

CASE NO.

175

NORTHERN DISTRICT

LAS PUTAS GRANT

MARIA ANASTASIA HIGUERA, ET AL.

CLAIMANT

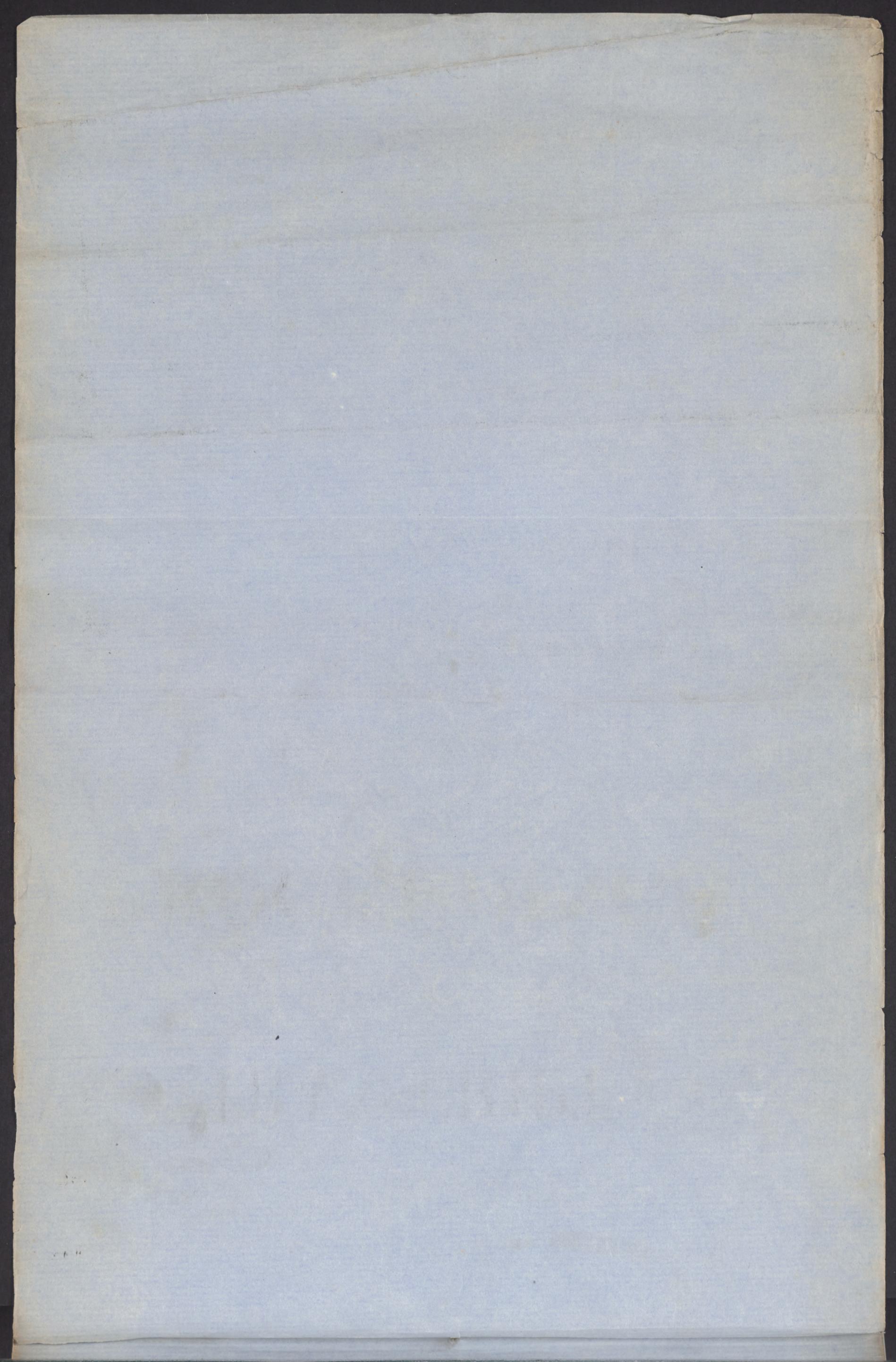
Land Case no. 175, Northern District

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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 236

Maria Anastasia Higuera, et al, CLAIMANTS.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Las Pintas"

WALTER CHURCHILL REVELL, DECEMBER 1871

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Maria Anastasia Higuera*
et al. for the Place named
"Las Putas"
was presented, and ordered to be filed and docketed with No. 236 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

San Francisco, July 3^d 1852.
In case No 236, *Maria Anastasia Higuera de Berruessa, et al*, for the place called *"Las Putas"* in motion of the Counsel for the Claimants, the following order was made to wit:
(Vide page 5-9 of this Transcript.)

San Francisco, January 18th 1853
In the same case the deposition of *José Santos Berruessa*, a witness on behalf of the Claimants, taken before Commissioner *Wiland Hall*, was filed.

(Vide page 14 of this Transcript.)

In the same case the deposition of *Juan de Castaña*, a witness on behalf of the Claimants taken before Commissioner *Wiland Hall* with document marked

H. H. No 1. annexed thereto, was filed.
(Vide page 13 of this Transcript)

San Francisco January 19th 1853.

In the same case a communication was received from the United Surveyor General for California, transmitting a Copy of the field notes of survey, and a map of the said place, and is as follows, to wit:

(Vide page 39 of this Transcript)

San Francisco July 26th 1853.

In the same case the deposition of H. V. Tracy, a witness in behalf of the Claimants, taken before Commissioner Alphons Felch, was filed.

(Vide page 9 of this Transcript)

San Francisco Aug 27th 1853.

In the same case the deposition of John C. Hoag, a witness in behalf of the Claimants, taken before Commissioner Thompson Campbell, was filed.

(Vide page 10 of this Transcript)

In the same case the deposition of Martin E. Cook, a witness in behalf of the Claimants, taken before Commissioner Thompson Campbell, was filed.

(Vide page 11 of this Transcript)

San Francisco November 2nd 1853.

In the same case the deposition of Aaron Vandum, a witness of the Claimants, taken before Commissioner R. D. Thompson, with document marked "No 1. R. T." annexed thereto was filed.

(Vide page 11 of this Transcript)

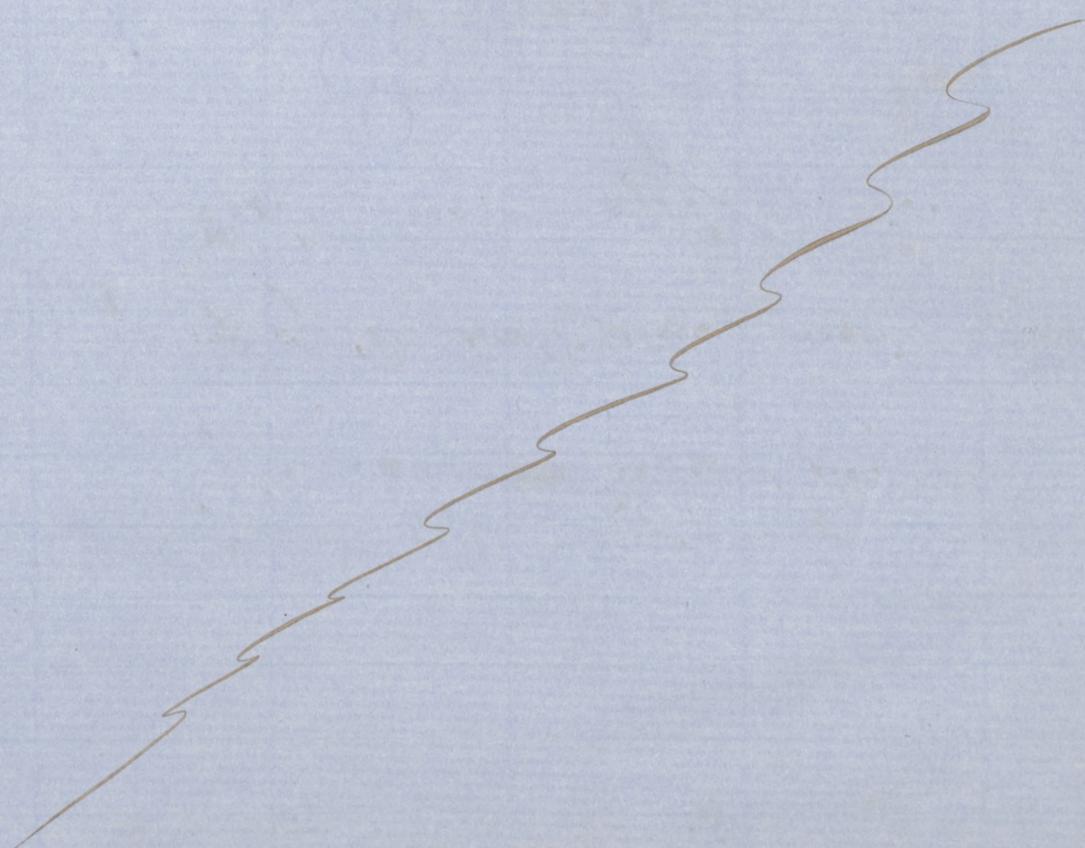
San Francisco, November 7 1853.
In the same case the deposition of Jose S. Borrayosa,
a witness in behalf of the Claimants, taken before
Commissioner Alphens Felch, was filed.
(Vide page 13 of this Transcript)

San Francisco, June 13 1854.
Case No 236, was ordered to the foot of the Cal-
ender of the 1st Class Cases on the Trial Docket.

San Francisco Aug, 17 1854
Case No 236 was submitted on Briefs.

San Francisco, Sept 5 1854.
In the same case Commissioner Alphens Felch,
delivered the opinion of the Board confirming
the Claim.

