

CASE NO.

10

NORTHERN DISTRICT

OLOMPALJ GRANT

CAMILO YNITIA

CLAIMANT

ALSO AVAILABLE ON MICROFILM

RANCHO OLIMPALI' DI SE²MO
MARIN COUNTY
CAMILO YNITA

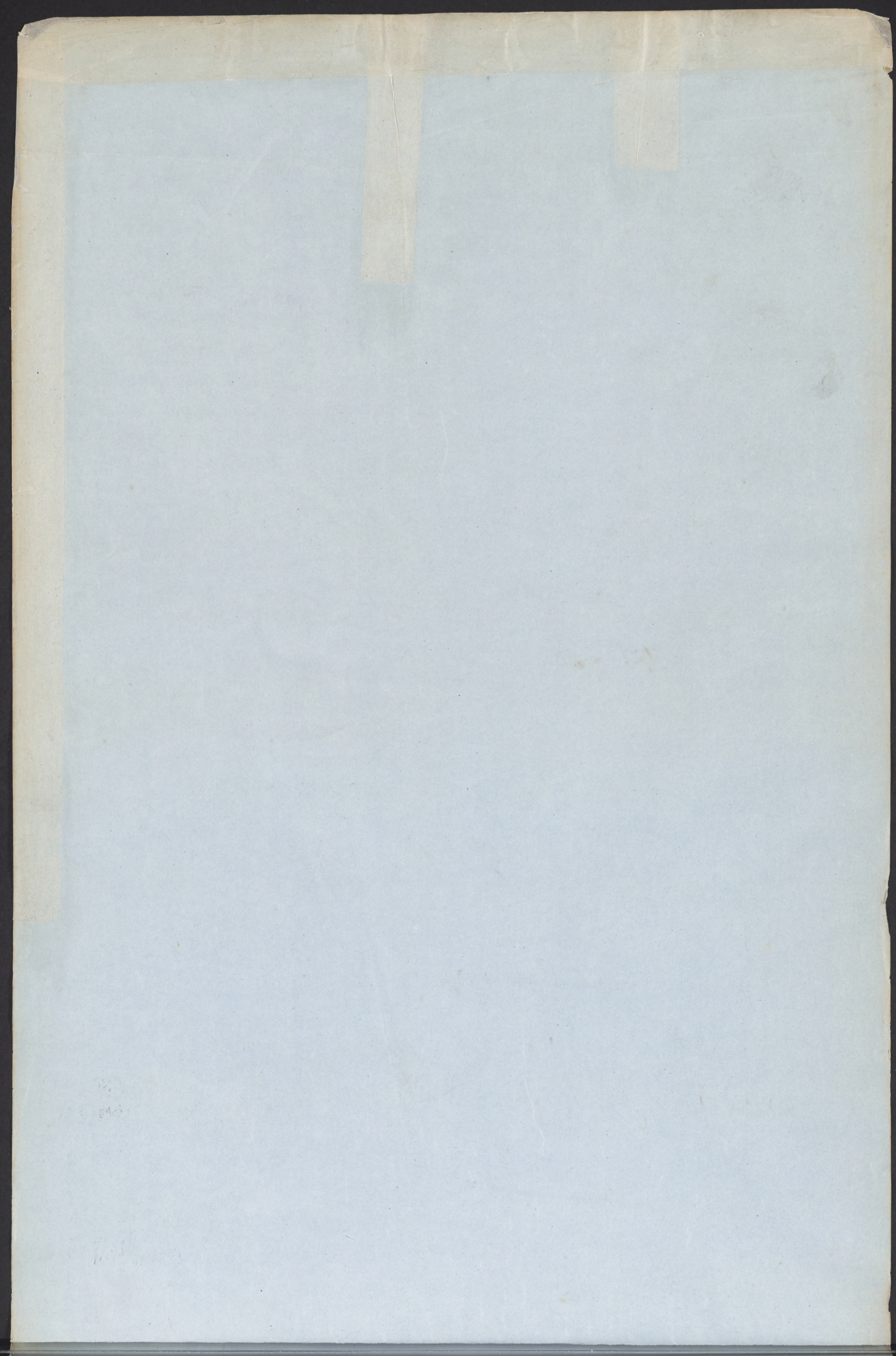
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10. N.D.

U.S. A.

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Transcript of the Proceedings

in

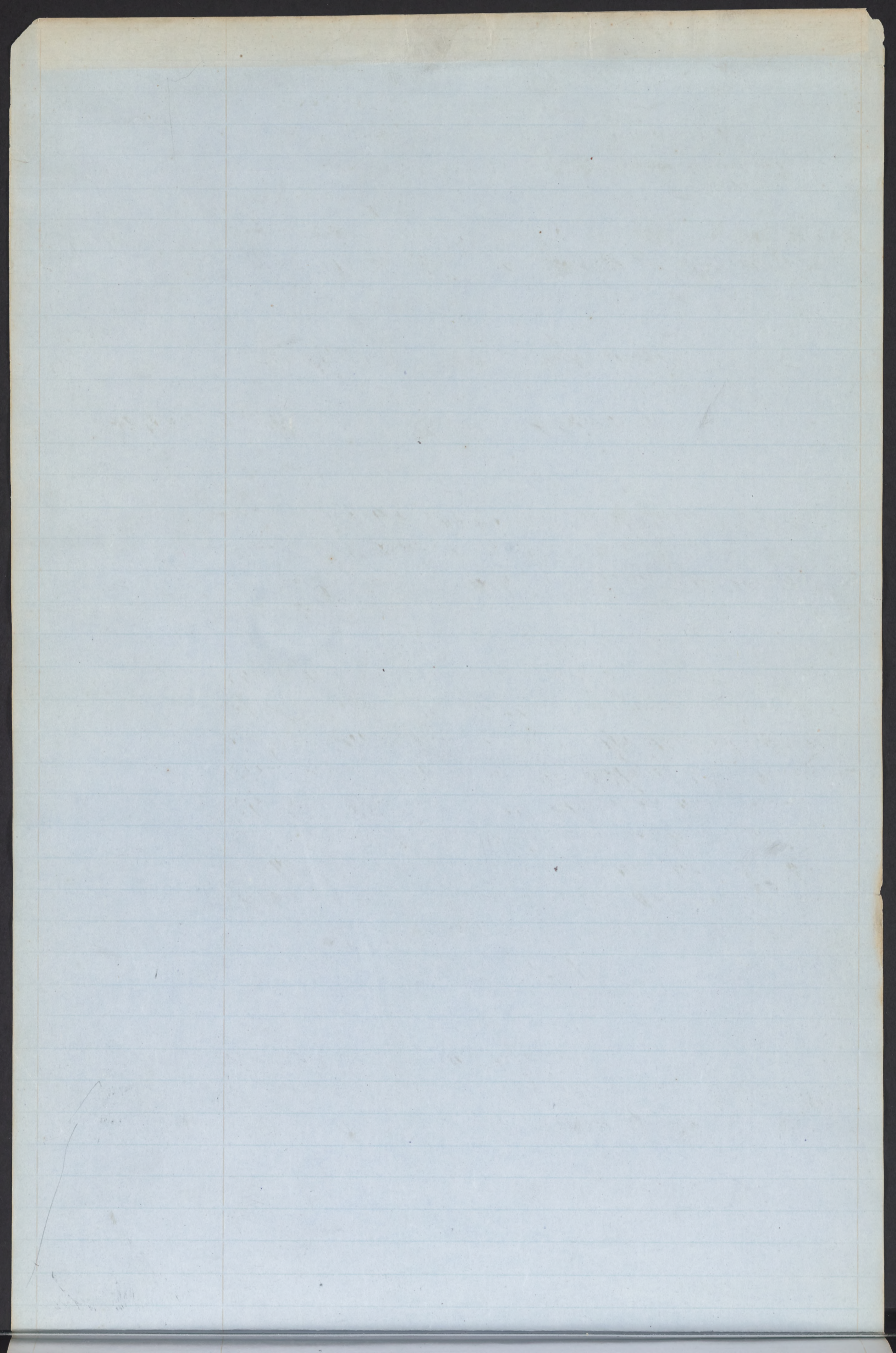
Case No. 71.

Olempali

Camilo Ynitia

vs

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.

Be it remembered that on this Thursday
February 26th Anno Domini One thousand
Eight hundred and fifty two before the Com-
missioners to ascertain and settle the private
Land Claims in the State of California sit-
ting 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 Carmelo Yuitia for the Rancho
Chompali was presented and ordered to be filed
and docketed No 71 and is as follows to wit;

No 71

Carmelo Yuitia, Claimant
VS

The United States, Defendant

To the Hon. the Board of Commissioners
for settling private Land Claims in Cali-
fornia.

The Petition of Carmelo Yuitia of
the County of Marin respectfully submits
to Your Hon. Board the accompanying grant
of a tract of land called Chompali made

to him on the 22^d October 1843. by Governor Michelorena by virtue of the Colonization Law of Mexico of the 18th Aug. 1844. & the instructions under said Law, dated Nov. 21. 1828.

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The quantity of Land contained in said grant is two leagues, it is bounded by the Arroyo de San Antonio & the Potreros del Novato, said grant has been surveyed, & there is no conflicting claim to it as known to your petitioner.

All which is respectfully submitted to your Hon. Board for such action as justice & the nature of the case may require.

Irving & Rose
for Petitioner.

Filed in Office Feb 26th 1852.

Geo. Fisher
Secy

Friday February 27th 1852.

In Case No. 71 Carmelo Quitia, the Deposition of David S. Spence, a witness in behalf of the Claimant taken before Commissioners Meland Hall was filed and is in the words & figures as follows to wit,

Office of the Board of Commissioners of California Land Claims.

San Francisco Feb 26. 1852.

On this day before Meland Hall one of the Comm^{rs} for ascertaining and settling private Land Claims in the State of California came David S. Spence a witness produced in behalf of the Claimant in the case of the Petition of Carmelo Quitia, being No. 71 on the Book of the Commissioners, and after being duly

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Sworn testified as follows, the Sworn Agent having been notified attended.

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Questions by Robert Rose Counsel for Claimant.

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

Spence

Answer. My name is David S. Spence, my age is fifty three & I reside in Monterey & have resided there for twenty eight years past.

2. Are you acquainted with the handwriting of Manuel Micheloseno, & Manuel Jimenez, & if so look on page third of the Expediente in this case marked A. with the initials M. M. and say if the signatures purporting to be theirs on said page are genuine?

Answer. I am acquainted with the handwriting of both & have often seen them write. I have no doubt the signatures are genuine.

D. S. Spence

Sworn & subscribed
before me

Wiland Wall.

Court

Filed in Office Feby 27th 1832.

Geo Fisher

Clery

Leese

In the same case the deposition of Jacob P. Leese a witness in behalf of the Claimant, taken before Commissioners James Wilson, was filed and is in the words and figures as follows to wit

Office of the Board of Commissioners
of California Land Claims.
San Francisco, Feb. 27th 1852.

On this day before James Wilson, one of the Commissioners for ascertaining and settling private Land Claims in the State of California, came Jacob P. Seese, a witness produced in behalf of the Claimant in the case of the Petition of Carmelo Quintia & being duly sworn testified as follows-

Questions by Robert Rose Counsel for Complainant.

1. Question. Are you acquainted with the hand writing of Salvador Vallejo and if so examine pages 6-7-8-9-12-13-14-15-16- & 17 of the document marked by the initials S. W. and now exhibited to you and say whether the signatures of Salvador Vallejo where it appears in said document are the genuine signatures of said Vallejo.

Answer. I am very well acquainted with the hand writing of said Salvador Vallejo, and upon examination of the signatures aforesaid, I say they are genuine signatures of Salvador Vallejo.

2. Question. Do you know Carmelo Quintia?

Answer. I do know him. He has occupied and cultivated the place called Chompali since the year 1841 to my knowledge.

Cross Examination by Geo. W. Croley Esq
Law Agent of the United States.

Question. By what means did you become acquainted with the handwriting of Salvador Valleys?

Answer. The said Salvador Valleys is my brother in law. I often have seen him write and have a great deal of his writing in my possession.

Question. State accurately the time and the extent of it, when you knew Carmelo Yuita to occupy the Rancho called Olompali?

Answer. I formerly resided in Sonoma County, and in 1841 the said Carmelo, was occupying the farm Olompali. I have known of his occupying that place during the whole time since 1841.

Question. State precisely in what manner and to what extent said Carmelo Yuita cultivated said Olompali?

Answer. He had about two hundred acres enclosed & under cultivation. He had a vineyard in grapes, he also cultivated grains. He also occupied part of the farm for pasturage of stock.

Question. State on what occasions and why you visited said place called Olompali and how far you resided from the same?

Answer. I was a merchant in Sonoma & Carmelo traded with me. He bought goods of me & I bought his grain, produce and cattle. This trade gave occasion for him to visit my store and for me to visit his farm. I resided about 20 miles from Olompali, was very frequently at his place. His house was

on a public highway and it was my usual stop-
ping place when on business in that part of
the country.

Jacob P. Geese

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The following Deposition subscribed and sworn
to on the day and year first above written,
Before me — James Wilson
Coun^r

Filed in Office Feby 27th 1852.

Geo Fisher
Sec'y

Saturday June 26th 1852

The following Cases were set for hearing and
ordered to be placed on the Trial docket viz:
No. 71. Carrizo, Yunitia, "Orumpali"
" 72. Timotes Murphy, "San Pedro" &c. &c.

Wednesday Sept. 29th 1852.

Case No 71. Carrizo, Yunitia for the place
named "Orumpali"; called.
The Counsel for the Claimant, Mr. Rose
read the papers in evidence, and submit-
ted the same, without argument. The U.S.
Land Agent filed his written argument.
Taken under advisement by the Board.

Saturday Dec^r 18th 1852.

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In Case No. 11. Carmelo, Quitia, for the place named "Compali," Commissioner Harry Thornton delivered the Opinion of the Board.

In the same case, Commissioner Milward Hall delivered his Opinion.

In the same case, Commissioner Harry J. Thornton delivered the Decree of Final Confirmation of this Board.

Ordered; That the several Opinions delivered this day, and the Decree of final Confirmation of this Board, also delivered this day, in this case, be recorded on the Journal.

Which Opinions and Decree are in the words and figures as follows, to wit;

Commissioner for ascertaining and settling private Land Claims in the State of California Depins at San Francisco.

Carmelo, Quitia, Claimant }
vs } No 11. "Compali"
The United States }

The Claim presented to the Board in this case, is founded upon a grant, or conveyance in full title, made to the Claimant on the 22^d of October, 1843, by Michel Roseno, who was at the time Governor of the Department of the Californias and duly authorized by virtue of the Decree of the Mexican Government of the 18th of August, 1824, and Ordinance

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of the 21st of November 1828, to grant vacant lands in this Province. The original grant, is in evidence before us, and its genuineness fully established by the testimony on file. The Grant recites that "the requirements and investigations in the matter have been complied with, agreeably to the Laws and Regulations."

There was also read as evidence, without objection thereto, a Statement of the Surveyor General of California, the legal custodian of the Public archives of the former Governments of the Country, from which it appears that there is among said archives evidence of the grant; that the papers relating to it are apparently fair and genuine, and that he knows nothing among said archives calculated to cast suspicion thereon. It appears by the proofs on file that the grantee resided in a house upon the land granted to him, during the whole time since the year 1841 down to the taking of the proof in the case; that the farm was stocked by him, and used for pasturage, and cultivated also, with its enclosures, to the extent of about two hundred acres in grains and vines during the whole period above mentioned.

A document is in proof containing the full proceedings of Judicial possession and measurement of the land, according to the usage of the country which bears date on the 7th of December 1843. This proceeding tho' it may not conform rigidly with the Ordinances regulating Surveys, yet, as there was no Public Surveyor appointed by the Government, it was all that could be done, or was required by that Government. It constitutes in our opinion, if the grant itself does not effect that purpose, which I think it does, to the extent of the map, a sufficient leg-

-gregation of the land granted from the public domain, and will effectually enable the Comodoro General to locate the same.

The objections urged against the validity of the claim, consist of the failure to produce any evidence of the submission by the Governor of his grant, to the Departmental Assembly for their approval; and of the insufficiency of the performance of the conditions subsequent, annexed to the grant, relative to the measurement of the land.

