

CASE NO.

131

NORTHERN DISTRICT

A LOT AT THE MISSION

OF DOLORES GRANT

JOSEFA PALOMARES, ET AL

HEIRS OF FRANCISCO GUERRERO

CLAIMANT

LAND CASE 131 ND

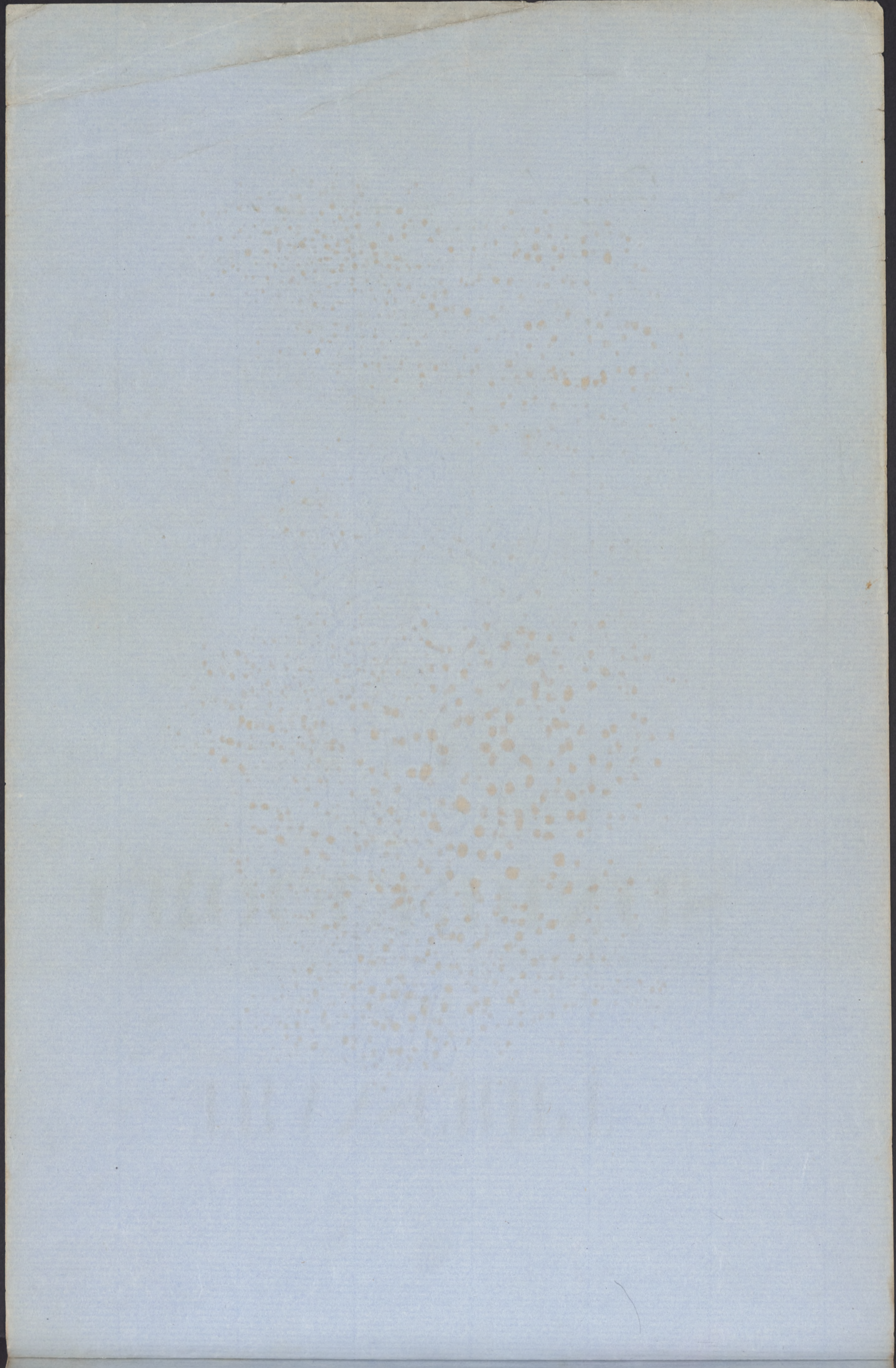
47 pages.