(Vide page 13 of this Transcript)
In the same case the following order was
made, to wit:
(Vide page 67 of this Transcript)





Petition

To the Honorable the United States Commission
ers to ascertain and settle the Private Land
Claims in California

Your Petitioners Maria

Anastasia Higuera de Benyesa of the County
of Contra Costa and Maria Nicolasa Higuera
de Benyesa of the County of Yolo Jose de Jesus
Benyesa husband of the said Maria Anastasia
and Justo Benyesa husband of the said Maria
Nicolasa joining with their said wives in this
Petition in token of their consent thereto by Brown
Pack & Tracy their attorneys respectfully represent
That at the date of the treaty of Guadalupe Hidalgo
they were residents of the Department of Alta Calif
or in the said Jose Jesus and Justo Benyesa being
citizens of the Mexican Republic and that they have
ever since continued to reside in Upper California
and that the said Jose Jesus and Justo Benyesa have
since that time become and have become citizens of the
United States under and by virtue of the provisions
of said treaty and your Petitioners further show that
on the 11th day of February 1842 the said Jose Jesus
Benyesa and Justo Benyesa then being residents
of the Department of the Californias made their Petition
in writing signed by them addressed to the Milita-
ry Commandant of Sonoma praying for license
to occupy provisionally eight sitios de Ganado
Mayor while they should petition the Government
for a grant of the same the said land being known
as Las Pugas and lying in the jurisdiction of
Sonoma that on the same day Salvador Vallejo
then being the Military Commandant of Sonoma
as aforesaid by his order in writing signed by him
entered on the margin of said Petition did grant
license to the said Petitioners to occupy said land
as aforesaid and further ordered that they should
present themselves to the Government for the titles
of ownership that afterwards to wit on the 16th day
of July 1843 the said Jose Jesus and Justo Benyesa
made their Petition in writing signed by them ad-
dressed to the Commandant General and Governor
of both Californias praying for a grant of the said
eight sitios of land as in their said Petition is par-
ticularly set forth that on the 26th of October of the same
year Manuel Micheltorena Brigadier General of the

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Mexican Army capitans General of the Staff of the
 same and then being Governor General and an General
 and Inspector of the Department of the Californias
 by his decree in writing signed by him dated that
 day and entered upon the margin of said Petition did
 direct the same to the Secretary of Dispatch with orders
 to take information there upon that after was
 on the same day Manuel Jimenez the Secretary of
 Dispatch to whom the said Petition with orders as
 aforesaid was directed entered in writing signed
 by him upon the margin of said Petition the inform-
 ation required by said order and directed the same
 to the Governor of the Department as aforesaid
 that there upon afterwards to wit upon the 27th of
 October of the same year the said Manuel Mich-
 atterrena then Governor as aforesaid by his order in
 writing dated that day did decree that the title to
 said lands should issue to the said Petitioners
 upon the conditions therein set forth that afterwards
 on the 28th of October of the same year the said Petition-
 ers Jose Jesus and Justo Benayza for doing that the
 conditions imposed upon them by the last mentioned
 decree would be in the grant in a great measure
 unavailing presented to the same Manuel Mich-
 atterrena Governor as aforesaid a new Petition signed
 by them setting forth particularly the reasons
 why a grant of the eight sitios of land should be made
 to them free from the said conditions as well some
 fully appear by said Petition that there upon on the
 30th of October of the same year the said Manuel
 Michatterrena Governor as aforesaid entered his
 decree in writing signed by him upon the margin
 of said Petition ordering the Secretary of Dispatch to
 inform himself as to the matters therein contained
 that afterwards to wit on the same day Manuel
 Jimenez the Secretary of Dispatch to whom the said
 Petition with orders as aforesaid was directed entered
 in writing signed by him upon said Petition the inform-
 ation required by said order and directed the same
 to Manuel Michatterrena as aforesaid that there upon
 on the 31st of October of the same year the said
 Manuel Michatterrena Governor as aforesaid by his
 decree of that date signed by him ordered the said
 Secretary to issue the title for which said Petitioners
 had prayed with the conditions expressed

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That afterwards to wit on the 3rd of November of the
same year the said Manuel Michel treca Governor
as aforesaid by his decree of that date declared
the said Petitioners owners of the tract of land descri-
bed in their Petitions in extent legua y media de San Juan
Mayor and ordered the title to said land to be deli-
vered to them

That afterwards on the same day the said
Manuel Michel treca then being lawfully Governor
of the California by his decree in writing dated
that day signed by him in virtue signed by Manuel
Joaquin Sautan as aforesaid did grant to the
said Petitioners the land there in mentioned and
described upon the terms and conditions there in set
forth and there upon the said grant was duly
recorded in the proper book of records and the
recording of the same duly certified there by
said Manuel Joaquin Sautan as aforesaid
And your Petitioners say that the said Manuel
Officers at the said several times hereafter
mentioned had full power and authority to do
the said several acts and things by them herebefore
alleged to have been done and that by their said
acts the said Jose Jesus and Gesto Buzasa of the said
land became actual owners in their own respective
as tenants in common

And your Petitioners say that
the said grant and those belonging in and thereon have
complied with and fulfilled all and singular the
terms and conditions in the said grant mentioned
to be by them complied with and fulfilled that
they have continued in actual peaceable and quiet
undisturbed possession of the said land from the
day of the date of the said grant first
before mentioned hitherto and are now in
actual peaceable and undisturbed possession
thereof and that they know of no other person interfering
claim what so ever in regard to said land,
And your Petitioners further say that the said tract
of land lies in the County of Gold and that every
part thereof lies at a greater distance than ten le-
guas from the sea coast and your Petitioners fur-
ther say that soon after the date of the said grant
and before the said grant could cause the same
to be submitted to the Departmental Assembly for

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their approval a revolution took place in the Depart-
ment by which the said Manuel Pichet treasurer
devoid from the Department and was succeeded there-
in by Pio Pico that after the said Pio Pico assumed
the powers of Governor met but for a few days only in
the City of Los Angeles at a distance of several leagues
and miles from the residence of said grantee of which
said meeting said grantee had no notice and that
in consequence the title of said grantee has and here-
forth remain a victim of confiscation by said
Departmental assembly at the date of the conquest
of this Territory by the United States

Your Petitioners
further say that before the date of this Petition the
said Jose Jesus Buzasa sold and conveyed to the
said Maria Anastacia Aguirre de Buzasa
his wife by good and sufficient conveyance in law
all his right title and interest in and to said land
and every part thereof as an estate of inheritance and
in like manner before the date of this Petition the
said sister Buzasa sold and conveyed to the said
Maria Nicolara Aguirre de Buzasa his wife by a
good and sufficient conveyance in Law all his
right title and interest in and to said land and
every part thereof as an Estate of Inheritance and
thereupon Petitioners aver the owns of said land

Your
Petitioners further say that they have annexed to this
Petition two copies of all the said several Petitions
writs and resolutions de iure and title here in before
mentioned together with a translation of the same
all of which they pray may be taken as part of this
Petition

And your Petitioners offer to produce in
evidence the Quas Inven before mentioned from the
said Jose Jesus Buzasa to the said Maria Anastacia
Aguirre de Buzasa and from the said sister Bu-
zasa to the said Maria Nicolara Aguirre de Buzasa
whom your Petitioners relying upon the justice of the
United States Government pray that your Honorable
Board will declare their said title to be valid and
valid that the proper certificate and Patent be issued
to them through and your Petitioners &c

San Francisco May 12 1852 Peron Pratt & Gray attys for Petitioners
Felic in Offic May 21 1852 Geo Fisher Secretary

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Deposition
of
F. P. Tracy

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Require the Commissioners of the United States to as-
certain and settle the Private Land Claims in the
State of California in the matter of the Petition of
Maria Anastasia Reyna de Benjusa et al
State of California County of San Francisco
Frederick P. Tracy of the County of San Francisco being
duly sworn deposes testifies and says that he is attorney
of record for the Petitioners in this cause and that
after the filing of the said Petition he informed the Peti-
tioners and especially Mercedes Reyna de Benjusa
that the original deed from sister Benjusa to the said
Nicolsa dated the first day of March 1851 must be
produced in evidence in the hearing of said Petition
and he the deponent went to the Rancho de las Pintas
where the said Sister and Nicolas his wife reside
among other things to obtain the original deed but
failed to obtain the same

Depnmt for the says
that said Nicolsa after having been so advised by
him informed him that in pursuance of his said
advice she had made diligent search among all
the papers in her possession and that she could
not find the supposed original the same was lost
Depnmt further says that the said Nicolsa resides
about fifty miles north of Benicia that there
is no carriage road to the Rancho where she lives
that she has been recently confined and is unable
to come to San Francisco to testify as to the loss
of said deed by reason of her illness

Depnmt
further says that after the said search made
under his advice and direction he believes the said
deed to be lost and so states and further says
not

F. P. Tracy

Subscribed and sworn to this 26th day of July 1853
Alphons Felchy Commissioner

It is agreed that this affidavit may be read in
evidence the same as the affidavit in Deposition
of the within named party

N. C. Howard

July 23rd 1853

Filed in Office July 26th 1853

Geo F. Johnson

Secretary

Deposition
of
John C Hays

Office of the Commissioners of Land Claims in California
San Francisco

This day before Commissioner Thompson Campbell came John C Hays a witness in behalf of Claimant Maria Anastasia Sequia de Bruges et al case no 236 who after being duly sworn depose as follows
What is your name age and place of residence
My name is John C Hays my age thirty six (36) years and I reside in the City of San Francisco
What is the length of the post Standard line north of Monte Diablo from the Town of Sonoma west to the shore of the Ocean

The line is thirty (30) miles in length
Testimony of Associate Law Agent
How far is the Town of Sonoma from the nearest point on the Bay of San Francisco

This question objected to by attorneys for Claimant
It is represented on the map as being between eight and ten miles

How far is the Town of Sonoma from the nearest point on the shore of the Pacific Ocean

It is about twenty eight (28) miles My knowledge is derived entirely from the Survey as laid down on the map

John C Hays

Sworn to and subscribed before me this 27th day of August A D 1853

Thompson Campbell
Commissioner

Taken in Office August 27th 1853

Geo Fisher Secretary

Deposition
of
Martin C
Cooke

Office of Commissioners of Land Claims in California
San Francisco

This day before Commissioner Thompson Campbell came Martin C Cooke a witness in behalf of Claimants Maria Anastasia Sequia de Bruges et al case no 236 who after being duly sworn depose as follows

What is your name age and place of residence
My name is Martin C Cooke my age 29 years and I reside in Sonoma in this State

Do you know the Rancho Las Putas and its Geographical position

I do know the said Rancho It lays a good deal to the

East of a North and South line drawn through the
Town of Sonoma
Associate Law Agent present

Walter E. Cooke

Sum to and Subscribed this 27th day of August A D
1853

Thompson Campbell
Commissioner

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The claimants course proposed the following addi-
tional questions

In what direction and what distance from the Town of
Sonoma does this Rancho lie

It lies East of North twenty miles or more in my opinion

The Associate Law Agent present M. E. Cooke

Sum to and Subscribed before me this 27th day of Aug
- ust A D 1853

Thompson Campbell Commissioner
Filed in Office August 27 1853
Geo Fisher Secretary

Deposition Case No 236 Office of the Board of Commissioners &c
of
Aron Wandorn came and was sworn to witness in behalf of claimant

- ant Maria Antanasia Sequia Punjosa et al No
236 who after being duly sworn depose as follows

Testimony in behalf of claimant

Present A. Marcus Attorney of claimants and A
Green howley Associate Law Agent

Witness states his name to be Aron Wandorn
his age thirty years resident San Francisco

Questions by claimants Atty

How you the Surveyor who Surveyed the Rancho of Las
Patas if so state on what authority you Surveyed it

answer I was the Surveyor was made by authority of an
order from the United States Board of Land Commis-

- sioners for the settlement of Private Land claims
in California dated July 2d 1852 and under the

instructions of the Surveyor General of California
dated October 20th 1852

Question by same Please state how you made the Survey
in connection with the map and field notes made then

you and how the field marked Cross Land 2 and
with the initials N.S.

