CASE NO.

75

NORTHERN DISTRICT

CANADA DE RAIMUNDO GRANT

MARIA LUISA GREER, ET AL

CLAIMANT

LAND CASE 75 ND pgs. 204

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 21

Maria Louisa Geyer, et al, CLAIMANTS

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Cañada de Raimundo".

/

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, *that on this* Third day of February, *Anno Domini One Thousand Eight Hundred and Fifty-*Two, *before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;*

The Petition of Maria Louisa Geer et al, *for the Place named* "Cañada de Raimundo" *was presented, and ordered to be filed and docketed with No.* 21 *and is as follows, to wit;*

(Vide page 5 *of this Transcript.)*

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

San Francisco May 19th 1852.

In Case No. 21 Maria Luisa Geer et al: the deposition of James W. Weeks, a witness in behalf of the Claimants, taken before Commissioner Harry I. Thomson; was filed:

(Vide page 9 of this Transcript

San Francisco June 1st 1852.

In the same Case the Counsel for Maria Soledad Ortega de Argüello et al: filed the following Motion, to wit:

(Vide page 77 of this Transcript)

San Francisco February 8th 1853.

In the same Case the Counsel for Gervasio Argüello, et al: heirs of José Davis Argüello

presented a Motion asking leave to amend the right of the claimants, which Motion having been overruled, the prayer was denied.

San Francisco February 8th 1853.
Case No. 21 (Maria Luisa Near Real) called: The counsel for the claimants, Mr. Clarke, read the Petition and the papers in evidence: the Associate Law Agent filed his Brief: Case submitted and taken under advisement by the Board.

In the same case the deposition of N. A. Jem, a witness in behalf of the claimants, taken before Commissioner Henry I. Thomson, with document marked H. I. T. annexed thereto was filed:
(vide page 11 of this Transcript)

San Francisco April 22d 1853.
Commissioners Hall and Thomson returned to the the Secretary the papers appertaining to Case No. 21 (and others): after which act pursuant to the notice in the National Intelligencer, announcing their removal from office, they withdrew and ceased to act as members of this Board.

San Francisco May 9th 1853.
On Motion of the United States Law Agent Case No. 21 was ordered to be placed on the Trial Docket.

San Francisco May 25th 1853.
Case No. 21 Called; argument in behalf of the United States by Mr. Hawes, by consent, and followed by Mr. Howard — Continued for further argument.

In the same case the United States Law agent filed the following Stipulation, to wit;
(vide page 78 of this Transcript)

San Francisco May 27th 1853
Case No. 21, Called; Argument in behalf of the United States — followed by the Claimants Counsel and Concluded. Case submitted and taken under advisement.

San Francisco Aug. 18th 1853.
In the same Case a certified copy of the deposition of Maximo Martinez, a witness in behalf of the Claimants in Case No. 2 "Las Pulgas" taken before Commissioner Leland Hall on the 16th March 1852 was filed as evidence in this Case in accordance with the Stipulation made by the United States Law Agent and the Claimants Counsel July 26th 1853.
(vide page 13 of this Transcript)

In the same Case a certified copy of the deposition of the Maximo Martinez a witness in behalf of the Claimants in Case No 2 "Las Pulgas", taken before Commissioner Leland Hall on the 14th Feb. 1852 was filed as evidence in this Case in accordance with the before mentioned Stipulation;
(vide page of this Transcript)

In the same Case a copy of the Expediente marked A. C. I filed respectively on the 21st

January, 7th July, and 3d January 1852 in Case no. 2 "San Pulgas" was filed as evidence in this Case in accordance with the before mentioned Stipulation:

(Vide page of this Transcript)

In the same Case a certified copy of the deposition of Jumicinda Flores a witness on behalf of the Contestants Maria Luisa Soer et al: in Case No. 2 "San Pulgas" taken before Commissioner Leland Hall on the 18th Feb. 1852, was filed as evidence in this Case in accordance with the before mentioned Stipulation:

(Vide page of this Transcript)

San Francisco Nov. 29th 1853

In the same Case Commissioner Thompson Campbell delivered the Opinion of the Board confirming the Claim:

(Vide page - of this Transcript)

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To the Honorable the Commissioners for settling Private Land Claims in California

Petition

The Petition of Maria Louisa Greer wife of John Greer & of Manuela Coppinger & Manuela Coppinger an infant under the age of twenty one years who petition us by her next friend & guardian the said John Greer all residents of the county of San Francisco respectfully shows

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That John Coppinger a native of Ireland but a naturalized Mexican citizen & a resident of California died intestate in the said county on the 20th day of February AD 1840 leaving the said Maria Louisa his widow & the said Manuela Coppinger his only child he having intermarried with the said Maria in the year 1838

That on the 25th day of July AD 1839 the said John Coppinger presented to Alvarado the Constitutional Governor of both California his petition in writing soliciting for himself a grant for the tract of land hereinafter described known as the Canada de Raymundo

That the solicitation having been referred to the Prefect of the First District of California & the said Prefect having reported favorably thereon the said Alvarado in virtue of the authority vested in him as said Governor by the constitutional laws of Mexico, by a decree dated August 3d 1840, declared the said Coppinger to be the owner of the said land & directed the proper document constituting title to be delivered to the said Coppinger

That on the 4th day of August in the said year the said Alvarado by virtue of the authority aforesaid made in due form of law delivered to the said John Coppinger a grant of the said land, that the said solicitation & decree & the official copy of said grant together with the map accompanying said solicitation are now on file among the archives of the Department of Upper California now in the custody of the Surveyor General of the United States for the State of California and

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that copies of said documents duly authenticated and certified by the said Surveyor General together with translations of the same are herewith submitted & prayed to be made a part of this petition, That the said original grant is now in possession of Petitioners & ready to be offered in evidence That the said land is situated in the southerly part of the said county & has been for many years known as the Cañada de Raymundo, That the boundaries thereof are

1st on the West a line along connecting the summits of that portion of the range of mountains known as the Sierra Morena which lies to the West of the Cañada de Raymundo running in a well defined & nearly direct line in a North west & Southerly direction

2d a line along connecting the summits of the range of hills skirting to the east the low & more level lands of said Cañada commencing as far North as the great lagoon running thence Southerly in a nearly parallel direction with the first line to the last peak or elevation in said range of hills thence in a straight line & in the same direction arroyo de San Francisquito

3d a straight line drawn through the center of the great lagoon at the northern end of said Cañada in an easterly & westerly direction as nearly as possible at right angles to the first & second lines at the points which may cut the same

4th commencing at the termination of the 2d line thence westerly up the arroyo de San Francisquito to a branch which enters the same from the South West indicated in the map accompanying this petition as the arroyo que colina al Oriente de D. M. Marquez to the source thereof & thence in the nearest direction to the first line

Your Petitioners further show that said boundaries comprise about twenty seven square miles of territory

That said grant having been obtained during the said coverture of your Petitioner Manuela being the only child & heir of the said John Koppinger your petitioners are joint tenants in equal individual moities of said land

That the said John Koppinger about four years

That the said John Coppinger about four years

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previously to obtaining said grant finding said land wholly unoccupied & uncultivated built a house thereon at the point indicated in the map hereinafter exhibited in which he continued to reside till the time of his death occupying said Canada for grazing & other purposes & exercising complete & undisputed ownership over the whole thereof That from & after his said death your petitioners have continued to reside in said house & have not been interfered with in the occupancy and ownership of said lands by any persons claiming title adverse & paramount to that of your petitioners

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Your Petitioners state however that Arguello & others are now setting up a pretended claim to be the owners of the whole of this land under the pretence that it constitutes a part of the Las Pulgas Rancho & they are asserting said claim in their petition now pending before this board attempting to show by reputation and by certain facts alleged to have occurred in 1829 such as the running of cattle over said Canada & the cutting of the wood on its western border that the true western boundary of said Las Pulgas estate is the west of said Canada & includes the whole of said Canada whereas your Petitioners show that such acts even if proved were by law & usage perfectly consistent with what your Petitioners allege to be the fact viz that at that time & thence continually to its occupancy by the said John Coppinger the said Canada & mountain side were vacant lands subject to be petitioned for & granted as other vacant lands

Your Petitioners state that never since the said Coppinger built said house had any claim been set up to the said Canada by the owners of the said Las Pulgas estate until within the last few months when the said owners or some of them prompted by a spirit of speculation & yielding to interested advice have determined upon the experiment of depriving your Petitioners of their said home

That in pursuance of this plan the said owners of Las Pulgas have carefully suppressed their title to the lands they have occupied viz the grant from

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Jose Castro Governor of California dated November 27th 1835. Your Petitioners have however procured a duly certified copy of said grant & herewith exhibits it with a translation by which it will appear that the Las Pulgas tract is bounded on the west by the Canada de Raymundo instead of including it as falsely alleged. Your Petitioners therefore pray that this petition may be received as an answer & counter claim to the said petition of the said Arguello & others as to the tract of land herein claimed & that to that extent your Petitioners may be made parties to the said suit of the said Arguello et als

Your Petitioners further ask after due proofs in the premises your Honors would establish & confirm their claim & title to said land set forth & described

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Clack Taylor & Beckh

Filed in Office Feby 3d 1852
Geo Fisher Clerk

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Office of the Board of Land Commissioners in California San Francisco May 19th 1852

Deposition of James W Weekes

On this day before me Harry I Thornton one of the commissioners for ascertaining & settling Private Land Claims in California came James W. Weekes a witness produced in behalf of the claimants herein Louisa Sever et al whose petition is No 2 on the Docket of said Commissioners, and after being duly sworn testified as follows The Land Agent of the United States was notified & attended

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Questions by claimants Counsel

Quest 1 What is your name age & place of residence

Ans My name is James W. Weekes my age is 38 years & my place of residence is San Jose in the county of Santa Clara & State of California

Quest 2 Did you know the late John Coppinger and if so how long have you known him

Ans I did know him I first became acquainted with him in 1835 & continued to know him up to the time of his death which I think was in 1843

Quest 3 Do you know the Canada de Raymundo & if so do you know when Coppinger first settled upon it in what way & to what extent he occupied it & cultivated it & what improvements he made upon it & at what time,

Ans I do know the Canada de Raymundo John Coppinger first settled upon it in 1835 & continued upon it until he died. he built a small frame dwelling house upon it a corral for cattle & horses, he had a small pit on it which he used for making lumber on the place he had a stock of home sheep hogs such as usual upon Ranchos he cultivated about ten or twelve acres in wheat barley, Indian corn beans etc ~~etc~~ all those improvements were on it at the time of getting

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the grant, after the grant was made he built an adobe house erected a grist mill & built a dam for the mill & for irrigation. The adobe house was built shortly after the grant was made, was occupied by Coppinger up to the time of his death & after that time by his widow the present Mrs Lewer & his child the present Manuela Coppinger

Questions by the Land Agent

Quest 1 When was the adobe house built or any other house on the land

Ans I believe he began to build the adobe house about ten months after the grant was made he partly finished it & moved into it about twelve months after he began it & it has been completely finished since his decease after the grant & before he built the adobe house he built a wooden house on the land & lived in it. This wooden house was finished within six months after the grant was made & he lived in it at the time & until he moved into the adobe house

Quest 2 Is or is the land within ten leagues of the sea shore

Ans I believe it to be within ten leagues of the sea shore & of the Bay of San Francisco

Quest 3 In what part of the canada are the houses erected & how near to the houses was the cultivation which you have referred to

Ans The houses were built near & a little to the East of the Potrero as appears in the sketch in the certified copy of the Expediente filed in this case, the cultivation was a little to the South of the said buildings, I think it must be about two leagues from the Lagunas near the San Mateo I cannot pretend to accuracy about the distance. The houses & mill were on the Westerly side of the Canada near the foot of the mountains I think it is about two miles from the Pedregal

Question by the Claimant

340 Quest 1 What were your means of knowing the facts

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to which you have testified

Ans I commenced living with Coppinger at the time he first began to occupy the Canada in 1835 I continued with him until the year 1838 when he married the ques at his Ranch so on until 1840 since which time I have continued to visit the place at short intervals

James W. Weekes

The Mt S L Land agent duly notified & present

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Sworn to & subscribed before me this 9th of May 1852

Henry S Thornton
Comr

Filed in Office May 9th 1852

Leo Fisher Clk

Deposition of N. A. Den

San Francisco Feby 8th 1853

On this day before Comr Henry S Thornton, come N A Den a witness on the part of the claimants Mra L a Ranch et al petition No 218 was duly sworn his evidence being given in English

Questions by claimant

1 What is your name age & place of residence

Ans My name is Nicholas Den my age thirty nine my residence Santa Barbara

2nd Look upon the original document now shown you marked Exhibit A now attached to your deposition & filed in this case state if you know the signature to said document & whether the same is genuine

Ans I am acquainted with the signatures of Juan B. Alvarado & Manuel Jimeno having often seen them write, These signatures to the document marked Exhibit A filed herewith are those genuine signatures

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N. A. Den

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Sworn to & subscribed before me this 8th of February 1853
Amy S Thornton
Com

Since acknowledged
R Greenhow
State Land Agent

Filed in office Feb 8th 1853
Geo Fisher Secy

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Office of the Board of Commissioners of California Land Claims February 14 1852

Deposition of Maximo Martinez

On this day before Heland Hale one of the Commissioners for ascertaining & settling private land claims in the State of California came Maximo Martinez a witness produced in behalf of Manuela Coppinger & others Contesting the claim set forth in the petition of Don Manuel de Soledad Ortega de Arguello being No 2 on the Docket of the said Commissioners & after being duly sworn testified as follows his evidence being given in the Spanish language & interpreted by the Secretary of the Board the Law agent of the United States & the counsel for the claimant being present

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Mr Jones counsel for the claimant objects to the taking of the testimony of this witness he having had no notice for the taking of the same from the Law agent but only from the counsel for the contesting claimants

Questions by the counsel for the contesting claimants

1 What is your name & age

Answer My name is Maximo Martinez and I am 61 years of age

2 Where do you reside

In the county of San Jose on my Rancho

3 In what part of the County? upon what creeks & bordering upon what Ranchos

Answer I reside between the creeks of San Francisquito & Matadero Las Pulgas is to the North of me to the East is Leonidio Robles to the South is Juana Briones to the west the late Antonio Buelna at the present I am adjoining Charles Brown who is to the North of me I reside on the borders

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of the Counties of San Francisco & Santa Clara

4 How long have you lived at your present place of residence

Answer Eighteen years from the year 1833

5 Did you know Jose Estrada

Answer I did

6 Were you ever present when juridical possession was given of Las Pulgas

Answer I was they cited me to appear as one of the adjoining neighbors to enquire whether it would prejudice me

7 In what year was that

Answer I do not recollect whether it was in 1836 1837 or 1838 it was somewhere about that time

8 What office gave the juridical possession

Answer Jose Maria Alviso the alcalde of the town of San Jose

9 What other neighbors were present besides yourself

Answer There were present Juan on the part of the Mission of San Francisco Dolores which is the same thing being no other adjoining neighbors

10 To whom did Alviso give the juridical possession

Answer He gave it to the Arguellos that Jose Maria and Estrada appeared there in behalf of the Minor heirs of the Arguellos as the tutor in behalf of Soledad de Arguello

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11 who were the measurers

Answer I do not recollect but I recollect Tomas Pacheco knowing kept the tally of the measure & Juan Fernandez was the clerk to the Alcalde

12 State how you proceeded to measure the land

Answer they commenced at the creek San Francisquito & measured to that of San Mateo & made four leagues, then they commenced at a place called Potezuelo de las Pulgas at the edge of the estuary & measured towards the Cañada de Raymundo one league which reached to a point near before entering the place of the said Cañada

13 What was the direction of the measurement of that one leagues

Answer From the East to the West, the first measurement being from the South to the North

14 When you reached the end of the one league what was said & done

Answer Nothing they made their mark & their writings & closed their books & went to the Tavern & I went to my Rancho

15 How far was it from the end of that one league to the Monte Redondo

Answer The dist and may be about one league

16 Did Estrada ever put up any land marks at the end of that one leagues

Answer I do not know

17 In what year did you become acquainted

with Don Luis Arguello

Answer I did know him a few years before 1810 having been made a soldier & Don Luis was the Commandant at the Presidio of San Francisco I was in his company

18 Who was commandant of the company before Don Luis

Answer His father Don Jose Arguello

19 What particular duties did you perform during the time that you was a soldier

Answer After the military service we were employed in various occupations such as mustering cattle, horses & other duties to which they were detailed by the commandant, we were attending to the cattle & the horses belonging to the Presidio which were kept at the Ranchos de las Pulgas

20 To whom did the cattle & horses of the Presidio belong

Answer The Horses belonged to the Soldiers with which they had been discharging the duties of the service & the cattle belonged to the King & were there for supplying the troops

21 During what years did the Kings cattle pasture on Las Pulgas

Answer They might have been there from five to six years from about the year 1815

22 What number of cattle & horses did the King pasture there

Answer About two thousand head of cattle belonging to the King of Horses we had from

belonging to the King of Horses we had from

17

five hundred to seven hundred sometimes more sometimes less

23 In what year did Don Jose Arguello die

Answer I do not Know

24 In what year did Don Luis Arguello become commandant of the Presidio

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Answer I do not Know when I became a soldier in 1812 he was commandant I think he must have been such previous to 1810

25 at the time the Kings cattle were pastured at Las Pulgas had any house been erected there

Answer Don Luis built a house there during that time I was Rancherio there at the time herding the Kings Cattle. The soldiers had huts of hides there before the house was put up by Don Luis

26 What were the names of the various ponds in which the Kings cattle ranged while you were tending them

Answer They ranged from San Mateo creek to San Francisquito about Monte Rodendo Cañada de Raymundo all of which places are considered as being embraced in the Rancho de Las Pulgas

Questions by Mr Jones counsel for the Claimants

At what particular place does your Rancho border on Charles Brown

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Answer On the Alembique creek which runs

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down from the West to the East down from the Mountain into the San Francisquito in which are the other creeks empty

2 Is the Maladen creek a branch of the San Francisquito

Answer It is not it is separate about one league distant it empties or sinks into the plain it spreads in the dry season it disappears

3. In what year did you procure a grant for your own Rancho of which you have spoken

Answer In 1833 The name of my Rancho is Canada de Corte de Madera

4 Why is that name applied to your Rancho

Answer Because the people have been cutting redwood there

5 Did you make a petition for the Rancho by that name previous to your getting a grant by yourself or in company with any one else

Answer There is no question between me & the Pulgas I do not see the reason why information should be required of me in regard to my own Rancho I claim the right of not answer

6 Is the Pulgas described as one of the boundaries of your Rancho in your original grant

The Law Agent objects to the question & the question is waved

7 Did you have a grant to your Rancho subsequent to the one you have mentioned in 1833

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19

Answer I have another grant in 1844 which confirms the first & increases the quantity of land

What is your Northern boundary as described in those grants or either of them

The Land Agents objects to have evidence of the contents of papers

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Answer The first grant is from Governor Figueroa the last from Micheltorena confirming the first & increasing the quantity of land in both the Alambique creek is mentioned as the northern boundary

Have you known the creek which is your northern boundary to be on the boundary of the Pulgas (The Land Agents objects)

Answer I have because they told me that the Pulgas reached to it therefore they did not give me further time that creek the Magistrates who gave me possession & had the offices reports on the subject before them told me so the Mayordomo of the Pulgas knowing also appeared there & claimed it

Do you know where the Denis Martin hill or the San Francisquito creek is?

