CASE NO.
163
NORTHERN DISTRICT

SAN YSIDRO GRANT

QUINTIN ORTEGA

CLAIMANT

LAND CASE 163 ND pp. 109

630

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 630

Quintin Ortega. CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"San Ysidro."

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* Twenty fifth day of February *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;*

The Petition of Quentin Ortega, *for the Place named* "San Isidro," *was presented, and ordered to be filed and docketed with No.* 630 *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 Aug. 25 1853.

In Case No. 630 Quintin Ortega for the place named "San Isidro", the deposition of José Rafael Gonzalez, a witness in behalf of the Claimant, taken before Commissioner Alpheus Felch with document marked A. F. No. 1. annexed thereto was filed;

Vide page 5 of this Transcript

San Francisco May 2 1854.

Case No. 630, on motion of the Counsel for the claimant, was ordered to be placed at the foot of the Calendar of the 1st. Class Cases on the Trial Docket.

San Francisco Aug. 4 1854.

Case No. 630 was submitted on briefs and taken under advisement by the Board.

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San Francisco Aug. 15 1854.

In the same Case Commissioner Alpheus Felch delivered the Opinion of the Board confirming the Claim:

(Vide page 26 of this Transcript.)

San Francisco Aug. 29 1854.

In the same Case on motion of the U. S. Law Agent, the following Order was made, to wit:

(Vide page 28 of this Transcript.)

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Petition

To the U.S. Board of Land Commissioners for the ascertaining and settling of Private Land Claims in California

The Petition of Quintin Ortega a native of California respectfully Showeth unto your Honorable Board, that having inherited a certain part of the Rancho de San Isidro in the year 1833 he made and presented his Petition in writing to Jose Figueroa, then Governor of California, soliciting for himself a seperate grant of the tract of land, so inherited by him as aforesaid.

That said Jose Figueroa, on the 4th of June 1833 by virtue of the authority vested in him as Constitutional Governor of California, declared your Petitioner the lawful owner of said land and issued to him a formal grant of said land.

That said grant was fully ratified and approved by the Departmental Assembly of California on the 16th day of May 1834, and 12th of June 1834.

That your Petitioner obtained the jurisdic possession of said land of the proper authorities with all the formalities required by the Mexican Laws on the 12th day of November 1835.

And your Petitioner further saith, that duly certified copies of all the documents in this matter, of the original grant, map and jurisdic possession, are on file in the archives of California, now in possession of the Surveyor General of the U.S. of America for the State of California, and that the original papers together with translations thereof are herewith submitted to your Honors inspection.

And your Petitioner further saith that the land above referred to is situate in the County of Santa Clara, is known by the name of San Isidro, and bounded

by the Rancho de las Animas, by the Mission San Juan Bautista, by the Rancho of Doña Maria Clara Ortega and by the Sierra, containing altogether one Spanish Square League of land, more or less.

That your Petitioner has been in the quiet and peaceable possession of said land from the year 1833, & has always up to this day exercised full and undisputed ownership over the same, and is not aware of the existance of any title paramount or superior to his own.

He therefore claims to be the owner of said land and prays that your Honorable Body will confirm and validate his claim and title thereto.

Clark Taylor & Beckh,
Attys for Ortega

Filed in Office Feby 25th 1858
Geo. Fisher
Sec.

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Deposition of Jose Rafael Gonzales

Office of the Commissioners of Land Claims in California San Francisco

This day before Commissioner Alpheus Felch came Jose Rafael Gonzales a witness in behalf of Claimant Justin Ortega Case No 630 and after being duly sworn deposed as follows

Interrogatories by McCabe Attorney for the Claimant

1 Question What are your name age and place of residence

Answer My name Jose Rafael Gonzales my age forty six years and I reside in San Jose Santa Clara County and State of California

2 Question What office did you hold in California in the year 1835

Answer I was collector of customs at the Port of Monterey and also part of that year Constitutional Alcalde of Monterey

3 Question Look on the document now here presented to you marked Exhibit No 1 with the initials G F and annexed to this Deposition purporting to be a Grant from Juan Feguerou to the Claimant in this case dated June 4th 1833 and a certified copy of a document purporting to be signed by Micheltorena and Escobar and Juan Antonio Ruiz's name de alba Justin Ortega and Juan Silva and followed by copy of the Approval of the Territorial Deputation and by the Proceedings giving Judicial possession of the land described in said Grant and say what you know of the authenticity of said documents and of the genuineness of the signatures thereto

Answer I have examined the papers and recognize as genuine the signatures of Juan Antonio Escobar, Jose Maria Moldonado Santiago Estrada, Jose Feguerou Augustin V Zamorano, Justin Ortega Juan Bradmay a Juan Castro, Juan Silva and Carlos Castro in the small blanks where they appear on said documents

I have seen each of them write frequently and from their handwriting my own signature

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appears on the same papers in general terms and was written there by me at the times appearing by the dates in the said papers I recognise the said papers as genuine

Having had them all in my hands when I gave Juridical possession of the premises described in the grant

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4 Question State what you know in regard to the possession occupation and improvements of the land above mentioned

Answer When I came to the country in 1832 Ignacio Ortega the father of the claimant was in possession of the Ranch and carried on very extensive farming out

At his death he bequeathed the land to his children of whom the present claimant is one the wife of Juan Sebrey was another heir after the death of his father the claimant petitioned Juan Sequeira for a grant of his share of the Estate which was made

The claimant occupied the premises with his father before the death of the latter and afterwards continued in possession being upon it and cultivating the land to a large extent. He built upon it houses and a grist mill and has lived there with his family from the death of his father to the present time

Mr Hunter associate Law Agent was present at the taking of this Deposition but declined to propound any Questions to the witness The deposition was given in the Spanish Language Mr Fisher Lantons of the Board of Commissioners acting as Interpreter Jose Rafael Gonzales

Subscribed and sworn to before me at San Francisco this twenty fifth day of August A D 1853

Alpheus Felch
Commissioner

Filed in office August 25th 1853
George Fisher
Secy

(Open Loc follows)

Sello tercero Dos reales.

Habilitado provicionalmente por la comisaria Subalterna Interino del puerto de Monterey de la Alta California para los años de mil ochocientos treinta y uno y mil ochocientos treinta y dos.

Revalidado par el espresado oficio para los años de 18/33 y 18/34

Marcelino Escobar, Alcalde Constitucional de la Demarcacion de este J. Ayuntamiento.

Certifico en debida forma que en el libro de conciliaciones que existe en este Juzgado aparece una del tenor Lgte.
" En el Puerto de Monterey á los tres dias del mes de Mayo de mil ochocientos treinta y tres ante mi Marcelino Escobar, Alcalde Constitucional en la demarcacion de este J. Ayuntamto comparecieron Juan Rhoy, y Julian Cantua, diciendo: que sabe dnes, que el C. Quintin Ortega hermano politico de los presentados han hecho solicitud para que se le conceda en propiedad el sitio llamado San Isidro, se presentaban con el fin de hacer ver que igual derecho de posecion tienen ellos, en razon de la herencia de sus esposas que el Sor. Quintin y que en caso de tener este la propiedad de dicho terreno, se haga la division correspondiente para que las tres familias obtengan la parte que por derecho les toca. El C. Quintin espuso que lo que quiere es la propiedad del mencionado terreno y que no les quita el derecho que poseen. Para llevar esta demanda por los tramites legales se dispuso nombraron sus hombres buenos para intentar el medio de la conciliacion y llevandolo á efecto, nombraron los dos primeros al Capitan Ciudadano Juan Antonio Munos y el tercero al C. Manuel de Alba, quienes constituidos en union del Alcalde presenciaron las espresiones de cada parte y bien instruidos de los pormenores que pasaron, se propuso á los litigantes que se convinieran haciendo la division del terreno procurando mutuamente conciliarse, obteniendo la parte

que á cada uno le correspondiese. Con tal invitacion, los tres convinieron dividiendo pr su acuerdo el espresado terreno en la manera siguiente. = Desde donde concluye el citio acia al Sur, hasta la mediania de las dos casas al C. Quintin Ortega, debiendo hacerse una prolonjera desde la cabra q. linda con las casas dichas y que parta pr en medio de ellas. Desde esta parte hasta el arroyo de los Alamos á Juan Gilroy donde dividira otra mojonera; y desde esta ~~parte~~ hasta ~~el arroyo~~ donde termina el referido citio por el norte al C. Julian Cantua entendiendose que el ojo de agua permanente que existe en la posecion del segundo, siga teniendo su derrame para la del primero. Advirtiendo el C. Quintin

Sello tercero Dos reales.

Habilitado provicionalmte por la Comisaria Subalterna Interina del puerto de Monterey de la Alta California para los años de mil ochocientos treinta y uno y mil ochocientos treinta y dos.

Rehabilitado por la espresado Oficio para los años de 1833 y 1834. que como haya hecho la peticion del terreno a consecuencia de que se encuentra los titulos de posecion que sobre el, tenian sus padres y que puede en lo sucesivo encontrar, se deben comprometer ambos contrayentes en este caso á dividir de nuevo el referido terreno, entre los otros tres hermanos que aun no se han presentado, para asi no dañarles con defraudarles la parte que les corresponda = En estos terminos quedaron convenidos, y lo firmaron el Alcalde, los hombres buenos y dos de los interesados, no haciendolo la contra por no saber = Marcelino Escobar = Juan Antonio Munos. = Manuel de Alba = Quintin Ortega = Juan Gilroy =

Ya peticionado de los interesados doy esta por triplicado pa que cada uno pose en poder de cada parte y sirva en su caso los efectos que haya lugar, firmando en Monterrey á los cuatro dias del mes de Mayo de mil ochocientos.

treinta y tres, con los testigos de asistencia.
Marcelino Escobar. de assa. José María Maldonado.
De asso. Santiago Estrada.

