

CASE NO.

60

NORTHERN DISTRICT

ARROYO de ALAMEDA GRANT

JOSE De JESUS VALLEJO

CLAIMANT

Microfilm

10

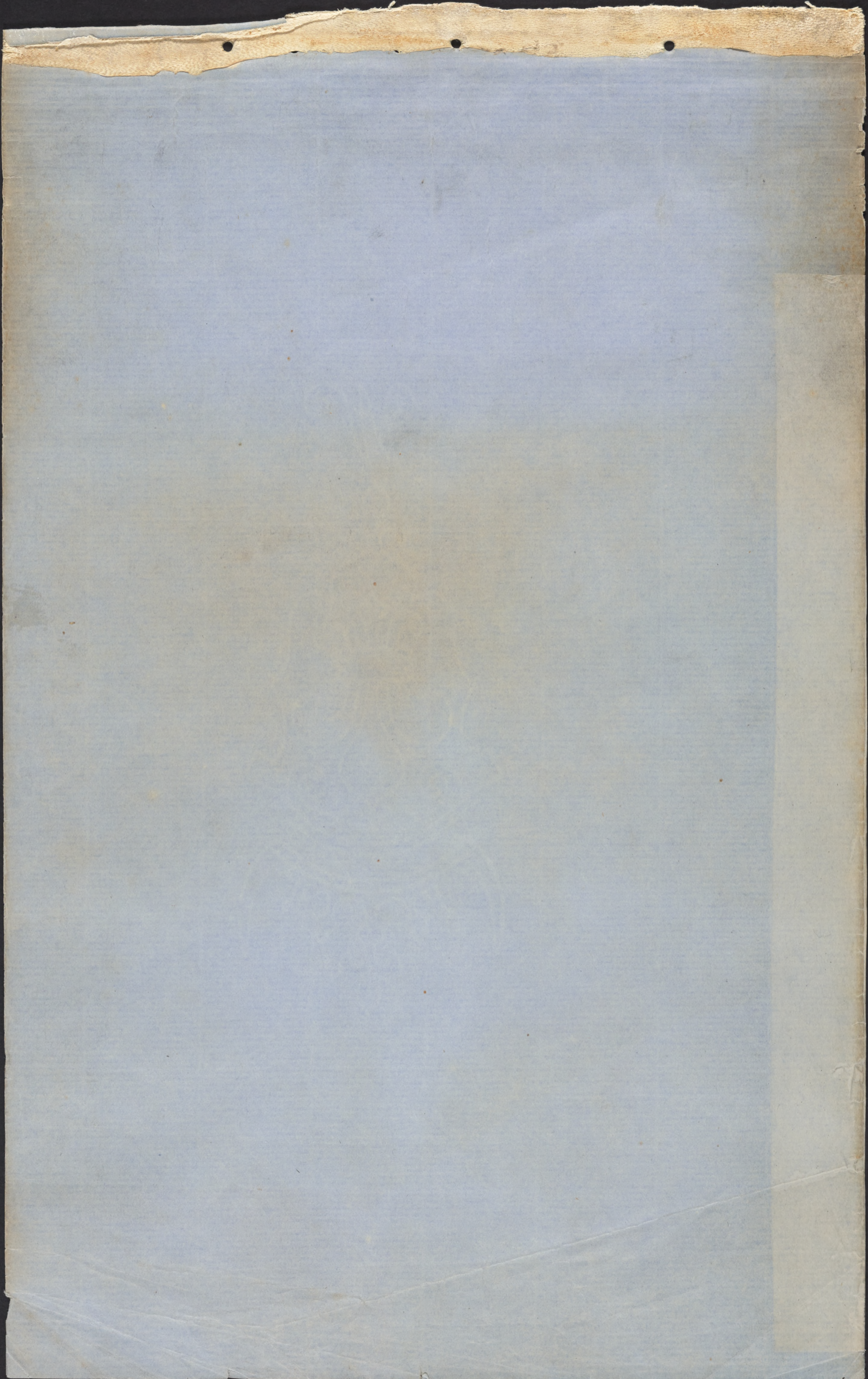


LAND CASE 60 ND pgs. 41

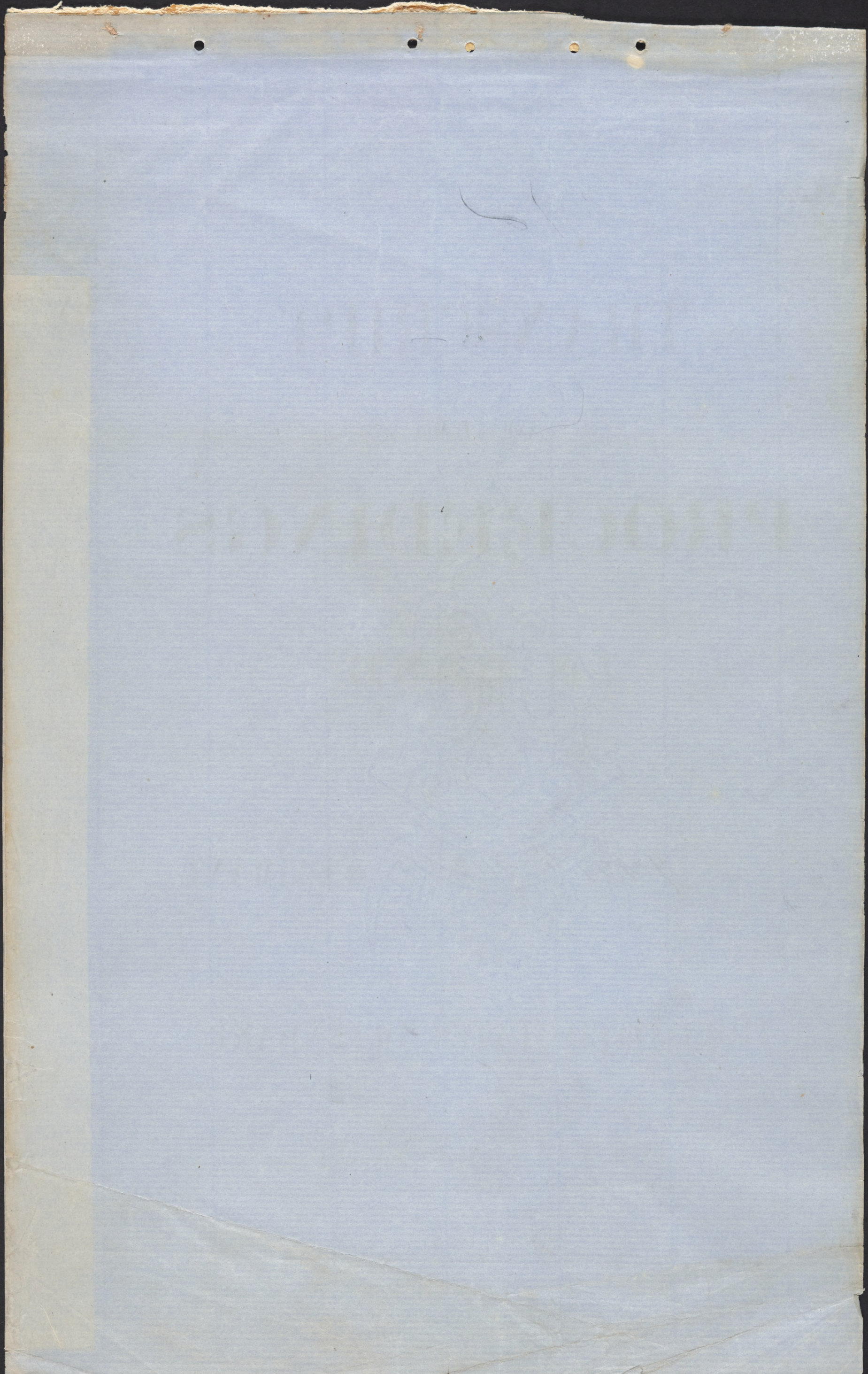
ALSO AVAILABLE ON MICROFILM

7/79 - Photos -











60 ND  
PAGE 1

TRANSCRIPT  
OF THE  
PROCEEDINGS

IN CASE

NO. *J 2*

*Jose de Jesus Vallejo*

CLAIMANT

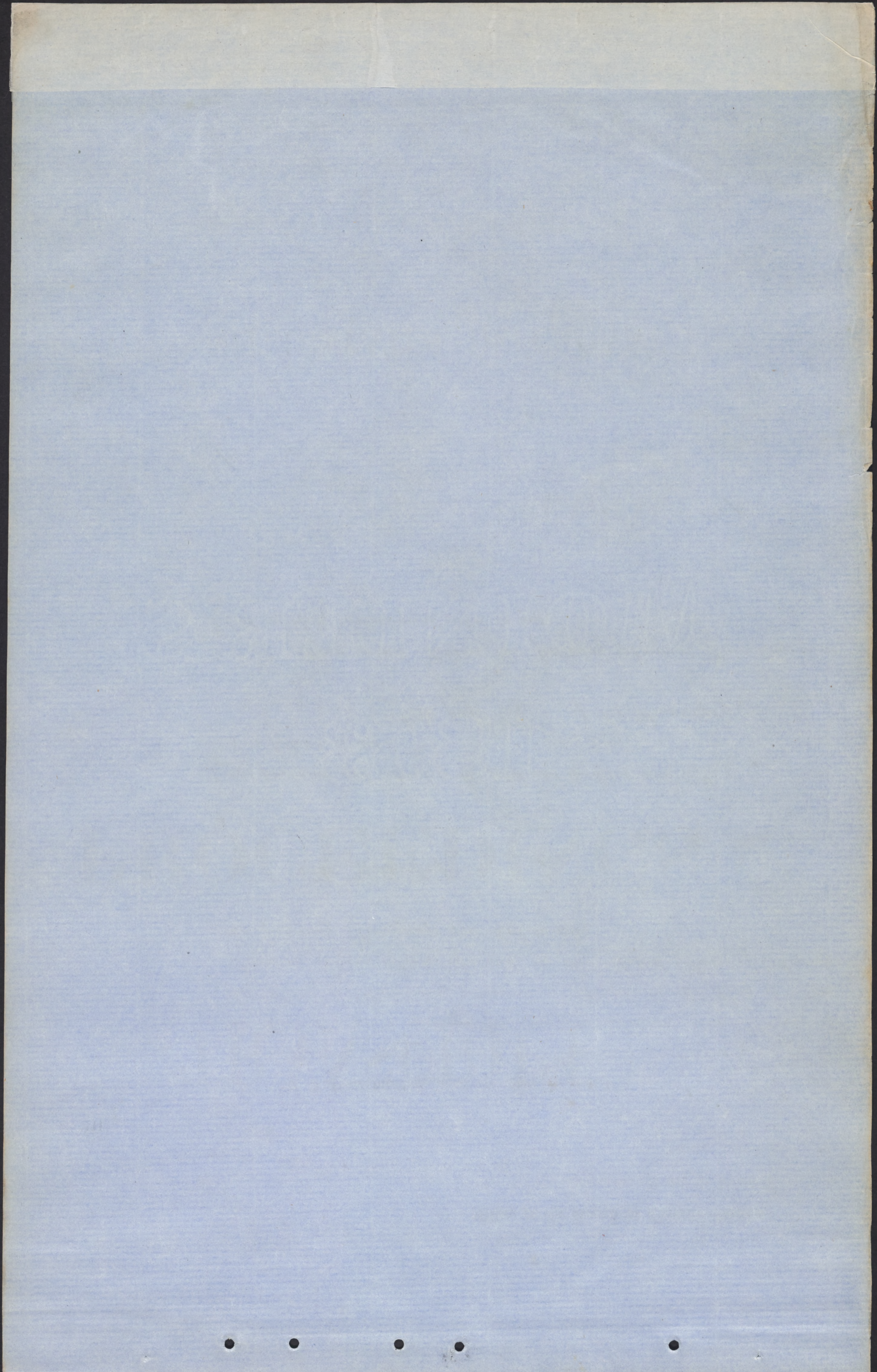
VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"Arroyo de Alameda."*







Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

60 ND  
PAGE 2

Be it Remembered, that on this *Tuesday of March*, 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 *Jose de Jesus Vallejo*,  
for the Place named  
"*Arroyo de Alameda*"  
was presented, and ordered to be filed and docketed with No. 82 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 Fran December 28<sup>th</sup> 1852*  