Answer The Survey was made as described and set
forth in the said field notes and map and in

accordance with the calls of the grant and the instructions

of the Survey General
 Question by same Take the grant filed in this case
 and the map and state what objects or boundaries
 if any called for in the grant were found by you
 in making the said Survey and how they are design-
 ated and identified in said map

Answer I found the Sumner Mountains on the
 South the Laguna de Nance on the East the Cicero Moun-
 tains on the North and the Lima de Bali on the
 West which mark distinctly the topography of the
 valley all of which are called for in the grant as
 boundary lines and are designated in the map by their
 respective names written in pencil

Question by same State the quantity of land contained
 in said boundaries and the character of the land
 answer The quantity is fifty five thousand six
 hundred and fifty five acres of which about twenty
 five thousand is good land about two thousand
 sand pit hills and the balance mountainous

Question by same Are the field notes and map above
 referred to the same made by you and do they correctly
 represent said Survey

Answer They are and are a correct representation of said
 Survey

Question by same What improvements to you on the
 land when you made the Survey and who was occupying
 it

Answer There were on the land three adobe houses on the
 East bank of the Putascuth near the center of the Nanceo
 occupied by Srto Benyisa and his family also an
 adobe house on the opposite bank occupied by Sr
 Benyisa they had two fields in cultivation and a
 large number of cattle horses and mules

Question by Mr Granberry

How did you ascertain the hills mountainous
 mentioned by as forming the boundaries of the land

Answer From the Benyisas themselves and from an
 old settler living in that neighborhood named Bennett

Question by same Did the houses on the land seem
 to have been recently built or otherwise

Answer They had an old appearance

Wm Warram

Given to and Subscribed before me this 2nd of Nov
 1853

Alex Thompson Coroner
 Filed in Office November 2nd 1853 Geo Fisher Secy

13 Deposition
of
Jose S.
Bungesa

Office of the Board of Commissioners &c &c &c
This day before me Alphus Felch came Jose
S Bungesa a witness in behalf of claimants
Mana Anastasia Sequia de Bungesa at No
236 who after being duly sworn deposed as follows
I testify what are your name age and place of
residence

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answer My name is Jose S Bungesa my age is
thirty five years and I reside in the County of Contra
Costa California

I testify that there is a house built on the Rancho called
Las Patas after 1843 and it is by whom
I answer There was a house built about the middle
of the year 1843. It was built by Sixto and Jesus
Bungesa and was an adobe house the house was
frequently occupied by them another house was
built in said Rancho by Jesus Bungesa in 1846 and
he has lived in it with his family ever since it was
built to the present time and still resides there
Sixto Bungesa still lives in the house which
was built in 1843 and has lived in it with
his family ever since it was built

Jose S. Bungesa

My Brother Associate Law Agent was present
at the taking of this Deposition but propounded no
questions

Subscribed and sworn to before me this 7th day
of November 1853

Alphus Felch Commissioner
Filed in Office November 7th 1853

Geo Fisher Secretary

Testimony
of Man de
Castañeda

San Francisco Jan 18th 1853

Before the U S Commissioners to ascertain and
settle Private Land Claims in California

In the matter of the petition of Man de Anastasia Se-
quia de Bungesa for the Rancho de Las Patas
Man de Castañeda being duly sworn according to
Law deposes testifies and says That the signature
of Manuel Michelena I saw in the town of Mex-
ico and was employed by him in his Office at
different times from the year 1830 until he left
California the signature to the paper marked A
H No. is his I know also the signature of Manuel

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Winnishis by virtue to the same paper is given
San Jose Jesus Buzza and Sisto Buzza under
what was commonly understood to be a firm
from General De G. Valjo occupied the land in
question from the year 1839 down to the time when
it was granted to them and have continued ever
since to occupy it they had at the time first men-
tioned two adobe houses on the land and before
the date of the grant they had added other buildings
and enclos, they had some few oxen, horses and cattle
and also a number of horses they constantly cul-
tivated so much of the Rancho as was necessary for the
maintenance of their families down to a month
long after the grant

Mania Anastasia de Buzza
is the wife of Jose Jesus Buzza and Maria Nicolasa
de Buzza is the wife of Sisto Buzza Jose Jesus
and Sisto Buzza are natives of Calapan in the
Isla Mindanao upon said Rancho this Rancho is in
very fragment more than ten leagues from the sea
coast from the mountain called Puli Fur Long
new and fragments they are ranges of mountain tops
with principal points bearing these names they
entirely enclose the valley in which the said Buzzas
live and it would be impossible to describe the land
by natural boundaries more accurately than it
is described in the grant to them

Said paper was
sent H. H. W. supports to be a grant to Jose de Jesus
and Sisto Buzza dated November 3rd 1843 and
is hereto attached

I de Castida do
Geron and subscribed before me
Island Hall Com
Filed in Office January 18th 1853
Geo Fisher Secy

Testimony of
Jose Santos
Buzza

San Francisco Jan 18th 1853
Before the United States Commissioner to ascertain
and settle the Private Land Claims in California
In the matter of the Petition of Maria Anastasia Figuera
de Buzza et al Jose Santos Buzza being duly
sworn according to Law appears testifies and says
that the Rancho of San Pitas since the year 1840
since the time that Sisto and Jose Buzza a pair

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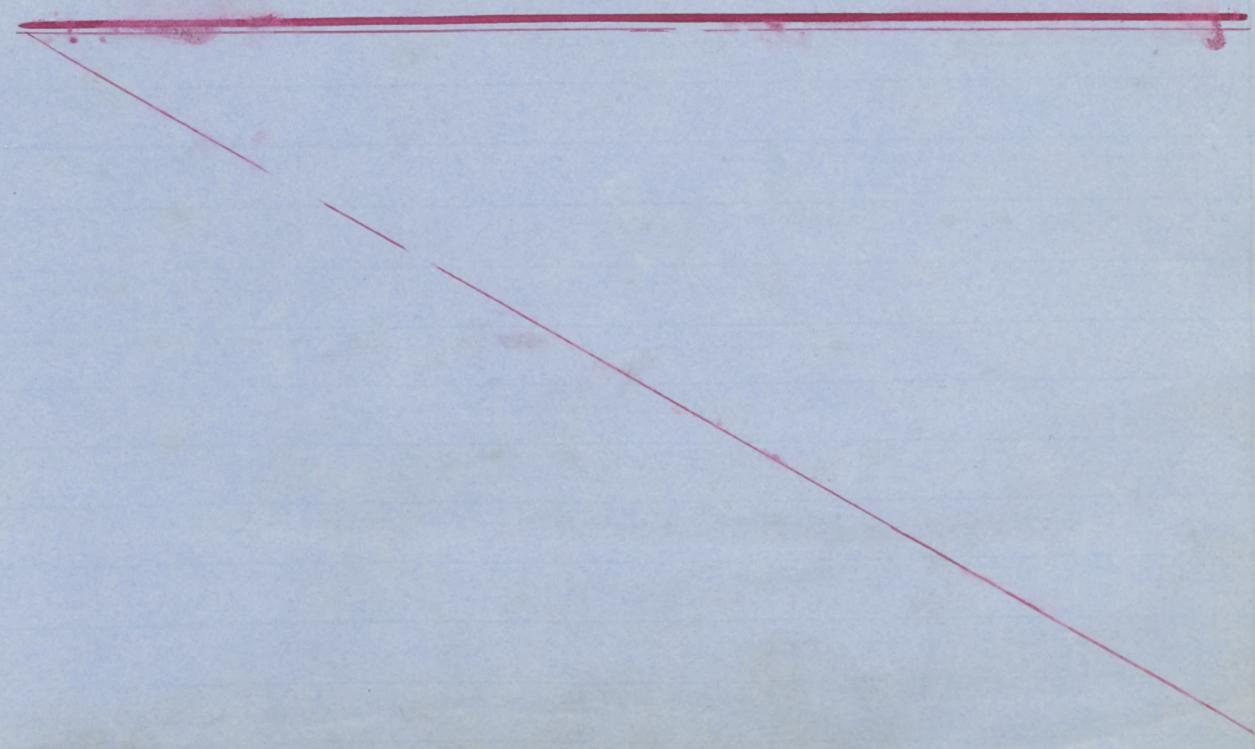
received permission to occupy said land they
have had it in constant occupation they have
lived in it with their families and have cultivated
it planting and sowing whatever was necessary for the
maintenance of their families as wheat barley Indian
corn &c

They also had a stock of cattle and horses on
the Rancho and had built adobe houses in which
they lived and in which with the exception of their
interiors they have continued to live ever since