Sello primero seis pesos.

Habilitado provisionalmente por la Administracion de la aduana Marítima de Monterey para los años de mil ochocientos treinta y tres y mil ochocientos treinta y cuatro.

Figueroa. José Rafael Gonzales.

José Figueroa General de Brigada de los Ejércitos Mej-icanos Nacionales, Comandante General Inspector y Gefé Superior Político del Territorio de la Alta California.

{Gobierno político de la Alta California} Por cuanto el Ciudadano Guillermo Ortega há presentado para su beneficio personal y el de su familia una parte del Rancho conocido con el nombre de San Isidro colindante con la Mision de San Juan Bautista, con el Rancho de las Animas con la parte que corresponde á su hermana María Clara Ortega y con la Sierra: practicadas previamente las diligencias convenientes segun lo dispuesto por las Leyes y Reglamentos: usando de las facultades que me son conferidas en decreto del dia de ayer á nombre de la nacion Mejicana he venido en conceder le el terreno mencionado, declarando le la propiedad de el por las presentes letras, entendiendose dicha concesion en entera conformidad á lo dispuesto por las leyes si reserva de la aprovacion ó desaprobacion de la Sectentrional Deputacion Territorial y del Supremo Gobierno y bajo las condiciones siguientes.

Primera. Que se someterá á las que estableciere el Reglamento que se ha de formar para la distribucion de Terrenos Baldios y que entre tanto ni el agraciado ni sus herederos podran dividir ni enajenar el que se le adjudica: imponer censo, vinculo, fianza hipoteca ni otro gravamen aunque sea por causa piadosa, ni pasarlo á manos muertas.

Segunda. podrá cercarlo sin perjudicar las barcias

caminos y servidumbres; lo disfrutará libre y exclusivamente destinandolo al uso ó cultivo que mas le acomode; pero dentro de un año ó lo mas fabricará casa y estará avitada. Tercera. Quando se le confiere la propiedad solicitará del Juez respectivo que le dé posecion jurídica en virtud de este despacho por el cual se demarcaran los linderos en cuyos límites, pondrá ó mas de las mohoneras, algunos arboles frutales ó silvestres de alguna utilidad. Cuarta. El terreno de que se le hace donacion es de un sitio de Ganado mayor de una legua cuadrada segun esplica el diseño que corre en el Espediente. El Juez que dicere la posecion lo hará medir conforme ó ordenanza para señalar los linderos, quedando el sobrante que resulte á la nacion para los usos conveniente. Quinta. Si contravenieren á estas condiciones perderá su derecho al terreno y será denunciable por otro.

En Consecuencia mando que sirviendole de Titulo el presente y teniendose por firme y valedero se tome razon en el libro a que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterrey á cuatro de Junio de mil ochocientos treinta y tres. José Figueroa.

Agustin V. Zamorano. Secretario.

Fuedo tomada razon en el libro de asientos de titulos sobre adjudicacion de terrenos á fojas seis numero seis que obra en el Archivo de la secretaria de mi cargo. Monterrey cuatro de Junio de mil ochocientos treinta y tres. Zamorano.

Sello tercero Dos reales.

Habilitado provisionalmente por la aduana Maritima de Monterrey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa. Rafael Gonzales.

Gobierno politico de la Alta California. Se aprueba la concesion hecha al ciudadano Quintin Ortega y hermanos, del terreno nombrado San Isidro concedido

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en diez y nueve de Junio de mil ochocientos treinta y tres de entera conformidad con lo prevenido en la ley de diez y ocho de Agosto de mil ochocientos veinte y cuatro y el artículo quinto del Reglamento de veinte y nueve de Noviembre de mil ochocientos veinte y ocho. Monterey

mayo 8

diez y siete de Mayo de Mil ochocientos treinta y cuatro. = En sesion de este dia se aprobó por la excelentísima Diputacion la proposicion del dictamen antecedente mandándose se devuelva el expediente al Señor Gefe Superior Político para los fines consiguientes. = José Figueroa. = Juan Bautista Alvarado. Secretario. Monterey. doce de Junio de mil ochocientos treinta y cuatro. = En vista de la aprobacion otorgada en diez y siete de Mayo ultimo. hágase testimonio de ella y de este decreto á la parte de Don Quintin Ortega y hermano á sus hermanas Dona Maria Clara y Doña Maria Isabel en confirmacion á la concesion del terreno de San Isidro que obtuvieron en tres de Junio del año proximo pasado. El Señor Don José Figueroa, General de Brigada, comandante general, Inspector y Gefe Superior político del Territorio de la Alta California así lo mandó decretó y firmó de que doy fé. = José Figueroa. = Agustin V. Zamorano. = Secretario.

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Concuerda á la letra con su original del cual hice sacar el presente testimonio para resguardo de la parte interesada en Monterey á doce de Junio de mil ochocientos treinta y cuatro siendo testigos los ciudadanos Bernardo Navarrete y Bonifacio de Mandamiento de esta vecindad.

En testimonio de verdad.

José Figueroa.

Agustin V. Zamorano. Secr.

Sere sellado á otra oc. mas.

Sello tercero Dos reales.

Habilitado provisionalmente por la administracion de la Aduana Maritima de Monterey de la Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro. Angel Ramirez.

Sr. Alcalde constitucional de segunda nomineación.

Quintin Ortega, Ciudadano Mejicano por nacimiento natural y vecino de esta Municipalidad de Monterey como mejor halla lugar digo: que habiendo obtenido la concepcion propia de la tercera parte del terreno conocido por rancho de S.n Isidro el que poseia mi finado padre Ignacio Ortega como Vera V. por los documentos que en duplico fojas utiles acompaño á mas del diseño. Ocurro al p.o que se sirva darme la posecion Judicial conforme esta prevenido en el articulo tercero de titulo o concepcion de dicho terreno que se me adjudica con fecha cuatro de Junio de mil ochocientos treinta y tres. Igualmente la conferencia y devolucion de estos documentos para los usos que me convengan por tanto A V. Suplico se sirva poner me en la posecion que solicito en lo q. recibiré gracia y Justicia, San Juan Bta. Noviembre diez de mil ochocientos treinta y cinco.

Quintin Ortega.

Monterrey. 9.bre 8 de mil ochocientos treinta y cinco.

Por presentado y admitido procedase á dar la posesion que se solicita, a cuyo efecto se señala el dia doce del corr.te citese á los colindantes para dicho dia y previamente nombrase medidores, y contador a quien se les hará saber para su aceptacion y juramento. Asi y el Alcalde Ciudadano lo decretó, firmó y mandó con los de mi asistencia. José Rafael Gonzales.

De A. Juan Madariaga De. A. Liceson Castro.

Sello tercero Dos reales.

Habilitado provisionalmente por la administracion de la Aduana Maritima de Monterey de la Alta California

para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro Angel Ramirez.

En la misma presente el ciudadano Quintin Ortega se le notifico del auto que antecede y entendido: dijo lo oye, y que se da por citado y lo firmó con migo y los de asistencia. Gonzales

Quintin Ortega. De D. Juan Madariaga. De D.n Simeon Castro. = En la misma fecha se libraron las boletas de comparendo en cumplimiento de lo mandado en el antecedente auto para la citacion de los colindantes y para la constancia debida lo publico. = En el Rancho nombrado S.n Isidro, y en la casa del ciudadano Quintin Ortega a los Doce dias del mes de Nobre. de mil ochocientos treinta y cinco Yo el Alcalde Constit.l de Segunda nominacion de la Capit.l de Monterey, notifiqué á los colind.tes Juan Gilroy, José Maria Sanchez y Carlos Castro que se hallan presentes el auto que antecede y entendidos lo firmo Castro y Gilroy con migo y los de mi asistencia y no lo hizo Sanchez para no saber.

José Rafael Gonzales. Juan Gilroy. D.A. Juan Madariaga
Simeon Castro. de assa. Carlos Castro.

En el mismo rancho, dia mes y año yo el regidor

Sello tercero Dos reales.

Habilitado provicionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro. Angel Ramirez.

Alcalde en cumplimiento del auto del cuatro de Junio de mil ochocientos treinta y tres presentes los citados colind.tes pa la medicion señalamiento de linderos y posesion Juridica nombré por medidores á los ciudadanos José Maria Sanchez y Bernardo Helis y p.a Cordador á Manuel Briones quienes previa la

la aceptacion y juramento procedieron al desempeño de su encargo. Asi fuel nominado Alcalde lo firmé y firmé con los de asistencia.
José Rafael Gonzales. de A. Juan Madariaga.
De A. Simeon Castro. = En la misma fecha y en el espresado rancho se les notificó su nombramto á los Ciudd.s arriba espresados, y dijeron q. aceptaban y aceptaron dicho encargo y juraron por Dios nuestro Sr. y la señal de la Sta Cruz de cumplir fiel y legalmte á todo su leal saber y entender sin perjuicio de otra persona alguna y no firmaron por no saber y lo hice yo el presente Juez con los de asistencia.
de A. Juan Madariaga. De A. Simeon Castro.
Incontinente Yo el referido Alcalde mandé traer á mi presencia el cordel con que se han de medir las tierras; y que los medidores lo midan de sesenta varas y en presencia de los colindantes, lo tomaron en la mano y con una vara de medir usual Mejicana midieron sesenta varas p.a medir el terreno de que se ha á dar posecion y lo firmé con los de asistencia.
José Rafael Gonzales. de A. Juan Madariaga
Simeon Castro. De A. ≈ En el mismo parage mes, dia y año siendo las once del dia mandé á los medidores nombrados se pongan para las medidas de tierra que se han de hacer al ciudadano Quintin Ortega y comensando á medir desde el arroyo que divide las dos casas, asi del espresado Quintin como de Juan

Sello tercero Dos reales.

