

CASE NO.

50

NORTHERN DISTRICT

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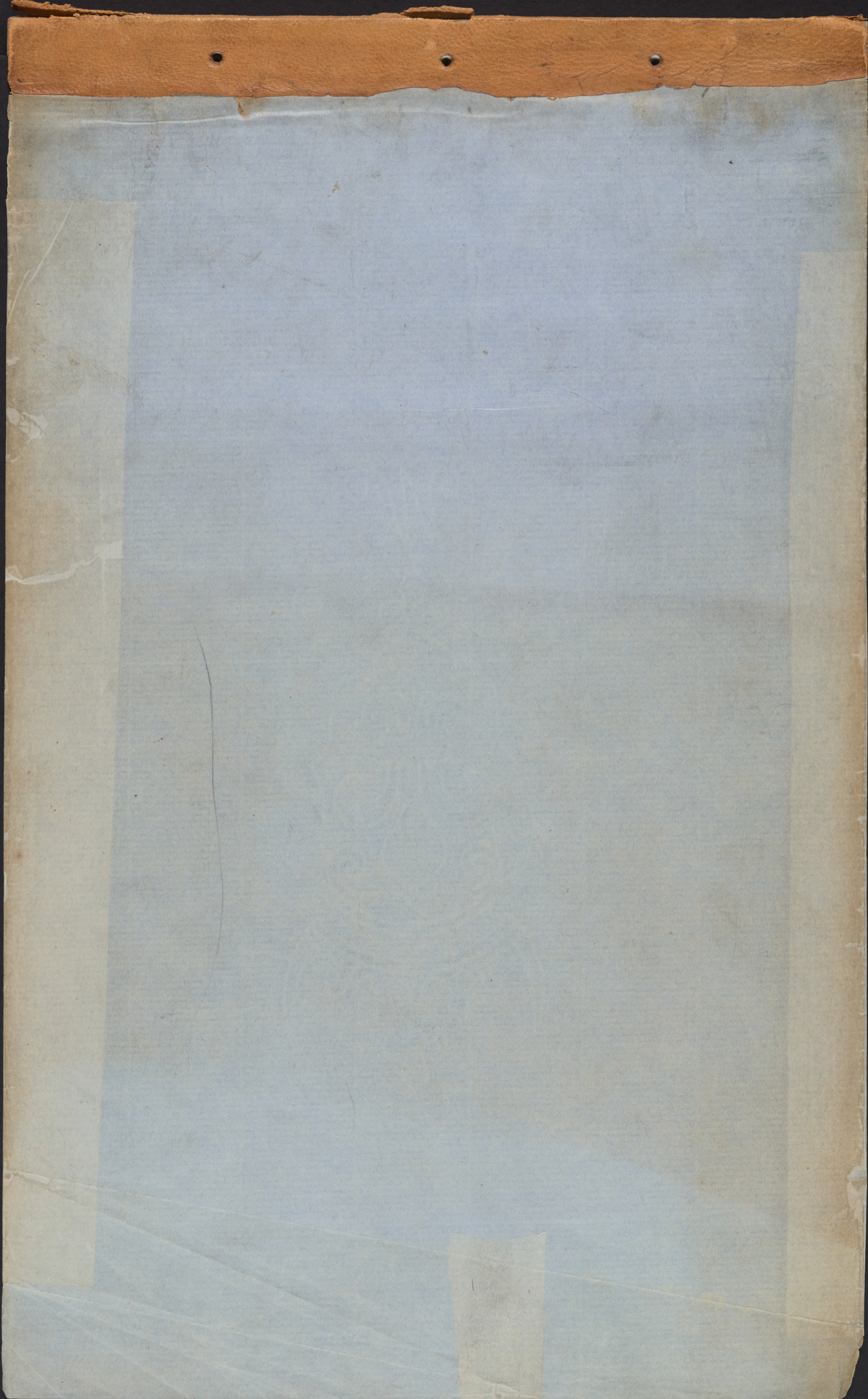
HUICHICA GRANT

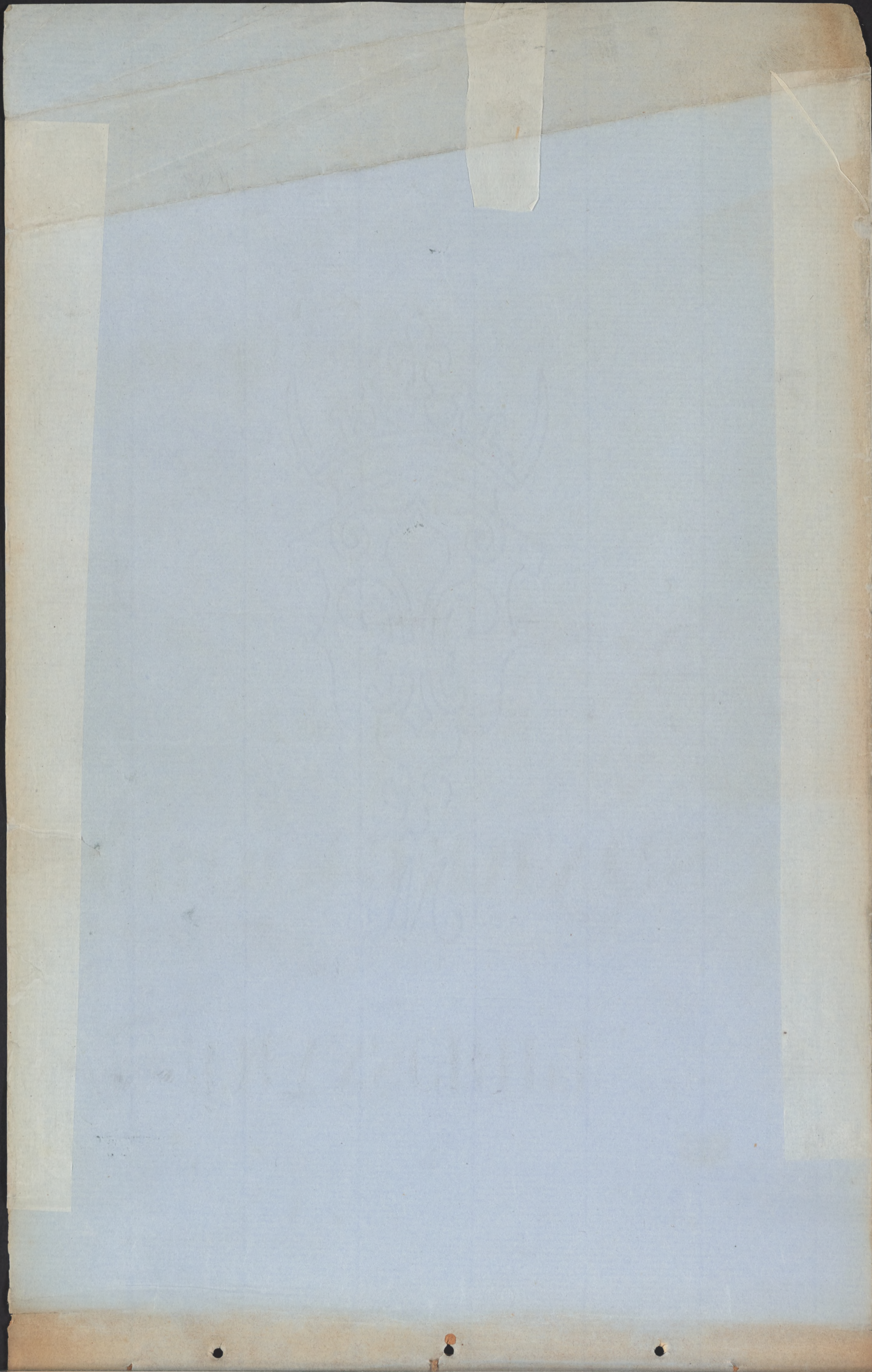
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JACOB P. LEESE

CLAIMANT

W. W. WOOD  
FLOWER BOND  
52% COTTON FIBER  
U.S.A.





CASE 50 ND

PAGE 1

# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 165.

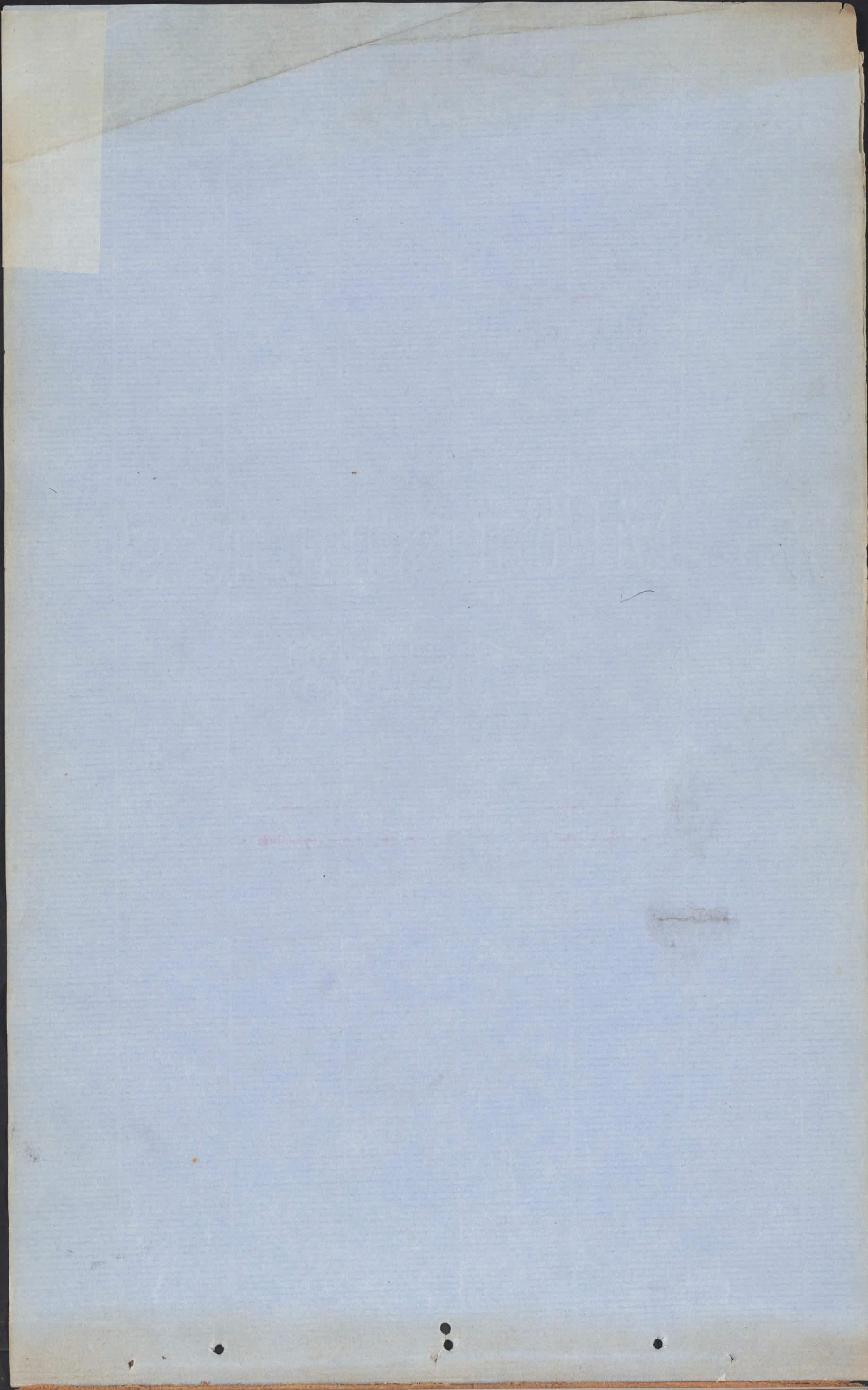
Jacob P. Seese CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Huichica".



165  
Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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PAGE 2

Be it Remembered, that on this *Sixth day of April*, 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 *Jacob P. Leese*  
for the Place named  
*Huichica*

was presented, and ordered to be filed and docketed with No. *165* and is as follows, to wit;

(Vide page *3* of this Transcript.)

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

*San Francisco June 2 1852*

In Case No. *165* Jacob P. Leese, the Deposition of Mariano G. Vallejo a witness in behalf of the Claimant taken before Commissioners *Hiland Hall*, was filed and is in the words and figures as follows to wit:  
*Vide page 5 of this Transcript*

*Los Angeles October 15 1852*

In Case No. *165* Jacob P. Leese, for the place named "*Huichica*" the Deposition of Ygnacio del Valle a witness in behalf of the Claimant taken before Commissioners *Hiland Hall*, with Document marked *H. H.*

No. 1 and the Translation marked B.D.H. annexed thereto, was filed, and is in the words and figures as follows to wit: (Vide page 6 of this Transcript)

San Francisco Mar. 8<sup>th</sup> 1853.

In Case No. 165 Jacob P. Lease, for the place named "Wuichien", the Counsel for the claimant filed the following Stipulation, to wit:

(Vide page 51 of this Transcript)

San Francisco April 11<sup>th</sup> 1853.

On motion of the United States Associate Surveyor Case No. 165 Jacob P. Lease "Wuichien" was ordered to be placed on the Trial Docket.

San Francisco April 11<sup>th</sup> 1853.

Case No. 165 Jacob P. Lease for the place named "Wuichien", called: the Counsel for the claimant, Mr. Halleck, read the petition and the papers in evidence; the United States Associate Surveyor filed his brief; submitted and taken under advisement by the Board

San Francisco April 22<sup>nd</sup> 1853.

A Statement was read by Commissioner Ward Hall, in behalf of the Board, accompanied with the opinion and decree of final confirmation in Case No. 165, Jacob P. Lease and others therein mentioned; which statement is as follows, to wit: (Vide page 53 of this Transcript)

and which Opinion and Decree are as follows to wit (Vide page 55 of this Transcript)



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PAGE 4

Petition.

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

The petitioner, Jacob P. Leese, respectfully shows, that on the 26<sup>th</sup> day of October A. D. 1841, Manuel Linares, Governor ad interim of California, by virtue of authority in him vested, granted to the petitioner the tract of land called Huichica in the then jurisdiction & now county of Sonoma, with the bounds described in the grant & containing, as was then supposed, about two square leagues; a copy of which title is submitted herewith marked "A" with a translation marked "B".