In Case No. 82 *Jose de Jesus Vallejo* for the Place named "*Arroyo de Alameda*", the deposition of *Jose Abrego*, a witness in behalf of the Claimant, taken before Commissioner *Henry J. Thornton*, with document marked *N. J. T. No. 1*, annexed thereto, was filed;  
(Vide page 5 of this Transcript)

*San Francisco March 17<sup>th</sup> 1853.*  
In the same case the deposition of *William A. Richardson*, a witness in behalf of the Claimant, taken before Commissioner *Henry J. Thornton*, was filed;  
(Vide page 6 of this Transcript)



60ND  
PAGE 3

San Francisco Aug. 8<sup>th</sup> 1853.  
Case no. 82, was, on motion of the United States  
Associate Land Agent, ordered to be placed on the  
Trial Docket,

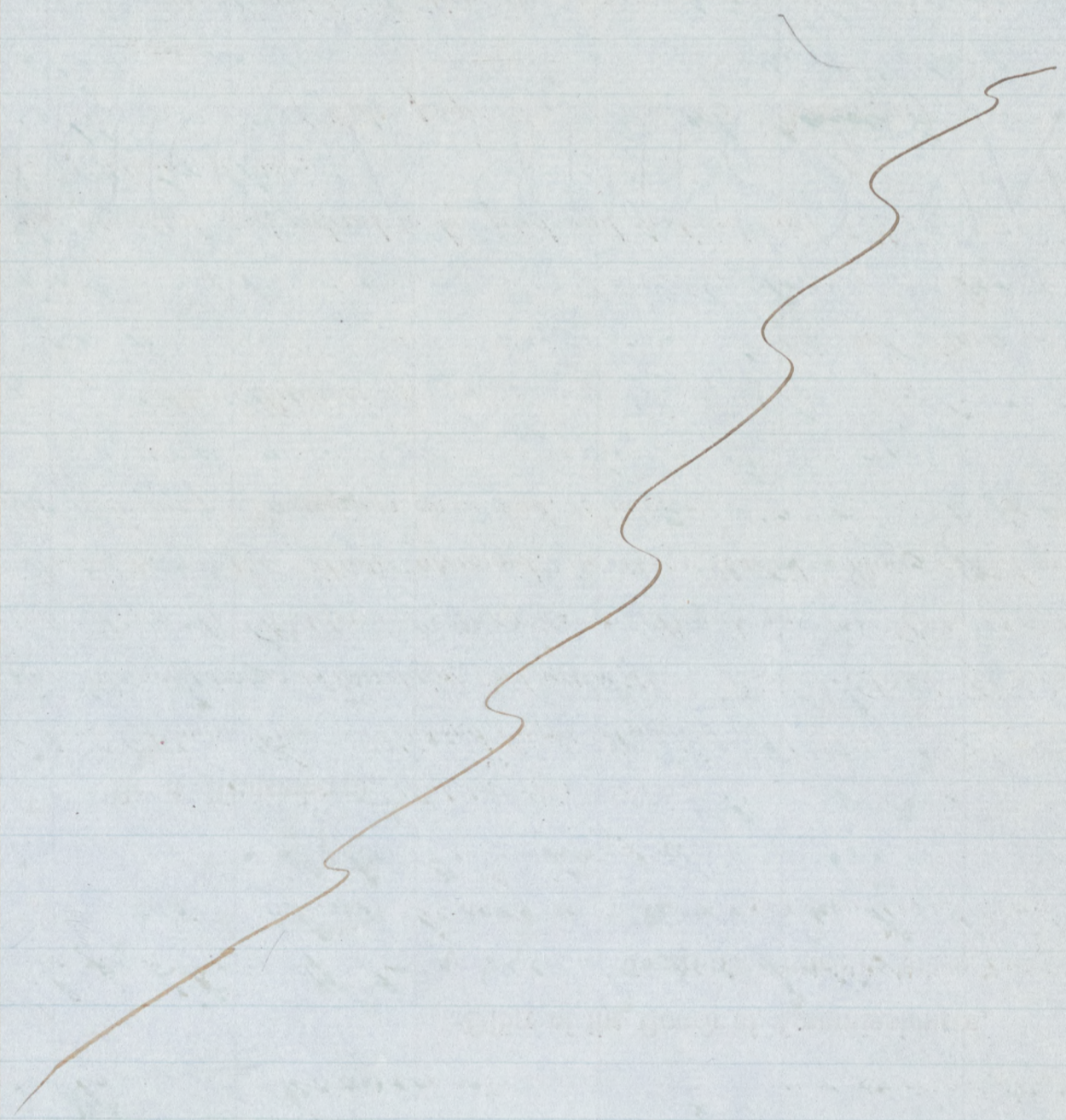
---

San Francisco Aug. 8<sup>th</sup> 1853.  
Case no. 82, called; Submitted on Briefs on  
both sides, and taken under advisement.