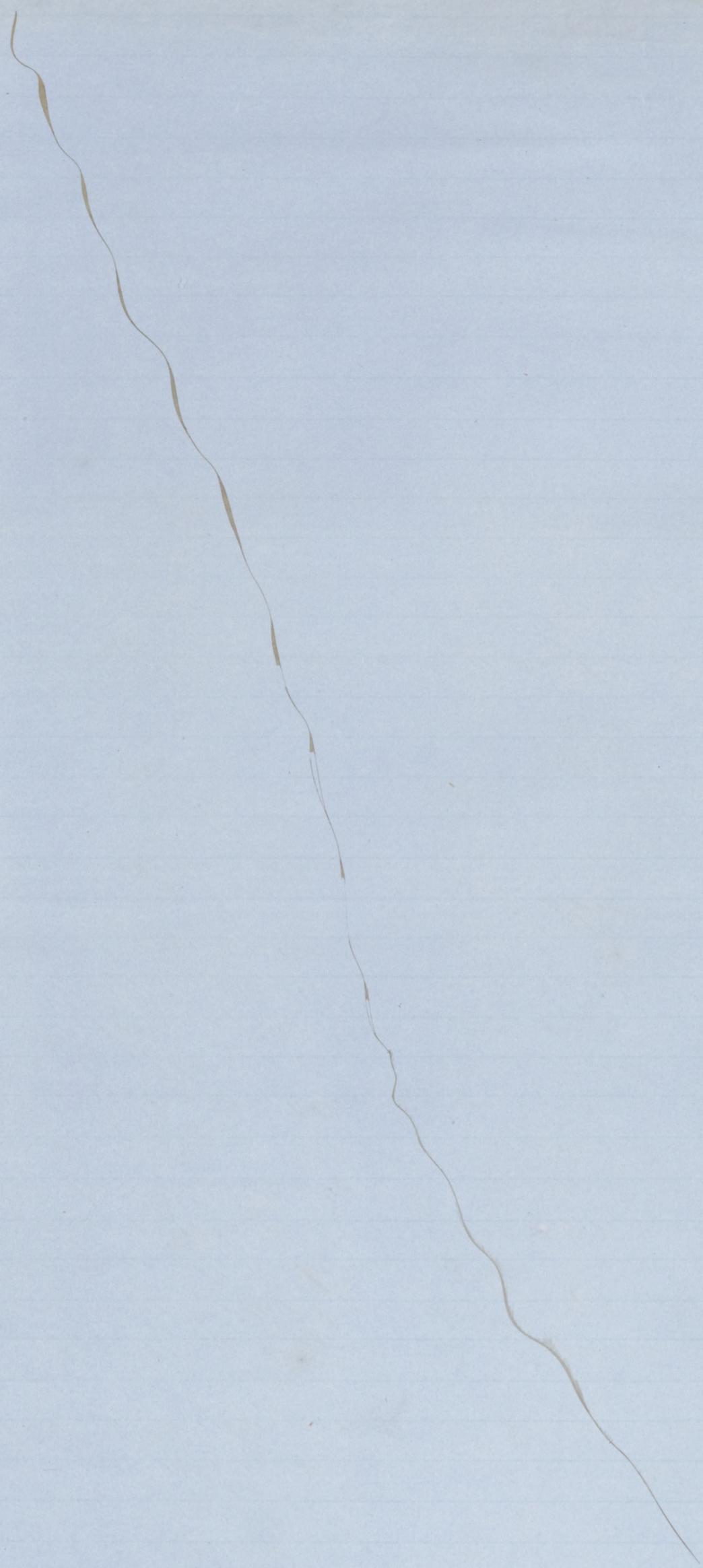
I was for
some time Alcalde of Sonoma and was a military Officer
for several years before the conquest of the country
I have often seen Manuel Pacheco and
Manuel Miramir whose signatures are attached
to the title annexed to the deposition of Jose Castano
and quite I have their signatures The signatures
to this paper are their genuine signatures The
parties of this Rancho were Mexican citizens
at the time of the conquest of the country by the
Americans and they have remained residents
of the County ever since

Jose S. Burguer
Don and Igeruiba
Before me
J. M. and Hall
Commissioner

Acted in Office January 18th 1853
Geo. Fisher
Secretary



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17 1. G. D. 12

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2. S. D. R.

Por Comandte Militar de Sonoma

Sonoma Dto 11 José de Jesus Berreyesa y Justo Berreyesa
 de 18 y 2. pueden casados con hijos y residen
 los interesados en estos en esta frontera como mejor con
 la instancia o convenza o decir que teniendo un pic con
 par el terreno q. considerable de ganado vacuno y cabal
 licitan y se presentan y no teniendo un terreno propio
 van al Gobierno donde fincarle p. q. de propage o
 p. los títulos de licitan ambos igualmente el para
 propiedad y se conocido con el nombre de Las
 Salvador Vallejo. Mitas en cantidad de ocho sitios
 de ganado mayor. El parage men
 cionado esta Valdivia y no pertenece a propiedad
 particular antes bien se halla a la
 gentilidad a un q. el objeto de los que existen con
 tribuir a amansar los tribus inmediatas a dicho
 parage. Por tanto. A. V. suplican tenga
 a bien darles licencia para ocupar provisionalmt.
 el terreno mencionado, interim han mitan los te
 titulos que solicitan legalmente ante quien
 corresponde de lo que recibiran merced y gracia
 admitiendo esta en papel comun por no haber
 en este lugar del sello que corresponde. B. S.

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3. S. D. R.

Sonoma Febrero 11 de 1843.
 José de Jesus Berreyesa +
 Justo Berreyesa +

4. S. D. R.

Por Comandte. G. A. y Gobernador de
 ambas Californias.
 Como Vn.

Monterey Dto. José de Jesus Berreyesa y Justo
 26 de 1843 { Berreyesa vecinos de Sonoma
 Inf. el S. Dto. y radicados en otro punto. Ante
 del despacho V. G. con el debido respeto y como
 Michel + mejor convenza en derecho digo.
 q. hallandonos casados y ambos cargados de
 familia y teniendo una cantidad considera
 ble de ganado vacuno y caballar y carecien
 do de un sitio o terreno propio para su seguridad
 y conservacion de mis cortos bienes; me presente
 al Dto Comandante de este punto solicitando
 me concedere el permiso de poner mis otros bienes
 en el terreno conocido con el nombre de Lasputas
 mientras tanto corra los tramites necesarios.

y habiendo obtenido el expresado permiso como consta por el documento que adjunto solicito de V. E. se digné concederme el terreno indicado en cantidad de ocho sitios de ganado mayor para cuyo fin adjunto à V. E. un diceño del paraje q. pretendo, esperando de la benignidad de V. E. q. à el beneficio de nhas numerosas familias, de la seguridad de sus intereses y de su subsistencia y bienestar. Por tanto à V. E. rendidamente suplico se digné acceder à mi Solicitud. merced y gracia porando no ser de malicia y lo necesario.

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Monrovia Julio 16 de 1843.
José de Jesus Berrellea +
Justo Berrellea +

Nota en papel sellado por no haverlo en este lugar.

S. J. D. R.

B. C.

Por las buenas calidades de los preden dientes segun las noticias que he adquirido como por el tiempo que tienen ocupado el terreno que pretenden y haber fabricado casa en el y otros trabajos que abun emprendido en el p.º su fomento por todo se hacen a que V. E. se digné acceder à su petición siempre que así lo considerase por conveniente.

Lo de lo que puede informar sobre el particular à V. E. y en cumplimiento à su sup.º decreto de f.º de hoy.

Man. Jimeno

Monterey Oct. 27 de 1843.

Espidase el titulo proporcionarle que pueda poblar sin poderlo vender ni enagenarlo marcandole los Linderos.

Michelva

C. S. D. R. Sello Tercero Dos Reales. Habilitado provision almt. por la Aduana Maritima del puerto de Monterey en el departamento de las California para el año de mil ochocientos cuarenta y tres Michel torena Manuel Castañares.

Excmo Sr
 José de Jesus Borrelles y Justo Borrelles
 vecinos de la frontera de Sonora
 radicados en el Rancho conocido con
 el nombre de las putas ante la Alta jus-
 tificacion de V. E. como mejor convenza segun
 la forma de derecho nos presentamos y de cinos
 Monterrey Octub. 30 de 1843. Al { familia incluyendo tambien
 D. Sr. del despacho } , nuestros padres hermanos
 chopara su inf. y nuestros hijos, contandolo tam
 Michelt. } bien poco mas de cien Indios
 gentiles q. no rodean, queremos
 todos vivir en el mismo sitio q. solicitamos y
 en cuatro sitios que es lo q. graciosamte se a dig-
 nado V. E. concedernos no puede demos caber pues
 necesitamos terrenos para nuestros ganados
 nuestras manadas . tierras para los labores
 pues a mas de la subsistencia de toda nuestra
 familia es necesario mantener a los Indios
 para evitar en parte alguna los robos que pu-
 dieran hacer; por todo lo espuesto, solicitamos
 de V. E. se dignie concedernos los otros cuatro
 sitios de ganado mayor esperando que V. E.
 coopera a nuestro bien estar

y. G. D. R

Por tanto a V. E. rendidamente suplico
 se dignie acceder a mi solicitud de quien espe-
 sare merced y gracia por ando no ser de mali-
 cia.

Monterrey Oct. 28 de 1843.
 José de Jesus Borrelles f.
 Justo Borrelles f.

Excmo Sr Gobernador
 El terreno que de nuevo solicitan los señores
 Borrelles a p. beneficio de ellas el de sus padre
 hijos y hermanos; entiendo que no hay inconvi-
 niente p. conceder seles pues segun el numero
 de los que componen toda la familia como p.
 que el terreno no podria dividirse p. formar
 una Cañada rodeada de Sonora, bien se podria
 conceder p. que en colonizacion lo ocupen las
 personas que se sitan sujetandose a no vender
 enagenar y demas con dicion es acostumbradas.

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pero de todo lo espuesto lo mejor será de determini
nacion de V. E.

J. S. D. / L Monterey 30 de Oct^o de 1843.
Man^o. Jimeno.

Monterey Oct^o. 31 de 1843.

Como informá el Sr. Don Espidase el Título
con las condiciones espresadas.

Michelt^a

Monterey 3 de E^obre de 1843.