These objections have all been fully considered by this Board, and overruled, for the reasons given in the opinion delivered, and on file in the case of Gonz Cervantes, No. 56, of the Pocket of the Board.

The grant in this case is for two square leagues a little more or less.

We declare the claim to be valid to the extent of two square leagues, without any increase or diminution thereof by the terms "a little more or less." The reasons for this construction of the grant are fully set forth in a prior opinion of this Board, on file in the case of Don Keys, assignee, &c., to the Marches of Sal. Sr. Judas, Pocket No. 222.

For the reasons above given we are of opinion, that the claim in this case is valid, under the rules of decision by which we are required to be governed in the 11th section of the act of the 3^d of March 1851, organizing this Board. In the result above announced Com^o Mall concurs.

Harry S. Thornton
Commissario

No. 71. Carmelo, Yutia Claimant
I agree that the opinion given in

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this case by Commissioner Thornton furnishes sufficient reasons for the confirmation of this claim; though I do not concur in a portion of them.

Miland Hall
Commissioner

Carmelo, Unita. Claimant
vs
The United States. No 11. Decree of Final Confirmation

This Board upon full consideration of the various grounds affecting the validity of the claim, having come to the conclusion that the same is valid; therefore now proceeds to make, and does hereby make the following decree or report of final confirmation. Viz; It is ordered that the said claim be confirmed to the extent and quantity of Two Square Leagues, or Sitios de Ganado Mayord, and for no more, being the same land described in the grant, and proved to have been possessed by the grantee; Provided, that the said quantity of land granted, and now here confirmed be contained within the boundaries called for in the said grant and map to which the grant refers, and if there be less than the said above named quantity of two square leagues within the said bounds, then we confirm to the claimant the said less quantity it being apparent that said quantity exceeds two hundred varas, which is the minimum prescribed in the Ordinance of the 21st of November 1828.

Miland Hall
Harry V. Thornton

C. 3000000000

Sello Tercero sin peso

Espediente B.

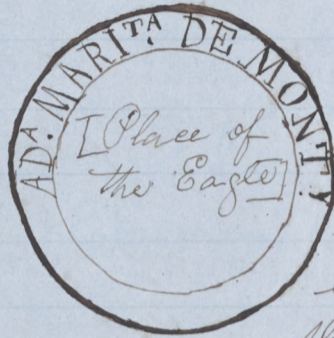
Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para el año de mil ochocientos cuarenta y tres.

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Micheltorena.

Manuel Castañares



Manuel Micheltorena
General de Brigada del Ejercito Mexicano, Ayudante General de la Plaza Mayor, Gobernador, Comandante General e Inspector del Departamento de Californias.

Por cuanto el ^{Campesino} Indigena, Intia ha pretendido para su beneficio personal y el de su familia, el parage conocido con el nombre de Olompali, Colindante con el Estero del mismo nombre, con el Arroyo de San Antonio y con el Portezuelo de Novato: practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos; usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose a la aprobacion de la Coma. Junta Departamental y bajo las condiciones siguientes.

1.^a Podrá sercarlo sin perjudicar las travesias caminos y servidumbres; lo disfrutará libre y esclusivamente destinandole al uso o cultivo que mas le acomode.

2.^a No podrá venderlo, enagenarlo ni hipotecarlo, imponer censo, vinculo, hi-

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=poteca ni otro gravamen alguno ni pasarlo a manos muertas.

3.^a Solicitara del juez respectivo que le de la posesion juridica en virtud de este despacho por el cual se demarcaramo los linderos en cuyos limites pondra a mas de las mojoneras algunos arboles frutales o silvestres de alguna utilidad.

4.^a El terreno de que se hace donacion es de dos sitios de ganado mayor poco mas o menos segun explica el diceno respectivo.

El juez que diere la posesion lo hara medir conforme a ordenanza quedando el sobrante que resulte a la Nacion para los usos convenientes.

5.^a Si contraviniere a estas condiciones perdera su derecho al termino y sera denunciabile por otro.

En consecuencia mando que sirviendole de titulo el presente, y teniendose por firme y validero se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas fines.

Dado en Monterrey a veinte y dos de Octubre de mil ochocientos enarenta y tres.

Man. Michelt^a

Man. Jimeno
Fris.

Duda tomada razon de este Despacho en el Libro respectivo a f.º 1.º v.º del libro seg. do.

Jimeno.

Juzgado de Sonoma.

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Especto instruido pa medir y dar posesion de dos sitios de ganado Mayor en el Rancho de Alompali el dia siete de Obrero del año de mil ochocientos cuarenta y tres.

Juez el C. Salvador Vallejo
De apa. Cayetano Joares
Pedro Toto

Por Juez de Paz de Sonoma.

El C. Jose Camilo Vecino de esta jurisdiccion dueño del rancho de Alompali como mejor procede en Dho. ante V. parizes y digo: que como consta del titulo q. presento con la solemnidad y juram^{to} necesario tengo en mi dho. rancho Dos sitios de ganado mayor debajo de los linderos q. espresa dho. Titulo. si sirviera V. mandar q. presediendo las diligencias acostumbradas de identidad vista de ojo y reconocim^{to} se proseda con citacion de los circunvecinos a la medida de dhas. tierras, pa cuyo efecto nombro ahora y pa cuando el caso llegue pr. mediador al C. Gregorio Briones Vecino de esta jurisdiccion inteligente en materia de medidas, y otro q. sea interesado nombre

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stro medidor, y habiendolo echo asi, el q. nombre con el referido Oriones p. mi nombrado aparezcan acepten y juren y en su conformidad se proseda a dhas. medidas. P. T.

A. V. S. que habiendo p. presentado dho. docum^{to} se sirva mandar como llebo p. = dicho, y echos q. sean se me devuelban dho. recaudos con las dilig^{as} originales q. se hicieron

Para resguardo de mi dho. este escrito y todo lo necesario.

Tomona Dbr. 7. de 1843.

A cargo de Jose Camilo

Gregorio Oriones

de esta jurisdiccion en sus personas q. conozco y habiendo lo heido, dijeron q. aceptan el encargo de medidores q. se ^{les} confian y juran a Dios y una señal de Cruz, usar de su encargo fid y legalmente, segun su leal saber y entender como es de su obligacion y a satisfaccion de los interesados, y habiendolo asi respuesto lo firmaron conmigo y los de assa.

J. W. - Salvador Vallejo -

de assa - { Cayetano Joares
Pedro Toto

Fernando Juels -

Gregorio Oriones

Y mediata^{te} si hizo saber el auto q. antecede a las partes; oy entendidos dijeron q. se dan p. sita dos y lo firmaron conmigo y los de assa.

Salvador Vallejo

de assa - { Cayetano Joares
Pedro Toto

Fernando Juels -

Gregorio Oriones.

J.M. En el mismo día mes y año se hizo com-
binacion de comparendo a los Colind^{tes} pa-
q^{te} comparecan en el mencionado Rancho
y p^a q^{te} conste lo firme con los de mi assa.

Salvador Vallejo-

de ap^a. Cayetano Joares
Pedro Goto

Estando en el campo de las tierras del
mencionado rancho a los 7 dias del mes de
Dici. del año de 1843, presentes las partes
interesadas y circunvecinos a dhas. tierras:
hize comparecer ante mi y los de assa.
a los C. G. Gregorio Oriones y Fernando
Felis, Medidores nombrados - a quienes mande
tomasen un cordel y mediren cien varas
de cuatro palmos Castellanos, lo q^{te} verifi-
caron a vista y presencia de los interesados
y circunvecinos, y p^a q^{te} conste mande re-
ponga p^r dilig^a y se proseda a dhas.
medidas como esta
mandado. Lo certifico asi mismo fir-
mandolo con los de mi assa.

Salvador Vallejo-

de assa. Cayetano Joares
Pedro Goto

Estando en el Campo de Olompali hoy
bierras del del mismo mes y año. Yo el
jefe de esta jurisdiccion actuando p^r
recept^a presentes los medidores nombrados
p^r las partes interesadas, mande proceder
a la medida de dos sitios de ganado
mas q^{te} pertenecen a dho. rancho segun
el titulo presentado, en cuyo obedeim^{to} se dio

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Principio a dha. medida comenzando desde la Punta del Estero rumbo O. N. E. hasta llegar a el arroyo de S. Ant. y se midieron 9.200 varas al rumbo O. N. E. de allí prosiguiendo al rumbo N. E. llegaron al orilla del estero donde se midieron 4.300 v. habiendo preberido al interesado q. en las partes situadas levantaras sus mojones sin necesitarlas p. el rumbo E. N. E. p. rodearlo los esteros. Por todo lo cual y en señal de verdadera posesion y ceremonial acostumbrado, avanzaron piedras y lleras y tiro p. los cuatro vientos, en manifestacion de su legal y legitima posesion q. toma p. si; en consecuencia el repetido juez advirtio a los Colmillos y circunvecinos q. reconociesen p. terminos y linderos las medidas señaladas, y de haberse efectuado dhas medidas y quite y pacificamente sin contradiccion de persona alguna: lo pedio por testimonio, y yo el repetido juez con los de mi año. lo doy de haberse efectuado como dho. es, y q. las expresadas medidas se han practicado sin dolo fraude ni engaño, y p. mayor claridad y ratificacion de lo q. tienen echo, lo firmaron con miso y los de mi año.

Salvador Vallejo

de año. { Bayetano Jaurres
Pedro Loto

Gregorio Oriones

Fernando Felis

En virtud de hallarse concluido este expediente en q. consta haberse dado posesion

cesion jurídica del rancho de Champal a
distancia de ocho leguas de este pueblo al
C. Jose Camilo, Entreguese al interesado
la parte original con los documentos q. presenta.

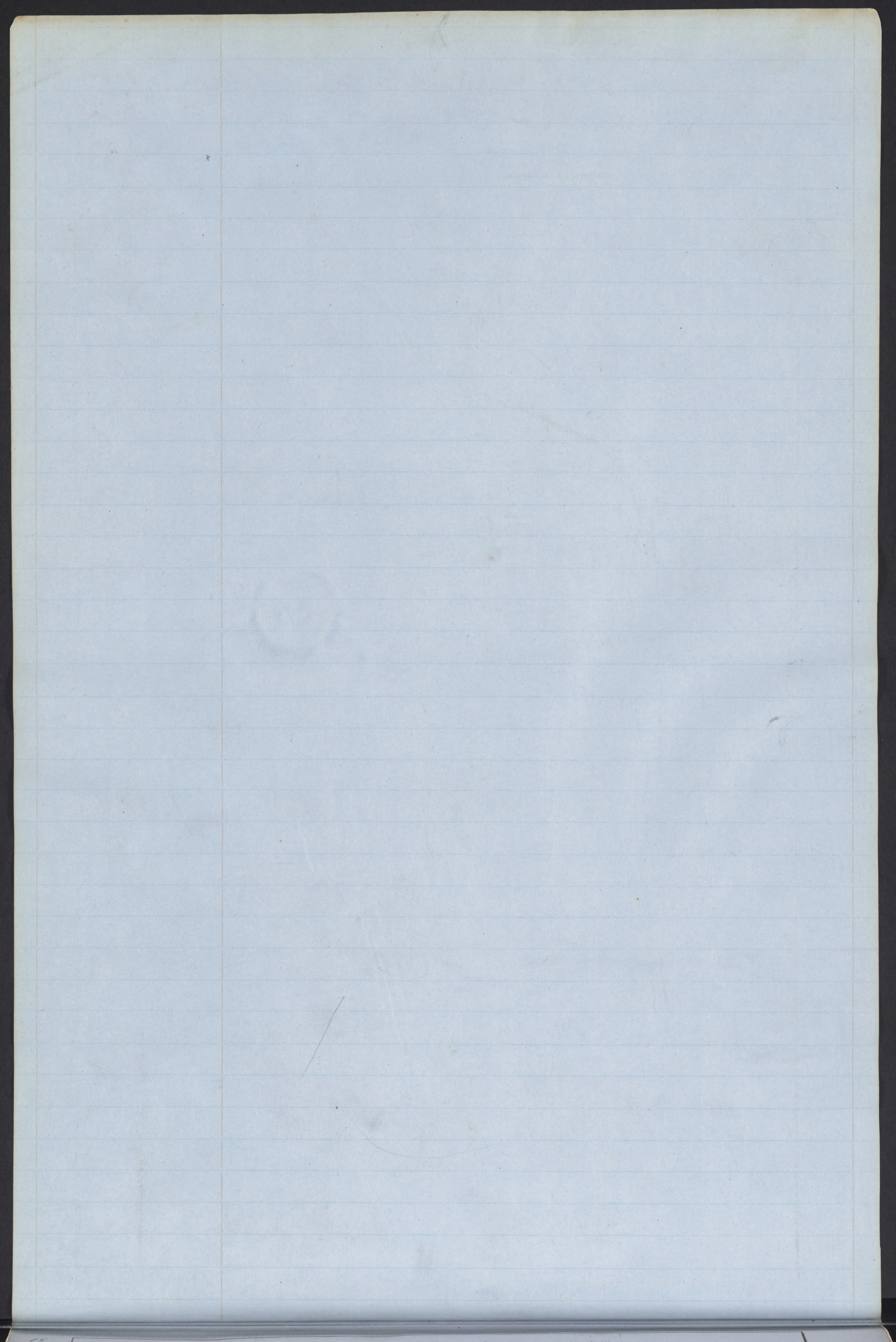
El C. Salvador Vallejo juez de esta
jurisdiccion actuando p. recepta asi lo
provey, mande y firme a los siete dias de
Dibre del año de mil ochocientos cuarenta
y tres.

Salvador Vallejo -

de año. *Flayetano Joares*
Pedro Gots.

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RANCHO OLOMPALI

Diseño

10 N.D

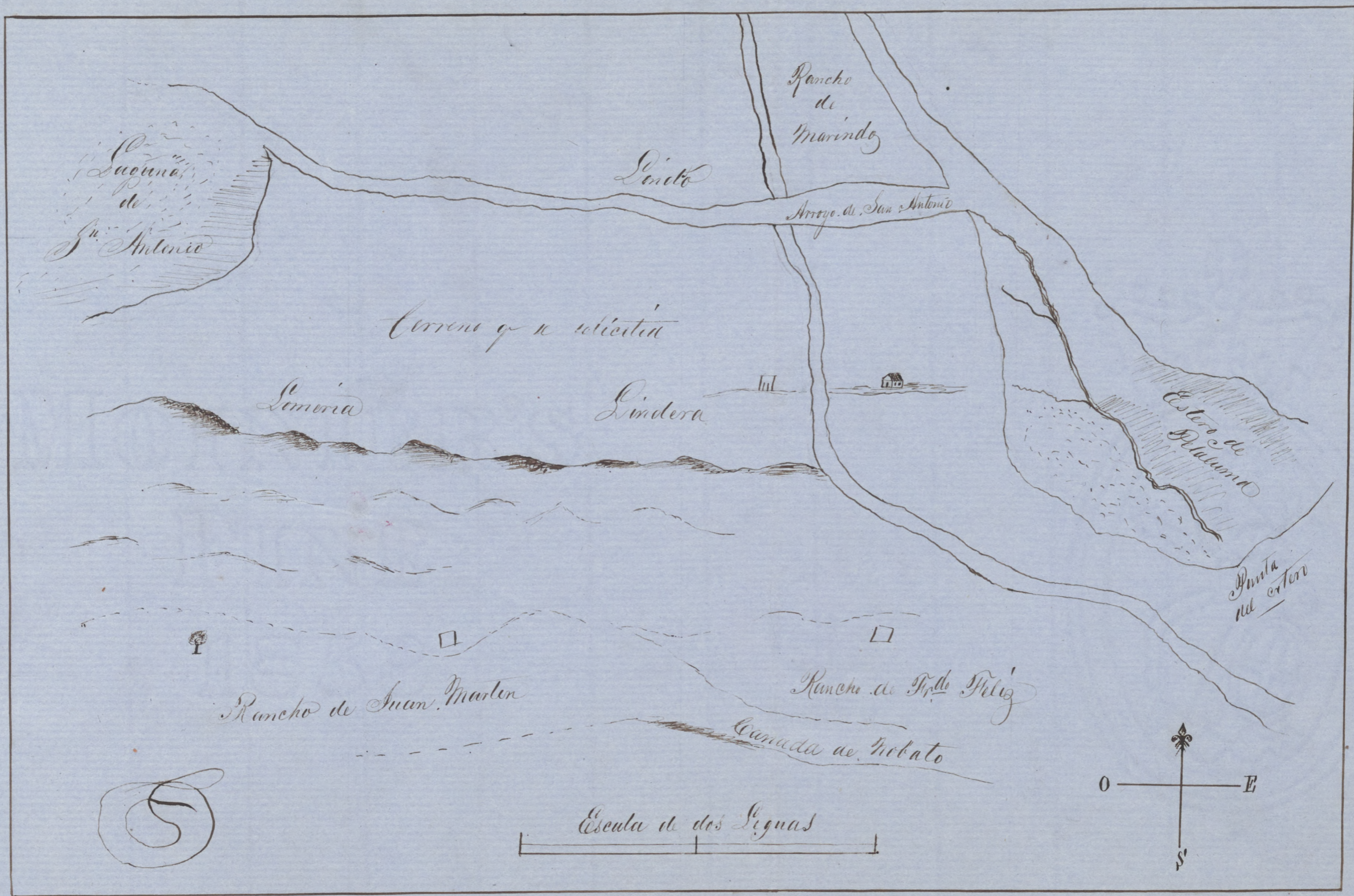
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"OLOMPALI"