---

San Francisco Oct. 15<sup>th</sup> 1853.  
In Case no. 82 José de Azun Vallejo for the  
place named "Cerro de Alameda", Com-  
missioner Alpheus delivered the opinion of  
the Board confirming the claim;  
(See page 21 of this Transcript)

---





3

To the Honorable the Commissions for the settling of Private Land claims in California

Petition

60 ND  
PAGE 4

The petition of Jose de Jesus Fallego respectfully sheweth, that being a Mexican by birth & a resident of the Territory of California he made & presented his petition to Jose N. Estrada then Prefect of the first District soliciting therein on the 1<sup>st</sup> of June 1842 the grant of land known under the name Arroyo de la Lameca containing four square leagues, that the said Prefect forwarded said petition to Juan B. Alvarado then Governor of both Californias together with his the said Prefect's report that said land was not the property of any corporation village or individual & consequently be granted to petitioner without any obstacle. That said Governor Alvarado thereupon to wit on the 8<sup>th</sup> day of August 1842 by virtue of the authority vested in him as constitutional Governor of California declared the said Jose de Jesus Fallego to be the owner of said lands & ordered the necessary documents constituting title to be executed & delivered to said Fallego that a grant was issued on the same day in accordance with the formalities of the law & delivered to your petitioner in whose hands it now is & who is ready to submit it to your Honors examination when ever required to do so that said petition report & a copy of said grant together with the map of the land are on file among the archives of California now in the possession of the Surveyor General of the United States of America for the State of California & that duly certified copies of said documents on file & translations of the same are herewith submitted and prayed to



L

60 ND  
PAGE 5

See made a part of this petition. That said land is situated in the Southern part of Contra Costa contains four square leagues of territory & is known by the name of Arroyo de la Lameda. That it is bounded according to the terms of said grant as follows On the South by the Arroyo de la Lameda, on the North by the Arroyo del Alto on the West by the Bay of San Francisco, on the East by Sierra Principal And your petitioner further states that ever since said grant was made to him he has been in the sole & exclusive possession of said land has always exercised a full & undisturbed ownership over the same & is not aware of any title paramount to his own. He therefore claims to be the owner of said land & prays that your Honorable body will confirm his claim & title there to

Edw Taylor & Beckh  
Attorneys for him

Filed in office March 2<sup>d</sup> 1832  
Geo Fisher Secy



2/52

San Francisco Dec 28<sup>th</sup> 1852

Deposition

On this day before Coroner Harry J Thornton came Jose Abrego a witness in behalf of the claimant Jose de Jesus Salles petition No 82 & was duly sworn his evidence being interpreted by the Secretary

The No 1 Associate Law Agent was present

60 ND  
PAGE 6

Questions by claimant

Quest 1<sup>st</sup> What is your name age & place of residence

Answer My name is Jose Abrego my age Forty years & my residence California

Quest 2<sup>d</sup> Look at the document now shown you purporting to be an original grant from Juan B. Alvarado to D Jose de Jesus Salles dated in Monterey 5<sup>th</sup> of August Eighteen hundred & Forty Two which marked Exhibit is now attached to your deposition & filed in this cause for the Arroyo de la Laguna State if you are acquainted with the hand writings of Juan B. Alvarado & Manuel Jimeno & if so whether the signatures attached to said original document are the genuine signatures of said persons respectively

Answer I am well acquainted with the hand writing of Juan B. Alvarado & Manuel Jimeno having often seen them write. Their signatures to the document shown me are genuine as also those of Estevado & Manuel Coastro

No 1 Law Agent present Jose Abrego sworn to & subscribed before me this 28<sup>th</sup> of Dec 1852

Harry J Thornton  
Filed in Office Dec 28<sup>th</sup> 1852 Coroner  
Leo Fisher Secy



San Francisco March 17 1853

On this day before me Court H I Thornton came  
Wm A Richardson a witness in behalf of  
the claimant Jose de Jesus Nally's Petition  
No 82 & was duly sworn his evidence being  
given in English

Deposition

Questions by claimant

Quest 1<sup>st</sup> What is your name age & place of residence

Answer My name is William A Richardson my  
age Fifty Eight years & I reside on my Rancho  
Sancti to in Marin County

Quest 2<sup>d</sup> State if you know the land claimed  
in this petition & if so state what you know in  
regard to its occupancy

Ans. I have known it for some time more  
than twelve years during that time it  
has been in the possession of Jose de Jesus  
Nally's he having resided there with his  
family during that time & having cultivated  
& otherwise used the land as a Rancho  
he has so occupied it up to the present time