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro. Angel Ramirez.

Siguiendo, y tendiendo el cordel con direccion al sur. Este hasta llegar al arroyito ó aguaje de los cuatro sauces q. divide el linderos de José Sanchez hay noventa

y seis cordeles y de hay girando asia al nordeste hta
la lomita donde hay cuatro encinos, tres cuates y uno
de uno lo blanco que señalan hta onde llegan las ti
-erras de Sanchez hay ochenta y seis cordeles, y desde
el mismo punto hta la punta de loma por el mismo
viento hay catorce cordeles, y siguiendo al noroeste por
encima de toda la loma á salir al pente de la obra
que divide las dos casas de Quintin y de Guillermo hay
Siento veinte y dos cordeles y desde este mismo punto
partiendo por en medio de la espresada obra rumbo
al Sur cuatro al oeste hta llegar a el arroyo q. señala
ó sirve de lindero á los cuatro segun su nuevo
diseño hay Sincuenta cordeles de las referidas Sincuenta
varas; El terreno q. resulta medido y de un Sitio
de ganado mayor en cuyo constancia lo firmó con los
de mi asistencia no habiendo los medidores y contador
por no saber firmar.

José Rafael Gonzales. de ob. Juan Manzaniya
De ob. Simeon Castro. = En el rancho de Sn
Isidro á las doce dias del mes de noviembre de mil
ochocientos treinta y cinco Yo el Alcalde constitucional
de segunda nominacion en la Municipalidad de
Monterey despues de practicadas las medidas del
mencionado rancho conforme se demuestra en la anterior
medicion presente los ciudadanos ciudadanos José Mª
Sanchez, Juan Gilroy y Carlos Castro, apoderado por
la viuda del finado Mariano Castro que fueron confo
-rmes con todo lo mas q. ver convino mandé entrase
en posecion al ciudadano Quintin Ortega del terreno que
se le ha echo donacion bajo las medidas sitadas y
formalidades acostumbradas en casos semejante lo que
verificó amarrando Yerbas y haciendo demostraciones
como dueño del terreno que se le ha dado en pacífica
posecion y propiedad cuya validacion lo autorizo
Sello tercero dos reales.
Habilitado provisionalmente por la Administracion

de la Aduana Marítima de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro. Angel Ramirez.

y firmó con los espresados colindantes y los testigos de asistencia no haciendolo Sanchez por no saber.

José Rafael Sanchez. de A. Juan Gitre. de A. Carlos Castro. de A. Juan Machorinegu.

Fomese razon en el libro de posesiones y devuelvase original este Espediente al interesado para que le sirva de titulo. Así lo el alcalde Segundo lo decretó firmó y mandó con los de mi asistencia. José Rafael Gonzales.

Los derechos. Causados en este Espediente son los siguientes. Por la presentacion Conocando y suprot.ª 0. 1. 00

Dos notificaciones. - - - - - - - - - 00. 6

Dos notas a cuatro reales. 01. 0.

nombramiento asistencia y juramento de pers.ª - - 0. 1. 0.

Suma y pasa. 03. 6.

De la Vuelta 03. 6.

Diligencia, Reconocer y medir el cadal. 01. 0.

Medidas y posesion. - - - - - - - - 03. 0.

Dos autos interlocutorios - - - - - - - - 02. 0

Por treinta y seis leguas que se han debuelto. - - - 27. 0.

José Rafael Gonzales. 036. 6.rs

Queda tomada razon en el libro de posesiones del Juzgado 1.º á fojas tres i buelta y pasa constancia lo anoto y rubrico ~~con~~ en Quince de noviembre de 1835.

Sello tercero dos reales.

Habilitado provisionalmente por la Administracion de la Aduana Marítima de Monterey de la Alta California para los años de mil ocho cientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro. Angel Ramirez.

Filed in office. February 25th 1853.

Geo. Fisher. Secy.

Marcelino Escobar, Constitutional Alcalde within the Demarcation of this Illustrious Ayuntamiento,

I certify in due form, that in the book of conciliations existing in this Justice court, appears one of the following tenor:

In the port of Monterey on the third day of the month of May 1833, before me Marcelino Escobar Constitutional Alcalde within the Demarcation of this Illustrious Ayuntamiento appeared Juan Silva and Julian Cantua, stating that being aware that the Citizen Quintin Ortega (brother in law of the Plaintiffs) had made a solicitation to be granted in ownership the "sitio" called San Isidro they presented themselves for the purpose of showing that they have an equal right of possession by reason of their wives; inheritance, that Mr Quintin, and in case he has the ownership of said land, make the corresponding division so that the three families may obtain the part which in right falls to their share.

Quintin represented, that what he wants is the ownership of the said land and that he does not deprive them of the right they possess.

In order to bring this complaint to the legal process, it was arranged that they appoint their inspires to try the means of conciliation, and carrying it into effect, the two first named appointed the Citizen Captain Juan Antonio Munoz and the third appointed the Citizen Manuel de Alba, who being constituted in union with the Alcalde, witnessed the allegations of each party, and being well instructed in the details of the proceeding it was proposed to the litigants to agree on making the division of the land thereby procuring to be mutually conciliated, in obtaining the part which might fall to each one. On such an invitation

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Translation of Grant Juridical posv.

the three parties agreed in dividing the said land in the following manner, as the result of the deliberations to wit;

From whence the sitio ends towards the South to the middle of the two houses, to Quintin Ortega, while there ought to be made a land mark from the opening con=tiguous to the said houses and which parts them mid ways.

From this portion to the Arroyo de Las Alimas to Juan Gilroy, where another landmark will divide it; and from this to where the said sitio terminates towards the North to Julian Cantua; it being understood that the permanent "go de agua"/channel/existing on the possession of the second named is to follow and having its outlet for the possession of the first named.

Mr Quintin was notified that as he may have made the petition for the land in consequence of not finding the title-deeds of possession which his parents had to it, and which he hereafter may find, both of the contestents in this case ought to compromise to divide the said land among between the other three brothers, who have not yet presented themselves, thus not to injure them with depriving them of the party-falling to them= and signed, it with the Alcalde, the witnesses and two of the interested parties, Cantua not doing it on account of not knowing how.

Marcelino Escobar, Juan Antonio Munoz, Manuel de Alba, Quintin Ortega, Juan Gilroy.

And on request of the interested parties I grant this in duplicate, that one of them may remain in the posses=sion of each party, and in this case have the desired and suitable

effects; signing it in Monterey on the 4th day of May 1833, with attesting witnesses.
Marcelino Escobar.
Assistants, José Maria Maldonado
Santiago Estrada.

José Figueroa, Brigadier General in the Mexican National Armies, Commander General, Inspector and Superior Political Chief of the Territory of Upper California.

Whereas the Citizen Juntin Ortega has solicited for his personal benefit and that of his family a part of the Rancho known by the name of San Isidro, bordering on the Mission of San Juan Bautista on the Rancho de las Animas to the lot belonging to his sisters Maria Clara Ortega, and on the Sierra — after having previously taken the necessary action according to the requirements of law and regulations; in exercise of the powers vested in me, in a decree dated yesterday, in the name of the Mexican Nation, I have concluded to grant him the mentioned land, declaring it his property by the present letters patent, said concession being understood to be in entire conformity with the requirements of law, reserved for the approbation or disapprobation of the Excellent Territorial Deputation and Supreme Government and under the following conditions;

First. That it be subject to the conditions which shall be established by the regulation to be made for the distribution of vacant lands, and that in the mean time neither the grantee nor his heirs shall have the power to divide or alienate that which hereby is granted him, nor subject it to rent, entail, bond, mortgage or any

other encumbrance, though it be for a charit=
-able purpose, nor convey it into mortmain,

Second. He may fence it without prejudice to the crossings roads and servitudes; he will enjoy it freely and exclusively, appropriating it to the use or culture that best may suit him, but within a year at most he will build a house to be inhabited.

Third, When the ownership may have been conferred on him, he will solicit of the respective Judge to give him jurid=
-ical possession in virtue of this document by whom the boundaries are to be marked on the extremities of which, besides the land marks he will put some fruit trees or wild ones of some utility.

Fourth the land donated to him is un sitio de ganado mayor of one square league as explained in the sketch annexed to the expediente.

The Judge who shall give him the juridical possession will cause it to be measured conformably to the ordinance for the marking of boundaries leaving the surplus that may result to the nation for convenient purposes.

Fifth, If he should violate these condi=
-tions he will loose his rights to the land and may be denounced by any other party

Consequently I order that these presents serving him as a title deed and being held firm and valid it be entered in the corresponding book and delivered to the interested party for his security and other purposes.

Given in Monterey on the 4th of June 1833.

José Figueroa
Agustin V. Zamorano
Secretary.

Entered in the book of registry of title deeds on adjudication of lands on folio 6 number 6 which is deposited in the Secretary Office under my charge.
Monterey 4th June 1833.
Zamorano.

