

CASE NO.

154

NORTHERN DISTRICT

COALLOMI GRANT

JOSEPH POPE, ET AL.

CLAIMANT

Permanized

PLOVER BOND

25% COTTON FIBER

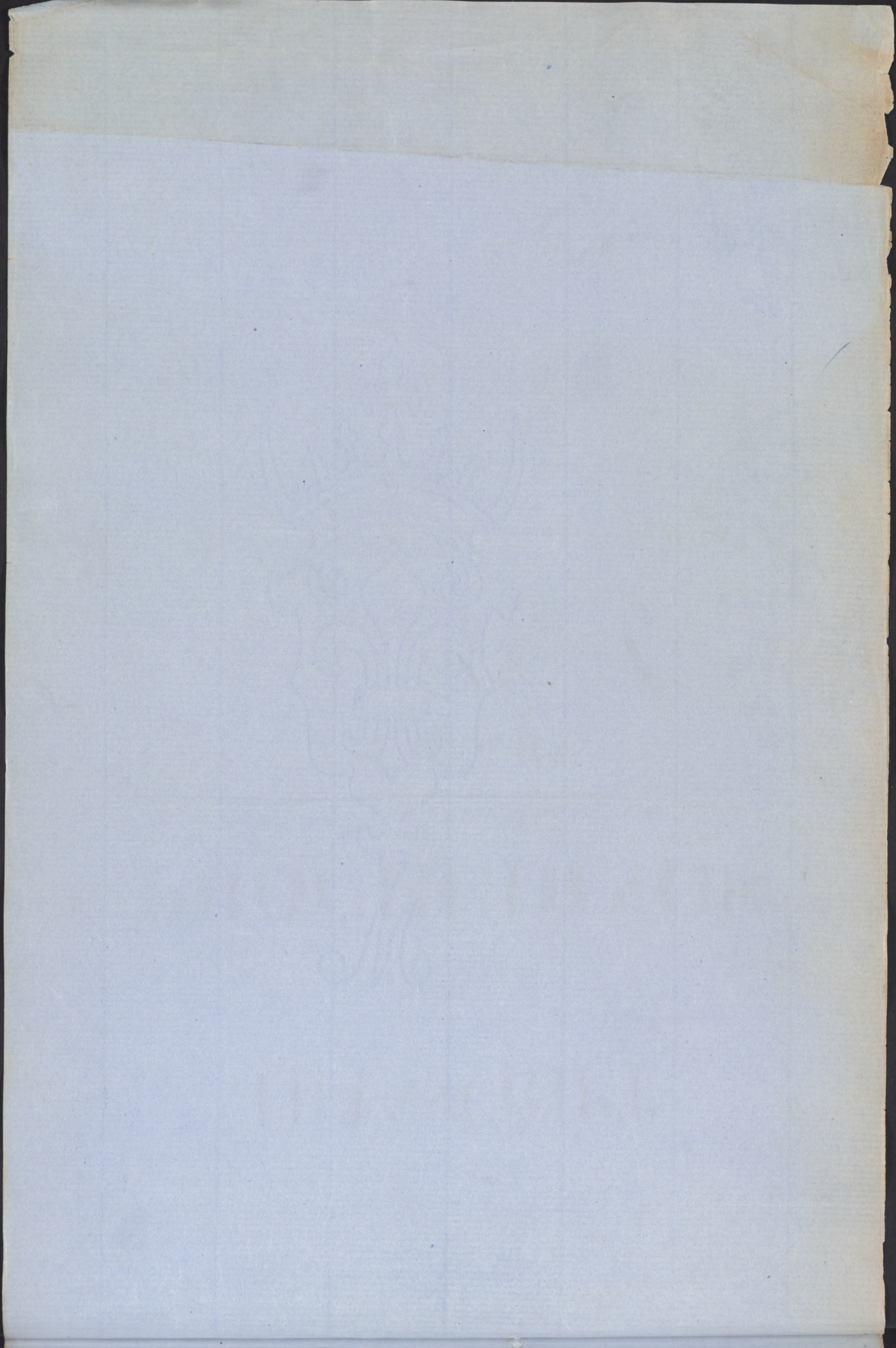
LAND CASE 154 ND

82 pages.

OCT 28 1962

**USE MICROFILM
INSTEAD OF ORIGINALS**

719



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PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 719

Joseph Pope, et al.

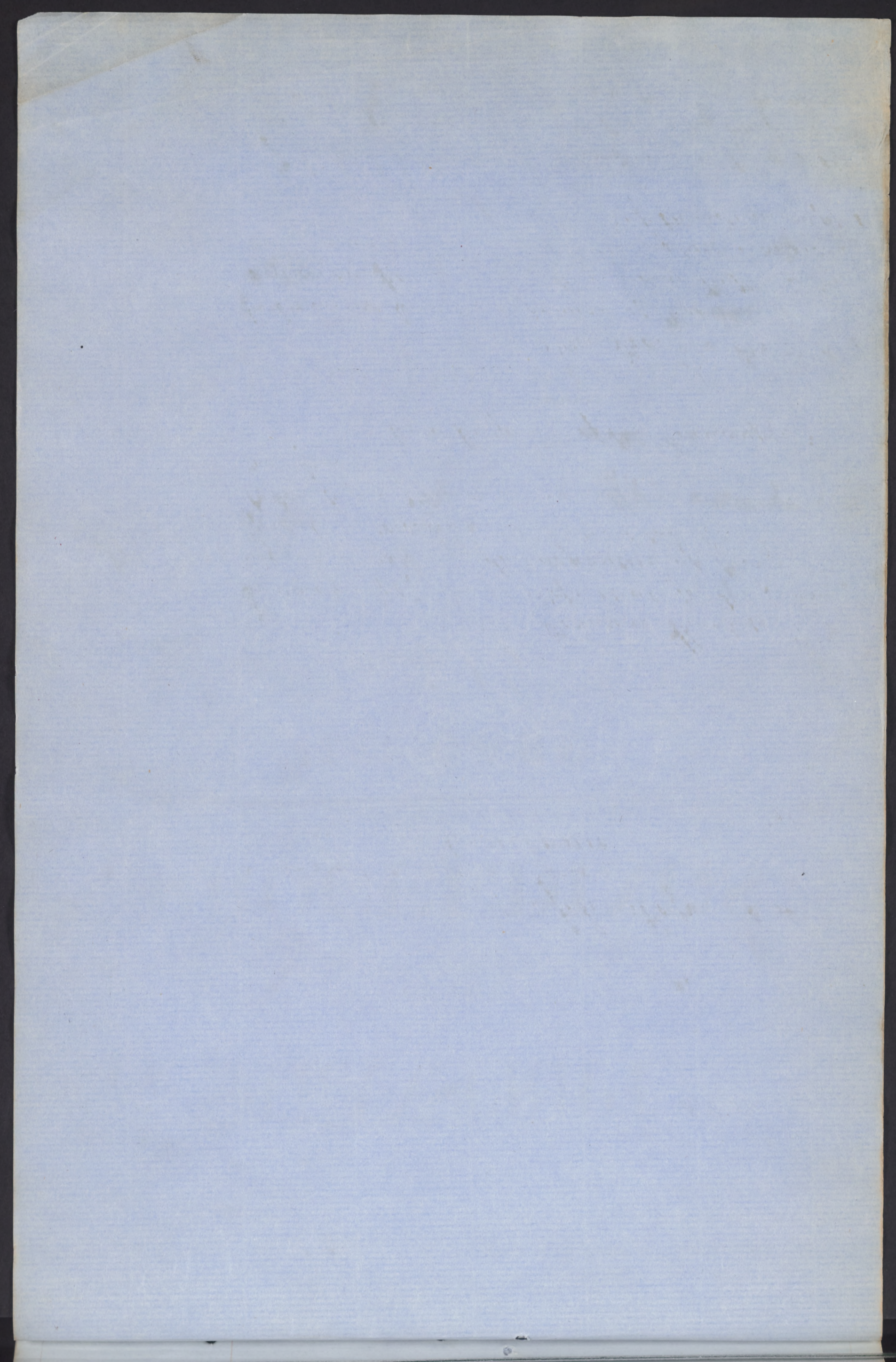
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

" *Coalloni* "



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 *Second day of March*, Anno Domini One Thousand Eight Hundred and Fifty-*Three*, 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;

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The Petition of *Joseph Pope, et al:*
~~~~~ for the Place named  
~~~~~ "*Coallomi*,"  
was presented, and ordered to be filed and docketed with No. *719*, 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 March 15' 1853.
In case no. *719*, Joseph Pope et al: for the place named "*Coallomi*", the deposition of George C. Yount, a witness in behalf of the claimants, taken before Commissioner *Milana Wall*, was filed;

(Vide page *5* of this Transcript.)

San Francisco Feb. 27' 1854.
In the same case the deposition of Abel Stearns, a witness in behalf of the claimants, taken before Commissioner *Thompson Campbell* was filed;

(Vide page *6* of this Transcript.)

San Francisco April 4' 1854.
Case no. *719* was ordered to be placed at the foot of the calendar, just class cases on the Trial Docket,

San Francisco April 21st 1854.
In the same case the deposition of Geo. C. Yount,
a witness in behalf of the claimants, taken before
Commissioner Peter Sott, with document marked
"Exhibit No. 2. P.S." annexed thereto was filed.
(Vide page 7 of this Transcript.)

San Francisco July 18th 1854.
Case No. 719 was submitted on briefs and taken
under advisement by the Board.

San Francisco Aug. 1st 1854.
In the same case Commissioner Alpheus Felch
delivered the opinion of the Board confirming
the claim.
(Vide page 57 of this Transcript.)

San Francisco Aug. 15th 1854.
In the same case, on motion of the U. S. Law
Agent, the following order was made, to wit:
(Vide page 53 of this Transcript.)

3
Petition

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

The Petition of Joseph Maria Luciana Isabel and Delorain Pope heirs of the late Indian Pope deceased respectfully shews

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That on the 30th September 1841 Manuel Armijo acting Governor of California by authority of the Laws of Mexico granted to said Indian Pope now deceased a certain tract of land called Localloni situate in the present County of Napa with the boundaries described in the grant and act of judicial possession which original grant and act of possession with the translation thereof are herewith submitted marked B + C

That said grant contains two square leagues of Land

Your Petitioners further shew that said land has been since the date of the grant and now is in the quiet and un-disputed possession of your Petitioners

That there is no conflicting claim that they rely for confirmation on said original title papers and the Certificate in the archives in the custody of the U.S. Surveyor General and upon such other and further proofs as they may be advised are necessary. Wherefore they pray Confirmation of their title to said land

Rose for Claimants

Filed in Office March 2, 1853

Geo Fisher
Secretary

[Faint, illegible handwriting covering the majority of the page]

Deposition

of
Geo C Yount

San Francisco March 15th 1853

On this day before Commissioner Heland Hall came George C Yount a witness in behalf of the claimant Joseph Pope et al Petition No 719 and was duly sworn his evidence being given in English

In answer to inquiries by the said Commissioner the witness testified as follows

My name is George C Yount my age is fifty eight years and I reside in the County of Napa

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I was acquainted with Julian Pope in his lifetime and with his family His wife Julia and daughter Maria Luana Isabel and Delanna I am acquainted with the land granted to Julian Pope he was living at my time when he got the grant The place was called Coalton

He went onto the land immediately after the grant I think about the year 1841, 1842, or 1843 I cannot state the time The land is separated from Napa Valley by the Mountain called Yoto section less than a year from the time of the grant said Pope built a house on the land and lived in it with his wife and head stock

He continued to live on the place until the time of his death which took place within a year from his taking possession as should think and the place was continued to be occupied by his children to the present time I was present when said Julian Pope was given of the place It was given to Juliana Salgar who was the widow of said Julian Pope and was at the time in 1845 living on the place

George C Yount

Sworn to and Subscribed

Before me

Heland Hall
Commissioner

Filed in Office March 15th 1853

Geo Fisher

Sentary

Recorded in Ev B. Vol 2 Page 648

Geo Fisher

Sentary

1/ Deposition Taken at the Court of the United States Land Commission
of San Francisco Feb 27th 1854
Abel Stearns On this day before Commissioner Thompson
Campbell came Abel Stearns a witness in beh-
-alf of the claimants Joseph Pope et al case
No 719 who after being duly sworn depone as
follows

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Question What is your name age and place of residence

Answer My name is Abel Stearns I am fifty six years of age and reside in Los Angeles I must tell you acquainted with the hand writing of Manuel Poggi in Alvarado Antonio Man-
-in Ochi and Jose Fernandez and if so state your means of knowledge

Answer I am acquainted with the hand writing of said persons and have seen them all frequently write and sign their names

Question Look in the documents mentioned in your answer and marked B, C, and state whether the signatures of the said Manuel Poggi Antonio Man-
-in Ochi Alvarado and Jose Fernandez when they appear in said documents are in their respective hand writing

Answer I have examined said documents marked B, C and the signatures of the persons mentioned in the above interrogatory when they appear in said documents are genuine

Question by the Law Agent

Question How long is it since you have seen Jose Fernandez write and upon what occasions have you seen him write

Answer It is some fourteen or fifteen years since I have seen him write and perhaps longer I can't state the particular occasion when I saw him write but I think he was employed in some of the Offices about the Court House

It is about ten years since I last saw Manuel write and which I saw Alvarado write last in 1846 when he was in Los Angeles