Answer On the north side of the creek
(objected to by Land Agent)

Does your Eastern line touch the San Francisquito creek above or below the house of Denis Martin (objected to by Land Agent)

Answer Below the house about one league

Do you know the house Rodriguez on the south side of the creek (objected by Land Agent)

240 Answer I do

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11 Does your line touch the creek above or below that house (objected to by Lain Agent)

Answer A little above the house to the West of it

13 How long ago did you know the Rancho Las Pulgas

Answer I have known it since 1810

14 Did you know of Cattle being pastured on it before the Kings cattle you have mentioned

Answer I saw cattle there previous to that time said to be Arguellos but I did not know whose they were

15 Was the house built by Don Luis his own or was it built by the King

Answer He built it for himself with the assistance of a manager the late Jose as Soto

16 Do you know where the Kings cattle were kept previous to there being taken to the Pulgas

Answer Being a boy at the time I did not know where they brought the cattle from

17 Where were the cattle kept from the time you became a Soldier in 1812 till they went to Pulgas in 1815 as you before stated

Answer In the Pulgas they were gathered from San Francisquito to the Morro Redondo, Canada de Raimundo the San Mateo & Laureles - they had the horses in three places removing them alternately from Laureles Canada de Raimundo & the mouth of the San Francisquito creek

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18 In your answer to the last question do you refer to the five or six years which you have said the Kings cattle might have been pastured on the Palgas

Answer It might have been more or less but it was about that time I did not fix the time by any particular dates

Adjourned to Monday 16 Feby
Monday 10 o'clock

Cross examination by Mr Jones continued

19 Do you a place in California called by the name of Burribum if so where is it

Answer Its the Rancho of the Sanchez family situated this side of the San Mateo on the north side of the San Mateo

20 Do you ever see cattle in that Rancho before the year 1815

Answer In those days not recollecting the exact date, I was the Hudsman of the Kings cattle, He brought the cattle from the Palgas to Burribum It appears to me those cattle all about time previous to 1815 belonging to the Mission of Dolores

21 In what year did you first become Herdsman of the Kings cattle

Answer I do not recollect the precise date I became a Soldier in 1812, I herded cattle since up to about 1822

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22 How long after you became a Soldier was you first engaged as a hudsman in of the Kings cattle

Answer It appears to me I first became Hudsman of the Kings cattle about the year 1815 but I

am not certain as to the time

23 Had you been a soldier six months before you were employed with herding cattle

Answer It was more than six months & it was three or four years

24 What were your duties or occupation between the time you became a soldier in 1812 & the time you became a herdsman of the Kings cattle

Answer I was employed in the military service against the Indians & in Presidio mounting guards carrying expresses for the Government

25 In what year did you receive the judicial possession of your Rancho of which you have before spoken? In 1836

26 How do you know in what capacity Jose Estrado appeared at the possession which you say was given of the Pulgas

Answer I was summoned there as a party having an interest in the adjoining land & Estrado appeared in behalf of the heirs & widow. We all know he appeared as such

27 Did you hear Estrado say that he appeared as the tutor of the children?

Answer He did not tell me so we heard it said so there

28 Did you while a soldier hear any place called the Kings Rancho If so what place

Objected to by Law Agent

Answer I did the Burrobrum – the Kings cattle were on the Pulgas but I dont know by what authority they were there

23

29 When did you first hear Alembique creek called by that name

answer some while about the year 1839 but I cant be certain about the date. It took its name from a still placed there

30 At what point does that creek empty into the San Francisquito

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answer a little above the same mill of Denis Martin where all the small branches empty into the creek the name of the San Francisquito creek commences at that place - above it is not known by that name

31 Where about was the corral at the time you hunted the Kings cattle on the Palgas Ranch

Answer It was at a watering place, near a hill to the South of the pass on the main road from San Francisco to the town of San Jose which pass is called the Portezuelo de las Palgas the distance from the pass might have been a mile or less from the pass. The house built by Don Louis was at the same watering place It is a spring of permanent water

32 During that time at what places did the different lots of the kings cattle pasture

Answer In all those places viz: in Las Pulgas Canada de Remundo Monte Redondo Ojo de agua (the spring) the San Mateo San Francisquito in the edge of the estuary

Question by the Law Agent Mr Cooley

1 By whose direction did you hunt the kings cattle & horses in Las Pulgas

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Answer By order of the Commander of the troops
Don Louis Arguello

2 Do you know that any of the Kings cattle were herded on that Ranch during the life of
Don Jose Arguello
Answer I did not know until after I became a soldier about the Kings cattle being there

3 Were or not all the places where the Kings cattle ranged called the Kings Ranchos or Lands

Answer There was no other Ranch but the Pulgas but where the Kings cattle ranged it was called the Kings Lands

4 Were or not all the Points you have mentioned on the Pulgas called the Kings Lands

Answer It was said they were lands for the cattle to subsist on

5 At the time you have mentioned did or not the Kings cattle range on other lands than the Pulgas
Answer They did not it was only in those places that they ranged

Questions by Mr Jones Counsel for the Claimants
1 What did you mean by saying there was no other Ranche but the Pulgas

Answer There was no other house on all those lands but that on the Pulgas

2 During the time you herded the Kings cattle on the Pulgas did you ever hear that Don Jose Arguello had lent that Rancho to the Nation for that purpose objected to by the Land Agent & contesting Claimants

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Answer he not don Jose Arguello but Don Luis Arguello I heard it said so but dont know it

Questions by Mr Clark counsel for the contesting claimants

1 Were or not the Kings cattle during the time you were Rancher permitted to range in the Cañada de Corte de Madera (objected to by Mr Jones counsel for Claimants

Answer no that is my Ranch, they were not permitted to go this far

2 Were or were they not permitted to range north of San Mateo creek (objected to by Mr Jones)

Answer they were not nor south of San Francisquito creek

3 Why were they not permitted to go beyond those boundaries

Answer Because to the South of San Francisquito the lands belonged to the Mission of Santa Clara & to the North of San Mateo creek to the Mission of Dolores, & the North of San Mateo the Mission of Dolores cultivated some Land & their cattle and horses ranged as far as Burribum

4 Why were the Kings cattle not supposed to range in the Cañada de Corte de Madera

Answer Because the San Francisquito & the Alembique creeks were said to be a line beyond which the cattle were not to go on account of the distance because those lands were reputed to be the lands of the Mission of Santa Clara & vacant lands but in the grant made to me of my Rancho the Mission of Santa Clara informed that it does not affect the lands of the Mission

5 In what part of your present enlarged Rancho

was the league situated that was first granted you

Answer From San Francisquito to the South

Questions by Mr Jones for the claimant.
Who was the magistrate who gave the judicial possession of your Rancho in 1836

Answer Jose Maria Alviso a assalde of the town of San Jose, the same that gave possession of the Pulgas

Witness (signed) Geo Fisher
(signed) Mariano Martinez his × mark

Sworn as before stated & subscribed this 16th day of February AD 1852 Before me
(signed) Heland Hall
Commissioner

I George Fisher Secretary of the Board of the United States Commissioners for ascertaining and settling the private Land Claims in the State of California do hereby certify that the foregoing is a true & correct copy of the deposition of Mariano Martinez in case No 2 taken before Commissioner Heland Hall on the 16th of February 1852 & on that day filed among the archives of said board & in my care & custody as such Secretary Witness my hand this 5 day of August 1853

Geo Fisher
Sec

2 20

Filed in office Aug 10th 1853
Geo Fisher
Sec

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San Francisco March 16th 1852

Deposition of Maximo Martinez taken in No 2

On this day before Leland Hale one of the commissioners for ascertaining & settling private land claims in the State of California came Maximo Martinez a witness produced in behalf of Mrs Fuer & others contesting the claim set forth in the petition of Doña Maria Loledad Arguello being No 2 on the docket of said Commissioners & was duly sworn as such, the counsel for the Petitioners & the Law Agent were duly notified & attended. The taking of the deposition in behalf of the contesting claimants was objected by the counsel for the claimants. The witness was first examined by Mr Stood for the Petitioners in regard to his interest & testified as follows

1 Do you or not claim as your own property any part of the land also claimed as part of the Pueblo by Doña Loledad Arguello & her associates in her present claim

Answer. I never claimed any land since my title was granted – I do not know how far Doña Loledad claims

2 Is there or not any branches of the San Francisquito Creek South of your Northern boundary as claimed by you.

Answer. There are three

3 Have you or not made a compromise or an agreement with the heirs of Juan Copinger by which you right to a part of the land below the mountains & north of the Branch of the San Francisquito called the Alameda is to be secured to you & settled as between Land heirs & yourself

Answer I have made no agreement with Copinger – Charles Brown who had bought land of Copinger wanted to take possession of more than

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Copinger had sold him which caused a dispute between Brown & myself which was settled by the establishment of the Alembique creek as the boundary between us which agreement was in writing before the Alcalde & was after the war with the United States but I cannot recollect the date the writing will show the date

4 Have the heirs or representatives of Jean Copinger since the time of the agreement with Charles Brown claimed or sued for any part of the land which you now claim

Answer I dont know – they never said anything to me about it

5 Did you never since the agreement with Brown write a letter to Doña Louisa widow of Jean Copinger complaining of a suit brought by her for part of the land

Answer I wrote her a letter stating she had no right to the land It was written in consequence of what she had said about the land which letter she never answered I did not complain of the suit

6 Do you know that the Copingers now claim the land you wrote the letter about

Answer, I dont know I made mention of my own land in the letter

7 Have you made any agreement or contract with Capt Jean Louis or their agents that your land was to run to the Alembique and that you should have one side & they the other

Answer I made no agreement with them my land was granted to me in 1833 & in 1836 I was put in possession to the Alembique creek without prejudicing the Palgas

In answer to questions put by Mr Blatchford counsel for the contesting claimants the witness says

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I asked Dona Soledad Arguello in a conversation with her about two years ago why she did not go to Mexico & demand the title papers to the Rancho de las Pulgas in favor of Jose Arguello in case there ever was any or why she did not avail herself of some man of sufficient capacity & influence with the Government to obtain those papers mentioning to her Jerrasio Arguello her brother in law To which she answered that in those days there were no Ranchos granted to the Indetans & that there are no title papers to it to Jose Arguello nor ever were any

2 Question Did she say whether or not there had been any title papers to Louis Arguello

Answer She did not say

3 Question Whose cattle did you first know to pasture on Las Pulgas
Answer The cattle that we had been herding belonged to the King — in 1812

4 Describe the brand & mark of the Kings cattle at that time also the brand or mark of the Mission cattle of San Francisco

Answer The Kings brand was the letter R I can not describe the brand of the Mission but if I could see it I could identify it The ear mark of the Kings cattle was one ear cropped & the ear left whole, that of the Mission was both ears cropped

5 Name the children of Jose Arguello left at his death
Answer Louis Jervasio Santiago Isabel Anita Paula Concepcion & Dolores — Isabel married Jose Mariano Estrada she died before her husband but I do not recollect the time

He died after 1836 but I cannot tell when I saw him in 1836 when he took quietude possession of the Pulgas - after this he was administrator of the Mission of Santa Clara & I think also at that time

6 At the time of taking quietude possession of the Pulgas in 1836 were there any children of Estrada & Isabel living

Answer There were then & there are some now

Examination by Mr Jones counsel for the Petition

1 Do you know where the house is situated which was occupied by the late Juan Copinger

Answer It is to the North of Alamitos creek close by the house now occupied by the Copinger family & close to the Lagoon

2 In what direction from that house is the Place called Monte Rodonda

Answer It is to the north say one thousand varas more or less

3 Were you the hundsman of the Kings cattle in 1812

Answer I enlisted as a Soldier in 1812 & I was soon afterwards sent as a hundsman of the cattle It might not have been in that year - it might have been the year following might have been that year

4 Were you hundsman of the Kings cattle in 1813

Answer I do not recollect the year

220 5 Were you hundsman of the Kings cattle in 1814

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I have already stated that since 1812 I have been hudsman of the Kings cattle but I dont know the yeas I did not note the dates

6 Were you hudsman of the Kings cattle within one year after you enlisted as a soldier

Answer. I have many times answered that I have been hudsman of the Kings cattle from & after the yeas 1812 & I dont recollect the dates or yeas & cannot answer more fully than I have done

7 When did you first become acquainted with the brand of the Kings cattle

Answer When I was a soldier

8 Are you acquainted with the cattle brand of the Argüellos

Answer I know but one brand that of Louis Argüello when I was a soldier from the year 1812

9 When did you first know it

Answer When I was a soldier from the year 1812

10 Where did you know that brand in 1812

Answer In the Presidio of San Francisco

11 Did you not also in 1812 see it in the Rancho Las Pulgas

Answer I saw it in the Rancho Las Pulgas but I do not recollect at what time it was many times also at the time we took the Kings cattle from there to Burrubure

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12 Did you never see the cattle of the Arguellos in the Pulgas Ranchos before the time that you hunted the Kings cattle there

Answer I did not

13 Did you ever see any cattle in the Pulgas other than the Kings previous to the time that you hunted the Kings cattle there

Answer I have already stated that I do not recollect of having seen any other there than the Kings cattle before that time

14 Do you recollect the fact of Don Pablos de Solas coming to California as Governor

Answer I recollect of his coming that I was a Soldier at the time

15 Was it not during the time that Don Pablo de Sola was Governor that the Kings cattle were put on the Pulgas Rancho

Answer I do not recollect the time the cattle were put there but they were there when I enlisted as a Soldier

16 Are you positive that the Kings cattle were in the Pulgas at the time you enlisted as a Soldier

Answer I have said many times that when I enlisted as a Soldier the Kings cattle were on the Pulgas

17 Who had charge of the Kings cattle at the Pulgas at the time you enlisted as a Soldier

Answer Nicholas Higuera I believe because I was there with him about that time

was there with him about that time

18 Did you know the late Don Jose Sanchez & if so when & where did you first know him

Answer I knew him since I enlisted as a soldier he was sergeant at the Presidio of San Francisco

19 Did you know the late Juan Miranda & if so when & where did you first know him

Answer I knew him he was a soldier in the same company with me

Question by Mr Blank counsel for the contesting claimants

Is Jose de la Cruz Sanchez living

Answer He is at his Rancho of Buri Buri

(Signed) his Mariano X Martinez
mark

Sworn & subscribed this 17th March 1852 before me
Roland Hace
Comr

I George Fisher Secretary of the Board of United States Commissioners for ascertaining & settling the private Land Claims in the State of California do hereby certify that the foregoing is a full true & correct copy of the deposition of Mariano Martinez in case No 220 taken before Commissioner Roland Hace on the 17th March 1852 & on that day filed among the archives of said Board in my care & custody as such Secretary

Witness my hand this 30th day of August 1853
Geo Fisher
Secy

Filed in office Aug 10th 1853
Geo Fisher Secy

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Espediente

Sobre el paraje nombrado Cañada de Raimundo Solicitado p.r su cultivo por Jose Ant.o Alvisso

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Sello tercero para los años de y seis y ochocientos

Place of a Stamp on the original

Dos Reales mil ochocientos veinte veinte y Siete

Stamp on the original

Stamp on the original

Stamp on the original

Stamp on the original

Certified Copy of Exhibit A

Sr. Jefe Político

El Cno. Jose Ant.o Albisu ante V.S. con el mas devido respeto: q.e en diez de Septiembre del año pp.do presentó una instancia solicitando el paraje nombrado Cañada de Raimundo en el cual se han posesionado unos extranjeros sin permiso alguno y habiendo solicitado con mucha anticipacion el suplicante en consideracion a su numerosa familia y a los servicios q.e tiene prestados á la Nacion en el servicio de las armas A V.S. suplica rendidamente q.e en vista de los antecedentes se sirva resolber en mi favor, gracia q.e espera alcanzar de su justificacion.

Pueblo de S.n Fran.co Febrero 28 de 1835

Jose Antonio Alvisu

Santa Clara Marzo 9 de 1835

De conformidad con las leyes de la materia informe el Ayuntamiento de San Francisco, si el solicitante tiene los requisitos prevenidos para ser atendido, si es Ciudadano Mejicano por nacimiento, si ha servido a la Nacion en la carrera de las armas, si el terreno que solicita está comprendido en las veinte leguas limitrofes y diez litorales, si es de regadio, temporal o abrevadero, y que extencion tendra, si pertenece a la propiedad de algun particular, Corporacion, Pueblo, Pueblo o Mision con todo lo demas que se ofresca y sea conducente a ilustrar la materia. Encerrado que sea este informe pasará el espediente con igual

objeto al Comisionado de San Fran.co de Asís para q.e exponga lo que le ocurra. El Señor D. José Figueroa gen.l de Brigada de los Estados Unidos Mejicanos, Comandante general, Inspector y Gefe Político del Territorio de la Alta California, así lo mandó, decretó y firmó, de que doy fe.

José Figueroa

Por ausencia del Secret.o

Bernardo Navarrete

Puerto de S. Fran.co 10 de Agosto de 1835

Consecuente al Superior decreto de V. S. de fha 3 de Marzo del presente año q.e se advierte en la presente Solicitud / Contraido a que informe este Ayuntamiento sobre el parage nombrada Cañada de Raymundo q.e pretende el C.no José Antonio Albisa y Circunstancias q.e le favorecen p.a ser atendido este Solicitante: en debido Cumplim.to dice: q.e al expresado pretendiente lo considera acreedor a ser atendido por reunir las circunstancias de ser Ciud.no Mexicano por nacim.to haber servido a la Nacion en la Carrera militar diez y seis años, y tener suficiente numero de bienes de Campo, el terreno q.e solicita no esta Comprendido en las veinte leguas limitrofes ni en las diez litorales q.e expresa la ley, es de temporal y tendrá la estencion de legua y media poco mas o menos; se ha reconocido p.r perteneciente al rancho de las Pulgas propiedad de D.a Soledad Ortega; no obstante el ayunt.to esta entendido por informes extrajudiciales q.e no llega a pastar hasta aya el ganado de este Rancho, q.e distará de dicha Cañada o a donde se hallan los estranjeros Guillermo y George / aserradores de madera / una legua mas q.e menos. Asi mismo ignora esta Corporacion si la expresada D.a Soledad tiene los Correspondientes titulos de propiedad q.e acredite la estencion y

limites de sus pertenencias en el referido rancho de las Pulgas p.a esponer mas sertivam.te sobre el particular En cuanto puede decir este ayuntam.to en obsequio de la verdad.

Francisco de Haro Francisco Sanchez

Sor Gefe Supor Político

En virtud de Superior decreto de V.S. q.e antecede q.e previene pase al Comisionado de San Fran.co este espediente para que esponga lo q.e le ocurra dice: q.e el Solicitante tiene los requisitos prebenidos para ser atendido: es Ciud.o Mejicano por nacimiento y ha servido en la carrera militar; el terreno q.e solicita no está comprendido en las veinte leguas limitrofes y si en las diez litorales q.e espresa la ley de 18 de Agosto de 1824, es de tem=poral y con respecto a su estencion la ignoro, pertenece a la propiedad de D.a Soledad Ortiga y es todo lo que puedo decir sobre el particular

Mision de S. Fran.co de Asis, Agosto 13 de 1835

Ignacio del Valle

Monterrei Agosto 31 de 1835

Corrase traslado por el termino de quince dias a la parte de D.a Soledad Ortiga para q.e esponga lo que convenga a sus derechos

Castro

Sor, Hasta esta fecha he recibido el of.o de V. de 2 del corr.te en q.e me traslada el ult.o decreto q.e corre en el espediente promovido por Son Ant.o Albisu en solicitud del paraje nombrado la Cañada de Roui=mundo cuya dilacion habrá sido por no havitar la casa de mi rancho y en contestacion a dicho oficio, digo q.e entendido lo oigo, y q.e en este momento doy la orden conveniente a mi apoderado Son Mar.no Estrada p.a q.e se presente en esa Sec.a a dar

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Cumplto. á lo mandado.