That on the 14<sup>th</sup> day of February A. D. 1842 the said tract of land was duly surveyed & the judicial possession of it given to the petitioner by the proper authority, a copy of which judicial possession is submitted herewith marked "C" with a translation marked "D". That having found by more accurate measurements that the aforesaid tract of land contained some five leagues, more or less, he applied to the proper authority for an extension of his title so as to include all the land in the aforesaid tract; That on the 6<sup>th</sup> day of July A. D. 1844, Manuel Micheltorena, Governor of California, by virtue of authority in him vested granted to the petitioner an extension of three square leagues, over & above the two square leagues mentioned in the former grant, making in all five square leagues, with the boundaries described in the grant, & set forth in the title papers & corresponding maps; all of which is fully shown in the Espediente of Extension a certified copy of which is submitted herewith marked "E" with a translation marked "F". also submits herewith a copy of second Title marked "G" with a translation marked "H".

That the said grants were approved by the Departmental Assembly.

2105  
That he knows of no conflicting claim.  
That the said tract of land has not been surveyed by the Surveyor General of the United States, but that it has been surveyed by a duly authorized surveyor, as is shown by the papers above referred to; that its boundaries are fully described & well known; & that the petitioner has been for more than 12 years & now is (with these holdings under him), in the quiet, peaceful, and undisturbed possession, cultivation & occupation of the said tract of land.

That he seeks for confirmation of title, upon the original papers copies of which are submitted herewith: upon the records in the Archives now in charge of the Surveyor General of the United States; & upon such other & further proofs as he may be advised are necessary. Wherefore he prays the Commissioners to confirm to him the said tract of land.

By his Atty's  
Wallick, Peckay & Billings

180  
Filed in Office April 6<sup>th</sup> 1852.

Geo. Fisher,  
Secy.

11/155

Office of the Board of Land Commissioners for California.

San Francisco June 2<sup>nd</sup> 1852.

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PAGE 6

Deposition of  
M. G. Vallejo.

On this day before Holland Hall one of the Commissioners for ascertaining & settling private Land claims in California; came M. G. Vallejo a witness produced in behalf of the claimant Jacob P. Seese being No: 53 on the Commissioners Dock - it was duly sworn. The U.S. Law Agent present.

In answer to questions put by the Counsel for the claimant the witness testified as follows.

My name is M. G. Vallejo, my age forty four & I reside in Sonoma. I know the rancho Huichica claimed by Jacob P. Seese. It is bounded by Sonoma city, lying East & South east from that place. It was first occupied by Mr Seese about 1839. He had a house on it, occupied by those employed by him, & cattle & horses. He placed there at first about one hundred and fifty horses & some four or five hundred cattle. The house was an adobe one & remains on the land still. He cultivated about two hundred acres of the land; the land has ever since been occupied by him.

In answer to questions by the Law Agent the witness says.

I do not think any part of the Rancho is within ten leagues of the sea coast. It is within ten leagues of the bay of Sonoma. The land was not occupied by any mission & was not within the limits of a Mission on the 21<sup>st</sup> of November 1828. The house was built by Mr Seese when he first occupied the land about the year 1839.

Sworn & Subscribed M. G. Vallejo.

Before me  
Holland Hall

Comm.

Filed in Office June 2<sup>nd</sup> 1852. Geo. Fisher Secy

2/105  
Office of the U.S. Land Commis-  
sion, Los Angeles Oct 13<sup>th</sup> 1852.

On this day before Heland Hall one of the  
Comrs for ascertaining & settling private land  
claims in California came Ignacio del Valle,  
a witness produced in behalf of the Claimant Ju-  
cob Seese whose petition is No 163 on the  
Deposition of Docket of the Board & was duly sworn.  
Ignacio del Valle His evidence being given in Spanish was  
interpreted by the Secretary. Heland Hall Law Agent  
was notified & attended.

1<sup>st</sup> Question. What is your name, age, & place of  
residence?

Answer. My name is Ignacio del Valle, my  
age is 44 years, I reside in Los Angeles, and  
have lived in California 27 years.

2<sup>d</sup> Quest. Examine the document before you  
marked No 1 H. H. & say if you know the signa-  
tures, & if they are genuine, & if the document  
is genuine.

Answer. I have examined the document & know the  
signatures of Manuel Jimeno, José F. Fernandez,  
Manuel Castanosa, Estrada Jacob Seese,  
Salvador Vallejo, Damazo A. Rodriguez, &  
Manuel Micheltona; their signatures to this  
document are genuine & the document itself to  
the best of my knowledge & belief, is also gen-  
-uine.

Ignacio del Valle.

Sworn & Subscribed

Before me

Heland Hall

Comr

240

Filed in Office Oct 13<sup>th</sup> 1852.

Geo: Fisher

Secy.

~~no 165~~

S.D.K.

CASE 50 ND

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Expediente promovido por  
Sr. Jacob Leese en pretension  
del Terreno llamado Huichica

430

2 S.D.R.

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PAGE 9

Dello cuarto dos reales  
Habilitado provisionalmente por la Aduana mari-  
tima del puerto de Monterey, en el Departamento  
de las Californias, para los años de mil ochocientos  
cuarenta y cuatro y mil ochocientos cuarenta y cinco.

Adm.  
marit.  
de  
Monty

Pablo de la Guerra  
Por aus. de Adm.  
Guillermo de Hartnell

Tramo Senior

Monterrey Junio  
15 de 1844  
Dnse el Sr. Srío  
del Despacho  
interino de este  
Gob. tomando otros  
Si se fueren necesarios  
Michelt<sup>a</sup>

Jacobo P. Leese ante V. E.  
con el debido respeto comparezco  
y digo: Que en el mes de  
Octubre de 1841 obtuve de este  
Gobierno Departam. el título del  
Rancho de Fleichias que  
acompañó / y en el mes de Febrero  
del año siguiente de 1842 se  
me dió la posesion jurídica  
de dho terreno; mas como el  
primer diseño que presenté para  
solicitar el parage fue hecho a  
vista de ojo solamente, por no  
haber podido entonces encontrar  
quien pudiese hacer un plan

correcto, tenía varios defectos, pues aun que es verdad  
que los linderos que aplica son los mismos que  
debia tener, no obstante los rumbos y distancias  
son muy diversos; por cuyo motivo acompañó  
ahora un diseño nuevo de dho terreno, hecho con  
toda exactitud, por el cual se ve que en lugar de  
tener dos sitios como aplica el título, contiene  
de facto como cuatro sitios pero mas o menos. Suplico  
pues a V. E. tenga la bondad de mandar se me  
entienda un título nuevo, arreglado al diseño que  
ahora acompañó, mencionando que los linderos son  
al Norte el camino real de arribe que va para  
Napa, al Oriente el arroyo de los Hornos, al Sur

3 S.D.R.

1845

7

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PAGE 10

la tierra Senegosa que colinda con la bahia de San Francisco y al Poniente el estero de Sonoma y Arroyo Seco. J. J.

N.E. encarecidamente ruego tenga á bien decretar como llevo pedido; protestando no proceder de malicia y lo necesario.

Monterey 15 de Junio de 1844  
Jacob P. Leese

Excmo Sr Gobernador,

En el año 41 se le concedieron al interesado dos Sitios en el parage de Huichica, y el Puerto de Sonoma el año 42 se midió los Sitios, con prevencion de que se reconociesen por del Sr Leese, y ahora este Sr pide Cuatro Sitios, por que dice no habia conocido bien el terreno, y ni su diseño estaba correcto, de lo que resulta en mi concepto que la posesion es mala, por que se midió el triplicado mas de lo Concedido, esto es segun la suma que hizo del numero de cordelas que se midieron, como consta en el adjunto Expedite pero por el Computo que al fin de la posesion ha en el Puerto es mucho mas, por que dice que el terreno entre lo medido y calculado tiene como treinta y seis mil quinientas varas; de manera que dandose por mala la posesion, y dejando a un lado, bien podra el interesado pedir el aumento, sobre los dos Sitios que se le han Concedido, para que la nueva peticion que haga, corra los tramites de estilo. El Sup.º dicernimiento de N.E. resolverá lo Conveniente.

4 J. D. K.

Ha ut supra  
Man Jimeno

Idem  
Conforme a su informe  
Micheltta

Delte cuarto de reales 5 J. D. K.  
Habilitado provisionalmente por la Aduana maritima

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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

Micheltorrena Pablo de la Guerra

Por aus. del Sr. Acno.

Juill. Ed. Hartwell

Ad.  
mont.  
de  
Monty

Como Sino,

Monterrey  
Junio 22 de  
1844

Inf. el Sr. Sio  
del Despacho,  
tomando otros  
si los necesitare  
Michelt<sup>a</sup>

Jacobo J. Leuse ante V. E.  
con el debido respeto, comparezco y  
digo: que en el mes de Octubre de  
1841 obtuve de este Gobierno Depar-  
tame. el titulo del Rancho de Hui-  
chica y como el primer diseño  
que presente para solicitar el parage,  
fue hecho a vista de ojo solamente,  
por no haber podido entonces encontrar  
quien pudiese hacer un plan correcto  
tenia varios defectos, pues aun que  
es verdad que los linderos que expresa  
son los mismos que debia tener, no  
obstante los nombres y distancias son  
muy dividos; por cuyo motivo acom-  
pañe ahora un diseño nuevo de dho

terreno, hecho con toda exactitud, por el cual se ve que  
en lugar de tener dos Sitios de ganado mayor como  
explica el titulo concedido, contiene de efecto cinco  
Sitios y medio poco mas ó menos.

Duplico pues a V. E. tenga la bondad de mandar  
se me otienda un titulo de tres Sitios y medio de  
ganado mayor poco mas ó menos que es la cantidad  
de terreno sobrante arreglado al diseño que ahora  
acompañe, mencionando que los linderos son al  
Norte el Camino real de arriba que va para Napa,  
al Oriente el arroyo de los Carreros, al Sur la  
tierra Cnegosa que colinda con la bahia de San  
Francisco y al Poniente el estero de Sonoma  
y Arroyo Seco. y empuzando desde las Lomitas  
para todo el arroyo p<sup>a</sup> arriba. J. J.

D. S. D. K.



V. E. encarecidamente ruego tenga á bien decretar  
como llevo pedido, protestando no proceda de malicia  
y lo necesario.

Monterrey 20 de Junio de 1844  
Jacob V. Lute

Sr Gobernador,

El terreno sobrante que solicita el internado  
lo tiene ocupado con sus bienes hace tres años, y no  
encuentro inconveniente alguno para que V. E., sin que  
se pidan otros informes, pueda acceder a su pretension  
por que sus linderos ya estan demarcados en el diseño  
respectivo.

Por V. E. resolverá lo que tubiere por mas  
conbeniente.

Monterrey Junio 22 de 1844  
Man. Jimeno

Monterrey Julio 2 de 1844  
Conforme al antecedente informe  
Michelt.

y S. D. K.

Here follows map

11  
10 S. D. K.  
El Cdo. Manuel Michelmorena, Gral de  
Brigada del Ejercito Mexicano, Ayud<sup>te</sup> Gral de la  
Plana Mayor del mismo, Gobernador, Comand<sup>te</sup>  
Gral e Inspector del Departamento de California

Yo Sr. Juan P. Leese Mexicano  
por naturalizacion ha pretendido para su beneficio  
personal y el de su familia la extension de tres Sitios y  
medio de ganado mayor S<sup>te</sup> dos que tiene concedidos  
el terreno nombrado Huichica, Colind<sup>te</sup> con la travesia  
q. va p<sup>a</sup> Napa, por la parte de arriba rumbo  
N<sup>te</sup> con el Arroyo de los Hornos al N<sup>te</sup>, con el  
terreno conegoso inmediato a la Bahia de S. Fco  
rumbo Sur y con el estero de Sonoma y hasta las  
trancas tomando el rumbo del arroyo seco hasta las  
linitas q. nombrando Huichica; practicadas  
previamente las dilig<sup>es</sup> y averiguaciones concurrentes  
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 Sagitandose a la aprobacion de la  
C. D. Departamental y bajo las condiciones siguientes  
1<sup>a</sup> Dejara libre en todo t<sup>to</sup> y sin embaraso  
de ninguna especie el trafico del embarcadero de Sonoma  
p<sup>a</sup> la parte de Huichica p<sup>a</sup> que el Publico haga  
el embarque y desembarq<sup>o</sup> de sus esquilmos y demas  
objetos de Comercio  
2<sup>a</sup> No podra venderlo, enagenarlo ni hipotecarlo,  
imponer censo, vinculo, fianza, hipoteca ni otro gravamen  
alg<sup>o</sup>  
3<sup>a</sup> Podra cercarlo sin perjudicar las travesias  
Caminos y Servidumbres; lo disfrutara libre y eschusivamente  
destinandolo al uso o cultivo q. mas le acomode,  
y habitara la casa que tiene construida.  
4<sup>a</sup> El terreno de que se hace donacion es de  
tres y medio Sitios S<sup>te</sup> dos q. tiene concedidos  
p<sup>a</sup> q. todo forme la extension de cinco Sitios y  
medio. El Sur que reformela posesion

11 S. D. K.

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Se arreglará a la medición que tiene practicada el  
Agrimensor. Si contraviniese a estas condiciones  
perderá su dolo al terreno y será denunciado por  
otro.