Approved of the Grant made to Citizen Quintin Ortega and Sisters of the land called San Isidro, granted on the 19th of June 1833, in entire conformity with the provisions in the law of 18th August 1824, and the 3rd Article of the Regulations of 21st of November 1828.
Monterey 16th May 1834.

In to days session the Excellent Deputation approved of the proposition in the foregoing opinion.
I order the Expediente to be returned to the Superior Political Chief for consequent purposes.
José Figueroa Juan Bautista Alvarado
Secretary

Monterey 12th June 1834.
In view of the Approbation granted on the 16th of May last, let a testimonial of it and of this decree be issued to the party Don Quintin Ortega, as also to his sisters Da. María Clara and Doña María Isabel, in confirmation of the Grant of the land San Isidro, which they obtained on the 3rd June last past. Don José Figueroa, Brigadier General, Commander General Inspector and Superior Political Chief of the Territory of Alta California, thus did order decree and sign it of which I bear testimony.
José Figueroa.
Agustin V. Zamorano
Secretary.

Conformable literally to the original from which the present testimonial was caused to be drawn for the security of the interested party in Monterey on the 12th of June 1834, the Citizens Bernardo Rosarete and Bonifacio de Madariaga of this place, being witnesses.

In Testimony of truth

Jose Figueroa

Agustin V. Zamorano.

Secretary.

/ plat /

To The Constitutional Alcalde of the Second Nomination;

I Quintin Ortega, a Mexican Citizen by birth, native and resident of this Municipality of Monterey, as best may tend to the purpose, say;

That having obtained my own share of the third part of the tract of land known as Rancho de San Isidro, which my deceased father Ignacio Ortega possessed, as you will see by the documents I accompany, consisting of five filled folios besides the plat.

I apply to you to be pleased to give me the juridical possession, as provided in the third article of the title-deed or concession of said land, adjudicated to me under date 4th of June 1833, likewise the respective confirmation and returns of these documents for purposes to suit me.

Therefore I pray you to be pleased to put me in the possession I solicit, whereby I shall receive favor and justice.

San Juan Bautista November 10th 1835.

Quintin Ortega.

Monterey November 10th 1835.
It having been solicited and admitted let there be taken the necessary steps to give the possession prayed for, to which effect the 12th day instant is designated. Let the bordering land owners be cited for said day and appoint previously measurers and computers, who will be made acquainted therewith for their acceptance and oath.
Thus I the Citizen Alcalde decreed signed and ordered with the assistants
Rafael Gonzales
Juan Madriaga
Simon Castro.

On the same day, the Citizen Quintin Ortega being present, he was notified of the foregoing decree and having had an understanding of it, he said he had heard it and that he admits of service and he signed it with me and the assistants,
Gonzales
Quintin Ortega, Juan Madriaga
Simeon Castro

On the same day the summons was issued in compliance with the order in the foregoing decree, for the citation of the bordering land owners, and for due attestation I subjoined my flourish.
(Flourish)

On the Rancho called San Ysidro and in the house of the Citizen Quintin Ortega, on the 12th of November 1835, I the Constitutional Alcalde of the second nomination in the Capitol of Monterey notified the bordering land owners Juan Cilroy, Jose Ma. Sanchez, and Carlos Castro who were present, of the foregoing decree and having had an understanding of it, Castro and Cilroy signed with me

and the Assistants, Sanchez not doing it on account of not knowing how.

Jose Rafael Gonzales.
Juan Gilroy. Juan Madriaga
Simeon Castro. Carlos Castro.

On the same Ranchy and on the same day month and year I the said Alcalde in compli=ance with the decree of 4th June 1833, the cited bordering land owners being present, appointed as measurers for the men=suration, marking of boundaries and juridical possession, the Citizens Jose Manuel Sanchez and Bernardo Feliz and as computer Manuel Briones who after previous acceptance and oath will proceed to the discharge of their office thus did I the mentioned Alcalde decree and sign with the assis=tants.

Jose Rafael Gonzales.
Juan Madriaga. Simeon Castro

On the same date and on the same Ranchy the above named Citizens were notified of their appointment and they said they accepted and did accept said charge, and they swore by God our Lord and the sign of the Holy Cross to fulfil it faithfully and legally to the best of their knowledge and understanding without any fraud against any one.

They did not sign because not knowing how. I, the present justice did so with the assistants.

Jose Rafael Gonzales.
Juan Madriaga Simeon Castro.

In continuance I, the said Alcalde ordered the line with which the land is to be measured to be brought to my pre=sence, that the measurers might measure off fifty varas and in the presence of the bordering land owners they took it in the

hand and with a usual Mexican vara measure measured off fifty varas, for the measurement of the land of which possession is to be given and I signed with the assistants,

Jose Rafael Gonzales
Juan Madriaga Simeon Castro

In the same place and on the same day and year at eleven o'clock in the morning, I ordered the appointed measures to set about the measurement of land, which they have to make for Citizen Quintin Ortega, and commencing to measure from the furnace or oven dividing the two houses as well that of the said Quintin as that of Juan Gilroy and stretching the cord in a direction to south east till reaching the Arroyito or Agua de las Cuatro Lagunas which divides the boundary of Jose Sanchez there are ninety six cords, and from thence turning towards the north East to the Lomita (little hill-top) where are four oaks three stems and one of a sole trunk, which marks to where the land of Sanchez reach, there are eighty six cords, and from the same point of the hill top in the same course there are fourteen cords, and following to the north east over the whole hill top to coming forth in the front of the opening which divides the two houses of Quintin and Gilroy there are one hundred twenty two cords, and from this same point departing by the middle of the said opening course south one fourth west till reaching the Arroyo which marks or serves as a boundary to the Castros according to his new plan there are fifty cords of the said fifty varas (length)

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The land measured results to be one square league (un sitio de ganados mayor,) in attestation of which I signed this with my assistants, the measurers and computers not doing so, on account of not knowing how to sign,

Rafael Gonzales
Juan Madriaga, Simeon Castro

On the Rancho de San Isidro on the 12th day of November 1835, I, the Constitutional Alcalde of the second nomination in the municipality of Monterey, after having finished the measurements

of the said Rancho as shown in the foregoing act of mensuration the bordering land owners Jose Mª Sanchez Juan Gilroy and Carlos Castro Attorney for the widow of the deceased Mariano Castro, being present conformable to whatever else was to the purpose. I ordered the Citizen Quintin Ortega to enter into possession of the land which has been donated to him under the said mensuration, and in similar cases customary formalities; which he accomplished pulling up grass and making demonstrations as owner of the land given to him in peaceable possession and ownership, the validity of which I authorize and subscribe with the said bordering land owners and attesting witnesses, Sanchez not doing it on account of not knowing how.

José Rafael Gonzales

Assistants, Juan Gilroy, Juan Madriaga
Carlos Castro

Let it be entered in the book of possessions and return this Espediente in original to the interested party, that it may serve him as a title-deed. Thus did I the second Alcalde decree sign and order, with the assistants,

José Rafael Gonzales

The fees incurred in this Espediente are as follows:

For the presentation with Record etc	1.	0.
Two notifications	0.	6 Rels
Two notes at four reals	1.	0
Appointment acceptance & swearing of measurers	1.	0
The act of recognising and measuring the line	1.	0
Measurements & possession	3.	0
two interlocutory decrees	2.	0
For thirty six leagues travel	27.	0
	$ 36.	6 rl

José Rafael Gonzales.

Entered in the book of possessions of the 2nd Justices Court on folio 3 and reverse, and for attestation I subjoined my flourish on the 15th November 1835.

Flourish

Filed in Office Septr 26th 1853. Geo Fisher Sec

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Quintin Ortega
vs
The United States

For the place called San Ysidro in Santa Cruz County, containing one square League of land.

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Opinion by Commissioner Alpheus Felch.

From the Testimony in this case it appears that Ignacio Ortega, the father of the present claimant, possessed the place called San Ysidro; that he died leaving three children, that by agreement the Rancho was divided between them by metes and bounds and an application was therefore made to the Governor for seperate grants to each of the heirs for their respective shares.

The present claim is for the portion thus assigned to the petitioner.

He has given in evidence duly authenticated the grant of the portion claimed by him which was issued by Governor Figueroa and bears date June 4th 1833. The proper evidence of the approval of the same by the Territorial Deputation which was given on the 16th of May 1834 is filed. The official testimonial of the act of juridical possession is also given in evidence, by which it appears that said possession was given and a demarcation of boundaries made on the 12th day of November 1835. Residence on the place with his family and continued cultivation of the land by the claimant from a period anterior to the grant by Figueroa to the present time is proved.

A decree of confirmation will be entered.

Confirmed.

Quintin Ortega
vs
The United States

Decree.

In this case on hearing the proofs and allegations it is adjudged by the Board that the claim of the said Petitioner is valid and it is therefore that the same be confirmed.