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Northam District



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PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 229

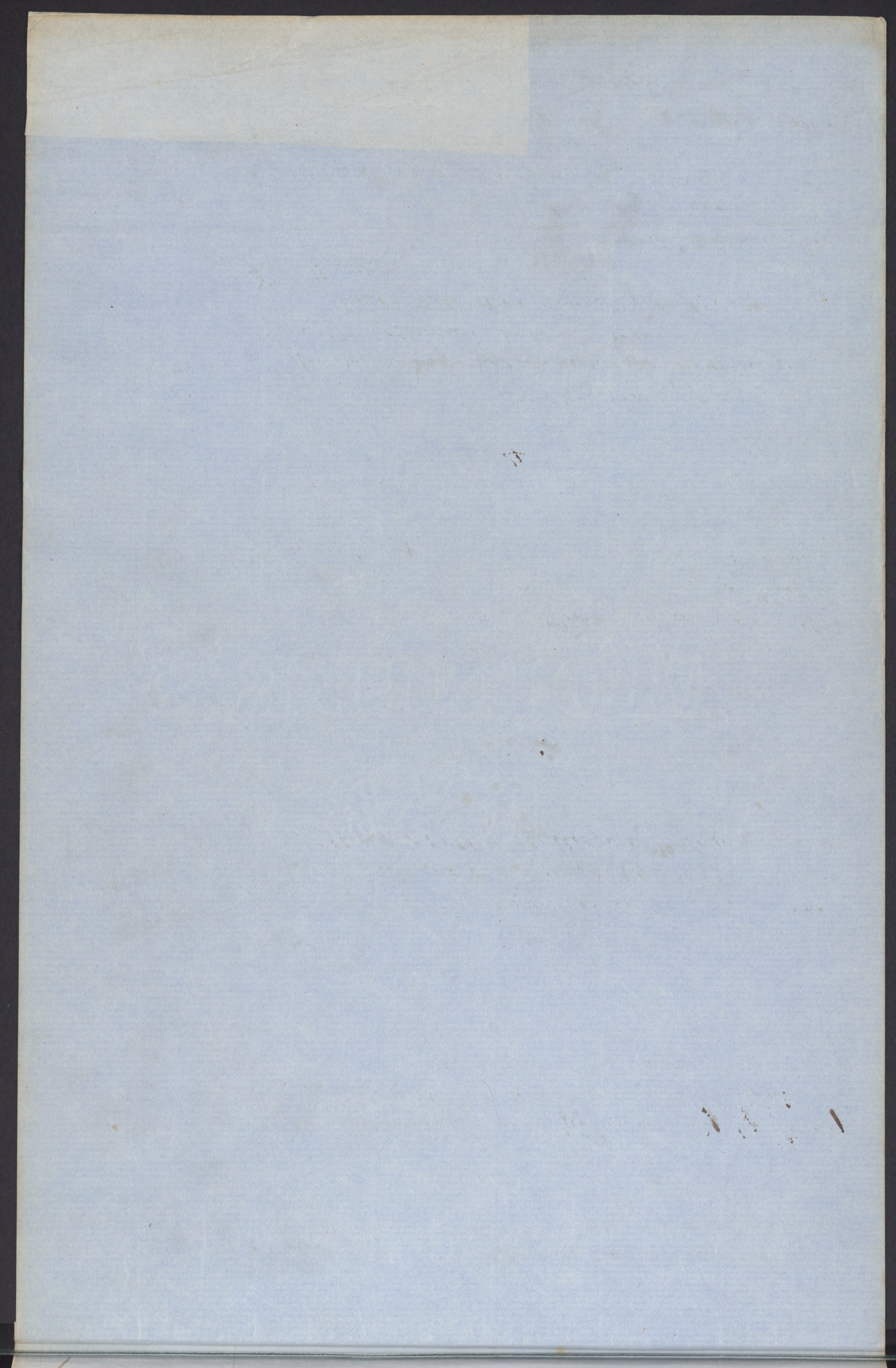
Josefa Palomares et al
Heirs of Francisco Guerrero } CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

'A Lot at the Mission of Dolores'



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *fifteenth* day of *May*, 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 *Josefa Palomares et al.* Heirs of *Francisco Guerrero*, for the Place named "*A lot at the Mission of Dolores*," was presented, and ordered to be filed and docketed with No. 229, and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco, May 17th 1852.
In case no. 229, *Josefa Palomares*, Heirs of *Francisco Guerrero*, the deposition of *burne cindas Flores*, a witness in behalf of the claimants, taken before Commissioner *James Wilson*, was filed;

(Vide page 4 of this Transcript.)

Los Angeles, Sept. 28th 1852.
In the same case the counsel for the claimants filed the following motion, to wit:
Moved, that case no. 229, be placed on the Trial Docket.

Halleck, Peck & Billings,
Atty for Claimants.
Which motion was taken under advisement,

San Francisco, Feb. 21st 1853.
On motion of the United States Associate Law Agent case no. 229 was ordered to be placed on the Trial Docket.

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San Francisco February 28 1853.
Case no. 228, Called; The Counsel for the claimants,
Mr. Halleck, read the papers in evidence; the United
States Law Agent filed his brief; Case submitted
and taken under advisement by the Board.

San Francisco April 22 1853.
Commissioners Melara Hall & Mary J. Thomson
returned to the Secretary the papers appertaining to
Case no. 229, (and others) which they had under
advisement without making decisions thereon. After
which act they withdrew and ceased to act as
Commissioners and members of this Board.