En consecuencia mando que tomándose  
por firme y valedero el presente se tome razón de el  
en el libro respectivo y se entregue al interesado p.<sup>a</sup>  
su resguardo y demás fines. Dado en Monterrey  
a San de Julio de mil ochocientos cuarenta y cuatro

12 S. D. K.

Queda tomada razón a fojas nueve del  
libro respectivo

13 S. D. K.

Por cuanto D. Jacinto Leza  
Mejicano por naturalización ha pretendido p.<sup>a</sup> su  
beneficio personal y el de su familia la extensión  
de tres y medio Sitio de ganado mayor Sobredos que  
tiene concedidos en el terreno de Huichica volin-  
= dante con la travesía que va p.<sup>a</sup> Mapa, por la parte  
de arriba, rumbo Norte con el arroyo de los Carnuros  
al Oriente con el terreno Senegoso inmediato a la  
Bahía de S. Fran.<sup>co</sup> rumbo Sur y con el estero  
de Sonoma hasta las troncas tomando el rumbo  
del arroyo seco, hasta las Lomitas que nombran  
de Huachita: practicadas por el p.<sup>o</sup> las diligencias  
y haberiaguaciones convenientes segun lo dispuesto  
p.<sup>o</sup> leyes y reglam.<sup>to</sup> en nombre de la Nación Meji-  
= cana se venido en concederle la extensión mencio-  
= nada Sugitandose a la aprobación de la misma  
Asamblea Departamental y a las condiciones sig.<sup>tes</sup>

14 S. D. K.

1.<sup>a</sup> Dejara libre en todo tiempo y sin  
embargo de ninguna especie el tráfico del embar-  
= cadero de Sonoma h.<sup>a</sup> la parte de Huichica  
p.<sup>a</sup> que el Público haga el embarque y desembarco

de sus esquilmas y demas objetos de Comercio.

2.<sup>o</sup> No podrá venderlo, enagenarlo ni hipotecarlo  
 imponer Censo, vinculo, ni otro gravamen alguno

3.<sup>o</sup> Podrá sercarlo

15 D. L. K.

Monterey a 6 de Julio de 1844

Setimo raxon a folios 9

Office of the Surveyor General of the United  
 States for California

I, Samuel D. King, Surveyor General  
 of the United States for the State of California, and  
 as such now having in my office and under my  
 charge and control a portion of the archives of  
 the former Spanish and Mexican Territory or  
 Department of Upper California, do hereby certify  
 that the fifteen preceding and hereunto annexed  
 pages of tracing paper numbered from one to fifteen  
 inclusive, and each of which is verified by my  
 initials (S. D. K.) exhibit true and accurate  
 copies of certain documents on file and forming part  
 of the said archives in this office.

In testimony whereof I have  
 hereunto subscribed my name, officially, and  
 affixed my private seal (not having a seal of  
 office) at the City of San Francisco, Cal, this  
 first day of March 1852

Sam D. King

Surv Gen Cal

Filed in office April 6<sup>th</sup> 1852

Geo: Fisher Sec

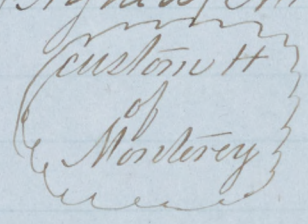
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Stamp Fourth. Two Reales.

Provisionally authorized by the maritime Custom house of the port of Monterey, in the Department of the Californias, for the years one thousand eight hundred & forty four & one thousand eight hundred & forty five.

Signed Micheltorena. For Pablo de la Guerra.



"F"  
Translation of Expediente for Extension.

In the absence of the Administrator (Signed) Guill<sup>me</sup> Ed. Martrell.

Most Excellent Sir.

Monterey June 15 1844

D. Jacob P. Leese, before your Excellency with due respect, appear & say, that on the month of October 1841. I obtained from the

Secretary of State report. Departmental Government the calling for information if he needs it.

title of the Rancho of Huichuca, which I transmit herewith, in the month of Feby, of the following year, 1842, judicial possession was given me of said land, but as the first map which

Signed Micheltorena.

I presented, for the purpose of requisitioning the place, was made by us only, as I was at that time unable to find a person who could make a correct plot, it contained many defects, for although it is true the boundaries are the same which it ought to have, nevertheless the courses & distances are very different; for which reason I now transmit a new map of said land; made with a exactitude, by which it is seen that instead of having two square leagues as specified in the title it contains about four, a little more or less. I therefore pray your Excellency to have the goodness to order that a new title be issued to me, made conformable to the map which I now transmit, mentioning that the boundaries are; on the North the upper main road which goes to Napa; on the east the arroyo de los Carreros, on the South the marshy land adjoining the bay of San Francisco, & on the West the Cesteros

I presented, for the purpose of requisitioning the place, was made by us only, as I was at that time unable to find a person who could make a correct plot, it contained many defects, for although it is true the boundaries are the same which it ought to have, nevertheless the courses & distances are very different; for which reason I now transmit a new map of said land; made with a exactitude, by which it is seen that instead of having two square leagues as specified in the title it contains about four, a little more or less. I therefore pray your Excellency to have the goodness to order that a new title be issued to me, made conformable to the map which I now transmit, mentioning that the boundaries are; on the North the upper main road which goes to Napa; on the east the arroyo de los Carreros, on the South the marshy land adjoining the bay of San Francisco, & on the West the Cesteros

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of Sonoma & Army Seco. Wherefore I earnestly  
pray your Excellency to be pleased to decree as I  
have asked; & I protest that this is not done from  
malice, & whatever else may be necessary.

Monterey June 15<sup>th</sup> 1844.

Signed / Jacob P. Leese.

To His Excellency the Governor.

In the year 1841, two leagues  
were granted to the person interested in the place  
of Quichica, & the Magistrate of Sonoma in the  
year 1842, measured off for him six square lea-  
gues; with the declaration that they should be  
recognized as belonging to Senior Leese, & now this  
senior asks for four leagues, because he says,  
he was not well acquainted with the land, and  
that his map was not correct, from which it results  
that the possession is null, because three times as  
much land was measured as was granted, that  
is according to the calculation I have made of the  
number of cordes measured, which appear in the  
annexed espediente, but by the computation made  
by the magistrate at the end of the possession it is  
much more, because he says the land contains, be-  
-tween measured & calculated, about thirty six  
thousand five hundred varas; so that considering  
the possession as null & leaving it the person in-  
-terested may well petition for the addition to the two  
leagues which have been granted him, that the new peti-  
-tion he may make, may take the course accustomed.  
Your Excellency's superior discernment will decide  
that which may be convenient.

Date as above.

Signed / Manuel Jimeno.

Same date.

This report is approved.

Signed / Micheltorena.

Stamp South, Two Pales.

Provisionally authorized by the maritime Custom  
House of the Port of Monterey, in the Department

3/105-

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PAGE 18

of the Californias, for the years one thousand eight hundred & forty four & one thousand eight hundred & forty five.

Signed, Micheltorena. For Pablo de la Guerra.

Mar 11  
Cas House of  
Monterey

In the absence of the Administration  
Signed, Guill<sup>on</sup> Ed, Cartnell.

Most Excellent Sir.

Montrey June 22/44. Jacob P. Seese, before your Excellency  
Let me with due respect, appear & say; that  
Secretary of State in the month of October 1841 I ob-  
served calling for - I am from this Departmental  
such information Government the title of the rancho  
as he may need of Huichuca, & as the first map  
(Sgd) Michelt<sup>re</sup>, which I presented for the purpose  
of soliciting the place was made only by eye, as I  
was not able to find any person at that time, who  
could make a correct plot, it has several faults, for  
although it is true the boundaries which it shows  
are the same it ought to have, yet the courses &  
distances are very different; for which reason I  
now transmit a new map of said land, made with  
accuracy, by which it is seen that instead of two sq-  
-uare leagues as shown by the title given, it contained  
in fact five & a half square leagues, a little more or  
less. I therefore request Your Excellency, to have the  
goodness to order that a title, to me for three & a half  
sitios de ganado mayor (sq leagues) a little more or less,  
which is the surplus, according to the map, which I  
now transmit, specifying that the boundaries are -  
on the North the upper main road which goes to  
Napa; - on the East the Arroyo de los Caimeros; on  
the South the marshy land bordering on the bay  
of San Francisco, & on the West by the Estero of Sonoma,  
& the Arroyo Seco, beginning at the little hills (Lomas)  
& following up the Arroyo. Wherefore I earnestly pray  
your Excellency have the goodness to decree as I have  
asked protesting that I do not act from malice, &  
whatever else may be necessary.

Montrey June 20 1844.

Signed, Jacob P. Seese.

To His Excellency the Governor.  
The surplus land petitioned for by the person interested  
has been occupied by him with his property for three  
years, & I see no objection to your Excellency's acceding  
to his petition without asking other information, for  
his boundaries are already defined in the respective  
maps.

Nevertheless your Excellency will decide as  
you may think best.

Monterey June 22<sup>nd</sup> 1844.  
Signed Manuel Jimenez.

Monterey July 2<sup>nd</sup> 1844.  
The foregoing report is approved.  
Signed Michel Tornera.

(Here follows copy of title for extension same as  
translated in Exhibit "H")

L. C.  
R. P.

I certify the foregoing to be a true  
and correct translation from an authenticated  
fac-simile copy of the Spanish document on  
file in the Office of the U.S. Surveyor General  
which fac-simile copy is in this Office on  
file in Case No 103. Jacob P. Seese, for the  
place named "Kerichica."

Geo: Fisher.  
Secy.

Filed in Office April 6<sup>th</sup> 1852.

Geo: Fisher.  
Secy.



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Seal of the First-Class, Eight Dollars.  
Authorized provisionally by the maritime Custom  
House of Monterey, in the Department of the Califor-  
-nia, for the years eighteen hundred & forty four  
& eighteen hundred & forty five.

Signed Micheltorena. (Printed) Pable de la Guerra.

In the Collector's absence.

H. H. No 1.

Christoni House.  
Seal

Signed William Edu Hartnell.

Citizen Manuel Micheltorena, Brigadier

Doc-annexado-dios General of the Mexican Army, Adjutant  
the deposition of General of the staff of the same, Governor, Comman-  
Ignacio del Valle-dant General & Inspector of the Department  
of the Californias.  
Oct 15/52.

Whereas Jacob P. Seco, a nat-  
-uralized Mexican has solicited for his personal  
benefit & that of his family the augmentation of  
three square leagues, (tres sitios de ganado mayor)  
in addition to two already granted to him in  
the land called Hrichica, bounded by the cross  
road which leads towards Napa, on the upper part  
towards the North; with the Arroyo de los Cameros,  
to the East; by the swampy land adjoining the  
Bay of San Francisco on the South; & by the Estero  
de Sonoma as far as the Bancas, taking the di-  
-rection of the Arroyo Seco; as far as the little hills  
called Hrichica hills; the necessary steps &  
investigations having been previously taken & made,  
according to the requirements of laws & regulations,  
I have by virtue of the powers conferred upon me  
granted unto him in the name of the Mexican  
Nation, the before mentioned land, declaring  
unto him the ownership thereof by these present  
letters, subject to the approval of the Most Excellent  
Departmental Assembly, & under the following conditions.  
1<sup>st</sup> He shall at all times leave free & unembarrassed  
the traffic of the Embarcadero of Sonoma on the Hri-  
-chica side, in order that the public may embark &  
disembark their produce & other articles of commerce.  
2<sup>d</sup> He shall neither sell, alienate, nor mortgage it,  
impose ground rent (censo) entail (encomienda) reversion,

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finanzas, mortgage, nor any other burthen.  
3<sup>o</sup>. He may surround it without prejudice to the crossings, roads & privileges; he shall enjoy it freely & exclusively destining it to the use or cultivation which may best suit him.

4<sup>th</sup>. The land whose donation is made consists of three sitios & a half, besides the two already granted, so that the whole extent comprises five sitios & a half (five & a half square leagues).

The Magistrate who reforms the possession shall be guided by the survey made by the surveyor.

5<sup>th</sup>. If he transgress these conditions, he shall forfeit his right to the land & it may be demanded by another.

I consequently command that holding this title to be firm & valid, a record thereof be made in the respective book, & the original be delivered to the party interested for his security & further use.

Given in Monterey on the sixth of July, eight hundred & forty four.

(Signed) Manuel Micheltoresa.

(Signed) Manuel Jimeno. Secretary.

A Record of this grant has been made in the respective book at folio 9.

(Signed) Jimeno.

I certify the foregoing to be a true & correct translation from the original Spanish document on file in this Office in Case No 165. Jacob, P. Leese, for the place named Guichica, annexed to the deposition of Ygnacio del Valle, marked H. H. No 1.

Geo: Fisher.

Secy.

Filed in Office April 6<sup>th</sup> 1852.

Geo: Fisher.

Secy.

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Seal of the first class, Six Dollars.  
 Authorized provisionally by the maritime Custom  
 House of Monterey for the years 1839 and 1840.  
 (Signed) Alvarado. (Signed) Antonio Maria Osio.  
 Made available for the years 1841 & 1842.  
 (Signed) Durazo (Signed) Antonio Maria Osio.  
 Custom House, Manuel Ferris Casarin, First Men-  
 Seal - ber of the Most Excellent Junta of the  
 Department of the Californias, in  
 charge of the Government thereof administration.

Transcription of  
1<sup>st</sup> Title.

"B"

Whereas Mr Jacob P. Suse has solicited for his per-  
 sonal benefit & that of his family, the place known  
 by the name of Huichica, bounded on the West  
 by the Arroyo Seco; on the North by Napa, the Ran-  
 cho of Señor Nicolas Higuera & the Arroyo de los  
 Carreros; on the East by swampy lands; & on the South  
 by the sea; the necessary steps & investigations having  
 been previously taken & made, in conformity with laws  
 & regulations; I have by virtue of the powers conferred upon  
 me, granted unto him the said land, in the name of  
 the Mexican Nation, declaring unto him the ownership  
 thereof by these present letters, subject to the approval of  
 the most Excellent Departmental Junta & to the following  
 conditions.

1<sup>st</sup> He may surround it without prejudice to the crossings,  
 roads & privileges, he shall enjoy it freely & exclusively, des-  
 tining it to the use or cultivation which may best suit him,  
 but within one year he shall build a house & it must be in-  
 habited. 2<sup>o</sup> When the ownership is confirmed to him,  
 he shall request the respective magistrate to give him  
 judicial possession thereof in virtue of this title, &  
 said magistrate shall designate the boundaries, on  
 the limits whereof he shall besides placing the land-  
 marks, plant some fruit trees of known utility.  
 3<sup>o</sup> The land mentioned consists of two square  
 leagues, (sitio de ganado mayor), a little more or  
 less, as appears by the plot which accompanies  
 the Expediente. The Magistrate who gives possession  
 will cause it to be measured according to law, the  
 surplus which may result to be left for the use  
 which the Nation may deem proper.