Dios y Libertad Sta. Clara Set. 27 de 1835

Ma. de la Soledad Ortega

Sto. Secret. de la Jefatura Politica

Sor. Jefe Superior Politico

El C. Mariano Escobar como apoderado de D. Soledad Ortega ci Albacea de la testamentaria de D. Luis Arguello en vista de lo practicado en el espediente promovido por Jose Antonio Alvisa en solicitud del terreno conocido con el nombre de la Cañada de Farinundo expone q. el terreno en cuestion es propiedad de mi poderdante como parte del rancho q. se le concedio el año de mil ocho cientos veinte o veinte i uno por el Sor. Gobernador D. Pablo Sola q. lo era entonces del territorio i quien le concedió la propiedad de el i cuya posesion natural la obtenia desde el año de noventa i cinco del siglo pasado con el conocimiento de D. Diego Borica entonces Gobernador. por lo q. está reconocido siempre por suyo como se ve en el informe del Ayunt. de S. Fr. de Asis i del Mayordomo de la Mision del mismo nombre por lo q. cree suficiente lo apuesto por la publica notoriedad para patentizar q. dicho terreno pertenece a mi poderdante, reservandose el esponente aclarar mas su pertenencia en la solicitud q. p. q. se le estienda a los menores un nuevo titulo presentará por haberse extraviado el q. obtenian q. lo acreditaba. Por lo espuesto creo no haber lugar a la solicitud de Alvisa.

Monterei Setiembre 30 de 1835

Jose Mariano Estrada

Acompaño a V. S. el espediente q. me pasó el Ay. de S. Fran.co para q. informe relativo al terreno q. solicita el Ciud. Jose Ant. Alvisa

Dios y Libertad Dolores Agosto 13 de 1835

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Ignacio del Valle

Monterei Octubre 3 de 1835

En vista de las diligencias practicadas de las q.e resulta pertenecer el terreno q.e solicita a D.a Soledad Ortega, no ha lugar á la solicitud de D. Jose Antonio Abrisu, archívese el espediente. El S. D. Jose Castro, Gefe Político interino del Territorio de la Alta California i vocal de la E. Diputacion Territorial así lo mandó, decretó y firmó, de lo q.e doi fee.

I, George Fisher, Secretary of the Board of United States Commissioners to ascertain & settle the private land claims in the State of California hereby certify the foregoing to be a true and correct copy of a document on file in this Office, in Case No. 2, Maria de la Soledad Ortega, and in my keeping and custody as such Secretary

Witness my hand this 2d. August 1853

Geo: Fisher
Sec

Filed in Office Aug. 10. 1853
Geo: Fisher
Sec

35

Espediente

C.

Promovido por el Señor Dr. Juan Coopinger en solicitud del terreno que se expresa.

1839.

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2. S. D. K.

Sor. Prefecto del 1er Distrito

Juan Copinger ante V.S. como mejor haya lugar en derecho expone y dice: Q. habiendo venido hace cinco años de Florida á este Territorio y avecindandome en él, con arreglo á las leyes y no teniendo hasta ahora una propiedad para vivir y poder trabajar con mas desenvolvimiento, solicito de V.S. se sirva concederme una cañada q. esta en la Sierra, en donde actualmente esta un corte de madera, la cual tiene de longitud dos y medias leguas, y de latitud como tres cuartas de legua á lo mas. Dicha Cañada linda con los ranchos de Da. Soledad Ortega y el de Maximo Martinez y con la Sierra por arriba, segun consta del diseño q. acompaño

Dho. terreno Sor. hace cuatro ó cinco años q. estoy viviendo en el, y hta ahora no he sabido pertenezca á ninga. posesion de los colindantes, y si he sabido q. son tierras llamadas realengas ó baldias; y no perjudicando en ese lugar á ninga. persona, pues antes creo ser util por aumentar alli la poblacion y servir de resguardo contra los Indios, me atrevo á solicitar de V.S. el q. se me conceda. Por tanto, A.V.S. suplico se digne hacerme la gracia de proveer en mi favor en lo q. recibir merced

Pueblo de S. Jose de Alvarado
Julio, 25 de 1833.

Juan Copinger

3. S. D. K.

Monterey Agto. 3 de 1840.

Vista la solicitud con que da principio este expediente el informe del

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Señor Prefecto del primer distrito con todo lo demas que se tuvo presente y ver convino de conformidad con las leyes y reglamentos de la materia se declara á Dn. Juan Copinger dueño en propiedad del parage llamado Canada de Raymundo colindante al Oeste con la Sierra Morena, al Este con el Rancho de las pulgas, al Sur con el del Gr. Maximo Martinez y al Norte con la laguna grande. Librese el despacho correspondiente: tomese razon en el libro respectivo y dirijese este espediente á la aprobacion de la Exma. Junta Departamental

Asi yo Juan B. Alvarado Gobor. constitucional del Departamento de las Californias lo decrete mande y firme.

Alvarado

75 ND
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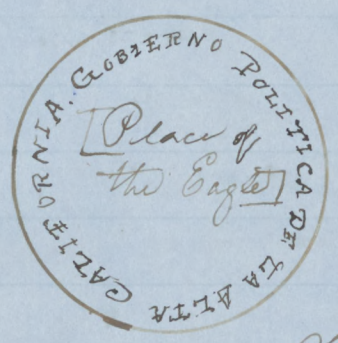
4. S.D.K. En la misma fecha presente Dn. Juan Copinger se le hizo saber el decreto que antecede y enterado de el dijo quedar conforme. (á Rubrio)

Juan Copinger.



.5. S.D.K. Juan B. Alvarado Gobernador Constitucional del Departamento de las Californias.

$20. Por cuanto D. Juan Coopinger, naturalizado en la Republica Mejicana, y casado con una hija de ella, ha pretendido para su beneficio personal y el de su familia el parage conocido con el nombre de Canada de Reimundo, Colindante al Oeste con la Sierra morena: al Este con el rancho de las Pulgas: al Sur con

el del Señor Maximo Martinez y al Norte con la Laguna grande; 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, por decreto de este dia he venido en concederle el terreno mencionado, declarandole la propiedad de el por las presentes letras, sugetandose á la aprovacion de la E. J. Departamental i bajo las condiciones siguientes.

1ª Podrá cercarlo sin perjudicar las travesias caminos y servidumbres: lo disfrutará libre y esclusivamente destinandolo al uso ó cultivo que mas le acomode

6. S. D. C.

2º dentro de un año fabricará casa y estará habitada.

2ª Cuando se le confirme la propiedad, solicitará del Juez respectivo le dé posesion juridica, en virtud de este despacho, por el cual se demarcaran los linderos; en cuyos limites pondrá á mas de las mohoneras algunos arboles frutales ó silvestres de conocida utilidad.

3ª El terreno de que se le hace donacion es el que resultare entre los linderos que se demuestran en el diseño que ha presentado. El Juez que diere la posesion lo hará medir conforme á ordenanza, espresando el numero de sitios que comprende.

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

En consecuencia, mando que terminada por firme y valedero este titulo, se tome razon de el en el libro á que corresponde y se entregue al interesado

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3 of

para su resguardo y demas fines. Dado en Monterrey á cuatro de Agosto de mil ocho-cientos cuarenta.

Juan B. Alvarado

21-1

Here follows a draft

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 custody, a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, do hereby certify, that the seven preceding and hereunto annexed pages of tracing paper, numbered from one to seven inclusive and each of which is verified by my initials (S. D. K.) exhibit true and accurate copies of certain documents now on file and forming part of the said Archives in my Office.

In testimony whereof, I have hereunto signed my name, officially, and affixed my private Seal (having no Seal of Office) at the City of San Francisco, this sixteenth day of August 1857.

S. D. K.

Samel. D. King
Surv. Genl. Cal.

Filed in Office Feby. 3d. 1852.
Geo. Fisher
Secy.

Sello 1.º Seis pesos.

Exhibit No. 1. to the Deposition of N. A. Den.

Habilitado provisionalmte. por la Aduana Maritima de Monterey para los años de 1839 y 1840.
Alvarado — Antonio Mª. Osio
Valga pª los años 1841 y 1842.
Alvarado.

ADA. MARTA DE ONTA
[Place of the Eagle]

Juan B. Alvarado Gobernador Constitucional del Departamento de las California.

Por cuanto Dn. Juan Coopinger naturalizado en la Republica Mejicana, y casado con una hija de ella, ha pretendido para su beneficio personal y el de su familia, el parage conocido con el nombre de Cañada de Reimundo, colindante al Oeste con la Sierra Morena, al Este con el Rancho de las Pulgas, al Sur con el del Sor. Maximo Martinez y al Norte con la Laguna Grande: practicadas previamente las diligencias y aberiguaciones concernientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son conferidas á nombre de la Nacion Mejicana, por decreto de este dia he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras, sujetandose á la aprovacion de la Exma. Junta Departamental y a las condiciones siguientes.

1ª. Podrá cercarlo sin perjudicar las trabesias caminos y servidumbres: lo disfrutara libre y esclusivamente destinandolo al uso o cultivo que mas le acomode pero dentro

de un año fabricará casa y estará habitada.

2ª Cuando se le confirme la propiedad solicitará del Juez respectivo que le de posesion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites pondrá á mas de las Mojoneras algunos Arboles frutales ó silvestres de conocida utilidad.

3ª El terreno de que se hace donacion es el que resulta entre los linderos que se demuestran en el diseño que ha presentado. El Juez que diere la posesion lo hará medir conforme á ordenanza espresando el numero de sitios que comprende.

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

En consecuencia mando que teniendose por firme y valedero este titulo se tome razon de el en el libro á que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterey á cuatro de Agosto de mil ochocientos cuarenta

Juan B. Alvarado
Manl Jimeno
Srio.

Queda tomada razon de este despacho en el libro de acientos sobre adjudicacion de terrenos valdios á f 2 Vta
Jimeno.

Filed in Office Feb. 8. 1853.
Geo. Fisher
Secy.

Copinger's Titles
"B"

To the Prefect of the 1st District

Juan Copinger declares & says before Y. Lordship in the best manner according to law that having come five years ago from Inland to this Territory & having become a citizen therein according to the laws & not having or owning as yet any land properly enabling him to live & work with more comfort, I solicit from your Lordship the grant of a cañada (small valley or gulch) that lies in the mountain covered with trees in the same place where there is now a timber cutting establishment which location or parcel of land is about two & a half leagues in length & about three quarters of a league in breadth or width at the utmost. Said Cañada borders on the Ranchos of Da Soledad Ortega & that of Maximo Martinez & also on the mountains covered with trees on the upper part or extremity as it appears from the accompanying sketch. I am dwelling on said lands Ser for the last four or five years & up to this day I am not aware of its belonging to any of the bordering landowners estates but rather I have become acquainted with the fact that they are comprised in the rank or category known as public vacant lands. And as I do not infect any injurious in said place to any body but rather I deem myself useful by adding to the population there & as a guard & protection against the Indians, I dare to solicit from Y. Lordship the grant yet therefore I beg Y. Lordship will please to do to me the grace to provide favorably towards me with this affair by your so doing I will be a recipient of Y. Lordships favor & mercy

Pueblo de Pozo de Almendro July the 25th 1839

(Signed) Juan Copinger

Monterey August the 3d 1840

After having seen the solicitation which heads this Record of proceedings & the Report of the

Sir Prefect of the 1st District together with all that it was thought convenient to attend to & bear in mind in accordance with the laws and Regulations on the matter Dn Juan Cooringer is hereby deed and owner of the place known under the designation of Canada de Raimundo bordering on the west or Sierra Morena to the east on the Rancho de las Pulgas to the south on that of Senor Moreno Martinez to the north on the great Lagoon or Pond Let the proper patent be delivered & let it be registered in the proper books & let this record of proceedings be transmitted to approval of the most Excellent Commission of the Department

I Juan B Alvarado Constitutional Governor of the Department of both Californias decree & signed to the purpose

(Signed) Alvarado

Under the same date Dn Juan Cooringer being present was informed of the purport of the preceding decree & after that he said he accepted it

(Signed) Juan Cooringer

A correct translation

Geo Fisher
Secy

Juan B Alvarado Constitutional Governor of the Department of both Californias

&c

In as much as Dn Juan Cooringer naturalized in the Mexican Republic married to a Mexican woman has claimed for his exclusive benefit & that of his family the site or location designated as Canada de Raimundo bordering to the west on the Sierra Morena to the east on the Rancho de Las Pulgas to the south on

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tion of Señor Maximo Martinez to the north on the great Lagoon after all due steps & investigations on the subject have been taken in the exercise of the powers conferred on me in the name of the Mexican Nation by a decree bearing this days date, I have found fit to grant to him the mentioned parcel of land declaring it to be his property by the present letters patent subject to the approval of the Most Excellent Commissioner of the Department & under the following conditions

1st He may fence it without any prejudice arising therefrom to the paths roads & servitudes he shall have the free & exclusive enjoyment of it devoting or suiting it to the usage or cultivation that may best suit him but within a year he is to build a house which is to be inhabited or tenanted, but within a year he shall build a house & it shall be inhabited

2d At the time of the confirmation of the ownership he is bound to solicit from the proper Judge the due legal possession in virtue of this document said Judge must mark & settle the boundaries in the limits of which he is to set besides the land marks some plants of trees either fruit bearing or forest but of acknowledged utility

3d The land granted is that between the boundaries shown by the sketch that he has presented The Judge who shall give possession of it must have it measured according to ordinances specifying the amount of litros it comprises

4 If he come to fail fulfilling any of these conditions he is to lose all right to the land and shall become liable to denouncement by any other party

Therefore I order that this patent being held as firm & valid it shall be entered in the proper book & that it be delivered to the party concerned for his security & other purposes

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75 ND
PAGE 52

Given in Monterey on the 4th day of August 1846

(Signed) Juan B Alvarado
R P

35

Filed in Office Feb 3d 1852
Geo Fisher
Secy

Doc. D.

v 86.

Jose Castro vocal de la Excma. Diputacion Territorial é Gefe Politico interino del Territorio de la Alta California

v. 86
á las niñas
Mª Concepcion
e Mª Josefa

Por cuanto el Cno. Jose Estrada á pretendido á nombre de sus ahitonados menores Jose Ramon á Luis Arguello, hijos legitimos del finado Cno Luis Arguello: practicadas previamente una informacion de testigos idoneos i haviendo estos declarado pertenecer al difunto desde el año de 1800 el terreno nombrado las pulgas cuyos linderos son el al S. el arroyo de Sn Francisquito, al N. el de Sn Mateo, al O los Esteros i al P. Cañada de Raymundo: i usando de las facultades q. me son conferidos en decreto de este dia i á nombre de la Nacion Mejicana é venido en declararle la propiedad á lo dispuesto pr. las leyes á reserva de la aprovacion de la Excma. Diputacion Territorial: El terreno de q. se hace mencion es de cuatro leguas de latitud i una de longitud.

En consecuencia mando q. sirviendole de titulo el presente y teniendose pr. firme é valedero se tome razon de el libro q. corresponde i se entregue al interesado pa su resguardo é demas fines. Dada en Monterrei á 27 de Nobre. de 1835. = Jose Castro = Franco. del Castillo Negrete = Srio.

Castillo.

Office of the Surveyor General of the United States for the State of 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 custody, a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the preceding and hereunto annexed page of tracing paper, verified by my initials (S. D. K.) exhibits a true and accurate copy of page "Eighty Eight" (88.) of an unbound volume marked "Titulos" now on file and forming part of the said Archives in my Office.

In testimony whereof I have hereunto signed my name, officially, and affixed my Private Seal (not having a seal of Office) at the City of San Francisco, this eighth day of October AD 1857.

S. D. K.

Saml. D. King
Surv. Genl. Cal.

Filed in Office Feby. 3d 1852.
Geo: Fisher
Secy.

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Del Las Pulgas
Title
E
Translation

75 ND
PAGE 55

Jose Castro Member (Vocal) of the Excellent Territorial Deputation & Political Chief ad interim of the Territory of Alta California

86 Inasmuch as the citizen Jose Estrada has pretended in the name of the following minors whose tutor he is Jose Ramon & Luis Arguello & the young girls Mª Concepcion & Mª Josefa legitimate children of the deceased citizen Luis Arguello there having been a previous information upon from suitable witnesses these having declared that since the year 1810 the deceased owned the land called Las Pulgas as the boundaries of which are to the South, the arroyo or creek of S. Francisquito to the N that of S Mateo to the East the Estuary to the West la Cuenda de Raimundo in the use of the powers in me vested in the name of the Mexican Nation I have thought it fit to declare it to be his property by the present letters patent and grant being understood in complete accordance to the laws & subject to the approval of the Most Excellent Territorial Deputation the lands herein mentioned is of the extent of four leagues of latitude & one of longitude

Therefore I order that the present document being his Patent & it being held as firm and valid it may be recorded in the corresponding book & that it be delivered to the party concerned for his security & other purposes

Given in Monterey on the 27th day of November 1835

(signed) Jose Castro
(" Francisco del Castillo Negrete
Lieutenant

A corrected translation
Geo Fisher
Secy

320

Filed in Office Feby 3d 1852
Geo Fisher Secy

55—

Doc. F.

Sor. Dr. Juan Copinger
Casa de V. Mte. 3d de 1839

Muy Sor. mio de mi aprecio.

He visto su atenta apreciable fha. de ayer y con satisfaccion me impuse de los buenos sentimientos que animan á V. in favor de este pais que V. desea adoptar para su mansion.

Yo siempre he tenido presente que V. ha sido un fiel amigo y subordinado de mi gobierno y que pr. lo mismo ha coperado V. en hacer la felicidad del pais dando testimonios irrefragables de su buen comportamente.

Esta es una razon bastante para que yo deva tomar el mayor empeño en prodigarle á V. los servicios que en todas maneras pueda hacerle. Estoy dispuesto á cubrir los creditos que V. me dice tener en Monterey pero ha de ser segun las circunstancias del herario pues hasta ahora habra que pagar al comercio de la Costa, como 15 mil pesos de los gastos pasados. Si los acreedores de V. convinieren en recibir segun los prorrateos abonos pr. cuenta de V. yo me esforzare pr. complacerlos.

Con respecto á lo demas de su carta deve V. estar seguro y satisfecho que pr. mi parte prometo hare cuanto pueda en su beneficio ahora y siempre que tenga oportunidad como un amigo de V. que lo aprecia.

Alvarado.

P. D.

Esta tarde á las cuatro espero á V. en casa.

Filed in Office May 20th. 1852.
Geo: Fisher. Secy.

56

F Translation

Mr Juan Cohnger

At your House 3d April 1839

My dear esteemed Sir

Governors Letter Translation F

I have read your esteemed favors of yesterday with satisfaction I learn the good sentiments which animate you in favor of this country which you desire to adopt for your residence, I have always borne in mind that you have been a faithful friend & subordinate of my government & that you therefore have co-operated to the happiness of the country giving irrifragable testimony of your good conduct This is a reason sufficient that I ought to take the greatest pains to bestow on you the services that in any manner I can do you I am disposed to cover the bills which you tell me you have in Monterey but it shall be according to the circumstances of the treasury for up to this time it will have to pay to the commence of the coast about 15 thousand dollars of past expenses If your creditors consent to receive according to bonus prorata on your account I will exert myself to satisfy them, Respecting the use of your letter you must be sure & satisfied that for my part I promise to do all which I can in your behalf now & always when I may have the opportunity as a friend of yours whom esteem

Alvarado

P.S. This evening at four o'clock I expect you at home

To the Lieut Colonel Juan Cohnger

R P

Filed in Office May 20th 1852

Geo Fisher

Secy

75 ND

PAGE 57

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Certified Copy of Expediente "C"

75 ND
PAGE 58

(1 P.D.V.)