The land of which confirmation is hereby made is situated in Santa Cruz County being the

same occupied by the said Quintin Ortega, and a part of the Rancho called San Isidro formally occupied by Ignacio Ortega; and is described and bounded as follows to wit; Beginning at the furnace between the house of said Quintin Ortega and that of Juan Gilroy and running thence in a direction to the south East to the "Arroyito or agreage de las Quatro Sances" the boundary of Jose Sanchez four thousand eight hundred varas; thence turning towards the North East to the little hill top /lomita/ where are four oaks (three stems and one of a sole trunk) which mark to where the lands of San Chez reach four thousand three hundred varas; thence to the point of the hill top in the same course seven hundred varas; thence following to the north east over the whole hill top till coming forth in front of the opening dividing the two houses aforesaid six thousand one hundred varas, and from this same point running through the middle of said opening course south one fourth west till reaching the Arroyo marking or serving as boundary to the Castros according to his new plat there are two thousand five hundred varas; the said land hereby confirmed containing one square league more or less, being the same land of which juridical measurement was given to said Quintin Ortega under a grant made to him in the year 1835 reference to be had for a more particular description to the grant thereof and the testimonial of juridical possession which is on file in this case

Alphens Fielch

R. Ary Thompson

S. B. Haswell,

Filed in Office Aug 15. 1854.
Geo. Fisher Sec

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

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

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Office of the Board of Commissioners,

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

I, George Fisher — Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing Twenty eight — pages, numbered from 1 to 28, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 630 on the Docket of the said Board, wherein Quintin Ortega is —

the Claimant against the United States, for the place known by the name of "San Vicente"

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

Office of the Attorney General of the United States,

Washington, 7th March 1855.

Quentin Ortega
vs.
The United States. } 630.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of 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. 163

U.S.D. Court N.D.

United States
vs.
Quentin Ortega

Appeal Notice.

Filed April 14, 1855,
John A. Monroe,
clk
by M. D. Chenes,
Dep'y.

District Court of the United States
Northern District of California

The United States
Appellants
vs
Quintin Ortega

No. 163 (L. C. Docket No. 630)

Quintin Ortega the Appellee and claimant in the above entitled cause in answer to the Petition therein filed avers and says that his title to the land therein claimed is valid

He therefore prays that the decision of the Board of Land Commissioners be affirmed and the title of the said claimant be decreed to be valid.

J. Clarke Atty.
for Claimants.

U. S. District Court

No. 163

The United States
Appellants
vs
Quintin Ortega

Answer
Filed June 29, 1855,
by Chevers
Deputy.

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J. Clarke Atty
for Claimant.

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

The United States
Appellants
vs
Quintin Ortega
No. 163

The Petition of the United States by their Attorney represents: that this cause is an application for a review of the decision of the Board of Commissioners whereby the claim of the said Appellee was confirmed as appears by reference to the records in the case: That a transcript of the said Records was filed in this Court on the day of ; that a notice of Appeal was filed on the day of & that the land claimed lies in the said District.

That the said Claim is invalid.

Wherefore appellants pray that the said decision of the Board be reversed & that this Court decree the said title to be invalid. Respectfully &c,

A Glassell
Asst. U.S. Atty

U. S. District Court

No 163

The United States
Appellants
vs
Quintin Ortega

Petition

Filed June 29. 1855.
by Ohnes.
Deputy.

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S. Glassell Jr.
U. S. Atty.

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

The United States appellants
vs
Quintin Ortega appellee

Court No 163. Transcript No 630
Part of "San Isidro"

At a Stated Term held 23 Feby 1857

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

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

And this Court doth order adjudge and decree that the title of the claimant to the lands described in the said transcript is valid and the same is hereby confirmed.

The land of which confirmation is hereby made is situated in Santa Clara County being the same occupied by the said Quintin Ortega, and a part of the Rancho called

San Pedro formerly occupied by Ignacio Alaga and is described and bounded as follows to wit - Beginning at the furnace between the house of the said Quintin Alaga and that of Juan Gilroy and running thence in a direction to the South East to the Arroyito or "Aguage delos Quatro Sauces", the boundary of José Sanchez four thousand eight hundred varas - thence turning toward the North East to the little hill top (lomita) where are four Oaks (three stems and one of a sole trunk) which mark to where the land of Sanchez reach, four thousand three hundred varas; thence to the point of the hill top in the same course seven hundred varas: thence following to the North East on the whole hill top till coming forth in front of the opening dividing the two hills a present six thousand one hundred varas, and from this same point running through the middle of said opening course South one fourth West, till reaching the arroyo marking a serving as boundary to the East; according to his new plat there are two thousand five hundred varas; the said land hereby confirmed containing one square league more or less, being the same land of which juridical measurement was given to the

said Benito Ortega under a grant made to him in the year 1833, reference to be had for a more particular description to the grant thereof, and the testimonial of juridical possession which is on file in the case"

Ogden Hoffman
U. S. Dist Judge

I consent to within Decree

March 22d 1858

P. Della Torre
U. S. Atty

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Filed March 22, 1858.
W. H. Chevers,
Clerk.

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The United States
vs
Quintin Ortiga
Court No 163.
Transcript No 130.

Part of
"San Pedro"

Decree of
Confirmation

Filed March 22, 1858.
W. H. Chevers,
Clerk.

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In the District Court of
the Third Judicial District
Northern District of
California

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

The United States

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v. } No. 163: L. C. 620.

Quentin Ortega

In pursuance of notice from the Attorney General of the U. S. hereunto annexed, it is hereby stipulated and agreed that no further appeal be taken herein on the part of the United States, and that claimant have leave to proceed under the decree of this Court heretofore rendered in his favor as under Final decree.

San Francisco March 22 1888

P. Della Torre
U. S. Atty.

Shurtleff & King
Attys for Claimants

Attorney General's Office
17 February 1857

Sir,

You are hereby instructed to dismiss the appeal in the Case of Quentin Ortega vs The United States, numbered 630, in the Docket of the Land Commissioners.

I am,
Respectfully
[illegible]

Pacificus Ord Esq
U. S. Attorney
Los Angeles
Cal

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U. S. District Court

The United States

v

Quentin Ortega

Stipulation

Filed March 23. 1858.
W. H. Chevers,
Clerk

At a Stated Term of the District Court of the UNITED STATES OF AMERICA, for the Northern District of California, held at the Court Room, in the City of SAN FRANCISCO, on Tuesday the 23d day of March in the year of our Lord one thousand eight hundred and fifty-~~seven~~ eight.

Present:

The Honorable OGDEN HOFFMAN, *District Judge.*

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The United States
v.
Quintin Ortega

No. 163 : L. C. 130.

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

On motion of P. Della Torre Esq. U. S. attorney it is hereby ordered, adjudged and decreed that claimant have leave to proceed under the decree of this Court heretofore rendered in his favor, as under Final Decree.

Ogden Hoffman
U. S. Dist Judge

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United States District Court, Northern District of California.

The United States

vs.

Quintin Ortega

ORDER.

Vacating appeal

Filed March 23 1858

W. H. Chevers

CLERK.

By

DEPUTY.

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

United States
vs
Quentin Ortega } No: 163.—

To the Hon: Ogden Hoffman
Judge of said Court.

The petition of William Gantz, Julius Martin & wife, John D. Rose, & J. L. N. Shepard, respectfully represents,

That the survey made in this case by the Surveyor General, or his deputy is erroneous; that the deputy disregarded old land-marks, and has excluded from the survey land well known to belong to the Rancho called "San Ysidro" and to have been a part of said Rancho, for about thirty years, and that said survey has included lands belonging to the United States, and not claimed by the owner as part of said Rancho.

Petitioners

further show, that the survey was approved by the Surveyor General on the 7th day of August 1860.

That the first publication under the act of Congress of June 14th 1860, was made on the 22nd of August 1860.

That the interest of the petitioner Yorba is derived by deed from J. Ortega, a son of the original grantee, of this portion of "San Bernardo", the interest of said Yorba, being an undivided part.

The interests of the other petitioners is derived from deeds, made by John Gibney and wife, for another part of said Rancho; said Rancho having been granted by Gov: Figueroa to three children of Ignacio Ortega, under one grant, and at the same time.

That the eastern boundary of both the portions given to Juanita Ortega, and to Gibney & wife, is the same; being a common boundary, and the evidence of said boundary is the same in both cases:

That the said eastern boundary was erroneously surveyed by said deputy, and the rights of all your petitioners, affected

thereby.

Wherefore petitioners pray that your Honor will grant an order directing the Surveyor General to return the Survey into the District Court for examination and adjudication according to the provision of the act of Congress approved June 14th 1860 –

E. W. Pinkly
Atty for Petitioners.

Northern District of Cala, ss.

J. L. N. Shepard

being duly sworn deposes and says, that the facts stated in the foregoing petition are true to the best of his information and belief

Sworn to and subscribed before me this 31st day of August AD 1860.

J. L. N. Shepard

Geo B Williams
Cl. S. Cont

Let the order issue as above prayed for
Sept. 1st 1860

Ogden Hoffman
Dist Judge

No: 163.

United States

vs

Quentin Ortega

Petition to order survey to be returned into Court. —

Filed Sept: 1st 1860.

W. A. Chenes,
Clerk.

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Sept 19

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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 Monday the Third day of September in the year of our Lord one thousand eight hundred and sixty.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States,

v.

Quintin Ortega.

IN LAND CASES.

District Court No. 163

Land Com. No. 630.

AND now at this day on application of Edward Stanly Attorney for the Claimant IT IS ORDERED, that the Surveyor General of the United States for California return into this Court, on or before Wednesday, the 19th day of September A. D. 1860, his Official Survey and Plat of the land finally confirmed in the above entitled cause, known as "San Isidro" and situated in the County of Santa Clara in said District; AND IT IS FURTHER ORDERED, that the United States Marshal for this District serve upon the said Surveyor General, without delay, a certified copy of this order, and make due return hereon.

I hereby certify that I have this day made personal service of the within notice on J. M. Wilmerville the U. S. Surveyor General for the State of California

San Francisco September 3rd 1860 R. L. Solomon U. S. Marshal

No. 163.