Wm A Richardson

Attest My hand & seal of Office

Sworn to & acknowledged before me  
this 17<sup>th</sup> of March 1853

Humphreys Thornton  
Court

Filed in Office March 17<sup>th</sup> 1853

Geo Fisher

Seal



7

22

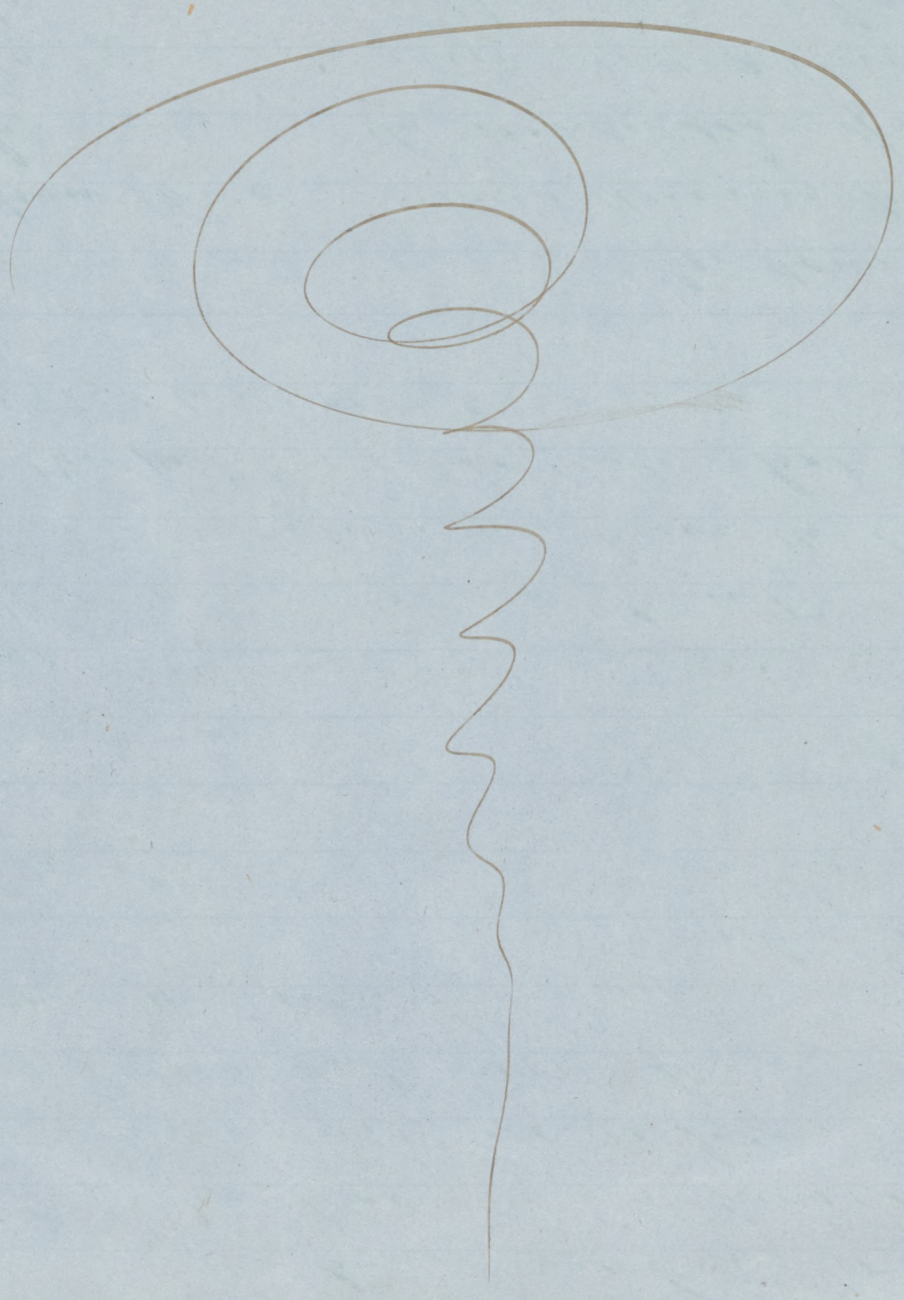
60 ND  
PAGE 8

# Expediente

Promovido por D.<sup>no</sup> José de Jesus Vallejo  
en pretencion del Paraje nombrado:  
"Arroyo de la Lameda"

20

218





J

182

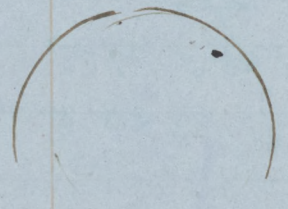
60 ND  
PAGE 9

Sello Tercero Dos Reales

Habilitado provisionalmente por la Aduana  
maritima del puerto de Monterey en el Depar-  
tamento de las Californias, para los años  
de mil ochocientos cuarenta y mil ochocientos  
cuarenta y uno

Ximeno.

Antonio Maria Osio



Revalidado provisionalmente p.  
los años de 1842 y 1843.

S. Prefecto del 1<sup>er</sup> Distrito

Jose de Jesus Vallejo Mexicano por na-  
cimiento y vecindadado en este Distrito  
Ante V. O. S. como mejor proceda de derecho.  
digo; que no teniendo parage donde colocar  
novecientas cabezas de ganado mayor que  
posey y se hallan espuestos à estraviarse  
por falta de querencia ò pastoria propia  
pido à V. O. S. se sirva concederme en propio-  
dad un terreno que se halla desocupado  
del establecimiento de S. Jose constante  
de cuatro sitios de ganado mayor y  
tiene por linderos el Arroyo de la Aman-  
da hacia el S. Arroyo del Alto hacia el  
N. la lomeria principal al E. y la Bahia  
de S. Francisco del O. todo segun esplice  
el disenõ que respetuosamente acom-  
paño. Por tanto.

A. V. O. S. Suplico se sirva proveer como  
pido lo que recibere un gran beneficio ju-  
rando no proceder de Malicia y lo  
necesario V.

250

Monterey 1<sup>o</sup> de Junio de 1842

Jose de Jesus Vallejo



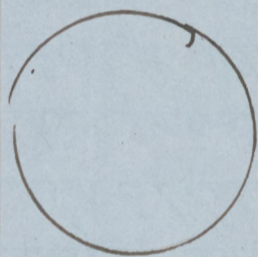
Excmo Sr. Gobernador.

Por las informes que ha recibido esta Prefectura à cerca del terreno que pretende en propiedad en esta colindancia Don José de Jesús Vallejo, esta real y ver daderamente satisfecho que el mismo paraje no pertenece à particular ni corporacion alguna y que en la actualidad se halla baldío, mas reuñendo el interesado los requisitos necesarios para poder ser atendida esta Prefectura. (Sello tercero Dos reales.

Habilitado provisionalmente por la Aduana Maritima de Puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno

Ximeno

Antonio Maria Osis



Revalidado por el <sup>mlte</sup> p<sup>o</sup> los años de 1842. y 1843.

M. Castañares

no encuentra embarazo en que se le conceda al interesado el espresado paraje si fuere del Superior agrado de V. E.

Monterey Junio 20 de 1842.

José M. Estrada

Monterey 8 de Agosto de 1842.

240

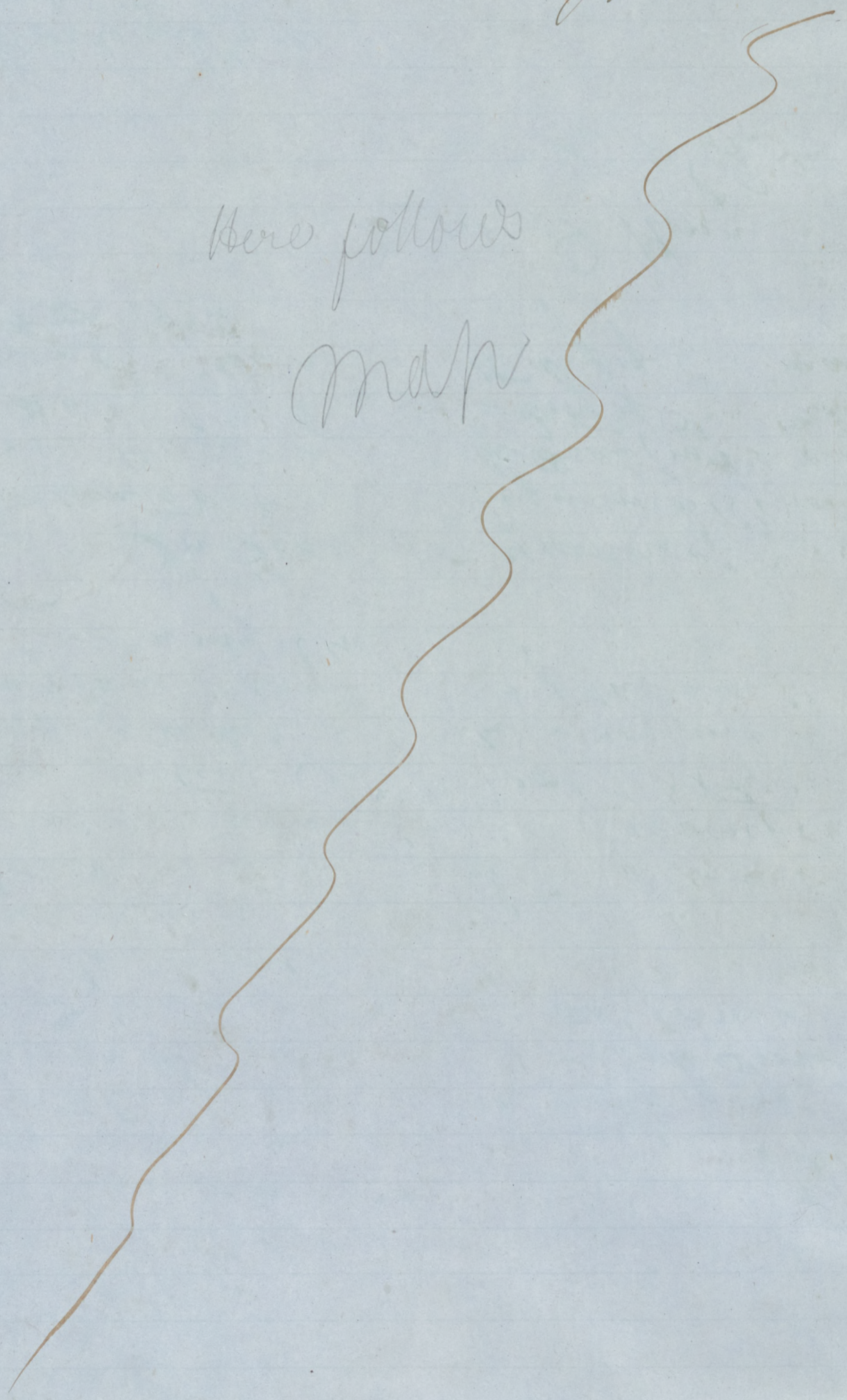
Vista la peticion con que da principio este expediente los informes que anteceden con todo lo demas que se tubo presente y por convenio de conformidad con las leyes y reglamentos de la Materia declaro à Don José de Jesús Vallejo dueño en propiedad del terreno conocido con el nombre de San Lorenzo, colindante con el Arroyo del mismo nombre



10

con el del Galito con el Mar y con la  
Tierra principal en estension de cuatro  
sitios de ganado mayor. Librese el correspon-  
-dte. despacho tomesse razon en el Libro res-  
-pectivo y dirigase este expediente a la Cma  
42 Junta para su aprobacion. El Excmo Sr  
Gov. en si lo mandó decreto y firmo.