Vista la peticion con que da principio este Espe
diente; los informes que precedan con todo lo de
mas que de tubo presente y ver conrrio de confor
midad con las leyes y reglam^o. de la materia
declaro à los C^{nos}. José de Jesus Berreyesa y
Justo Berreyesa dueños del parage nombrado
Las Putas colindante con las Lomerias q^o. lo
circundan nombrados Laguna, Bruy y
en estencion de ocho sitios de ga
nado mayor. Libre e el.

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J. S. D. / L

Here follows Map

Office of the Surveyor general of the United States for California

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I, Samuel D. King Surveyor General of the United States for the State of California and as such now having in my Office and under my charge and control a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, do hereby certify that the nine preceding and herunto annexed pages of haeng paper numbered from one to nine inclusive and each of which is verified by my initials (S. D. K.) exhibit a true and accurate copies of certain Documents now on file and forming part of the said Archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private seal not having a seal of Office, at the City of San Francisco, Cal this Seventeenth day of February A. D. 1852

Saml. D. King
Surv. Genl. Cal.

Filed in Office May 21st 1852

Geo. Fisher Secy

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Dello Vencero un peso. Habilitado provisionalmente por la Aduana maritima del puerto de Monterey, en el Departamento de las Californias, para el año de mil ochocientos cuarenta y tres.

Micheltorena

Manuel Castañares

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Seal. Manuel Micheltorena General de Brigada del Ejercito Mexicano, Ayudante General de la plana Mayor del mismo Gobernador Comandante e Inspector del Departamento de las Californias.

Por cuanto los Ciudadanos José de Jesus Berreyesa y Justo Berreyesa han pretendido para sus beneficios personales el de sus familias, el de sus padres, y Hermanos, el terreno conocido con el nombre de Las Putas, colindante con las Lomerias que lo circunden nombradas Luyucú, Quer, Puli, y Quinel tal: practicadas previamente las diligencias y averiguaciones concernientes según lo dispuesto por leyes y reglamentos; usando de las facultades que me son conferidas à nombre de la Nación mexicana he venido en concederles el terreno mencionado, declarándoles la propiedad de el por las presentes Letras, sujetando de à la aprobacion de la Cámara Junta Departamental y bajo las condiciones siguientes.

- 1ª No podrán venderlo ni ararlo ni hipotecarlo, imponer censo, vinculo fianza hipoteca ni otro gravamen.
- 2ª Podrán cercarlo sin perjudicar las haciendas, caminos y cervidumbres, lo disfrutaran libre y exclusivamente, destinándole al uso de cultivo que mas les acomode, pero dentro de un año fabricará casa y estará habitada.
- 3ª Solicitarán del juez respectivo que les den la posesion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites pondrán à mas de las mojoneras algunos árboles frutales ó olivos ó hedges de alguna utilidad.
- 4ª El terreno de que se les hace donacion es de

ochos sitios de ganado mayor poco mas o menos segun esplica el diceño respectivo. El juez que diere la posesion lo hara a medio conforme a Ordenanza quedando el sobrante que resulte a la Nacion para los usos convenientes.

Si con torniere a estas condiciones perderan su derecho al terreno y sera denunciabile por otro.

En consecuencia mando que sirviendoles de titulo el presente y teniendose por firme y valadero, se tome razon de el en el Regue a los interesados para sus resguardos y demas fines. Dado en Monterey a tres de Nbre de milcientos cuarenta y tres.

Man: Jimeno

Srio S

Man: Michelt

Queda tomada razon de este despacho en el Libro respectivo @ f. 2.

Jimeno

Filed in Office Janry 18th 1853

Geo. Fisher Deory

25-0

Translations
 of
 Expediente -
 A and Grant C occupy the land in question. That having a considerable quantity of cattle cows and horses and not sent themselves to the having a piece of land of their own which Government for the they may place them in security in or titles of ownership -
 Salvador Kally's

To the Military Commandant of Sonoma
 1842 The Parties interested in this matter in this frontier in the form of Las Putas in quantity eight square leagues (sitios de Ganado Mayor) The said tract is vacant and does not belong to any private property It is rather immediate to the Indians and it is besides a place suitable to those who endeavor to tame the tribes in that vicinity. Whence they may that you Excellency will find it good to give them license to occupy the said land provisionally while they shall solicit the title before the proper authority according to law by which they will receive payment admitting this upon common paper there being some of the cows remaining standing in this place
 Sonoma February 11th 1842
 Jose Jesus Buzza +
 Gisto Buzza +
 Senior Commandant General and Governor of both Californias.

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Government of the
 Department of Cal
 Monterey October 15th
 1843

Let the Secretary of
 Micheltorena
 Most Excellent Sir
 For the good quantities
 of the parties present
 and according to the
 advice which I have
 received as for the
 time that they have
 occupied the Land

Most Excellent Sir
 Jose de Jesus Buzza and Gisto Buzza residents of Sonoma and fixed in that place some years ago with one aspect and in one form of law and state that finding themselves both married with large families and having a considerable quantity of cattle and horses and requiring a site or piece of land of their own for the security and preservation of their said property

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requesting they having I have entrusted myself to the Security
built abuse upon Commandant of this place my
it and undertake trusting him to grant me permission
for its improvement in order to put my said effects
other lands in appropria the land having by the
- as that your Excellency name of Las Pintas which I should
- being my duty take the necessary steps and have
to accord to them being obtained the said permission
Petition should as well be shown by the accompanying
your consideration your document I solicit from your
Commandant

Excellency that you will deign
This is to grant to me the land indicated
all that I can inform it being in quantity eight square
your Excellency in leagues (Sitios de Ganado Mayor)
this particular in which effort I have with yours
compliance with yours to your Excellency a plan
your Superior Decree of the place agreed upon hoping
of this date in the bounty of your Excellency
Manuel Jimenez and that you will co-operate for
the benefit of our large families

the Security of their interests and their subsistence and
well fare therefore I humbly supplicate that your Excellency
- will deign to accord to my petition by which
I hope to receive your favoring that this is not done
for any evil purpose and what is necessary
July 16, 1843

José de Jesus Buzesa + Sixto Buzesa +
This is not put upon stamps from the being done
in this place

Monteag Oct 27th 1843 Let the title be issued pro
- portioning it to the land which they can populate
within the power to sell or alienate the same + c
making out its boundaries

Manuel Custom Seal Fourth Ten Reals
House of Monteag
Government of the Pains originally authorized by the Man
Department of itine Custom house of the Port of Monte
California - try in the Department of the Califor
- nias for the year one thousand and eight hundred and
forty three Michel torrea Manuel Customers

Monteag October 30th 1843 Most Excellent Sir
To the Secretary of State José de Jesus Buzesa and
for his Report Sixto Buzesa residents of
the frontier of Sonoma and
fixed in the Rancho Nummy

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the name of Las Pintas before the high justice of your
 Excellency and in due form according to Law we pre-
 sent ourselves and say that our families being so in-
 creased including equally our fathers, brothers and
 our children counting also a little more than one
 hundred wild Indians who surround us and we
 wishing all to live in the same place which we
 solicit and the few titos which your Excellency
 desired to grant us not being sufficient to contain
 us we require lands for our cattle and dens of reams
 and working lands and house for the subsis-
 tence of our families and it is also necessary in order
 to maintain the Indians to avoid in "any" part any
 robbins they might commit

In consequence of
 all which we pray your Excellency to dign to
 grant us the other few titos of Gauado Maya hoping
 that your Excellency will cooperate for our welfare
 Most Excellent Sir For all this I humbly supp-
 licate your Excellency that you will dign to ac-
 cede to my request from whom I hope to receive
 answer and favor here saying that this is not
 of malice

Montreal October 28th 1843
 Jose de Jesus Buzza y Gesto Buzza y
 Juan Buzza

Respecting the land newly solicited
 by Juan Buzza for their benefit as well as
 that of their Parents Sons and Brothers I understand
 that it would not be incommint to grant it to
 them concerning the number of those who com-
 pose the whole family as well as be cause the
 land cannot be divided as it forms a deep
 valley surrounded by hills and it might well
 be granted so that in colonizing the persons men-
 tioned would occupy it projecting themselves not
 to sell or alienate it and to the further customary
 conditions But of all that is set forth the best
 will be the determination of your Excellency
 Montreal 30th of October 1843 Manuel Jimenez
 Montreal October 31, 1843 According to the inform-
 ation of the Secretary let the title be signed with the
 conditions expressed Miteltrona
 Montreal November 3rd 1843 Having seen the Peti-
 tion with which the Board of Proceedings commenced

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the preceding instructions together with all further
matter here present in conformity with the Laws
and Regulations in the subject aforesaid the Citizens
Jose de Jesus and Sixto Buzasa owners of the tract of
Land called Las Putas bounded by the range of hills
which surround it named Ingenio San Juli and
Tunelito in extent eight square leagues sitis de
Gauada Mayor I deliver the ...