San Francisco, July 11 1853.
On Motion of the United States Law Agent Case
no. 229, was ordered to be placed on the Trial Docket.

San Francisco, July 29 1853.
Case no. 229, Called; The Counsel for the claimants
read the papers in evidence and opened the argu-
ment, followed by the United States Law Agent,
and concluded by the claimants - Case submitted
and taken under advisement by the Board.

San Francisco March 14 1854.
In the same case Commissioner Albertus Felch delivered
the opinion of the Board confirming the claim;
(Vide page 10 of this Transcript.)

San Francisco Aug. 15 1854.
In the same case, on Motion of the United States
Law Agent, the following order was made, to wit;
(Vide page 20 of this Transcript.)

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To the Honorable Commissioners
to settle private land Claims of California.

The petitioners Josefa Palomares widow and Jose Agustin Palomares, Francisco Palomares and Victorino Palomares children of Francisco Guerrero Palomares deceased respectfully show. That on the 30th day of November A.D. 1836 Nicolas Gutierrez Governor ad interim of California, by virtue of authority in him vested, granted to the said Francisco Guerrero Palomares a "Quarta" or lot of land near the Mission of Dolores in the County of San Francisco 400 varas square, with the boundaries described in the title and map, a copy of which original title papers and map is submitted, here with marked A with a translation marked B.

The petitioners also submit herewith a plat of the said tract of land made on the 24th day of December A.D. 1850 by the Deputy County Surveyor of San Francisco County. The Petitioners further show that the said Francisco Guerrero died on the 13th day of July A.D. 1851 leaving the petitioners his widow and heirs that the said Guerrero from the year 1836 to the time of his death was, and his widow and children now are in the quiet peaceful and undisputed possession of the said tract of land. That it has not been surveyed by the Surveyor General of the U.S. but that it has been surveyed by the County Surveyor of San Francisco, as aforesaid, and its boundaries marked out its limits are well defined, the tract being surrounded by a fence. That they know of no conflicting claim. That they rely for Confirmation upon the original papers copies of which are submitted herewith, upon the minutes and records in the Office of the Surveyor General and upon such other and further proofs as they may be advised are necessary.

Wherefore they pray the Commissioners to confirm them the aforesaid tract of land.

By their Attys.
Hallock, Prachy & Billings

Filed in Office May 15th 1852

Geo. Vishes
Secy.

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Office of the Board of Land
Commissioners for California

San Francisco May 15th 1852

Deposition of
Gumindo Flores

On this day before me James Wilson one of the Commissioners for ascertaining and settling private Land Claims in California came Gumindo Flores a witness produced on behalf of the claimants Josefa Palomares et al. Heirs of Francisco Guerrero, whose petition is No. 229, on the Docket of said Commissioners and after being duly sworn testified as follows.

The Law agent of the United States was duly notified and attended. The witness testimony was taken in the Spanish Language and interpreted by Geo. Vishes Secretary.

Questions of Claimant

1st Question. What is your name age and place of residence?

Answer - My name is Gumindo Flores, my age is 55 years. I reside in Santa Barbara. I have lived in California 19 years.

2nd Question. Do you know the signatures of Jose Figueroa, Francisco Guinero, Nicolas Gutierrez and Gumacindo Flores, if so say if their signatures to the documents before you are genuine if the papers and map are genuine and originals created at the time of their dates, and if documents marked "C" filed as Exhibit in claim No 229 in the Office of the Secretary of the Commissioners are correct copies of these originals?

Answer. I know the signatures of Jose Figueroa, Francisco Guinero & Nicolas Gutierrez their signatures to the documents before me are genuine. the signature of Gumacindo Flores is my own and was signed at the time the papers dated the papers & map are genuine & created at the time they purport to be and Exhibit "C" is a true copy of these originals.

3rd Question. What do you know about the possession of this piece of land.

Answer. Immediately after the grant was made to Guinero he occupied the land for a garden & continued to occupy it till his death which took place in July 1851. His widow now occupies it. The children of Guinero are Jose Augustin, Francisco & Victorino all minors. His widow is named Josefa. The land is surrounded by a fence. I was Administrator of the Mission of Dolores in 1836 when I signed this original paper Guinero took possession of the land in 1836, it was covered with cactus (manto) when he took possession. He cleared it off and fenced it in.

Gumacindo Flores.

May 15th 1852.

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Subs enclosed & Exam'd.
James Wilson Commr.

Filed in Office May 15th 1852.

(Received)

Geo Fisher Secy.