Jurisdicion del Pueblo de S. José Guadalupe

Nº 8 año de 1833

Espediente

sobre el parage nombrado Cañada del Corte de Madera solicitado p.a su cultivo por

Vicacsimo Martines y Domingo Peralta

8

(2 SDR)

Sello tercero (Stamp on the original) Dos Reales
para los años de mil ochocientos veinte y
seis y ochocientos veinte y siete

(Stamps on the original for the years 1828 & 1829)

Sor Comte Gral y Gefe Supr Politico

(Stamps for 1830 & 1831)

Los Ciudadanos Maximo Martinez
y Domingo Peralta vecinos del Pueblo
de San José de Guadalupe y naturales
del presidio de San Francisco hijos y
netos de fundadores desta tierra, su
religion Catolica Apostolica Romana
su oficio labradores ante V.S. con
el mas debido respeto y sumision con-
forme alla lugar en derecho hacen presente
q. aviendose presentado con fecha de 10 de dici-
embre en el año proximo p.do al Sor Comandante
militar ciudadano Agustin Vicente Zamorano
como consta del papel que representante a-
compaña a V.S. en solicitud del parage llamado
la Cañada del corte de madera q. tiene los
linderos que se espresan en el citado papel
p.a fomentarlo con agricultura de labores y poner
sus cortos vienes y dest.e modo poder ocurrir a las
necesidades de sus crecidas familias en los terminos
que lla espresa el repitido memorial - acompa-
ñando tambien a V.S. el diseño del citado parage
para q.e V.S. se tomente del, insiguiando á
V.S. aber ambos servido ala Nacion con ovradez
el primero once años en la caballeria y seis
en la milicia de artilleria y el segundo
aberse lastimado en el servicio, p. culla causa
le dieron su licencia absoluta á no tener
sertum difuso y molestar la ocupadisima

(Stamps for 1832 1833)

(3 SDR)

atencion de V.S. me estenderia mas pero conociendo la alta penetracion de V.S. con su gran benignidad esperamos se digne su superioridad aceder a nuestra peticion p.r q.e amas de no perjudicar á nadie nosará felices portanto a V.S. pedimos y suplicamos se digne proveer enfavor si asi lo allare en justicia en q.e recibiremos gracia y merced —

Ruego de los interesados firma

José Maria Basquez

(4 S.DV.)

Monterey Abril 24 de 1833 —

De conformidad con las leyes de la materia informe el ayuntamiento del Pueblo de San José Guadalupe si los interesados tienen los requisitos necesarios para ser atendidos en su solicitud; si el terreno que pretenden está comprendido en las veinte leguas limitrofes ó diez litorales q.e espresa la ley de diez y ocho de agosto de mil ochocientos veinte y cuatro; si ha pertenecido ó pertenece a propiedad particular, corporacion ó Pueblo ó si conoce por valdío, con todo lo demas q.e sea concerniente a illustrar la materia —

Tigueron = Agustin V. Zamorano — Srio

Cumpliendo con el sup.r decreto debo decir q.e las partes interesadas son naturales del pais becinos permanentes en este concejo de ovrades, labradores, con 200 40 cabezas de bienes de campo y el terreno que solicitan estos y ha estado desocupado no tiene el numero de leguas litorales ni las 20 limitrofes mas, con todo esto no se perjudican los colindantes p.r el sobrado campo que — — —

[Sello tercero Place of Stamp on the original Dos Reales (5 $DK) tiene este
Para los años de mil ochocientos veinte
y seis y ochocientos veinte y siete —]

Stamp on the orig. for the years 1828 & 1829 — " —

tiene este sitio —
Pueblo de S. José Guadalupe ab.
30 de 1833 —
Salvio Pacheco —

Stamp for 1830 & 1831

$ DK

Sello Cuarto una cuartilla
Habilitado provisionalmente por la
Comisaria subalterna interina
del puerto de monterey de la alta
California para los años de mil
ochocientos treinta y uno y ochocientos
treinta y dos —
Victoria Estrada

do for 1832 & 1833

Sor Comandante Militar

Los Ciudadanos Maximo
Martinez y Domingo Peralta
con la mayor sumision y debido
respeto que deben V. se presen-
tan, acendo la solicitud del
parage nombrado la Cañada
del Corte de madera, el que
está entre los linderos de la
Mision de Santa Clara y el del
finado Capitan Ciudadano
Dn Luis Antonio Arguello para
fomentarlo con agricultura

Monterey 19 de
Dicre de 1832
Pueden los inte-
resados en esta
mstra hacer sus
siembras en el
parage q. refieren
en el concepto
de no perjudicar
á los colindantes
que tubieren

y ademas cuida-
ran de hacer su-
gestion con los
requisitos de leys
a la vez se pre-
sente en el territo.
el Sr. Gefe Supr.
Politico - quien
resolberá en la
materia — lo
que tubiere p.
conveniente —
Zamorano

de labores y mas cortos bienes;
pues tengo consultado con ambos
colindantes y prometen no
ponerles embarazo reduciendonos
desde la punta del sausal
de la laguna hasta los
linderos de Santa Clara, con
las lomas q. tiene al Sur y
poniente hasta la laguna
de Guillermo teniendo el me-
rito de abersido nuestros
padres y abuelos fundadores
de la tierra y nosotros —
[7 S.D.V.]

habes servido de buena conducta en la
epoca en el servicio de las armas dicha soli-
citud hacemos en calidad de prestado, que —
dando sujetos a presentarnos despues conforme
la lei p. tanto a V. suplicamos se sirba
prover á favor delos interesados de que les
ubieran remocidos —

Pueblo de San José de Guadalupe 16
de diciembre de 1832 —

A ruego delos interesados firma
José Ma Burgues
(8 S.D.V.)

Certifico q. mi antecesor el R. P. Fr. José
Viader dio permiso á los tres Dn. Maximo Mar-
tinez y Don Domingo Peralta p.a q. ocupasen
un terreno que está al poniente de esta Mision
y se llama la Cañada del Corte de Calladera —
asi mismo certifico q. segun los informes que
he tomado, no perjudica este nuevo Rancho —
á la Mision de mi Rancho, antes por el

contrario puede serle muy util por ser los que pretenden sugetos honrados y p.a los efectos q.e convenga doy la presente en la Mision de Santa Clara á 17 de Marzo de 1833 — —

Fr. Fran.co Garcia Diego

Here follows a sketch or rough map (9. S.D.K.)

(10. S.D.K.)

Sello Cuarto de Oficio

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para el bienio de mil ochocientos treinta y dos y mil ochocientos treinta y tres —

Figueroa. Rafael Gonzalez

Monterey 18 de Mayo de 1833

Vista la peticion con que da principio este expediente el informe de la autoridad municipal del Pueblo de San José Guadalupe certificado del Padre Ministro de la Mision de Santa Clara en todo lo demas que se tubo presente y ver como de conformidad por lo dispuesto por las leyes y reglamentos de la materia se declara á los Ciudadanos Maximo Martines y Domingo Peralta dueños en propiedad del terreno conocido con el nombre de la Cañada del corte de madera colindante con la dha Mision y el Rancho de las Pulgas sugeto á las condiciones que se estipulaen; librese el despacho correspondiente, tomese razon en el libro respectivo y dirigase en este expediente para la debida aprobacion de la Exma Diputacion Territorial

en cuyo caso los interesados, á quienes se hará saber este decreto, presentarán nuevamente su titulo para que se les revalida. El Sor José Figueroa Comandante Gral, Inspector y Gefe Superior Politico del territorio de la Alta California asi lo mandó, decretó y firmó. Doy fé

José Figueroa — Agustin V. Zamorano

Srio

(11 S.D.K.)

El dia cuatro de Junio del mismo año habiendo ocurrido Macsimo Martinez Psio y á nombre de su compañero Domingo Peralta á esta Secretaria de mi cargo se le leyó el antecedente Decreto del Sr. Gefe Superior Politico y enterado de él dijo que lo oyó y Pr no saber escribir lo signó con una cruz —

Agustin V. Zamorano +

(12. S.D.K.)

José Figueroa General de Brigada de los Ejercitos Mexicanos Comandte General Inspector y Gefe Superior Politico del territorio de la Alta California —

Por cuanto Macsimo Martinez y Domingo Peralta han pretendido para su beneficio personal y el de sus familias el terreno conocido con el nombre de la Canada del Corte de Madera colindante con la Mission de Sta Clara, Rancho de las Pulgas y Sierra de Sta Cruz: practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos; usando de las facultades que me son conferidas en decreto de cinco del corriente a nombre de la Nacion Mexicana he venido en concederles

la propiedad de él por las presentes letras — atendiendose dha concesion con entera conformidad á los dispuesto p.r las leyes a reserva de la aprobacion ó desaprobacion de la Exma Diputacion Territorial y del Supremo Gobno y bajo las condiciones siguientes —

1.a Que se someterán á las que establecer el reglamento que se ha de formar p.a la distribucion de terrenos baldios y que entretanto de los agraciados ni sus herederos podrán dividir ni enagenar el q.e se les adjudica; imponer censo vinculo, fianza, hipoteca ni otro gravamen aunque sea p.r causa piadosa ni pasarlo á manos muertas —

2.a Podrán cercarlo sin perjudicar las trocheas — caminos y servidumbres lo disfrutarán libre y exclusivamente destinandolo al uso ó cultivo que mas les acomode; pero dentro de un año á lo mas fabricarán casa y estará habitada —

3.a Cuando se les confirme la propiedad solicitarán del Juez respectivo que les dé posesion jurídica en virtud de este despacho por el cual se demarcarán los linderos en cuyos limites pondrán amas de las mohoneras algunos arboles frutales ó silvestres de alguna utilidad —

4.a El terreno de que se les hace donacion es de una legua cuadrada segun esplica el diseño que corre en el espediente el Juez que dicte la posesion lo hará medir conforme á ordenanza p.a señalar los linderos quedando el sobrante que resulte á la nacion p.a los usos convenientes. —

5.to Si contravinieren á estas condiciones perderan su derecho al terreno y será denunciable p.r otro —

En consecuencia mando que sirviendoles de titulo el presente y teniendo por firme y validero se tome razon en el libro á que corresponde y se entregue á los interesados p.a su resguardo y demas fines Dado en Monterrey á diez de Junio de 1833 —

(Rl. S.D.)

Las comisiones de colonizacion y terrenos baldios a quienes se pasó el espediente, cuya formacion, provocacion p.r pretencion los ciudadanos Macimo Martinez y Domingo Peralta hicieron del parage nombrado Cañada del corte de madera, lo han ecsaminado con la circunspeccion q.e corresponda, teniendo al mismo tiempo presente la ley de 18. de Agosto de 1824, sus concordantes, y las disposiciones generales q.e en 24 de Noviembre de 1828 dicto el Supremo Gobierno de la Union p.a el mejor cumplimiento de la primera. Del ecsamen del espediente se ha penetrado la comision de la opinion q.e ya tenia de la escrupulosidad y tino con q.e el Sor Gefe Superior Politico lo mandó matrizar de suerte q.e ni en su formacion se estraña algun requisito esencial ni de los practicados

Por lo dicho concluye la comision ofreciendo á la deliberacion de esta Ex.ma diputacion la siguiente proposicion —

1.o Se aprueba la concesion hecha a los ciudadanos Macsimo Martinez y Domingo Peralta del parage nombrado Cañada del Corte de Madera concedido en 10 de Junio de

1833 de entera conformidad con lo prevenido en la ley de 18 de Agto de 1824 y el Arto 5.º del reglamento de 21 de Nbre de 1828.

Monterey Mayo 10 de 1834 —

José J. Ortega — Carlos Anto Carrillo = José Estudillo = José Castro = —

(15. S.D.K.)

Monterey 17 de Mayo de 1834

En sesion de este dia se aprobó por la Exma Diputacion la proposicion del dictamen antecedente mandando se devuelva el expediente al Sor Gefe Supr Politico para los fines consiguientes = José Figueroa = Juan B. Alvarado = Secret.

(16. S.D.K.)
Sello tercero
Para los años de y seis y ochocientos

(17 S.D.K.)
Dos Reales
mil ochocientos veinte siete

Monterey Junio 11 de 1834

En vista de la aprovacion otorgada en 17 de Mayo ultimo por la Exma Diputacion territorial librese testimonio de ella y de este decreto a la parte de D. Maximo Martinez y D. Domingo Peralta en confirmacion á la concesion del terreno de la Cañada del corte de Madera que obtuvieron en 5 de Junio de 1833

El Sor D José Figueroa general de Brigada comandante General Inspector y Gefe Superior Politico de la Alta California asi lo —

mandó decretó y firmó de que doy fé
José Figueroa Agustin V. Zamorano
Srio

(18 S.D.)

Testimonio

Se aprueba la concesion echa álos Ciudadanos Maesimo Martinez y Domingo Peralta del parage nombrado Cañada del Corte de madera, concedido en 10 de Junio de 1833 de entera conformidad con lo prevenido en la ley de 18 de Agosto de 1824 y el art.o 5.o del reglamento de 21 de Nov.re de 1828 —
Monterey 17 de Mayo de 1834 - En sesion de este dia se aprovó p.r la Dpma Diputacion la proposicion del dictamen antecedente — mandando se devuelva el espediente al S.or Gefe Superior Politico p.a los fines consiguientes
José Figueroa — Juan B. Alvarado
Secret.o

Monterey Junio 11 de 1834 —
En vista de la aprobacion otorgada en 17 de Mayo ult.o p.r la Dpma Diputacion Territorial: librese testimonio de ella y de este decreto — a las partes de D.n Maesimo Martinez y Don Domingo Peralta en confirmacion á la concesion del terreno de la Cañada del corte de madera q.e obtuvieron en cinco de Junio del año pp.do - El S.r D. José Figueroa Gl. de Brigada Comand.te Gl. Insp.r y Gefe Sup.r Politico de la Alta Calif.a asi lo mandó decretó y firmó de q.e doy fé = José Figueroa = Agn. V. Zamorano Secret.o — —

Concuerda a la letra con su original del cual hice sacar el presente testimonio —

p.a resguardo de la parte interesada en
Monterey a 11 de Junio de 1834 — siendo
testigos los Ciud.s Agustin V. Zamorano
y Bern.do Navarrete — de esta Vecindad —

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 & Mexican Territory or Department
of Upper California, do hereby certify that
the eighteen preceding and hereunto annexed
pages of tracing paper numbered from one
to eighteen inclusive and each of which is
verified by my initials (S. D. K.) exhibit
true and accurate copies of certain documents
on file forming part of the said Archives in this
office —

In testimony whereof I have
hereunto signed my name officially
and affixed my private seal
(not having a seal of office)
at the City of San Francisco, Calif.a
this 19th day of June 1852 —

L. S.

Sam.l D. King
Sur.r Gen.l Cal.

I, George Fisher, Secretary of the Board
of United States Commissioners to ascertain
& settle the private land claims in
California, hereby certify the foregoing to be

69.

a true Copy of a Spanish document on file in this office in Case No 2) Maria de la Soledad Ortega de Arguello et al. — and in my keeping and custody as such Secretary —

Witness my hand this 8 day of August 1853 —

(Sig^d) Geo: Fisher

Filed in office Augt 10th 1853 —

(Signed) Geo: Fisher
Secy

70

Espediente promovido por don Maesimo Martinez en preteneion del parage nombrado cañada del corte de Madera.

366.

Sello cuarto dos reales.

Habilitado provicionalmente por la Aduana maritima 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.

Michelltorena. Pablo de la Guerra.

Lmo. Sor. Gobernador.

Maximo Martinez natural de este departamento y residente en el pueblo de S. José Guadalupe ante la justificacion de V.E. y como mas halla lugar en dcho. digo; que en el año de 1833 se me concedio por el Gobno de este departmto en compañia de D. Domingo Devalle un sitio de ganado mayor conocido con el nombre de la Cañada del Coste de Madera en la Sierra que corre para Sta Cruz y nacimto del arroyo llamado S. Francisquito y habiendome servido el Sor Devalle en 15 de Mayo de 1834 su dcho al mencionado terreno como lo acredito por el documto que debidamente acompaño y por el cual se me dio posecion juridica en 23 de febrero de 1836.

Mas teniendo yo una crecida familia y no serme para su subsistencia suficiente este pequeño terreno que en la actualidad poseo, suplico a V.E. se digne en atencion á lo que llebo expuesto concederme dos sitios mas que se hallan baldios junto á mi referido terreno como se vé en el diseño que acompaño lindante por el norte con el rancho de Da Soledad Ortega por oriente con el de D. José Peña por el poniente con Da Encarnacion Valencia y por el Sur con el Indigena Gorgonio se me estienda un solo titulo de tres sitios de Ganado mayor en solo mi derecho. A V.E. pido se digne proveer como llebo dicho en lo que recibiré gracia y justicia, jurando no ser de malicia y lo necesario &c.

Pueblo de S. José Guadalupe. Marzo 21 de 1844.

Maximo Martinez.

Como dispone el Lmo. Sor. pasa esta instancia al Sor. Alcalde 1º del pueblo de San José para que informe sobre su contenido

previa citacion de los respectivos colindantes y diva todo cuanto crea conveniente.

Monterrey Marzo 29 de 1844. Manl Jimeno.

En atencion al superior decreto de 29 del prpo Marzo y la orden del Sor. Secretario del Despacho qe con la misma fha se me pasa, digo que el interesado en la presente instancia tiene todos los requisitos qe confiere la ley para ser agraciado con el terreno que solicita tanto pr su modo de vivir honesto y honesto, como pr sus servicios hechos à la nacion mas tendrá que sujetarse à los linderos del Rancho del finado Dr Antonio Buelna. En cuanto puedo pr mi parte informar acerca de esta Solicitud

Pueblo de Sn José Abril 10 de 1844.

Antonio Mna Rico.

Sr. Sor. Gobernador.

El terreno que solicita el Sor. Martines segun demuestra el diseno respectivo, parece que está baldio y en estado de adjudicarsele en atencion á sus servicios que prestó en la Carrera de las armas, sujetandose à los linderos del finado Buelna, mas V.E. con su acostumbrada tino resolverá lo que fuese de su agrado.

Monterrey. Abril 27. de 1844.

Manuel Jimeno.

Monterrey. abril 27 de 1844.

Conf.e espedirse el titulo.

Micheltª

Monterrey. 27 de abril de 1844.

Vista la peticion con que da principio este espediente los informes que presedan con todo lo demas que se tubo presente y ver combino de conformidad con las leyes y reglamentos de la materia delaro ál Ciudadano Maximo Martinez dueno del parage nombrado Cañada del Corte de madera con los linderos que demuestra el titulo y en estension de tres sitios de Ganado mayor que forma todo el terreno. El E. S. Gobnor asi lo mandó, decretó y firmó Doy fee.

Certifico que la propiedad y derecho que tengo en la solicitud del parage nombrado la cañada del Corte de Madera que en union del vecino Maximo Martinez se hizo: hago dejacion de toda ella como

mis muebles al sitio de mi padre y sediendole al otro individuo y que le goze en sola propiedad y mande como solo dueño y para los fines que convengan le doy el presente documento en el pueblo de S.n José de Guadalupe a 19 de Mayo de 1834.

Es copia de su original sacada por la Via de Gob.no hoy veinte y nueve de Abril de mil ochocientos Cuarenta y cuatro. Manl Jimeno.

Sello tercero dos reales
Habilitado provisionalmente por la administracion de la aduana Maritima de Monterrey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.
Figueroa. Rafael Gonzales.