Third Seal One Dollar

Power is hereby authorized by the Maritime Custom
House of the Port of Monterey in the Department of the
California for the year one thousand eight hundred
and forty three

Michel Breca

Manuel Castaneros

Maritime Custom House of Monterey
Manuel Michel Breca General of
Brigade of the Mexican Army Adjutant
General of the Staff of the same Governor Com mandant
General and Inspector of the Department of the Calif
ornias whereas Citizens Jose de Jesus and Sixto Buzasa
have put forward for their personal benefit and that of their
families and that of their parents and brothers the
land known by the name of Las Putas bounded by
the range of hills which enclose it named Ingenio
San Juli and Tunelito having first practiced
the proper measures and investigations so as to
the dispositions of the Laws and Regulations in the force
of the powers conferred upon me by the Mexican Nation
I have concluded to them the land mentioned declaring
it to be their property by these presents letters subject
to the approbation of the Most Excellent Depar
tment Assembly and under the following conditions
1st They can without all alimate nor by prothecation nor
impore upon it any new charge entail nor by
prothecation or other burden

2nd They may enclose it without prejudice to the cours
ings roads and servitudes and enjoy it fully and
exclusively appropriating it to the use or cultiva
tion most common use to them but within a year
they must build a house which shall be inhabited

3rd They will solicit of the proper Judge to give
them juridical possession in virtue of this
Despatch by whom the boundaries shall be mar
ked out in the limits of which they will place some
the monuments some points or old trees of some
notability

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4th The land of which donation is made is eight square leagues (sitios de Ganado Mayor) a little more or less according to the explanation of the accompanying plan

The Juag who gives them possession will have it measured according to measure and the surplus which results remaining to the nation for its common uses

5th If they continue these conditions they will lose their right to the land and it will be alienable by others

In consequence I command that these presents being them as their title and being held as firm and valid be registered and delivered to the Parties interested for their security and protection from losses Given in the City of Mexico on the 1st day of June 1852 and legitimized and put there

Manuel Michel Serra

Manuel Jimeno

Secretary

This Patent has been entered in the proper Book at Folia 2

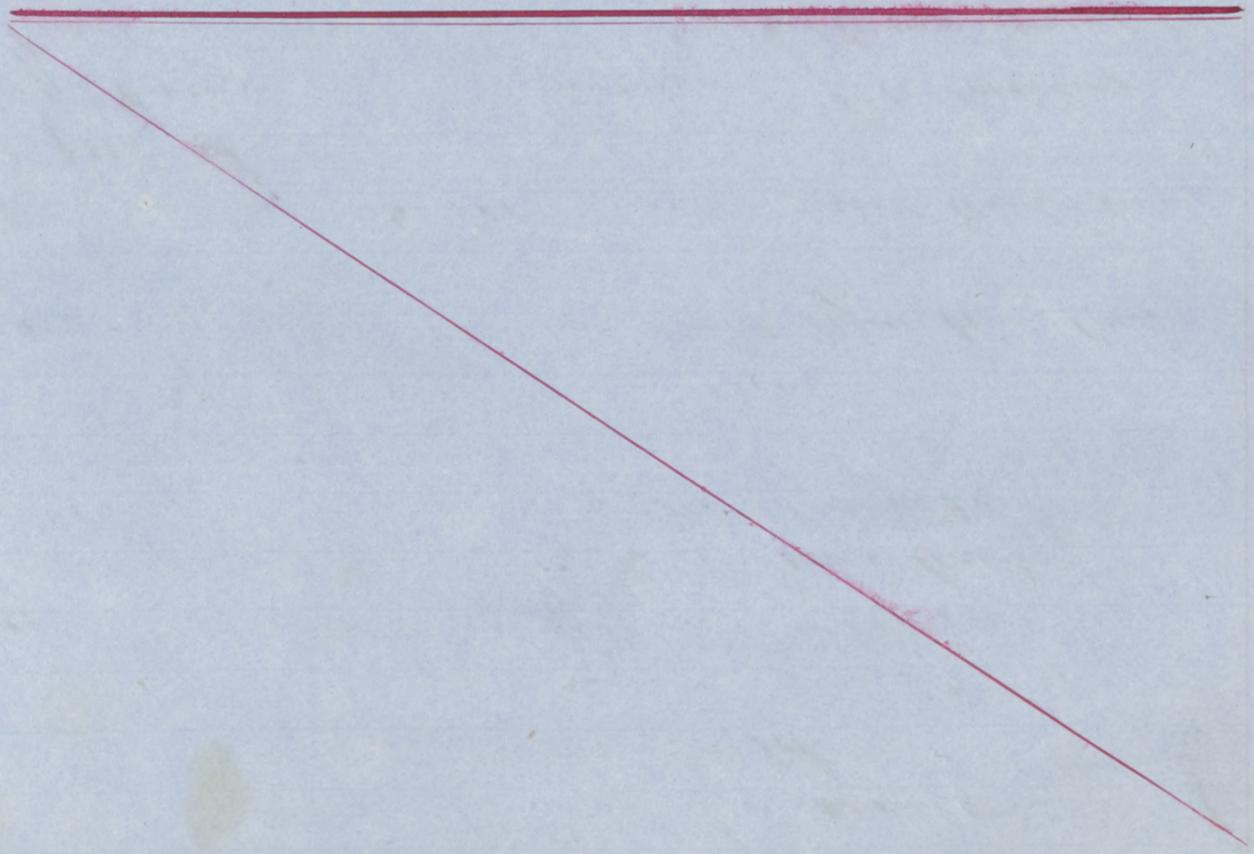
Jimeno

E. C.
A. P.

Filed in Office May 21st 1852

Geo. Fisher

Secretary



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Sepan todos los hombres por este presente que yo José de Jesus Berreyesa del condado de Solano y estado de California en consideracion de la suma de dos mil pesos, à mi en mano pagados por Doña Anastasia Higuera del mismo condado y estado o tra el recibo de lo cual es aqui reconocido, haspaso, cedo y vendo sin lugar à Reclamo en he las o tras partes sus herederos y sucesores para siempre todo mi titulo, de hecho, intereo y Estado p: ley y Justicia sobre las siguientes condiciones con las pertenencias situadas en el condado de Solano y Estado de California como sigue, a saber un pedaso de Tierra situada en el Rancho conocido con el nombre de Las putas mas o menos segun me corresponda, conforme la division ò particion conforme lo demanda el titulo de consecion dado en Monterey el dia tres de setiembre del año de mil ochocientos Cuarenta tres, por el Sr. Gobernador Manuel Micheltorena y yo el dho José de Jesus Berreyesa me obligo yo y mis herederos y executores y administradores, a garantizar y defender las o tras personas à la Señora. D. Anastasia Higuera contra todos Reclamos de otras personas que reclaman titulos de hecho por mi à mis executores, esep to tal como el q: ha ser aqui subscribe en testimonio de lo cual el dho José de Jesus Berreyesa ha puesto aqui su mano y selló este dia tres de abril de mil ochocientos y cincuenta y uno

José de Jesus Berreyesa

Testigo Ramon J. Hurtado
Testigo Miguel Server Pepe.

State of California)
 County of Solano) On this Twenty third day
 of August A. D. 1857. personally appeared
 before me Marshal Rymann county Recorder in
 and for said County of Solano, John de Jesus
 Berreyesa known to me to be the person described
 in and who executed the foregoing deed
 who acknowledged to me that he executed
 the said instrument voluntarily & freely

for the uses and purposes therein expressed

In Witness whereof I hereto sign my
name and affix the seal of said County
Recorder at Office in said County on the day
& year above written.

Marshall Bynan
County Recorder.

Filed in Office July 26th 1853.

Jos. Fisher Secy.

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33 Translated
Conveyance from
Jose de Jesus
Bungesa to
Anastasia
Sequeira

Know all men by these presents that I Jose de Jesus
Bungesa of the County of Solano and State of Cal
-ifornia for and in consideration of the sum of
Two Thousand dollars to me in hand paid by Doña
Anastasia Sequeira of the County and State aforesaid
- said the receipt whereof is hereby acknowledged
transferring and selling with full and complete
title between the said parties their heirs and successors
forever all my right title interest and estate in
Law and Justice upon the following conditions
with the appointment as situated in the County
of Solano and State of California as follows to
wit. A piece (or parcel) of land situated in
the Rancho known by the name of "Patas" more
or less as may correspond to me according to the
division or partition as the title of grant given
at Monterey on the third day of November in the year
one thousand eight hundred and forty three
by the Sr. Juan Manuel Micheltorena re-
-quired and I the said Jose de Jesus Bungesa and
myself my heirs executors and administrators
to warrant and defend the said covenants unto
the said Doña Anastasia Sequeira against all
the reclamations of other persons who may claim
title thereto made by me or my executors ex-
-cept that therein subscribed

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In testimony whereof
the said Jose de Jesus Bungesa has hereunto signed
his name and affixed his seal this third
day of April A D One thousand eight hundred
and fifty one
(Signed) Jose de Jesus Bungesa
Witness
(Signed) Ramon F. Heredia
() Jose Manuel Ferrer Pope

I George Fisher Secretary to the U S Land Comm
-mission to ascertain and settle the Private Land
claims in the State of California hereby certify
- that the foregoing to be a true and faithful transla-
-tion of a Spanish document in Case No 236 wherein
- Maria Anastasia Sequeira et al
are claimants of the United States and now
office in this Office

In testimony whereof I have

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And unto Said my name Office of the Secretary
of the aforesaid Commission at the City of San
Francisco California this eighteenth day of
May in the Year of our Lord One thousand
Eight hundred and fifty four
Filed in Office May 18th Geo Fisher
1854 Geo Fisher Secretary Secretary

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Conveyance
from Dist.
Beneyosa
to
Nicolas
Higuera

Depon todos los hombres por este presente que yo Dist. Beneyosa del condado de Yola y Estado de California en consideracion de la suma de mil y quinientos pesos a mi en mano pagados p. Dns a Nicolas Higuera del mismo condado y Estado ya echo el recibo de lo cual es de qui se conoiedo, has paso, cedo y vendo sin lugar a reclamo entre las otras partes sus herederos y sucesores para siempre todo mi Titulo derecho en teres y Estado por ley y Justicia sobre los siguientes condiciones con las pertenencias situadas en el Condado de Solo Estado de California degenbrada como sigue a saber un pedazo de Tierra en el Robles conoiedo con el nombre de las putas mas o menos segun me corresponde conforme la division o particion conforme demanda el Titulo de concesion dado en Monterey, el dia tres de Noviembre del año de mil ochocientos cuarenta y tres; por el Dn Got. D. Manuel Micheltorena y yo el echo Dist. Beneyosa me obligo yo y mis erederos y executores y administradores, a que a nter y defende las otras promesas a la señora Doña Nicolas Higuera contra todos reclamos de o las personas que se llamen Titulo del mismo echo por mis executores respectos tal como el que ha sido aqui de sentido en testimonio de lo cual el echo Dist. Beneyosa a puesto aqui su nombre y sello este dia primero de Marzo del año de 1851.

Testigo.
Jose Mig. Lemof Pepe. Dist. y Beneyosa
Testigo. Humano Harraze

State of California }
County of Solano } On this fourth day of
August A. D. 1851 personally appeared
before me Dashed Ripman County Recorder
in and for said County of Solano Dist. Beneyosa known to me to be the person described
in and who executed the within Conveyance
who acknowledged to me that he executed
the same voluntarily & freely for the uses

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and purposes therein expressed.