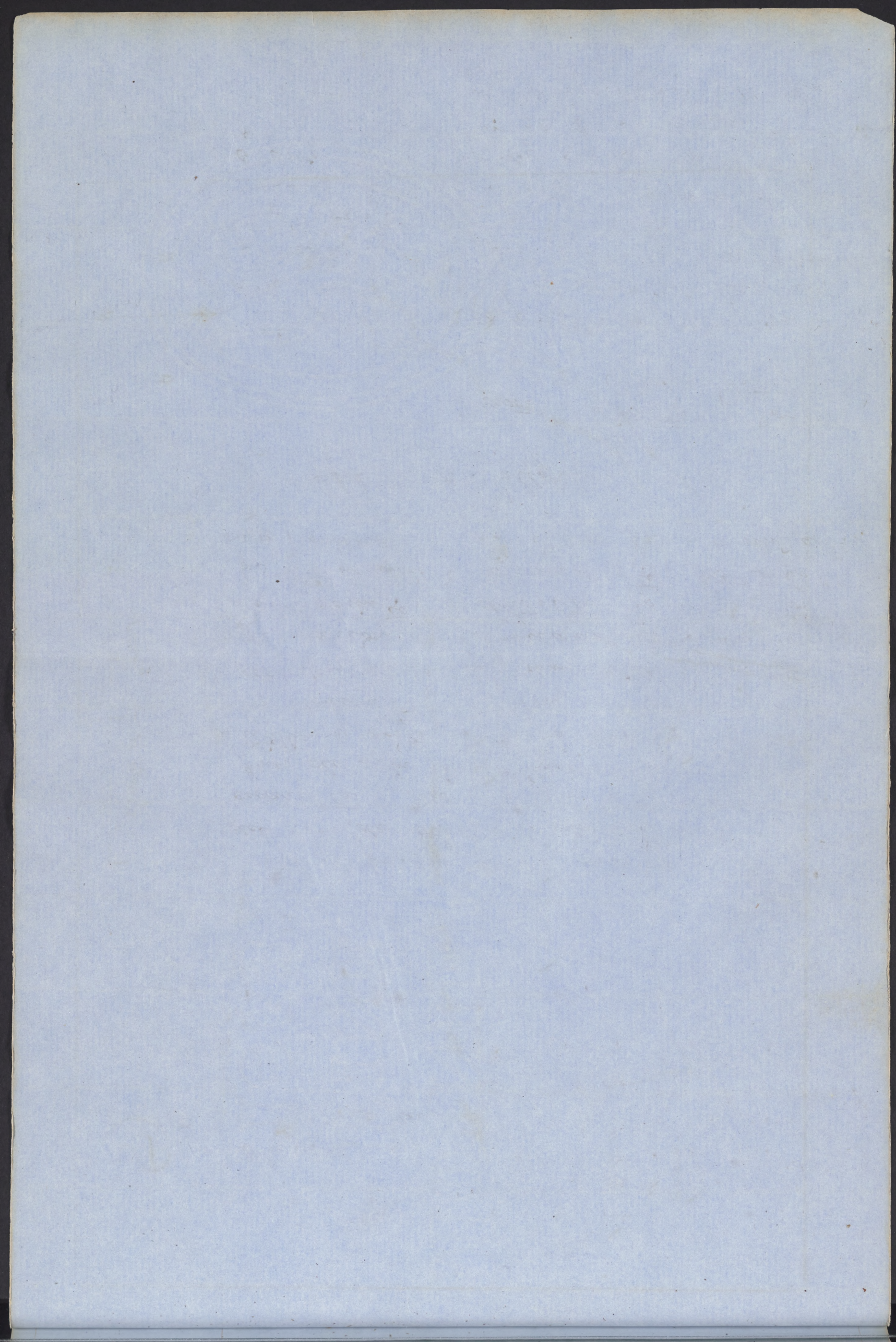
CAMILO YNITA, Clint.

MARIN Co.

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El que suscribe Secretario del Gobierno
Departamental de California, Certifica:
que el diccionario que se demuestra a vuelta
es igual al original que corre agregado en
el expediente respectivo, el cual existe en
el archivo del Gob.^{no} rubricado de mi mano.
Monterey 8 de Junio de 1844
Manl. Jimeno.

No hay papel sellado.
Jimeno.

En el pueblo de Sonoma a los 7 dias
del mes de Abril del año de mil ochocientos
cuarenta y tres ante mi Salvador Vallejo
Juez de esta jurisdicción, se leyó esta pe-
tición, y vista, la hubo por presentada con
los documentos q. expresa y mandé que con
citación de los circunvecinos se haya in-
formación de identidad vista de ojos y
reconocim^{to} de dhas. tierras a q. estoy
pronto a asistir personalmente. Así lo pro-
vey, mandé y firmé con los de mi assa.

Salvador Vallejo.

de assa. Cayetano Joares
Pedro Coto

En el espresado pueblo en el mismo
dia mes y año, yo el referido juez por
proceder a la información de identidad
hize compararse ante mi el C. Fran.^{co}
Solaw, vecino de esta jurisdicción del
oficio labrador del cual recibí firmam^{to}
segun derecho por el cual prometió decir
verdad, y siendo preguntado por el
conocim^{to} q. tiene de las tierras, parajes,

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terminos y linderos pertenecientes al C. Jose Camilo dijo: que hace cuarenta años es vecino de esta jurisdiccion y sabe q. las tierras pertenecientes a dho. rancho pertenecen al referido Camilo q. an pastado en ellas sus ganados y las a visto y reconocido varias veces, y ira con el presente juez y señalara hasta donde lleguen, en q. se afirmo y ratifico bajo el juramto echo declara ser de 49 años de edad y no tocarle las generales de la Ley y lo firmo conmigo y los de asistencia

Salvador Vallejo

de assa. Cayetano Joares
Pedro Goto

Franc. Solan.

En el expresado pueblo en el mismo dia mes y año, Yo el juez hize comparecer ante mi al C. Manuel Cantera vecino de esta jurisdiccion de oficio labrador del cual recibí juramto segun dho. p. el q. ofrecio decir verdad y siendo

Preguntado - Por el conocimiento q. tiene de las tierras parajes terminos y linderos pertenecientes al C. Jose Camilo o' el rancho de Olompali dijo: que are diez años es vecino de esta jurisdiccion y sabe q. las tierras pertenecientes a dho. rancho son de del referido Camilo, q. las a labrado y han pastado en ellas sus ganados que las a visto y reconocido varias veces, y p. a prueba di lo q. tiene dho. ira con el presente juez y se señalara hta. donde lleguen; en q. se afirmo y ratifico a cargo del juramto echo y declara ser de edad de 29 años y no tocar le las generales de la Ley, y

lo firmó conmigo y los de mi asse.

Salvador Vallejo -

de aña. { Cayetano Joares
Pedro Goto

Mamel Cantera +.

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En el expresado pueblo en el mismo día mes y año Yo el juez hice comparecer ante mí y los de mi asse. al Sr. Teodoro M^{da}. Vecino de esta jurisdicción de oficio labrador y habiéndole echo prestar el juramento según drho. ofrecio decir verdad y,
Preguntado p^r el conocimiento q^e tiene de las tierras pertenecientes al Rancho de Olompale o Camilo, dijo: que hace diez años es vecino de esta jurisdicción y sabe q^e las tierras pertenecientes a dho. rancho, son del referido Camilo q^e las ha cultivado y en pasteados en ellas sus ganados, q^e las ha visto y reconocido varias veces, y para mas seguridad de lo q^e lleva expuesto, está pronto a ir con el presente juez y señalarle lta. donde llegan, en q^e se afirmó y ratificó bajo el juramento prestado. Declaro ser de edad de 29 años y no tocarle las generales de la ley y lo firmó conmigo y los de asse.

Salvador Vallejo -

de aña. { Cayetano Joares
Pedro Goto

Estando en el campo de las tierras pertenecientes a dho. rancho, a los siete días del mes de Diciembre del año de mil ochocientos cuarenta y tres, Yo el el Juez actuando p^r receptitoria con dos testigos de aña. p^r falta de escribano publico; los testigos p^r mí examinados; presente

el Sr. Jose Camilo dueño de dhas tierras.
Los Colindtes y circunvecinos prosedi
á ver y reconocer las tierras de dho Mancho,
y p^a mayor claridad puesto á caballo
en compania de todas las partes y testigos
referidos: Mande á los susodichos me
señalasen los parajes terminos y linderos
segun an de puesto en sus deposiciones y
en su conformidad, guiaron á la parte
del Sur hta. llegar á la punta del estero,
donde abia un roble muy conocido p^r los
circunvecinos; de alla se siguió viendo y
reconociendo el sitio, hta. llegar adonde
salimos, cuyos parajes yo el referido Jues
vi y reconocí con los de mi asá. testigos
examinados, y papeles presentados, y cote-
jando con estos el referido conocimiento, ver
sienta la identificacion de las menciadas
tierras - y para q^e conste p^r dilig^a lo firme
con los de mi asá. y demas q^e suscrieron
firmar. doy fe.

Salvador Vallejo -

de asá. { Cayetano Joares
Pedro Goto

Gregorio Bonomo
Fernando Gilis

Inmediatam^{te} Yo el Jues digo: que p^a
proseder á las medicadas contenidas en
estos autos, mande se notifique al Sr.
Jose Camilo el título de las tierras p^a q^e
ratifique el nombram^{to} de medidor,
como así mismo de acuerdo los Colindtes
nombran p^r su parte otro medidor, ha-
viendo de ser inteligente en materia de
medicadas, y cebo este, estoy pronto. Así
lo provey^o mande y firme con los de
mi asá. Salvador Vallejo -
de asá - Cayetano Joares - Pedro Goto.

23

CASE NO. 10 ND
PAGE NO. 24

En el mismo día mes y año Yo el Juez
ley y notifique el auto q. antecede, de su
uso, segun y como en el se contiene al C.
Jose Camilo y sus Colindates en sus personas
q. conozco, y habiendolo oido y entendido
dijeron q. p. su parte nombran p. medida
al C. Fernando Felix y el interesado ratifica
su nombramiento en el C. Oriones, ambas
intelectos en materia de medidas de legalidad
agrupaciones se les notifica farensean aceptan
y juran, y en su conformidad se proseda
a dhas. medidas como esta mandado.

Asi lo firmaron ante mi y los de
año.

Salvador Vallejo

de año. Bartolomé Joares
Pedro Goto

Fernando Felix
Gregorio Oriones

En el pueblo de Sonoma a los
siete dias ^{del mes} de Dize, del año de mil
ochocientos cuarenta y tres, Yo el Juez
actuando p. recept. ley y notifique al
auto q. antecede de su uso y nombramiento
de medidores a los C.C. Greg. B...
Fernando Felix.

Filed in Office Feby. 26th 1852.

Geo: Fisher
Clerk.



ON 17
100 100 100

100 100 100

B.
Translation
of D.

Third Seal. One Dollar.

Authorized provisionally by the Maritime
Custom House of Monterey in the Depart-
ment of the Californias, for the year 1843.
(Signed) Michel Torona. (Signed) Manuel Castaneras.

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Custom House
of Monterey Manuel Michel Torona Brig-
adier General of the Mexican
Army, Adjutant General of
the Staff of the same, Governor, Comman-
dant General & Inspector of the Department of
the Californias

Whereas Santiago Guitia, one of
the aborigines, has petitioned for his own
personal benefit and that of his family, for
the place known by the name of "Olompali,"
the same being bounded by the Inlet (Estero)
of the same name by the Creek of San Anto-
nio, and by the Portezuelo (little port) of Novato;
and whereas the requirements and investigations
in the matter have been complied with agreeably
to the Laws & regulations; Now by virtue of the
authority vested in me, and in the name of the
Mexican Nation, I have thought proper to grant
him the aforementioned land, declaring the same
to be his property by this letter patent, subject
to the approval of the Excellent Departmental
Board under the following conditions—

1. He may fence it without obstructing crop-
ping, roads & servitudes— He shall enjoy it
freely and exclusively putting it to such use
or culture as he may deem best to his ad-
vantage.

2. He may not sell, alienate, or mortgage it, nor
subject it to rent, entail, mortgage, nor to any
other incumbrance whatsoever, nor convey it

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into mort-main.

3. I'll shall solicit the proper Judge to give him juridical possession by virtue of this patent, by whom the boundaries shall be marked, at the limits of which, besides the law marks, he shall set some fruit trees, or else some wild ones of some usefulness.

4. The land of which donation is made, is of two square leagues (sitios de ganado mayor) little more or less as is explained by respective design. The Judge who may give possession will cause it to be measured agreeably to ordinance, leaving the surplus (sobrante) which may result to the nation, for such uses as may be deemed proper.

5. If he contravene to these conditions he shall lose his right to the land, which can be denounced by another person.

I therefore command, that seeing these presents as the title, and that holding the same as firm and valid, it be entered in the proper book, and be returned to the interested party for his own security and other purposes.

Given in Monterey on the 22nd day of October 1843.

Man^{do}. Michelena

Man^{do}. Jimeno
Vic^{do}

This patent has been recorded in the proper Book at folio 1st reversed in Second Book
Jimeno

Office of the Judge at Sonoma

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Record of proceedings to give possession of two square leagues at the Rancho of Olompali on the 7th day of December 1843.

Judge Salvador Vallejo
Assisted by Captains Joaquin
Pedro Soto

To His Honor the Justice of the Peace of Sonoma

The Citizen Jose' Carrillo, a resident of this Jurisdiction, proprietor of the Rancho of "Olompali" as it may be most expedient, before you appear and say, that as it is evident by the Title I present with the solemnity and required oath that my Rancho contains two square leagues, you will be pleased command that in compliance with the usual proceeding of identity, ocular examination, and recognition, the bordering neighbours be summoned to witness the measuring of said parcel of land, to carry which into effect, I now nominate for measurer & when occasion does not present itself, Citizen Gregorio Briones, a resident of this jurisdiction skilled in matters concerning admeasurements, and let any of the interested parties nominate another measurer, which being done, he and the said Briones shall appear & accept the appointment and make oath in conformity with the proposed ends.

Wherefore, I request, that agreeably to my representation You will be pleased command what I ask, after which this document with the original writs of return I beg they will de-

lives to me for the security of my rights, of this pe-
tition, & every thing else that may be deemed necessary
Sonoma Dec 7th 1843.

at the request of

Jose Camilo

Gregorio Briones

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(The undersigned) of this Jurisdiction, personally
known, having heard the above, they said they
accept the appointment of measures confided
to them, and they make oath in the name of God
and the sign of the cross that they will discharge
their duty to the best of their knowledge and
understanding as is their obligation, to the satis-
faction of the interested parties, which being agreed
to, they signed it together with myself, and the
assisting witnesses.

Salvador Vallejo

Assisting

Capitain Juares

Pedro Goto

Fernando Felis

Gregorio Briones.

Immediately after, the interested parties were
notified of the preceding proceedings, which being
understood by them, they said that they accepted
the Summons and signed the present with
myself & the assistants.

Salvador Vallejo

Assistants

Capitain Juares

Pedro Goto

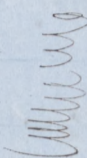

Fernando Felis

Gregorio Briones.