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Terrero
nombrado las Manzanas en
la Misión de Pinos

J. W.
Flores depe

Delo Cuarto una Cuartilla
Habilitado provisionalmente por la Administracion de la
Aduana Martin de Monterey de la Alta California
para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco

Castro Angel Ramirez
Revalidado para el bienio de 1836 y 1837
Gutiérrez A. Ramirez

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Document
J. W. annual
to the depe: of
Sumecindo
Flores

Monterey Nbre
1 de 1836

Informe del Sr
Administrador de la
Mision de San Fran^{co}
Si el terreno esta
baldio y puede ser
agraciado a soli
-citante
Gutiérrez

Sr Comandante Gral y Jefe Político
del Territorio de la Alta California

Fran^{co} Guerrero Mijicano por naci-
miento ante S. E. han presente que
Siendo un miembro de la Colonia
venida a este territorio, y como el Com^{te}
Sr Com^{te} Gral D. Jose Figueroa determine
fueron radicados a donde nos pareciere
mejor, solicito de su Administracion
en uso de sus facultades se me Con-
-cedan Cuatro Cintas para Cuadradas
en una Cuinga q^{ta} forma un plano
al N. N. O. de la Mision, desde onde
nan la agua del N al S. E. y l.
hasta el Camino de Yerba Buena, segun
el diseño q^{ta} acompaño, para recibir
este beneficio de S. E. p^{ta} aver uso de
dho terreno p^{ta} bien estar P. T.

Dolores q de Nbre
de 836

Conforme al superior
decreto dice q^{ta} el terreno
se halla baldio, y
Conforme al orden
del finado Sr. Figue-
-roa se puede conde-
-nar al interesado
Sum. Flores

A. N. E. suplica redidamente
se le conceda lo q^{ta} pide de lo q^{ta}
recibira merced y gracia jurando
lo mas: f. a.

S. Fran^{co} Nbre 28 de 1836
Fran^{co} Guerrero

Monterey Nbre 30 de 1836

Provia la informacion del Sr. Adm^{te}

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de la Mision de Dolores, y orden Superior para las personas
 de la Colonia, se le Conceden al Ciudadano Fran^{co} Guerrero
 Cuatro Cintas y varas C^{da} en el paraje solicitado segun
 la presente Solicitud. Por lo que presentara' este documento
 al Gob^o del Territorio tan luego que sean arregladas las
 Misiones para que sea respectado el presente decreto.
 Nicolas Gutierrez

Gobierno Politico de la
 Alta California

Con esta fecha digo al Comisionado
 de S. Solano lo siguiente
 " Si el Señor D. Jose Maria Hijas o algunos
 individuos de la Colonia dispusiesen trasladarse a otro punto
 del Territ^o para establecerse, les facilitara' v. los auxilios
 necesarios para que puedan pasar la Bahia y transportarse
 con sus equipajes, avisandome las personas que lo veri-
 fiquen, y el punto de su destino para que me sirva de
 gobierno."

No traslado a V. con el mismo fin en
 caso de ofrecerse, para que tenga su cumplimiento lo prevenido.
 Dios y Libertad. S. Francisco Marzo 5
 de 1835

P. Figueroa

Comisionado de
 S. Fran^{co} de Asis

(Here follows map) ... here

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Recorded in the office of the Alcalde in Book
"B of Spanish Records", pages 14, 15 & 16 at 3
P.M. Feb'y 6th AD 1850
Joseph H. Deull
Records Clerk,

Filed in office Dec^r 29th 1852
Geo Fisher
Sec

Civil Government
of Upper California -

With this date I say to the
Commissioner of San Solano the following.

B.

Translation
of title papers.

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Translation of Dec.
J. W. annexed to
the deposition of
Guillermo Flores.

Neither any individuals of the Colony should
decide to remove to another part of the land
in order to establish themselves. You will fur-
nish them with the necessary assistance to pass
the Bay and to transport them with their bag-
gage reporting to me the persons who may do
so and their place of destination for my gov-
ernment" and I transmit it to you for the
same purpose in case it should be needed
that its provisions may be complied with -
God and Liberty. San Francisco March
5th 1835 -

(sgd) José Siquero -
To the Senor Commissioner
of San Francisco, de Asia.

Stamp Fourth. Cu. Cuartillo -

Provisionally authorized by the Administration
of the Maritime Custom House of Monterey of Upper
California for the years 1834 and 1835.

(sgd) Castro (sgd) Cayetano Ramirez.

Revalidated for the two years 1836 & 1837.

(sgd) Gutierrez (sgd) A. Ramirez.

Monterey Nov. 4. 1836. Senor Commanding General

of the Administration and Governor of the Territory
of Upper California.