In Witness whereof I hereto sign
my name and Affix the Seal of said County
Recorder at Office in said County on the
day and Year before written.

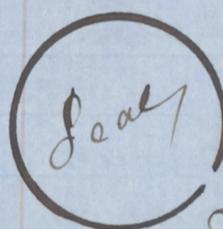
Casheh Pymon
County Recorder.

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State of California }
County of Colano } The foregoing Instru-
ment of writing recd }
by me for Record August 23rd 1851.
At 2 O'clock p.m.

Casheh Pymon
Recorder.

State of California }
County of Colano } J. Jos. P. Vaughn
County Recorder in and for Colano County
do hereby certify the foregoing to be a true
and perfect copy of the Record of a Deed
of Conveyance from Disto Berreyca to
Nicolas Figueroa recorded in Book C
page 99 & 100 of the Records of Land titles
of Colano County.



Witness my hand and Official
Seal at Office in Benicia the 21st
day of July A. D. 1853.

Jos: P. Vaughn
County Recorder

Filed in Office July 26th 1853

Geo: Fisher
Secy.

37 Transcuntis Num all men by their presents that D. Lito
 Bungeza of the County of Yolo and State of Cal
 Bungeza of the County of Yolo and State of Cal
 to Nicolasa of our thousand five hundred dollars to me
 Hequira in hand paid by Doria Nicolasa Hequira
 of the County and State of said the receipt whereof
 is hereby acknowledged transfer relinquish and
 sell without reclamation between the said parties
 their heirs and successors from all my right
 title interest and estate in Law and Justice upon
 the following conditions with the appurtenan
 ces situated in the County of Yolo and State of
 California as follows to wit: a parcel (or parcels)
 of land situated in the Rancho known by the
 name of Petas Mesa or Sesus may comprise
 to me according to the division or partition as
 the title of grant given at Monterey on the
 third day of November in the year one thousand
 eight hundred and forty three by the Senior
 Governor Don Manuel Micheltorena requi
 - res in and the said D. Lito Bungeza and my
 - self my heirs administrators and executors
 - do hereby agree and defend unto the Senior Mi
 - cheltorena the said covenants against all
 the reclamations of other persons who may claim
 title thereto made by me my executors except
 that herein subscribed

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In testimony whereof the said
 D. Lito Bungeza hereunto signed his name and
 affixed his seal this first day of March one
 thousand eight hundred and fifty one
 Signed D. Lito X Bungeza
 witnesses
 (Signed) Jose Marquez Juan Pico
 (") Plummer Harass

I George Foster Secretary to the U.S. Land
 Commission to ascertain and settle the Private
 Land claims in the State of California hereby
 certify the foregoing to be a true correct and fair
 - the translation of a Spanish document
 in lease no 236 wherein Maria Anastasia
 Hequira de Bungeza et al are claimants
 and non in full in this office
 In testimony whereof I have

38

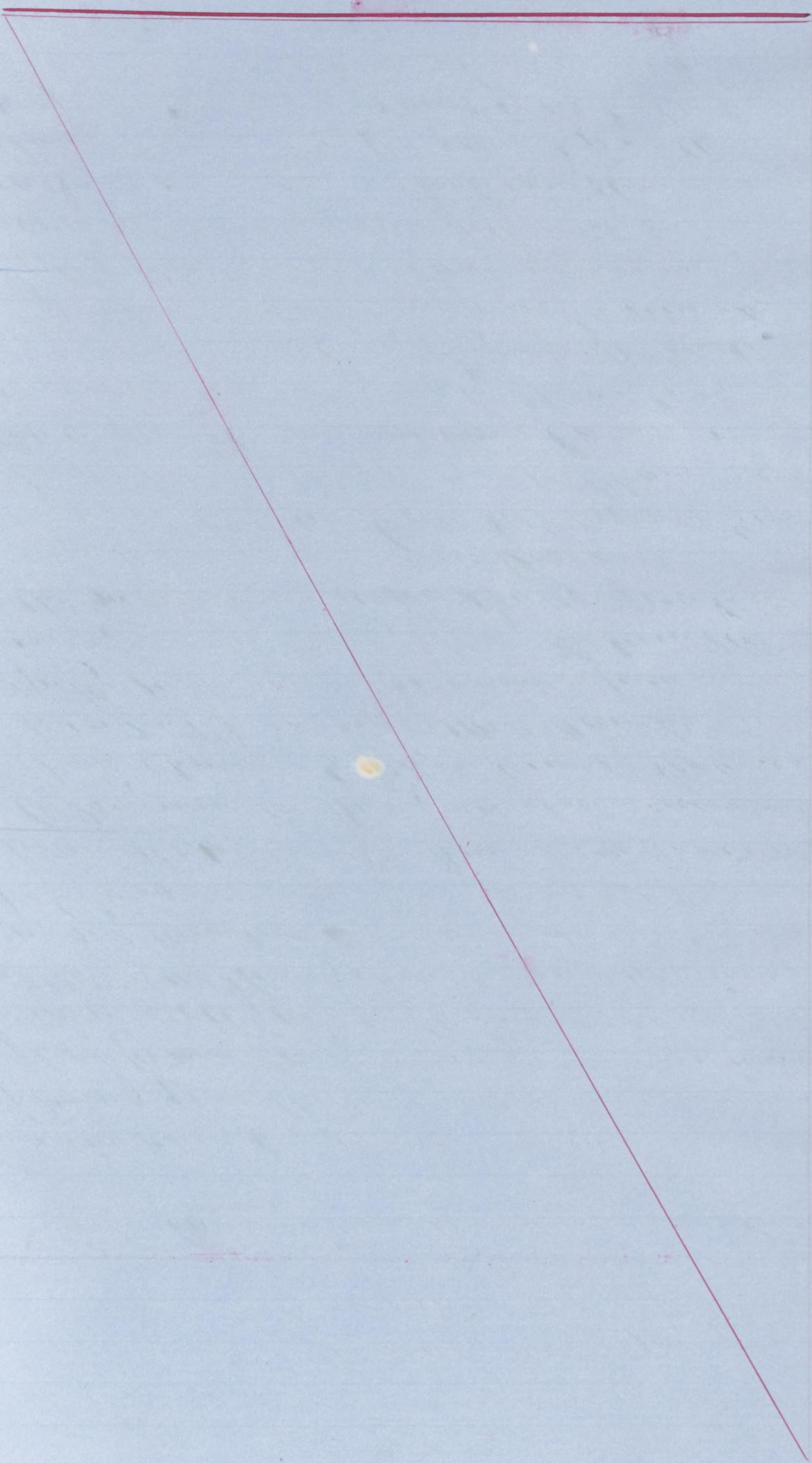
In witness whereof my name Office of the Secretary
of the above named Commission at the City of
San Francisco this 18th day of May AD 1854

Geo Fisher
Secretary

Filed in Office May 18th 1854

Geo Fisher
Secy

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39 Exhibit of ...

39 Exhibit A A true copy of the Field notes of the Survey of the B. T. annexed to Rancho de Las Putas on Putas River in Napa Division of County California by A Van Don Deputy Surveyor Mar 12. 1853

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To General I King Surveyor General of California
Sir

Have the honor to report that in pursuance of an order of Survey from the U.S. Board of Commissioners of California Land Claims dated San Francisco California 2d July 1852 and in compliance with attache of authorization and instructions from yourself due to me and dated Office of the U.S. Surveyor General Oct 20th 1852 Commissioning me to Survey the Rancho de Las Putas named A Sequia de Pungosa et al claimants in Yolo since changed to Napa County California I have executed the Survey of said Rancho and respectfully submit the following field notes and accompanying map as my return thereof Have the honor to be respectfully your Obd Servant

A Van Don U.S. Deputy Surveyor
Bearing of angle 15° 40' East. Chain adjusted to the official Standard "Chain Carris oath" We and each of us do solemnly swear that we will well and faithfully perform the duties of Chain Carris in Surveying the Rancho of Las Putas that we will use due diligence in measuring all lines required by said Survey to be measured and care in leveling the Chain and Plumbing the tally pins and dip at the true length of all lines measured by us to the best of our skill and ability So help us God
Given to by J. L. Patten and J. T. Conklin

Station No. 1.

On the highest point of the Trimen tal Hills on the right bank of Putas River measured a white Oak 20 in dia in B No. 1 as a center or Station Hence S 33 W,

The instructions accompanying my commission to execute this Survey or authorize your Survey will

as a matter of course compare to the width of the River
 This claim calls for eight sitios de Ganado Mayor
 (Square leagues) and is bounded by the Hills or
 Mountains known as San Juan de los Rios and
 San Juan de los Rios you will then you make your survey
 within the aforementioned Mountain boundaries and
 locate the land according to the claim with refer-
 -ence to the sketch or plan of the same in such a man-
 -ner as to comprise the location within the said limits
 and include in the Survey the said quantity of
 eight sitios more or less My copies of the above sketch
 and plan or diagrams accompanying my instructions
 and by instituting the proper exigencies in the order
 of said claim the respective portions of said Moun-
 -tain boundaries to the Timpano Hills on the
 South the San Juan range on the East the great
 Mountains on the North and the Sierra de Bullon
 the west all seeming to mark with great distinctness
 the topography of the Valley and defining its bor-
 -ders like a firm wall

Taking into consideration
 the distinctness of these natural confines and con-
 -sidering the import of my instructions to be that these
 Mountain boundaries should constitute the
 limits of the claim in the event of their comprising
 less than eight sitios de Ganado Mayor it appeared
 to me plainly to be my duty to establish the bounds
 of said claim along the nearest summits
 and the general course of said Mountain Ranges
 whether they comprised more or less than said
 8 square leagues

For the place of beginning the
 -survey I proceeded to the right bank of the River
 Patos where it forms a Cañon or narrow outlet
 through the Timpano Hills and ascending the
 quartzelocation in said Cañon (about 350 feet) I
 established Station No 1 as follows

Station No 1

A marked white oak 20 inches in diameter with
 the letters M. B. No 1 (Centin Sur) Run a S 33° W
 1130 chains to Station No 2 This line passes over
 very many small narrow and precipitous
 ridges under oak with a few pine and growth
 scrub oak with thorny leaves

Station 2nd

Measured an evergreen Oak 12 inches in diameter
No B No 2 Thence S 88 1/2° W 19.50 chains to station
No 3, in the middle of the mountain valley this is
a beautiful valley comprising between this sta-
tion and the river about 300 acres of level fertile
land

Station 3rd

Measured Oak 45 inches in diameter No. B. No 3
Thence N 16° W 4.50 chains to Anaya mountain
and across hills) 25.00 chains to Station No 4

Station No 4

Get station where white Oak 18 in diameter
N 87° E 25 links white Oak 20 in diameter
N 31 1/2° W 77 lbs (trees marked X 111) This station
is the place of beginning of the Base line even though
the middle of the Rancher Thence N 12° W (120
chains to the valley of the Teapini 147 chains to
the Anaya Teapini 75 lbs x 150 chains to road
from Pineda 180 to summit of an isolated
hill with 5 or 6 Pines on the top which I at first
marked for station No 5, but afterwards I
gave the line to a high conical peak the most
conspicuous land mark about the Rancher
N 2° W 34,800 chains to Station No 5.