Se aprueba la concesion echa à los ciudadanos Maximo Martinez y Domingo Peralta del parage nombrado Cañada del Corte de Madera concedido en diez de Junio de mil ochocientos treinta y tres de entera conformidad con lo prevenido en la ley de diez y seis de agosto de mil ochocientos veinte y cuatro y el articulo quinto del reglamento de veinte y uno de noviembre de mil ocho

Jose Joaquin Machado

reinta y ocho. Monterey. diez y siete de mayo de mil ochocientos treinta y cuatro. = En sesion de este dia se aprobo por la Ecelentissima diputacion la proposicion del dictamen antecedente, mandando se devuelva el espediente al Señor Gefe Superior Politico para los fines consiguientes. José Figueroa. Juan Bautista Alvarado. Secretario.

Monterrey. Junio Once de mil ochocientos treinta y Cuatro = En vista de la aprobacion otorgada en diez y Siete de Mayo ultimo por la Ecelentisima diputacion territorial; librese testimonio de ella y de este decreto à las partes de Don Maresimo Martinez y Don Domingo Peralta en Confirmacion à la concecion del terreno de la Cañada del Corte de Madera que obtuvieron en cinco de Junio del año procsimo pasado. El Señor Don José Figueroa general de Brigada, Comandante General, Inspector y Gefe Superior Politico de la Alta California, asi lo mando decreto y firmó de que doy fee. José Figueroa. Agustin V. Zamorano.

Concuerda à la letra con su original del cual hice sacar el presente testimonio para resguardo de la parte interesada en Monterrey a once de Junio de mil ochocientos treinta y cuatro, siendo testigos los ciudadanos Agustin V. Zamorano. y Bernardo Navarrete de esta vecindad.—

En testimonio de verdad.

José Figueroa.

Agustin V. Zamorano. Srio.

El Ciudadano Manl Micheltorena Gral de Brigada del Ejercito Mejicano Ayudte Gral de la plana mayor, del mismo Gobernador Comandte Gral è Inspector del departamento de California.

Por cuanto el Cno Maresimo Martinez há pretendido para su beneficio personal y el de su familia el aumento de dos sitios de Ganado mayor a continuacion del que se lo tiene concedido desde 10 de Junio de 1833 y habiendose practicado las diligencias y averiguaciones consemientes segun lo dispuesto por las leyes y reglamtos usando de las facultades que me son conferidas à nombre de la nacion Mejicana hé tenido en concederle el aumento referido, siendo el lindero de todo el terreno tanto del ocupado como delge

que actualmente se concede con los ranchos de Dn José Pena con el de las Pulgas, con el del indio Longinio y con la Sierra de Sta Cruz sugetandose á la aprobacion de la L. Asamblea departamental y á las condiciones sigtes.

1o No podrá venderlo, enagenarlo imponer censo, vinculo fianza ni otro gravamen alguno.

2o Podrá cercarlo sin perjudicar las travesias caminos y servidumbres lo disfrutará libre y exclusivamte destinando lo al uso ó cultivo que mas le convenga, pero dentro de
13 un año fabricará casa y estará habitada.

3o Solicitará del Juez respectivo que le dé posecion juridica en virtud de este despacho por el cual se deslindaron los linderos en cuyos limites podrá á mas de las mahonevas algunos arboles frutales ó silvestres de alguna utilidad.

4o El terreno de que se hace donacion en aumento al que ocupa es de dos sitios de ganado mayor poco mas ó menos bajo los linderos mencionados y sin perjudicar los limites del terreno que pertenece á la testamentaria del finado Antonio Bueno. El Juez que obtiene la posecion
14 lo medirá conforme á ordenanza quedando el sobrante que resulta á la nacion para los usos convenientes.

5o Si contravenire á estas condiciones perderá su derecho al terreno y será denunciable por otro.

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

Dado en Montey a primero de Mayo de mil ochocientos cuarenta y cuatro.

Manuel Michelt. Manuel Jimeno. Srio.

15 I, George Fisher, Secretary of the Board of United States Commissioners to ascertain & settle the private land claims in the State of California, certify the foregoing to be a true & correct copy of a Spanish document on file in this office in case nº 2 Maria de la Soledad Ortega y esquello under my keeping & custody as Sects secy.

Witness my hand this 3d august 1853. Geo. Fisher Secy.

Filed in office May 10. 1853. J. Fisher Secy.

1853. G. Fisher Esq. Witness my hand this 3d August 1853. Geo. Fisher Esq.

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Motion of Intervention

Before the U.S. Land Commission

In the claim of Maria Louisa Greer & others to Canada de Raymond & No 21

And now come Gervasio Arguello et al heirs of Jose Dario Arguello & beg leave to appear contest the right of the petitioners to a confirmation of their claim the petitioners having filed their claim No 367 for the tract of land called Las Pulgas bounded by the Bay of San Francisco the arroyo of San Francisquito the Sierra & the arroyo or stream of San Mateo as is more particularly set forth within petition the same boundaries embracing the land claimed by the Said: Greer & others

February 8th 1853

Bytheir Attys

Hallett Peachy & Billings

75 ND

PAGE 77

Filed in Office Feby 8. 1853

Geo Fisher

Secy

150

77

Commission on Private Land Claims

Motion to Intervene

La Señora Da Manuela de la Soledad de Arguello et al claiming the Rancho de las Pulgas by Jones & Shode their attorneys move under the rule adopted by the Board on the 9th February 1852 to appear in the case of Manuel Louis Green et al claiming the Cuenda Rain and to contest the right of said Green et al to a confirmation of their said claim

The land embraced in the adverse claim of said Arguellos et als includes all that embraced in the claim of said Green et al

Jones & Shode
Attys for Arguellos et al

75 ND
PAGE 78

125

Filed June 1st 1852
Geo Fisher
Clerk

Commission on Land Claims
In A Guerrero Case No 21

Agreement of Counsel

It is stipulated that the following named papers & depositions on file in case No 2 shall be considered in evidence on the part of the government in the above named case No 21 & that copies of the same certified by the Secretary of this Board may be filed in said case & be made a part of the Record of the same as if said papers had been originally filed & said depositions originally taken in said case No 21 namely

1 Expediente or Record of proceedings in the matter of the petition Jose Antonio Abrego for a grant of the Canada Ramirez & being Exhibit "A" in said case No 2

2 Two Expedientes or records of proceedings in the matter of Maximo Martinez & Domingo Peralta petitioners for a grant of the Potrero de Mr adenas being exhibit C & I in said case No 2.

3 Two Depositions of Maximo Martinez taken in said case No 2

4 Deposition of Jesus Amado Flores taken in said case No 2

San Francisco
26 July 1853
J Blake Atty for
Claimants
A E Howard
Atty Gen Land Agent
Robert Greenhow
Asst Land Agent U S

220 Filed in office July 26 1853
Geo Fisher
Secy

79

Maria Louisa Greer & Manuela Coppinger by her next friend John Greer

vs

The United States

"Canada de Raimundo"

Opinion

The claimants in this case represent in their petition that John Coppinger a naturalized Mexican & a resident of California died intestate on the 20th day of February AD 1840 leaving them the said Louisa Maria his widow & the said Manuela his only child. Said claimants further represent in their said petition that Governor Alvarado by a decree dated August 3d 1840 declared the said Coppinger to be owner of the tract of land known as the Canada de Raimundo & that on the 4th day of August of the same year the said Governor delivered to the said Coppinger a grant of the said tract of land. It is further stated & shown by said petitioners that said grant having been obtained during the coverture of the said Maria Louisa & that the said Manuela being the only child of the said John Coppinger, the said petitioners are joint tenants in equal undivided moities of said land. The petition of said claimants contains other statements & comments which for the purpose of this decision are not deemed to be material. The petitioners in proof of their claim have filed the original Expediente together with a translation of the same and also the original grant dated August the 20th AD, 1840 both of which papers are properly proved & authenticated by testimony on file in the case. The claimants have proved by the deposition of James Weakes that the said John Coppinger first settled upon the place called Canada de Raimundo in the year 1835 & continued upon it until he died which the witness thought was in the year 1843 that he built a frame dwelling house upon the

330

place which was finished about six months after the date of the grant & in which he lived, that he had a corral for cattle & horses, that he had a saw pit which he used for making lumber that he had a stock of horses sheep hogs &c & that he cultivated about ten or twelve acres in wheat barley Indian corn beans &c all of which improvements the witness states were on the place at the time the grant was obtained & that after said grant was made the grantee built an adobe house & erected a grist mill & made other improvements. The witness further states that after the adobe house was finished the said Coppinger occupied it up to the time of his death & that after that time it was occupied by the present Mrs Grant the child of Coppinger Manuela one of the present claimants. There is no proof of any approval of said grant ever having been made by the Departmental Assembly & no proof that any judicial measurement was ever made of the premises in question. The claimants before of the petitioners rests altogether in Equity. The decision of the Pulgas claim heretofore made by this Commission has relieved this case of all the embarrassing circumstances which clustered around the claimants title & has cleared away the only cloud which rested upon it. The grant designates the land as being the site or location known by the name of Cerrito de la Raimundo & bordering to the west on the Lima Moreno to the east on the Rancho de las Pulgas, to the south on that of Señor Raymundo Martinez & to the north on the great Lagoon. The land granted is further described & designated in the 3d condition of the grant as lying between the boundaries shown on the sketch presented by the grantee. The Judge authorized to give the possession was required to have the land measured & to specify the number of leagues it contained. The grant in this case is clearly one of miles & bounds without regard to quantity

380

24/28

81

The officer making the measurement was authorized to make it in conformity with the sketch this day which is made evidence & is on file in the case corresponds with the description given in the grant & renders it intelligable & complete. There is therefore no difficulty in ascertaining the precise land granted. The Equities proved are full & ample. The original grantee it seems took possession of the land as early as the year 1835 & continued to reside upon & improve it from that time until he died which was about the year 1843 from which time his widow who under the Mexican Law had a right to claim the one half of all the property acquired during coverture in her own right continued to occupy it in common with the daughter of the grantee ever since. The Petition sets forth that said claimants are joint tenants in equal undivided moities of said land as joint tenancy cannot arise by descent at law the claimants do not hold as joint tenants but as tenants in common & as such are entitled to a confirmation of their claim

75 ND
PAGE 82

220 Filed in office Nov 29 1853
Geo Foster
Secy

82

75 ND
PAGE 83

Decree of Confirmation

Maria Louisa Guest
Manuela Coppinger by her next friend John Guest
vs
The United States

In this case on hearing the proofs & allegations it is adjudged by the Commission that the claim of the said petitioners is valid & it is therefore decreed that the same be confirmed

The lands of which confirmation are hereby made are known by the name of Canada de Remedio & are the same now occupied by the said claimants & are bounded & described as follows to wit Bordering to the West on the Sierra Morena to the East on the Rancho de las Palyas, to the South on the Rancho of Mariano Martinez & to the North on the great Lagoon. Reference for further description to be had to a map which is made a part of document marked C and filed in this Case

Alphens Felch

Thompson Campbell
Mary Thompson
Commissioners

200

Filed in office Nov 24th 1853
Jas Fisher
Clk

107 Folios

Office of the Board of Commissioners,

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

75 ND
PAGE 84

I, George Fisher, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing Eighty-two pages, numbered from 1 to 82, 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. 21 on the Docket of the said Board, wherein Maria Luisa Grier, et al, are the Claimant, against the United States, for the place known by the name of "Canada de Raimundo."

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 third day of August A. D. 1854, and of the Independence of the United States of America the seventy-ninth.

Geo: Fisher
Sy.

75

ND

U. S. DISTRICT COURT,

Northern District of California.

No. 75 — 75

THE UNITED STATES,

vs.

Maria Louisa Greer et. al

TRANSCRIPT OF T RECORD

FROM TH

BOARD OF U. S. LAND C ISSIONE

In Case No. 3

Filed August 23 1

Wm. A. Mc

C

Office of the Attorney General of the United States,

Washington, 30th November 1854.

Maria Luisa Greer et al.
vs.
The United States } 21.

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 18th day of August 1854 the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No 75 — One

U. S. District Court

Northern District —

The United States

vs.

Mc Luisa Gregor et al.

Appeal Notice —

Cañada de Raymundo

Aug 23/54.

Filed January 8. 1855.

Wm. H. Monroe,

Clerk

District Court of the United States
Northern District of California

The United States
Appellants
vs
Juan Coppinger's Heirs

No. 75 (L. C. Docket No. 27)

Maria Louisa Green and Manuela Coppinger, the heirs of Juan Coppinger ~~Heirs~~ Appellees and claimants in the above entitled cause in answer to the Petition therein filed aver and say that his title to the land therein claimed is valid.

They therefore pray that the decision of the Board of Land Commissioners be affirmed and the title of the said claimants be decreed to be valid

J. Clarke Atty.
for Claimants.

U. S. District Court

No. 75

The United States

Appellants

vs

Maria Louisa Garr et al
~~James Colpingers Heirs~~

Answer

Filed June 27, 1855

by Chever
Deputy

75 ND

PAGE 88

J. Clark Atty
for Claimants.

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

The United States
Appellants
vs
Maria Louisa Greer
et al

No 75.

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 1st day of January 1855: that a notice of Appeal was filed on the 1st day of Janry. 1855 and that the land claimed lies in the said District.
That the said claim is invalid.
Wherefore Appellants pray that the said decision of the Board be reversed & that this Court decree the said title to be invalid. Respectfully &c —

A. Russell
Asst U.S. Atty

No. 75. 2

U. S. Dist. Court

The U. States
vs
Maria L. Greer
et al.

Petition

Filed June 27, 1855.
J. Chevers
Deputy

75 ND
PAGE 90

Hassell

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

The United States
Appellees
vs
Juan Coppinger's Heirs
No. 75

The petition of the United States by their Attorney represents: that this Case is an Application for a review of the decision of the Board of Commissioners whereby the Claim of the said Appellees 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
& 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 and that this Court decree the said title to be invalid. Respectfully &c

A G Cassell
Asst. U.S. Atty.

U. S. District Court

No. 75

The United States

vs

Marie Louise Greer et al.

~~Jane Coppinger~~ 5000

Petition

Filed June 27, 1855.

by Chivers

Deputy

75 ND

PAGE 92

A. Glasnell

Asst. U. S. Atty.

The United States
vs
Maria Louisa Green
and Manuela Coppinger

No. 75
Statid Term
January 14th 1856

Appeal from the final decision of the Commissioners to ascertain and settle private land claims in California

This cause coming on to be heard at a stated term of this Court, on an appeal from the final decision of the Board of Commissioners to ascertain and settle private land Claims in the State of California, under the Act of Congress, approved March 3d 1851, upon the transcript of the proceedings and decision and the papers and evidence on which said claim was founded, and it appearing to the Court that such transcript has been duly filed according to law: and counsel for both parties having appeared, It is ordered adjudged and decreed that said decision be and the same is hereby affirmed: And it is further ordered adjudged and decreed that the claim of the Appellees be confirmed to the tract of land known as "Cañada de Raimundo", being the same now occupied by the said Appellees, and bounded and described as follows viz. Bordering to the West on the Sierra Morena, to the East on the Rancho de Las Pulgas

to the South on the Rancho of Maximo Martinez and to the North on the Great Lagoon, Reference for further description to be had to a map which is made a part of Document marked C, and filed in this case.

Ogden Hoffman

U. S. Dist Judge

No #75

The United States
vs
Maria Antonia Green et al.

Decree

No. 75

U. S. Dist. Court.

The United States.

— vs —

Maria Luisa Guer,
et al

Decree.

Filed January 14. 1856,
W. H. Chevers,
Deputy Clerk.

California Land Claims
Attorney Generals Office
29 September 1856.

Sir:

In the case of the claim of Maria Luisa Green et al., confirmed to the claimants by the Commissioners, Case no. twenty-one (21), appeal will not be prosecuted by the United States.

I am
Respectfully
Cushing

Wm. Blanding Esq.
U. S. Attorney
San Francisco

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

The United States

v. } Case No. 75.

Maria Louisa Greer et al.

In pursuance of Notice from the Attorney General of the United States hereunto 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 claimants have leave to proceed under the decree of this Court heretofore rendered in their favor as on Final Decree.

Novr 7. 1856.

Wm Blanding
U.S. Dist Atty.

J. Clarke Atty
for Claimants

6

United States District Court.

The United States

v. } Case No. 75.

Maria Luisa Greer et. al.

Stipulation

Filed Nov: 11. 1856.
W. H. 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 eleventh day of November in the year of our Lord one thousand eight hundred and fifty-six

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States v. Maria Luisa Greer et al	Case No. 75.

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 claimants to to proceed under the decree of this Court heretofore rendered in their favor.

On Motion of the District Attorney, it is Ordered, adjudged and decreed, that the claimants have leave to proceed under the Decree of this Court heretofore rendered in their favor as on Final Decree.

Ogden Hoffman
U. S. Dist Judge

No. 75

United States District Court, Northern District of California.

The United States

vs. } Case No. 75.

Maria Luisa Greer et al.

Order vacating appeal.

Filed Nov. 11th 1856

J. A. Monroe, Clerk.

by W. H. Chever Deputy.

75 ND

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To the Honorable
Ogden Hoffman,
Judge of the District Court
of the United States for the
Northern District of Califor-
nia:

The Petition of
Maria Luisa Greer, wife of John Greer,
and of Manuela Coppinger, an infant
under the age of twenty-one years, by her
next friend and guardian the said
John Greer, respectfully shows:

That Maria de
la Soledad Ortega de Argüello, José
Ramon Argüello, Luis Antonio Argüello,
and S. M. Mezes, having under and by
virtue of the Act of Congress entitled.
"An Act to ascertain and settle the Pri-
vate Land Claims in the State of Cal-
ifornia," approved on the 3rd day of
March A.D. 1851, obtained a final
confirmation by the Supreme Court

of the United States, of the claim of them, the said claimants, to that portion of the land described in the petition of them, the said claimants, for the place called the "Rancho de Las Pulgas," presented to the Board of Commissioners to ascertain and settle Private Land Claims in the State of California, appointed under the said Act of Congress, which is bounded as follows; to wit: On the South by the Arroyo or Creek de San Francisquito; on the North by the Arroyo or Creek of San Mateo; on the East by the Esteros or waters of the Bay of San Francisco; and on the West by the Eastern borders of the valley known as the "Cañada de Raimundo" — the said lands being of the extent of four leagues in length and one in breadth, be the same more or less;" and the claim of them, the said claimants having been finally re-

jected by the said Supreme Court as to that portion of the lands described in the said petition not included within the boundaries above mentioned; they, the said claimants, have, in order to procure the issuance to them, the said claimants, of a patent from the United States for the said lands, procured amongst other things, a survey of the said claim to be made and a plat of the same to be furnished by the Surveyor General of the United States for the State of California;

That all the lands embraced within the said survey are situated in the southerly part of the territory formerly comprised within the limits of the County of San Francisco, and now comprised within the limits of the County of San Mateo, in the

said State of California, and within the said Northern District of California;

That the said survey and the said plat embrace a large quantity of land not included within the boundaries above-mentioned, that is to say: so much of the tract of land known as the "Cañada de Raimundo," hereinafter mentioned and described, as is included within the following boundaries, to wit: Commencing at a point in the middle of the said Arroyo or Creek of San Francisquito distant one league from the Esteros or waters of the Bay of San Francisco; thence Northwardly in a straight line to a point in the middle of the said Arroyo or Creek de San Mateo, distant also one league from the

said Esteros or waters of the Bay of San Francisco; thence Westwardly along the middle of the said Creek of San Mateo as it meanders to the junction of the said Creek of San Mateo with the Arroyo or Creek of San Andres; thence, along the line run, and laid down on the said plat, as the western boundary line of the said survey, that is to say: from the point of the said junction of the said creeks, South $25\frac{1}{4}°$ East 82 chains; thence South $42\frac{3}{4}°$ East 54 chains 20 links; thence South $45\frac{1}{2}°$ East 96 chains to a set post marked 'M. G. No. 1'; thence South 41° East 66 chains to a post; thence South 43° 30' East 206 chains; thence South 50° East 120 chains; thence South 41° East 150 chains; thence South $10\frac{1}{4}°$ East 20 chains and 41 links; thence South $9\frac{1}{2}°$ East 13 chains;

thence South $27\frac{1}{2}°$ East 6 chains; thence South $41\frac{1}{2}°$ East 15 chains; thence South $12\frac{1}{2}°$ East 9 chains; thence South 32° East 11 chains; thence South $11\frac{1}{2}°$ East 16 chains; thence North $09\frac{1}{2}°$ East 11 chains to the said Creek of San Francisquito; thence along the middle of the said Creek of San Francisquito as it meanders to the point of beginning, containing by estimation;