Here follows  
map





12

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

map 7

60 ND  
PAGE 12

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 six preceding and hereto attached pages of tracing paper numbered from One to Six inclusive and each of the 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 my Office.

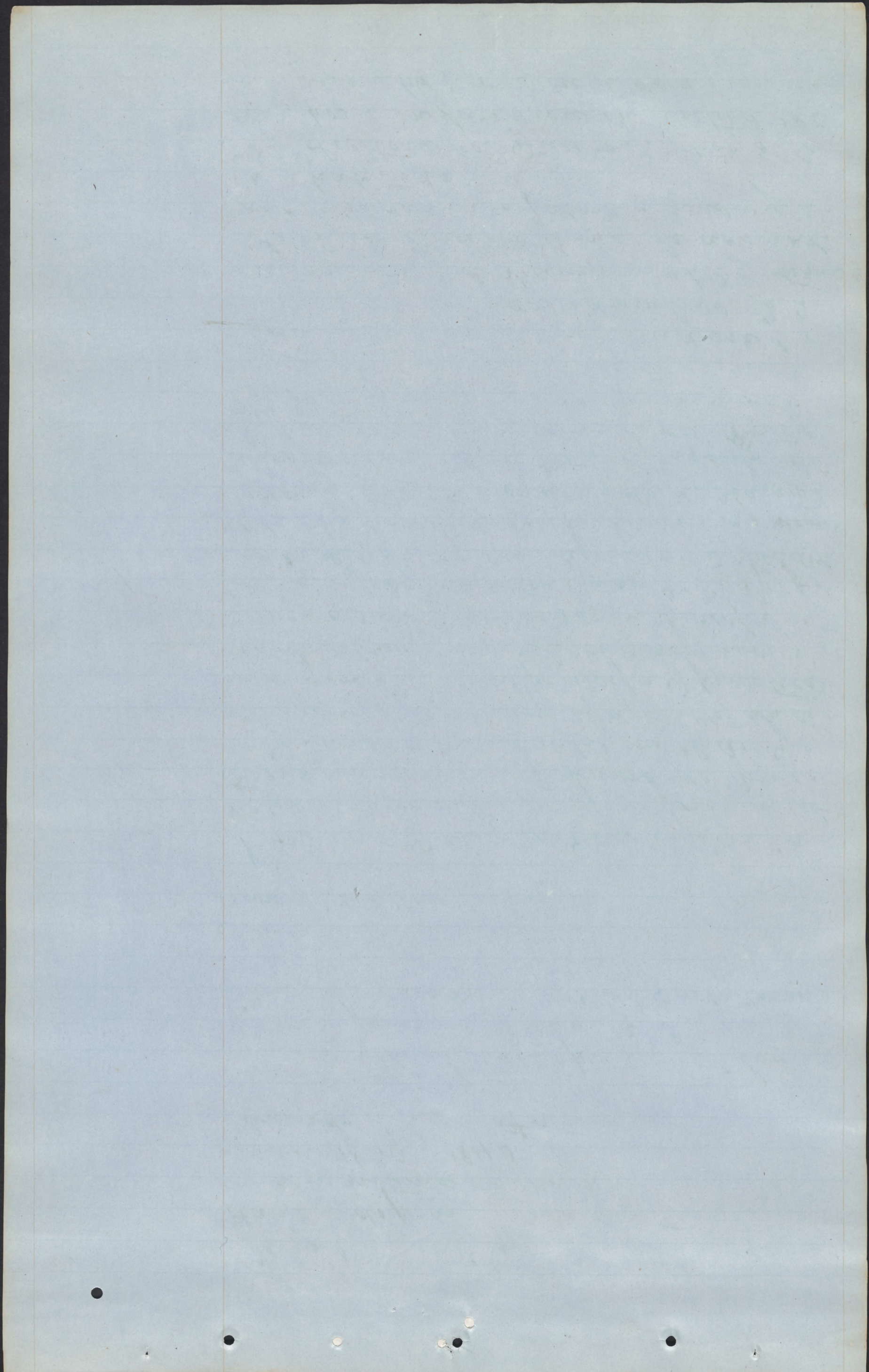
In Testimony whereof I have hereunto subscribed my name Officially and affixed my private Seal (not having a Seal of Office) at the City of San Francisco Cal. This twentieth day of February A. D. 1852.

Saml. D. King  
Survey. Genl. Cal.

154  
706

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







Sello 1º seis Pesos.

Habilitado provisionalmente por la adu-  
-ena marítima de Monterey para los  
años de 1839. y 1840.

Alvarado. Antonio M<sup>a</sup> Osio

60 ND  
PAGE 13

Revalidado provisoriamente p<sup>o</sup> los  
años de 1842 y 1843  
Alvarado. Man<sup>t</sup>. Castañares

Juan B. Alvarado Gobernador constitu-  
-cional del Departamento de las Californias

Por cuanto D. Jose de Jesus Vallejo ha  
pretendido para su beneficio personal el  
terreno conocido con el nombre de "Arroyo"  
de la Tameca colindante con el Arroyo  
del mismo nombre; con el del alto; con el  
mar y con la Sierra principal practica-  
-das previamente las diligencias y averigua-  
-ciones convenientes segun lo dispuesto  
por Leyes y reglamentos. Usando de las fa-  
-cultades q<sup>e</sup> me son conferidas à nombre  
de la Nacion Mexicana, he venido en con-  
-ceder el terreno mencionado declarandole  
la propiedad de el por las presentes letras  
sug<sup>er</sup>andose à la aprobacion del Excmo  
Junta Departam<sup>t</sup>. y à las condiciones  
siguientes.

1<sup>a</sup> No podrá cercarlo sin perjudicar las  
travesaías, caminos y servidumbres; lo dis-  
-putará libre y exclusivamente destinan-  
-dolo al uso ó cultivo q<sup>e</sup> mas le acomode.  
pero dentro de un año fabricar a casa y es-  
-tara habitada.

230

2<sup>a</sup> Solicitara del Juez respectivo q<sup>e</sup> le  
de la posesion juridica en virtud de  
este despacho por el cual se demarcaran



dos linderos, en cuyos limites se pondra  
a mas de las mojoneras alg. arboles frutales  
o silvestres de alguna utilidad ad.

3.º El terreno de q. se hace mencion es  
de Cuatro sitios de ganado mayor segun  
explica el disenõ respectivo. El juez q.  
diese la posesion lo hara medir conforme  
a ordenanza. quedando el sobrante  
q. resulta a beneficio de la Nacion para  
los usos convenientes.

4.º Si contraviniese a estas condiciones  
perderá su derecho al terreno y sera de-  
nunciabile por otro.

En consecuencia mando q. teni-  
endose el presente por firme y baledero  
se tome razon de el en el libro respectivo  
y se entregue al interesado para su  
resguardo y demas fines.

Dado en Monterey a ocho de A-  
gosto de mil ochocientos cuarenta y  
dos.