San Francisco U. S. Francisco Guerrero a

part within the Mexican by both before your
lands vacant. Excellency make representation
and can be proved that being a member of the

to the petitioner
(sgd) Antonio

Voluntad of Nov
1836,

In compliance with
the Superior Order
I will say that the
land is vacant and
in conformity with
the order of the said
said General Figueroa
it may be granted
to the petitioner the

(sgd.)
Francisco Flores.

to make use of said land for my camp in

Colony, which came to this
Territory and that as his Excel-
lency the Commanding General
Don José Figueroa directed
that we should take whatever
we might think proper I pray
Your Excellency, with the use of
Your powers to grant me four
Hundred square varas in a mar-
shy place which forms a plain
N. W. W. of the Mission from the
place where the water springs
spring the north to South. East
to the road to Yerba Buena
and west to the road to Yerba
Buena according to the map which
I transmit for I will receive
this favor from Your Excellency
to make use of said land for my camp in

Wherefore I earnestly pray Your Excellency to
grant that which I request by which I will
receive favor and grace, swearing what may be
necessary &c.

San Francisco, Oct 28. 1836.

(sgd) Francisco Guerrero

Montreal Nov. 30th 1836.

Having previously seen the report of the
Administrator of the Mission of Volcan and the
Superior order relates to the individuals of the
Colony, there are granted to Citizen Francisco
Guerrero four hundred varas in the place peti-
tioned for according to the present petition he
will therefore present this document to the Govern-
ment of the Territory as soon as the missions are

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regulated, that the present crew may be respected.

(Sgd) Nicolas Gutierrez -

I certify the foregoing to be a true and correct translation from the Spanish document on file in this Office in case No 229 Francisco Guzman, annulled to the disposition of Guacando Flores.

Geo Fisher Secy.

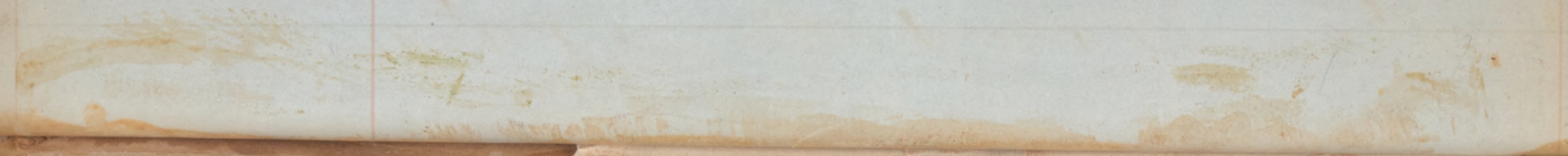
Filed in Office May 15th 1859.

(Signed)

Geo. Fisher Secy

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[Faint, illegible handwriting throughout the page, possibly bleed-through from the reverse side.]



229
Josefa Salamanca y Gomez
Widow & Heirs of Francisco
Guzman Accused.

vs.
The United States

} For a piece of
} land four hundred
} and barsas in extent
} in San Francisco
} County, near the
} Mission Dolores.

Opinion

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The documentary Evidence in this case shows an application for the grant made by Francisco Guzman on the 28th day of October 1836 and ordered by the Governor for a report on the subject by the Administrator of the Mission of San Francisco, the favorable report of that Officer and the grant of the land in accordance with the petition. No approval of the grant appears to have been obtained. The Decree is dated November 30, 1836 and is signed by Nicolas Gutierrez the Governor.

The land solicited is described in the petition for the grant as four hundred barsas square in a marshy place which forms a plain N. N. W. of the Mission from the place where the water springs from the north to South - East and west to the road to Guadalupe according to the map which is attached to the petition and grant. The map has also four lines drawn upon it evidently intended to indicate the land solicited. There are unfortunately however no objects named which constitute monuments at the boundary and no distances from any one point to another given either on the map or in the description and there is no scale of distances found on the map. I have no doubt of the equitable right of the party to the land within the lines marked on the map, but I do not think

the map or the description contained in the grant or the petition on which it was made contain unaided by other evidence sufficient words of description to enable us to describe it in a decree or a Surveyor's return the lands according to any calls of the grant. The case does not however rest on this alone. The witness Adams testifies that immediately after the grant was made Leonard Kuro Gurnee occupied the land for a garden and continued to occupy it until his death which took place in July 1831. He took possession of the land in 1830, it was covered with bushes and he cleared it off and fenced it in. It is still surrounded by a fence and his widow now occupies it. The land thus fenced in and cultivated as a garden is described by the witness as the land covered by the grant and his cultivation and fence continued from that time to the present to mark its extent and boundaries. These signs separate the premises in fact from the surrounding lands and may well serve as the description limits of the premises in a decree of confirmation.

The widow and children of the deceased grantee we think are entitled to retain the premises thus granted to and occupied by him and a decree will be entered accordingly.
Confirmed.

Filed in Office March 14. 1857

C. G. G. G.

Geo. Fisher Secy.

Josefa Palomares, & als.

vs.