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES,

V.

J. Ortega,

ORDER TO RETURN SURVEY.

Returnable Sept: 19th, 1860.

Issued Sept: 3d, 1860.

Filed Sept: 3d 1860.

W. H. Chevers

Clerk.

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The U States
vs
2 Ortega

D. C. 163
In the matter of
Survey

In the return of Survey, in the above mentioned case, by order of the U S District Court; I would state, that the approval thereof, is "pro forma", under the heretofore established custom — The questions between the "San Isidro" Ranchos, and that of "Las Animas", were not decided in this office, previous to such approval —

Reference is made to papers A & B filed by this office in case D. C. No 216 —

J. W. Mundell
U S Surv Genl

Hon Ogden Hoffman
U S Dist Judge

163.

U. S. Dist. Court,

The United States.

—vs—

Quintin Ortega.

Letter from Sur: Genl: accompanying plat of survey:

Filed Sept: 8, 1860.

W. A. Cheves,
Clerk,

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

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

GREETING:—

WHEREAS, objection has been made to the official survey and location of the land finally confirmed, in case No. 163, to Quintin Ortega known as "San Ysidro", and situated in the County of Santa Clara in said District.

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

WITNESS, the Hon. OGDEN HOFFMAN, Judge of said Court, at San Francisco, in said District, this 4th day of September A. D., 1860.

W. H. Rowe

CLERK.

The within Monition was received by me on Tuesday the 4th day of September 1860, and in obedience thereto I have given due notice, as therein commanded, by causing the publication of said notice, for 4 consecutive Wednesdays, in the San Francisco Herald, commencing on the 5th day of September 1860; and for 4 consecutive Saturdays, in the San Jose Tribune a paper published nearest the land, commencing on the 8th day of September 1860.

Dated San Francisco, Sept 26th 1860

P L Solomon
U. S. Marshal.

No. 163

UNITED STATES DISTRICT COURT,
Northern District of California.
IN LAND CASES.

THE UNITED STATES.

v.

J. Ortega,

MONITION.

Returnable Sept. 26. 1860.

Issued Sept. 4. 1860.

Filed Sept. 26. 1860.

W. H. Chevers
Clerk.

To the Hon District Court of the United States
Northern District of California

Quentin Colegá
vs
The United States

163
Part of San Mateo

Daniel, James, & Martin J. Murphy respectfully show to the Court that they are the Owners & claimants of the Rancho San Francisco de las Llagas which has been finally confirmed, and is now pending in this Court under the act of Congress approved June 14th 1860 –

That the suit above mentioned case ~~the same claimed in the above~~ is likewise pending in this Hon Court and your Petitioners are informed and believe that an effort will be made so to modify the decree as injuriously to affect their rights and interests as owners of the said Rancho Las Llagas, whereupon they pray for leave to intervene in the above entitled cause for the protection of their rights under the provisions of the act aforesaid. –

Thornton Williams & Thornton
Attys for owners of San Francisco de las Llagas

Daniel Murphy being duly sworn deposes and says that he has read the foregoing petition, and that the facts therein stated are true to the best of his knowledge and belief –

Dan Murphy

Sworn to and subscribed this 29th Sept. 1860. before me.
W. H. Chevers
N. P. Com.

No. 163.

U. S. District Court.

The United States.

— vs —

Guentin Ortega.

Pet: and affdvt. of Dan. Murphy to intervene.

Filed Sept: 29. 1860
W. ~~Co.~~ Cheves,
Clerk

J. J. Williams,
Atty.

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

Quentin Ortega
vs
The United States

No. 163.
In the matter of the Survey of San Ysidro.—

In this case Edward Sawyer on behalf of the claimants, desires to intervene for the protection of their interests, according to law and the rules of the Court, files the following objections to the Survey made & returned into Court.

1. The said Survey is not made according to the original title papers of the claimants.
2. The said Survey is not made according to the decree of this Court.
3. That the said Rancho was confirmed to the original claimant, according to the juridical possession & the map, and the said Survey wholly disregards the juridical possession and the map
4. That the said Survey is unjust, and erroneous, and was made under a misapprehension of the rights of claimants and of the decree of this Court.

5.- That the said survey wholly disregards well known & established land-marks and corners, especially that at the South East corner of said Ranch.

6. — That the said survey locates the ranch allogether on the East side of the arroyo de Las Llagas, whereas it should have been located on both sides of said Arroyo.

7. That said survey has left out land belonging to the Ranch, & thereby unjustly adding it to the adjoining Ranch Las Animas which is of younger date, and which was granted, reserving the rights of others.

8. That said survey wholly disregards the map, and the juridical possession, and was made to suit private interests of owner of adjoining lands, ~~on the~~ in disregard of the rights of Claimants.

9 That said survey was not made in accordance with the principles & rules established in the act of Congress, approved March 3rd 1851. entitled an act to settle private land claims in the State of California. —

10. That said Survey is not a complete and proper performance of the duty imposed by said act of Congress upon the Surveyor General, in this, that it is not a Survey of the "claim" as presented by the Claimants, or as confirmed by this Honorable Court. –

11 That said Survey was approved "pro forma" only by the Surveyor General, who did not examine the evidence before him referred to in his report returning the map of the Survey into this Honorable Court. which evidence proved the incorrectness of this Survey.

Edw Pinckney
Atty: for Claimants

No: 163

In the U. S. Dis: Court
for the Northern Dis:

The United States
v.
Quentin Ortega

Exceptions to
Survey on part of
Claimants. —

Filed Oct: 1. 1860,
W. A. Chevers,
Clerk,

Ed: Stanly.
for Clts.

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

No: 163.

The United States
vs
Quentin Ortega —

The answer of the Claimants to the Petition of Daniel Murphy et als: filed 29th Sept: 1860, praying to be allowed to intervene in this case —

The said Claimants answering deny that said Murphy et als have any interest in the Survey in this case, or that they have any right to intervene therein. —

They therefore pray the Court, that it should order the said petition to be withdrawn and that the said Murphy et als be denied any right to intervene in this case. —

And as in duty bound &c

Edw Stanly

Atty: for Claimants

No: 163.

The United States
vs
Quintin Ortega

Answer of Claimants
to the petition of
D. Murphy to mitigate.

Filed Oct: 2. 1860.
W. H. Chevers,
Clerk

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E. Sloan for Claimants

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 Saturday the 13th day of October in the year of our Lord one thousand eight hundred and sixty.

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States.
v.
Quintin Ortega.

No. 163.

On reading and filing the petition and affidavit of G. W. Crane, and on motion of John J. Williams, Esq. it is ordered that the default heretofore entered herein be, and hereby is opened so far as to allow the parties in said ~~petitioner~~ mentioned to intervene in this cause.

No. 163.

UNITED STATES DISTRICT COURT

Northern District of California.

The United States.

v.

Quintin Ortega.

Order allowing G. W. Crane, et al to intervene.

Filed October 13, 1860.

W. H. Chevers,

Clerk.

J. J. Williams for Intervenors.

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

Quentin Ortega
vs
The United States } No: 163.
} Part of San Ysidro —

The Petition of Vicente Sanchez and her husband Daniel Wilson, Refugio Sanchez and her Husband Thomas J. McKnight Gregorio and Guadalupe Sanchez infant Children of José M. Sanchez dec'd, by their Guardian George W. Crane, Green Hanna, Samuel Hanna, James Hanna Henry Miller & Martin Murphy Jr. and George W. Crane, respectfully shows to the Court that they are part owners of the Rancho Las Animas, by title derived from the original Grantee, which has been finally confirmed by decree of this Hon Court, to the Widow & Heirs at Law of the said José M. Sanchez dec'd — That said Rancho adjoins that portion of the Rancho San Ysidro, confirmed in the case first above mentioned to Quentin Ortega — That the survey of said portion of San Ysidro Rancho has been ordered into this Hon Court for ~~adjudication~~ examination and adjudication at the instance of the present owners, with

the view, as your Petitioners are informed and believe, and as appears from exceptions on file, of obtaining or attempting to obtain such a modification of said survey as will extend it across the Arroyo Las Mayas, and include within its lines a large portion of the said Rancho Las Animas to the great wrong and injury of your Petitioners. Wherefore your Petitioners pray leave for the protection of their rights, to intervene in the said case of Quentin Ortega vs The United States under the provisions of the act of Congress approved June 14th 1860.

And your Petitioners further show that the survey of said portion of the San Guidos Rancho, was ordered into this Court ~~sometime before~~ and proclamation made therein on the 26th day of September 1860. - That on the 3rd day of October 1860, the claimants then intervened in the matter of the survey of the said Las Animas, and at or about that time made known their object in such intervention. For this reason the Claimants of the Rancho Las Animas, did not and could not intervene at the date of the

proclamation made as aforesaid under the rules of this Court in the matter of the survey of said Quentin Ortega's claim, and pray leave now to be do-

Thornton Williams & Thornton
Attys. for Petitioners —

Geo. W. Crane

Sworn to and subscribed before me, this 11th Oct. 1860.

W. A. Cheves,
N. S. Com

163 –

Quentin Ortega

vs

The United States

Petition & affidavit
(of intervenors) –
G. W. Crane, et al.

Filed October 13. 1860.
W. A. Cheever,
Clerk

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paid by
G. W. C.

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

The United States
vs
Quentin Ortega
} No: 163.