On the same day, month & year, the bordering neighbours were summoned to appear at the aforesaid Rancho, in witness whereof I signed this with my assistants.

Assistants

Salvador Vallejo

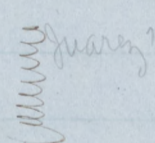

Cayetano Jaree 
Pedro Soto 

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On the 7th day of Oct^r 1843. the interested parties and bordering neighbours, being present in the field of the forementioned Rancho, I caused to appear before me and my assistants, the citizens Gregorio Briones and Fernando Feliz measurers, as above mentioned, to whom I commanded to take the (Cordel) line and to measure One hundred varas of Four Castilian Spans, which was done in the presence of the interested parties and bordering neighbours in witness whereof I commanded it should be noticed in the return, and that they proceed to measure as has been ordered. Thus I certify to it, signing the same together with my assistants.

Assistants

Salvador Vallejo

Cayetano Jaree 
Pedro Soto 

On this day, Friday, of the above mentioned month & year, being upon the field of the Rancho of Olompali, I, the Judge of this Jurisdiction acting in the premises, ~~de present~~ the measurers nominated by the parties, being present, I ordered them to proceed and measure two Square Leagues (Sitios de Ganado Mayor) belonging to the aforesaid Rancho

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agreeably to the title exhibited, in obedience to which they commenced from the starting place, the Point or terminus of the Inlet in a North westerly course as far as the creek of San Antonio measuring 9,200 Varas N.W. thence in a N.E. course as far as the Inlet, measuring 4,300 Varas, having informed the party interested that in the mentioned places he should set his land marks none being needed in the Eastern part of it, because the Inlets surrounded the same. In all of which and as a sign of true possession and usual ceremonies, he seized some stones & grass which he threw into the direction of the four winds of Heaven, as a manifestation of the legitimate and lawful possession he had taken of it; then the said judge notified the trading and other neighbours to recognise as metes and bounds, those that had been marked and measured as also the fact that such a measurement had been made quietly and pacifically, without opposition from any person whatever. Having asked the same as testimony, I, the said Judge with my assistants hereby state that all was done as heretofore mentioned, as also that the measurement was performed without imposition, fraud or deceit, and for greater clearness, and by way of ratification of the same, they signed this together with myself and ~~some~~ of my assistants.

Assistants

Capitaneos Jaco

Pedro Soto

Fernando Felix

Salvador Vallejo

Gregorio Brisnes

By virtue of these proceedings which have been concluded, and which attest that juridical possession of the Rancho of "Compañi" distant some eight leagues from this Pueblo, has been given to Citizen José Camilo, now, let the originals, together with the documents he presents be delivered to the interested party.

Citizen Salvador Vallejo of this jurisdiction acting as delegate thus did provide command and sign on the 7th day of Oct 1843.

Salvador Vallejo

Assistants } Cayetano Joares
Pedro Goto

"On the back of the plat there is the following certificate"
The undersigned Secretary of the Departmental Government of the Californias do certify, that the plat shown on the other side is similar to the original, annexed to the respective proceedings, filed in the archives of Government, and marked with the Rubric of my own hand

Monterey June 9th 1844

Manuel Jimenez

There is no Stamped paper.

Jimenez

In the Pueblo of Sonoma on the 7th October 1843. before me Salvador Vallejo, Judge of this Jurisdiction, this petition was read, and was by me accepted with the documents therein mentioned, and I command that the information as to identity, ocular examination & recognizance of said lands be made with the citation of the bordering neighbors, I being ready to assist personally. Thus did I provide, command & sign with my assistants.

Assistants

Salvador Vallejo

Cayetano Joares

Pedro Goto

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In the above-mentioned Pueblo, on the same day, month and year, I, the said judge, in order to obtain the information of identity, caused to appear before me citizen Francisco Solano, resident of this Jurisdiction & a laborer by trade, who made oath in due form of law, and by which he promised to state the truth. Having questioned him in reference to the knowledge he possessed about the lands, places, metes and bounds belonging to citizen Jose Camilo, he said: That he has been a resident of this Jurisdiction for the space of forty years, and knows that the lands of said Rancho, belong to the said Camilo, that he has fed his stock on them, he having seen and recognized it & that he will go with the present judge and will point out how far they extend, which he affirmed & ratified under oath, declaring to be 49 years old, the law not requiring his services. The same he signed together with myself and my Assistants.

Salvador Vallejo, } Apt. } Gayetano Juarez
Pedro Goto

Fernando Solano

In the same Pueblo, said day month & year, I, the judge, caused to appear before me citizen Manuel Cantina, resident of this jurisdiction, and a laborer by trade, who made oath in due form, by which he affirmed to tell the truth. Being questioned as to his knowledge of the lands, places, metes & bounds of citizen Jose Camilo, or those of the Rancho of Olompali he said: That he has been a resident of this jurisdiction for these past ten years, and that he knows that the lands of the said Rancho, belong to the aforementioned Camilo, that he has cultivated them and has fed his cattle therein, which he has seen various times

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and recognized, and as a proof of what he has stated, he will go with the Judge, and will point out to him how far they extend, all which he affirmed and ratified under the oath made, and he declared to be 29 years old, being free from any accusations of the law, & signing this together with myself and my assistants.

Assistants Salvador Vallejo

Cayetano Jaree
Pedro Soto

Mannel Cantua x

In the said pueblo, same day month and year, the Judge came to appear before me and my assistants, Citizenodoro Miranda, resident of this jurisdiction, a laborer by trade, and having made oath in due form, offered to state the truth, being questioned as to his knowledge of the lands belonging to the Rancho of Ompali or of Camilo, he said: That he had been a resident of this jurisdiction these ten years and knows that the lands of the said Rancho belong to the aforementioned Camilo - that he has cultivated it, and fed his cattle thereon, that he has seen it & recognized it several times & for greater security of what has been stated, he is ready to go with the judge present, and will point out to him how far they extend, all which he affirmed and ratified under oath - He declared to be 29 years old and not disqualified by law to give evidence which he signed with me & my assistants.

Assistants

Salvador Vallejo

Cayetano Jaree
Pedro Soto

x

Being on the fields of the lands belonging to the above mentioned Rancho on the 7th

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December 1843. I, acting as delegate, together with my assistants, and there not being a public notary, I examined the witnesses, in the presence of Citizen Camilo, owner of said lands, the bordering & other neighbors, I proceeded to reconnoitre the lands of said Rancho, and for greater clearness I mounted on horseback in company of all the interested parties and above mentioned witnesses, and commanded them to point out to me the metes and bounds agreeably to their depositions. They conducted us to the southern part until we got to the terminus of the Inlet where there was an Oak tree, well known to the neighbours. thence we proceeded to examine and reconnoitre the place back to the starting point, which parts, I, the said judge saw and reconnoitred together with my assistants & with the witnesses who had been examined, and the papers which had been presented, and comparing with these the said reconnoissance, I found them to be identical with said lands. And that this may serve as a writ of return I sign it together with my assistants, and all the rest who know how to sign their names.

Salvador Vallejo.

Assistants ³ Cayetano Jorace
³ Pedro Lolo

Gregorio Briones, Fernando Feliz

Immediately on the spot, I the judge say, that in order to proceed to the admeasurement described in these proceedings, Citizen Jose Camilo, be notified of the Title to his lands, so that he ratify the appointment he made of a measurer. the bordering neigh-

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Thus also shall appoint on this part another
measures, who must be skilled in such mat-
ters. This being done I am ready. Thus aid
I provide, command, and sign together
with my assistants.

Assistants } Salvador Vallejo
Cayetano Jorace }
Pedro Soto }

On the same day, month and year, I the judge,
read and notified the foregoing proceedings
as is customary, in all its length, to citizen
Jose Canillo & his bordering neighbors personally,
which being heard & understood by them, they said
that they appointed as measures citizen
Fernando Feliz, and the interested party,
notifies his appointment of Briones, both
of them intelligent in matters of admeas-
urements of a legal nature, to whom I noti-
fied they should appear to accept and
make the requisite oath and proceed to said
measurement, in conformity with what has
been commanded.

Thus they signed before me, and my assistants.
Assistants } Salvador Vallejo
Cayetano Jorace }
Pedro Soto }
Fernando Feliz. Gregorio Briones

At the Pueblo of Sonoma on the 7th of Oct.
1843. I the delegated judge, read and noti-
fied the foregoing proceedings to citizens
Gregorio Briones & Fernando Feliz by which
they had been appointed measures.

Filed in Office Feb 26th 1852.

Wm Fisher
Shy



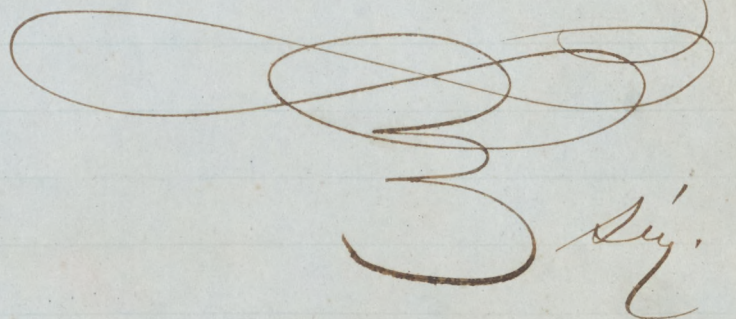
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11 1872

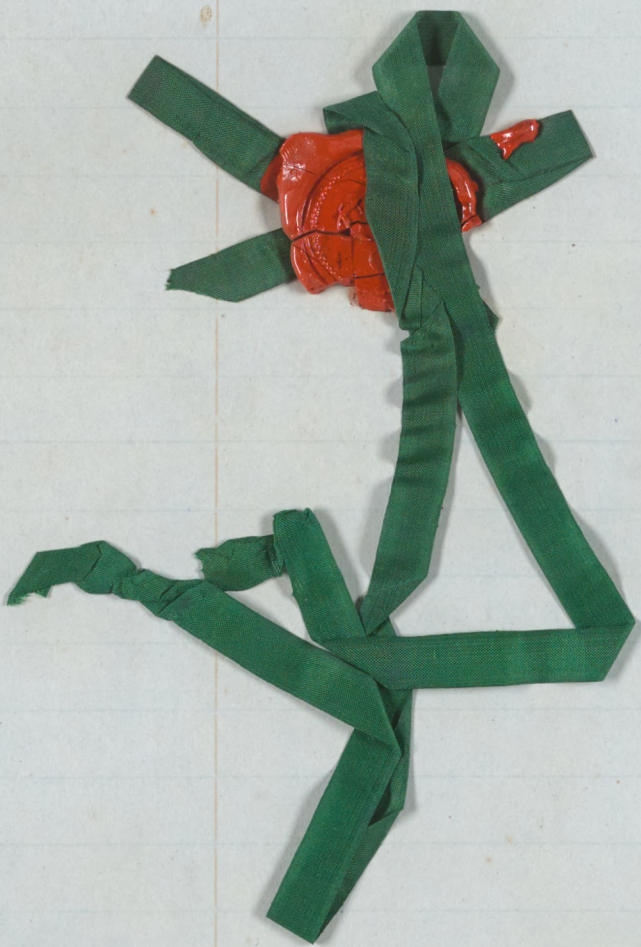
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I Geo. Fisher Secretary to the Board of Commissioners to ascertain and settle the private Land Claims in the State of California, do hereby certify the foregoing 34 pages, numbered from 1. to 34 both inclusive to contain a true, correct and full Transcript from the Journal of proceedings of said Board, of the Original Depositions of Witnesses, and of the Documentary Evidence on file in this Office, in Case No. 71. Camilo Quintia Claimant against the United States, for a place known by the name of Olampali.

In testimony whereof I hereunto set my hand and affix my private Seal, not having a Seal of office at San Francisco, California this 2^d day of January A.D. 1854. and of the Independence of the United States of America the Seventy Seventh.

Geo. Fisher.


Sey.



10

No 10 no
the - us
"Chompali"

10



Transcript of the Proceedings

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In Case No. 71

Olompali

Camilo Ynitia Plaintiff

vs
The United States Defendants

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

Be it remembered that on this Thursday the 26th of
February Anno Domini One thousand eight hundred and fifty
two 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 Carmelo Ynitia for the Rancho "Comपालि"
was presented and ordered to be filed

Carmelo Ynitia, Claimant.

vs

The United States, Defendant;

To the Hon. the Board of Commissioners for settling private
Land Claims in California

The petition of Carmelo Ynitia of the County of Marin respect-
fully submits to Your Hon Board the accompanying grant of
a tract of land called "Comपालि" made to him on the 22nd of
October 1843 by Governor Micheltorn by virtue of the Colonization
Law of Mexico of the 18th of August 1824 and the instructions in-
-der said law dated Nov 21st 1828;

The quantity of land contained in said grant is two
leagues, it is bounded by the Arroyo of San Antonio and the Potr-
-gueto del Norte-said grant has been surveyed and there is no con-
-flicting claim to it as known to Your Petitioner

All which is respectfully submitted to Your Hon
Board for such action as justice and the nature of the case
may require

Irving & Rose
for Petitioner

Filed in Office Feb'y 26th 1852

(Sd) Geo. Fisher Sec'y

No 71

Friday February 27th 1852

In Case No 71, Carmelo Ventura, the Deposition of David Spence a witness in behalf of the Claimant taken before Commissioner Hiland Hall was filed and is in the words and figures as follows to wit:

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Office of the Board of Commissioners of
California Land Claims

San Francisco Feb'y 26th 1852

On this day before Hiland Hall one of the Commissioners for ascertaining and settling private Land Claims in the State of California came David Spence a witness produced in behalf of the Claimant in the Case of the Petition of Carmelo Ventura being No 71 on the Docket of the Commissioners and afterwards being duly sworn, testified as follows the Law Agent having been properly attended

Questions by Robert Rose Counsel for Claimant

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

Answer -

My name is David Spence, my age is fifty three and I reside in Monterey and have resided there for twenty eight years

Question 2

Are you acquainted with the handwriting of Manuel Michelborn and Manuel Amiro and if so look on page third of this Expedient in this case, marked A with the initials "H. H." and say if the signatures purporting to be theirs on said page are genuine?

Answer

I am acquainted with the handwriting of both, and have often seen them write, I have no doubt the signatures are genuine
D. Spence

Sworn & subscribed
before me

(Ed) Hiland Hall

Commissioner

Filed in Office February 27th 1852

(Ed) Geo Fisher

In the same case the Deposition of Jacob P. Lese a witness in behalf of the Claimant taken before Commissioner James Wilson was filed and is in the words and figures as follows to wit:

Office of the Board of Commissioners
of California Land Claims

San Francisco Feb 27th 1852

On this day before me James Wilson one of the Commissioners for ascertaining and settling private Land Claims in the State of California, came Jacob P. Case a witness produced in behalf of the Claimant in the case of the Petition of Carmelo Yndia and being duly sworn testified as follows

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Questions by Robert Rose Counsel for Claimant

Question 1

Are you acquainted with the handwriting of Salvador Vallejo and if so examine pages 6, 7, 8, 9, 12, 13, 14, 15, 16 & 17 of the document marked by the initials "A. K." and now exhibited to you and say whether the signatures of Salvador Vallejo where they appear in said document are the genuine signatures of said Vallejo

Answer

I am very well acquainted with the handwriting of said Salvador Vallejo and upon examination of the signatures of said Vallejo I say they are genuine signatures of said Salvador Vallejo

Question 2

Do you know Carmelo Yndia

Answer

I do know him, he has occupied and cultivated the place called Olompali since the year 1841 since my knowledge

Cross Examination by George W. Cooley Esq. Law Agent of the United States

Question

By what means did you become acquainted with the handwriting of Salvador Vallejo?

Answer

The said Salvador Vallejo is my brother-in-law I have often seen him write and have a great deal of his writing in my possession

Question

State accurately the time and the extent of it when you knew Carmelo Yndia to occupy the Rancho called Olompali

Answer

I formerly resided in Sonoma County and in 1841 the said Carmelo was occupying the farm Olompali, I have known of his occupying that place during the whole time since 1841

Question

State precisely in what manner and to what extent said Carmelo Yndia cultivated said land?

Answer

He had about 200 acres enclosed and under cultivation he had a vineyard in grapes, he also cultivated grains, He also occupied part of the same farm for the pasturage of stock

Question

State on what occasion and why you visited said farm called Olompali and how far you resided from the same?