4<sup>th</sup> If he transgress these conditions, he shall lose his right to the land, & it may be demurred by another.

Consequently command that holding the present title to be firm & valid, a record thereof be made in the corresponding book, & it be delivered to the party interested for his safety and further uses. Given in Monterey on the twenty sixth day of October, eighteen hundred & forty one.

(Signed) Manuel Jimeno.

(Signed) José L. Fernandez. Secretary ad interim  
A record of this title has been made in the book of entries respecting the adjudication of vacant lands at folio 7.

(Signed) Fernandez.

His Excellency the Governor has directed that this title be recorded in the office of the Secretary of the Prefect of the 1<sup>st</sup> District.

(Signed) Fernandez.

Monterey October 25<sup>th</sup> 1841.

Let it be recorded.

(Signed) Estrada.

On the same date a record thereof was made in the respective book (cuaderno) kept for the purpose in the office of the Prefect of the 1<sup>st</sup> District.

(Signed) Manuel Castaneda.  
Secretary.

I certify the foregoing to be a true and correct translation from the original Spanish document on file in this Office in Case No 163, Jacob P. Deuse for the place named Nouichica, being a part of document marked H, H, No annexed to the deposition of Ygnacio del Valle, Oct 15<sup>th</sup> 1852.

Geo: Fisher.

Secy.

Filed in Office April 6<sup>th</sup> 1852.

Geo: Fisher Secy.

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Legado de Sonoma

Exped<sup>te</sup> instruido p<sup>a</sup> medir,  
y dar posesion de dos sitios de  
ganado mayor en el rancho de  
Huichica el dia 14 de Febro  
de 1842

Juan

el C. Salvador Vallejo

assa

assa

Damaso Rodrig<sup>z</sup> Jose de la Rosa

Delto 1.º Seis pesos  
 Habilitado provisionalmente por la Aduana marítima  
 de Monterey para los años de 1839 y 1840  
 Abarado Antonio M<sup>o</sup> Ossio  
 Valga p.<sup>a</sup> los años de 1841 y 1842  
 Jimeno Antonio M<sup>o</sup> Ossio



Manuel Jimeno Cabarin  
 Primer Vocal de la Cámara  
 Junta del Departamento  
 de las Californias, encargado interinamente de su  
 Gobierno

Por cuanto D. Jacobo P. Leese  
 ha pretendido para su beneficio y el de su familia  
 el paraje conocido con el nombre de Huichica  
 colindante al N. con el arroyo Seco: por el N.  
 con Napa y el rancho del S. Nicolas Figueroa  
 y arroyo de los Carneros: al O. con tierras con-  
 =gasas y al E. con el mar: practicadas  
 previamente las diligencias y averiguaciones con-  
 =cernientes, segun lo dispuesto por leyes y regla-  
 =mentos, 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 E.  
 Junta Departamental y a las condiciones  
 siguientes.

1.<sup>a</sup> Toda cerca de sin perjudicar las trancidas,  
 caminos y servidumbres, lo disfrutara libre y escla-  
 =sivamente, destinandole al uso o cultivo que  
 mas le acomode, pero dentro de un año fabricara  
 casa y estara habitada.

2.<sup>a</sup> Cuando se le confirme la propiedad de

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el Solicitara' del Puz respectivo que le de posesion juridica en virtud de este despacho por el cual se demarcaran los linderos, en cuyos limites pondra a mas de las mojeras algunos arboles frutales de conocida utilidad.

3.<sup>a</sup> El terreno de que se ha e mención es de dos Sitios de ganado mayor poco mas o menos, segun explica el diseno que corre en el Expediente. El Puz que diere la posesion lo hara' medir conforme a' ordenanza, quedando el Sobrante que resulte a' la Nacion para los usos convenientes.

4.<sup>a</sup> Si Contrabien a' estas Condiciones perdiera' su derecho al terreno y sera' denunciado por otro.

En consecuencia mando que teniendo el presente titulo por firme y valido 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 seis de Octubre de mil ochocientos cuarenta y uno.

Man. Simono

Jose L. Fernandez Socio int.

Queda tomada razon de este despacho en el libro de adjuntos sobre adjudicacion de terrenos valdies a' p. y

Fernandez

El Sr. Gobernador ha dispuesto se tome razon de este titulo en la Secretaria de la Prefectura del 1.<sup>o</sup> distrito

Fernandez

Monterrey Oct. 25 de 1841

Tomase razon

Estrada

En la misma fecha se tomó rason en el Cuaderno respectivo q. para este objeto llevala Prefectura del 1<sup>er</sup> Distrito

Man Castañares  
Dro

Sr Jues de Paz de la Front<sup>a</sup>

Jacobo P. Lise vecino de esta jurisdiccion dueño del rancho de Huichuca como mejor proseda en dho ante v. paraxco y digo: que como consta del título q. presento con la solemnidad y juram<sup>to</sup> necesario tengo en mi dho rancho dos Sitios de ganado mayor debajo de los linderos q. espresa dho título, y p<sup>o</sup> q. necesito p<sup>a</sup> q. en todo tiempo conste hta donde llegaren y si ~~me~~ perjudican o perjudico a alguno de los circumbecinos se Sirva v. mandar q. prosediendo las dilig<sup>as</sup> acostumbradas de identidad, vista de ojos y reconocim<sup>to</sup> se proseda con citacion de los Circumbecinos a la medida de dhas tierras p<sup>a</sup> cuyo efecto nombro haca y p<sup>a</sup> cuando el caso llegue p<sup>o</sup> medidor al C. Jorge Toront vecino de esta jurisdiccion intlig<sup>te</sup> en materia de medidas y otro q. sea interesado nombro a otro medidor p<sup>o</sup> suparte, y haciendolo echo asi los q. nombren con el referido Toront p<sup>o</sup> mi nombrado aparezcan, acepten y juren y en su conformidad se proseda a dhas medidas

J. P. L. a usted Suplico q. haciendo por presentado dho docum<sup>to</sup> se Sirva mandar como lleve dho y echo q. Sean seme devuelvan



3  
no 165

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Dhos recaudos con las dilig.<sup>as</sup> originales q. se hicieron  
p.<sup>a</sup> resguardo de mi dho esta escrito y todo lo  
necesario

Jacob J. Lise

En el pueblo de Sonoma a los trece dias  
del mes de Febr de mil ochocientos cuarenta  
y dos ante mi el C. Salvador Valijo Coman-  
dante Militar y Jefe de esta jurisdiccion  
Se leyó esta peticion y vista la huve p.<sup>a</sup> presentada  
con el docum.<sup>to</sup> q. espresa y mando q. con  
citacion de los Circumbecinos se haga informacion de identi-  
dad, vista de ojos y reconocim.<sup>to</sup> de dhas tierras  
a que estoy pronto a asistir personalmente asi lo  
provey, mande y firmé con lo de mi assa  
Salvador Valijo

assa

assa

Dam J. Rodrig.<sup>e</sup>

Juan de la Rosa

En el expresado pueblo, en el mismo  
dia mes y año yo el referido Jefe con lo de mi  
assa p.<sup>a</sup> proceder a la informacion de identidad  
hize comparas ante mi al C. Frani<sup>co</sup> del Valle  
vecino de esta jurisdiccion, de oficio Carpintero  
del cual recibí juram.<sup>to</sup> que hizo p.<sup>a</sup> Dios y la  
Señal de la Cruz en forma de dho p.<sup>a</sup> el cual  
prometió decir verdad, y siendo preguntado p.<sup>a</sup>  
el Conocim.<sup>to</sup> q. tiene de las tierras, parajes  
terminos y linderos pertenecientes al C. Jacobo  
J. Lise dijo: que hace cuatro años es vecino  
de esta jurisdiccion y sabe q. las tierras pertenecientes  
a dho rancho pertenecen al referido Lise q. las  
ha cultivado y pastado en ellas sus ganados

q. las ha visto y reconocido varias veces y p.<sup>a</sup> prueba de lo q. tiene dho esta pronto a ir dhas tierras con el Pues y enseñarle hta donde llegan. En q. Se afirmo y ratifico a cargo del juram.<sup>to</sup> q. tiene echo, y declaro ser de cincuenta y ocho años de edad y no tocarle las generales de la Ley y lo firmo con mi go y los de assta.

Salvador Valljo

assta

assta

Juan A. Rodrig<sup>z</sup>

José de la Rosa

Fran.<sup>co</sup> Caceres y Valle

En el pueblo de Sonoma a los tres dias del mes de Febr de mil ochocientos cuarenta y dos yo el Pues con los de mi assta hice comparecer al C. Nicasio Berroveda vecino de esta jurisdiccion de oficio lavrador del cual recibí juram.<sup>to</sup> q. hizo por Dios y la Señal de la Cruz en forma de dho. p.<sup>r</sup> el cual prometió decir verdad y siendo preguntado p.<sup>r</sup> el Conocim.<sup>to</sup> q. tiene de las tierras parajes terminos y linderos pertenecientes al rancho de Huichica dijo. q. hace quatro años es vecino de esta jurisdiccion y sabe q. los terrenos de dho rancho pertenecen al C. Jacobo Plise q. las ha labrado y han pastado en ellas sus ganados, q. las ha visto y reconocido varias veces y p.<sup>a</sup> prueba de lo q. tiene dho esta pronto a ir con el presente Pues y Señalarle hta donde llegan, en q. Se afirmo y ratifico a cargo del juram.<sup>to</sup> q. tiene echo y declaro ser de cincuenta años de edad y no tocarle las generales de la Ley y lo firmo con mi go y los de mi assta

Salvador Valljo

assta

assta

Juan A. Rodrig<sup>z</sup>

José de la Rosa

Nicasio Berroveda

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En el espresado Pueblo en el mismo dia mes  
y año. yo el referido Juan con los de mi asta hice  
comparar ante al C. Ramon Mesa vecino de  
esta jurisdiccion de oficio labrador del qual recibí juram<sup>to</sup>  
a. hizo por Dios y una Señal de Cruz en forma de  
dicho p.<sup>o</sup> el qual prometió decir verdad y preguntado  
q. fue por el reconocim<sup>to</sup> q. tiene de las tierras Paraiso  
terminos y linderos pertenec<sup>tes</sup> a D. Jacobo Jim Lise  
dijo: que en todo queda conforme con las declaraciones  
de los anteriores testigos y declaró ser de veinte y seis  
años de edad y no tocar las generales de la Ley y lo  
firmó con una Señal de la Cruz con mi go y los de asta  
Ramon Mesa x Salvador Vallejo

Juan A. Rodrig<sup>o</sup>

Juan de la Rosa

Estando en el Campo de dicho rancho  
a los tres dias del mismo mes y año. Yo el Juan  
actuando p.<sup>o</sup> receptoria con dos testigos de asta p.<sup>o</sup>  
falta de escribano publico, los testigos p.<sup>o</sup> mi exami-  
nados presente al C. Jacobo Jim Lise dueño  
de dichas tierras y los C. C. Damoso Rodrig<sup>o</sup> y  
Juan de la Rosa; los Colindantes y los Circumvecinos  
presedi a ver y reconocer las tierras de dicho rancho  
y p.<sup>o</sup> mejor claridad puesto a caballo en Comp.<sup>a</sup>  
de todas las partes y testigos referidos, mandé  
a los Susodichos que señalasen los parajes terminos  
y linderos segun las Señales q. han declarado  
en sus deposiciones y su conformidad, quieron a  
la parte del Sur p.<sup>o</sup> la falda de las Hornas hita  
Negar al estero; de allí tomando el rumbo Sur  
Sueste p.<sup>o</sup> la orilla de las esteras hasta llegar a  
el arroyo de los Carreros; de allí, tomando el  
arroyo arriba rumbo Oeste llegamos al pan del  
Camino de arriba q. esta al N. E. de este pueblo  
haciendo diiron ser los ultimos parajes terminos  
y linderos q. pertenecen a dicho rancho cuyo paraje  
Yo el referido Juan vi y reconocí con los de mi  
asta testigos examinados y p.<sup>o</sup> publico presentados  
y patejados con estos el referido reconocim<sup>to</sup> Ser Sierto

la identificacion de las mencionadas tierras segun  
y como lo declararon dhoos testigos y p.<sup>a</sup> q. Conste  
se hizo p.<sup>a</sup> dilig.<sup>a</sup> y lo firmaron con los de mi assa  
y demas q. Supieron firmar hoy fe  
Salvador Vallejo

assa	assa
de asistencia	Juan de la Rosa
Juan A. Rodrig. <sup>o</sup>	Nasario Berellisa
Jacob J. Lese	Juan. Figueroa
Fran. <sup>o</sup> Cocchi y Valle	George C. Hunt

Y inmediatamente yo el Jefe digo q.  
p.<sup>a</sup> proceder a las medidas contenidas en este auto  
man - se notifique al C. Jacobo P. Lise el título  
de las tierras p.<sup>a</sup> q.<sup>a</sup> ratifique el nombram.<sup>to</sup> de medidor  
como asi mismo q. de acuerdo todos los Colindantes  
nombran p.<sup>a</sup> su parte al Sujo haciendo de ser intelig.<sup>to</sup>  
en materia de medidas y echo esto estoy pronto p.<sup>a</sup>  
Señalar dia p.<sup>a</sup> dhas medidas. Así lo provey  
mande y firme con los de mi assa  
Salvador Vallejo

assa	assa
Juan A. Rodrig. <sup>o</sup>	Juan de la Rosa

En el mismo dia, mes y año. Yo el  
Jefe voy y notifique el auto de su auto segun  
y como en el se contiene al C. Jacobo P. Lise  
y sus colind.<sup>tes</sup> y en sus personas q. Conosco harien-  
dolo heido y entendido dijeron lo hallen y p.<sup>a</sup> su  
parte nombran p.<sup>a</sup> medidor al C. George Roi  
y el intrusado ratifica su nombram.<sup>to</sup> en el C.  
Jefe, ambos intelig.<sup>tes</sup> y de legalidad a quienes  
deber notifico parezcan, acepten y juren y a  
consequencia se proceda a dhas medidas como  
esta mandado, asi lo firmaron ante mi y los  
de assa

George C. Hunt	George Roi
Salvador Vallejo	
assa	assa
Juan A. Rodrig. <sup>o</sup>	Juan de la Rosa