The United States

}
}
}

In this case on hearing the proofs and allegations, it is adjudged by the Commission that the claim of the petitioners Josefa Palomares, the Widow and the heirs at law of Francisco Guerrero deceased, is valid, and the same is hereby confirmed to the Widow and heirs of said deceased to hold the said premises in the proportions to which they were legally entitled as Widow and heirs respectively at the time of the death of said deceased.

The land of which confirmation is hereby made is situated in San Francisco County near the Mission Dolores being four hundred varas square in a marshy place which forms a plain N. N. W. of the mission from the place where the water springs from the North to South, East and West to the road to Yerba Buena according to the map of the same attached to the original grant of said land to said Francisco Guerrero, which as a witness in this case the land hereby confirmed being the same which was occupied by said Guerrero from the year 1836 until his death and by his family since his decease and which was cleared and fenced in by him about the time last mentioned and has been cultivated as a garden since that time. The land hereby confirmed embraces only the premises thus enclosed and cultivated by said Guerrero and is limited in its lateral boundaries to the line of the fence erected by him at the time above specified.

Diery

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Cephus Felch }
Thompson Campbell }
R. Aug Thompson }
terms.

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Filed in Office March 14, 1857.
(Signed) Geo. Fisher Secy.

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And it appearing to the satisfaction of this Board, that the land hereby adjudicated, is situated in the Northern District of California it is hereby.

Ordered, that two Transcripts of the Proceedings and of the decision in this case and of the papers and evidence upon which the same are founded, be made out, and duly certified by the Secretary, one of which Transcripts shall be filed with the Clerk of the United States District Court for the Northern District of California, and the other be transmitted to the Attorney General of the United States.

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Office of the Board of Commissioners,

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

I, *George Fisher* Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *twenty one* pages, numbered from 1 to *21* 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. *229* on the Docket of the said Board, which are the *Josefa Palomares et al* Heirs of *Francisco Guerrero* are the claimant against the United States, for the place known by the name of *A Lot at the Mission of Dolores*



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

Geo. Fisher.
G. Fisher

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

No. — 131 —

THE UNITED STATES,

vs.

Josefa Palomares et al
Heirs of
Francisco Guerrero

TRANSCRIPT OF THE RECORD
FROM THE
BOARD OF U. S. LAND COMMISSIONERS.
In Case No. 229

Filed, *November 2* 1854

Wm. M. Moore
Clk

Office of the Attorney General of the United States,

Washington, 17th January 1855.

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Josefa Palomares et al. }
vs. } 229.
The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of October 1854, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Clarking

Attorney General.

No. 131

U. S. District Court
Northern District

The United States
vs.
Josefa Palomares, et
al.

Filed Feb: 20. 1833
In Amour
A

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

The United States
Appellants
Messrs of
Francisco Guerrero Palo-
mures

No. 131

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 Record was filed
in this Court on the 1st day of ¹⁸³⁴ ~~May~~
: that a notice of appeal was filed
on the 1st day of May 1834 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 deem the said title
to be invalid.

Respectfully
S. W. Inge
U. S. Dist. Atty

No. 131

U.S. Dist Court.

The United States

Hirs of ^v Fournesed
Gurrero Palomares

Petitioner

Filed Nov. 12, 1855
J. Cheever
Deputy

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Hussell

No 131

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

The United States, appellants

Transcript No 229

vs

Heirs of Francisco Guerrero Palomares

Answer of Appellees

Appellees

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Josefa Palomares, widow, and Jose Agustin Palomares, Francisco Palomares, and Victorino Palomares, children of Francisco Guerrero Palomares, deceased, appellees in the above entitled cause, appear by their Attorneys, and for answer to the petition of the United States filed herein, say:

That their title to the land called "Suerte" or lot near the Mission of Dolores, as set forth and described in their petition to the Board of Commissioners and in the documentary & other evidence filed in this case, is a good and valid title. The land claimed is situated in the Northern District of California, and within the jurisdiction of this court.

Wherefore they pray this Honorable court to affirm the decision of the Board of Commissioners and to decree their title to be valid.

Hallam Peashey & Billings
Attys for Appellees.

No 131

United States Dist Court
Northern Dist of Cal

The United States, appellants.

vs
Heirs of Francisco Guerrero Palomares
appellees

Answer of appellees

Filed Nov: 10. 1855
by Cheever
Deputy.

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Hall & Peachey & Billings
Attys for appellees

No 131

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

The United States, appellants
vs.
Heirs of Francisco Guerrero Palomares
appellees

} "Suerte en Dolores"
Transcript from
Board of Coms.
No 229.

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stated Term March 24th 1856

on appeal from the final decision of the Board
of Commissioners to ascertain and settle Private
Land Claims in the State of California.

Decree.