Answer

I was a Merchant in Sonoma and Carmelo traded with me

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He bought goods of me and I bought his grain, produce & cattle
This trade gave him occasion to visit my store and for me to vi-
-sit his farm, Resided about 20 miles from Olompali, was very pe-
-grently at his place, His house was on a public highway and
it was my usual stopping place when on business in that part
of the Country

(Signed) Jacob P. Lee

The following Deposition subscribed and sworn to
on the day and year first above written

(Signed) James Wilson
Commut?

Filed in Office Feby 27th 1852

Edw George Fisher
Clerk

Saturday June 26th 1852

The following cases were set for hearing and ordered to be
placed on the trial docket, viz

- No 71 "Carmelo Yulia," "Olompali"
- " 72 "Timotes Murphy" "San Pedro" &c &c

Wednesday, September 29th 1852

Case No 71, Carmelo Yulia for the place named "Olompa-
-li" called

The Counsel for the claimant Mr Rose read the pa-
-pers in evidence and submitted the same without argument
The U.S. Law Agent filed his written argument,
Taken under advisement by the Board

Saturday December 18th 1852

In case No 71 Carmelo Yulia for the place named, Olym-
-pali Commissioner Henry J. Thomson delivered the Opinion of the
Board

In the same case Commissioner Holland Hoall delivered
his Opinion,

In the same case Commissioner Henry J. Thomson delivered the Decree of Final Confirmation of this Board

Ordered, that the several Opinions delivered this day and the Decree of Final Confirmation of this Board also delivered this day in this case be recorded on the Journal

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Which Opinions and Decree are in the words and figures as follows to wit

Commissioner for ascertaining and settling Private Land Claims in the State of California
Sept 1st at San Francisco

Carmelo Gutierrez Claimant }
The United States Defendant } No 71, "Compati"

Opinion of
Commissioner Henry
J. Thomson,

The claim presented to the Board in this case is founded upon a grant or conveyance in full title made to the claimant on the 22nd of October 1843 by Michel Comrens who was at the time Governor of the Department of the Californias and duly authorized by virtue of the Decree of the Mexican Government, of the 18th of August 1824 and Ordinance of the 21st of November 1828 to grant vacant lands in this Province. The original grant is in evidence before us and its genuineness is fully established by the testimony on file. The Grant recites that the "requirements and investigations in the matter have been complied with agreeably to the Laws and Regulations

There was also read as evidence, without objection thereto a Statement of the Survey General of California, the Legal Custodian of the Public Archives of the former Governments of the Country, from which it appears that there are among said Archives evidence of the grant, that the papers relating to it are fair and genuine and that he knows of nothing among said Archives calculated to cast suspicion thereon, it appears by the proofs on file that the Grantee resided in a house upon the land granted to him during the whole time since the year 1844 down to the taking of the proofs in the case, that the farm was stocked by him and used for pasturage and cultivation also within enclosures

to the extent of about 200 Acres in grains and onis during the whole period above mentioned

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A document is in proof containing the whole proceedings of judicial possession and measurement of the land according to the usage of the usage of the Country which bears date on the 7th of December 1843, this proceeding tho it may not conform rigidly with the Ordinances regulating surveys, yet as there was no public Surveyor appointed by the Government it was all that could be done or was required by that Government, It constitutes in our opinion if the grant itself does not effect that purpose, which I think it does to the extent of the Map, a sufficient segregation of the land granted from the Public Domain, and will effectually enable the Surveyor General to locate the same

The objections urged against the validity of the Claim, consist of the failure to produce any evidence of the submission by the Governor of his Grant to the Departmental Assembly for their approval and of the insufficiency of the performance of the conditions subsequent annexed to the grant relative to the measurement of the land

These objections have all been fully considered by the Board and overruled for the reasons given in the Opinion delivered and on file in the case of Cruz Cervantes No 56 on the Docket of the Board

The Grant in this case is for two square leagues a little more or less

We declare the Claim to be valid to the extent of two square leagues without any increase or diminution thereof by the terms "a little more or less" The reasons for this construction of the grant are fully set forth in a prior Opinion of this Board on file in the case of two Keyes, Apiguete to the Rancho of Gar-S-Yuedes, Docket No 222

In the reasons above given we are of Opinion that the Claim in this case is valid under the rules of decision by which we are required to be governed in the 11th Section of the Act of March 3rd 1851 organizing this Board, In the result above announced Commissioner Hall concurs

(Ed) Henry J Thornton
Commissioner

No 71 Camelia Gutia, Claimant - I agree that the Opinion given in this case by Commissioner Thornton furnishes sufficient reasons for the Confirmation of the same, though I

do not concern in a portion of them

(Signed)

Holland Hall
Commissioner

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Carmelo Cortia, Claimant

vs
The United States

Case No. 11

Decree of Final
Confirmation

This Board upon full consideration of the various grounds affecting the validity of the claim having come to the conclusion that the same is valid; therefore proceeds to make and hereby does make the following Decree or Report of Final Confirmation viz. It is Ordered that the said claim be confirmed to the extent and quantity of two square leagues or sitios de ganado mayor and no more being the same land described in the grant and proved to have been possessed by the grantee, Provided that that the said quantity of land granted and now here confirmed be contained within the boundaries called for in the same grant, and map to which the grant refers, and if there be less than the said above named quantity of two square leagues within the said bounds then we confirm to the claimant the said less quantity, it being apparent that said quantity exceeds two hundred varas which is the minimum described in the Ordinance of the 21st of November 1828

(Signed)

Holland Hall
Henry J. Houston
Commissioner

Sallo Tercero, Un Peso

Expediente "B"

Habilitado personal^{ante} por la Aduana Marítima del Puerto de Montevideo en el Departam^{to} de las Californias para el año de mil ochocientos cuarenta y tres.

(P^o) Michel Torrena

(P^o) Manuel Castanares

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Manuel Michel Torrena, General de Brigada del Ejército Mexicano, Ayudante General de la Plaza Mayor, Gobernador, Comandante Gral y Inspector del Departamento de Californias

Por cuanto el Sr. Don Juan Camilo Yndia ha pretendido para su beneficio personal y el de su familia el paraje conocido el nombre de Olmpati, colindante con el Estero del mismo nombre, con el Arroyo de San Antonio y con el Potrero de Morato, practicadas previamente todas diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas a nombre de la Nacion Mexicana, he venido he concederle el terreno mencionado declarandole la propiedad de el por las presentes libras, sujetandose a la aprobacion de la Exma Junta Departamental y bajo condiciones siguientes

- 1 Podrá cercarlo sin perjudicar las vías, caminos y servidumbres, le disputará todo exclusivamente, destruyéndole al uso o cultivo que mas le acomode
- 2 No podrá venderlo, enajenarlo ni hipotecarlo, ni poner servidumbre hipotecaria ni otro gravamen alguno en pasarlo a manos muertas
- 3 Solicitara del juez respectivo que le da la posesion judicial incontinua de este despacho por el cual se demarcaran los lindes por maneras algunos arboles plantados y otros de alguna utilidad
- 4 El terreno de que se hace donacion es de dos sitios de ganado mayor pero mas o menos segun explica el dibujo respectivo. El juez que diere la posesion lo hara medir conforme a ordenanza que dando el sobrante que resulte a la Nacion por sus usos convenientes
- 5 Si contrabiniere a estas condiciones heredera su derecho al terreno y sera denunciabile por otro

En consecuencia mando que sembrandole se titule el presente y teniendose por firme y valideros se tome razon de el

en el libro respectivo y se entregue al interesado para su resguardo y demás fines.

Dado en Monterrey a veinte y seis de Octubre de mil ochocientos cuarenta y tres.

(Firmado) Manuel Michel^{ta}

(") Manuel Inceja
Jefe

Queda firmada razón de este despacho en el libro respectivo a folio 1, rev^{ta} del libro seg^{da}.

(Firmado) Jenero

Juzgado de Sonoma

Espedite instruido por medio y de prosecución de dos sitios de ganado mayor en el Rancho del Compati el día seis de Ocho del año de mil ochocientos cuarenta y tres.

Juez el Sr. Salvador Valdejo

De Apa Cayetano Jaque
E Pedro Goto

En Juzgado de paz de Sonoma

El Sr. Jose Camilo vecino de esta jurisdicción dueño del rancho de Compati como mejor procede en derecho ante parecer y digo que como consta del título que presento con la solemnidad y juramento necesario tengo en mi dho rancho dos sitios de ganado mayor se bajo de los linderos que expresa dho título se servirá y mandar que presidiendo las diligencias acostumbradas de identidad vista de ojo y reconocimiento se proseda con citación de los circunvecinos a la medida de dhas tierras pa cuyo efecto nombro ora y por cuando el caso llegue por medida al Sr. Gregorio Pirones, vecino de esta jurisdicción mi el agente en materia de medida y obra y sea interesado nombre obra medida y haciéndolo echo así, el q nombren con el referido Pirones por mi nombrado aparezcan aceptan y juren y en su conformidad se proseda a dhas medidas P.S.

Atte que haciendo por presentado dho documento se servirá mandar como llevo pedida y cobos q sean se mi debuel-
tan dos recardos con las dilig^{as} originales q se hicieron

Para resguardo de mi dho. este escrito y poder lo ne-
cessario

Sonoma Dho 7^{to} de 1843

Amigo de Jose Camilo

Gregorio Briones

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de esta jurisdiccion en sus personas y
conocer y haciendo lo hoido dijeron y aceptan el encargo
de medidores y de los compien y juran a Dios y una Señal
de Cruz usar de su encargar fiel y legalmente segun su
leal saber y entender como es de un obligacion y a satisfac-
cion de los interesados y haciendolo asi respuesto lo firmaron
conmigo y los di assa

M.

Salvador Vallejo

de Apa

El Cayetano Izarce

E Pedro Salas

Fernando Feliz, Gregorio Briones

Ymediatamto se hizo saber el auto q auto cede a las
partes y entendidos dijeron y se don por liba dos y lo firmaron
conmigo y los de apa

Salvador Vallejo

de Apa

El Cayetano Izarce

E Pedro Salas

Fernando Feliz, Gregorio Briones

M.

En el mismo dia mes y año se hizo continuacion de comparendo
a los p Colindantes pa y comparecan en el mercenado Rancho y p
q consta lo firmo con los de mi opa

Salvador Vallejo

de Apa } Cayetano Izarce
Pedro Salas

Estando en el campo de las tierras del mercenado Rancho a
los 7 dias del Mes de Dho del año de 1843 presentes las partes
interesadas y circunvecinos a dhas tenas hizo comparecer ante
me y los de apa a los llo Gregorio Briones y Fernando Feliz Me-
didores nombrados a quien mande tomasen en credel y medieren con

ranas de cuatro palmos constámonos lo que verificamos vista y pre-
sencia de los interesados y circunstantes y para que conste mande
reponga por diligencia y se proseda a dhas medidas, como esta mandada
lo certifico en misas mandatos con los de mi cpa

(Nomads)

Salvador Valdejo

de cpa

Señalado Francisco
Pedro Gato

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Estando en el campo de Ompati hoy viernes del mis-
mo mes y año, Yo el Juez de esta jurisdicción actuando por recepta
presentes los medidores nombrados por las partes, mandados mande
proceder a la medida de dos lites de ganado mayor que partici-
pacion a dho rancho segun el titulo presentado en cuyo principio se
dio principio a dha medida comensando desde la Punta del
Este rumbo N^o de N^o llega a el arroyo de San^o y se in-
dican 900 varas acumbando a dho de allí prosiguiendo al rumbo
N^o E^o llegando al orilla del estero donde se midieron 4300 varas
haciendo presente al interesado y en las partes situadas le-
vantada sus mojones en un necesario por el rumbo de cir-
-cundando los esteros, Por todo en cual y en rival de verdadera
propiedad y herencia acostumbrado avanzaron pedrals y
llevas y los por los cuatro rumbos en manifestacion de su legi-
-tima y legitima posesion por que toma en conseq^{encia} el repeti-
-do Juez arauto al Volante y circunstantes que reconocen en
por terminos y linderos las medidas señaladas y de hacerse espe-
-tuado dhas medidas y quito a pacificamente un contrato con de
persona alguna lo pedido por testimonio y yo el repetido Juez
doyos de mi cpa lo doy de hacerse efectuado como dho es y
los expresados medidas se han practicado sin solo grande in-
-vigancia y por mayor claridad y ratificacion de lo que tienen
deber lo firmaron con mi go y los de mi cpa

Salvador Valdejo

Señalado Francisco
Pedro Gato

Juan Perez - Greg^{orio} Porras

En virtud de hallarse concluido este expediente en que consta ha-
-se dado posesion juridica del Rancho de Ompati a distancia
de ochocientas leguas de este Pueblo al Sr. Jose Ramon, entreguese al inter-
-esado la parte original con los documentos y presentada
El Sr. Salvador Valdejo Juez de esta Jurisdicción actuando por
recepta así lo pongo mande y prometo a los siete dias de haberse
de mil ochocientos cuarenta y tres - Salvador Valdejo. Señalado Francisco
Pedro Gato

RANCHO OLOMPALI

Diseño

==

10 N.D.

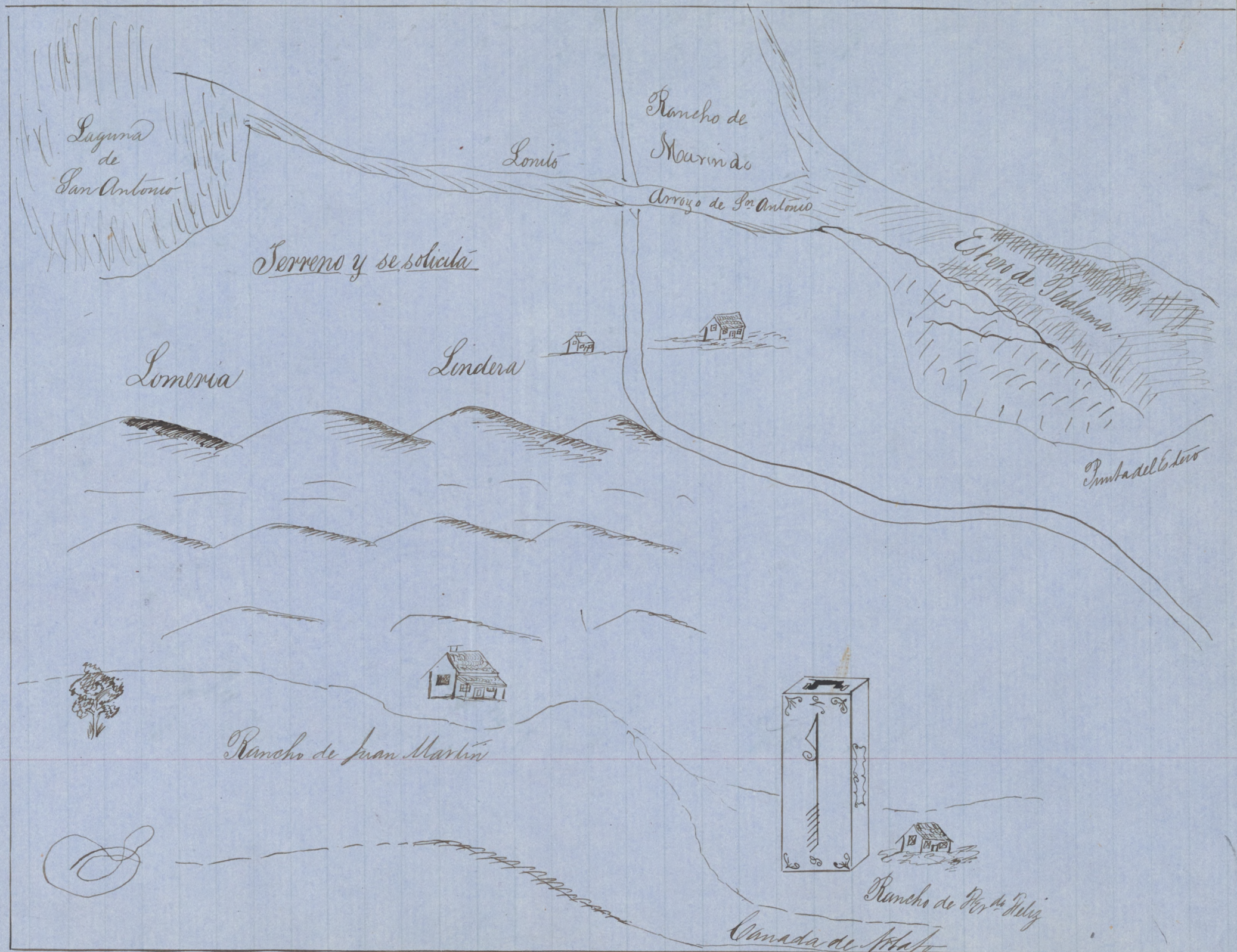
p. 49

"OLOMPALI"

CAMILO YNITA, Cmt.