Given to and Subscribed Abel Stearns
Before me this 27th day of February A.D. 1854
Thompson Campbell Commissioner
Filed in Office Feb 27th 1854 Geo. Fisher Secretary

Deposition United States of America
of State of California 388
Geo C. Yount

San Francisco April 21st 1854

This day came personally before Peter Lott a sworn
- missioner for taking testimony to be used before the
Board of Allot Land Commissioners in said State
George C. Yount attests on behalf of the claimants
in case No 719 in the Docket of said Board wherein
Joseph Pope and others are claimants and the
said witness being duly sworn in oath depured
in the English Language as follows to wit

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The U S Law Agent is present

Questions of the Attorney for the Claimants

1 Question What is your name age and present residence
Answer My name is George C Yount my age 59
years my residence Napa County California
2 Question Are you acquainted with Joseph Maria
Luciana Ysabel and Delarmin Pope if you where
children were they

Answer I am acquainted with all of them they
are the children of William Pope and his wife
Mary them both before they were married I for
- get her name

3 Question State what you know of their marriage

Answer I came to California from New Mexico they
were then living at that time in New Mexico afterwards they
came to this country as man and wife with their
children which I have named they lived at my
house and both told me they were married
4th Question Had they any other children besides
those you have named

Answer There was one child born within shortly
before or after the Fathers death it died there are
the only living children

5 Question Did Guillermo alias William Pope hold
any land during his life time if you where under
deputed

Answer He held land in the Valley where his son
Joseph now lives He had a grant there it was
by some Indian name which I cannot remember

in Tapa County He got his grant I think from Alvarado He occupied it with horses cattle &c He built a house corral and put it in cultivation He died soon after he went into the place and I do not think there was much cultivation before his death His family remained there after his death and continued to occupy and carry on the farm and are still living there

6th Question Did you assist at the Survey when Judicial possession was given

Answered to by Law Agent as leading witness I did as one of the witnesses 7th Question Look at the paper now shown you marked B.F.C. P.L. Filed in this case March 2nd 1853 and say if your signature with the document is genuine

Answer This is my signature I wrote it and the other parties signed it in my presence

8th Question State the boundaries of that tract and how you measured it

Answer It was measured with a rope I think 50 fathoms long began at a big branch at the lower end of the valley and measured up the fall of beyond the house towards the North West It is bounded by hills or mountains all round it It contains two leagues as we measured here or less

9th Question Look at the paper now shown you marked Exhibit 2 to Department of George C. Fox and say if your signature thereto as a witness is genuine

Answer This is my signature I was present and saw Elias Bennett and John A. Bennett make their respective marks and they acknowledged the execution of it in my presence before William A. Harkin who also signed his name in my presence

Cross Examination by Me I Law Agent

1. Question Have you ever seen any grant of the land to said Pope if yes when did you first see it

Answer I saw a paper which he told me was his grant from Alvarado which he showed me when he first came up I cannot read Spanish

9
and my Mum what the paper was from what
he told me it was at my house before he came
into the land I do not remember who was pre-
sent I cannot remember the time the paper
it was some years before the war
2nd Question Do you know when he first got
the grant if you know do you know it

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Answer Shortly after he first came to my house
he looked round and seeing this land and then
went away he told me he was going to Monticomey
and if they would give him a grant he would
get his family and settle there for life he came
back with his family and showed me the
paper and told me it was the grant and that
he got it at Monticomey and then went after
his family in the western part of this State
I do not remember the year

3rd Question What is the shape of the land you gave
judicial possession of
Answer It is a valley surrounded by hills with a
stream running through it which leads upon a
mountain called Lota west of the farm
The shape is irregular it is narrower at the upper
end of the valley and wider in the middle it is
larger lengthwise of the valley than across it
I think there is some little hills or clumps on the
Surrey I am not positive

4th Question Is it bounded on all sides by the
crest of the mountains

Answer It is bounded thus on all sides except
on the North East I think there is a mountain there
part including the high mountain on the Surrey

5th Question Do you know the Camp Seco on that
Ranch

Answer I do it is the North fork of the Stream
passing through the Ranch and forms its gene-
ral fence where near the lower end of the Ranch

6th Question Who caused the measuring rope when
you went to give judicial possession

Answer I do not now recollect I was along as one
of the witnesses but cannot remember who caused it

7th Question Do you know that any measurement

was made with the rope

Answer You then measure in
8th Question Was any part of the line measured at
the Camp Seco if you what part of it
Answer There was a gap and little hills between
the two streams we measured across the valley and
across the Camp Seco from hill to hill clear across the
valley on the North side the hills come very close
to the Camp Seco we measured on the North side
near the creek along about the middle of the North line
I do not know how much of the line
9th Question How far is it from the foot to the
top of the Mountains on the South side of the Ranch

Answer I should say from a half a mile to a mile
the hills are rather steep

10th Question How high are the Mountains on the
North side

Answer I should say a mile or more very rough
Mountains

11th Question How could the boundary on the North
side be the crest of the Mountain when the line
was measured along the Camp Seco

Answer The Camp Seco runs close along the
edge of the Mountain on that side

12th Question What is the character of the crest
of the Mountains on the West North and East
sides of the Ranch

Answer On the West side it is timber land with Pine
and Redwood on the South they are covered with
grass and timber on the East side they are very
rough rugged Mountains hard to get
through The line runs so as to include
the Valley they run in a straight line in places
and then with off sets to show the shape of the Mountain

13th Question Where did you commence the measure-
ment and in what direction did you run and
how far in that direction

Answer We commenced on the East side
near the Camp Seco and run westerly we com-
menced at the foot of the hills I do not know
how far we ran the first course

14th Question Did you ascend the Mountains in
your measurement if you at what point

11
Answer I think we did not ascend the mountains
to the best of my recollection we did ascend so
as to embrace the Valley running round the base
of the mountains

15th Question Who kept the account of the
measurement

Answer Before the Alcalde himself he may
have had some one to keep it for him

16th Question Did you establish any land marks

Answer I do not recollect distinctly I think
they marked some trees at the end I think
they had a hatchet along I am not positive

Re examined by the Attorney for claimants
Question How long after Pedro's death did you obtain
the grant was it that he moved into the place

Answer He went into the place and went to work
immediately after he came up He was called William
as well as Julian

2 Question Do you think the paper now shown
you is the same Paper shown you now marked
B. T. C. P. L.

Objected to by the Law Agent attending
Answer I think it is the same

Re examined again by U.S. Law Agent

Question Did you take the paper in your
hand when he showed it to you if you for what
purpose did you do so

Answer I think I did I had no particular
purpose more than to look at it

3rd Question What enables you to state positively
that it is the same paper

Objected to by claimants counsel as assuming
a declaration not made by the witness

Answer I do not even recollect to the fact I
said I think it is the same paper

Subscribed and sworn Geo. C. Grant
to before me this 21st day of April A.D. 1854

Peter Lott
Commissioner for Taking
Testimony &c

Filed in Office April 21st 1854

Geo. Fishin

Sentary

Record in Evidence Vol 4 page 278

Geo. Fishin

Sentary

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Espediente
Promovido por Don Julian
Pope en solicitud del para-
ge conocido con el nombre
de
Loevallomia

Numero

256

[Decorative flourish consisting of a horizontal line with a large loop, followed by a vertical line with a series of loops, and another horizontal line with a large loop.]

Sello Secreto Dos Reales

Habilitado provisionalmente por la Aduana Maritima
del puerto de Monterrey en el Departamento de
las Californias para los años de mil ochocien-
tos cuarenta y mil ochocientos cuarenta y uno.

Simons.

Antonio Maria Rio.

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E. S. P.

Excmo Sr. Gobernador.

Julian Pope natural de los
Estados Unidos del Norte America y Mexicano
por naturalizacion ante V. E. con el debido respeto
se presente y dice: q. hallandose poseedor de un
gran numero de ganados mayor y faltando
un sitio p. fomentarlos, he buscado p. tal efecto, lo
cual encuentro segun muestra el adjunto disenyo, i =
qualm. la aprobacion del Sr. Director de coloni-
zacion de la frontera del Norte D. Guadalupe
Vallejo. P. T. A. V. E. Suplico humildem. te
q. me conseda el referido sitio, p. lo cual reci-
bre merced y gracia &c.

Monterrey 30 de Set. de 1841

Julian Pope.

Monterrey 30 de Set. de 1841

Vista la peticion en que desde principio
este expediente el informe del Sr. Comand. te
Grat. con todos los demas q. se tuvo presente y
percorridos de conformidad con las leyes y Reg-
lam. de la materia declaro a D. Julian Pope
dueno en propiedad del paraje conocido con el
nombre de Socollomia estirada con las
Serranias, q. lo circundan. Librese el corresp. te
despacho tomese razon en el libro respectivo
y dirijase este expediente al d. Excmo Junta Dep.
p. su aprobacion. El Sr. Dr. Manuel Jimeno

15-

por Vocal de la Exma. Junta Departamental
en ejercicio del go^{no} del mismo así lo mandé
decir y firmó de g. soy fe.

Jimeno.

Jose D. Fernandez.
Srio. Int.

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(You follow the map)

11
Los Directores de Colonización de la Frontera del Norte.

Sonoma Set. 7 de 1841.

El Sr Comand. Militar de esta frontera se servira exponer su opinion sobre los puntos q. contiene esta instancia p. resolverlo; teniendo muy presente q. no se confundan los linderos del terreno de los Mayacomas con el de los Provisionales al Sarg. Benigno y su familia ni con los demas colindantes inmediatos.

Dr. G. Vallejo.

Sonoma Sept. 7 de 1841.

Puede el interesado en esta instancia exponer el terreno q. solicita; es valdico y no pertenece a propiedad particular.

Salvador Vallejo.

Julian Pope nativo de los Estados Unidos del Norte America, y Mexicano p. Naturalizacion, ante V.S. con el mas profundo respeto espone:

Que hace diez y ocho años q. reside en la Republica y cinco en este Departam. q. es casado con hija del pais, y padre de una numerosa familia nacido en el Pueblo de los Angeles y q. transportase con su familia y propiedad á esta frontera á ejercer en ella su Oficio de Labrador q. sabiendo q. el terreno conocido con el nombre de Socoa-

llorria al Norte de este Pueblo esta valdico viene á impetrar de V.S. se sirva concederselo en propiedad perpetua hereditaria somitiendose el Suplicante á las leyes y Reglamentos de la materia

Dicho terreno cuyo diseño acompaña es un valle q. puede tener como dos leguas de N. á S. y de E. á O. lo atraviesa diagonalm. un arroyo q. de O. E. á E. con tres ramificaciones; una de S. a N. y dos de E. á O. Sus linderos deban ser las Surranias q. le rodean; p. No hay ranchos en la

inmediacion excepto el del Sr. Junco y del Sr. Bal, q. distan de el unos cuatros leguas.

P. T. A. V. S. Suplica se sirva decretar como fidei in esta instancia, en lo q. recibira merced q. implore en este papel p. falta del sellado correspondiente. — Juraste.

Sonoma Setro 7 de 1841
Julian Pope.

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Sonoma Setro 7 de 1841.

Queda el interesado en esta instancia, D. Julian Pope ocupar el terreno nombrado Locoallomia bajo las condiciones q. espone solicitando desde luego los títulos de estilo del Gov. Departam. y sustentarse á los Reglamentos de la Materia.

M. J. Vallejo —

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

I John B. Hoays Surveyor General of the United States for the State of California and as such having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California by virtue of the power vested in me by law do hereby certify that the same preceding and hereunto annexed pages of tracing paper numbered from one to seven inclusive exhibit a true and accurate