That the said claimants have procured the said survey and the said plat of the said survey of the said claim to be made and furnished as aforesaid so as to include the last above mentioned and described tract of land for the purpose of obtaining a patent from the said United States for the same as well as for the lands included in the first above-

mentioned and described tract of land so confirmed by the said Supreme Court, and thereby to obtain an unjust advantage over the said petitioners, who are the true and lawful owners of the whole and every part of the lands included within the last above-mentioned and described boundaries;

That the said petitioners have lawful title as the owners in fee-simple to the whole and every part of the lands included within the last above-mentioned boundaries;

That the title of the said petitioners to the lands included within the last above-mentioned boundaries is based upon and derived from the following facts:

That Juan Bopinger, a naturalized Mexican

Citizen, and a former resident of the Department of the Californias died intestate at his residence within the boundaries of the said tract of land known by the name of the "Cañada de Raimundo," on the 14th day of February A.D. 1847, leaving the said petitioner Maria Luisa, his widow, - he having intermarried with the said petitioner Maria Luisa on the 19th day of October A.D. 1838 -, and the said petitioner Manuela being his only surviving child;

That, on the 4th day of August A.D. 1840, Juan B. Alvarado, at that time Governor of the former Department of the Californias, by virtue of the power and authority in him vested by law, duly made in due form of law and delivered to the said Juan Coppin-

ger a grant of the said tract of land known by the name of the "Cañada de Raimundo," with the limits and boundaries herein-after mentioned and described;

That the said Juan Coppinger several years before the said time of the making of the said grant, having found the said tract of land known by the name of the "Cañada de Raimundo" wholly vacant and unclaimed by any person, built a house thereon, and resided in the said house with his family until the said time of his death, occupying the said tract of land known by the name of the "Cañada de Raimundo" for grazing and other purposes, and exercising complete and undisputed ownership over the whole and every part thereof;

That the said grant

having been obtained by the said Juan Coppinger during the continuance of the marriage between him and the said petitioner Maria Luisa, and the said petitioner Manuela being his only surviving child, the said petitioners became on the death of the said Juan Coppinger intestate as aforesaid, and are, by law entitled each respectively to one undivided moiety of the said tract of land known by the name of the "Cañada de Raimundo;"

That since the death of the said Juan Coppinger the said petitioners have continued to occupy and reside upon and now occupy and now occupy and reside upon the said tract of land known by the name of the "Cañada de Raimundo;"

That the said tract of land known by the name of the

"Cañada de Raimundo" is situated

"Cañada de Raimundo" is situated wholly in the southerly part of the territory formerly comprised within the limits of the said County of San Francisco, and now comprised within the limits of the said County of San Mateo, and within the said Northern District of California;

That on the 3rd day of February A.D. 1852, the said petitioners duly presented their claim to the said tract of land known by the name of the "Cañada de Raimundo" to the said Board of Commissioners to ascertain and settle Private Land Claims in the State of California;

That after due proceedings in the case of the said claim before the said Board of Commissioners, the said Board of Commissioners, on the 29th day of

November A.D. 1853, decided that the said claim was valid and confirmed the same to the lands known by the name of the "Cañada de Raimundo," being the same then occupied by the said petitioners and bounded and described as follows, to wit: Bordering to the East on the Rancho de Las Pulgas; to the South on the Rancho of Maximo Martinez; to the West on the Sierra Morena; and to the North on the Great Lagoon; ~ reference for further description being made to a Map made part of a certain document marked C., filed among the papers in the said case: ~ all of which, together with other matters and things, by the Transcript of the Proceedings and decision of the said Board of Commissioners in the said case herein-after mentioned, reference being thereto had, will more fully

and at large appear

and at large appear;

That on the 23rd day of August A.D. 1854, a Transcript of the Proceedings and Decision of the said Board of Commissioners in the said case was duly filed in the office of the Clerk of the District Court of the United States for the Northern District of California;

That an appeal was duly taken on behalf of the said United States from the said decision of the said Board of Commissioners to the said District Court;

That on the 14th day of January, A.D. 1856, the said District Court duly rendered in the case of the said claim, on appeal as aforesaid, a decree affirming the said decision of the said Board of Commissioners and confirming the said claim to the said tract of land

known by the name of the "Cañada de Raimundo" with the same limits and boundaries as those assigned thereto by the said decree of the said Board of Commissioners;

That notice having been duly given that no further appeal would be prosecuted by the said United States in the case of the said claim, and it having been stipulated and agreed by and between the said United States and the said petitioners, by their respective attorneys, that no further appeal should be taken in the said case on the part of the said United States and that the said petitioners should have leave to proceed under the said decree of the said District Court as on final decree, it was by a decretal order of the said District

Court duly made and entered in the

Court duly made and entered in the said case, on the 11th day of November A.D. 1856, ordered, adjudged, and decreed that the said petitioners should have leave to proceed on the said decree of the said District Court as on Final Decree;

The said petitioners, therefore pray that your Honor will be pleased to hear and determine the matters and things herein-before mentioned and set forth; that your Honor will be pleased to appoint a time for the hearing of the same; that your Honor will be pleased to direct that a copy of this petition be served upon the said Maria de la Soledad Ortega de Argüello, José Ramon Argüello, Luis Antonio Argüello and S. M. Mezes, the aforesaid

claimants, thirty days be-
fore the time that may be
so appointed for the hear-
ing of this petition; that
your honor will be pleased,
upon the hearing of this
petition, to grant unto
the said petitioners the
United States of America's
writ of Injunction to be
issued out of and under
the seal of the District
Court of the United States
for the Northern District
of California, directed
to the said Maria de la
Soledad Ortega de Ar-
güello, José Ramon Ar-
güello, Luis Antonio
Argüello, and S. M. Mo-
zes, and the attorneys,
counsellors, servants,

agents, aiders, and abettors of them and each of them; to restrain them and each and every of them from suing out a patent for the whole or any part of the lands herein-before mentioned and described wrongly included as aforesaid in the survey and plat herein-before mentioned, until the title thereto shall have been finally decided, or until your Honor shall otherwise order; and that, in the meantime and until the said hearing of this petition, your Honor will be pleased to order that the that the said Maria de la Soledad Ortega de Argüello, José Ramon Argüello, Louis Antonio Argüello and J. M. Mezes, and their attorneys, counsellors, aiders,

and abettors of them and each of them, and each and every of them, be restrained from suing out a patent for the whole or any part of the lands herein-before mentioned and described as having been wrongly included in the said survey and plat; or for such other or further order as your Honor may see fit to grant: And the said petitioners will ever pray etc. etc.

Maria Luisa + Greer
her mark

Manuela Coppinger
by her next friend
and guardian,
John Greer.

S. W. Inge
W. W. Leigh
For Petitioners

United States of America,
Northern District of California. } fc.

On this 17th day of December A.D. 1856 before me, an United States Commissioner for the Northern District of California personally appeared the above-named John Greer and made oath that he has read the foregoing petition and knows the contents thereof; and that the same is true of his own knowledge except as to the matters therein stated on the information and belief of others, and that as to those matters he believes it to be true.

Jno A. Monroe
United States Commissioner for the Northern District of California.

At Chambers,
this 19th day of
December A.D. 1856.

In the Matter of the Petition of
Maria Luisa Greer et al.

On reading and filing the foregoing and annexed petition of Maria Luisa Greer and another for an injunction, I hereby appoint Monday the 4th day of May next at 10½ o'clock in the fore-noon of that day, at the Court-Room of the District Court of the United States for the Northern District of California, in the City of San Francisco as the time and place of hearing the said petition; and I direct that a copy of the said petition and of this order be served upon the claimants in the said petition named at least

thirty days before the time herein-before appointed for the hearing of the said petition.

Ogden Hoffman
U. S. Dist Judge

~~Judge of the District Court of the United States for the Northern District of California.~~

75 ND

In the Matter of
The Petition
of
Maria Luisa Greer,
wife of John Greer,
et al.

Petition.

Filed December 19, 1856
W. H. Churchill
Deputy Clerk
U. S. Dist. Court
N. D. of Cal.

S. W. Inge & B. W. Leigh
For the Petitioners

Maria Luisa Guer. et als
— vs —
S. M. Meses. et als.

Before Ogden Hoffman.
U. S. Dist. Judge.

In this Cause, on Motion of Thornton. Williams & Thornton. Attorneys of S. M. Meses. et als. it is ordered that the Petitioners shew cause before me on tomorrow morning at 11 o'clk. A. M. at my Chambers in the Merchants Exchange Building in the City of San Francisco. Why their said Petition should not be dismissed. This Motion. and order is made on the papers filed in the Cause. March 3d. 1857.

Ogden Hoffman
U. S. Dist. Judge

C. L. & E. – U.S. Circuit Court
Register. No. 54

M. L. Greer, et als.

vs

S. M. Mezes, et als.

Order to show cause.

Filed March 3, 1857.
J. A. Monroe
Clerk
by M. St. Cherie, Deputy
Clerk, U. S. Dist. Court
N. D. of Cal.

I have served a certified copy of the within on S. M. Leigh, Esquire, of Counsel for Petitioners by delivering to him personally this 3rd day of March, A.D. 1857.

J. C. Shurtleff
U. S. Marshal
by C. Schmidt
Deputy

In the Matter of the Petition of M. L. Greer
wife of John Greer and of Manuela Coppinger
and Infant under the age of twenty one years
by her next friend & Guardian the said
John Greer addressed to the Judge of the District
Court of the United States for the Northern District
of California for an Injunction to restrain
the issue of a Patent to Maria de la Soledad
Ortega de Arguello Jose Ramon Arguello
Luis Antonio Arguello & J. M. Meyers claim-
ants of the Rancho called Las Pulgas —

The petition in the above case having been presented to the District Judge of the United States for the Northern District of California and a day set for the hearing thereof, which day has not yet arrived, and the Judge having been applied to by the Counsel for the Claimants of the Rancho Las Pulgas, to fix an earlier day for the hearing thereof or to dismiss the Petition on the facts therein stated — It was thereupon consented and agreed by the Counsel for the respective parties that the question whether, on the facts as stated in the said Petition assuming the same to be true, an Injunction could issue as prayed for, should be argued befor the Judge — And if the Judge should be of Opinion, that the facts as stated, did not authorize the issuance of an Injunction that his decision to that effect should be deemed to dispose finally of the Application, and that no further proceedings should be had thereon —

And the said Argument having been heard and the said Judge having delivered his Opinion and decided that the case as presented by the said petition was not within the 13th Section of the act of Congress, approved March 3rd 1851, and that no injunction could be granted as prayed for in said petition. Which said decision, pursuant to said Stipulation, is a final disposition and determination of the said matters adversely to the prayer of the said petition —

It is therefore ordered that the order heretofore made fixing the 4th day of May for a hearing of said petition be vacated and set aside, and that the said prayer of the said Petition for an Injunction be denied —

Ogden Hoffman
U. S. Dist Judge
Nor. Dist Calª

54

In the Matter of the Petition of Maria Luisa Speer & als - praying an Injunction &c

Order refusing Injunction —

Filed March 19. 1857.
John A. Monroe
Clerk
By W. H. Chears,
Deputy Clerk. N. D.
Dist. Court. N. D. of Cal

75 ND
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At a Stated Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the Court House, in the City of SAN FRANCISCO, on Thursday the 23rd day of June in the year of our Lord one thousand eight hundred and fifty-nine,

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States.
vs.
Ma Luisa Guer. et al.

No. 75.
L. C. 21

On motion of Mr Clark Counsel for the Claimants

It is ordered that the Surveyor General of the United States for the State of California return into this Court the survey by him made, and approved of the land claimed in this case, and that a certified copy of this order be served on the U. S. Atty. and the U. S. Surveyor General for the State of California.

No. 75

District Court of the United States

IN AND FOR THE

Northern District of California.

The United States,

vs.

Mc La Guerre et al,

Order to return Survey &c,

Filed June 23, 1859.

W. H. Chevers Clerk.

By

Deputy.

75 ND

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

Clerk's Office,

I hereby Certify the foregoing to be a true copy from the Minutes of the said Court.

Clerk.

By

Deputy.

The United States
— vs —
Maria L. Baur &
Manuela Coppinger

United States District
Northern District of
California

And now come Maria L. Baur and Manuella Coppinger the above named claimants and Defendants and object to and protest against the survey filed in this case by the Surveyor General pursuant to the order heretofore made in this case, upon the ground that said Survey does not conform to the Decree of confirmation, but varies essentially therefrom in its Northern, Eastern and Southern lines: And they specify the following particulars, in which said variance consists.

1st

That whereas the Northern boundary fixed by said Decree herein was "The Great Lagoon" with reference to the Diseño on file in said case for greater certainty, and whereas said Diseño shows that the middle of said Lagoon was meant to be designated as said boundary = The Surveyor under color of fixing said boundary at the extreme Southern point of said Lagoon, has, in fact, taken for said boundary the extreme Southern point of the meadow land bordering upon said Lagoon

and has thus fixed said boundary exactly fifty chains too far South, and has thus cut off about One Thousand acres of the tract confirmed, for the purpose of adding the same to the Pulgas tract and the Feliz tract respectively

2d

That instead of taking for the Eastern line of the tract confirmed, the Western boundary of the Pulgas tract as the same was finally confirmed said Surveyor has run a purely arbitrary line through its whole extent varying from the true line by a distance of from one to three miles –

That whereas the Western exterior boundary of said Pulgas tract according to the original grant thereof was and is the Eastern side of the Cañada de Raimundo and whereas the four leagues which were by the terms of said grant to have been taken within the exterior boundaries, are in fact located by the grantees along the Eastern boundary of said Pulgas tract, and whereas the line which should have been fixed by the Surveyor General as the Western boundary of said Pulgas was a line parallel with the Bay of San Francisco at the distance of not more than a league therefrom; the Surveyor has not adopted nor pretended to adopt

either said parallel line or said Easterly side of said Cañada but an arbitrary line by which some thousands of acres have been attempted to be taken from the tract herein confirmed and added to the Palyas tract.

3d

That whereas the true dividing line in its whole extent between claimants tract and that of Maximo Martinez was and is the San Francisquito creek, the Surveyor has followed up said creek for only a short distance, and then has taken an arbitrary line from a point in said creek to the Alambique creek - thence following the latter creek to its source representing said creek to be an affluent of the San Francisquito when in fact, as well as according to the original papers of said Maximo Martinez, ~~the waters of~~ said Alambique creek does not join and is not a branch of said San Francisquito, and is not and never has been a boundary of Maximo Martinez tract.

J. Clark
Attorney for Claimants

No. 75

United States District Court, Northern District

The United States

— vs —

Maria L. Greer & Manuela, Coppinger

Objections

75 ND

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Filed July 1. 1859.

W. B. Chevers, Clerk.

District Court of the United States
Northern District of California.

The United States vs Maria Luisa Green and Manuela Coppinger	No 75 Cañada Raimundo.

The petition of Soledad Ortega de Argüello, Jose Ramon Argüello, and S. M. Meyes, the two former residing in the County of Santa Clara, and the latter in the County of San Mateo: respectfully shows:

That your petitioners and Luis Antonio Argüello were the claimants and patentees of the Rancho situated in the County of San Mateo, and known as the Pulgas Rancho, and that your petitioners by various deeds had conveyed to them all the right, title, interest and estate which the said Luis A. Argüello formerly had therein, and still hold a large portion of said Pulgas Rancho and particularly of that part thereof which lies contig-

-nous to the Rancho known as the Cañada de Raimundo, claimed in the above-entitled suit.

That your petitioners are also part owners of the Rancho known as the Rancho de las Auras, or Rancho of Domingo Feliz, which is also contiguous to the said Rancho Cañada de Raimundo, and may be affected by the said proceedings of the above-mentioned Claimants: And petitioners are advised that they have an interest in the matter of the exceptions of the above-named Claimants, and that they ought to be allowed to intervene therein for their own protection.

Wherefore your petitioners pray leave to intervene in the above-entitled suit in the matter of the exceptions of the above named Claimants to the survey of the Rancho of the Cañada Raimundo, for the protection of their interests as proprietors of said adjoining ranchos, or of parts of them which may be affected by said proceedings; and as in duty bound will ever pray &c. Sidney L. Johnson
Atty for Petrs

State of California
Northern District thereof
City and County of San Francisco

Sidney L. Johnson being duly sworn, says that he has read the foregoing petition and knows the contents thereof, and that the facts stated therein are true;

Sidney L. Johnson

Sworn to and subscribed before me. Sept. 26. 1860.

W. O. Cheever,
U. S. Com.

-75-

U. S. District Court.

Northern District of California

The United States
— vs —
Maria Luisa Green
and
Manuela Coppinger

No 75.

Petition of Intervention
of
S. O de Arguello
et al.

Filed Sept. 26, 1860.
W. H. Chevers,
Clerk

S. L. Johnson
atty of Intervenors.

United States of America,)
Northern District of California.) ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,
To the Marshal of the United States for the Northern District of California,

GREETING:—

WHEREAS, objection has been made to the official survey and location of the land finally confirmed, in case No. 75, to Maria L. Greer, et al, known as Cañada de Raimundo, and situated in the County of San Mateo in said District.

NOW THEREFORE YOU ARE HEREBY COMMANDED, in the name of the President of the United States of America, to give due notice to all parties having, or claiming to have, an interest in such survey and location, that they be and appear before the District Court of the United States for said District, sitting in Land Cases, on or before Wednesday, the 26th day of September A. D. 1860, at 11 o'clock, A. M. (if that day shall be a day of jurisdiction, and if not, on or before the next Wednesday thereafter,) then and there to intervene for the protection of such interest, or their defaults will be taken. And what you shall have done under this writ do you then and there make return thereon.

WITNESS, the Hon. OGDEN HOFFMAN, Judge of said Court, at San Francisco, in said District, this 20th day of August A. D., 1860.

W. A. Cheever

CLERK.

The within Monition was received by me on Monday *the* 20th *day of* August 1860, *and in obedience thereto I have given due notice, as therein commanded, by causing the publication of said notice, for* Four *consecutive Wednesdays, in the San Francisco Herald, commencing on the* 22nd *day of* August 1860; *and for* Four *consecutive Saturdays, in the* San Jose Tribune *a paper published nearest the land, commencing on the* 25 *day of* August 1860.

Dated San Francisco, Aug. 22nd 1860

P. L. Solomon *U. S. Marshal.*

No. 75

UNITED STATES DISTRICT COURT,

Northern District of California.

IN LAND CASES.

THE UNITED STATES.

v.

M. L. Greer, et al.

MONITION.

Returnable Sept. 26, 1860.

Issued Aug. 20, 1860.

Filed Sept. 26, 1860.

W. H. Chevers

Clerk.

75 ND

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District Court of the United States
Northern District of California

The United States vs Maria Luisa Green and Manuela Coppinger	No 75 Cañada Raimundo.

In the Matter of the exceptions to the Survey of the Rancho Cañada Raimundo.

The petition of F. L. A Pioche who resides in San Francisco, respectfully shows: That your petitioner is owner of one half of the Rancho of Domingo Feliz, which is contiguous to the Rancho Cañada de Raimundo, and your petitioner is informed and believes that the above named Claimants of the Rancho Cañada de Raimundo seek to extend the lines of their survey so as to make the same include a considerable portion of the said Rancho of Domingo Feliz, whereby your petitioner would be greatly injured.