MARIN Co.

15 R-3



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El que suscribe Jefe de Gobierno Departamental de California certifica que el mismo que se demuestra a omella es igual al original que corre registrado en el Expediente respectivo el cual en existe el Archivo del Gobto rubricado de mi mano

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Montevideo 1 de Junio de 1844.
Manuel Jimeno

No hay papel sellado
Jimeno

En el Pueblo de Sonoma a los 7 dias de mes de Dbre del año de mil ochocientos cuarenta y tres ante mi Jefe de Gobierno de esta jurisdicción, se leyó esta petición y oída la hora por presentada con los documentos y se prescribió mandando que con relación de los circomstancias se haga información de identidad oída de los y reconocidos de dhas tierras en los puntos a asistir personal al 4 así lo prescribió y firmó con los de mi apa
Gabriel Vallejo

De apa E Cayetano Lopez
E Pedro Soto

En el expresado Pueblo en el mismo día mes y año, yo el referido Jefe de Gobierno para proceder a la información de identidad hice comparecer ante mi al Sr. Manuel Jimeno de esta jurisdicción de oficio labrador el cual recibí juramento de algún derecho por el cual prometió decir verdad y siendo preguntado por el conocimiento y título de las tierras, parajes, términos, y linderos pertenecientes a dho rancho pertenecieron al referido Juanito y son partrados en ellos sus ganados y los a sí solo y reconocidos varias veces y oída con el presente Jefe y se le dio fe, donde llegaron en q se afirmó y ratificó hizo el juramento echo declaró ser de 49 años de edad y no haberlo los generales de la ley y lo firmó con mi go y los de asistencia

Gabriel Vallejo

E Cayetano Lopez
De apa E Pedro Soto

Francisco Solano

En el expresado Pueblo en el mismo día mes y año, yo el Jefe de Gobierno hice comparecer ante mi al Sr. Manuel Cantarero de esta jurisdicción de oficio labrador del cual recibí juramento según debe

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por el q' opear decir verdad y suada

Preguntado por el comitente q' tiempo de las tenas
parajes terminos y lindas pertenecientes al Sr. Jose Camillo o el
Rancho de Ompati dijo que asi diez años de espacio de esta ju-
risdicción y sabe q' las tenas pertenecientes a dho rancho son de
del referido, Camillo y las a labrador y eran poseídas en
ellas sus ganados que los acristo y sembradas ranias arces y
pa' pucha de lo que tiene dha. na' con el presente finis y se
similana tela donde llegan en q' se apunto y ratifico a cargo
del juramento echo y declara ser de edad de 29 años y no tocar
le las generales de la ley y lo firmo con mi go y los de mi dho.

Salvador Valero

de Apa

E Cayetano Jares
E Pedro Goto

Manuel Cantana X

En el expresado Pueblo en el mismo dia mes y año lo el
Juez hizo comparecer ante mi y los de mi dho al Sr. Teodoro Mi^{to} veci-
no de esta jurisdicción de officio labrador y haciendole echo prestar
el juramento recien dho opear decir verdad y, Preguntado por el comi-
tente q' tiempo de las tenas pertenecientes al Rancho de Ompati
o Camillo dijo: Que hace diez años es comitente de esta jurisdicción
y q' sabe las tenas pertenecientes a dho Rancho son del referido
Camillo q' a la cultivado y son poseídas en ellas sus ganados q'
los acristo y sembradas ranias arces y p^o mas seguridad de lo
que lleva expuesta esta pucha a mi con el presente finis similarle
hta donde llegan en que se apunto y ratifico bajo el prestado ju-
ramento declaro ser de edad de 29 años y no tocarle las generales de
la ley y lo firmo con mi go y los de Apa

Salvador Valero

de Apa E Cayetano Jares
E Pedro Goto

Estando en el Campo de las tenas pertenecientes a dho
Rancho a los seis dias del Mes de Diciembre del año de mil ochocientos
cuarenta y tres, Yo el Juez actuando por receptoria con
dos testigos por Apa, por falta de ugubano publico, los testigos
por mi examinados, presento, al Sr. Jose Camillo dueño de dhas
tenas, Los Colmudantes y circunvecinos prosediar ver y recon-
ocer las tenas de dho Rancho y por mayor claridad punto a
caballo en compañía todas las partes y testigos referidos, mande

a los suso dicho mi. enmarcan los parajes terminos y lindes segun dispuesto en sus de posiciones y en su conformidad gu-
nan a la parte del sur hta, llega a la punta del estero donde
abia un roble muy conocido por los circunvecinos, de alla
buniar y reconocido el sitio hta llegar adonde salimos cuyos
parajes de el referido juez si y reconoce con los de mi cpa
testigos examinados y papetes presentados y cotejando con
estos el referido con mi hta por suelta la identificacion de las
Mencionadas tierras y para q conste por diligencia firme con los
de mi cpa y demas q superior firmas, doy fe

Salvador Tallejo
De cpa E Cayetano Jorace
Petro Tolo
Gregorio Ponce
Fernando Feliz

Inmediatamente de el juez dijo que para proceder a las
medidas contenidas en estos autos se mande notifique al Sr. Jefe
Comisario el titular de las tierras para que ratifique el nombramiento de
medidor como asi mismo de acuerdo los Colmidos nombren su
parte otro medidor haciendo de su inteligencia en materia de medi-
das y echo este estroy pronto, en lo poruy mande y firme y con
los de mi cpa

Salvador Tallejo
De cpa E Cayetano Jorace
Petro Tolo

En el mismo dia mes y año de el juez, ley y notifique el
auto q antecede de su uso segun y como en el se contiene al Sr
Jose Comisario y los Colmidos en sus personas q conozco y habien-
do de oido y entendido dijeron q de su parte nombren por medidor
al Sr. Fernando Feliz y al interesado ratifica su nombramiento en el Sr
Ponce ambas l inteligencia en materia de medidas, legalidad
aquien de les notifica parecom acepten y man y en su confor-
midad se proseda a dhas medida como esta mandado

En lo firmaron ante mi y los de cpa
Salvador Tallejo

Fernando Feliz
Gregorio Ponce
De cpa E Cayetano Jorace
Petro Tolo

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En el Pueblo de Sonoma a los siete dias del mes de
Dese de Año de Mil ochocientos cuarenta y tres. Yo el Juez acti-
-vando p^o recept^o ley y notifique al ante q^o antecede de su uso
y prombram^o de mediduras a los C^o Gregorio Rosini y Arnando
Hely

Filed in Office February 26th 1852

Geo. Fishery
Clerk

"U"
Translation of "B"

Third Seal, One Dollar

Authorized provisionally by the Maritime Custom House of
Monterey in the Department of the Californias for the year 1843
(Signed) Micheltonero. (Signed) Manuel Castaneras

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Custom House
of Monterey } Manuel Micheltonero Brigadier General
of the Mexican Army, Adjutant General of
the Staff of the same, Governor, Commandant General and Ins-
pector of the Department of the Californias

Whereas Camilo Indria one of the Aborigines
has petitioned for his own benefit and that of his family for
the place known by the name of "Elompali", the same being
bounded by the inlet of the same name, by the Creek of San
Antonio and by the Portuquelo (little port) of Arato and where
as the requirements and investigations in the matter have been
complied with agreeably to the laws and regulations, now by
virtue of the authority vested in me and in the name of the
Mexican Nation, I have thought proper to grant him the
aforesaid land, declaring the same to be his property
by this letter patent, subject to the approval of the Most Excel-
lent Departmental Junta under the following conditions

- 1 He may fence it without obstructing cropings, roads and ser-
vitudes, He shall enjoy it purely and exclusively, putting it to
such use and culture as he may deem best to his advantage
- 2 He may not sell alienate or mortgage it, nor subject it to
rent contract or mortgage nor to any other incumbrance whatever
nor convey it in mortmain,
- 3 He shall solicit the proper Judge to give him possession by
virtue of this patent, by whom the boundaries shall be marked
at the limits of which, besides the land marks he shall set
some fruit trees or else some wild ones of some usefulness
- 4 The land of which donation is made is of two square leagues
(catorce de ganado mayor) a little more or less as is explained by
respective design, The Judge who may give possession shall
cause it to be measured agreeably to Ordinance, leaving the
surplus (sobrante) which may result to the Nation for such u-
sages as may be deemed proper
- 5 If he contravene to these conditions he shall lose his right to the
land which can be denounced by another person

I therefore command that viewing

these presents as the title, and that holding the same as firm and valid
it be entered in the proper book, and be returned to the interested party
for his own security and other purposes

Given in Monterey on the 22nd day of February
October 1843

(Signed) Manuel Micheltonont

(W) Manuel Jimeno
Jury,

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This Patent has been recorded in the Proper Book at Potosi, crossed
in Second Book

(Signed) Jimeno

Office of the Judge at Sonoma

Record of proceedings to give possession of Two Square Leagues at
the Rancho of "Olmopali" on the 7th day of December 1843.

Judge Salvador Gallego

Assisted by

Cayetano Jones & Pedro Soto

To his Honor, the Justice of the Peace of Sonoma

The Citizen Jose Camilo a resident of this Jurisdiction, proprietor
of the Rancho of "Olmopali"; as it may be most expedient before you
appears and says that as it is evident by the title which I present
with the solemnity and required oath that my Rancho contains
two square leagues, you will be pleased to Command that in com-
pliance with the usual proceeding of identity, ocular examination
and recognition the bordering neighbors be summoned to witness the
measuring of said parcel of land, to carry which into effect I
now nominate for measurer and when occasion does present itself
Citizen Gregorio Corines a resident of this jurisdiction, skilled in
matters concerning measurements, and let any of the interested
parties nominate another measurer, which being done, he and the
said Corines shall appear and accept the appointment and make
oath in conformity with the proposed ends

Wherefore I request that in conformity with my representation you will be pleased to command what I ask, after which this document with the original writs of return I beg they will deliver to me for the security of my rights, and everything else that may be deemed necessary

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Sonoma Dec 7th 1843
at the request of

Jose Camilo
Gregorio Brines

(The undersigned) of this Jurisdiction personally known, having heard the above, say they accept the appointment of Measurers confided to them, and they make oath in the name of God and the sign of the Cross, that they will discharge their duty to the best of their knowledge and understanding as is their obligation to the satisfaction of the interested parties, which being agreed to they signed it, together with myself and the assisting witnesses

Salvador Vallejo

Assisting

Assistant
Cayetano Soares
Pedro Soto
Hernando Juels
Gregorio Brines

Immediately after the interested parties were notified of the preceding proceedings, which being understood by them they said they understood & accepted the summons and signed the present with myself and the witnesses

Salvador Vallejo

Assistants
Cayetano Soares
Pedro Soto
Gregorio Brines

Hernando Juels

On the same day, month and year the bordering neighbors were summoned to appear at the aforesaid Rancho, in witness whereof I signed this with my assistants

Ass'ts Cayetano Soares
Pedro Soto
Salvador Vallejo

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On the 7th day of October 1843, the interested parties and bordering neighbors being present in the field of the aforementioned Rancho I caused to appear before me and my Assistants, Gregorio Brames and Fernando Felix, measurers as above mentioned to whom I commanded to take the leaded line to measure One hundred Varas of four Castilian Spans, which was done in the presence of the interested parties and bordering neighbors, in witness whereof I commanded it should be noticed in the return and that they proceed to measure as has been ordered, Thus I certify to it, signing the same together with my Assistants

(G) Salvador Tallejo

Assistants

Cayetano Joares

Pedro Goto

Of this day Friday of the above mentioned day and year, being on the field of the Rancho of Ompall, I the Judge of this Jurisdiction acting in the premises, the measurers nominated by the parties being present, I ordered them to proceed and measure two square leagues (Ligas de ganaderia) belonging to the before mentioned rancho, agreeably to the title exhibited in obedience to which they commenced from the starting place, the point or terminus of the Salit in the North West only course as far as the creek of San Antonio measuring 9,200 Varas N.W. Thence in a North East course as far as the Salit, measuring 4,300 Varas, having informed the party interested that in the mentioned places he should set his land marks, none being needed in the Eastern part of it, because the Salit surrounded the same; In all of which and as a sign of true possession and usual ceremonies he seized some stones and grass, which he threw in the direction of the four winds of heaven, as a manifestation of the legitimate and lawful possession he had taken of it, Then the said Judge notified the bordering and other neighbors to recognize as metes and bounds those which had been marked and measurements as also the fact that such a measurement had been made quietly and peacefully, without opposition from any person whatever, Hearing asked the same as testimony I the said Judge with my Assistants, hereby state that all was done as heretofore mentioned as also that the measurement was performed without imposition, fraud or deceit and for greater

clearing and by way of ratification of the same they signed
this together with myself and my Assistants

Assistants — (D) Salvador Valero
Cayetano France —
Pedro Goto —
Fernando Feliz — Gregorio Briones

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By virtue of these proceedings, which have been concluded
and which attest that Judicial possession of the Rancho
of "Compati" distant some eight leagues from this Pueblo
has been given to citizen Jose Camilla, now let the originals
together with the documents he presents be delivered to the inter-
ested party

Citizen Salvador Valero of this Jurisdiction
acting as delegate thus did provide command and sign
on the 7th day of October 1843

(D) Salvador Valero
Apto Cayetano France
Pedro Goto

"On the back of the plat there is the following certificate
"The undersigned Secretary of the Departmental Government
of the California do certify that the plat shown on the other
side is similar to the original annexed to the respective pro-
ceedings filed in the Archives of Government and marked
with the Rubric of my own hand"

Monterey June 9th 1844
D Manuel Jimeno

There is no stamped paper
Jimeno

In the Pueblo of Sonoma on the 7th of October 1843 before me
Salvador Valero, Judge of this jurisdiction the petition was
read and was by me accepted with the documents therein men-
tioned, and I command that the information as to identity
real examination and recognition of said lands be made
with the citations of the adjoining neighbors, I being ready to
assist personally, Thus did I provide, command, sign with my
Assistants
Salvador Valero

Apto
 El Cayetano Juarez
 E
 Pedro Pato

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In the above mentioned Pueblo on the same day month and year, the said Judge in order to obtain the information of identity caused to appear before me Citizen Francisco Tolano, resident of this Jurisdiction, and a laborer by trade who made oath in due form of law and by which he promised to state the truth. Having questioned him relative to the knowledge he possessed about the lands, places, metes and bounds belonging to Citizen Camilo he said that he has been a resident of this Jurisdiction for the space of forty years and knows that the lands of said Rancho belong to the said Camilo, that he has fed his stock on them, he having seen and recognized them, and that he will go with the present Judge and point out how far they extend, which he affirmed and ratified under oath, declaring to be 49 years old, the law not requiring his services, the same he signed, together with myself and my assistants.

Salvador Vallejo Apto

El Cayetano Juarez
 E
 Pedro Pato

Francisco Tolano

In the same Pueblo, said day month and year, the Judge caused to appear before me Citizen Manuel Leautaud, resident of this Jurisdiction and a laborer by trade, who made oath in due form by which he offered to tell the truth, being questioned as to his knowledge of the lands, places, metes & bounds of the Citizen Jose Camilo or those of the Rancho of "Olimpali" he said that he had been a resident of this Jurisdiction for these past ten years and that he knows that the lands of the said Rancho belong to the aforesaid Camilo, that he has cultivated them and fed his Cattle thereon, which he has seen various times and recognized them, and as a proof of what he has stated he will go with the Judge and will point out to him how far they extend, all which he affirmed and ratified under the oath made and he declared to be 29 years old, being free from any accusations of the law and signing this together with myself and my assistants.