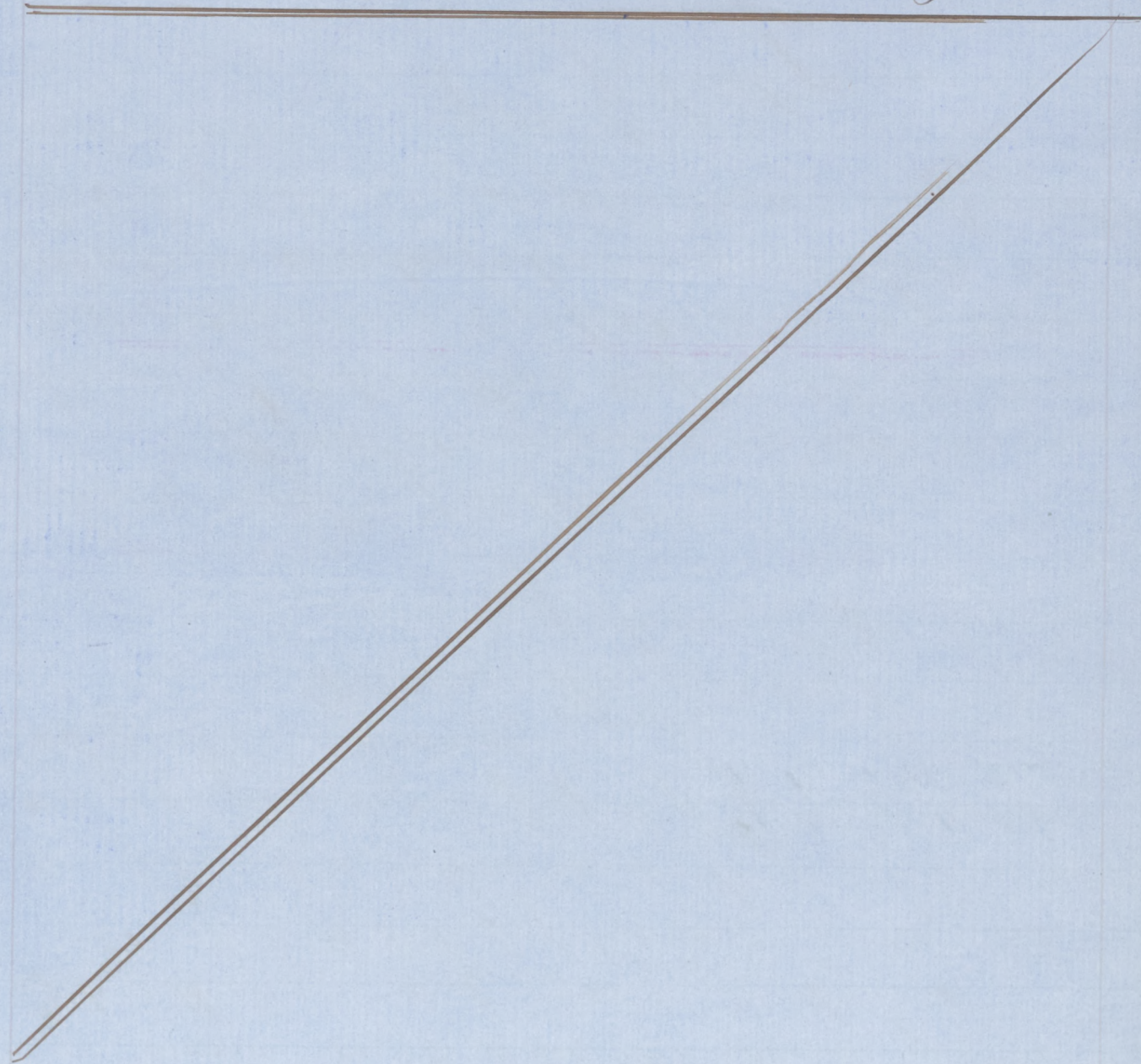
18
Copy of a certain document now on file
and forming part of the said Archives
in this Office.

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In testimony whereof I have
herewith signed my name of-
ficially and caused my seal of
Office to be affixed at the City
of San Francisco this Eleventh
day of March A.D. 1854.

John C. Hayes
U.S. Sur Genl. for Cal.

Filed in Office March 16 1854
(Signed) Geo. Fisher
Clerk

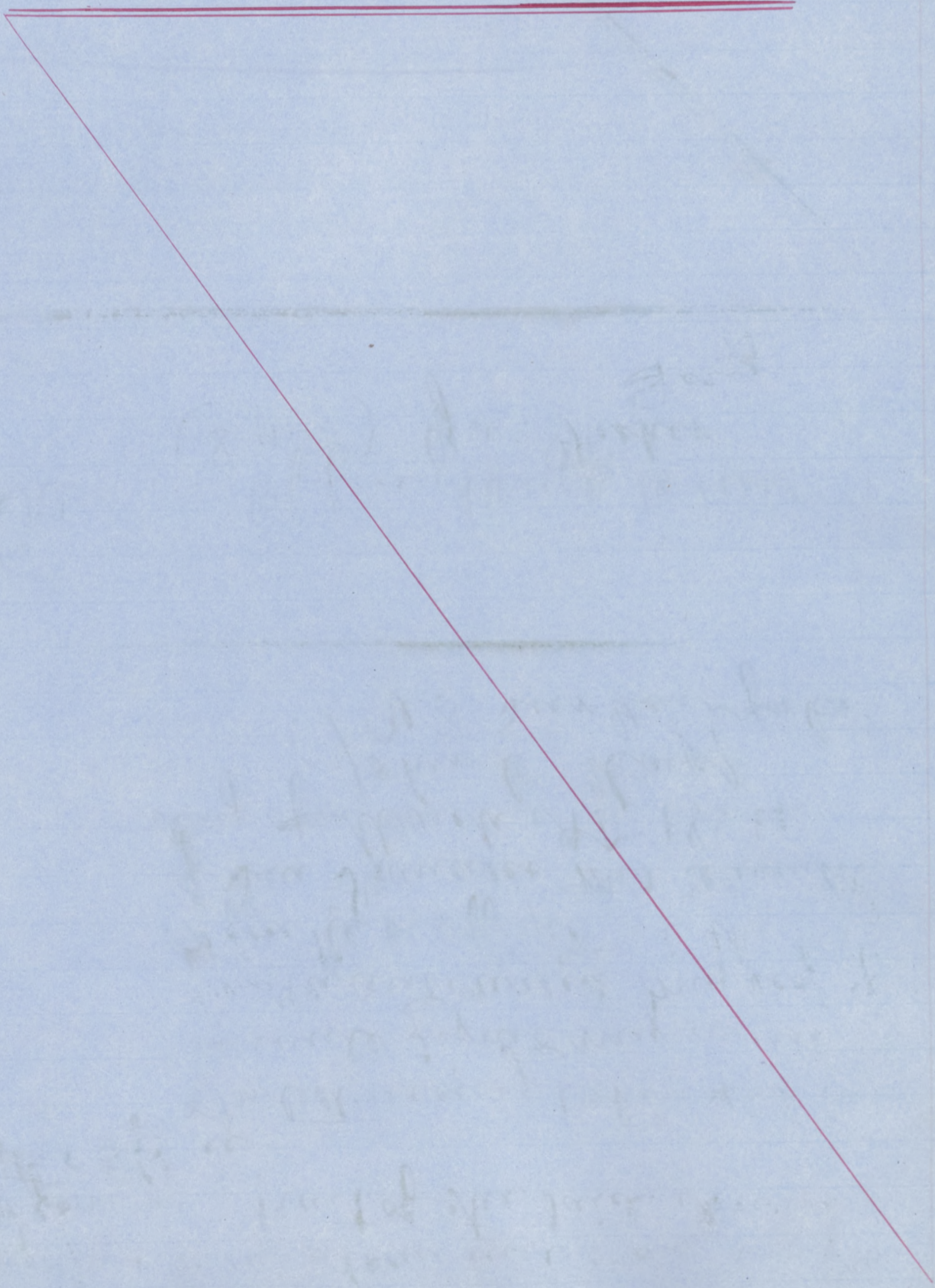


Translation
of
Expediente

(Expediente) Record of proceedings instituted
by Don Julian Pipo in solicitation of the place
known by the
name of,
Locoallonia

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Number 256



211

Stamp Three Two Reales

Provisionally authorized by the Maritime cus-
toms of the Port of Montevideo in the Department of
the Montevideo for the years 1840 and 1841
Señalá Pimino Señalá auto (sea Usio
(Seal)

Most Excellent Sir Governor
Julian Pope native of the United States of North
America and Mexican by Naturalization before
your Excellency with the due respect presents him-
self and says

That finding himself in a of a large
number of neat cattle (Ganado Mayor) and wanting
of a place to inclose them he had looked for a
tract of land for such purpose which tract he has
found as shown by the annexed (desimo) Plan
and also has met with the approbation of the Sr
Director of Colonization of the frontier of the North
Don Guadalupe Vallis

Therefore I humbly beseech your
Excellency that you will grant to me the request to
place which I shall receive a favor & c

Montevideo 30th September 1841
Señalá Julian Pope

Montevideo 30th September 1841

Having seen the
Petition bearing this Expediente to the report of the
Sr Comandante General to gether with all
that which was presented and found belonging
to me in conformity with the laws and regulations
on the subject matter I declare Don Julian Pope
owner of the place known by the name of
La Carlomaria bounded by the ranges of the
mountains which surround it

Let the corresponding
patent be issued let it be recorded in the respective
book and let this Expediente be forwarded to the
Most Excellent Junta Departmental for its appu-
-sado The Sr Don Manuel Jimenez 1st member of
the Most Excellent Junta Departmental in charge
of the Government of the same thus has ordered a decree

and signed in testimony whereof
 (Signed) Juan Luis
 Segura y Ferrnandez
 Secretary
 ad interim

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Huin comes the disino

Plat
 Sir Director of Colonization of the Frontier of the North
 Mexican Pico a native of the
 United States of North America and a Mexican by
 naturalization before Your Honor with the most
 profound respect Saizeth

That it is eight ten years
 that he resides in the Republic and two years in
 this Department that he is married to a daughter
 of the Country and Father of a numerous family
 born there in that at the present time he is located
 in the Pueblo de Los Angeles and that he wishes
 to remove with his family and property to this
 frontier to pursue therein his calling of Cultivator
 that knowing that the land known by the name
 of La Cañonita to the North of this Pueblo is vacant
 he comes to implore of your Honor that you will
 please grant it to him in fee simple (en pro-
 pria ad perpetua hereditaria) to the Petitioner
 subjecting himself to the laws and regulations
 on the subject matter

Said land the parcel of
 is known as an arica is a valley which may encompass
 some two leagues from north to South and from
 East to West a large Arroyo or creek crosses it diag-
 onally from West to East

Reference to the Spanish
 for correct delineations of the original points of the
 Com pass, with the variations are from South to North
 and then from East to West. Its boundaries should
 be the ridges of the Mountains which surround it
 There are three or four Ranchos contiguous to it ex-
 cepting that of the Don Juancho and that of Doctor Bal-
 which may be distant from it some four leagues
 Whence he prays of your Honor that you will please
 decree as he petitions in this instance when he
 will receive a favor which he implores on this paper
 for want of that of the corresponding stamp.

St. Joens + et
 Guama September 7th 1841
 Dignia Dignia Pope

Guama September 7th 1841

The Gov. Military
 Commandant of this Territory will please make
 known his Opinion upon the points contained in
 this petition so as to decide the same bearing well
 in mind that they be not compounded with the
 boundaries of the Lang de los Manacas as previously
 granted to the Sergeant Berrojesa and to his
 family with the other contiguous land holders

Dignia M^{re} G. Vallijo

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Guama September 7th 1841

The interested party
 in this petition can occupy the land which he subjects
 it is vacant and does not belong to any private
 property

(Dignia) Salvador Vallijo

Guama September 7th 1841

The interested party
 in this petition Dignia Dignia Pope can occupy
 the land named Locra Usmo under the conditions
 which he sets forth soliciting him after the customary
 title from the Departmental Government and
 subjecting himself to the regulations on the subject
 matter

Dignia M^{re} G. Vallijo

Filia in Officio March 16th 1854

Geo Fisher

Secretary

24

BYC

ND

B
Title and Possession

Sello 1^o Seis Pesos.

Habilitado provisionalmente por la Aduana Maritima de Monterrey para los años de 1837 y 1840.

Abarado.

Antonio M^a Osio.

Valga p^o los años de 1841 y 1842

Jimeno.

Antonio M^a Osio.

Manuel Jimeno Casarín primer vocal propietario de la Exma Junta Departamental en ejercicio del gobierno del mismo.

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Por cuanto Don Julian Pope Mexicano p^o naturalizacion ha pretendido p^o su beneficio personal y el de su familia el paraje conocido con el nombre de Socolloni colindante con las Serranias q. lo rodean; practicadas previam^{te} las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglam^{tos} de la materia, usando de las facultades q. me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el p^o las presentes letras, sujetandose a la aprobacion de la Exma Junta Departamental y a las condiciones siguientes.

1^a Podrá cercarlo sin perjudicar las travencias camineros y ferrocarriles; lo disfrutara libre y exclusivamente destinado al uso o cultivo q. mas le aconviene; pero dentro de un año fabricara casa y estara habitada.

2^a Cuando se le confirme la propiedad solicitara del Juez respectivo q. le de posesion juridica en virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites pondra arboles de las especies algunas arboles frutales o silvestres de alguna utilidad.

3^a El terreno de q. se hace mencion es de dos sitios

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de ganado mayor segun aplica el diseño q. corre en el expediente. El juez q. diere la posesion lo hará medir conforme á ordenanza dejando el sobrante q. resulte á la Nacion p^r los usos convenientes.

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

En consecuencia mando q. Teniendose p^r firme y valedero este título se tome razon de el en el libro respectivo y se entregue al interesado p^r su resguardo y demas fines. Dado en Monterrey á treinta de Setiembre de mil ochocientos cuarenta y uno.

Mano. firmada.

Jose W. Fernandez
Srio. int^o.

Queda tomada razon de este Despacho en el libro de acientos sobre adjudicacion de terrenos baldios á p^a 7.

Fernandez.

El Excmo. Sr. Gobernador interior ha dispuesto se tome razon de esta concesion en la Prefectura del 1^{er} Distrito.

Fernandez.

N^o 17

Juzgado 1^o de Sonoma.

Expediente instruido para medir y dar posesion de sitios de ganado mayor en extension de dos en el Rancho de Guesallonni á D^a Maria Juliana Valazar.

Septre 13 de 1843.

Juez D^a Jose de la Rosa.
Fostigos de asistencia { Ciudad^o Francisco Armijo.
Ciudad^o Eduardo Pale.

Juzgado 1^o de Sonoma

Por Alcalde 1^o de Sonoma.