Wherefore your petitioner

prays leave to intervene herein for the protection of his interest.

Sidney L. Shurtz
Atty of Pet'r

State of California
Northern District thereof
City & County of San Francisco } ss

F. L. A. Pioche being duly sworn, deposes and says. That he is the petitioner in the foregoing petition, and that he has read the same and knows the contents thereof, and that the same is true of his own knowledge, except as to the matters which are therein stated on information or belief, and as to those matters that he believes it to be true.

Subscribed & Sworn to, this 26th day of September A D 1860 before me
Geo. C. Germain
Notary Public

F. L. A. Pioche

75

U. S. District Court

Northern District of Cal^a

The United States

vs

Maria Luisa Green

and

Manuela Coppinger

Cañada Raimundo.

No 75.

Exceptions to Survey.

Petition of Intervention

of J. L. A. Pioche.

Filed Sept. 26, 1860.

W. H. Chevers,

Clerk

75 ND

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J. L. Johnson

atty for intervenor.

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

The United States
vs.
Maria Louisa Greer, &
Manuella Coppinger

City & County of San Francisco ss.
W. P. Morrison being duly sworn according to law does upon his oath depose and say; that he is interested in the above grant and owns between twenty five hundred and three thousand acres of land which is a part of the same, and is of the value of forty thousand dollars; that the grant was made to one John Coppinger, and that said John Coppinger during his life, conveyed the part now owned by this affiant to one Charles Brown and that by virtue of Mortgages and foreclosures and sales, and conveyances, and judgments, executions, sales and conveyances, and divers deeds and conveyances the said part has become the property of this

affiant and is now owned by him that the said tract is a part and parcel of the land embraced in the decree of in this case and that the said Maria Louisa Greer ~~in the widow~~ was the wife of John Coppinger and is now the wife of John Greer and Mamella Coppinger is the only child of John Coppinger, who is deceased.

And this affiant says, that the Survey was made in 1856, and was approved of in 1857, and was afterwards forwarded to the Commissioner of the General Land office for the purpose of issuing a patent thereon; that long after that, to wit on the 23rd day of June A. D. 1859 this Court made an order to return the Survey into this Court; that the Survey was filed in this Court on the 29th day of the same month; and that on the first day of July A. D. 1859 objections to the same were filed; that no other step has been taken therein since the objections were filed; and no notice or notices

has been made or given;

And this affiant says that on the 19th of July A.D. 1859 the patent was duly issued and that in the early part of this present year it was delivered to J. D. Bowers the immediate grantor of this affiant; and this affiant says that it has been duly recorded in the County of San Mateo as required by the law of this State, and that in the month of May last in the District Court of the 12th Judicial District, State of California, County of San Mateo an action of ejectment was maintained for the lands embraced in said patent and the immediate grantor of this affiant did by judgment of the Court and a verdict of the jury eject certain parties therefrom and that the patent was used as evidence and was the legal title relied on; and this affiant says that the said Maria Teresa Guerrero and Manuela Coppinger, therefrom

the suggestions and agency of the said Idem, and by his con-
spiracies, are trying to have
the lands so located as to exclude
the land now owned and held
by this affiant, to the end that
they may get other lands which
they have not sold and which
were not sold by Idem Coppinger
during his life. And this affiant
says that long prior to the passage
of the last act of Congress concerning
surveys, the patent in this case
had issued, and the same was
accepted by ~~this~~ I. D. Karnes
the immediate grantor of this
affiant. And this affiant says
that no objection to the survey is
on file in the Surveyor Generals
office, and he can not find that
~~no~~ any steps were ever taken to
upset ~~the same~~, or correct the
survey except the objections filed
in this court. And this affiant
says that this court has
no jurisdiction of this case as
he is informed and believes.

W. P. Morrison

Subscribed & sworn to
before me this 28
Sept. A. D. 1860.

Jno B Williams
U. S. Comr

75

U. S. District Court

The United States

v.

M. L. Greer et al

Affidavit of W. P. Morrison in support of his intervention.

Filed Sept. 28, 1860,
W. A. Cheves,
Clerk

75 ND
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T. R. Wise,
Atty.

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

United States
vs
Maria Louisa Greer et al
} No 75 on Register of Land cases.

To the Honorable Ogden Hoffman Judge of the said District Court.

Your petitioner Dennis Martin by Crittenden & Crittenden his attorneys respectfully represents, that the Surveyor General of the United States for California has returned into this Honorable court a certified copy of the plat & field notes of his approved survey, of the lands mentioned in the final decree of confirmation in the above entitled cause, the same having been returned into this court, by virtue of an order thereof, made upon the petition of the claimants in said cause, who object to said survey; & your petitioner prays to be allowed to intervene in said cause for the protection of his rights & to file objections to the said survey. He further represents, that he claims in good faith, to own about 4000 acres of the land embraced in said decree of confirmation, under & by virtue of a conveyance thereof, made to him by Juan Coppinger the original grantee, in

his life time & your petitioner for many years past has resided & yet resides upon the lands so conveyed to him by said Coffinger. And he further represents, that the said Survey is erroneous & does not conform either to the original grant or to the final decree of confirmation, in this court, that it excludes from said Survey a large portion of the lands, conveyed to your petitioner as aforesaid, & which according to the original grant & to the said decree of confirmation, ought properly to have been included in said survey. Wherefore he prays to be allowed to intervene in said cause & to file his exceptions to the said Survey.

Dated at San Francisco the 28th day of Sept 1860.

Crockett & Crittenden
Attys for petitioner.

State of California
Northern District ss.

Dennis Martin being duly sworn deposes that the foregoing petition has been read to him & he knows the contents thereof & that

the same is true -

Dennis Martin

Sworn to and subscribed before
me this 28th Sept. 1860.

W. A. Chenery
U. S. Comr.

No 75.

United States
vs
Maria Louisa Greer
et als -

Petition of Dennis
Martin -

Filed Oct. 1. 1860.
W. D. Chevers,
Clerk

75 ND
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Crockett & Cutlenden
attys for petitioner

District Court of the United States
Northern District of California

United States vs Maria Luisa Greer et al	Rancho Cañada de Raimundo D. C. No 75 L. C. No 21.

F L A Pioche and Soledad Ode Arguello, Jose Ramon Arguello, & S M. Mezes, Intervenors in the matter of the survey in the above entitled case, except to the proceeding of the Claimants herein, and to the jurisdiction of this Court in the matter of said survey, for this to wit.

That on or about the of 185 the said survey of the Rancho or tract of land claimed and confirmed herein, was approved by the Surveyor General of the United States for California. That some time after, to wit, on or about the 19th of July 1859 a patent for the land claimed by said Claimants was signed and issued by the President of the United States and countersigned by the proper officer, in due course of proceeding and in due

form of law without any opposition thereto on the part of said Claimants and without notice of any proceeding before this Court contesting the correctness of said survey or opposing the issuance of said patent. That said patent was transmitted by the Commissioner of the General Land Office at Washington, to the Surveyor General of the U. S. for California, for delivery to the parties entitled to the same, and was on the 21st of March 1860, delivered by said Surveyor General to one of such parties, to wit, to one John D Haven, then holding and owning a large portion of said rancho under the title so patented: That said patent after due proceedings according to the Statute of the State of California for the record of patents, was duly recorded in the office of the Recorder of San Mateo County, in which County said land is situated, and is relied on as a public muniment of title by divers persons holding under the original Mexican grant confirmed in the above case, and patented by said patent.

And this exception further shows that the Easterly line of the Rancho claimed in the above suit is

the Westerly line of an older grant, to wit of the grant of the Pulgas Rancho, and that a patent for said Pulgas Rancho was issued by the United States on the 3d of October 1857, long before the commencement of these proceedings of these claimants opposing the survey herein made and that the Westerly line of said Pulgas Rancho, is the Easterly line of the Rancho herein claimed, according to the original grant, and to the decree of Confirmation in this case, and it so made in the survey and patent issued as aforesaid for the rancho herein claimed

Wherefore the said Intervenors plead this as a peremptory exception to any farther proceeding herein, and to the jurisdiction of this Hon. Court in the matter

Sidney L. Johnson
of Counsel for Intervenors

U. S. District Court.
Northern District
of California
No. 75.

Rancho Cañada de Raimundo

In the matter of the
Exceptions of Claimants
to the Survey

Exceptions of S. O de
Argüello et al. Intervenors,
to the proceedings of
Claimants.

Filed April 9. 1861,
W. H. Chevers,
Clerk

At a Stated Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the Court House, in the City of SAN FRANCISCO, on Tuesday the Ninth day of April in the year of our Lord one thousand eight hundred and ~~fifty-nine,~~ Sixty-one,

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

The United States vs. Maria L. Greer et al. — D. L. 75, L. L. 21.

And now at this day comes Sidney L. Johnson, Esq. and moves the Court for leave to file additional exceptions in behalf of the Surveyors Argnello, chal. and F. L. A. Piche, whereupon it is ordered that leave be, and is hereby granted.

No. 75.

District Court of the United States

IN AND FOR THE

Northern District of California.

The United States,

vs.

Mary L. Greer, et al.

Order allowing exceptions of Arguello, et al. & Peiche to be filed.

Filed April 9th 1861

W. H. Chears, Clerk.

By

Deputy.

75 ND

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

Clerk's Office,

I hereby Certify the foregoing to be a true copy from the Minutes of the said Court.

Clerk.

By

Deputy.

District Court of the United States
Northern District of California

United States
vs
Maria Luisa Green et al

D.C. No. 75
L.C. No. 21.

Maria Luisa Green and Manuela Caspinger the claimants in the above entitled cause, replying to the matters by J. L. A. Prochi, Salvador C. de Arguello and L. M. Meses pleaded as a peremptory exception to further proceedings and to the jurisdiction of this court herein say — that all the allegations in said Plea contained touching the signing, delivery and recording of a patent of the lands claimed in this cause are wholly untrue.

They state the truth, in this regard, to be, that after the making of the erroneous and fraudulent survey, herein excepted to, purporting to be of the lands confirmed herein to these claimants, these claimants pointed out said errors and frauds to the then

United States Surveyor General for California, J. C. Hays, but that he, ~~said~~ Surveyor, well knowing the serious frauds and errors, but expressing the belief that "the establishment by him of the line of division between the land claimed and confirmed in this cause and the tract called "Las Pulgas" confirmed to the said Arguellos and Meses would have no other legal effect than to enable patents of the two tracts to be issued, but that the real legal line of division would always be that fixed by the Supreme Court of the United States in deciding the "Pulgas" claim" - viz a line parallel to the Bay of San Francisco and at the distance of one league therefrom - "and therefore that he should not be justified in setting aside said survey (made by his deputy) and in incurring additional expense to the Government by running another dividing line between said two tracts", refused to set aside said survey, but approved it, and at the same time approved an equally erroneous survey of the "Pulgas" tract which had been confirmed to said Arguellos and Meses, which

but survey embraced seven leagues and ninety four hundredths of a league, instead of the four leagues which had been finally confirmed to them, having for its Western boundary the same line by said Surveyor General fixed as the Eastern boundary of the survey of Claimants tract confirmed herein, and by him located erroneously too far Westerly, by such distance as was necessary, to take from the tract confirmed to these Claimants the said three leagues and ninety four hundredths, and to add the same erroneously to the same Pueblo as had so confirmed to the extent of four leagues to said Arguellos and Meses — and that said Surveyor returned said two surveys to the General Land Office at the same time.

These claimants further state, that being females, and one of them an infant: and the most valuable portion of the lands confirmed to them herein, having ~~been~~ taken possession of by the said Arguellos and Meses, in pursuance of the same frauds

-ulent and wicked purpose, which had prompted the procurement by them of the said erroneous surveys: these claimants were without the means of having their claim represented by an Attorney, before the General Land Office, and were forced to rely upon such representations and remonstrances as could be forwarded to said Office by their Attorney in California. That the said claimants of "Las Pulgas" having superior facilities in this respect succeeded in obtaining a patent of the land so erroneously surveyed to them, embracing more than Thirty five Thousand acres that is Seven Square leagues and Ninety four hundredths of a league in lieu of the four leagues which had been confirmed to them by the U. S. Supreme Court, and embracing three leagues and ninety four hundredths of a league of the land which had been so finally confirmed to these claimants. These claimants further state that after the issuance of the said Patent to the said owners of "Las Pulgas", these claimants

chouns of Las Vulgas, then claimants

pressed anew before the commissioner of the General Land Office, their objections to the said erroneous survey of their confirmed claim. but that said Commissioner being as these Claimants believe, without adequate motive to investigate the real merits of this question. but choosing, instead to promote the convenience of his Office, by adhering to a blind rule, "never to let one patent overlap another". after waiting nearly two years, and for the purpose of getting rid of the matter as summarily and with as little sense of responsibility as the Surveyor General had done before, caused a patent as of claimants' said confirmed claim to be made out and signed, pursuant to said erroneous survey; and forwarded the same to J. W. Mandeville, U.S. Surveyor General for California, for delivery to the Claimants or their authorized agent.

But these claimants expressly aver, that neither the said Surveyor General, nor any one acting for the United States has ever delivered

said patent to these claimants or either of them, or to any one acting for or on behalf of them or either of them or holding or claiming to hold any title or right to the land so confirmed to them or ~~either of them~~ any part of it, under or through these claimants or either of them. On the contrary, these claimants aver that at all times, they have expressly refused to receive said patent, or to recognize it as valid, or to have any thing to do with it; and have at all times objected to, and repudiated the whole of said proceedings of said commissioner, as being wholly irregular, without authority of law and void: And these Claimants insist, that inasmuch as the Act of Congress, only authorises a patent to be issued by said Commissioner to and at the instance of the party ~~Patentee~~, whose claim has been confirmed, the said patent of claimants that, although signed and forwarded for delivery, has never in contemplation of law, issued, it never having been delivered nor received, and that therefore it is wholly void.

These claimants further say that they have had no agency directly or indirectly in causing said patent to be recorded, nor has any other person, deriving, or claiming to derive title under or through them: they state, on their information and belief, that said Patent was obtained from said Surveyor General, by the John D. Haven, mentioned in said Plea: but they state that said Haven has never claimed any portion of the tract embraced therein under these claimants or either of them but on the contrary under title paramount and adverse to the title of these claimants; and that this fact is disingenuously sought to be disguised in said plea, by an evasive and ambiguous statement of the title under which said Haven holds,

Wherefore claimants ask judgment of said Plea and Exception and that the same may be disallowed

J. Clark
Att'y for Claimants

75.

U.S. Dist. Court
Northern Dist. of Cal.

No 75 – L. & M. No 21

United States
vs
Maria L. Greenebaum

Filed April 12. 1861.
W. H. Chevers
Clerk

Replication to
Plea & Exceptions

J. Belcher
Att'y for Ptffs

Rec'd April 10th 1861. a copy of the within Replication
Sidney L. Johnson
Attorney for Defendant

3.60
3.00
6.60
.90
7.50

75 ND
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In the District Court of the United States

FOR THE NORTHERN DISTRICT OF CALIFORNIA.

The United States,

v.

Maria Louisa Greer

IN LAND CASES.

Dist. Court No. 75

Land Com. No. 21

To Sidney L. Johnson Esq. and Calhoun Benham Esq. U. S. Dist Atty.

You are hereby notified that the testimony of Casimir Bidawski in the above entitled cause in behalf of the Claimants will be taken before me, the undersigned, a Commissioner duly appointed by the Circuit Court of the United States for the Districts of California to take acknowledgments of bail and affidavits, and also to take depositions of witnesses, in civil causes depending in the Courts of the United States, pursuant to the Acts of Congress in that behalf, commencing on Tuesday the 9th day of April A. D. 1861, at 10 o'clock, A.M., and continuing from day to day until finished, at my office, No. 14 U. S. Court Rooms; and you are hereby further notified to then and there appear and propound such questions to the said witness as you may deem fit.

Dated at San Francisco, in the District aforesaid, this 3 day of April A. D. 1861.

W. A. Shepherd

U. S. Commissioner.

No. 75

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES,

V.

Maria Louisa Greer

NOTICE.

To

S. L. Johnson Esq

W. H. Chevers

U. S. COMMISSIONER.

75 ND

PAGE 167

San Francisco

Office 37 1861

Service of a copy of the within notice is hereby acknowledged

S. L. Johnson

Copy received for Cockburn & Denson

Esq. W. H. Chevers, by leaving the same in his office, by

Connor Porter

In the District Court of the United States

FOR THE NORTHERN DISTRICT OF CALIFORNIA.

The United States,

v.

Maria Luisa Greer et al

IN LAND CASES.

Dist. Court No. 75.

Land Com. No. 21.

BE IT REMEMBERED, that on this ninth day of April A.D., 1861, at the City of San Francisco, in the District aforesaid, before me, WM. H. CHEVERS, a Commissioner duly appointed by the Circuit Court of the United States for the Districts of California to take acknowledgments of bail and affidavits, and also to take depositions of witnesses, in civil causes depending in the Courts of the United States, pursuant to the Acts of Congress in that behalf, personally appeared G. F. Allardt a witness produced in behalf of the Claimant in the above entitled cause, now pending in said Court under the Acts of Congress to ascertain and settle the private land claims in the State of California, who, being duly sworn, testified as follows: ~~his evidence being interpreted by a sworn interpreter.~~

PRESENT: Jeremiah Clarke Esq. ~~for J. P. Claimant~~, Crockett and J. R. Wise for claimants, P. L. Johnson Esq. for Intervenors Arguello et als and F. L. A. Roche, and the U. S. Atty.

QUESTIONS IN BEHALF OF THE Claimant

Question 1st,

What is your name, age, place of residence, and official position, if any?

Ans.

My name is G. F. Allardt age

28 years. residence San Francisco, and I am employed as Draughtsman in the Office of the U. S. Surveyor General for California.

2.

Look on the exhibit now shown you, marked "Exhibit Allardt. No. 1" to be annexed to your deposition, state by whom it was made and what it ~~represents~~ is?

Ans.

It was made by me. It is a traced copy of the approved survey of the Pulgas rancho.

3.

What does the straight black line extending from the Arroyo San Mateo, ~~and~~ to the Arroyo San Francisquito, on said map, represent?

Ans.

It represents a line cutting off four square leagues between it and the bay, and between the said two creeks. It is drawn parallel to a straight line drawn between the mouths of the two creeks or where the creeks enter the

marsh

4th.

What is the distance between those two parallel lines?

Ans.

Very nearly one league and ~~twenty~~ thirty five chains.

5.

After cutting off said four leagues by said line how much land remains in said survey between said black line, and the Western boundary?

Ans.

17,486 46/100 Acres.

6.

What is the length of said black line connecting the said two creeks?

Ans.

Four leagues, sixty nine chains, and ninety five links.

7.

What is the distance from the mouth of the San Marcos Creek, on said map to where the said ~~black line~~ Western boundary leaves the creek?, measured in a straight line?

Ans.

One league and one hundred and twenty eight chains.

8.

What is the distance from the mouth of the San Francisquito creek to the point where said Western boundary leaves said creek, measured in a straight line?

Ans.

It is two leagues, and very nearly one hundred and sixty one chains.

9.

What is the breadth of the survey measured from the Western boundary to the Bay ~~at~~ in a line at right angles to said black line through a point therein distant from the San Francisquito creek one league?

Ans.

It is two leagues less eight chains, very nearly.

10.

What is the shortest distance from the Bay line to the Western boundary, on said survey?

3

Ans.

One league and sixty eight chains very nearly.

G. F. Allardt

Sworn to and subscribed before me, April 9th. 1861.