This cause came on to be heard at a stated term
of the court on appeal from the final decision
of the Board of Commissioners to ascertain
and settle Private Land Claims in the State
of California under an act of Congress approved
March 3^d AD 1851, upon the Transcript of the
proceedings and decision of the said Board
of Commissioners and the papers and evidence
on which the said decision was founded;
and it appearing to the court that the said
Transcript has been duly filed according
to law, and counsel for the respective
parties having been heard, it is by the
court hereby ordered, adjudged and
decreed, that the said decision be, and the
same is, hereby, in all things affirmed;
and it is likewise further ordered,
adjudged and decreed, that the claim
of the appellees is a good and valid
claim, and that the said claim be, and

the same is hereby confirmed to the extent and quantity of four hundred naras square, being the same land described in the grant and of which possession was proved to have been long enjoyed; Provided that the said quantity of four hundred naras square now confirmed to the claimants be contained within the boundaries called for in the said grant and the map to which the grant refers; and if there be less than that quantity within the said boundaries, then we confirm to the claimants that less quantity.

Gdew Stoffe Au 7-
H. S. Dick Judge

No 131

United States Dist Court
Northern Dist of Cal.

The United States, appellants
vs.

Heirs of Francisco Guerrero Palomares
appellee

Decree

Filed March 24. 1856

Cheney

Deputy

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

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Present :

The Honorable OGDEN HOFFMAN, District Judge.

The United States
v
Josefa Palomares et al

D. C. 131: L. C. 229

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

On motion of the District
Attorney it is Ordered Adjudged and
decreed that claimants have leave
to proceed under the decree of this
Court heretofore rendered in their
favor as under Final Decree

Ogden Hoffman
U. S. District Judge

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United States District Court, Northern
District of California.

The United States

vs.

Josefa Palomares et al

ORDER.

Vac appeal
Final Decree

Filed *April 2^d* 1857

John A. Mowbray

CLERK.

By *W. H. Chevers*

DEPUTY.

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

The United States

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} D.C. 131; L.C. 229

Josefa Palomares et al

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

San Francisco

April 2nd 1857

Wm Blanding
Dist Atty

Hullum Peck & Billings

Atty for claimants

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California Land Claims.
Attorney General's Office
19 Feb. 1857.

Sir:
In the case of the claim of
Josefa Pulmaris, et al., confirmed
to the claimants by the Commis-
sioner, Case no. two hundred and
twenty-nine, (229), appeal will
not be prosecuted by the United
States.

I am,
Respectfully,
Ours,

Wm. B. Auding Esq
U. S. Attorney
San Francisco.

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U. S. Dist Court

The United States

v

Josefa Palomares et al

Stipulation

Filed April 24 1853
W. H. Chewers,
Deputy.

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Office of the Surveyor General of the United States,
FOR CALIFORNIA.

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I, J. W. MANDEVILLE, United States Surveyor General, for the State of California, do hereby certify that the Rancho "Sueno en Dolores" (dot near Mission Dolores) confirmed to the heirs of J. G. Palmores, has been surveyed by this office, and that the survey and plat was approved by the U. S. Surveyor General, on the 16th day of June 1861; that I have caused to be published, once a week, for four weeks successively, in two newspapers, to wit: the Alameda County Gazette published in the County of Alameda, State of California, being the newspaper published nearest to where the said Rancho is located; the first publication being on the 3^d day of August 1861, and the last, on the 31st day of August 1861; also, in the San Francisco Daily Times a newspaper published in the City and County of San Francisco, State of California, the first publication being on the 4th day of July 1861, and the last on the 25th day of July 1861, a notice that the said land had been surveyed, and a plat made thereof, and the survey and plat approved by me. And I do further certify, that the said survey and plat were retained in my office during all of said four weeks, and until the expiration thereof, subject to inspection; and I further certify, that no order for the return thereof to the U. S. District Court, has been served upon me.

In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of office to be affixed, at the City of San Francisco, this 31st day of July 1861

J. W. Mandeville
U. S. Surveyor General for California.

I certify the above to be a full, true and correct copy of the original, as the same appears of record in this office.
Witness my hand and the seal of said office, this 17th day of August, 1861



L. J. ...
not ...

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U.S. District Court
The United States
Josefa Palomares
et ux

— or —
Certificate
U.S. Sur. Genl

Filed Aug. 17. 1866
Robert Graham
J. C. M.
by J. M. C. J.