Memorial de pe-
dimento de pose-
cion presentado
ante mi Jose
de la Rosa

Maria Juliana Salazar Mexicana y vecina de esta
jurisdiccion de una del Rancho de Losalloni ante
V. como mejor conuenga compareco y digo: q. como con-
sta del titulo q. presento: tengo en mi dho Rancho dos si-
tos de ganaderia mayor debajo de los linderos q. espresen
dho titulo; y p^o q. en todo tpo. conste hta donde lleguen
mis linderos; y si me perjudican o yo perjudico a los
circunvecinos suplico a V. se sirva mandar se proceda
con citacion de los circunvecinos a las medidas de mis
tierras p^o cuyo efecto nombro desde ahora al Sr. Juan
Solis vecino de esta jurisdiccion inteligente en esta
materia, y los demas interesados nombren sus me-
ditores y juntos con el referido Solis por mi nom-
brado, aparescan, juran, aceptan y se procedan a dhas.
medidas.

Por tanto a V. suplico se sirva mandar hacer como
llebo dho. y pedido; y hecho q. sea se me devuelvan los
documentos con sus originales p^o en guarda de mi de-
recho, y que dispense el uso del papel comun p^o no haber
del sello q. corresponde jurando lo necesario.

Sonoma Septro 24 de 1843.

Maria Juliana Salazar.

Diligencia de la
presentacion del
Memorial.

En el Pueblo de Sonoma a los 6 dias del mes de Septro
de mil ochocientos cuarenta y cinco, ante mi Jose
de la Rosa Alcalde 1^o Constitucional de esta juris-
diccion se leyó la peticion antecedente y vista; la tube
p^o presentada con el docum^{to} q. espresa y mando q.
citacion de los circunvecinos se haga informacion de i-
dentidad vista de ojos y reconocim^{tos} de dhas tierras
a q. estoy firmando a asistir personalmente asi lo p^ovey
mande y firme con los de mi asistencia = Jose de la

Coza = asca = Francisco Armijo = asca = E. J. Pale.

Declaracion del
primer testigo
Elias Burnet.

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En el expresado Pueblo de Sonoma á los siete dias del
mismo mes y año yo el referido Alcalde 1.^o con los
de mi asistencia; p.^{ta} proceder á la informacion de i-
dentidad, hice comparecer ante mi al Sr. Elias Burnet
vecino de esta jurisdiccion de oficio azerrador de madera
del cual recibí juramento en forma q. hizo p.^{ta} Dios Ntro.
Sr. y la Señal de la Sta. Cruz á cargo del cual prometió
decir verdad y siendo preguntado p.^{ta} el consueim.^{to} de la tier-
ras y parages, terminos y linderos pertenecientes al
Rancho de Locoallomi dijo; q. hace tres años q. es vecino
de esta jurisdiccion y sabe q. las tierras pertenecientes al
Rancho de D.^a Maria Juliana Salazar son de la d^{ha} Sr.^a
y tiene por linderos el arroyo seco p.^{ta} el Oeste y p.^{ta} el Oeste
h^{ta} las lomas altas, p.^{ta} el Norte desde la loma cerca del plan
siguiendo p.^{ta} el Sur h^{ta} la cordillera de las lomas de la
misma lantada los cuales á visto y reconocido varios veces
y q. desde q. las posee la referida D.^a Maria Juliana Salazar
las ha labrado, cultivado y han pacido en ellos sus gana-
dos y p.^{ta} prueba de lo q. tiene d^{ho}. esta pronto á ir á d^{has}.
tierras con el presente Juez y señalarle los parages y lin-
deros donde llegan y q. lo q. lleva d^{ho}. es la verdad p.^{ta} el ju-
ram.^{to} q. tiene hecho en q. se afirmó y ratificó = Declaró ser
de edad de 40 años y no tocarle las generales de la ley; y
firmó conmigo y los di mi asistencia = ante mi =
José de la Coza = Elias Burnet = asca = Francisco
Armijo = asca = E. J. Pale =

Declaracion del 2.^o
Testigo José
Chiles.

En el mismo pueblo de Sonoma á los siete dias del
mismo mes y año yo el referido Alcalde 1.^o con los de mi asistencia hice comparecer ante
mi á José Chiles Ciudad.^{ano} Mexicano p.^{ta} naturalizacion y
vecino de esta jurisdiccion, de oficio Carpintero del cual
del recibí juram.^{to} en forma q. hizo p.^{ta} Dios Ntro. Sr. y la
Señal de la Sta Cruz de decir verdad; y siendo pregunta-

do p^o. el conocimiento de las tierras parajes y linderos pertenecientes al Rancho de Loocoalloni dijo: q. ha sido tres años q. es vecino de esta jurisdiccion, y sabe q. las tierras pertenecientes a dho. Rancho son de D.^a M.^a Juliana Salazar y tiene p^o. linderos el Arroyo Seco p^o. el Este, p^o. el Weste hta. las lomas altas, p^o. el Norte desde la loma cerca del plan, siguiendo p^o. el Sur hta. la cordillera de las lomas de la misma Cañada, los cuales ha visto y reconocido varias veces; y desde q. las posee la referida D.^a Juliana Salazar, las ha labrado y cultivado y han producido en ellas sus ganados, y p^o. prueba de lo q. tiene dho. esta pronto a ir con el presente juez y señalarle las tierras, parajes y linderos donde llegan, y q. lo q. lleva dho. es la verdad en fuerza del juram^o. q. tiene hecho, en q. se afirmó y ratificó. Declaró ser de 33 años de edad y no tocarle las generales de la ley y firmó conmigo y los de mi asistencia — ante mi — Jose de la Rosa = J. B. Chiles = asse = Francisco Arrijo = asse = E.^d J. Bale

Declaracion del
3^o testigo Floran-
cio Salazar.

Acto continuo yo el referido juez hice comparecer ante mi y los de mi asistencia al C.^o Florancio Salazar, residente en esta jurisdiccion del cual recibí juram^o. en forma de cargo del q. ofreció decir verdad, y siendo preguntado p^o. el conocimiento de las tierras parajes y linderos pertenecientes al Rancho de Loocoalloni, y dijo: q. ha sido tres años q. es vecino de esta jurisdiccion, y sabe q. las tierras pertenecientes a dho. Rancho son de D.^a M.^a Juliana Salazar, y tiene p^o. linderos el Arroyo Seco p^o. el Este p^o. el Weste hta. las lomas altas, p^o. el Norte desde, desde las lomas cerca del plan siguiendo p^o. el Sur hta. la cordillera de las lomas de la misma Cañada, los cuales ha visto y reconocido varias veces y q. desde q. las posee la referida D.^a M.^a Juliana Salazar, las ha labrado y cultivado y han producido en ellas sus ganados y p^o. prueba de lo q. tiene dho. esta pronto a ir con el presente juez, y señalarle las

Tierras parajes y linderos donde llezaron, y q. lo q. tiene
dho. es la verdad a cargo del juramto q. tiene hecho en q. se a-
firmó y ratificó. Declaro ser de edad de 22 años y no tocar
le las generales de la ley, y p. no saber firmar hizo una
señal de cruz de q. doy fé. + = ante mí y los de
mi asistencia = José de la Rosa = Florencio Salazar =
Asa = Francisco Armijo = asa = C. J. Bali.

Reconocimiento de
las tierras del
Rancho.

Estando en el campo, en el paraje nombrado Arroyo
Seco, el q. tiene p. lindero; a los ocho dias del mes de Septor
del presente año yo el Alcalde 1º actuando p. receptorio
con dos testigos de asa p. falta de Escribanos Publicos;
los testigos p. mí examinados: presente D. M.ª Juliana
Salazar dueña de dhas. tierras procedi a ver y reconocer
las tierras, terminos y linderos de dho. rancho p. mayor
claridad; puesto a caballo en comp. de la parte y testigos re-
feridos, mande a los sus dichos que señalasen los parajes
segun las señales q. han declarado en sus deposiciones, y
en su conformidad me guiaron desde el Este paraje del
Arroyo Seco hacia el Oeste hta llegar a las lomas altas,
las q. me mostraron y desde allí prosiguio el reconocimto
y vista de ojos y luego dirijiendome p. el Norte desde
la loma cerca del plan donde me insinaron toda esa parte
de tierra y desde allí, continuando el rumbo Sur se-
guimos hta llegar a la cordillera de las lomas q. son
pertencientes a la misma Señora y seguimos el rumbo
h. hta. encontrarnos en el mismo punto donde se empe-
zó el reconocimto y dijeron ser los terminos y linderos de
las referidas tierras pertenecientes a D. M.ª Juliana Salazar
cuyos parajes yo el referido Alcalde vi y reconocí con los
de mi asa: Testigos examinados y papeles presentados,
y estojados con estos el referido reconocimto ser cierta la
identificacion de las mencionadas tierras segun y como
lo declararon dhos. testigos, y p. q. conste se puso p.
diligencia, y lo firmé con los de mi asistencia y demas

q. supieron de q. doy fe = ante mi = Jose de la Rosa
= Juan Solis = asse = Francisco Arnijs = asse =
E. J. Bale

Notificacion á la
interesada p.^{ta} q.
ratifique el nom-
bramto. de medidor

Unmediatamte. yo el Alcalde 1.^o p.^{ta} proceder á las mi-
didar contenidas en estos autos mando q. se notifique á
dha. Doña Doña Juliana Salazar dueña de las tierras p.^{ta} q.
ratifique el nombramto. de medidor como asimismo yo el
puz. nombro de oficio á D.^{no} George Yunt habiendo de ser in-
teligentes en materias de medidas y los q. fueron nombrados
aparesem, acepten y juran, y hecho esto estoy pronto p.^{ta} señalar
dia p.^{ta} dhas. medidas, así lo proveyo cuando y firmé con los
de mi asse = Jose de la Rosa = asse = Francisco
Arnijs = asse = E. J. Bale

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Ratificacion del
nombramiento de
medidores.

En el mismo dia. mes y año yo el Alcalde 1.^o
ley y notifique el auto q. antecede, y el de su uso, se-
gun y como en el se contiene, á la Doña Doña Juliana
Salazar y á los circunstantes, en sus personas q. conosco;
habiendole oido y entendido dijeron: lo oyen: y la Doña Sa-
lazar dijo: q. ratifica su nombramto. en el Sind. Juan Solis
y á D.^{no} George Yunt p.^{ta} mi nombrado de oficio ambos inte-
ligentes y de legalidad, á quienes notifique, q. paresem, acep-
ten, y juran, y á consecuencia se proceda á dhas. medidas co-
mo está mandado, y lo firmaron los q. supieron, ante mi
y los de asistencia de q. doy fe = Jose de la Rosa = Maria
Juliana Salazar = Juan Solis = George Yunt = asse
= Francisco Arnijs = asse = E. J. Bale. —

Notificacion á los
medidores y su
juramento.

Unmediatamte. yo el referido Alcalde 1.^o ley y noti-
fique el auto de su uso y nombramto. de medidores á
los b. b. Juan Solis y George Yunt nombrado de oficio,
vecinos de esta jurisdiccion; en sus personas q. conos-
co. q. habiendole oido y entendido, dijeron q. aceptan el
encargo de medidores q. se les confia; y juran á Dios Q.^{do}

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Por. y la Señal de la Santa Cruz + según su real saber y entender, q. usarán de su encargo fiel y legalm^{te}. y dhas. medidas las verificarán con fidelidad y exactitud como es de su obligación, y á satisfacción de todos los interesados, y habiendo así respuesto, lo firmaron conmigo y los de assa. de q. doy fe = Jose de la Rosa = Juan Solis = George Yunt = assa = Fran^{co}. Armijo = assa = E. J. Bale.

Asignacion del día de las medidas.

En seguida yo el referido juez habiendo visto la aceptación y juram^{to} hecho p^o los C. C. Juan Solis y George Yunt nombrados p^o Medidores, dije: q. p^o proceder á dhas. medidas, asignaba y asigné el día ocho del presente mes á las ocho de la mañana y q. se haga saber así á los medidores, citándose al efecto á los circunvecinos; así lo provei, mande y firmé con los de mi assa. = Jose de la Rosa = assa = Francisco Armijo = assa = E. J. Bale. =

Notificación del Auto anterior.

Ymediatamente se hizo saber á la parte interesada el auto q. antecede á D. No.ª Juliana Balazar á los medidores Juan Solis y George Yunt, y entendidos dijeron, q. se dan p^o citados y lo firmaron con el presente juez y los de assa. de q. doy fe = Jose de la Rosa = Maria Juliana Balazar = Juan Solis = George Yunt = assa = Francisco Armijo = assa = E. J. Bale.

Libramiento de boletas de comparendo

En el mismo día mes y año, se libraron boletas de comparendo á los circunvecinos p^o q. estuvieran presentes el día citado, y á la hora asignada en el mencionado rancho de Soacalloni; y p^o constancia lo firmé con los de mi asistencia = Jose de la Rosa = assa = Francisco Armijo = assa = E. J. Bale. =

Medidas del cordal

En el rancho de Soacalloni á los ocho días del mes de Seten de mil ochocientos cuarenta y cinco presente D. No.ª Juliana Balazar y circunvecinos, hice comparecer

ante mí y los de mi asist.^a á los l. l. Juan Solis y George Yunt
medidores nombrados á quienes mandé q. tomaran un cordel,
y midiesen cincuenta varas con vara de medida
Castellana; y los medidores en mi presencia mi-
dieron un cordel bien torcido con vara de medida
Castellana mejicana y sellada el Num.^o de (30) v.^o
á vista de la interesada y circunvecinos y para
que conste mando q. se ponga p.^a diligencia y se pro-
ceda á dhas medidas como este mandado lo justifico,
y lo firmé asimismo con los de mi asistencia. — Jose
de la Rosa ^{assa} Francisco Amijo — assa — E. T. Bal.