Apto

Salvador Vallejo

Apostants

Cayetano Suarez
Pedro Goto

Manuel Caubua x

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In the same Pueblo, the same day month and year, I the Judge could not appear before me, and my Apostants Celso and Pedro Miranda, resident of this Jurisdiction, a labourer by trade, and having made oath in due form offered to state the truth, being questioned as to his knowledge of the lands belonging to the Rancho of Compati, or of Camilo, he said that he had been a resident of this Jurisdiction these ten years and knows that the lands before mentioned belong to the said Camilo, that he has cultivated it and fed his Cattle thereon, that he has seen it and recognized it several times, and for greater security of what has been stated he is ready to go with the Judge, and will point out to him how far they extend, all which he affirmed and satisfied under oath, he declared to be 29 years old and not disqualified by law to give evidence which he signed with my Apostants and me

Juanador Salgado

Apostants

Cayetano Suarez
Pedro Goto

x

Being on the fields of the above mentioned Rancho on the 7th of December 1843, I acting as delegate together with my Apostants, and then not being a Public Notary I examined the Witnesses, in the presence of Celso and Pedro owners of said lands, the bordering and other neighbors, I proceeded to reconnoitre the lands of said Rancho, and for greater clearness I mounted on horseback in company with all the interested parties and above mentioned Witnesses, and commanded them to point out the metes and bounds agreeably to their depositions, they conducted us to the Southern point until we got to the terminus of the Inlet where there was an Oak Tree, well known to the Neighbors, thence we proceeded to examine and reconnoitre the place back to the starting point, which facts I the said Judge saw and reconnoitred together with the Witnesses which had been examined and the papers which had been presented, and comparing with these the said recon-

=noisance I found them to be identical with said lands, and that this may serve as a Note of Return, I sign it together with my Apostants and all the rest who know how to sign their names
Salvador Vallejo

Apostants & Capetain France
Pedro Soto

Gregorio Brunes, Fernando Peliz

CASE NO. 10 ND
PAGE NO. 81

Immediatly on the spot I the Judge say, that in order to proceed to the admeasurements prescribed in these proceedings Citizen Jose Camilo be notified of his title to his lands, so that he satisfy the appointment he made of a Measurer, the bordering Neighbors also shall appoint on their part a measurer, who must be skilled in such matters, This being done I am ready, Thus did I provide, command and sign together with my Apostants

Apostants
Capetain France
Pedro Soto

On the same day Month and Year, I the Judge read and notified the aforesaid proceedings as is customary in all its length to Citizen Jose Camilo and his bordering neighbors personally, which being done and understood by them, they said that they appointed as Measurer Citizen Fernando Peliz, and the interested party notified his appointment of Brunes, both of them intelligent in matters of admeasurements of a legal nature, to whom I notified they should appear to make the requisite oath and proceed to said measurement in conformity to what has been commanded

Thus they signed before me and my Apostants

Apostants, Capetain France
Pedro Soto
Fernando Peliz, Gregorio Brunes
Salvador Vallejo

At the Pueblo of Sonoma on the 7th of October 1843, I the delegated Judge read and notified the aforesaid proceedings to Citizens Gregorio Brunes and Fernando Peliz, by which they had been appointed Measurers

Filed in Office February 26th 1852

Jes. Fisher

Deputy

CASE NO. 10 ND
PAGE NO. 55
62

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 that the foregoing pages numbered from 1 to both inclusive contain a true correct and full Transcript from the Journal of Proceedings of said Board of the original depositions of witnesses and of the documentary evidence on file in this Office in Case No 11, Camilo Garcia Claimant against the United States for the place known by the name of Olompali

L. J.

In testimony whereof I hereunto set my hand and affix my private seal (not having a Seal of Office) at San Francisco California this 2nd day of January A D 1854 and of the Independence of the United States of America the Seventy Seventh

(G) George Fisher
Secretary

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Attorney General's Office
17th March 1854.

✓ Camilo Ynitia, Claimant.

vs.

The United States.

You will please take notice that an appeal in the above case, from the decision of the Commissioners to ascertain and settle the private land claims in the State of California, to the District Court of the United States for the Northern District of California will be prosecuted by the United States.

Wm. A. Rusk
Attorney General
U.S.

U. S. District Court

The United States

— vs —

Camilo Yritia

Notice of Appeal ~

Filed April 15, 1834
by Scheew

CASE NO. 10 ND

PAGE NO. 64

CASE NO. 10 ND

PAGE NO. 65 (65)

Medicant promovido por D^o J. Gimoteo Mur-
phy en solicitud del Paraje nombrado S^o J.
Pedro S^o Marg^o y las Gallinas

1844

N^o
346

SELLO CUARTO DOS REALES

Habilitado provisionalmente por la Aduana marítima del puerto de Monterrey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

Micheltorena.

Pablo de la Guerra.

[Handwritten flourish]

Ynterino
Guia de Hartudo

Como Don Gov. or



Simón Murphy natural de Irlanda, natural
 de Ontario, nacido en esta Republica, y vecino del Pueblo de
 Feb. 13. de 1844. de San Rafael, ante V.E. con todo respeto suplico
 O. S. M.
 como pida un rancho llamado punta de S. Pedro
 con un título provisional, y ahora que se
 me ha concedido ampliación en el para
 p. q. ngiura- g. llamado las Gallinas en la atención que
 dor los años manifiesta el dicho, suplico a V.E. el que
 aduana, obrey tenga ha bien mandar extender el título
 de propiedad con expresión de dichos nom
 Micheltorena punta de S. Pedro y las Gallinas p. q.
 H. G. ruego acade a mi pedido en obsequio
 de un gran bondad. Juro D. Monterrey,
 Feb. 13. de 1844.

Simón Murphy

[Handwritten flourish]

SELLO TERCERO DOS REALES

Habilitado por la Administracion de la Aduana maritima del puerto de Monterrey de la alta California, para los años de mil ochocientos treinta y seis y mil ochocientos treinta y siete.

Guerrero.

Angel Ramirez.

Vaga para los años 1839 y 1840 -
Monriva Antonio

[Signature]

[Signature]

Excmo. Sr. Gobernador



Timoteo Murphy, naturalizado en este Pais y vecino de la Camion Monterrey y de San Rafael ante N. E. como el 18 de Mayo mas halla lugar en dentro digo

A fin de que teniendo permiso por el Sr. do adjuicio se la propia Comandante J. J. de este Departamento del termino y de la N. E. de dicho Estado que se pretende N. E. de este Obispio para ocupar un terreno tanto la falta que se halla en terminos de este uno de los seg. y unidos por conocido con el nombre de San Pedro nidos en la Com. titucion, y un y Sta. Margarita, solicito las virtudes de que propiedad legitima de el por cada esto, se cree me acreedor a lo segun las hallan ocupan de el terreno ley de colonizacion, por la que y mencionada bajo su epice espero se me declara con voluntad del comando. para dicho sitio como llevo indicado. de la frontera del Norte, del C. N. de los leguas de longitud poro mas o menos profuel y de la N. E. y de una de latitud segun se de dicho mi advierde en el diseño que al un, puede el interesado permanecer en dicho con

efecto acompaño
P. Q. a V. E. suplico se sirva

esta consueño tomar en consideración
provisional esta mi petición del
para que esta lo que vive reconocido
blanca labores

y mantenga
sus bienes
vinte y cinco
sea molestado
ni deposedo
en todo ni en
parte del terreno
no indicado
mientras cumple
con lo requerido
en la ley

Monterrey Marzo 15 de 1840

Timoteo Murphy

Ati y obedezco
B. Eduardo Gu. or
Constitucional
del Departamento
de las Califor-
nias la mandé
y firmé
que doy fe.

Man. Jimeno
Jefe

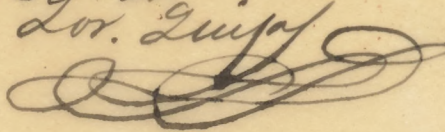
[Signature]

7

Yo el infrascrito certifico en quanto
puedo y mi Profesor y Administrador
me permite que D. Timoteo Mar-
fi, Adm. de esta Misión, ha co-
mo dos años que pone un terreno
en esta inmediación que comprehen-
de la Punta de S. Pedro hasta
un Vallero como à tres cuartos de
Legua al N. E. conocido con el
nombre del Sta. Margarita y que
es el mismo que consta en el dis-
ño que obra en el Gobierno, y
este Dho. Terreno lo obtubo por pa-
miso del Sr. Comand. Coronel D. Al-
to. Vallejo desde el tiempo arriba
mencionado: y p.^a los fines que se
convengan le doy el presente cer-
tificado à petición del mismo

CASE NO. 10 ND
PAGE NO. 70 (70)

interesado en la division del
San Rafael a dos de Enero del
Año de mil ochocientos y cuarenta

yo y los Sr.
Dr. D. Don Guip




9.

Naxario Bexelles, Vecino de Sonoma, certifico
que el rancho conocido por ser de mi propiedad, con
el nombre de Las Gallinas, en las inmediaciones
de S. Rafael, y denunciado por D. Timoteo Murphy,
Administrador de esa Ex-minion, es bien denunciado
y habiendolo abandonado yo hace mas de tres años,
y desde entonces nadie lo ha pretendido, y
solo lo ha ocupado con mi denuncia, el expresado
D. Timoteo, colindante con el rancho, asi mismo
Declaro que puede solicitarlo en propiedad,
y haber yo renunciado a el enteramente y dividido
del otro que sobre el tenia, obligandome solemnemente
y de presente, a no reclamarlo jamas,
ni yo, ni por mis herederos, ni por persona alguna,
y me someto a las costas y satisfacciones de
daños y perjuicios que yo me causo sobrevenidos
al dueño del mencionado rancho de las Gallinas,
reconociendo que tal es el fin que se ha concedido,
concederlos, y a su vez garantias hipotecas mi
bienes habidos, y que haber, y que conste,
soy este al interesado, en papel con un
que falta del sellado correspondiente en
Sonoma, a los veinte dias del mes de Enero
de mil ochocientos cuarenta y cuatro.

Naxario Bexelles

Juzgado 1.º de Sonoma

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PAGE NO. 72 (72)

Ante mi Fermo, Sr. Berlesse et
Decho Documenty.

Juan P. Lem

Juzgado 2.º de Sonoma Cayetano

S

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S

C. S.

Juzgado 1.º de
Sonoma.

Quinto Murphy, oriundo

Certifico que el D. Irlandes, naturalizado Mexicano y residente
permanente en S. Rafael, ante V. E. con el mas gozoso
en la presente instancia
es baldío, y no pertenece
-me a y aablo, por-
-sonal, ni corporación
alg.ª p. haberlo aban-
-donado el q. lo
poscial.

respeto, se presenta y exponel:
Que teniendo en las inmediaciones de
la expresada ex- misión, un terreno insatis-
-ciento p. su ganado y labranza, y hallandose
baldío un paraje contiguo a su propiedad,
Sonoma, en el cual es conocido con el nombre de Las Gallinas,
de 1844. — y antes pertenecial al Ciudad. Nazario Berryman,
quien lo abandonó y renunció como consta
del adjunto certificado del mismo, cuyo terreno
comprende tres sitios de ganado mayor, y está
mido al q. ya por el solicitante, con
quien colinda p. el Sur y el Este al Norte
con D. Juan Pacheco, y al Oeste con la
del Departamento con territorial q. lo divide del rancho de
provincia del Sr. Rafael Castro.

Montezuma 1844
2. de J. O. de
sup. l. b. h. con D. Juan Pacheco, y al Oeste con la
del Departamento con territorial q. lo divide del rancho de
provincia del Sr. Rafael Castro.

-tudencia p. E. — A. V. E. ruega a digno considerarlo
q. habiendo en propiedad el mencionado paraje de
Miché

Las Gallinas, y lo que se remite
 á las leyes y reglamentos de la materia
 y suplica á V. E. se sirva dispensarle
 el papel sellado p. no haberlo en este
 lugar

Sonoma, Eno 20/844
 Timoteo Murphy
 " " "

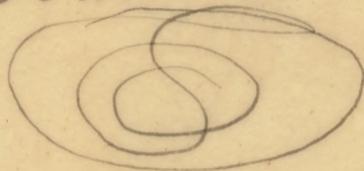
Bueno Sr Gobernador
 El rancho que llama de las Gallinas igno-
 ro con que titulos lo habia ocupado el Sr
 Berrisa, pues en esta Secretaria no existe
 ningun expediente ni documento alguno
 que lo hiciera dueño del terreno, pero su-
 ponga que le daría alguna licencia ver-
 bal el Sr Vallejo como asi me han in-
 formado. Sin embargo de esto, como el
 mismo Sr Berrisa hace deficiencia del
 terreno segun consta de el documento que
 firmo y lo sede á favor de D^o Timoteo
 Murphy, parece que no hay inconveniente
 alguno para que á este Sr se le con-
 cedá el terreno, en razon de ser naturaliza-
 do, muy honrado, y dueño de muchos bienes
 de blampo.

El Superior discernimiento de V. E. se

(75) Solviera lo que tubiere por conveniente.

Monterrey. Febrero 10 de 1844.

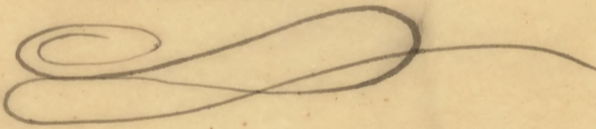
Mano Jimeno



Monterrey Feb. 12. de 1844

Expediente articulo adjuntando
la copia de la sesion de las decenas
de los amigos poseedores y con las condicio-
nes de ley.

Micho



Monterrey 14 de Febrero de 1844

Vista la peticion con que da fin
upio este expediente, los informes
que presiden con todos los demas que
se tubo presente y mas con vista de
conformidad con las leyes y reglamen-
tos de la materia, declaro a Don
Simon Morfil dueño del paraje
conocido con el nombre de San Pedro
Sta Margarita y las Gallinas estu-
dante al Norte con la Sierra, al-

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14

Sur con el rancho de D^o Domingo
Sainz, al Poniente con D^o Juan Cooper
y al Oriente con el Valle de San P^o
Bra. Librese el correspondiente despacho en
el que se fijaron cinco sitios de ganad^o
de Mayor, y se tome razon en el li-
bro respectivo, y dirigase este ex-
pediente a la Esma Junta para
su aprobacion. El Esmo Sr Go-
bernador a' a' lo decreto, mandado, y
firmo.

Angela Marzo 18 de 1846.

Dado cuenta con este expre-
diente en Sesion del hoy a la
H. Asamblea se mando
procurar a la comision del ter-
reno de Valdivia

Pio Piñeyro

Visi.

Agustín Álvarez

C. J.

La comision de terreno de Valdivia a examinado

15

con retencimiento el presente expediente promovido
 por el fin. p. naturalización Timoteo Murphy
 situado al parage ^{Sta. Margarita} de Pedro y Gallinas
 que fue concedido por el Gob. Departam. segun
 aparece por decreto de 14 de Feb. de 1844 con
 arreglo a las leyes de la materia, y cuya
 virtud pone a la naturalizacion de S. C. la propo-
 sicion siguiente.

Se aprueba la concecion hecha al fin. p. na-
 turalizacion Timoteo Murphy al parage
 de Pedro, Sta. Margarita y las Gallinas situado
 en S. Rafael camino p. Sonoma, de cinco si-
 tyos de ganado mayor que expresa el decreto de
 concecion con fecha de Feb. de 1844 y entera
 conformidad con la ley de 18 de Agosto de 1824
 y con arreglo al art. 5.º del reglamento de 20 de
 Agosto de 1823

Ala de fons. de la H. Asamblea
 Dep. en la Ciudad de San Francisco a 13.
 de Marzo de 1846.

J. Arriola

Paris le 22 de Mars 1846.

En vertu de la loi approuvée par la
Assemblée Nationale
- telle la proposition est
- ainsi le président dit.

P. P. P.

to
Paris

Augustin Courcy

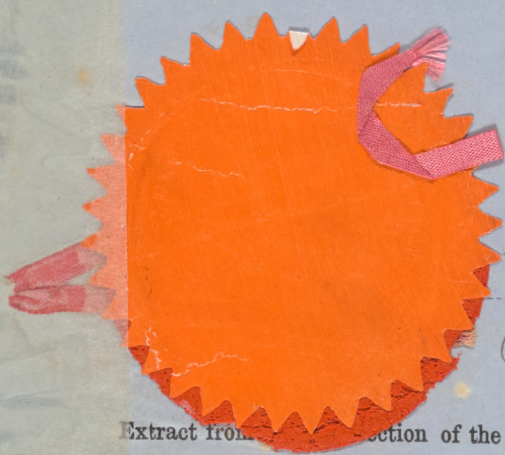
D. P.