Man. Jimeno Rio. J. Juan P. Alvarado  
Queda tomada razon de este despacho  
en el libro respectivo.

Jimeno.

El Excmo. Sr. Gobernador dispone se  
tome razon de este titulo en la Prefec-  
tura del 1.º Distrito.

Yomese Raron J. Jimeno  
Estada.

225  
4.55

Queda tomada razon de este superior  
titulo a fojas 8. del libro correspondiente  
que obra en la Prefectura del Distrito

Monterey Mayo 4 de 1843.

Manuel Castro Rio.

Filed in Office Dec. 28th 1852.

Geo. Geister. Secy



15

3/82

Translation

60 ND  
PAGE 15

To the Honorable Prefect of the 1<sup>st</sup> District  
I Jose de Jesus Vallejo a Mexican by birth  
& resident of this district declare before y<sup>e</sup> Honor  
in the best form that as I have no site where  
on to place some hundred head of black  
cattle which I own & which are exposed to go  
astray as they want a custom in plains  
or a grazing place. I request y<sup>e</sup> Honor to grant  
to me the property of a tract of land by  
ing unoccupied & pertaining to the establish-  
ment of San Jose consisting of four square  
leagues the boundaries of which are toward  
as the South el Arroyo de la Alameda toward  
the North el Arroyo de Alto toward the  
East the principal ridge of hills Lomeria  
& toward the West the Bay of San Francis-  
co all duly explained in the accompanying  
sketch. Therefore I request your Honor to  
comply with my solicitation whereby  
I shall receive a great benefit. Thus I make  
oath that it is not out of malice & that which  
may be necessary &

Trusting I am the 1<sup>st</sup> 1842  
(Signature) Jose de Jesus Vallejo

Excellent Sir Governor

By the informations received in the office  
under my charge (Prefecture) relating to the  
tract of land the right of property to which is  
solicited by Don Jose de Jesus Vallejo the Pub-  
lic Prefecture feels really & truly satisfied  
that said location does not belong to any  
private individual or corporation & that  
at present it is lying unoccupied but in as  
much as the party concerned possesses the  
necessary requisites to be attended to in his  
request this Prefecture does not know of  
anything preventing the grant of the afore-  
mentioned location to the party if it should



16

W. Pleau N.E.

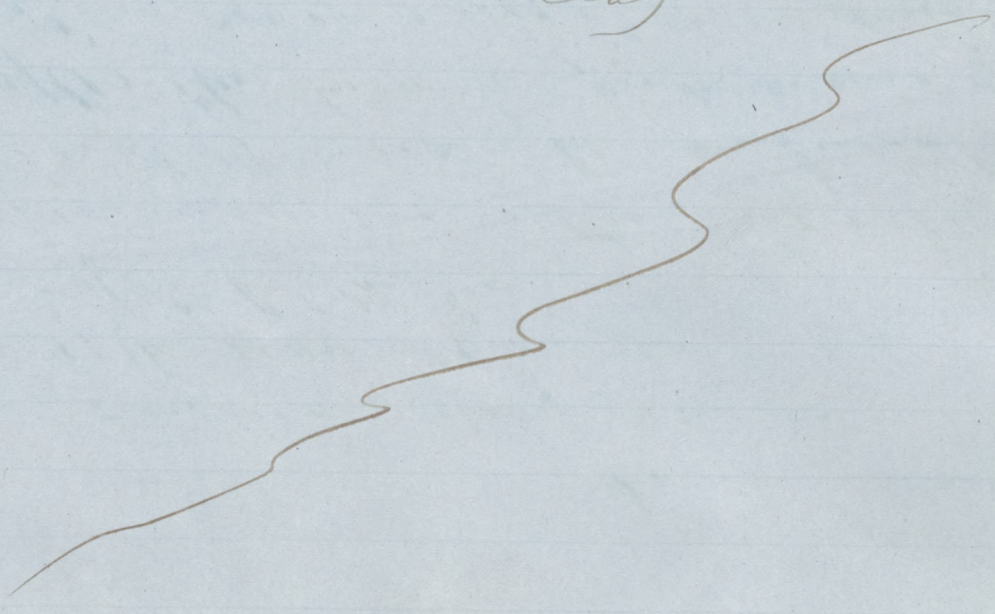
Montevideo June 20th 1852  
(Signed) Jose R. Estrada

Montevideo August 8th 1852

After examining the petition at the head of  
these proceedings, the proceeding reports together  
with whatever else was thought to the purpose  
in conformity with the laws & regulations  
on the matter I declare Sr Jose de Jesus Salas  
owner in fee of the tract of land known  
under the name of San Lorenzo bordering  
on the Arroyo of same name on that of de  
Salto on the sea & on the principal ridge  
of mountains (Cerro Principal) to the  
extent of four square leagues. Let the  
corresponding patent be issued & entry  
be made in the corresponding book &  
this record of Proceedings be submitted  
to the approval of the Most Excellent the  
Assembly. The Excellent Sr Governor thus  
did order decree & sign it

E. S.  
P

Felicidad in officio March 2<sup>o</sup> 1852  
Luis Friber  
Leas





4/12

17

Don Bantista Alonzo Constitutional Governor of the Department of both Californias

Grant D  
Translation

60 ND  
PAGE 17

Whereas Don Jose de Jesus Nallejo has presented for his personal benefit the tract of land known by the name of Arroyo de la Alameda or Rivalet of the Poplar Grove bordering on the Rivalet of same name on that del Salto on the Sea & on the Municipal Town, "Santa Prisca" after the previous performance of the investigations concerning it according to the tenor of the laws & regulations, by virtue of the authority in me vested in the name of the Mexican Nation, I have thought proper to grant him the afore mentioned tract of land declaring by this patent the same to be his property subject to the approval of the Excellent Departmental Assembly & to the following conditions

1<sup>o</sup> He may fence it in without obstructing the roads paths & servitudes, he shall enjoy it free by & exclusively appropriating it to the use or cultivation that may best suit him but he is bound to build on it a house within the term of one year & it shall be inhabited

2<sup>o</sup> He is to solicit of the respective Judge to give him judicial possession by virtue of this patent by whom or whereby the boundaries are to be marked on the limits of which are to be set besides the land marks some plants or fruit trees or forest trees of some utility

3<sup>o</sup> The tract of land in mention is of four square leagues as appears from the respective sketch the Judge who may give possession of it will cause it to be measured according to ordinances the resulting surplus remaining at the disposal of the Nation for convenient



usages, 4th If he should transgress these conditions he shall lose his right to the land & shall become liable to demeritation by any other party consequently order that the present title deed being held as firm & valid the same be entered in the respective book & be returned to the party concerned for his own security & every other purpose

Given in Montevideo on the 8<sup>th</sup> day of August 1842

(Signed) Juan Bautista Alvarado

( " ) Manuel Jimenez  
Secretary

A proper entry of this title was made in the corresponding book

(Signed) Jimenez

The Excellent Sr Governor directed that a proper entry of this title be made in the office of the Prefect of the 1<sup>st</sup> District

(Signed) Jimenez

Let it be entered

(Signed) Estrada

A proper entry of this superior title has been made on folios 8 & sheet the 8<sup>th</sup> of the corresponding book which is kept in the office of the Prefect of the District

Montevideo May the 4<sup>th</sup> 1843

(Signed) Manuel Castor  
Sery

Filed in office March 20 1852

Geo Fisher

Sery



19

Man B. Alvarado Constitution as Governor of the  
Department of the Californias

Translation  
of Grant

60 ND  
PAGE 19

Whereas D. Jose de Jesus Gallego has solicited for  
his personal benefit the land known by  
the name of Arroyo de la Lameda bounded  
by the Arroyo of the same name with that  
of the high one with the principal moun-  
tain range having previously taken the  
action & made investigations concerning it  
according to the laws & regulations, using the  
faculties invested upon me in the name of  
the Mexican Nation I have determined to  
concede to him the mentioned land decla-  
ring to him the ownership thereof by the present  
letters it being subject to the approval of the  
most Excellent Departmental Assembly &  
under the following conditions