Medidas de terreno del Rancho.
Estando en el Campo pertenecientes a las tierras del
Rancho de Locoalloni de D.^a Maria Juliana Dalazar
hoy dia (8) de Septor de (1845) yo el Alcalde 1.^o de esta
jurisdiccion actuando por receptoria con dos tes-
tigos de asista. p.^a falta de Escribano Publico pre-
sentes los medidores Juan Solis y George Yunt
nombrados p.^a la parte interesada y el juez, mandé
procediesen á las medidas de dos sitios de ganado
mayor, q. por mas ó menos pertenecan a dho. Ran-
cho, segun el título y diseño presentado en cuyo
obediem.^{to} dieron principio á dhas. medidas de dos
sitios de ganado mayor empezando por el arroyo
Dios desde donde siguiendo el rumbo p.^a el West
hta. las lomas Altas se midieron (260) cordeles de
(30) v.^o que son (12500) varas, allí levantó la in-
teresada un monton de piedras en señal de la
mojonera q. pondria en efecto, de este punto siguiendo
la medida hacia el Sur hta. la Cordillera de las lo-
mas se contaron (85) cordeles q. son (4000) v.^o y
paso la interesada la correspond.^{te} señal p.^a poner
su respectiva mojonera; luego siguiendo el rumbo
p.^a el Este se midieron (260) cordeles q. son (12500)
varas donde asimismo puso la interesada otra se-

Real p.^a poner su mohonero, y continuando hacia el
 Norte siguiendo el mismo rumbo, llegamos hta el
 punto donde se dio principio, y se contaron (80) cordones
 q. son (4000) varas, de maneraz. dándose por conclu-
 idas las medidas del terreno q. comprende el Rancho de
 Soacoalloni resulta una circunferencia de = 33000 = varas
 poco mas de leg. correspondiente a dos sitios de ganado ma-
 yor; y declararon los d^{os}. Medidores estar enterada
 D^a. Maria Juliana Delazar de las Tierras q. le corres-
 pondan segun el titulo y diseño q. le corre en este espe-
 diente y se halla a la cabeza, p.^a todo lo cual y en señal de
 verdadera posesion y ceremonial acostumbrado, arrancó fue-
 ras y yerbas; masas yerbas y tiro piedras p.^a los cua-
 tro vientos en manifestacion de su legal y legitima po-
 sicion q. tomo p.^a si; y en consecuencia mandé p.^a mas
 claridad de los linderos expresados hiciese a su costa y
 maneraz. pueras. mohoneros de piedra y cal de mas
 de una vara; p.^a q. en todo t^{to}. Conste reconozcan y que-
 den p.^a terminos y linderos de sus Tierras p.^a los demas
 circunvecinos de ellas; y de haberse ejecutado dhas me-
 didas pacificam^{te}. Sin contradiccion de persona alguna;
 lo pedí p.^a Testimonio, y yo el referido Alcalde p.^a con
 los de mi asist^a. lo doy en haber pasado como dho es,
 q. las expresadas medidas han sido practicadas á todo
 el Real saber y entender de los medidores segun depu-
 cieron sin dolo, ni engano de ninguna persona;
 y p.^a mas seguridad y ratificacion del juram^{to}. q. toman
 hecho, firmaron conmigo y los de mi asistencia, de q.
 doy fe = Jose de la Rosa = Juan Solis = Jorge Gunt
 = assa = Francisco Armijo = assa = Ed. J. Dale.

En vista de hallarse concluido este expediente
 Diligencia p.^a en q. consta haberse dado posesion Juridica del Ran-
 cho entrega del Es-cho de Soacoalloni, distante de este Pueblo de Sonoma
 ped.^a ala parte interesada catorce leguas al de la Do^a. Maria Juliana Delazar

y la tornó p. si ... = Entreguese á la parte el original
p. los usos q. le convengan, con los documentos q. presenta
el Ciudad.º Jose de la Rosa Alcalde 1.º de esta juris-
dicción actuando por receptoria p. falta de Escribano Pu-
blico con dos testigos de asistencia. Asi lo porvi mandado
firmé á 13 de Septor del año de mil ochocientos cua-
ranta y cinco -

Sonoma 13 de Septor de 1845.

Jose de la Rosa.

assa.

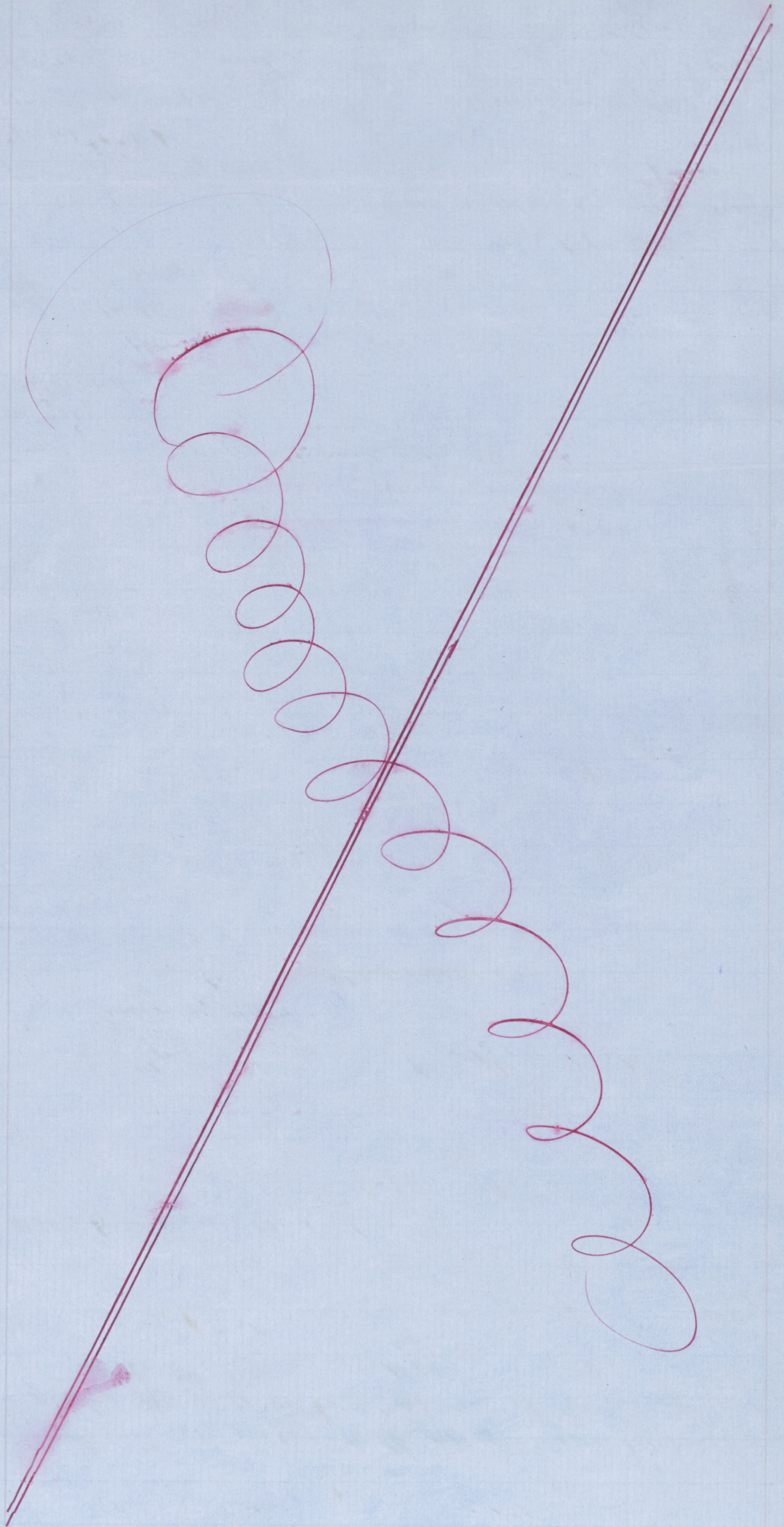
Francisco Arriaga

assa.

E. J. Dale.

Filed in Office March 2^o 1853.
(Signed) Geo. Fisher
Scriy.

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Translation
C

(Translation)
Court of the Just Magistrate of
Sonoma

Expediente relative to the ad measurement and
to grant possession of a tract comprising two square
Leagues on the Rancho La Cienega to Dona Maria
Juliana Salazar

September 13th 1845

Judge } Don Jose de la Rosa
assisting witnesses } Citizen Francisco Alonzo
" } Leonardo Bale

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Must Seal Six Dollars

Provisionally authorized by the Mountain Custom
House of Sonoma for the years 1839 + 1840
(Signed) Alejandro (Signed) Antonio Mallio

Good for the years 1841 + 1842
Ismeno Antonio Mallio

Manuel Jimeno Casarin by right
Principal member of the most Excellent
Departmental Board in the exercise of
the Government of the same

Thomas Don Antonio Pope Mexican by natural
ization has petitioned for his personal benefit and
that of his family for the place known by the
name of Lagona located by the Mountain
ranges which pursuant to and whereas the
requirements and investigations in the matter agree
ably to the laws and regulation have been humbly
fulfilled

Now in the exercise of the authority in me
vested in the name of the Mexican Nation I have
thought proper to grant him the above mentioned
tract of land declaring the same to be his property
by these presents subject to the approval of the most
Excellent Departmental Board and the following
conditions

1st He may give it without obstructing the crossings
roads and routes he shall enjoy it peacefully
exercising putting it to such use or cultive which

- 1. may best suit him but within one year he shall build a house which shall be intimated
- 2. when the court shall be confirmed then he shall solicit the respective judge to give him judicial possession by virtue of this patent by which the boundaries shall be marked out at the limits of which he shall set besides the land marks some fruit trees or other marks of some usefulness
- 3. The land above mentioned comprises *Trojes* de *Guana* (mayor) square leagues as is exhibited in the plan annexed to the Expediente. The judge who may give possession will cancel it to be measured as appears to the ordinance leaving the excess which may result to the nation for suitable uses
- 4. If he should contravene these enactments he shall lose his right to the land and it shall be opened to denunciamiento by another

Consequently I am aware that holding this as a firm and valid title the same be entered in the respective book and be returned to the interested party for his security and protection and
 Given in Montevideo on the 30 of Sept 1841

Mariano Arizuri
 Jose Z. Fernandez
 acting Secretary

This patent was recorded in the book of intendants (sentos) relative to the adjudication of vacant lands at folio 7

Fernandez
 His Excellency the Governor Pro Tem has directed that notice be taken of this conclusion at the Office of the Prefect of the 1st District
 Fernandez

Court of the Magistrate of Sonoma

His Honor the First Alcalde of Sonoma
 Maria Juliana Galaz
 a Mexican and resident of this jurisdiction Proprietress of the Rancho of Tacvalloni before your Honor in the most convenient form appear for the possession and say that as is evidenced by the title I present I owned my Rancho two square leagues of land exhibited in said title and in order that it may be manifest unto him for my boundaries extend to avoid being

Petition asking
 for the possession
 Presented before
 me
 Jose de La Rosa

approached or by overreaching upon my adjoining
 neighbors I request your Honor to be pleased to
 command to summon my coterminal neighbors
 to the ad measurements of my lands for which
 purpose I will make citizen Juan Solis a resident
 of this jurisdiction skilled in that matter and let the
 other interested parties name those measures that
 they together with the appraised Solis if we should
 may appear make oath accept and proceed to
 said measurements

Wherefore I beseech your Honor
 to command what I have stated and asked and
 that after it be accomplished the documents with
 the original papers may be returned to me as a secu-
 rity of my rights or causing the use of common paper
 because there is none of the current printing stamps
 making the necessary oaths

Summa September 4th 1845,
 Manuel Julian a Salazar

At the Pueblo of Summa on the 6th day of the
 month of September 1845, before me Jose de la
 Rosa Just Alcaide Constituido of this juris-
 diction was read the preceding petition which hav-
 ing been seen I acknowledged as presented with
 the documents therein referred to and I command
 that the coterminal neighbors be summoned
 that information of identity, ocular inspection and
 reconnaissance of said lands be made to which
 I am personally ready to attend thus did I provide
 command and sign with my assistants

Jose de la Rosa

asst
 Francisco Arriaga

asst
 E. J. Ball

At the appraised Pueblo of Summa on the 7th day
 Declaration of of the same month and year I the said Just Alcaide
 the said witness with my assistants in order to proceed to the
 Elias Bernier information of identity caused to appear before
 me Juan Elias Bernier resident of this jurisdic-
 tion and a good Sawyer by trade to whom I
 administered the oath in due form and be sure
 of God and Lord and the sign of the Holy cross to tell
 the truth under it and being questioned as to his
 knowledge of the lands, points, plots and terms

asst
Francisco Armijo

asst
E. J. Balle

Recomissario
of the lands of the
Rancho

in the field at the place called Amoye Seco
which is one of the boundaries on the 8th day of
September of the present year I the First declared by
the power to me delegated with the two assisting wit-
nesses for part of a public debt, the witnesses by me
examined and Doña Maria Juliana Salazar
owner of said lands being present I proceeded to see
and recognize the lands places metes and bounds
of the said Rancho for greater clearness and mounted
on horseback in company with the interested party
and witnesses aforesaid

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I then ordered the aforesaid
persons to point out to me the places appertaining to the
marks they have discovered in these descriptions and
accordingly they guided me from the East the place
of the Amoye Seco and the best route we can see to
the high hills which they pointed out to me and thence
continued the reconnaissance and view an inspection
Directly after this they directed me towards the north
from the hill near the plain whence they showed me
all that part of the land.