W. A. Chiver,
N. P. Com:—

Mr Johnson, Counsel for the intervenors S. O. de Argnello, et al, and F. L. A. Roche objects to any and all proceedings and testimony herein for want of jurisdiction on the grounds set forth in the plea to the jurisdiction herein filed this day on behalf of said intervenors.

No. 75.

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES,

v.

M. L. Greer et al,

DEPOSITION OF

G. F. Allardt.

on part of Claimants.

Filed January 2, 1862,

W. H. Chevers,

Clerk.

75 ND

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State of California

In the District Court of the Twelfth Judicial District, in and for the County of San Mateo.

Maria Louisa Greer, Plaintiff

vs.

J. Alexander Yoell and Silas Hoions Defendants

Now Comes Maria Louisa Greer, the above named Plaintiff, and against J. Alexander Yoell and Silas Hoions, the above named Defendants, Complains, and for Cause of action respectfully shows unto this Honorable Court,

That she is a married woman, the wife of John Greer, a resident of said County. That she, the said Plaintiff and her daughter Manuella Coppinger, are the owners in fee simple absolute, and as tenants in Common, of that certain tract, piece or parcel of land, situate in the said County of San Mateo, Known as the Rancho "Cañada de Raymundo" or Coppinger Grant, and described as "Bordering to the West on the Sierra Moreno, to the East on the Rancho de las Pulgas, to the South on the Rancho of Maximo Martinez, and to the North on the great Lagoon", being the same tract of land, granted

by the Mexican Government to Juan Coffinger and finally patented by the Government of the United States of America, to the said Maria Louisa Greer and Manuela Coffinger, and being particularly and fully described in the said Patent, which is duly recorded in the office of the Recorder of said County of San Mateo, in Liber one of Patents, at Pages Twenty seven to thirty three inclusive. That the said tract of land is so held under and by virtue of the Patent aforesaid, and of the Grant upon which the same was based. That the interest of this Plaintiff therein is her separate property, and not the common property of herself and her said husband, that the same was acquired by her before marriage and by inheritance, that her said husband has no title or interest in said land whatever, or in any part thereof.

And Plaintiff further shows that heretofore, to wit: on or about the Twenty ninth day of June A. D. 1859, the said J. Alexander Hall had and recovered a judgment in the Twelfth District Court in said County, against John Greer, the husband of this Plaintiff, for the sum of Two hundred and twenty nine Dollars, damages

and twenty five dollars costs of suit. That the debt upon which the said judgment was rendered was not contracted by this Plaintiff, or by the said Hamela Coppinger, nor was any part of it so contracted, but the same was and is a personal claim against the said John Greer. And Plaintiff further says, that notwithstanding the premises aforesaid, the said J. Alexander Yodell, afterwards, to wit: on or about the twenty first day of June, A. D. 1860, caused and procured an Execution to be issued upon the said judgment, and placed in ~~the hands of~~ the said Defendant Hovious, the Sheriff of said County, and directed him the said Sheriff to levy thereunder upon the interest of the said John Greer in the premises aforesaid, and to sell the same in pursuance of law, and that in pursuance thereof the said Defendant Hovious did levy upon and was advertised to sell, and is now threatening and intending to sell at public Auction to the highest bidder, all the interest of the said John Greer in and to the land, real Estate and premises aforesaid, and this Plaintiff

says that the said sale if so made will place a cloud upon her title, to and in the premises aforesaid, involve her in expensive and vexatious law suits, greatly depreciate the value of her interest in the said property, and make her great and irreparable injury.

Plaintiff therefore brings suit, and prays this Hon Court, that it will, during the pendency of this action, by Injunction Order issued out of and under the seal of this Court, directed to the said Defendants, restrain them, their deputies, agents, servants and attorneys from making any sale or alienation of the premises aforesaid under and by virtue of the execution or judgment aforesaid, and that upon the final hearing hereof, she have judgment against the said Defendants, perpetually enjoining them and each of them from making any sale or alienation of said real estate and premises, or any part thereof, under and by virtue of the judgment aforesaid, or any execution issued thereon, that they be directed and commanded to release the levy so made as aforesaid, and that she recover her costs in this behalf expended.

McCabe & Fox

Attys for Plff

State of California }
County of San Mateo } ss.

Maria Louisa Green being duly sworn, doth depose and say that she is the plaintiff above named, that she has heard the foregoing Complaint read, and knows the contents thereof, that the same is true of her own knowledge, Except as to the matters which are therein stated to be upon information and belief, and that as to those matters she believes it to be true,

Subscribed and sworn to before me, this 14th day of July, A. D. 1860,

B. G. Lathrop
Clerk,

Maria Louisa her × mark Green,

STATE OF CALIFORNIA,

75 ND
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COUNTY OF San Mateo,

IN THE DISTRICT COURT OF THE Twelfth JUDICIAL DISTRICT.

Maria Louisa Green
PLAINTIFF
vs.
J Alexander Yoell
Et al
DEFENDANT 8

Action brought in the District Court of the 12th Judicial District, and the Complaint filed in the County of San Mateo. in the office of the Clerk of said District Court.

The People of the State of California, send Greeting:

To J Alexander Yoell and Silas Hawkins,

You are hereby required to appear in an action brought against you by the above named Plaintiff, in the District Court of the 12th Judicial District, in and for the County of San Mateo and to answer the Complaint filed therein, (a copy of which accompanies this Summons,) within ten days (exclusive of the day of service.) after the service on you of this Summons, if served within this County; or if served out of this County, and in the district 20 days, if out of the district then within forty days, —or judgment by default will be taken against you.

The said action is brought to restrain the Defendants from selling the Rancho de Cañada Raymundo or any interest therein, under a certain Execution issued out of the 12th Dist Court, in favor of J. Alexander Yoell, and against John Green and for Costs of this suit

and if you fail to appear and answer the said Complaint as above required, the said Plaintiff will apply to the Court for the relief demanded

(S)

GIVEN under my hand and the Seal of the District Court of the 12th Judicial District, this 17th day of July in the year of our Lord one thousand eight hundred and ~~fifty~~ Sixty

B G Parkhurst Clerk.

Deputy Clerk.

Due service of a Copy of the within Summons is hereby admitted this day of the part of the said Defendant Silas Hoover
Dated Redwood City San Mateo Co
July 17th 1860
Silas Hoover
Sheriff San Mateo Co
by John Ames
Asst Sheriff

No.

IN THE DISTRICT COURT

OF THE

12th **Judicial District.**

Maria Louisa Greer

vs.

J. Alexander Yoell & Silas Hoover

SUMMONS.

McCabe & Fox

Plaintiff's Attorney.

Filed this 21st *day of* July

A.D. 1860

D. Larthrop

Clerk.

75 ND

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OFFICE OF THE SHERIFF
OF THE
COUNTY OF Santa Clara } ss.

I hereby certify that I received the within Summons on the 18th day of July A.D. 1860, and personally served the same on the Eighteenth day of July A.D. 1860,

by delivering to J. Alexander Yoell said defendant personally, in the County of Santa Clara a copy of said Summons, attached to a certified copy of the Complaint.

Dated, San José, this 18th day of July A.D. 1860

Fees $1.90
Pd by Plff

John H. Murphy
Sheriff, by
Ann McCune
~~*Deputy*~~ *Under Sheriff.*

Office of the Sheriff
of the County of San Mateo
Due service of a Copy of the within Summons admitted this day.
San Mateo Co. August 6th 1860
Silas Hoover
Sheriff San Mateo

State of California

In the District Court of the
Twelfth Judicial District,
San Mateo County.

Maria Louisa Green, Plaintiff

vs.

J. Alexander Yoell and
Silas Horious Defendants

December
Term,
1860,

And now on this Seventeenth day of December 1860, before the said Court, in open Court, the said Cause Coming on regularly to be heard in its order; C. S. Fox Esq appearing for the said Plaintiff, and no one appearing for the said Defendants, and it appearing to the said Court, that Summons and Injunction in this Cause had duly and regularly served, upon both of said Defendants, and that the time for answering had Expired, and no answer had been filed, or appearance Entered, and it further appearing that the Default of said Defendants had been duly and regularly entered,

It is now on motion of C. S. Fox, Attorney for said Plaintiff, by the said Court Here Considered, Ordered, Adjudged and Decreed, that the Injunction heretofore granted in this cause be, and the same is hereby made

perpetual, and that the said Defendants and each of them, their agents, deputies, servants and attorneys, do forever and absolutely desist and refrain from selling, or in any manner disposing of or incumbering, under and by virtue of a certain Judgment rendered in the District Court of the Twelfth Judicial District in said County on the twenty ninth day of June 1859, in favor of J Alexander Yoell, and against John Greer, or under and by virtue of any Execution issued upon said Judgment, that certain tract of land situate in said County known as the "Rancho Cañada de Raymundo, bordering towards the West on the Sierra Morena, towards the East on the Rancho de las Pulgas, on the South on the Rancho of Joaquin Martinez, and on the North on the great Lagoon, being the same tract of land granted by the Mexican Government to Juan Copinger and finally patented by the United States of America to Maria Louisa Greer and Manuela Copinger", or of any part thereof, or any interest therein,

And it is further ordered and adjudged that the said Plaintiff do recover against the said Defendants

her costs of this action amounting to twenty four dollars and seventy five cents, and that she have Judgment therefor,

Edward Thorton
Judge 12th District

Wherefore by reason of the law and the premises aforesaid it is Ordered, adjudged and decreed that said Plaintiff do have judgment as above and Execution for her Costs $24.75 in this behalf Expended.

Judgment Rendered Dec 17, 1862.

B. G. Lathrop
Clerk.

County of Sauk ss.

I certify the foregoing to be full, true and Correct Copies of Complaint, Summons and Judgment in the suit of Maria Louisa Greer against J Alexander Yoell and Silas Horions, forming part of Judgmt Roll, now on file in this office.

Witness my hand an the seal of said Court this 6th Oct 1862

B G Lathrop Clerk

B. J. W. Lathrop D. C.

13th Dist Court

Maria Louisa Green

vs.

J. Alexander, Goell &
Silas Bowions

Copies
Complaint.
Summons &
Judgment

75.

U. S. District Court.

The United States.

vs.

Mary L. Green et al.

Copy Complaint. Summons
and Judgment from
12th Dist. Court.

Filed Dec: 1. 1863.
W. T. Chevers
Clerk

76.

U. S.
vs
Maria Louisa Greer.

75. ND

Same
vs
Domingo Feliz

57 148. ND

The survey of Rancho Cañada de ~~La~~ Raimundo granted to Juan Coppinger and confirmed to Maria Louisa Greer et als is objected to, on the part of the claimants—

It is claimed that the dividing line between that rancho, and the rancho of "Las Pulgas" by which it is declared to be bounded, is erroneously located

The survey of the Cañada de ~~Ra~~ Raimundo was originally brought into court June 13. 1859 ~~in the, prior to the passage of the Act of 1864,~~ under the rules and practice adopted by the Court in ~~[illegible]~~ under the decision in the case of U. S. vs Fossatt—

The survey of Las Pulgas ~~wh~~ by which the common boundary line between the ranchos was established was not objected to— and a patent

2

was on the 2d day of October 1857 ~~issued~~ duly issued for that Rancho describing its boundaries as established by the survey —
On the 19th day of July 1859 a patent ~~for~~ for the Cañada was also issued in which the same line was adopted —
Under these circumstances I am of opinion that the Court has no jurisdiction to disturb either survey — and that the patents are conclusive upon the rights of all parties.

The objection to the survey of the Rancho confirmed to Domingo Feliz is also urged on the part of the representatives of the Cañada de San Raimundo — The object of the latter is to extend the Cañada de Raimundo Rancho beyond the boundaries established by their patent & now a portion of the land surveyed to Feliz —
The U. S. make no objection to the survey —
As the limits of the Cañada de Raimundo are definitively settled

by this patent true would seem, in the absence of any objection on the part of the U. S, no notice for inquiring whether or not the boundary of the Tehé Rancho is fixed to the southward of its true location —

As however, it may be thought to be the duty of the Court to confine the survey of every Rancho within its true limits and to cut off any land improperly included within it irrespective of the question whether the part cut off ~~can be~~ will fall to another Rancho or remain public land I have considered the objection ~~urged~~ as if it had been urged by the U. S. or as if the boundaries of ~~La~~ Canada de Raimundo were ~~still~~ yet to be determined —

It is contended that the diseño of ~~La~~ Raimundo shows that the ~~town~~ northern boundary was to be a point about the middle of the lake Chinicahid upon it and not its southern as adopted by the officer survey. But the diseño indicates no northern

4 boundary whatever - that is, no line marked ~~[illegible]~~ or intended to serve as such - It represents a Cañada in which are exhibited several natural objects and on either side an extensive range of mountains -
The lines of these mountains and of the Cañada are protracted towards the south nearly to the end of the ~~op~~ paper & between them and occupying about the centre of the valley is a ~~[illegible]~~ semi-elliptical figure marked "Laguna Grande" - The ellipse is not completed ~~and~~ the southerly side ~~is~~ being left open - No East & west lines are drawn to any point on the lake, indicating the ~~[illegible]~~ boundary of the tract and the object ~~seems~~ appears to have been by this incomplete delineation of the Laguna to ~~[illegible]~~ represent only so much of it as would show it to be the limit of the grant in that direction
Such would seem the more natural construction of the diseño

5

if we had no other guide, & were seeking under the clause in the 3d Condition which describes the land as "that which results "within the boundaries shown on the diseño" to ascertain its location But the language of the granting part of the title removes all doubt. The land is there described as bounded "on the South "by the Rancho of Mariano Martinez "and on the North by the Laguna "Grande". It is ~~appa~~ plain then for that the lake was intended, as the limits of the tract and not to be included within it =

~~That the~~ That the rancho of La Cañada de Raimundo was supposed not to extend further north than the southern extremity of the Laguna may also be inferred from the fact that the ancient adobe house of Yeh's is still ~~nearly~~ nearly on a line ~~with it~~ with the southerly end of the lake - And if the ~~seq~~ ~~of Cañada de Raimundo~~ ~~be extend~~ line of the Yeh's Rancho be drawn as is now intended, for

that house will be excluded
from the grant —
In the whole thing seems to me
no reason to doubt the correct
ness of the survey of the Tehas
Rancho — It is therefor approved

No. 75.

U. S. District Court.

The United States.
vs.
Mrs. Luisa Greer.

No. 148.

U. S. District Court.

The United States.
vs.
Domingo Feliz.

Opinion approving Survey.

Filed December 26. 1863.
W. H. Chevers.
Clerk

At a stated term of the District Court of the United States for the Northern District of California held at the Court room in the City of San Francisco on the eleventh day of April —— A.D. 1864

Present the Honorable Ogden Hoffman District Judge

The United States vs Maria Luisa Greer and Manuela Coppinger heirs of Juan Coppinger	D. C. No 75 Rancho Cañada de Raimundo

It appearing to the Court that on the 23rd day of June A.D. 1859 an order was entered at the instance of the claimants directing the return of the official survey of the land confirmed in this case; that on the 29th of June 1859 a certified copy of the plat of said survey was filed herein and the claimants filed objections thereto on the 1st of July 1859; that afterwards, to wit, on the 20 of August 1860 a monition or public notice to all parties in interest was issued returnable on the 26th of September 1860 and that thereupon J. O. de Argüello et al.

F. L. A. Pioche and W. P. Morrison asked and obtained leave to intervene herein and filed a plea to the jurisdiction of this court, to which plea the claimants by their counsel filed a replication and exceptions; that the case was regularly set for a hearing on the 1st of December 1863 present Jeremiah Clarke Esq. on behalf of claimants, S. L. Johnson Esq. on behalf of the intervenors S. O. de Arguello et al, and F. L. A. Pioche, T. H. Wise Esq. on behalf of the intervenor W. P. Morrison, and Wm H. Sharp Esq. District attorney of the United States, and Eugene Lies Esq. on behalf of the United States and after argument the case was taken under consideration, and after due deliberation had the Court filed a written opinion herein on the 26th day of December A. D. 1863 sustaining the plea to the jurisdiction and dismissing the objections to the survey -

Now therefore it is ordered, adjudged and decreed that the objections herein filed to the survey of the above named rancho be and they are hereby dismissed for want of jurisdiction -

Ogden Hoffman
U. S. Dist Judge

No 75.

U. S. Dist. Court.

The United States

vs

Maria Luisa Greer et al.

Decree dismissing exceptions to survey for want of jurisdiction

Filed April 11. 1864.

W. H. Chevers.

Clerk

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

The United States
vs.
Maria Louisa Greer &
Mannella Coppinger

To,
Calhoun Benham esq.
U.S. Dist. Atty.
& Myers Johnson & Rose
& J. Clarke

Gentlemen - Take notice that the affidavit of M. P. Morrison has been filed this day. as
San Francisco 28th Sept. 1860.
Wise & Gough
Attys for M. P. Morrison

U. S. District Court

Northern District of California

75 ND

The United States

vs

Maria Louisa Green

&

Manuella Coppinger

Notice of filed affidavit.

75 ND

PAGE 196

Wise & Gough

The United States
vs
Maria Luisa Greer et al

An appeal was taken in this case by the U. S. from the decision of the Board of Commissioners by whom the claim had been confirmed —

No argument was submitted on behalf of the appellants nor was any objection suggested to the validity of the claim — The transcript has been ~~[illegible]~~ submitted to the Court without any ~~argument~~ observations from either side —

In examining the decree of the Commissioners it appears to be sustained by the evidence — No doubt exists as to the genuineness of the grant or the performance of the conditions. The only objections which can urged against the claim are the want of a judicial possession and the fact that the land is within the 10 littoral leagues — These objections have heretofore been considered and overruled. There seems therefore to be no

ground for reversing the decree of the Board — It is therefore the claim must therefore be confirmed —

75 — 4

The U. S.
vs
M. Luis Greer et al
Opinion

75 ND
PAGE 198

U. S. Dist. Court — North. Dist. of Cal.

The U. States
vs
Maria L. Greenwood

No 75
L. C. No 21

Take notice that on Tuesday April 9th 1861 I shall take the deposition of — — Draughtsman in the U. States Surveyor General's Office, to be read in evidence in support of Claimants exceptions to the Survey in the above entitled cause.

Respectfully
J. Clark
Atty for Cl'ts

To the U. S.
Dist. Att.

No 75
L. C. 21

U. S. Dist. Court

The U. States
vs
W. L. Greenleaf

Notice to take
Deposition

Maria Louisa Guirot et al

75 ND
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vs

The United States

Index to the Record

Page 9 Deposition of J. W. Weeks, showing the occupation improvements and inhabitancy of the premises, by Copinger from a period anterior to the date of the Grant

Page 11 Deposition of N. A. Lin, proving the genuineness of the Grant

Page 13 to 33 The deposition of Maximo Martinez, showing that the Western boundary of the Pulgas Rancho (which was to be Copinger's Eastern boundary according to his grant) was at the distance of one league from the bay, according to the Juridical measurement made to the heirs of Arguello, former owners of the Pulgas, Mem This deposition contains much irrelevant matter, which with various other documents in the record, not indexed, was put in under the rule of "intervention" adopted for a short time by the Board, for the purpose of upsetting the Pulgas title on the one hand, and of stretching it on the other.

79 Opinion of the Board confirming the claim

82 Decree of Confirmation.

J. Clark Ker
for Claimant

No 75

The U. States
vs

Maria L. Greenwood

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J. Clarke for
Claimant

Office of the Board of Commissioners,

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

San Francisco, August 23 1854

John H. Monroe Esq.
Clerk of the U. S. District Court for the
Northern District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 21 on the Docket of the said Board, wherein

Maria Luisa Greer et al are

the Claimant against the United States, for the place known by the name of "Canada de Raimundo"

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,