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a vista de ojo das mil v. poco mas o menos  
 hita el arroyo de los Carneros. de allí tomando  
 arroyo arriba rumbo Oeste, por el Mor noroeste  
 llegamos al Camino de arriba q. va p.<sup>a</sup> Nafra  
 con doscientos diez cordales, y siguiendo todo el  
 camino rumbo oeste llegamos hita el punto donde  
 se principio la medida con sesenta cordales de  
 cuya cantidad de varas reunidas resulta la suma de  
 treinta y seis mil quinientos en q. quedan delineados  
 de Circunferencia dos Sitios de ganado mayor Segun  
 esplica el titulo del rancho q. se alla a la labixa  
 de este estu<sup>do</sup>. Por todo lo cual y en señal de  
 verdadera posesion y Sencional acostumbrado anexo  
 piedras y Hierros y tiro p. los Cuatro vientos en  
 manifestacion de su legal y legitima posesion q.  
 tomo p. si. En consecuencia el referido Jues  
 mando q. p.<sup>a</sup> mas claridad de los linderos q. van  
 expresados, hizo saber al interesado y Circunvecinos  
 q. por el Norte el arroyo de los Carneros por  
 por el por el Poniente el arroyo Seco, y al Sur  
 con el mar y tierras Senegosas; para que en todo  
 tiempo conste y reconozcan los linderos, Compromi-  
 tiendose en estos y Sirviendo de me honra el obble  
 tan Conosido en el embarcadero. Y de havase  
 efectuado dhas medidas quietas y pacificamente,  
 Sin Contradiccion de fuerza alguna, lo pidio p.<sup>a</sup>  
 testimonio, y Yo el referido Jues con los demas  
 asse lo doy de havase pasado como e he es:  
 y q. las expresadas medidas han practicado  
 a todo el leal saber y entender, de los medidores,  
 Segun depusieron Sin dolo, fraude, ni engaño  
 en contra de ninguna persona y para mayor  
 Seguridad y ratificacion del juramto q. tienen  
 echo lo firmaron con mi go y los de mi asse

assa  
Don A. Rodrig<sup>o</sup>

assa  
Don dela Hora

En vista de allarse

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Concluido este exped<sup>te</sup> en q. consta haverse dado posesion juridica al rancho nombrado Huichica a distancia de una legua poco mas o menos al C. J. P. Lise, entregose la parte original al interesado p.<sup>a</sup> los usos q. le Convienga con los documentos q. espresa.

El C. Salvador Valljo Jefe de esta jurisdiccion actuando p.<sup>a</sup> recept.<sup>a</sup> asi lo provey, mande y firme a Catorce dias del mes de Mayo de mil ochocientos cuarenta y dos.

Salvador Valljo

assa  
Dn. R. Rodriguez

assa  
Dn. de la Rosa

Elle primero ocho pesos  
Habilitado provisionalmente por la Aduana maritima del puerto de Monterey en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco  
Micheltorera

Salto de la Guerra  
por aus.<sup>a</sup> del Adm.<sup>o</sup>  
Guill.<sup>o</sup> Ed. Hartwell

Ad.<sup>a</sup>  
marit.<sup>a</sup>  
de  
Monterey

Al Ciudadano Manuel Micheltorera  
General de Brigada del Ejercito Mexicano, Ayudante  
General de la Plaza Mayor del mismo  
Gobernador Comandante General e Inspector del  
Departamento de las Californias.

Por cuanto D. Jacobo P. Lise  
Mexicano por naturalizacion, ha pretendido para su  
beneficio personal y el de su familia la estacion  
de tres Sitios de ganado mayor sobre dos que tiene  
concedidos, en el terreno nombrado Huichica  
colindante con la travesia que va para rapa  
por la parte de arriba rumbo Norte, con el  
Arroyo de los Carneros al Oriente, con el terreno



1865

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PAGE 36

Itinerario inmediato a la Bahía de San Fran<sup>co</sup> rumbo Sur, y con el curso de Sonoma hasta las Francaes, tomando el rumbo del Arroyo Seco hasta las Somitas que nombrando Huichica: 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, Sugiriendose a la aprobacion de la Exma Asamblea Departamental y bajo las condiciones siguientes.

1.<sup>a</sup> Dejara libre en todo tiempo, y sin embarazo de ninguna especie, el trafico del embarcadero de Sonoma por la parte de Huichica, para que el publico haga el embarque y desembarque de sus esquilmos y demas objetos de Comercio.

2.<sup>a</sup> No podra venderlo, enajenarlo, ni hipotecarlo, imponer en el, vinculo, fianza, hipoteca ni otro gravamen alguno.

3.<sup>a</sup> Podra cercarlo sin perjudicar las travesias, caminos y servidumbres; lo disfrutara libre y exclusivamente, destinandolo al uso o cultivo que mas le acomode.

4.<sup>a</sup> El terreno de que se hace donacion es de tres Sitios y medio, Sobre dos que tiene concedidos para que todo forme la estension de cinco Sitios y medio.

El Punto que reformula la posesion, se arreglara a la medicion que tiene practicada el Agrimensor.

5.<sup>a</sup> Si contraviniere a estas condiciones perdera su derecho al terreno y sera denunciado por otro.

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

Dado en Monterrey a seis de Julio de mil ocho Cientos cuarenta y cuatro.  
Man Michelt.

Man. Jimeno  
Srio

Queda tomada razon de esta consecucion en  
el libro respectivo a folios 9 Jimeno

Filed in office Oct. 15<sup>th</sup> 1859  
Geo. Fisher  
Sec

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CASE 50 ND  
PAGE 38

"D"

Translation of  
Judicial  
Possession

Senior Justice of the Peace of Frontera.  
 Jacob P. Leese a resident of this jurisdiction, owner  
 of the Rancho Hermosilla, as best he may according  
 to law, before your Honor appears & says, as appears  
 by the title which I present with the necessary so-  
 -lennity & oath, I have in my said Rancho two sq-  
 -are leagues / dos sitios de ganado mayor within  
 the boundaries mentioned therein, & as it is nec-  
 -essary to know at all times where the limits such  
 Translation of to, & whether they injure me or I injure any of the  
 Judicial neighboring land owners, you will be pleased to  
 Possession command that after taking the necessary steps  
 of identity, view of the premises & recognition, the  
 owners of the adjacent farms be summoned in order  
 to proceed to the measurement of said lands, to  
 which effect I now appoint for when the time may  
 arrive, as measurer Citizen Genge Young a resident of  
 this jurisdiction, well informed in matters of meas-  
 -urement, & let another party interested appoint  
 another measurer on his part, & this being done,  
 let the other measurer appointed with said Young  
 appointed by me, appear, accept, & take oath &  
 afterwards proceed to said measurement. I therefore  
 request that holding said document as presented,  
 you be pleased to command as I have petitioned,  
 & when the measurement is concluded, that you  
 would be pleased to return me the original doc-  
 -ument together with this petition, & all things  
 necessary for my security.

Signed Jacob P. Leese.

In the Pueblo of Sonoma, on the thirteenth day  
 of February, eight hundred & forty two, before  
 me, Citizen Salvador Vallejo, Military Comman-  
 -dant & Justice of this Jurisdiction, this petition  
 was read, & in view thereof I held it & the docu-  
 -ment referred to therein as presented, & comman-  
 -ded that after summoning the neighboring  
 land holders, information be taken respecting the  
 identity, view of the premises & recognition of said  
 lands, which I am ready to be present at personally;

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It was deposed, commended, & signed, with the assisting witnesses.

(Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez.)

(Signed) José de la Rosa ) assisting witnesses.

On the said Pueblo & on the same day, month & year, I the said Justice with the assisting witnesses, in order to proceed to the information of identity, ordered <sup>in</sup> Francisco del Valle a resident of this jurisdiction & by trade a Carpenter to appear before me, & having taken his oath which he gave in the name of God & by the sign of the cross according to law; promising to tell the truth; & being asked what knowledge he had of the lands, places, limits, and boundaries belonging to Jacob Leese; said, that he had been a resident of this jurisdiction for four years, that he knows that the lands belonging to said rancho, are the property of said Leese, that he has cultivated them & pastured his cattle thereon, & that he has seen & examined them frequently, & that in proof of what he has said, he is ready to proceed to said lands with the Justice & those who show him the boundaries thereof. Which declaration he affirmed & satisfied, on the strength of the oath he has taken, declaring that he was fifty eight years of age & competent by law to give his declaration, signing with me & the assisting witnesses.

(Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez.)

(Signed) José de la Rosa ) assisting witnesses.

(Signed) Francisco Buceres y Valle.

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In the Pueblo of Sonoma on the thirteenth day of the month of February, eighteen hundred & forty two, I the Judge with the assisting witnesses, ordered Citizen Narciso Borreyera, a resident of this jurisdiction, & by profession a husbandman, to whom I administered an oath which he gave in the name of God, & by the sign of the cross according

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PAGE 40

to law, promising to declare the truth; & being asked  
respecting his knowledge of the lands, places, limits,  
& boundaries belonging to the Rancho of Huichuca,  
said that he had been a resident of this jurisdiction  
for four years & knows that the lands of said Ran-  
cho belong to citizen Jacob P. Seese, that he has cul-  
-tivated them & kept his cattle thereon, that he (the  
deponent) has examined them several times, &  
that in proof of what he has said, he is willing to  
go with the present Justice & show him where the  
ranch is, & he affirmed & ratified what he had  
said, on the strength of the oath taken, declaring  
that he was fifty years of age, & laid under no  
legal incapacity, signing with me & the assis-  
-ting witnesses.

(Signed) Salvador Vallejo,  
(Signed) Damaso A. Rodriguez.)  
(Signed) Jose de la Rosa. } assisting witnesses.  
(Signed) Narciso Borreyesa.

On the same Pueblo & on the same day, month & year,  
I the said Justice with my assisting witnesses, ordered  
citizen Ramon Mesa a resident of this jurisdiction,  
by profession a husbandman to appear, & having  
administered to him the oath which he took in  
the name of God & by the sign of the cross accor-  
-ding to law, he promised to tell the truth, and  
be asked what knowledge he had respecting the land  
places, limits & boundaries belonging to Jacob  
P. Seese, said that he agrees in every respect with  
the declarations given by the former witnesses, de-  
-claring that he is twenty six years of age, &  
under no legal incapacity, & signed with the  
sign of the cross, with me & the assisting  
witnesses.

(Signed) Ramon Mesa. +  
(Signed) Salvador Vallejo.  
(Signed) Damaso A. Rodriguez.)  
(Signed) Jose de la Rosa. } assisting witnesses.

Being in the said Rancho, on the thirteenth day  
of said month & year, & the said Justice acting

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PAGE 41

as Judge delegated with two assisting witnesses, for the want of a Notary Public, in the presence of the witnesses examined by citizen Jacob P. Seese, owner of said lands, citizen Damasco Rodriguez & Jose de la Rosa, & the adjoining land holders & neighboring citizens, did proceed to see & examine the lands of said Rancho, & for greater satisfaction being on horseback in company with all the parties & before mentioned witnesses, I commanded the latter to show me the places, limits & boundaries according to the declarations they made in their depositions & in conformity therewith, we commenced the examination on the South of the brow of the hills until arriving at the creek (arroyo), from thence going in the direction of S. S. E. along the edge of the creek, until arriving at the Arroyo de los Cameros, from thence going up said Arroyo (creek or brook) towards the West we arrived at the pass of the upsur road which lies to the N. E. of this Town, which they said were the last places, limits & boundaries belonging to said Rancho. I the said Justice saw & examined along with the assisting witnesses, witnesses examined & papers presented, & said papers being compared with said examination, the identification of said lands according to the declarations of said witnesses was found to be correct. In testimony whereof I noted down this proceeding which was signed by the assisting witnesses and the others who knew how.

(Signed) Salvador Vallejo.

(Signed) Damasco A. Rodriguez.

(Signed) Jose de la Rosa. } assisting witnesses.

(Signed) Jacob P. Seese. (Signed) Narciso Bermudez.

(Signed) Ignacio Miguera. (Signed) George C. Yount.

(Signed) Francisco Caceres y Valle.

Immediately afterwards, I the Justice say that in order to proceed to the measurement contemplated in these proceedings, I commanded that the title of the

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PAGE 42

lands should be notified to Citizen Jacob P. Leese, in order that he ratify the appointment of his measurer, & the neighboring land owners the appointment of theirs who must be a person capable of performing the duties of such; & this being done I am ready to appoint a day for making said measurement, I thus decreed, commanded & signed with my assisting witnesses.

(Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez. }  
(Signed) Jose de la Rosa. } assisting witnesses.

On the same day, month, & year, I the Justice read and notified the above decree as it is noted down to citizen Jacob Leese & his adjoining neighboring land holders & they (whom I know) having personally heard & understood the same, said, that they heard it, & that on their part they appointed as measurer Citizen George Roc; & the party interested ratified his appointment of Citizen Goumt, both being intelligent & upright persons, who were notified to appear, accept, & take oath, & afterwards proceed to make the measurements as ordered: thus they signed before me & the assisting witnesses.

(Signed) George C. Goumt. (Signed) George Roc.

(Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez. }  
(Signed) Jose de la Rosa. } assisting witnesses.

On the Pueblo of Sonoma, on the thirteenth day of the same month & year, I the Justice acting as Judge Delegate, with two assisting witnesses for want of a Notary Public, read & notified the foregoing decree of appointment of measurers to citizens George Goumt & George Roc, residents of this jurisdiction & personally known to me, who having heard & understood it, said, that they accepted the appointment of measurers conferred upon them, & swore by God & the sign of the cross in due form that they would exercise their functions faithfully & legally to the best of their knowledge & belief, and would make the measurement truly & exactly as in duty bound, & to the satisfaction of the parties

interested, & having so answered they signed with me  
& the assisting witnesses.

(Signed) George C. Yount. (Signed) George Roc.  
(Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez.  
(Signed) José de la Rosa. } assisting witnesses.

The foregoing decree was immediately made known  
to the party interested, Jacob Reese & the measurers  
citizens George Yount & George Roc, who having un-  
derstood it said that they considered themselves  
as summoned & signed with me & the assisting  
witnesses.