Thence continuing in the direc-
tion of the South we followed until we arrived at the ridge
of the hills appertaining to the same land and
we followed the same course until we found ourselves
at the same point where the Reconnaissance was begun
and they said that these were the metes and bounds
of the said lands belonging to Doña Maria Juliana
Salazar which places I the said Alcalde saw and
reconnitered with my assistants.

The witnesses examined
and the papers presented and having compared these
with the reconnaissance, the aforesaid lands
were correctly identified according to the declaration
of said witnesses and that it may be evident it was
written as the return which I signed with my assis-
tants and the others who knew them which I attest
Before me

Jose de la Rosa

Juan Solis

asst
Francisco Armijo

asst
E. J. Balle

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Notio to the In order to proceed to the admensurements mentioned
 interested party in these proceedings I the first Alcalde immediately
 to satisfy the a party named that the said Dona Maria Juliana
 - presentment of Salazar owner of the lands to be notified to satisfy
 measurer the appointment of measurer and I the Judge
 officially appoint Don George Yount the persons
 who should be appointed must appear and be
 intelligent in matters of admensurements and
 they shall make oath and this being done I am
 ready to name a day for said admensurements
 thus did I provide and sign with my assistants
 Jose de la Rosa

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asst Francisco Armijo asst E. J. Bale

Notificacion On the same day month and year I the first Alcalde
 of the appointment read and notified the preceding decree and the cus-
 - out of measurers to everyone in all its contents to Donna Maria Juliana
 Juliana Salazar and the others present who are
 personally known to me and having heard and
 understood they said that they hear the same and
 Donna Salazar said that she ratifies her appo-
 intment of Citizen Juan Solis and Don George Yount
 by me officially appointed both intelligent and
 legal whom I notified to appear accept and make
 oath and consequently proceed to the measurements
 as it is commanded and those who were here
 signed the same before me and my assistants
 which I attest

José de la Rosa Maria Juliana Salazar
 Juan Solis George Yount
 asst asst
 Francisco Armijo E. J. Bale

Notio to the me Immediately I the presentment Alcalde read
 - asms and thus and notified the customary decree and the
 Oath appointment of measurers to Citizens Juan Solis
 and George Yount officially appointed and resi-
 - dents of this jurisdiction whom I personally know
 and having heard and understood it they said
 they accept the trust of measurers assigned to them
 and they swear by God our Lord and the sign of
 the holy cross & to the best of their knowledge and un-
 - derstanding to fulfil their charge with faith and
 - legally and they will verify said measurements

with fidelity and punctuality as in duty bound
and to the satisfaction of all interested parties here-
-ing thus answered they signed it with my self
and my assistants which I attest
Jose de la Rosa Juan Solis

George Yount

asst
Francisco Armijo

asst
E. T. Balo

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PAGE 41

appointing the In Succession of the appraisal made having seen
day for the the acceptance and the oath made by citizens
Measurement Juan Solis and George Yount by me appointed
measures. I said that in order to proceed to said
measurement I arrived the 8th day of the present
month at 8 o'clock in the morning and that the
measures be informed of it from my self for the pur-
-pose the coterminals neighbors thus did I pro-
-vide command and sign with my assistants

José de la Rosa

asst
Francisco Armijo

asst
E. T. Balo

Notice of the The preceding decree was personally communicated
preceding decree to the interested party Dona Maria Juliana Salazar
and to the measures Juan Solis and George Yount
which having understood they said they acknowledge
being summoned and they signed it with the present
judge and the assistants which I attest

José de la Rosa
George Yount

Maria Juliana Salazar
Juan Solis

asst
Francisco Armijo

asst
E. T. Balo

Delivering of On the same day month and year were the sum-
Summons mons to the coterminals neighbors that they
might be present on the day appointed at the hour
assigned at the present. Rancho of Locra Clon
in witness whereof I signed it with my assistants

José de la Rosa

asst
Francisco Armijo

asst
E. T. Balo

Measurement of at the Rancho of Locra Clon in the 8th day of
the month of September 1845. Dona Maria Juliana
Salazar and coterminals neighbors being present

I caused to appear before me and my assistants
citizens Juan Solis and George Yent the appoin-
ted measurers whom I commanded to take a corda
(cord) and measure off fifty varas with a measuring
castilian vara and the measurers in my presence
measured a corda well twisted with a measuring
peala castilia Mexicana and the number of 30 varas
in presence of the interested party and cotermineers
neighbors in witness whereof I commanded that a
return be made of it and to proceed to said mensuration
as it is commanded which I do certify and sign
with my assistants

Jose de La Rosa

asst
Francisco Armijoasst
E. J. Bale

Mensuration of Being in the field in lands of the Rancho Loco
the land of the Monte belonging to Dona Maria Juliana Salazar
Rancho this 8th day of September 1845 I the First Alcalde
of this jurisdiction acting by power to me delegated
jointly with my assisting witnesses for want of a
public clerk in the presence of the measurers Juan
Solis and George Yent named by the interested party
and the Judge

I commanded that measurement should
be made of two sitios de ganado Mayor (Square leagues)
which more or less are comprised in said Rancho
according to the title and plat presented and in
obedience whereof they began the measuring of two
square leagues commencing at the Arroyo Seco where
beginning in a westerly course as far as the high hills
there were measured 260 cordels of 30 varas which
make 12500 varas

Then the interested party raised
a pile of stones as a sign of the land made which
the stone set for the purpose from this point fol-
lowing the measuring must southerly as far as the ridge of
the high hills there were counted 80 cordels which are
equal to 4000 varas and then the interested party put
the sign for the corresponding land mark thence
following an easterly course there were measured 260
cordels which are equal to 12500 varas where in like
manner the interested party put a sign for a land
mark and continuing towards the sea they ran on the
same course up to the point of beginning and counted

80 Cordas which are equal to 4000 varas so that
 having finished the mensuration of the land
 comprised in the Rancho of Locaallorní there re-
 -mains a circumference of 33000 varas a little more of
 what corresponds to two square leagues and the said
 -measurers declared that Doña Maria Juliana Salazar
 had been informed of the lands which belonged to
 her according to the title and plat annexed and at
 the head of this Expediente for all of which and as
 a sign of true possession and customary custom
 -ers she pulled up stones and grass and threw them
 to the four winds as a manifestation of her legal
 and legitimate possession which she took for herself
 In consequence I am mandated that for greater clearness
 of the expressed boundaries she should make at her
 expense and residence some land marks made of
 stone and some of more than one vara in size in order
 that it may be evident for all time and recognized
 and remain as the metas and bonas of her lands
 by the coterminals neighbors and in proof of that the
 measurements were made peacefully without contradic-
 -tion of any person whatsoever she asked it as a testimo-
 -ny and I the First Alcalde with my assistants gave it
 as having occurred as it has been stated that the pre-
 -mentioned measurements have been made to the best
 knowledge and understanding of the measurers
 according to their deposition without fraud imposi-
 -tion nor against any person whatsoever and for
 greater assurance and satisfaction of the oath that
 they have made they signed with me and my assistants
 which I attest Jose de La Rosa Juan Solís and
 Francisco Aramijo asst. E. J. Ball

Return for the In view of the conclusion of this Expediente to which it
 deliv'ers of the is evident that judicial possession was given of the
 Expediente to the Rancho of Locaallorní 14 Leagues distant from
 -interest party this Pueblo of Sonoma to that of Señora Doña Maria
 Juliana Salazar who took possession for herself Let
 the original be delivered to the party for the purposes she
 may deem convenient together with the documents
 -particular of lecture Jose de La Rosa First Alcalde of this
 -jurisdiction who acts through delegated power from me
 March 2, 1853 of public clerk with two assisting witnesses Thus did I
 Geo Fisher provide command and sign this 13th day of Sept of the
 Sunday year 1845, Sonoma 13th Sept 1845 Jose de La Rosa
 asst Francisco Aramijo asst E. J. Ball

Translation
C

Seal 1° Six Dollars

Provisionally Authorized by the administration
of the Maritime Custom House of Montevideo for the
years 1839 and 1840

Abanda

Auto Ma Ocio

Good for the years 1841 and 1842

Trinidad

Antonio Ma Ocio

154 ND

PAGE 44

Manuel Trinidad Casarín
of the Most Excellent Departmental Junta in the
exercise of the functions of Governor of the same

Whereas Don Juan Pore a Mexican by Naturalization
has solicited for his personal benefit and that of his family
the place known by the name of Loca de la Cruz some
two leagues from the town of Trinidad in the Province
of Montevideo inasmuch as the laws and regulations
on the subject being previously taken into consideration
and the same being in the name of the Mexican Nation
I have concluded to grant said land according to the
terms of the laws and regulations of the said
Departmental Assembly and to the following
conditions

1. He may enclose it without prejudice to the cross-
ings roads and public uses he shall enjoy it
privately and exclusively devoting it to such use or
cultivation as may best suit him but within
one year a house shall be built and it shall be
inhabited

2. When the ownership shall be confirmed he
shall solicit the proper Judge to give him private
possession in virtue of this despatch by which
the boundaries shall be marked out in the limits
of which besides the corner posts shall be placed
some fruit trees or other ones of some utility

3. The land of which mention is made is of two
leagues for large cattle as is represented by the map
which accompanies the expediente

The Judge who may give possession shall cause it to

be Masana according to ordinance leaving
 the excess to the nation for its common use
 4. Should he contravene these conditions he shall
 lose his rights to the land and it shall be alien-
 cable by another

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Whence order that holding
 this title to be firm and valid entry be made of it
 in the proper book and that it be delivered to
 the interested party and for other uses

Given in Montevideo on the 30th
 September 1841

Manuel Oribe
 José Z. Fernandes
 Secretary and int

Entry has been made of this Despatch in the
 in the adjudication of vacant lands at Page 7
 Fernandes

The Most Excellent Governor ad interim has ordered
 that entry be made of this concession in the Pugetina
 of the 1st District

Fernandez

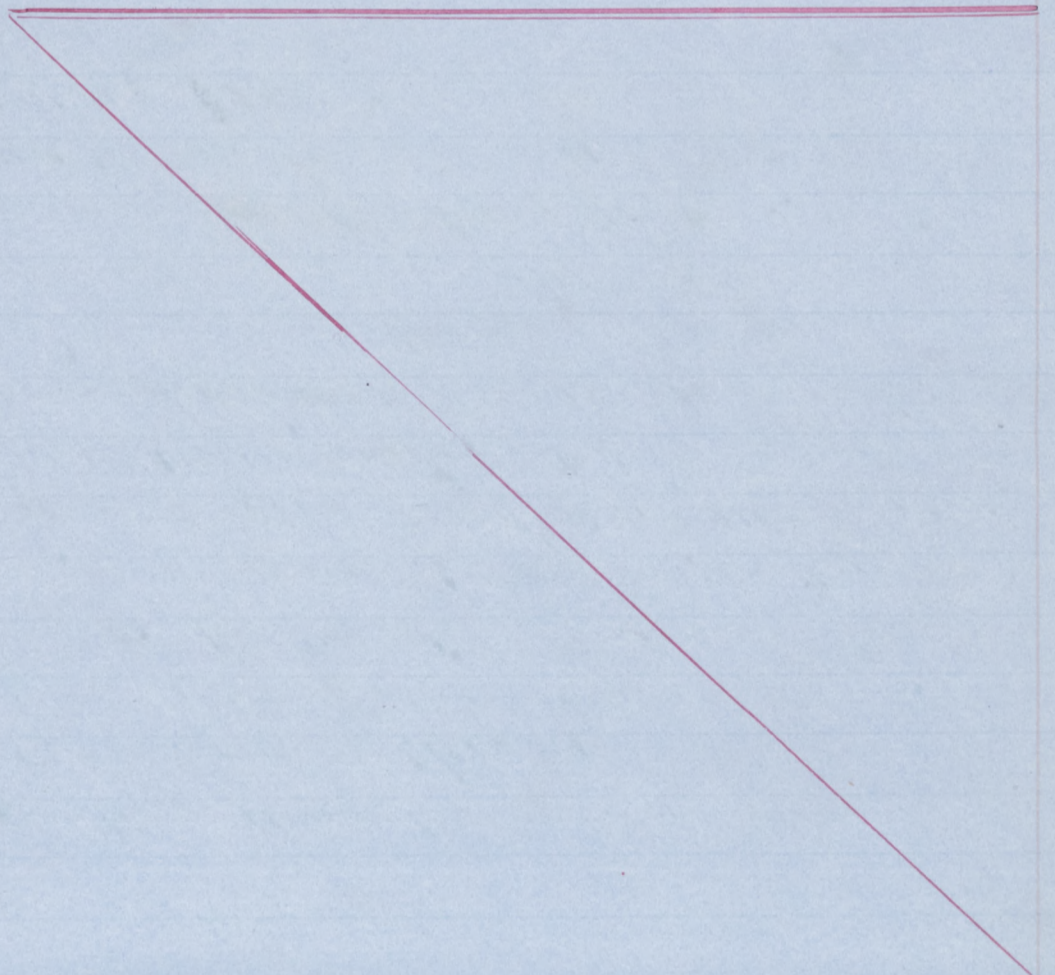


Exhibit 2
annexed to de
position of
George C
Young

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This Instrument made the first 1st day of June
in the year of our Lord one thousand eight hundred
and fifty four 1854 Between Elias Barnett and
Juliana Barnett his wife late Juliana Pope widow
of William Pope deceased both of Napa County and
State of California of the first part and the follow-
ing heirs of said William Pope to wit Jose Pope
Anna Melburn Luciana Lemm Isabel Pope and
Delavina Pope only surviving children of the
late William alias Julian Pope of the second
part witnesseth That the said parties of the first
part for and in consideration of the sum of five
thousand dollars \$5000.00 in lawful money
of the United States of America to them in hand paid
by the said parties of the second part at or before
the sealing and delivery of these presents the receipt
whereof is truly acknowledged have released relea-
sed and quit claimed and by these presents do ren-
-re release and quit claim unto the said parties
of the second part and to their heirs and assigns
forever