En la plus grande liberté à la
partie et conformément respectueux

Office of the Surveyor General,
Of the United States, for California.

I, JOHN C. HAYS, Surveyor General of the United States for the State of California, and as such, having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, by virtue of the power vested in me by law, Do hereby Certify, that the ~~Sixteen~~ preceding, and hereunto annexed pages of tracing paper numbered from one to ~~Sixteen~~ inclusive, exhibit a true and accurate copy of a certain document now on file and forming part of the said Archives in this office.

In Testimony Whereof, I have hereunto signed my name officially and caused my Seal of Office to be affixed, at the City of San Francisco, this ~~Seventh~~ day of January A.D. 1855.

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

Extract from Section of the Act of Congress "providing for the Survey of Public Lands in California, and for other purposes," Approved, March 3d, 1853.

"The Secretary of the Interior is hereby authorized to cause an official Seal to be prepared for the Office of the said Surveyor General, [California] and any copy or extract from the plats, field notes and other records and documents on file in his office, when attested as such by the said Seal and the signature of the Surveyor General, shall, in all judicial matters, have the same force and effect as the original."

No 10 — ND

571 Bd.

U. S. Dist. Court,

The United States,

vs

Camillo Yntica,

Espectante,

Lilid May 19, 1855,

J. M. A. Cheves,
Deputy.

CASE NO. 0 ND

PAGE NO. 80



Faint handwritten notes, possibly a date like 'May 19 1855' and other illegible text.

1855

Faint vertical text, possibly a library or archival stamp, mostly illegible.

CASE NO. 10 ND

PAGE NO. 81

Expediente (record of proceedings) instituted
by Don Timothy Murphy in articulation
of the place called San Pedro, Sta
Margarita y Las Gallinas.

1844.

No 346.

Stamp North, San Pedro.

Provisionally authorized by the Custom House of the Port of Monterey, in the Department of the Californias, for the years 1844 & 1845. —

(Signed) Michel Lorenz — — F. L. de la Sierra.

ad-interim —
(Signed) G. E. E.

Hartwell.

Seal

Most Excellent Gov. Governor,

I, Timothy Murphy, a native of Ireland, naturalized in this Republic and resident of the Pueblo of San Rafael, present myself before your Excellency, with all due respect, and say: that since the year 1827, by virtue of a provisional title, I am in possession of a rancho called Punta de San Pedro, and now that there has been granted to me the augmentation of the place called "Las Gallinas" to the extent shown in the map, I beg of your Excellency that you will deem proper to order the title of ownership to be made out, mentioning said names, to wit: Punta de San Pedro & las Gallinas.

Wherefore, with due submission to your honorableness, I pray that you will grant my petition. I swear my so — Monterey July 13th 1844.

(Signed) Timothy Murphy.

Monterey February 13th 1844.

As petitioned for, let this be referred to the Office of the Secretary, so that the antecedents being investigated, it may report thereon.

(Signed) Michel Torrea.

Stamp Paid, Tona Peales.

Authorized by the administration of the Custom House of the Port of Monterey of Alta California for the years 1836 & 1837.

Gutierrez - Angel Ramirez

Good for the years 1839 & 1840.

(Signed) Alvarado - (Signed) Montoya & Co.

Seal 5

Most Excellent Sir Governor,

I Prudently Murphy, naturalized in this country and a resident of the Ex-Mission of San Rafael, represent to your Excellency, as best I may in law: that having the permission of the Sr Comandante General of this Department & of the Minister of said Establishment to occupy a tract of land which is continuous with this Establishment and known by the name of San Jesus & Sta Margarita, I solicit the legitimate pro-

ownership thereof, deeming myself entitled to the same agreeably to the Law of Colonization in consideration of which I hope you will declare said place mine, as I have described it. Its extent consists of two leagues in length more or less and of one league in width, as will be seen in the Map which I annex to this effect.

Wherefore, I pray your Excellency that you will please take into consideration my petition, whereby I will be ever grateful.

Monterey March 15th 1840.

(Signed) Timothy Murphy.

Monterey, March 18 1840.

It being impossible to grant the ownership of the land solicited, because the petitioner is deficient as to one of the requisites provided in the Constitution, and in consideration of his occupying the land mentioned by permission of the Commandant of the Northern Frontier and the Father Minister of Sr. Rafael, of the Neophytes of said Mission, before this Constitution was promulgated, he, the interested party may occupy the place under this provisional grant, so as to cultivate the same and preserve his moveable property, without being molested nor dispossessed of the whole or of a portion of the said land in the mean while till he complies with that which

is required by law.

Thus, I, Juan B. Alvarado,
Constitutional Governor of the Department
of the Californias, ordered and signed
the same, to which I attest.

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(Signed) Alvarado.

(Signed) Manuel Añeno,
Secretary

I, the undersigned, with regard to what
I know to what my profession & ministry allow
me, do certify, that it is some two years that
Don Timothy Murphy, Administrator of this
Mission is in possession of a tract of land
contiguous thereto, comprising the Santa de
San Pedro as far as a small valley, some
three fourths of a league to the North
East, known by the name of Sta Mar-
garita and that it is the same which is re-
presented on the map in the Government archives,
and that he obtained the said land by per-
mission of the Gov. Commandant General Don
Manoel G. Vallejo, since the time above men-
tioned; and for the purposes which may suit
him, I give him the present certificate, at
his the same interested party's instance
at the Mission of San Rafael, on the
2^d of January 1840.

(Signed) Fr. Francisco Lopez de
Luján.

J. Nazario Berregosa, a resident of Sonoma, certifies that the Rancho known to be my property by the name of "Las Gallinas" contiguous with San Rafael, and denounced by Don Timothy Murphy, Administrator of this Ex-Municipio, is properly denounced owing to my having abandoned the same more than three years ago; that since that time no one has solicited it, and that the aforementioned Don Timothy, an adjoining neighbor to said Rancho, alone has occupied it with my consent; I also declare that he may solicit the same in ownership, as I have given it up entirely and desisted from the claim I had thereto, solemnly obligating myself by these presents, never to reclaim the same, neither for myself, nor for my heirs nor for any person whatsoever, and I hold myself liable for the costs and satisfaction of damages, which through me might be occasioned to the owner of the above mentioned rancho of Las Gallinas, admitting that the Government should deem proper to grant the same, and in guaranty whereof, I mortgage my property: present and future; and that it may be valid, I give these presents to the interested party, in common

paper for want of that of the corresponding seal, at Sonoma on the twentieth day of the month of January 1844.

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PAGE NO. 87

(Signed) Gasario Berreyra.

Office of 1st Justice's Court
of Sonoma.

Before me, C^o Berreyra
signed said document.

(Signed) Jacob. Reese.

Office of 2^d Justice's Court
of Sonoma.

(Signed) Cayetano.

Most Excellent Señor,

Timothy Murphy, a native of Ireland, naturalized Mexican and residing in San Rafael, before your Excellency, with the most profound respect, presents himself and says:

That, as he owns, adjoining the aforementioned ex-mission, a tract of land inadequate to the raising of his stock and to cultivation, and there being a vacant place contiguous thereto, which is known by the name of "Las Gallinas" and which previously belonged to the Citizen Mariano Barrera, who abandoned and gave up the same, as appears from his annexed certificate, which place comprises three square leagues and is adjoining the place now owned by the petitioner, with whom it borders on the South & East, & on the North by Don Ignacio Pacheco on the West by a range of mountains, which separates it from the rancho of Rafael Castro.

Therefore he prays your Excellency will deign grant him in fee simple the aforesaid place of "Las Gallinas," for which he submits to the laws & regulations in the matter, and begs that your Excellency will please exempt him from the use of stamped paper there

being now in this place.

Sonoma, January 20th 1844.

CASE NO: 10 ND

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(Signed) Timothy Murphy.

First Justice's Court of
Sonoma.

I certify that the land solicited,
in this petition, is vacant and does not
belong to a public, private individual
or corporation whatsoever, in as much
as the person who owned it did aban-
don it.

Sonoma, January 22^d 1844.

(Signed) Jacob P. Lease.

Monterey February 2^d 1844.

Let the Sr Secretary of
State report with regard to the ac-
cidents that may exist.

(Signed) Micheltoressa.

Most Excellent Sr Governor,

I do not know by what
title papers the Sr Serrero said
has occupied the rancho called
Las Gallinas, as there does not
exist in the Secretary's office
any expediente or document what-
soever which would make him
owner of the land, but I suppose

that the Sir Valles must have given him ~~some~~ verbal permission of some sort, as I have been thus informed; notwithstanding this, as the same Sir Peregrine makes a relinquishment of the land, as appears from the document which he signed and which he makes in favor of Sir Timothy Murphy, it seems that there is no impediment whatsoever in granting the land to this Sir, considering that he is naturalized, very honorable and owned of much real property.

The superior discernment of your Excellency will decide that which you may deem proper.
Monterey February 10th 1844.

(Signed) Mont-Ameo.

Monterey February 12th 1844.

Let a title be issued to him, annexing thereto a copy of the cession of the rights of the former owner and with the conditions required by law.

(Signed) Micheltorena.

Monterey 14th of February 1844.

Having seen the petition which bears this "officiante," the preceding reports and all that which was an-

considered & found to be most in con-
formity with the laws & regulations
in the matter, I declare Don Fi-
natty Murphy owner of the place
known by the name of "San Pedro,
Sta Margarita & las Fallmas" bounded
on the North by the range of
mountains on the South by the ran-
cho of Don Domingo Fandi, on the
West by Don Juan Cooper and
on the East by the Valley of San
Pedro; let the corresponding title be
issued, wherein shall be mentioned
five square leagues, and let it
be recorded in the respective book,
and let this expediente be referred
to the most Excellent Junta for
its approval. The most Excellent
Gov. Governor thus has ordered,
decreed & signed.

Angelas March 8th 1846.

Report being made of this
Expediente to the Honorable Assembly
in today's session, it was ordered to be
sent to the Committee on vacant lands.

(Signed) P. Pico.
President

(Signed) Agustín Oberón.

Most Excellent Sir,

The committee on vacant lands have examined with care the present record of proceedings instituted by the Citizen by naturalization, Timothy Murphy in relation to the place: "Santa do S. Pedro Sta Margarita y las Gallinas", which was granted to him by the Departmental Government, as appears per decree of 14th of February 1844, in conformity to the laws in the matter, in virtue whereof the Committee submit to the deliberation of your Excellency the following proposition:

The grant made to the Citizen by naturalization Timothy Murphy of the place "S. Pedro, Sta Margarita y las Gallinas", situated in San Rafael on the road to Sonoma, of six square leagues as expressed in the Decree of Concepcion, dated 14th February 1844, in entire conformity with the law of 18th of August 1824 & with the Article 5th of the regulation of 20th of November 1828, is approved.

Committee Hall of the Honorable Departmental Assembly, in the City of Los Angeles on the 13th of March 1846.

(Signed) S. Argüello.

Angels, April 22nd 1846. -

In to Day's Session, the most Excellent Departmental Assembly approved

the proposition with which ends the pre-
ceding opinion.

(Signed) P. J. Pico
President

(Signed) Agustín Alvares
Secretary & Member.

On this date, the respective certi-
fied document was delivered to the
party. —

To 10
U. S. District Court,

The United States,

—do—

vs. América,

Translation of
Expediente,

Filed May 19, 1855,
by W. H. Chermans,
Deputy.

CASE NO. 10 ND

PAGE NO. 93

(94)

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

The United States
Appellants

vs

Camillo Gutierrez

No. 10.

The Petition of the United States by
their Attorney represents: that this Cause is
an Application for a review of the
decision of the Board of Commissioners
whereby the Claim of the said Appellee
was Confirmed as appears by reference
to the records in the Case:

That a Transcript of the said Records
was filed in this Court on the
day of _____; that a notice
of appeal was filed on the
day of _____ and that the
land claimed lies in the said District.

That the said Claim is invalid.
Wherefore appellants pray that the said
decision of the Board be reversed and
that this Court decree the said title to
be invalid. —

Respectfully,
A. Russell
Asst U.S. Atty

U. S. Dist. Court

No. 10-ND

The U. S.

vs

Camillo Curtis

Petitioner

Filed June 20, 1855,

by Cheever
Deputy.

CASE NO. 10 ND

PAGE NO. 95

In the District Court for the
Northern District of California

Carmelo Yritia
Appellee

vs

The United States
Appellants

No. 10

Carmelo Yritia by his attorney affirms
the validity of the title set out in
the petition of the said Appellants
and prays that the decision of the
Board of Commissioners ^{be affirmed} and that
the said title be decreed to be good and
valid

Thompson & Irving pro Deft

N^o 10

M. J. Dist. Court,

The United States,

— vs —

Camillo Yntia,

Answer.

Filed Aug 31, 1857,
W. A. Chivers,
Deputy,

CASE NO. 10 ND

PAGE NO. 97

Thompson & Irving,
Atty for Cts.

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

The United States

vs

Comita Yutea

Plaintiff
Defendant

Filed Term, February 23, 1857.

This cause coming on to be
heard this day upon the petition
and answer, the certified transcript
of the proceedings and decision of
the Board of Commissioners to ascertain
and settle private land claims in the
State of California and the papers
and evidence on which the same
are founded and upon the additional
evidence taken by order of this court,
was argued by counsel

In consideration whereof the Court
doth and judge over and decree,
that the decision of the said Board
of Commissioners rendered in said
case be and the same is hereby
affirmed; and that the lands
therein claimed be conformable to the
said Comita Yutea in conformity
with the decree rendered by the
said Board of Commissioners to
which reference is hereby made

Edw. Hoffman
Sect Judge

284
U.S. District Court

No 10.

United States

vs

Comis Yritia

Deer.

Filed July 23, 1857.

W. H. Cheves,

Deputy.

CASE NO. 10 ND

PAGE NO. 99(99)

CASE NO. 10 ND
PAGE NO. 100

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 *Friday* the *31st* day of
July in the year of our Lord one thousand
eight hundred and fifty-seven.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

r

Camilo Ynitia

D. C. 10: L. C. 71

The Attorney General
of the United States having given notice
that no further appeal will be taken
in this case on the part of the United States,
and a stipulation to that effect having
been entered into by the U. S. Attorney:

On motion of the
District Attorney it is Ordered Adjudged
and Decreed that claimant have leave
to proceed under the decree of this
Court heretofore rendered in his favor,
as under Final Decree.

Ogden Hoffman

U. S. Dist Judge

10

United States District Court, Northern
District of California.

The United States

vs.

Camilo Yutica

ORDER.

vacating appeal

Filed

July 31. 1857

John A. Monroe,

CLERK.

By

W. A. Cheney

DEPUTY.

CASE NO. 10 ND

PAGE NO. 101

California Land Claims.

Attorney General's Office

9 January 1857.

Sir,

In the case of the claim of Carrillo
Yritia, confirmed to the claimant by the
Commissioner, case no. Seventy-one, (71),
appeal will not be prosecuted by the
United States.

I am,

Respectfully,

Cluding

Wm Blanding Esq.

U. S. Attorney,

San Francisco.

In the District Court of the U. S.
for the Northern Dist of Cal.

The United States

v
Carrillo United

2 D. C. 10: L. C. 71.

In pursuance of a
notice from the Attorney General of
the United States, hereunto annexed,
it is hereby stipulated and agreed that
no further appeal be taken in this
case on the part of the United States
and that claimant have leave to proceed
under the decree of this Court heretofore
rendered in his favor, as under Final
Decree.

San Francisco July 31st 1854

Bella Fore

v. S. atty.

R. Aug. Thompson
Atty for Claimant

10
71

U. S. Dist. Court

The United States

v
Carillo Intica

Stipulation

Filed July 31, 1857,
W. H. Chivers,
Deputy.

CASE NO. 10 ND

PAGE NO. 104

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

San Francisco

December 30th 1853.

John A. Munroe, Esq
Clerk of the United States
District Court for the Northern
District of California

Sir

I herewith transmit you
pursuant to the requirements of the Act of Congress ap-
proved 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 are founded in Case
N^o 71 on the Docket of the said Board wherein —
"Camillo Yntia" are the Claimants against
the United States for the place known by the name of
"Ompale" and request your receipt for
the same.

I am, respectfully,

Your Ob. Serv^t

Geo. Fitch.