1<sup>st</sup> He may fence it without prejudice  
to the public roads & public uses he  
shall enjoy it fully & exclusively destining  
it to the use or cultivation which may be  
most convenient to him but within one  
year he shall build a house & it shall  
be inhabited

2<sup>nd</sup> He shall solicit from the respective Judge  
to give him the juridical possession in  
virtue of this despatch by which the lines  
shall be marked out on whose limits  
he shall plant besides the land marks  
some fruit or forest trees of some utility

3<sup>rd</sup> The land of which mention is made is of  
four square leagues, as the respective diagram  
will show, the Judge who should give  
the possession shall cause it to be meas-  
ured according to ordinances letting the  
surplus remain for the benefit of the Na-  
tion for its convenient uses

4<sup>th</sup> If he should contravene these condi-  
tions he shall lose his right to the land



It shall be denunciable by another  
In consequence I command that these presents  
shall be held as firm and valid in account  
to be taken of it in the respective book & to be  
delivered to the party interested for his secu-  
rity & other uses

Given in Mexico the Eighth of August 1853  
thirteen hundred & forty two

Juan B Alameda

Manuel Jimeno  
Sery

Notice of this despatch has been taken  
in the respective book

Jimeno

His Excellency the Governor orders notice to  
be taken of this title in the Prefecture of the 1<sup>st</sup>  
District

Jimeno

Will take notice }  
Estrada }

Notice of this Superior Title has been taken  
in the corresponding book Vol 8 which is in the  
Prefecture of the District

Mexico May 4th 1853

Manuel Leaster

Sery

Filed in office Jan 3<sup>rd</sup> 1853

Geo Fisher

Sery



21

6/2

Jose de Jesus Salgado  
vs  
The United States

For the place called Arroyo  
de la Alameda four square  
leagues of land in Alameda County

Opinion

60 ND  
PAGE 21

The proof in this case consists of a copy from the archives of a petition by the claimant for the grant made to the Judge of the First District dated June 1<sup>st</sup> 1842 & authenticated by the Prefect in favor of the grant which appears to have been forwarded to the Governor with the petition which bears date the 20<sup>th</sup> of the same month. An original grant signed by Governor Alvarado & delivered to the County bearing date August 9<sup>th</sup> 1842 is also given in evidence. This document contains the allegation that the grant is subject to the approval of the Departmental Assembly & contains also the usual conditions.

There is no proof of the approval of the grant by the assembly nor is there any evidence of previous possession. The testimony of William Richardson shows however that the claimant has resided on the land with his family more than twelve years & that he has cultivated & otherwise used the land as a ranch & so occupies it at the present time. The equities in this case are such as clearly to entitle it to confirmation if the locality & boundaries are sufficiently definite to separate the land granted from the mass of the public domain. The petition is for four square leagues of land pertaining to the establishment of San Jose the boundaries of which are towards the South El Arroyo de la Alameda towards the North El Arroyo del Alto towards the East the principal ridge of highlands (Sierra) & towards the West the Bay of San Francisco all duly explained by the accompanying



sketch. The conditions of the grant require  
 judicial possession to be obtained & the proper  
 landmarks of boundary to be placed, the sur-  
 plus of the land remaining at the disposal of  
 the nation. The only question which presents  
 itself to raise a doubt in the case is whether  
 the land embraced in the above boundaries  
 is intended to be granted to the claimant as  
 the four square leagues intended to be  
 or is in fact a larger extent of territory with  
 in the limits of which he was entitled to  
 select the quantity by the aid of a judicial  
 survey but which he has failed to cause  
 to be located & set apart for that purpose.  
 In the latter case we take the rule to  
 be that the party who has failed to  
 cause the location of the land to be made  
 cannot now make the segregation or ob-  
 tain a confirmation of his claim as an  
 unlocated grant. But if on examination  
 of the whole case it appears from the doc-  
 uments that the land intended to be  
 granted is specified by metes & bounds  
 or by other words of description defin-  
 ing its limits & separating it from that  
 by which it is surrounded so that a  
 survey by the calls of the grant can  
 now be made it will be sufficient &  
 in such case the allegation that the sur-  
 plus is to remain to the nation will  
 not be permitted to defeat the claim.  
 We are satisfied that the case under  
 consideration is of this description & that  
 the land within the boundaries described  
 in the petition & the grant constitutes the  
 four square leagues intended to be con-  
 veyed & not a larger tract within which  
 it was to be selected and located.  
 The map which was filed with the



23

7/12

60 ND  
PAGE 23

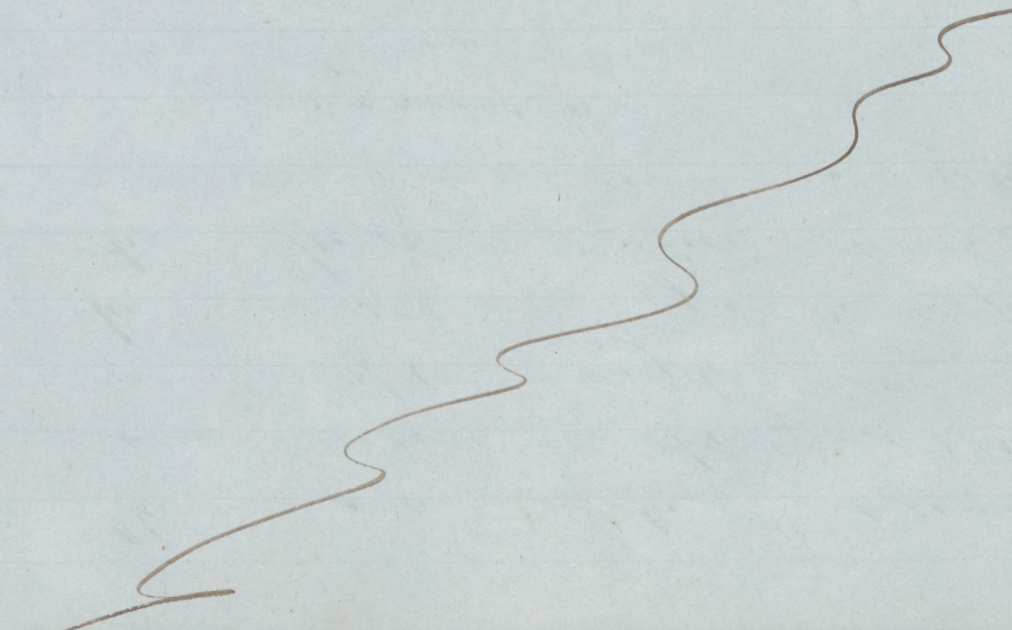
original application clearly defines the limits & boundaries of the land described & gives the means of approximating the quantity of lands contained within them from which it would seem to be less than four square leagues. This map is drawn with more care than any which has come under my observation & bears evidence of an actual survey specifying some of the corners evidently designed to show the separation of the land described in the petition & grant from the national domain. The reference in the grant to the map is for ascertainment of the land granted as thus defined & separated & as therein laid down. From all the testimony we are of opinion that the conveyance must be regarded as a grant of the lands by metes & bounds according to the description above recited. The words reserving the surplus introduced probably through inadvertence to the case & cannot defeat what is evidently on the whole case the meaning of the grant.

The title must be confirmed

Filed in office Oct 18<sup>th</sup> 1853

Geo Fisher

Deputy





Jose de Jesus Vallejo  
 The United States

Deere

In this case on hearing the proofs & allegations it is adjudged by the Commission that the claim of the petitioner is valid & it is therefore decreed that the same be confirmed. The land of which confirmation is here by made is known by the name of Arroyo de la Alameda being the same on which said petitioner resides the boundaries of which are towards the South El Arroyo de la Alameda towards the North El Arroyo del Alto towards the East the principal ridge of the high land (Loma) & towards the West the Bay of San Francisco the same being of the extent of four square leagues reference for a more particular description thereof to be had to the original grant & map of the same a copy of which is on the file of this Board

Alphus Felch  
 Thompson Campbell  
 A. Aug. Thompson  
 Board

Filed in Office Oct 14<sup>th</sup> 1833  
 Geo Fisher  
 Secy



60 ND  
PAGE 25

Office of the Board of Commissioners,

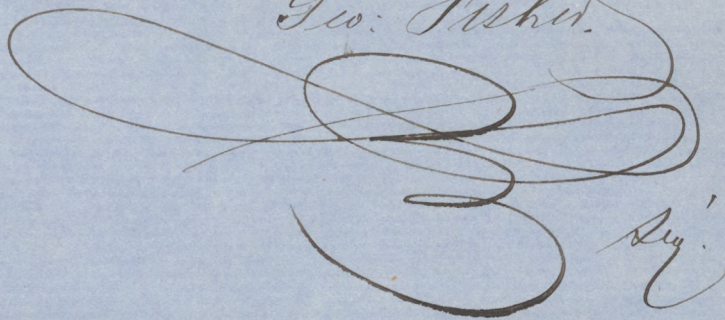
To ascertain and settle the Private Land Claims in the State of California.