All and singular the undivided interest
of the said parties of the first part left them or either
of them by the decease of the said William Pope
in and to the Real Estate and Lands of the Estate
of said Pope said Real Estate being and being
in the County of Napa and State aforesaid,

The
Interest hereby conveyed is understood to be the
undivided one half part Real Estate belonging
to the Estate of said William Pope deceased
located in said County of Napa it being Rancho
called Loca Lloma bounded by the Mountains
which surround it and situated in the said
County and granted by the Governor of California
to the said Julian Pope on the 30th September
1841 at Monterey,

And whereas some doubt and con-
-trary sensation respecting the said Julian Bar-
-nett has any interest in said property for the purpose
of conveying the same and removing all doubt
the truly persons and releases all right and

interest therein to the said heirs of Julian Pope
Together with all and singular the tenements and
detachments and appurtenances thereto belonging
with any right appertaining and the services and
services then and remain due rents issues
and profits thereof

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PAGE 47

And also all the estate right title
interest ~~in~~ property possession claim
and demand what soever as well in Law as in
Equity of the said parties of the first part given to
the above described premises and every part and
parcel thereof with the appurtenances

To Have and to Hold
all and singular the above mentioned and descri-
bed premises together with the appurtenances unto the
said parties of the second part and their heirs and
assigns for ever ~~in~~
In witness whereof the said parties of the first part
have hereunto set their hands and seals the day and
year first above written

Signature and Seal of Elias Barnett
in the presence of Julianne Barnett
George Young

State of California }
County of Napa } ss On this the 15th day of April
A.D. 1854 before me a Justice
of the Peace in and for the County of Napa Hot Spring
Township came Elias Barnett and Julianne
Barnett his wife to me known to be the individuals
described in and who executed the within Instrument
and acknowledged that they executed the same for
the purposes therein mentioned of their own free act
and deed and the said Julianne Barnett being
examined by me separate and apart from her husband
acknowledged that she executed the same of her own
free will without any fear or compulsion from
her said husband, In witness whereof I have here-
unto set my hand and affixed my official seal the
day and year above written

Wm. A. Harkin
Justice of the Peace Hot Spring Township
Filed in Office April 21st 1854 Geo. Fisher Secy

Opinion
of the
Board

Joseph Pope + al }
vs. } For the place called Lo
The United States } Crallmi. in Napa County
} containing two square leagues
} of Land

The claimants are alleged
in the Petition to be the heirs at Law of Julian
Pope deceased and the proffers that they are
his only surviving children

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The death of the Father
is proved to have occurred about 1842 or 1843
In proof of the rights of said Julian Pope to the land
described in the Petition a grant issued to him
signed by Manuel Jimeno Governor ad interim
and dated September 30th 1841 is given in evidence
The testimony shows that in less than a year from
the time he obtained the grant he built a house on
the land and lived in it he has stock on the place
and some cultivation that he lived there until
his death which occurred within a year and his
family have continued ever since to occupy and
carry on the farm

A testimonial of Judicial Pos-
session duly made is presented by which it appears
that the judicial measurement was made and
possession given on the application of the widow
of said Grantee after his death by the proper
Officer This act was concluded on the 8th day
of September 1845.

The testimony in the case
establishes the rights of the legal representatives
of said Julian Pope to a Confirmation and a decree
will be entered as usual in such cases in a form
which will secure the interests of all his heirs at Law
of the deceased

Confirmed
Filed in Office August 1st 1834
Geo. Fisher
Secretary

Decree of Confirmation Joseph Pope & al The United States

3
3
3
3
3

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In this case concerning the proofs and allegations it is adjudged by the Commission that the said Joseph Pope and the others his at Law of Julian Pope deceased are entitled to the premises described in the Petition filed in this case and it is therefore decreed that the same be confirmed to them

The premises of which confirmation is hereby made are situated in Napa County and known by the name of Lacia Comi being the same premises formerly occupied by said Julian Pope in his lifetime and bounded and described as follows to wit

Commencing at the angle Seco thence running in a westerly course as far as the high hills twelve thousand five hundred yards to a pile of stones placed as a land mark when judicial possession of said premises was given to the widow of said Julian Pope of said Ranch in 1845.

Thence following the measurement South by four thousand yards to the ridge of high hills at a similar land mark thence following an easterly course twelve thousand five hundred yards to the place of beginning.

Containing two square leagues of land be the same more or less being the same land granted to Julian Pope of which judicial possession was given to his widow under the grant after his death

Reference for a more particular description of said land to be had to the grant through the map attached to the true copy of the Espectante and the testimonial of judicial possession all of which are on file in this case

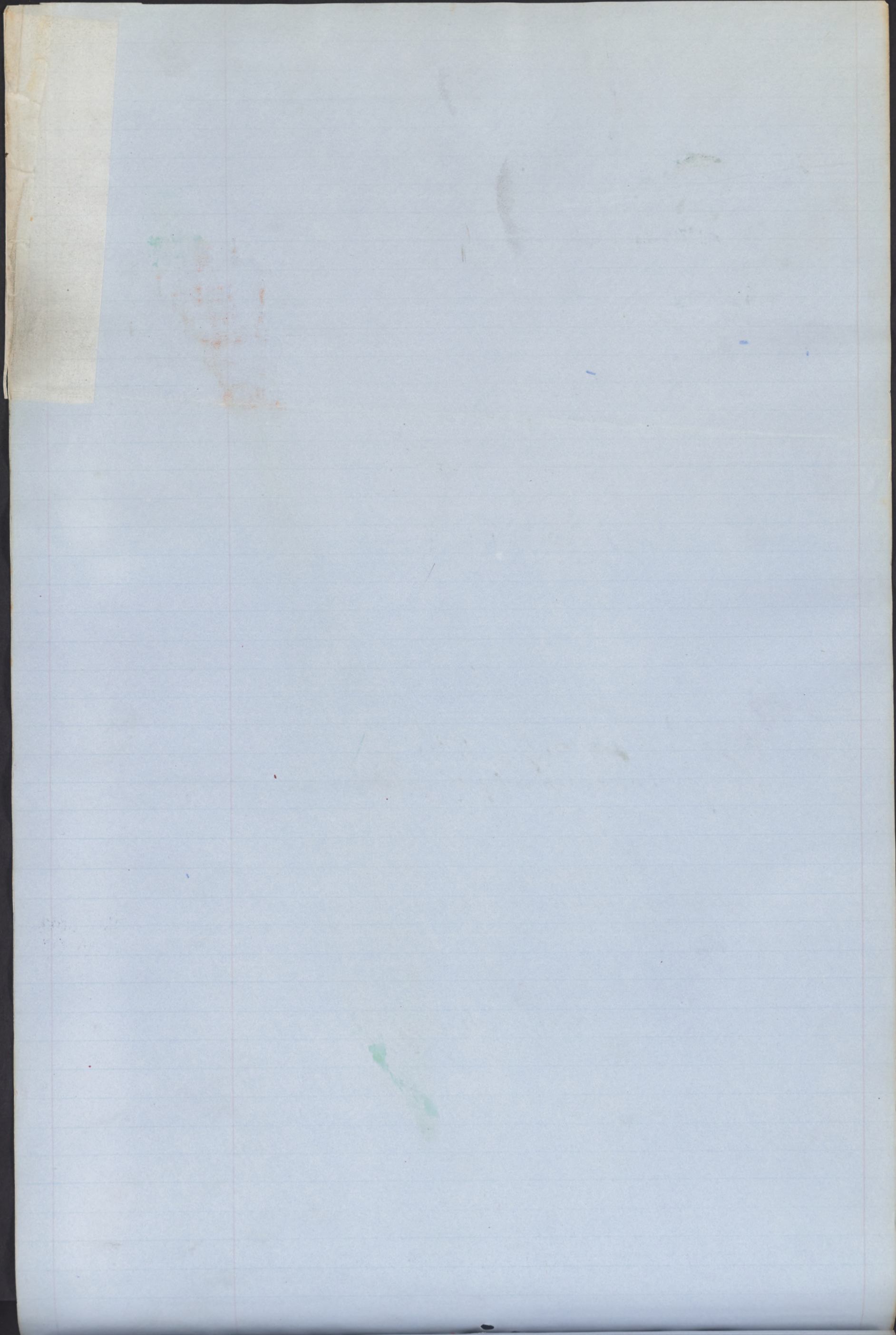
Alphus Fitch
N. Aug Thompson
J B Forwell

Commissioners
Filed in Office Aug 1st 1854 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 ten 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



Office of the Board of Commissioners,

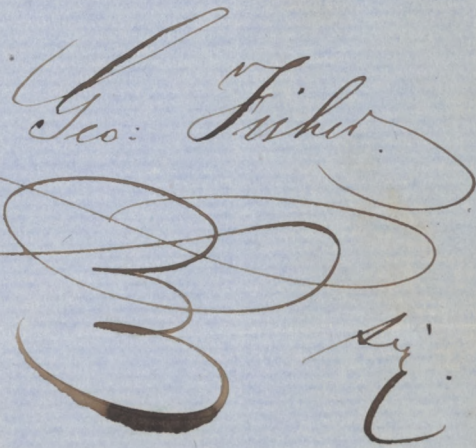
To ascertain and settle the Private Land Claims in the State of California.

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I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Fifty three* pages, numbered from
1 to 53, both inclusive, to contain a true, correct and full Tran-
script 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. 719 on the Docket of the said Board,
wherein *Joseph Pope, et al,* are

the Claimants against the United States, for the place known by
the name of *Coalinga*

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 *December*
A. D. 1854, and of the Independence of the
United States of America the seventy-ninth.

Geo. Fisher




154
ND

M. J. Guillemin

undated notes

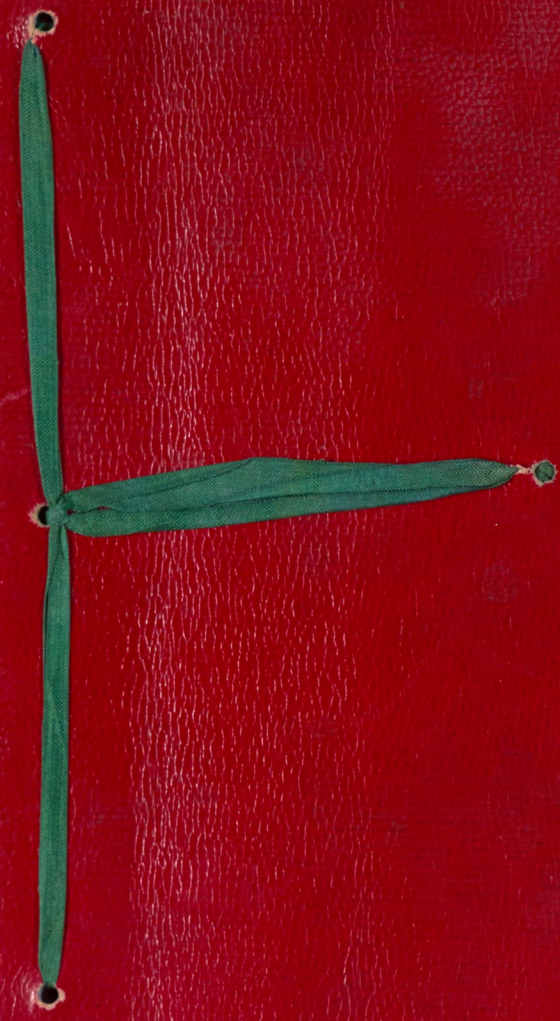
Chap. 10 p. 201.

*Transcript of the
no 719*

*The history of the
the ...*

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154



Office of the Attorney General of the United States,

Washington, 7th March 1855.

Joseph Popo et al.

v.

The United States.

} 719.

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 10th day of December 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-154-

U. S. D. Court N. D.

United States

vs.

Joseph Pope et al

Appeal Notice.

Filed April 14, 1855,
by N. A. Thomas
Deputy.

Office of the Attorney General of the United States,

Washington, 7th March 1855.

Joseph Pope et al.

vs.

The United States.

} 719.

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 10th day of December 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 154

U. S. D. Court N. Dist.

The United States

vs.

Joseph Pope et al

Appeal Notice.

Filed May 5, 1855,
E. C. Evans,
Deputy.

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

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The United States
Appellant
vs
Joseph Pope et al
Appellees

And the said appellees come and
answer the petition filed herein from a
decision of the Board of Land Com-
missioners confirming the claim of
the said appellees and say that they
deny each and every allegation in the
said petition, except the allegation that
the said land lies in the said District,
and the said appellees further say
that the said claim is valid and
pray that the said decision of the
Board be affirmed and that the
title of the said appellees be declared
valid.