The United States

vs
Josefa Polanco et al }

Comman

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It appears from the down
military order in this case
that Governor Figueroa by an
order dated March 5th 1835 di
rected ~~to~~ the Commissioner of San
Polanco to furnish to such in
dividuals of the colony as might
desire to remove and establish
themselves elsewhere the necessary
assistance to pay the way &
to give report to the Government
the persons who might do so
with their places of destina
tion

On the 4th Nov. 1836 Francis
Co. Guerrero petitioned the
Governor who had succeeded
Figueroa for a piece of land
near the Mission, and referred
to the previous order of Figueroa
allowing ~~the~~ a settlement ~~where~~
it should on any land that
might be selected —

This petition was referred to the
Administrator of the Mission
of San Francisco by whom a
favorable report was made &
the Governor on the 30th May
1836 ~~he~~ granted to Guerrero the

was
400. solicited according to his
petition —

The signatures of the documents
are proved to be those of the
officers by whom they purport
to have been signed, and it
is further proved that the
grantee almost immediately
after went upon his land
built a house upon it fenced
it and converted it into a
garden — it having been before
a marshy and unoccupied —

The grantee & his family the
present claimants continued
to reside upon until his
death in 1857 —

No objections to this grant
are made on the part of the
U. S. — The It was confirmed
by the Board and we see
no reason for reversing
their decision —

The title of the claimants
must therefore be confirmed.

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The United States
of
The Heirs of
Francisco Guerrero

Spencer

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Office of the Board of Commissioners,

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

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San Francisco,

1854

John A. Monroe, Esq.

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

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 229 on the Docket of the said Board, wherein Josefa Palomares et al, are the Claimant against the United States, for the place known by the name of a lot at the Mission of Dolores, _____ and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.

Know all Men By these
Presents, that we the undersigned
Maria O'Connor Administratrix of the
Estate of M. J. O'Connor, deceased and
S. J. Butterworth

party of the first part are held
and firmly bound unto the United
States of America, party of
the second part in the sum of
One Thousand Dollars for the
payment of which well and truly
to be made, we and each of us
herely jointly and severally bind
ourselves our heirs, executors,
administrators and assigns.

Witness our hands and seals
this eighth day of March A.
D. 1866.

The Condition of the
above obligation is such, that
whereas Maria O'Connor
Administratrix of the Estate
of Michael J. O'Connor deceased
has applied to the said party
of the second part for authority
to institute in the name of the
said party of the second part

as informants certain proceedings in the Circuit Court of the United States for the Tenth Circuit in and for the Northern District of California, against Josefa Palomarez, James G. Denniston her husband, Jose Augustin Palomarez, Francisco Palomarez and Victorino Palomarez for the purpose of setting aside, annulling and vacating a certain decree of Confirmation entered on the 24th day of March A.D. 1856, in the United States District Court for the Northern District of California, in case entitled The United States vs. Josefa Palomarez et al and registered in said District Court as being numbered 131.

And whereas, the said party of the second part has authorized the institution of such suit upon condition that Maria J. O'Connor Administratrix of the Estate of Michael J. O'Connor deceased, shall pay all costs of such suit and shall execute a bond therefor in the sum of one thousand dollars

to secure the payment of such costs.

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Now if the said Maria O'Connor Administratrix &c shall pay all the costs of such suit or proceeding of every kind and nature whatever, then this obligation shall become null and void, otherwise the same shall remain in full force and effect.

Maria O'Connor

S. F. Puttermuth

Witness

Erasmus P. Drake



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Mary O'Connor

L. F. Bullen with

to

The United States
of America -

Bond to secure
against costs

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1
Sesion del dia 3 de Octubre de 1845

Aprobada la acta del dia 1.^o
Se les dio segunda lectura a los
cinco dictámenes de la comision del
terreno baldio puestos en las expi-
dientes de los terrenos La Puente,
Juisun, el Cajon, Potreros de Parma,
y los dos Pueblos cuyos dictáme-
nes concluida la lectura de cada uno
de ellos fueron puestos por el or-
den correspondiente a discusion en lo ge-
neral y sin ella hubo lugar a
votar y todas quedaron aprobadas.

Se aprueba la comision
hecha por el Superior Gobierno
del Departamento en titulo
legalmente librado con fecha
28 de Enero de 1842 en favor
del Indigena Francisco Salas
del parage conocido con el nom-
bre de Suisun sito en la
jurisdiccion de Sonoma, de
conformidad con la ley de 18
de Agosto de 1824 y el arti-
culo 5.º del Reglamento de 21
de Noviembre de 1828.

Sin discusion hubo lugar
al votar y fue aprobado.

Office of the Surveyor General of the
United States for California

By virtue of the second section of
the act of Congress "providing for the survey
of the public lands in California, and for other
purposes" approved March 3, 1853, I, John
C. Hayes Surveyor General of the United
States for the State of California, and as
such, having in my office and in my
custody a portion of the archives of the former
Spanish and Mexican Territory or Department
of Upper California, do hereby certify, that
the two preceding and hereto annexed pages of
tracing paper, numbered one and two,
exhibit true and correct copies ^{of a part of}
103 & 105, in an unbound book, (1845) —
"Cuadernos o libros de actas de Sesiones publicas
correspondientes al presente año" now on file
and forming a part of the said archive in
this office.

In testimony whereof I have
hereto signed my name officially
and caused my seal of office to be
affixed, at the City of San Francisco
this 6. day of August 1853

John C. Hayes
Sur. Gen. Cal.