It is hereby stipulated that the affidavit of José Rafael Gonzales dated Sept: 30th: 1858, and filed in this Court, (in case No: 216, on September 8th: 1860) relative to the juridical possession given to Quentin Ortega under the Mexican régime: and the affidavit of Wm. J. Lewis, dated Feby: 26th: 1859, and filed in this Court, Sept: 8th: 1860, (in case No 216 with map annexed) be read in evidence on the trial of the above entitled case, with the same effect as if they were severally depositions regularly and formally taken. —

Calhoun Benham
U. S. Atty

Dec 17 1860

No: 163

In the Dis: Court of the United States for the Northern Dis: of Cal.

The United States

vs

Quentin Ortega

Stipulation admitting certain affdvts, etc.

Filed Dec: 17, 1860.

W. H. Chenet,
Clerk

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

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 Friday the Twenty sixth day of July A. D. 1861.

Present the Honorable Ogden Hoffman, Judge

The United States
vs
Quantin Ortega } No: 163 San Ysidro.

This cause came on to be heard upon exception to the official survey of the land confirmed, a certified copy of the plat whereof was filed on the Eighth day of September A. D 1860; and counsel for the respective parties having been heard, and due deliberation had, it is hereby ordered adjudged and decreed that the said Survey is erroneous, and the same is hereby annulled and set

aside. And it is further ordered that the Surveyor General of the United States for California, cause a new Survey to be made, without delay, in conformity with this order, and return a plat of the same for confirmation and approval.

And it is further ordered that the said Survey be made as follows:—

Beginning at a point, where the "Arroyo" or river — which is referred to in the juridical possession, which was given by José Rafael Gonzales, to the Claimant — formerly stood, between the two houses of John Gilroy and Quentin Ortega, and running thence, in a South Westerly direction to the Arroyo de las Llagas, thence along said Arroyo, and in a South Easterly direction, to a cluster of Willows, or "Cuatro Sauces" referred to in the juridical possession: thence in a North Easterly direction to the stump of a large oak, which divided about two feet above the ground, into three trunks, or branches, which stump is on the Eastern margin of the Santa

Clara valley, the same oak being referred to in said juridical possession. thence in a straight line from the Willows to the Stump of the Oak, to the "punta de la loma", a point of the hills: thence in a North-Westerly direction to an oak tree, which stands in front of the opening which divided the houses of Gilroy and Quentin Ortega, which oak tree was the common corner of the lands of John Gilroy and wife, and Quentin Ortega: and thence in a South Easterly course, running a straight line to the "Orno" or oven the point of beginning. and continuing said straight line to the Arroyo de las Llagas".

The same being the tract of land of which juridical possession was given to the Claimant in this case by José Rafael Gonzales, constitutional Alcalde, on the Twelfth day of November 1835, and accepted by claimant, and estimated to contain, not more than Four thousand Five hundred and Eighty two 8/10 Acres. - To which Record of Juridical possession on file in the

Transcript referred is hereby made for greater certainty

The same being the tract referred to and more particularly described, in papers marked Exhibit "A." and Exhibit "B." from the Surveyor General, filed in this court, September 8th 1860. in case No: 216, and reference to which Exhibits is made by the Surveyor General, in his letter accompanying the plat of Survey, Filed September 8th 1860.

And it is further ordered that a certified copy of this order be served upon the Surveyor General of the United States for ~~the~~ California by the United States Marshal of this District.

Ogden Hoffman
U. S. Dist. Judge

U. S. Marshal's Office
Northern District of Calª.

I hereby certify that I received the within Order on the 30th day of August, 1861, and have served the same, by delivering a certified Copy to E. Conway, Esq, Chief Clerk in Surveyor General's Office, on the same day.

Dated San Francisco
August 30th, 1861.

Wmᵐ Rabé
U. S. Marshal
by David R. McKee
Depty.

163.

U. S. Dist. Court.

The United States.
— vs —
Quintin Ortega.

Order rejecting survey and directing new survey.

Filed Aug: 30. 1861.
W. H. Chevers.
Clerk.

U. S. District Court
Northern District Cal^a

U S
vs
Quintin Ortega

D. C. 163

To the Hon: Ogden Hoffman
U. S. District Judge.

In compliance with a decree for resurvey in the above case dated August 30th 1861 I herewith return an approved plat of survey made in strict accordance with the terms thereof. I would call your attention to the fact that the present lines embrace a portion of the Tequisquite Rancho heretofore surveyed and advertised under Act of June 20th 1860. No application was made as objecting to the approval thereof, and the survey now stands as a Patent under Sec 5 of said Act

Very Resp^y
Your obt Servt
E. F. Beale,
U. S. Sur Genl

163.

U. S. Dist. Court.

The United States.
vs.
Quintin Ortega.

Remarks of Sur. Genl accompanying plat of survey.

Filed Nov. 21. 1861.
W. A. Cheves,
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 Monday the 25th day of November in the year of our Lord one thousand eight hundred and sixty one,

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States v. Quentin Ortega	No: 163 In the Matter of the Survey and Location of a part of the San Ysidro Ranch -

On motion of George W Crane by his attorney Williams & Thornton it is ordered that the said George W Crane in his own right and as Guardian of Gregorio and Guadalupe Sanchez Infant Heirs of José Maria Sanchez decd, joint owners of the Rancho Llano de Sequoquita, have leave to intervene in this cause for the protection of their rights and interests under the provisions of the act of Congress approved June 14th 1860, against the survey returned into this court, and filed in the above entitled cause on the 21st day of November 1861

163.

UNITED STATES DISTRICT COURT

Northern District of California.

The United States.

v.

Quintin Ortiga.

Order entered allowing G. W. Crane to intervene.

Filed November 25, 1861.

W. H. Chevers,

Clerk.

United States
vs.
Quentin Ortega

In the District Court Northern District State of California

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George W Crane being duly sworn says that he is the owner and seized in fee of one undivided one third and the undivided one fifth of two thirds of the Rancho "Llano de Tequisquite" and that he represents as Guardian of Gregorio and Guadalupe Sanchez minor heirs of Jose Maria Sanchez deceased an undivided two fifths of two thirds of said Rancho and as such is in possession of the same. Affiant further says that the title to said Rancho has been finally confirmed by the United States District Court for the Southern District of California and the appeal dismissed and that the survey of said Rancho has been made by the U S Surveyor General for California and approved

by said Surveyor General as will be seen by referance to the Plat and certificate thereto attached herewith accompanying and referance is hereby made thereto. Affiant further says that on or about the day of 1861. an order was made by the US District Court for the Northern District of California in the cause of United States against Quentin Ortega for a resurvey of the Quentin Ortega portion of the Rancho "San Ysidro" an adjoining Rancho to the "Llano de Tequisquita" and that the Surveyor General in pursuance of said order of resurvey did without notice to any of the owners or parties representing the said Rancho "Llano de Tequisquita". Encroach thereon overlapping and in= =cluding within the said resurvey a quantity which affiant is informed and believes is about one thousand acres of the land included in the said

Rancho "Llano de Tequisquita"
and within the survey thereof.
Further affiant saith not.

Geo. W. Crane
Sworn to and
Subscribed before
me this 3 day of
November 1861.
Sherman O. Houghton
Notary Public
Santa Clara County

163.

District Court
Northern Dist
California

United States
vs
Quentin Olega

Affdt of
Geo W Crane

Filed Nov: 25. 1861.
W. A. Clement,
Clerk

In the District Court of the United States

FOR THE NORTHERN DISTRICT OF CALIFORNIA.

The United States,

v.

Quintin Ortega

IN LAND CASES.

Dist. Court No. 163

Land Com. No. 630

BE IT REMEMBERED, that on this 12th day of April A. D., 1862, at the City of San Francisco, in the District aforesaid, before me, WM. H. CHEVERS, a Commissioner duly appointed by the Circuit Court of the United States for the Districts of California to take acknowledgments of bail and affidavits, and also to take depositions of witnesses, in civil causes depending in the Courts of the United States, pursuant to the Acts of Congress in that behalf, personally appeared Quintin Ortega a witness produced in behalf of the Intervenor G. W. Crane in the above entitled cause, now pending in said Court under the Acts of Congress to ascertain and settle the private land claims in the State of California, who, being duly sworn, testified as follows: his evidence being interpreted by S. D. Spivals a sworn interpreter.

PRESENT: J. J. Williams Esq. for Intervenor Crane, E. Stanly Esq. for Claimant and W. H. Sharp Esq. U. S. Atty. for the U. S.

QUESTIONS IN BEHALF OF THE Intervenor Crane.

Question 1st,

What is your name, age, and place of residence?

Ans.

My name is Quintin Ortega, my age is 71 years, and

I reside in Santa Clara County.

2.

Are you the same Quintin Ortega to whom the ranch claimed in this case was granted?

Ans.

I am.

3.

Have you any interest in said rancho now, or have you sold it all?

Ans.

I have none, I have sold it all.

4.

From the "Agua de los Guapo Sauce" About how far did the line, established by Gonzales when juridical possession was given, run from the house of Sanchez on the Tequesquita rancho?

Ans.

About seven or eight hundred yards, more or less.

5.

Did it run in sight of said house?

Ans.

Ans.

I think not.

6.

How long since you were on the rancho San Gaidro, which was granted to you?

Ans.

About seven years.

Cross Examination waived
Deposition closed.

Quintin Ortega

Subscribed and sworn to this 12th day of April A.D. 1862 before me

W. W. Cheves,
U. S. Com.

No. 163

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES

V.

Quentin Ortega

DEPOSITION OF

Quentin Ortega

on part of Intervenor

J. W. Crane

Filed April 12th 1862

W. H. Beers

Clerk.