(Signed) George Yount. (Signed) George Roc.  
(Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez.  
(Signed) José de la Rosa.

On the same day, month & year summonses were  
sent to the owners of the neighboring land to  
appear on the next day the fourteenth at the  
said farm, at eight o'clock in the morning, in  
witness whereof, I sign with the assisting wit-  
nesses. (Signed) Salvador Vallejo.

(Signed) Damaso A. Rodriguez.  
(Signed) José de la Rosa. } assisting witnesses.

Being at the Rancho of Encinica on the fourteenth day  
of the month of February, one thousand eight hun-  
-dred & forty two, being present the party interested &  
the neighboring land owners, I ordered citizens George  
Yount & George Roc the measurers appointed to appear  
before me & the assisting witnesses, & told them to take  
a hempen cord & measure off fifty varas of four cas-  
-tillian palms each, which they did in presence & in  
sight of the parties interested & neighbors; in witness where-  
-of I commanded this to be noted down, & to proceed  
to the measurement as is ordered, & certify the same  
signing with the assisting witnesses.

(Signed) George Yount. (Signed) Salvador Vallejo.  
(Signed) Damaso A. Rodriguez.  
(Signed) José de la Rosa. } assisting witnesses.



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Being on the lands belonging to the Rancho of Huic-  
 rica, to day Tuesday of the same date, month &  
 year. I the Justice of this jurisdiction, acting as  
 Judge Delegate with two assisting witnesses for  
 the want of a Notary Public; being present citi-  
 zens George Yand & George Roc, the measurers ap-  
 pointed by the parties interested, & the neighbor-  
 ing land holders, I commanded them to proceed  
 to the measurement of two square leagues (dos li-  
 gas de ganado mayor) which a little more or less  
 belong to said Rancho as appears by the title  
 presented, in obedience to which they commenced  
 said measurement, beginning at the Arroyo Seco,  
 in the upper cross road which leads to Napa,  
 taking a Southern direction until arriving at  
 the small hills of Huichica, & a hundred & twelve  
 cords were measured; the measurement was con-  
 tinued to the S. S. W. until arriving at the en-  
 barcadero of Sonoma, & fifty eight cords were meas-  
 ured; thence along the edge of the estero, until  
 arriving at the swampy land, fifty cords; thence  
 following towards the East, it was impossible to  
 measure on account of the many creeks & swam-  
 py land & the distance was calculated at twelve  
 thousand varas a little more or less until the  
 Arroyo de los Cameros; thence following up  
 the Arroyo in direction of N. N. W. we came to  
 the upper road which leads to Napa, having  
 measured two hundred & ten cords; & following  
 all along the road towards the West, we arrived  
 at the point we started from having measured  
 sixty cords; from which amount of varas put  
 together, there resulted the sum of thirty six thou-  
 sand five hundred varas, which produce a cir-  
 cumference of two square leagues (dos ligas de ganado  
 mayor) as is explained in the title of the Rancho  
 at the head of these proceedings. In consequence of  
 all which & in sign of true possession & customary  
 ceremony he pulled up stones & grass & threw them  
 towards the four winds in manifestation of the

H

H

legal & legitimate possession taken by him. In consequence the said Justice commanded that in order to explain with greater clearness the boundaries already mentioned, the party interested & the adjacent land holders must understand that the Arroyo de los Cameros on the North, the arroyo Seco on the West, & the sea & swampy lands on the South, are the boundaries to be acknowledged at all times, there being comprehended within the same the well known oak tree, situated at the embarcadero which will serve as a landmark. And having concluded said measurement quietly & peaceably without contradiction from anyone, he asked me for a testimony thereof, & the said Justice with my assisting witnesses, give it to him certifying that every thing took place as has been mentioned, & that the said measurement was made to the best knowledge & belief of the measurers according to their deposition, without fraud or deceit against anyone, & for greater security & satisfaction of the oath which they have taken, they signed with me & the assisting witnesses.

Signed George Garret. (Signed) George Roc.

(Signed) Salvador Vallejo.

(Signed) Damazo A. Rodriguez.

(Signed) José de la Rosa.

(Assisting witnesses)

This Expediente being concluded, wherein it appears that judicial possession of the Rancho called Xoni chica, at the distance of a league a little more or less, has been given to citizen Jacob P. Sese: let the original petition be delivered to the party interested for the uses which he may deem proper, along with the documents expressed therein. Citizen Salvador Vallejo Justice of this jurisdiction, acting as Judge Delegate, did thus decree, command & sign on the fourteenth day of the month of February, eighteen hundred & forty two.

(Signed) Salvador Vallejo.

9/20/55

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(Signed) Damaso A. Rodriguez.  
(Signed) José de la Rosa. } assisting witnesses

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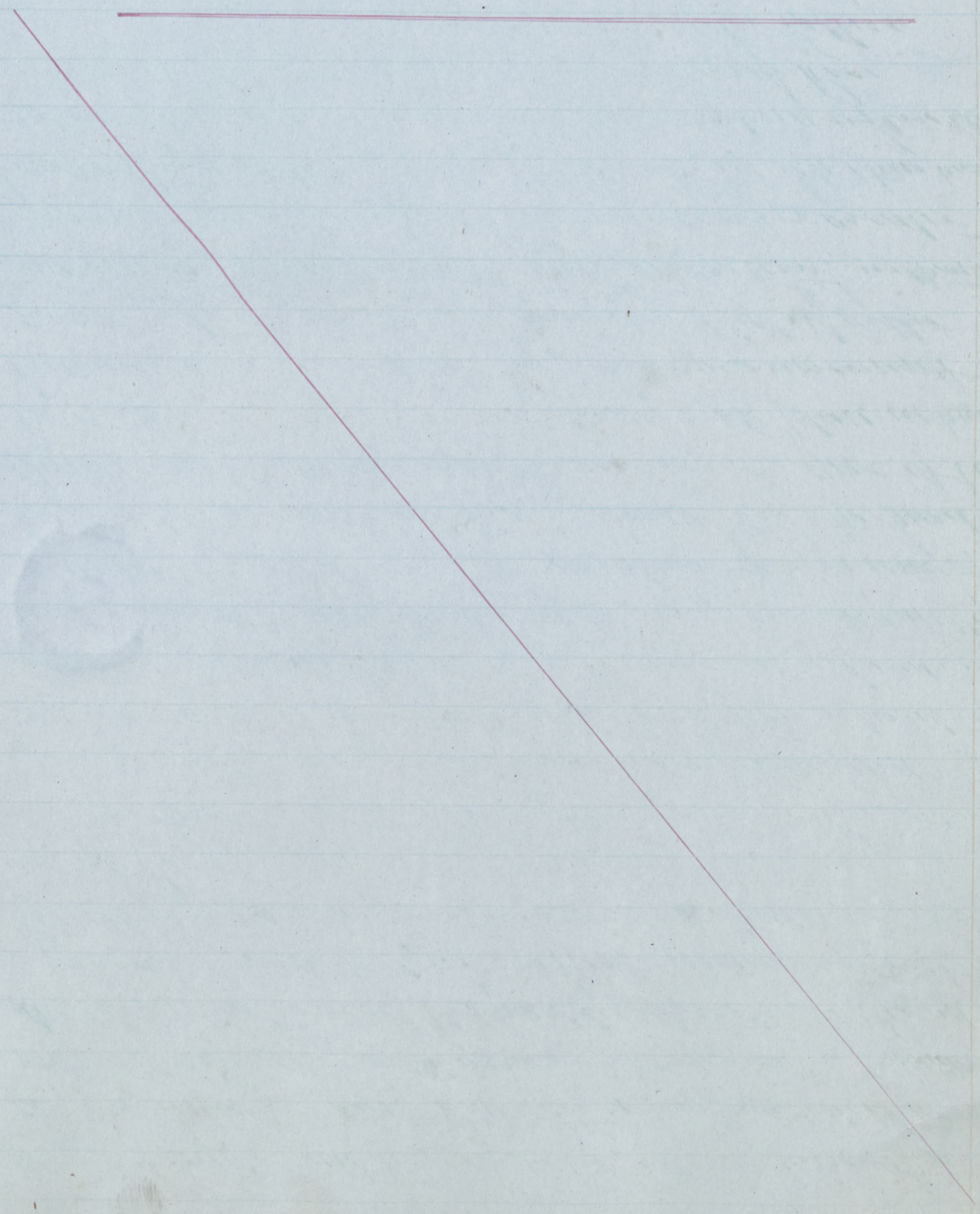
I certify the foregoing to be a true and correct translation from the original Spanish documents filed in this Office in Case No 163, Jacob P. Seese for the place named Michica being a part of Doct marked H. H. No 1, annexed to the deposition of Ygnacio del Valle Oct 15/32.

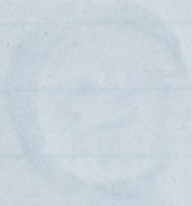
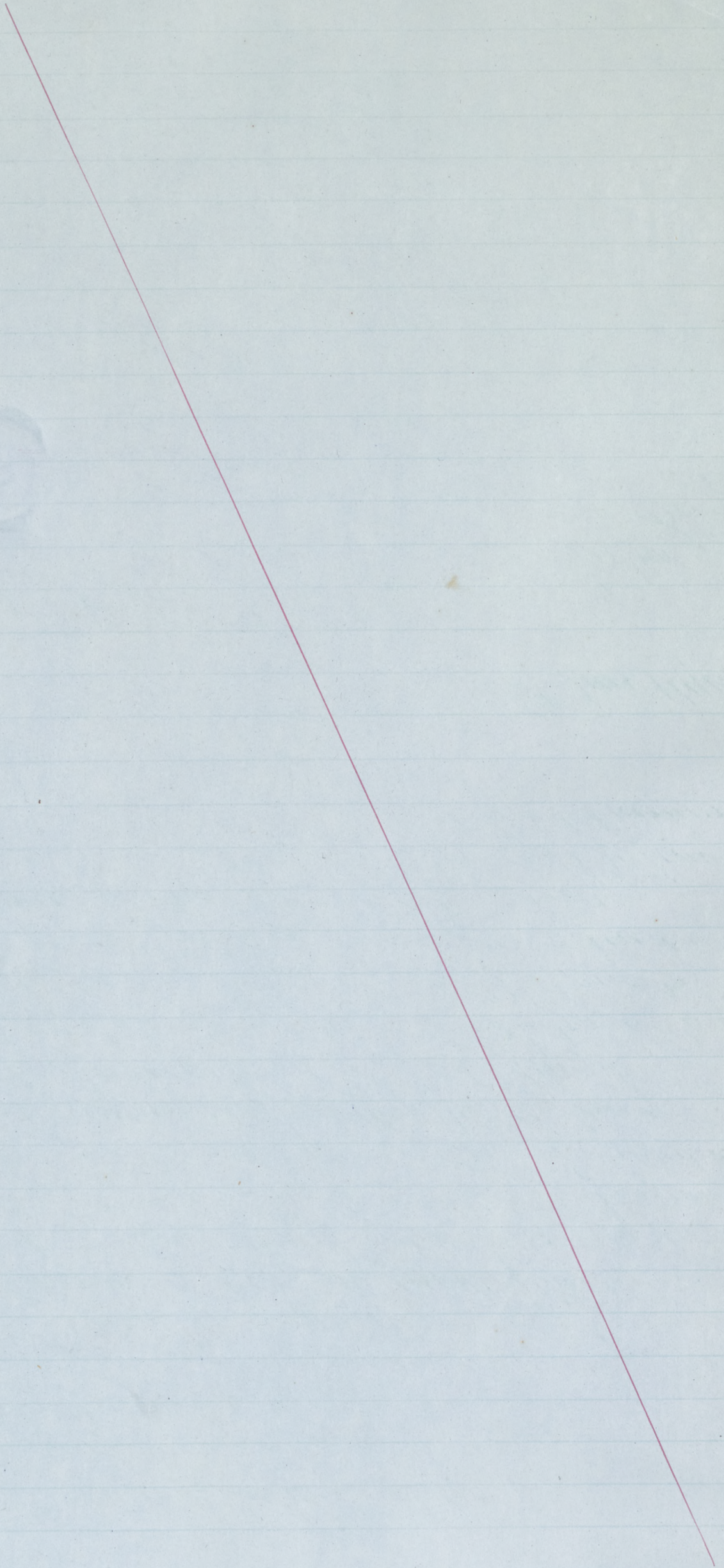
Geo: Fisher.  
Secy.

Filed in Office April 6<sup>th</sup> 1832.

Geo: Fisher.  
Secy.

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1105-

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No 163.  
Before the U.S. Land Commissioners.

CASE 50 ND  
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In the claim of Jacob P. Seese.  
To  
Quichua

Stipulations In this case it is agreed between the Counsel of the claimant & the Law Agent of the United States that all the laws, decrees, ordinances & regulations, whether of Spain or Mexico, relating to the granting of lands in the province territory or Department of California, & especially the Colonization Law of Mexico, passed on the 18<sup>th</sup> August 1824, & the regulations made by the Supreme Executive power of Mexico on the 21<sup>st</sup> November 1828, shall be considered as having been offered as evidence in this cause, & duly proven.