Attest
Atty for appellee -

154
U.S. District Court

The United States

vs
Joseph Pope et al

Answer

Filed February 4, 1856,
J. Cheever
Deputy.

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McCougall Aldrich & Shoup
Attys for Appellee

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

The United States
Appellants
vs
Joseph Pope et al

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 31st day of December 1854
that a notice of Appeal was filed on
the 14th day of April 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
S. W. Ingers
U. S. Dist. Atty

154
U.S. District Court

The United States

vs
Joseph Pope et al

Petition

Filed Dec 4, 1856,
by Charles
Deputy.

U. S. Dist. Court, for Dist. of Cal.
Stated Term August 25, 1856,

The United States

vs. Appellants

Joseph Pope and others,
Heirs of John's Pope, Dec'd,
Appellants

~
~
~
~
~

154 ND
PAGE 60

Case No. 154, on appeal from the final decision of the Board of Commissioners to ascertain and settle private land claims in the state of California.

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 the 3^d day of March A.D. 1851 upon the transcript of the proceedings and decision of the said Commission, and upon the papers and evidence upon which the said decision was founded, and it appearing to the satisfaction of this Court that the said transcript has been duly filed 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

appearing to the Court that Joseph Pope, Maria Kilburn, Luciana Lemon, Isabel Pope, and Delabruia Pope, are the children and sole heirs at law of the said Julien Pope, deceased, it is hereby further ordered, adjudged and decreed, that the claim of the said heirs as set forth in the said record and proceedings is a good and valid claim, and that the same be, and the same is hereby confirmed to the said Joseph Pope, Maria Kilburn, Luciana Lemon, Isabel Pope, and Delabruia Pope, heirs of Julien Pope, deceased, to the extent of two square leagues, ~~xxxx~~ ~~in~~ ~~the~~ according to the judicial admeasurement and possession made and given thereof by Jose de La Rosa, first Alcalde of the District of Sonoma, with ~~attesting~~ ^{attesting} witnesses, on the 8th day of September a.d. 1845, to Dona Maria Juliana Salazar, widow of said Julien Pope, being the same land situate and being in the County of Santa Clara, in said State, known as the Rancho Locoallomi, and which was occupied and possessed by the said Julien Pope in his life time, and which are particularly bounded and described as follows: Commencing at the Arroyo Seco and running thence in a westerly course Twelve Thousand Five Hundred varas as far as the high hills to a pile of stones as a land mark when

judicial profession was given of said premises, thence southerly four thousand varas to the ridge of high hills to a similar land mark, thence following an Easterly direction twelve thousand five hundred varas to a sign or land mark made and placed at the same time as a monument, and thence ^{north-}~~west~~erly four thousand varas to the place of beginning, reference for a more particular description to the original grant of said premises, and to the testimonial of judicial admeasurement and admeasurement, and to the traced copy of the cllap accompanying the expediente, all of which are of file with this Court in this cause.

Cydon Hoffmann
A. S. del Jefe

The decree as above drawn I think correct
Feb 8th 1858 }
P. Della Torre
V. J. W. H.

Alf. District Comy
No 154.

United States

vs

Joseph Pope
"atd."

Deceit

(719)

Filed Aug: 25, 1856,

W. H. Chewes,

Dep: Clerk

U. S. Dist Court
Northern District
of California

The United States
vs Appellants
Joseph Pope and others
Heirs of Julian Pope dec'd.
Appellees.

And now on this 8th day of Feb
1858, on motion of the Appellees above named by
their attorneys and it being made to appear to
the Court by the production of the original decree
of Confirmation of the Board of Land Commissioners
from which this appeal was taken, that the trans-
-cript of said decree filed in this cause is erroneous
in improperly describing the tract of land confirm-
-ed and intended to be by said original decree
and the District Attorney being present on behalf
of the United States and consenting thereto, it is
Ordered, that the transcript herein be corrected
in accordance with said original decree, and
that ~~the said~~ a certified copy of said
original decree from the United States
Surveyor General's office be filed
herein & that the same be considered
and used as if for the transcript of
said original decree -

Edw Hoffman
U. S. District Judge

No. 154.

The United States

~~vs~~

Joseph Pope et al -

Order correcting transcript

Filed Febry 8, 1855,

W. D. Chever,

Deputy,

Joseph Pope et als
 The United States }
 vs

In this case on hearing the proofs and allegations it is adjudged by the Commission that the said Joseph Pope and the other heirs at law of Julian Pope deceased are entitled to the premises described in the petition filed in this case, and it is therefore decreed that the same be confirmed to them.

The premises of which confirmation is hereby made are situated in Napa County and known by the name of "La Coallomi" being the same premises formerly occupied by said Julian Pope in his life time: and bounded and described as follows: to wit: Commencing at the "Arroyo Seco" thence running in a Westerly course as far as the high hills twelve thousand five hundred varas to a pile of stones placed as a land mark when juridical possession of said premises was given to the Widow of said Julian Pope of said Rancho in 1815: - thence following the measurement southerly four thousand varas to the ridge of high hills at a similar land mark: - thence following an Easterly course twelve thousand five hundred varas to a similar land mark: - thence continuing towards the North four thousand varas to the place of beginning: containing two square leagues of land, be the same more or less, being the same land granted to said Julian Pope and of which juridical possession was given to his Widow under the grant after his death. reference for a more particular identification of said land to be had to the grant thereof, the Map attached to the traced copy of the Expediente and the testimonial of juridical possession, all of which are on file in this case.

Alpheus Felch
R. Aug: Thompson
S. B. Farwell } Commissioner

(Endorsed) Decree of Confirmation -

Filed in office Aug: 1. 1854

Sec: Fisher
Sec: 4

Office of U. S. Surv: Genl.
San Francisco California

I James W. Mauderille ~~Surveyor~~
United States Surveyor General for the state of California
do hereby certify the foregoing to be a true and correct
copy of the original Decree of Confirmation in case
No 719. of the U. S. Land Commission now on file
and remaining of record in my office

In witness whereof I have hereunto
set my hand and caused to be
affixed the seal of my office this
eighth day of February A D 1858.

J. W. Mauderille
U. S. Survey Genl. Cal.



N^o 719

Joseph Pope et al

Leaathomi

Decree
of
Confirmation

Filed in Office Aug 1
1854 - Geo. Fisher secy

Recorded in Record of
deanery Vol 2 page 118
Geo. Fisher secy

N^o 154.

N. S. Dist. Court,

The United States,

— vs —

J. Pope et al,

Certified copy of decree

N. S. Land Com.

Filed Feb 8, 1858.

W. A. Cheves,

Deputy.

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

The United States

} D. C. 154: L. C. 719.

Joseph Pope et al

In pursuance of a notice
from the U.S. Attorney General, herunto annexed,
it is hereby stipulated and agreed that no further
appeal be taken in this case on the part of the
United States, and that claimants have leave
to proceed under the decree of this Court heretofore
rendered in their favor, as under Final Decree,
San Francisco February 9th 1858

P. Della Torre
U. S. Atty -

M^o Douglas Aldrich Sharp
Attys for claimants
V. E. Bernard

California Land Claims -
Attorney General's Office -
12 Febr. 1857.

Sir: In the case of the claim of Joseph Pope, et al., confirmed to the claimants by the Commission, case no. Seven Hundred and nineteen, (719), appeal will not be prosecuted by the United States.

I am,
Respectfully,
Wm. Blanding

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

154
719

U. S. District Court

The United States

Joseph Pope et al

Stipulation

Filed February 9, 1858,

W. D. Church,

Deputy Clerk

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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 *Tuesday* the *ninth* day of
February in the year of our Lord one thousand
eight hundred and fifty-seven. *eight.*

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Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

v.

Joseph Pope et al

D.C. 1574; L.C. #749.

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 ~~to that effect~~ by the U.S.
Attorney:

On motion of the District Attorney
it is Ordered, Adjudged and Decreed that ~~no~~
~~further~~ claimant have leave to proceed
under the decree of this Court heretofore
rendered in his favor, as under Final
Decree.

Ogden Hoffman
U. S. Dist. Judge

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United States District Court, Northern
District of California.

The United States

vs.

Joseph Pope et al

ORDER.

vacating appeal

Filed *February 9,* 1858,

John A. Munroe,
CLERK.

By *W. D. Cheney*
DEPUTY.

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U.S. District Court

United States

vs

Don P. Pope et al heirs of
Julian Pope deceased

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The petition of Claimants sets up a grant from Manuel Jimeno acting Governor to Julian Pope of a place in Santa County called Tocaollomi containing two square leagues dated September 30th 1841.

The facts exhibited and clearly proved and about which there is no controversy are as follows.

On the 3rd September 1841 Pope applied by petition to M. G. Vallejo Director of Colonization for the premises in question.

M. G. Vallejo made an order referring it to Salvador Vallejo Commandante of that frontier for information. Salvador Vallejo reported the land vacant & public domain & that there was no objection to its being granted to applicant. Thereupon M. G. Vallejo gives permission to Pope to occupy, he to solicit thereafter the customary title from the departmental government.

The orders with the report of Salvador Vallejo are presented to Jimeno who on the 30th Sept. executed the grant to Pope of the place described containing two leagues, the grant containing the usual conditions.

At the time the grant was

made Pope was residing with Gount
in Napa valley and Gount testifies that
he put up a house immediately in the
place & moved there with his stock. The
place has been occupied ever since by his
family.

Within about one year after the
grant Pope died leaving him surviving his
widow Maria Juliana Salazar and several
children, one of which children has since
deceased and those surviving are the same
named in the Return as appears by the testimony
of Gount.

The widow Salazar early in
Sept. 1845 made a formal application to
Jose De La Rosa 1st Alcalde of Sonoma
for a measurement & judicial possession
which was ordered and the Alcalde with
proper witnesses of the Vicinity surveyed
& set apart the lands into proper boundaries
all of which was made matter of Record on
the 8th Sept. 1845. The description
and boundaries of the property are fully
set out in the Alcalde's Return, and apart
from the papers the fact of the admeasurement
& judicial possession is proved by Gount
who was one of the witnesses & assistants of
the Alcalde.

Subsequently the widow Salazar
contracted matrimony with Elias Barnett
and there being some question about the

rights of the widow & her husband in the premises, Barnett & the widow on the 1st of January 1834 quitclaimed to the children, (the same named in the Petition) all their right to & interest in the premises

The execution of the grant is proved by Abel Stearnes, of Barnett wife's deed, by Goult. all the other facts by the original documents & Goult's testimony.

There is no issue raised in the case, no question as to the genuineness of the grant, or as to performance of conditions and it clearly appears that claimants are entitled to the entire premises.

By reference to the decree it will be perceived that the Commission adjudged that "Joseph Pope and the other heirs at law of Julien Pope deceased" are entitled to the premises, and the same are confirmed to them in the same general terms.

The Petition is filed by the five children & heirs of Julien Pope, Goult testifies that they are the only surviving children the widow & her husband released to them children by name, as appears by the testimony. It appears then that they are the sole claimants and have a complete right to the entirety.

The record shows the names of the five children to be Joseph Pope, Maria Milbourn, Leticiana Lemmon, Isabel ~~Pope~~ and

Delabia Pope, - It is suggested that the
decree of Confirmation should be made to these
parties by name, "children and heirs of the
said Jakea Pope deceased" so that the
Patent might run directly to them.

The claimants
therefore ask that the decree of Commissioners
be affirmed with an amendment introducing
the names of the claimants as the parties to
whom Confirmation is made

Wm. Dwyall Aldrich Sharp
for Claimants

U. S. District Court

The United States

"

Joseph Pope et al

Heirs of Jakea Pope

Deceased

Statement abstracted from

Record

Plants

The United States
vs
The Heirs of Julian Pope }

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In September 1841 Julian Pope deceased applied to Gen Vallejo for an order for the provisional occupation of the premises now claimed

The land having been reported to be vacant permission was to occupy and to apply for the usual title was given to the applicant

The Julian Pope accordingly petitioned the government for a grant and on the 30th Sept the usual title was issued by Jimeno for giving to the Pope the place called Los Gallinos of the two sitios de ganado mayor.

The above facts are established by the grant which is produced and duly proven and by the expediente which is found in the archives and a copy of which duly certified on file

In obtaining his grant Pope immediately went into possession of his land and continued to occupy until his death. His children have ^{since} resided on up to the time of filing this petition to the Board of Commissioners

On May 1845 Pope the widow of Pope who had obtained judicial possession from the Proprietary office. The usual testimony or certificate of the acts of the proceedings is produced and duly proved -

The present appellees appear by the testimony of Mr. Gunt to be the heirs of the original grantee - A deed is ^{also} produced and duly proved from the widow of Pope & her ^{2d} husband by which all the rights title and interests of the latter are conveyed to the appellees -

No objection whatever to this claim is urged on the part of the U. S. It was confirmed apparently without hesitation by the Board and I see no reason

3 to doubt its future validity

A decree must therefore be
issued confirming the title
to the land as founded &
described in the act of purchase
and possession to Joseph Roper
Maria Kilburne Succana Senora
Isabel Roper & Felicitas Roper
Heirs of Julian Roper dec'd

Aug. 24. 1856

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The U. S.
PS - 154
Joseph Pope

Prison

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Office of the Board of Commissioners,

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

San Francisco, Dec 30th 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. 719 on the Docket of the said Board, wherein

Joseph Pope, et al, are

the Claimants against the United States, for the place known by the name of Coallomi

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.