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 *Twenty-four* — pages, numbered from 1 to *24*, 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. *82* on the Docket of the said Board, wherein *José de Jesus Vallejo* is

the Claimant against the United States, for the place known by the name of *"Arroyo de Alameda"*

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this *fifth* day of *August* A. D. 185*4*, and of the Independence of the United States of America the seventy-*eighth*.

*Geo. Fisher.*



*Geo.*





BOND

7282

10/60



Office of the Attorney General of the United States,

Washington, 26<sup>th</sup> October 1854.

José de Jesus Vallejo.

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 13<sup>th</sup> day of July 1854 the appeal in the district court of the United States for the northern district of California will be prosecuted by the United States.

*Clarkson*

Attorney General.



As Dist Court  
of D of California  
vs de Jesus Vallejo  
at Claimant  
The United States

No 60

appeal notice

Filed Dec. 2<sup>d</sup> 1834  
Wm A. Morrison  
at



Rancho "Arroyo de la Alameda"  
Court Docket No. 60. Land Comms No. 82.

60 ND  
PAGE 28

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

The United States

vs.

José de Jesus Vallejo

The Respondent for answer to the petition  
filed in this case answers and says - It is true  
that the lands mentioned in said petition  
and in said transcript of the proceedings before  
the said Board of Commissioners lie within  
the said Northern District of California, and  
within the jurisdiction of this Court. But  
this Respondent denies that his title to the  
said land is invalid, and avers that the  
same is valid and prays that the decision of  
the said Board be affirmed and his title  
deemed to be valid

José de Jesus Vallejo

by

Stanley King  
his Atty.



No 60.

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

The United States

vs

José de Jesus Vallejo

Rancho,

"Arroyo de la Alameda"

Land Grant No 82.

Answer.

Dated August 31, 1855.

J. Cheever  
Deputy.

60 ND

PAGE 29

Shanty & King  
Atty



No 60

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

60 ND  
PAGE 30

The United States } "Arroyo de la  
Appellants } Alameda"  
vs. } Transcript N<sup>o</sup> 82.  
Jose de Jesus Vallejo } of San Joaquin Co. }

Stated

At a ~~Special~~ Term, held on 2<sup>d</sup> March 1857.

This cause came on to be heard on appeal  
from the decision of the Board of Commissioners,  
to ascertain and settle the private land  
claims in the State of California under  
the act of Congress approved on the 3<sup>d</sup> day  
of March 1851, upon the transcripts of the  
proceedings and decision of the said Board  
of Commissioners, and the papers and evidence  
in which the said decision was founded;  
and it appearing to the Court that the  
said Transcripts has been duly filed  
according to law, and Counsel for the  
respective parties having been heard,  
it is by the Court hereby ordered adjudged  
and decreed that the said decision be  
and the same is hereby in all things  
affirmed. And it is likewise further  
ordered adjudged and decreed that  
the claim of the Appeller is a good  
and valid claim, and that the said  
claim be and the same is hereby confirmed  
to the extent and quantity of four  
square leagues, being the same lands



described in the grant, and of which  
possession was proved to have been  
long enjoyed. Provided, that the said  
quantity of four square leagues now  
conformed to the claimant be contained  
within the boundaries called for in  
said grant and the map to which the  
grant refers and filed in the Court, and  
if there be less than that quantity  
within the said boundaries, then  
the claimant is conformed to that less  
quantity.

By the Court  
U. S. Clerk Judge

This decree is correct.

Wm Blanding  
Dist Atty



United States District  
Court for the  
Northern District of  
California  
Court No 60.  
Laid Transcript No 82.

The United States  
vs } appellants  
Diego Luis Vallejo }  
appellee.

"Arroyo de la"  
Alameda

60<sup>ND</sup>  
PAGE 32

Secur of Computat

Laid March 2, 1857.

John A. Curran,  
Clerk

J. W. Dr. Cheney,  
Deputy.



60 ND  
PAGE 33

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

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States  
"  
Josef Jesus Vallejo

D. C. 60, L. C. 82

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



60  
United States District Court, Northern  
District of California.

*The United States*

vs.

*Jose de Jesus Vallejo*

ORDER.

*granting appeal*

Filed *April 1st* 1857

*John A. Chassee,*  
CLERK.

By *W. D. Chevers,*  
DEPUTY.



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 *Tuesday* the *28th* day of *July* in the year of our Lord one thousand eight hundred and fifty-seven.

Present:

*The Honorable* OGDEN HOFFMAN, *District Judge.*

*The United States*

*vs*  
*Jose de Jesus Vallejo*

*D. C. 40 : L. C. 82.*

*The Attorney General of the United States having given notice that further appeal will not be prosecuted in this case, and a stipulation to that effect having been entered into by the U. S. Attorney:*

*On motion of the U. S. Attorney it is ordered, adjudged and decreed that the order granting appeal to the U. S. Supreme Court heretofore entered herein be vacated, and that claimant have leave to proceed under the decree of this Court heretofore rendered in his favor as under Final Decree.*

*Ogden Hoffman*  
*U. S. District Judge*



60 (2)

United States District Court, Northern  
District of California.

*The United States*  
*Ready*  
vs.

*Jose de Jesus Vallejo*

ORDER.

*Vacating appeal.*

Filed *July 28th* 1857  
*John A. Murren,*  
CLERK.

By *W. H. Cheney*  
DEPUTY.



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

The United States

v.

3  
2 D.C. 60; L.C. 82.

José de Jesus Vallejo

In pursuance  
of notice received from the U. S. Attorney  
General it is hereby stipulated and agreed  
that the order granting an appeal to the  
U. S. Supreme Court heretofore entered in this  
Case be vacated, and that claimant have  
leave to proceed under the decree <sup>of this Court</sup> heretofore  
rendered in his favor, as under Final Decree.

San Francisco: July 27<sup>th</sup> 1857

P. Della Torre

U. S. atty.

Stanly King  
att'y for Cls



to one

U. S. District Court

The United States

v.

José de Jesús Vallejo

---

Stipulation.

---

Filed July 28, 1857,  
W. A. Church,  
Deputy.







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

The United States  
<sup>vs</sup>  
Joaquin Vallero

No. 100.

Abstract of title &  
Evidence.

60 ND  
PAGE 39 A

Shanty & King for  
Claimants

Shanty & King



The boundary line between the Ranchos of  
Barbara Soto and of Jose de Jesus Vallejo  
is marked on the original diseño of the latter  
"Linderos Norte  $62^{\circ}$  grados al Este"  
"Norte Magnético."

The Variation reported in Surveys of both  
Ranchos being  $15^{\circ} 30'$  East, makes the  
true Course of the above "Linderos"  $77^{\circ} \frac{1}{2}$   
degrees East, in accordance with  
which the line dividing the two  
Ranchos has been officiously surveyed  
and approved by Surveyor General  
San Francisco Cal.  
March 19<sup>th</sup> 1863.

L. Bidwell



Office of the Board of Commissioners,

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

San Francisco, Aug. 3<sup>rd</sup> 1854

Sir, A. Munroe 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 31<sup>st</sup>, 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. 82 on the Docket of the said Board, wherein

José de Jesús Vallejo is the Claimant against the United States, for the place known by the name of "Arroyo de Mamuda"

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

G. F. Fisher.