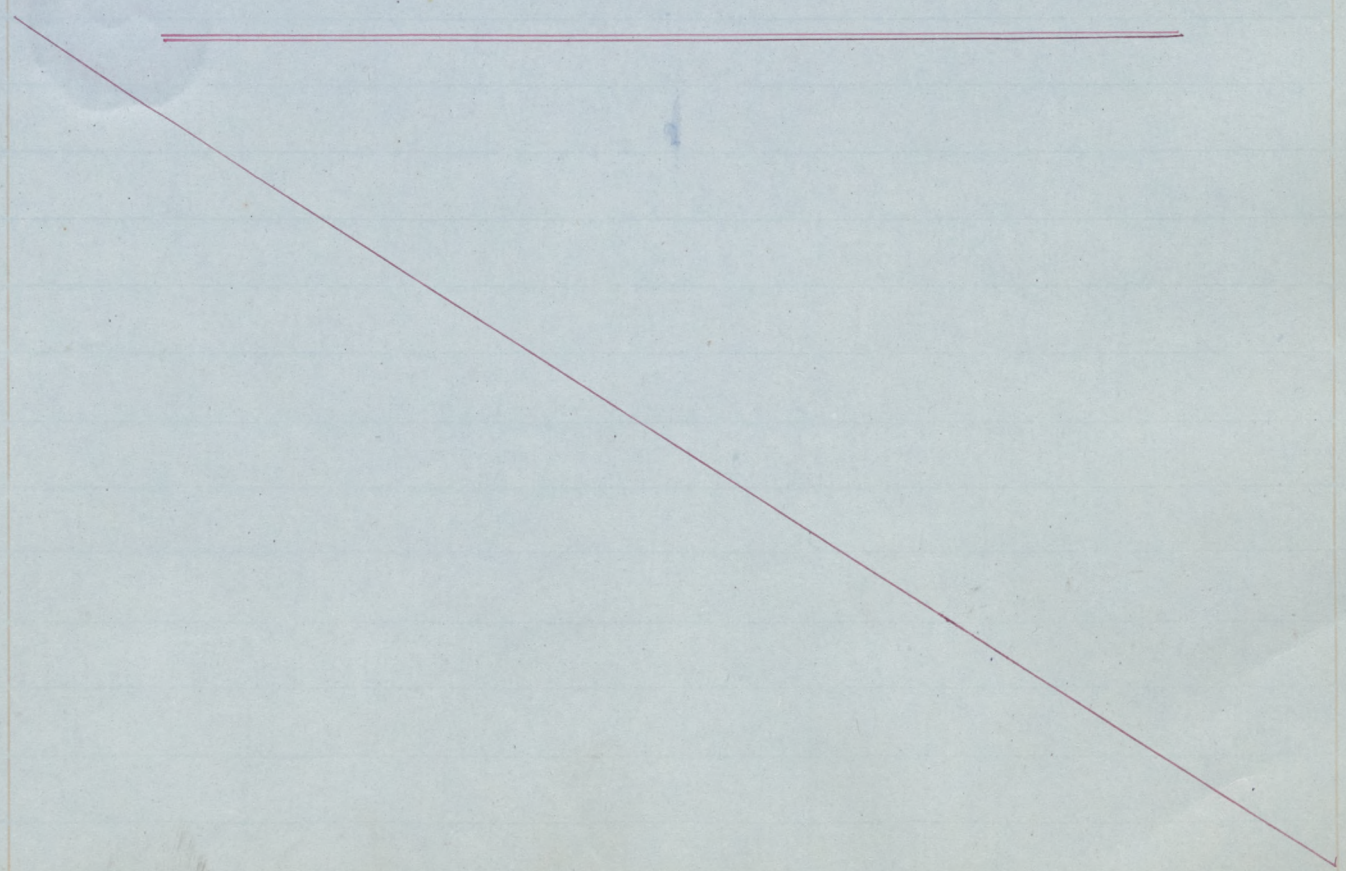
Walter, Packer & Fulling  
Counsel for Claimant.

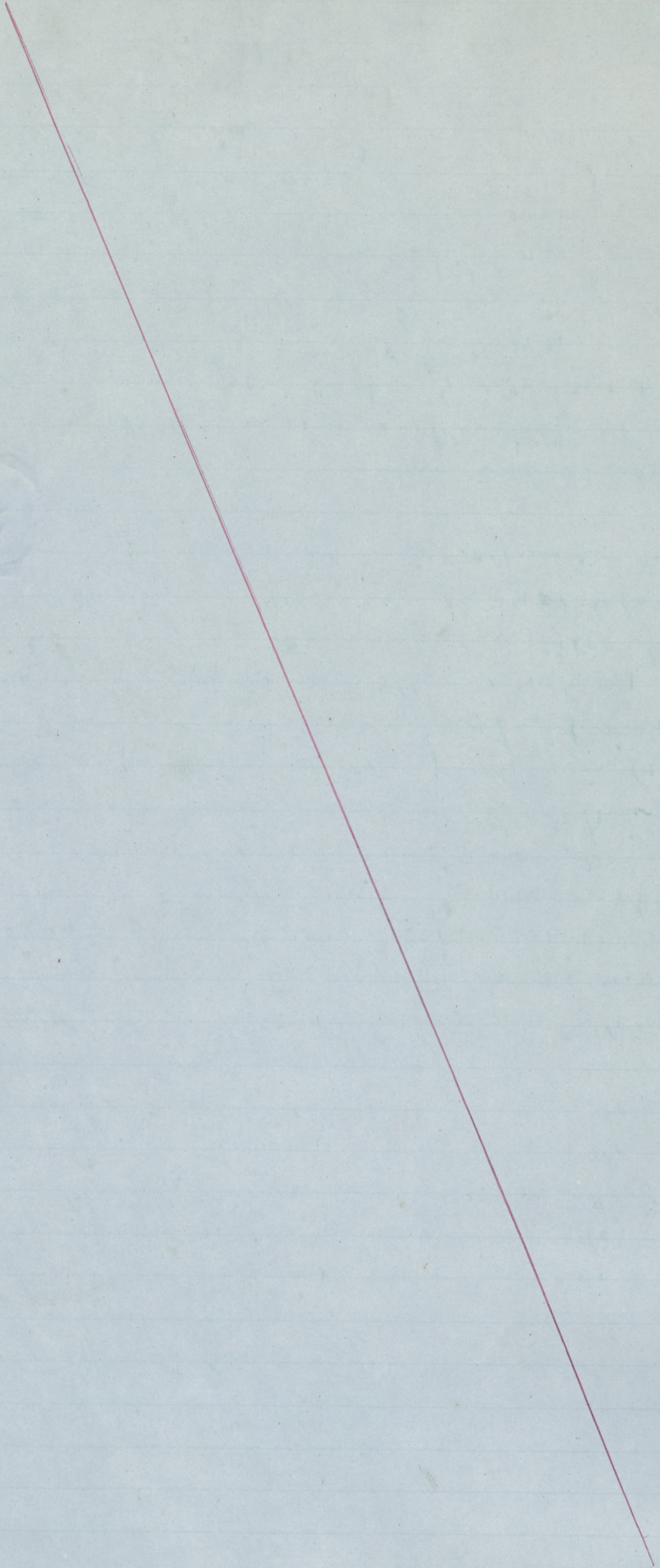
R. Greenhow  
Asso. Law Agent.

Filed in Office March 8<sup>th</sup> 1853.

Geo. Fisher.  
Secy.

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The following cases were submitted for our decision as Commissioners of California Land Claims on the 11<sup>th</sup> day of April 1853, viz:

Statement,	No 16	Heirs of Henry D. Fitch Claimants	
	" 164	Heirs of J. Guerrero	do
	" 166	Heirs of Edward N. Bebe & others	do
	" 218	John Wilson	do
	" 146	Samuel Morris	do
	" 49	Jose Cerillo & others	do
	" 168	Jacob P. Seese	do
	" 220	John Wilson	do
	" 86	Lasper C. Travell	do

In all of these cases Opinions and Decrees were formed & written out by us, as Commissioners & signed by the Commissioners who wrote them (them), prior to any notice whatever of our removal, and were held up for delivery until Monday the 18<sup>th</sup> instant, the day appointed by us for their entry, when according to our established course of doing business, the blanks which had been left for the dates would have been filled up, & the signature if not before made, of the other Commissioners would have been appended.

On the 15<sup>th</sup> instant the Mail Steamer arrived bringing Newspapers stating that we had been removed from Office & Successors appointed, and on the 19<sup>th</sup> instant a notice purporting to be signed by the Chief Clerk of the Department of the Interior, stating our removal, and the appointment of our Successors, was also seen by us in the National Intelligencer. No other knowledge or notice of our removal had come to us.

Under this state of facts we this 22<sup>nd</sup> day of April 1853, complete

the signatures of said Decrees as of the day they were intended to have been made and file them with the Secretary of the Board. Filing also with the Secretary this statement for the information of all concerned.

Willard Keall  
Henry J. Thornton

Filed in Office April 23<sup>rd</sup> 1853.

Geo. Fisher, Secy



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Jacob P. Leese, claimant.  
vs  
The United States.

U. S. Land Commission  
for California, San Fran-  
-cisco. No 165. "Huyichica".  
Opinion by H. S. Thornton,  
Comr.

CASE 50 ND  
PAGE 50

Opinion.

The claim presented in this case is founded upon two grants, the first made on the 22<sup>nd</sup> of October 1841, by Manuel Jimeno, as acting Governor of California, & the second on the 6<sup>th</sup> of July 1844, by Governor Micheltorena, in virtue of the decree of the 18<sup>th</sup> of August 1824, & of the ordinance of the 21<sup>st</sup> of November 1828, of the Mexican Government. The first grant was for *two sitios de ganado mayor*, or for two square leagues of land; the second is in extension of that, and is for three & a half square leagues, contiguous to the land first granted, both together, making the quantity of five & a half square leagues. By a regularly authenticated transcript, from the archives of the former government of the country, by documentary evidence, & other testimony in the case, it satisfactorily appears that the land was duly granted by competent authority; that the requirement of the Law, & of the grants, as to the occupation or cultivation of the premises was fully complied with, & that the same has been in the possession of the claimant at least from the 14<sup>th</sup> of February 1842, when judicial measurement was made, & possession given of the whole tract now claimed. There was no renewed act of measurement & possession, upon the issuance of the second grant; & indeed it would seem to have been superfluous, for it had already been performed, under the first grant, so as to embrace the sobrante, which was the subject of the second grant: The only objections urged by the U. S. Law Agent, against the confirmation of this claim, are that there was no approval by the Departmental Assembly of the grant, & that the land is within the tercer litoral leagues. Both of these objections we have held in the case of Cruz Coronales No 56. & of others, to be of no force

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decided not to be fatal to the grant. as to the last named objection, it is not sustained by the proof but on the contrary it is proved as matter of opinion, that the land is within the ten littoral leagues. In accordance with the principles laid down for our government in the 11<sup>th</sup> Section of the act of the 3<sup>rd</sup> of March 1851, & with decision already made by this Board. The claim is considered to be valid, & we enter the following decree of confirmation. Commissioner Hall concurring in the result.

Harry J. Shorseton.

This Board upon full consideration of the Decree of Final various grounds affecting the validity of the said Confirmation claim, having come to the conclusion that the same is valid. Therefore now proceeds to make, & does hereby make the following decree or report of final confirmation, viz: It is decreed that the said claim be confirmed to the claimant to the extent of five and a half square leagues of land or 5 1/2 sitios de ganado mayor, & for no more, being the same land described in the grants & expedientes referred to therein, & of which possession has been had and enjoyed under the said grants; Provided, that the said quantity of land granted & hereby confirmed be contained within the boundaries called for in the said grants, & map to which the grants refer, & if there be less than the said above named quantity within the said bounds, then we confirm to the claimant that less quantity, it being apparent that said quantity exceeds the minimum of two hundred varas as prescribed by the Ordinance of the 21<sup>st</sup> of November 1828. Witness our hands this 18<sup>th</sup> day of April 1853.

Richard Hall.

Harry J. Shorseton 3 Commissioners.  
Filed in Office April 22<sup>nd</sup> 1853.  
Geo. Fisher. Secy.

Office of the Board of Commissioners,

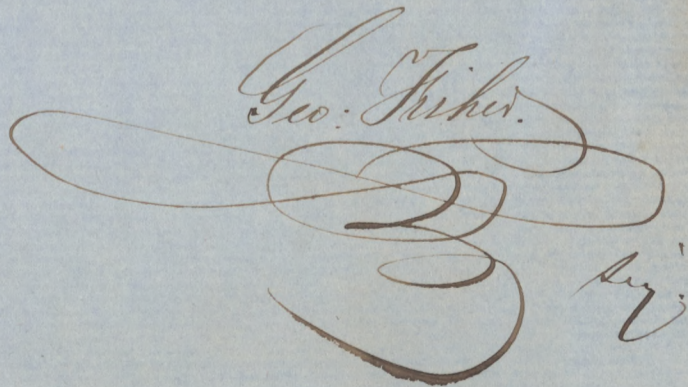
To ascertain and settle the Private Land Claims in the State of California.

I, *George Fisher*, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *fifty six (56)* pages, numbered from 1 to *56*, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. *165* on the Docket of the said Board, wherein *Jacob P. Seese* is

the Claimant against the United States, for the place known by the name of "*Muichia*."

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this *twenty sixth* day of *July* A. D. *1854*, and of the Independence of the United States of America the seventy=*ninth*.

*Geo. Fisher.*



*Geo. Fisher.*



50  
U. S. DISTRICT COURT,  
*Northern* District of California.

No. ~~159~~ - 50 - ND

THE UNITED STATES,

vs.

*Jacob S. Giese*

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**TRANSCRIPT OF THE RECORD**

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 165.

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Filed, July 26 — 1854

*Wm. A. Mendenhall*  
By *Alex. M. Schell* *clerk*

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Office of the Attorney General of the United States.

Washington, 11<sup>th</sup> September 1854.

Jacob P. Leese

vs.

The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30<sup>th</sup> day of June 1854, the appeal in the District Court of the United States for the Southern District of California will be prosecuted by the United States.

(Signed)

C. Cushing.

Attorney General.

Endorsed on the back as follows: "Filed Nov 9<sup>th</sup> 1854."

(Signed)

"C. E. Carr, Clerk."

I, Charles E. Carr, Clerk of the District Court of the United States for the Southern District of California, do certify the above to be a true and correct copy of the original on file in my office.

In witness whereof I have hereunto set my hand, and affixed the seal of said Court, at the City of Los Angeles, this 24<sup>th</sup> day of January, A.D. 1855.

C. E. Carr  
CLK.

No 50

U. S. District Court

The United States

vs

Jacob P Geese

Notice of Appeal

Filed Aug. 30, 1853,

Wm. A. Monroe,

Clerk



CASE 50 ND

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CASE 50 ND  
PAGE 55

In the District <sup>of the United States</sup> Court, in  
the Northern District of  
California

The United States appellants

Jacob P. Leese appellee

You will please take  
notice, that according to the rules of said  
Court, it is hereby required that a petition  
be filed by the appellant in the case above-named

Respectfully &

Edw. Smith

Atty for Claimant.