In the District Court of the United States

FOR THE NORTHERN DISTRICT OF CALIFORNIA.

The United States,

v.

Quintin Ortega

IN LAND CASES.

Dist. Court No. 163

Land Com. No. 630

BE IT REMEMBERED, that on this 12th day of April A. D., 1862, at the City of San Francisco, in the District aforesaid, before me, WM. H. CHEVERS, a Commissioner duly appointed by the Circuit Court of the United States for the Districts of California to take acknowledgments of bail and affidavits, and also to take depositions of witnesses, in civil causes depending in the Courts of the United States, pursuant to the Acts of Congress in that behalf, personally appeared Matthew Fallon a witness produced in behalf of the Intervenor G. W. Crane in the above entitled cause, now pending in said Court under the Acts of Congress to ascertain and settle the private land claims in the State of California, who, being duly sworn, testified as follows: his evidence being ~~interpreted by a sworn interpreter~~ taken by consent.

PRESENT: J. J. Williams Esq for Intervenor Crane, E. Stanly Esq for Claimant and W. H. Sharp Esq U. S. Atty for the U. S.

QUESTIONS IN BEHALF OF THE Intervenor Crane.

Question 1st,

What is your name, age, and place of residence?

Ans.

My name is Matthew Fallon, my age is about sixty years,

and I reside in Gilroy Santa Clara County.

2.

How long have you resided in Santa Clara County?

Ans.

I have been there since 1824.

3.

Do you know that portion of the San Isidro rancho which was granted to Quintin Ortega?

Ans.

I do know it; I was present at the time juridical possession was given of it.

4.

Were you present when the line was run northeasterly from the "Agua de los Cuatro Sauces"?

Ans.

I was.

5.

Do you know the situation of the house of José Maria Sanchez on the Tequesquita rancho?

Ans.

I do.

6.

How far ~~from~~ did the said last mentioned line from the Aguage de los Zuatre Sauces run from, and to the West of said house of Sanchez?

Ans.

To the best of my knowledge about half a mile, more or less.

7.

Did it run in sight of said house?

Ans.

In starting the line, we could see the house of Sanchez but in running up the line among the hills we lost sight of it, ~~At the~~ Along the line opposite the house there are some small hills, and you cannot see the house.

8.

At the time of giving juridical possession, was any tree marked on said line?

Ans.

I recollect that there was an oak tree on the side of a gulch marked. It is about where is marked on Wallace's survey filed in this case "Oak tree on side of Gulch".

9.

Were you present in March 1858, when John Wallace made a survey of this ranch, the plot of which you have just referred to?

Ans.

I was.

10.

Did or did not the line of said survey from the "Agnage de los Quatro Sauces" correspond with the said

line of juridical possession

line of juridical possession from the same point?

Ans.

Yes sir I believe it did.

11.

Do you know the point marked on E. H. Dyer's survey of this ranche, made in September 1861, marked "Stake in Stone mound S. G. 3"?

Ans.

I do. I saw the stake not many days ago.

12.

Do you know the stump just Northeast of the road from Gilroy to Pacheco's pass, marked on the plat of said last mentioned survey as "Oak stump"?

Ans.

I saw an Oak stump there the other day, which was pointed out to me as the stump on that line. The house of Sanchez is opposite the said line, and East

of the road to Pacheco's pap, the stump, not far from.

13.

How far does the said line of Dyer's survey run from the house of Sanchez before referred to?

Ans.

About three hundred yards to the West of the house.

14.

Can you see the house from ~~Dyers said line~~ the point on said line ~~Ans~~ opposite to the house?

Ans.

Yes sir, At any point on the line above the said stump and at some points below it.

15.

How far was the Dyer line from the line established by Gonzales at the giving of juridical possession, measuring opposite the said house of Sanchez?

Ans.

Ans.

I should think about six or seven hundred yards.

Cross Examination waived.
Deposition closed.

M. Fellom

Subscribed and sworn to this 12th day of April A.D. 1862 before me

W. H. Cheever,
U. S. Com:—

No 163

UNITED STATES DISTRICT COURT

Northern District of California.

IN LAND CASES.

THE UNITED STATES

V.

Quintin Ortega

DEPOSITION OF

Matthew Fellom

on part of Intervenor

G. W. Crane

Filed April 12th 1862

W. H. Chevalier

Clerk.

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AT a Regular Term of the Circuit Court of the UNITED STATES OF AMERICA, for the Districts of California, ~~in and for the Northern District~~ Northern, held at the Court-House in the City of SAN FRANCISCO, on Thursday the 14th day of June in the year of our Lord one thousand eight hundred and sixty six

Present:

The Honorable ~~M. HALL McALLISTER~~ Stephen J. Field, Judge of said Court,

~~The Honorable OGDEN HOFFMAN, U. S. District Judge.~~

The U. S.

vs.

Ramiro Ortega et al

AND NOW AT THIS DAY on motion of Patterson & Wallace of Counsel, ordered on the calendar; and now at this day by consent of counsel for the respective ~~counsel~~ parties it is ordered that the hearing of this cause be set for the 10th day of July next —

Circuit Court of the United States
FOR THE
DISTRICTS OF CALIFORNIA.

Northern District.

U S

vs.

R Ortega et al

ORDER

Setting cause for
Jury 10 1866

FILED THIS 14 DAY OF
June 1866

Geo C Gorham
CLERK.

163 ND
By PAGE 99
DEPUTY CLERK.

Northern

Circuit Court of the United States, for the Districts of California, ~~Northern District.~~

Clerk's Office,

I hereby certify the foregoing to be a true copy from the minutes.

Geo C Gorham Clerk.

By ..... Deputy.

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AT a Regular Term of the Circuit Court of the UNITED STATES OF AMERICA, for the Districts of California, ~~in and for the Northern District~~, held at the Court-House in the City of SAN FRANCISCO, on Thursday the 14 day of June in the year of our Lord one thousand eight hundred and sixty six

Present:

The Honorable ~~M. HALL McALLISTER~~ Stephen J Field, *Judge of said Court,*

The Honorable ~~OGDEN HOFFMAN, U. S. District Judge.~~

The United States

vs.

William Weeks & Wm J M Sanchez

AND NOW AT THIS DAY by consent of the parties it is Ordered that the order heretofore made setting this cause on the 21st inst be vacated, and that said cause be set for the 10th day of July instant.

Circuit Court of the United States
FOR THE
DISTRICTS OF CALIFORNIA.

Northern District.

U. S.

vs.

Wid & Heirs of Sanchez

ORDER

Setting Cause for July 10/66

FILED THIS 14th DAY OF June 1866

Geo C Graham
CLERK.

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By
DEPUTY CLERK.

Circuit Court of the United States, for the ~~Northern~~ Districts of California, ~~Northern District.~~

Clerk's Office,

I hereby certify the foregoing to be a true copy from the minutes.

Geo C Graham
Clerk.

By
Deputy.

We are willing with the consent of Mr Stanly that the Sanchez and Ortega cases now fixed for trial in the U.S. Circuit Court on the 21st Inst. may be postponed and set for trial on the 10th day of July or the first day thereafter which may suit the convenience of the Court —

San Francisco
June 14. 1866

J. B. Crockett

I have no objection to the above stipulation if Mr Stanly has never

John B. Felton

I consent

Edw. J. Pratt

We agree to the above
June 14th 1866.

Patterson Wallace & Stow

Circuit Court U.S.

The US
v
Sanchez
The US
v
Acleja.

Stipulation to
set causes.

Filed June 14/66
C. Bellenham
Clerk

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U. S. Dist Court
for the State of Cala

The United States
v
Quintin Ortega.

Stipulation

It is hereby stipulated and agreed that the accompanying Plat of the San Pedro Rancho, finally confirmed to Quintin Ortega, being No 163 in this Court, may be approved as the final survey of said Rancho - the South Western boundary being the Arroyo de las Llagas, and the dividing line between it, and the Rancho Las Animas as finally surveyed; the South Eastern boundary (Course 6) being the Patent line of the Tequisquite Rancho, - the North western (Course 8) being in accordance with the finally approved survey of that portion of the San Pedro Rancho known as John Gilroy's tract, and the North Eastern line (Course 7) being run for quantity and adjoining public lands -

Williams & Thornton
attys for Miller & Crane } over

Edward Stanly
Atty for
Lewis Martin & others.

Deloskake
W. J. Alty

163

U S Dist Court
for State of Cal

The United States
v
Quintin Ortega

Stipulation

Filed April 20. 1869
Geo H Graham
Clk
by Inman
Dep

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

The United States
vs
Quentin Ortega } No. 163.

To Messrs Williams & Shorter
Attys: for Intervenors —

You will please take notice that on Saturday morning next at 11 o'clock A. M. or as soon thereafter as Counsel can be heard I shall move the Court to fix a time within which the proofs in this case shall be closed, & this cause heard.

Ellis Lanly
Atty for Claimant

San Francisco July 8th 1861.

No. 163 N

District Court of the U. States - Northern Dis: of Cal:

The United States

vs

Quentin Ortega

Notice of motion to close proofs &c —

Copy served on me this day, July 8. 1861 -

Jno Williams

Due service of notice admitted —

Wm H. Sharp

U. S. Atty

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. Menne 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. 630 on the Docket of the said Board, wherein Quintin Ortega is

the Claimant against the United States, for the place known by the name of "San Pedro"

and request your receipt for the same.

I am, Respectfully,
Your Obt Servant,

Geo: Fisher

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