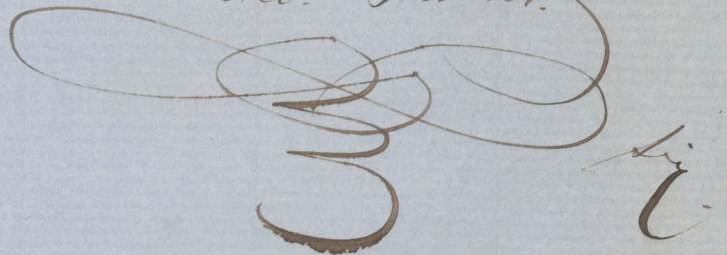

To ascertain and settle the Private Land Claims in the State of California.

I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Fifty seven* pages, numbered from
1 to *57*, 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. *741* on the Docket of the said Board,
wherein

B. W. Buckelew is
the Claimant against the United States, for the place known by
the name of "*Punta de Quintan*"

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

Geo. Fisher



372
U. S. DISTRICT COURT,
Northern District of California.

No. 372

372

THE UNITED STATES,

vs. *MS*

W. B. Buckle

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *746*

Filed, *December 20* 1855

John R. Monroe,
clerk,

Office of the Attorney General of the United States,

Washington, 11 Feby, 1856.

740/ "Punta de Suintin"

B. R. Buckleus Claimant

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 1st day of January, 1856, the appeal in the district court of the United States for the Western district of California will be prosecuted by the United States.

Clint

Attorney General.

No - 372 -

United States

- Ad -

B. R. Buckelew

Appeal Notice

No - 740 -

Filed April 4. 1856.

Cherish,

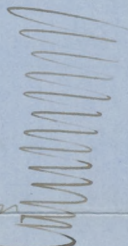
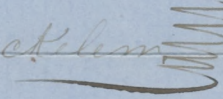
Deputy.

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District Court of the United States,
Northern District of California.

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The United States,  No. 372.
vs
Benjamin R. Buckle,  Stated Term,
March 30, 1857.

This cause coming on to be heard at a Stated Term of the Court 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 an Act of Congress approved on the 3rd day of March, A. D. 1851, upon the transcript of the proceedings, and decision of the said Board, 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 counsel for the respective parties having appeared, in consideration of all which the Court is of opinion that there is no error in the decision of the said board, and that the same should be, and the same hereby is in all things affirmed, and the Court doth likewise further order, adjudge, and decree that

The claim of the said Appellee is a good, and valid claim, and the same is hereby confirmed to him to the extent, and quantity of two square leagues, a little more or less,

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The land of which confirmation is hereby made is known by the name of "Punta de Quintin", situated in the County of Masin, containing two square leagues, a little more, or less, as shown by the Map contained in the Expediente, and described in the original Grant, and record of judicial possession filed in the case, to which said documents reference is hereby made, for a more particular description. Provided that the quantity of land above mentioned be contained in the boundaries described in said Grant, and judicial possession, and if not, then this confirmation shall be for so much thereof as may be embraced by them.

Agda Hoffmann.
U. S. Dist Judge

No. 372.

U. S. District Court,

The United States,

vs

B. R. Buckleer,

Deceit.

Filed March 30. 1857,

John A. Monroe,
Clark.

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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 *Wednesday* the *first* day of *April* in the year of our Lord one thousand eight hundred and fifty-seven.

Present :

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States

v

P. H. Buckelew

D. C. 372; L. C. 740.

In this case, on motion of the District Attorney made in open Court, it is ordered by the Court that an appeal in behalf of the United States from the final decision of this Court, rendered at the present term, be, and the same is hereby granted; and that a certified transcript of the pleadings, evidence, depositions and proceedings in the said cause be sent to the Supreme Court without delay.

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United States District Court, Northern
District of California.

The United States

VS.

P. R. Buckelew

ORDER.

granting appeal

Filed *April 1st* 1857

John. a. Monroe,
CLERK.

By *W. H. Chevers,*
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. 740 on the Docket of the said Board, wherein

Benj. R. Buckelew is
the Claimant against the United States, for the place known by the name of *Punta de Quentin*.

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.