San Francisco June

21<sup>st</sup> 1833

To Hon J. W. Inge  
U. S. District Atty.

No: 50  
In the District Court  
of the United States for  
the Northern District  
of California

The United States

Jacob P. Leese

Notice to file petition  
CASE 50 ND  
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Received a copy of this  
notice this 21<sup>st</sup> day of  
June 1855

Attest  
Asst U.S. Ctg  
and June 22, 1855,  
J. Chivers  
Deputy

NOV 22 1855

*[Faint handwritten notes, likely bleed-through from the reverse side of the page]*



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

The United States  
Appellants  
Jacob T. Lease } No. 30

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 this Board be reversed &  
that this Court decree the said title to  
be invalid. Respectfully &c.

W. Massell  
Asst. U.S. Atty.

U.S. Dist Court

No. 50.

The U.S. States  
vs  
Jacob P. Lease  
Petition

Filed July 6, 1855,  
by Cheevers  
Deputy

CASE 50 ND

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Wassell

In the District Court of the  
United States for the Southern  
District of California

To the Honorable District Court aforesaid -

The United States  
Appellants } No 50  
Jacob P. Leese }

The answer of the said Jacob P. Leese represents that the claim of the said Leese to the tracts of land referred to and particularly described in his petition before the U. S. Land Commissioners, is a valid claim, that the same was duly confirmed by said Commissioners on full & careful examination:

In further answer to the petition for a review filed in this case, said Leese says, it is true a transcript of the record was filed as stated in the petition, & that a notice of appeal was filed by the appellants, as therein stated: and also that the land claimed lies in the said district: The said Leese begs leave to refer to the documents on file, & prays that his said claim may be confirmed by this Honorable Court, & his title declared to be valid

Respectfully submitted

Stanley & King  
Atty for Petitioner

U. S. District Court  
Northern District of  
California  
No 50 -

The United States  
vs  
Jacob P. Leese  
Answer

Filed July 10, 1858,  
by Charles  
Deputy

CASE 50 ND  
PAGE 60

Sturdy & King

In the District Court of the United States  
for the Northern District of California

and Case No. 165, from the U. S. Board  
of Land Commissioners

Jacob P. Luse  
vs  
The United States

State of California  
County of San Francisco

Jacob P. Luse being duly  
sworn, says that he is the claimant named  
in the above case; that the lands therein  
in question and the whole thereof are sit-  
uated in the County of Sonoma and in the  
Northern District of California and that  
the title thereto was duly confirmed to  
this deponent by the United States Board  
of Commissioners to Ascertain and settle  
private land claims in the State of Cali-  
fornia, on or about the day of  
A.D. 1854, and that the aforesaid  
case was, by the said Commissioners, de-  
cided in his favor:

And this deponent fur-  
ther says that he is well informed and

therefore avers the truth to be - that two certified transcripts of the proceedings and decision of the said Commissioners and of the papers and evidence on which the same were founded were duly made by the direction of the said Commissioners and that one of the said certified transcripts was duly filed with the Clerk of this Court, - and that the other of the said certified transcripts was duly transmitted to the Attorney General of the United States and that the same was received by the said Attorney General of the United States on the thirtieth day of June in the year One Thousand Eight Hundred and fifty four:

And the deponent further says that more than six months thereafter elapsed before any notice of appeal in said ~~cause~~ case or any copy of a notice was filed or received by the Clerk of this Court; and that the Attorney General of the United States did not, within six months after he received the said certified transcript cause to be filed with the Clerk of this Court a notice that the appeal in the said case will be prosecuted by the United States; and that the said Attorney General has not, at any time, filed nor caused to be filed with

the aforesaid Clerk any notice of appeal  
or that the United States will prosecute  
any appeal in the said case. The facts  
by this deponent herein recited are corrobor-  
ated by the papers in said case now on  
file with the Clerk of this Court.

Wherefore, this deponent prays  
an Order from this Honorable Court declar-  
ing the appeal in said case dismissed  
Jacob P. Leese

Subscribed and sworn  
before me, this 17<sup>th</sup> day  
of October, A.D. 1857



Wm. H. Wood  
Notary Public

District Court of the U.S.  
for the Northern District of  
California. No 50

Jacob P. Seese  
vs.  
The United States

Law Case No. 165

Affidavit of J. P. Seese,

Please take notice that  
on the papers on file in the  
within case, No 165, and on the affi-  
davit of which the within is a  
copy, I shall move the Hon. The  
District Court of the U.S. for the  
Northern District of California  
on the 17th. of October  
inst. at 11 o'clock A.M. on that day,  
or as soon thereafter as counsel can be  
heard, for an order declaring the  
appeal in the said case dismissed,  
and the decree therein confirmed.

Subscribed  
Oct. 17-1855- Yours &c  
Wm. J. Shaw  
Counsel for Plaintiff

Due service of a copy of the  
within affidavit and of the above  
notice is hereby admitted on this  
17th day of October 1855.

C. Russell  
asst. U.S. atty

Filed October 17, 1855-  
G. Cheever  
Deputy

CASE 50 ND

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In the District Court of the  
United States for the Northern  
District of California

The United States

v.

Jacob P. Leese -

No. 50. Submitted

17<sup>th</sup> July 1855 -

The motion made in this case  
on Wednesday October 17<sup>th</sup> 1855 to dismiss  
the appeal from the Land Commission on  
the ground that notice had not been filed  
on the part of the United States, is withdrawn

Wm. J. Shaw  
Att. of Jacob P. Leese  
Wm. J. Shaw  
Counsel of Jacob P. Leese

April 21<sup>st</sup> 1856

No  
50. In the District  
Court of the United  
States, for the Northern  
District of California

The United States

<sup>3</sup>  
Jacob P. Leese

Filed 21<sup>st</sup> April  
1856

James Monroe  
Clerk

Stipulation to withdraw  
motion to dismiss  
Appeal &           

CASE 50 ND

PAGE 66

In the District Court of the United States  
for the Northern District of California

No 50.

The United States

vs Appellants  
Jacob P. Reese  
appellee

} Decree of  
Confirmation  
dated Term,  
April 22, 1856,

This case coming on this day to be heard upon  
the transcript of the proceedings and the decision  
of the Board of Land Commissioners of the United  
States to ascertain and settle the private land  
claims in the State of California, and the  
papers and evidence on which the same were  
founded, and the pleadings filed in this Court  
and Counsel having been heard on the part  
of the United States, and for claimant

In consideration of all which the Court is of  
Opinion that there is no error in the decision  
of the said Board, and that the same should be  
and is hereby affirmed

And this Court doth order advise and decree  
that the title of the said claimant to the  
land described in the said transcript is valid,  
and the same is hereby confirmed

The land of which Confirmation is hereby  
made is known by the name of "Huictica"  
Containing five and a half square leagues,  
and is bounded and described as follows  
to wit

Bounded on the North by the  
upper main road which goes to Napa and  
the East by the Arroyo de los Carreros and  
the south by the marshy land adjoining

the Bay of San Francisco, and on the West by  
the Estero of Sonoma taking the direction of  
the Arroyo Seco, according to the Map on file,  
being the same land which was granted to the  
California by two several grants from the  
Mexican government; one being issued by Governor  
Mannuel Jimeno on the 25<sup>th</sup> of October 1841,  
and the other by Governor M. Micheltaine  
on the 6<sup>th</sup> of July 1844.

Oglethorpe Hoffman?  
A. J. Webb

No 50

United States  
Land Office  
District of California

The United States  
vs  
Jacob P. Leese  
"Kuchiev"

Deceit of  
Confirmation

Filed April 22, 1856,  
W. H. Cheves,  
Deputy Clerk.

CASE 50 ND

PAGE 69

At a stated Term of the District Court  
of the United States of America, for the  
Northern District of California, held  
at the Court Room in the City of San  
Francisco on Wednesday the 24th  
day of December in the year of our Lord  
one thousand eight hundred and  
fifty six.

Present.

The Hon: Ogden Hoffman, District Judge.

The United States  
v  
Jacob P. Seese

Case No. 50

Transcript 165.

The Attorney General of the  
United States having given notice that no  
appeal to the Supreme Court of the United  
States will be prosecuted in this case, and a  
stipulation having been entered into by the  
District Attorney that no further appeal shall  
be taken on the part of the United States, and  
for leave to the claimant to proceed under  
the decree of this Court heretofore rendered  
in his favor: On motion of the District Attorney  
it is ordered, adjudged and decreed that the  
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

No. 50  
United States  
District Court

The United States

v  
Jacob P. Leese

Case No. 50  
Transcript 165

order

Filed Dec: 24, 1856,  
W. H. Cheves,  
Deputy Clerk.

CASE 50 ND

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CASE 50 ND

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California Land Claims.

Attorney General's Office

14 Nov<sup>r</sup> 1856.

Sir:

In the case of the claim of Jacob  
P. Lease, confirmed to the claimant by the  
Commissioners, case no. one hundred and sixty-five  
(1165), appeal will not be prosecuted by the  
United States.

I am

Respectfully

Yours

Wm. Handley Esq.

U. S. Attorney

San Francisco



CASE 50 ND  
PAGE 73

In the District Court of the United States.  
Northern District of California -

The United States

Case No 50

v.

Jacob P. Leese.

Transcript 165

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

Wm Blanding  
U.S. Dist. Ct.

Thomas C. Larkin

United States <sup>No 50,</sup>  
District Court  

---

The United States

v  
Jacob P. Leese

---

Case No 50  
Transcript 165

---

Stipulation  

---

Filed Dec: 24. 1856,  
W. H. Chenevix  
Deputy Clerk

CASE 50 ND

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Phunk

Jacob P. Leese

vs

The U. S.

CASE 50 ND  
PAGE 75

The claimant in this case obtained on the 21 Oct. 1841 a grant from Manuel Jimeno acting Governor of California a grant for 2 square leagues of land as designated on the map which accompanied his petition. Judicial possession was given of the tract as delineated on the map but the extent of land measured to him largely exceeded the quantity mentioned in the grant. He thereupon petitioned for an augmentation and on the 5<sup>th</sup> July 1844 he obtained from Gov. Michel Tomena an additional grant for two three & a half leagues making in all 5 leagues and a half. The proofs show that as early as 1839 the land was occupied and a house built upon it. The grantee also placed there cattle and horses and cultivated about 200 acres of the land. He has ever since continued to occupy it.

The authenticity of the grant is fully <sup>shown</sup> proved by proof of the

genuineness of the signatures  
 and the production of the  
 original of pedigree from the archives  
 of the former government. The  
 claim was confirmed by the  
 Board and no objections are  
 suggested in this Court.  
 A decree of confirmation  
 must therefore be entered.

22

56

H

Jacob P. Seese

Simon

CASE 50 NO  
PAGE 77

In the District Court of the  
United States for the Northern  
District of California

The United States  
vs  
Jacob P. Leese

No. 50 Submitted 17<sup>th</sup> July 1855

The motion made in  
this case, on Wednesday October 17<sup>th</sup> 1855, to  
dismiss the appeal from the Land Commission,  
on the ground that notice had not been filed  
on the part of the United States, is withdrawn.

Wm. H. Hunt,  
Atty. of J. P. Leese

No. 50.

The United States  
vs.  
Jacob P. Leese

Stanly & King for Claimant

"Huichica"

1854.

July 26 Filed Transcript from U. S. Land Commissioners in case No. 165.

1855.

January 30 Filed a certified copy from the Clerk of the Southern Dist. of California of a Notice to prosecute appeal, from Atty Gen'l.

June 22 " Notice to file Petition. Service admitted.

July 6th " Petition- IOth. Filed Answer.

October 17 " Affidavit of Claimant.

1856.

April 22 " Decree of Confirmation.

" 23 " Stipulation to withdraw motion to dismiss appeal etc

dec. 24 " Stipulation & Order vacating Appeal.

I, Southard Hoffman, Clerk of the District Court of the United States for the Northern District of California, do hereby certify the foregoing to be a full, true and correct copy of the entries contained on page 50 of the Register entitled "Register Land Cases" now being of record in my Office

Attest my hand and seal of said District Court,

this 23rd day of June

A. D. 1881

Southard Hoffman Clerk.

By J. S. Manley Deputy Clerk.



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Court docket No 50.

Land Cases No 165

CASE 50 ND

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The United States } In the United States Court  
vs. } for the Northern District  
Jacob P. Leese } of California  
Appeal.

"Helichico" Ranches.

Page of  
Manuscript

19. Translation of petitions of Jacob P. Leese, reference  
Reports &c. 1844.
- 25 Translation of grant to Leese 26 Oct 1841.
21. " of second petition of J. P. Leese for  
extension of grant, 1844. reference  
reports &c.
- 23 " second grant, being for extension, 6 July 1844.
- 11 + 12 Copia of Original map, and of C Farrell's survey
41. Translation of proceedings giving judicial  
proceedings.
3. Petition of claimants of Board of Land Commissioners  
deposition 2 June 1852. of M. S. Valley's
- 5 " 15 Oct 1852 of Ignacio del Valle.
- 6 " 15 Oct 1852 of Ignacio del Valle.
57. Regulation of Council as to Mexican laws & regulations
- 55 + 56 Opinion and Decree of San Francisco  
confirming the claim.
- Additional papers.
- 17 Oct 1855. Affidavit of J. P. Leese & Motion of Council to  
dismiss the appeal as not being made by  
U.S. in the time required
1856. Withdrawal of Motion to dismiss, by G. A  
Grant as counsel for Leese -



Count No 50

In the Court of the  
Northern District  
of California.

The United States

vs  
Jacob P. Leese

"Hitchcock"

Defendant.

CASE 50 ND

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Attesty of the  
Clerk of the Court

CASE 50 ND  
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Office of the Board of Commissioners,

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

San Francisco, July 26<sup>th</sup> 1854

John A. Munro Esq.

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

Sir;

I herewith transmit you, pursuant  
to the requirements of the Act of Congress, approved August 31st,  
1852, a Transcript of the Record of the Proceedings and of the  
Decision of this Board, of the Documentary Evidence and of  
the Testimony of the witnesses upon which the same is founded,  
in Case No. 165 on the Docket of the said Board, wherein  
Jacob P. Seese is

the Claimant against the United States, for the place known  
by the name of "Muehica".

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.