Station No 5

This is on the summit of an isolated conical peak
the highest of the Puri Range 800 or 1000 feet
high and is distinctly visible from all parts of
the valley No two to mark - Thence N 37° W
(30 chains to top gulch) 146.00 chains to Sta-
tion No 6

Station 6th

Erected a pile of stones No two to mark also on
very high point of the range over look in the valley
Thence N 57° W 120.00 chains to Station No 7
This line and the preceding pass over very un-
even ground I saw Oak and small species
of Cedar or pine and a purple berberis bush com-
mence the growth

Station 7th

Erected pile of stones No two to mark Thence
N 35° W 133.00 chains to Station No 8

Station 8th

Measured white Oak 20 in dia No 3 x 8 links No B

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No 8 No other Thence $S 27^{\circ} W$ 123,00 chains to Station No 9 Same Char on top of land and surface as on the last line. The Puli ridge here gradually becomes lower but remains a very different character from the foot hills between it and the River which are from pine Chap and are covered with red dirt.

Station 9th

Marked a Pine tree 20 in diameter M.B. No 9 as a center or station tree Thence $S 12^{\circ} W$ 85 chains descend to Valley of the Munda byara (85 chs to trail from Cayote Valley 102 ch to Amayo from da byara 104,00 cross Amayo to Station No 10

Station No 10

White Oak 20 in dia M.B. No 10 The valley through which this Amayo runs is deep and narrow with rocky precipitous sides and without bottom land. The stream is bold appearing probably some good mill sites Thence North 184 chs to the River Putas North 188,00 chains cross the Putas to Station 11 -

Station No 11

Marked live Oak 15 in dia $S 75^{\circ} W$ 30 links on the bank of the Putas River. This line passes on very pine and rocky ground and then thick undergrowth it crosses the Putas River where there are large piles of stones, resembling masonry Thence $N 23^{\circ} E$ 60,00 chains to Station No 12

Station No 12,

Marked white Oak 10 in dia $N 27^{\circ} W$ 15 lbs do 15 in dia $S 33^{\circ} E$ 42 lbs Set stake and marked M.B. No 12 North 129,00 chains to Station No 13

Station No 13,

Marked white Oak 12 in dia $N 71^{\circ} E$ 36 lbs do 25 in dia $S 21^{\circ} W$ 30 lbs M.B. No 13, Thence $S 10^{\circ} E$ 85,00 chains to Station No 14

Station No 14

Marked Pine tree 10 in dia $N 20^{\circ} W$ 18 lbs
" Oak " 15 in dia $N 52^{\circ} E$ 27 " Set stake and marked M.B. No 14 Saw immense numbers of game and found numerous skins of water during the dryest of the season (20th November) Thence $N 67^{\circ} E$ 22 chains to one of the branches of the Amayo etc cross 30 chs ascend an elevated hill 40,00 chains to station No 15, marked Pine 15 in dia

43.

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N 79 E 24 lbs Evergreen Oak 20 in dia N 62 W
 30 lbs M. B. x 111 No 15 1/2 This is the upper termin-
 ation of the base line run thro the Valley 15 1/2 miles
 long Thence **N 76 E** 57.00 chains to Station No 16
 Set stone where low wht Oak 45 in dia North
 10 lbs No 3 No 6 This we stand on the edge of a small
 arroyo which runs thro a beautiful small Valley
 Thence East (20 chains to top of ridge 43 chains descend
 to Valley 38 chains to Arroyo 60 chains begin to ascend
 lofty ridge 210.00 chains to Station No 17
Station No 17.

Set stone and marked a white Oak 25 in dia S
 27 W 19 lbs wht Oak 10 in dia N 53 W 28 lbs
 - 25 chs of this line passes thro pine valley lower
 Thence **S 45 E** 152.00 chs to Station No 18
Station No 18.

Set stone and marked wht Oak 12 in dia N 71 E
 53 lbs Pine 30 in dia S 15. W 22 lbs some very
 broken timber abundant some usually white
 Oak Thence **S 31 E** 206 chains to Station No 19
Station No 19.

Marked Evergreen Oak 25 in dia N 27 W 26 lbs
 Oak 15 in dia S 53 E 30 lbs No 3 No 19 Thence
 South 200 chains to deep gulch 237.00 chs to Station
 No 20
Station 20th

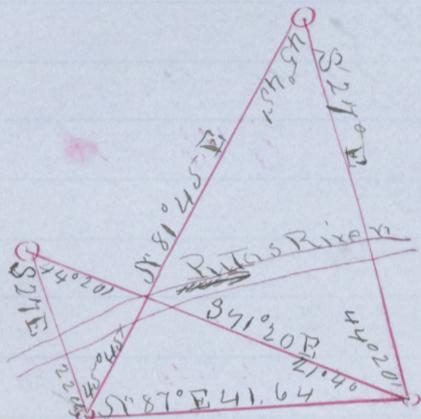
Erected pile of stones where bare wht Oak 20
 in dia S 40 E 71 lbs wht Oak 17 in dia N 27 W
 64 lbs This corner is on a conical hill rising above
 the general elevation These hills are covered with
 tolerably thick forest with a thick stand of wild
 oats The numerous small arroyos which run down
 their sides at their bases do like the blood of San-
 cetur mix into the general Thence **S 32 E** 47.00
 chains to Station No 21 The Lynxen Range is
 from Station No 20 quite straight and gradually
 declines as it approaches the River it is covered with
 timber and wild oats and has a more beautiful
 appearance There is a still higher ridge further
 East which has a bare and rocky appearance
 (extending across the Patuxent and forming fault
 with the anticline ridge between Mispah and Lin-
 coln valleys) which may possibly be regarded as
 the Lynxen Mts
Station 21st

Set Station and marked A Oak 12 933 W 122 m
 other two Thence S 50° W (40,00 chains to bottom of
 deep valley) 8000 chains to Station No 22

Station 22 d

Marked Seal Oak 8 in dia as a center tree In 13
 this station is on a high pointed hill directly across
 the River from Station No 1 Thence S 27° E S 27° E
 54,00 across the cañon of Putas River to Station No 1
 the place of Beginning
 "Fading for this distance next page"

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S in 21° 40' S in 44° 20' 22 chs ans

	1.34242
	<u>9.84434</u>
	11.18649
41.46 chs	<u>9.56727</u>
	1.61952

S in 45° 45' S in 68° 15' 41.64 chs ans

	1.61952
	<u>9.96793</u>
	11.58745
	<u>9.85510</u>
	1.73235

Ans 34.00 chains

Oath and Separations of Chainmen

We and each of us do solemnly swear that we did well and truly perform the duty of Chainmen in the Survey of the Rancho of Las Putas that we used due diligence in leveling the chain and plumb line, the tally pins and that we truly reported the length of all lines measured by us to the best of our skill and ability

God keep us Good

Given to and Subscribed
 In my presence

A Van Dorn

Survey for the Area of the Rancho Las Putas

45-

Courses	Dist's	N.T.	S.E.	N.D.	E.D.D.M.D.	N Areas	S Areas	V
N 32 W	470.00	3986x9		249+5		99265.98		
Nor W	237.00	2370x4			248, 6	118035, 28		
N 31 W	206.00	176.6x4		1061-2	497, 2	106448, 70		
N 45 W	152.00	107.5x2		1075-2	603, 1	87915, 37		
West	210.00			210-3	816, 3			
S 76 W	57.00		13.8-1	553-1	1135, 3		19156, 71	
S 62 W	40.00		18.8-1	353-1	1398, 2		27836, 82	
S 10 W	85.00		83.7-1	148-1	1488, 6		128618, 60	
South	129.00		129, 0-2		1538, 5		200082, 16	
S 23 W	60.00		51-2-1	234-1	1553, 2		86865, 15	
South	188.00		188, 0-3		1576, 5		300282, 46	
S 12 E	104.00		101, 7-1		216x2 1599, 8		160324, 80	
S 22 E	123.00		114, 0-1		461x2 1578, 0		171977, 61	
S 35 E	133.00		108, 9-1		76, 2x2 1509, 9		150916, 48	
S 51 E	120.00		45, 5-1		933x2 1387, 1		91769, 34	
S 37 E	146.00		116, 6-2		879x2 1217, 1		120832, 20	
S 72 E	348.00		107, 5-6		331, 0x3 1035, 5		65861, 09	
S 76 E	25.00		6-0		24x3 6161, 1		1563, 00	
N 88 1/2 E	19, 371	6005			19, 5 260, 5	108, 35	1325, 455 05	Sum of 8 Areas
N 33 E	113.00	94, 8x2			61, 5x2 216, 7	12872, 50	432, 846 48	" " " "
N 27 W	54.00	48, 1x1		24-5	135, 5	4438, 06	1, 092 903 57	
N 50 E	80.00	57, 4x1			61, 3x1 98, 3	3162, 10	34645-72	acus total
					61, 4			

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Filled notes of a Bare Line run as shown as follows
 - purely thro' the middle of the Rancho from Station
 No 4 N 28 W 15 1/2 miles to Station No 15

1st Mile

N 28 W 40, 00 1/4 Sec no corner made 35 chains to arroyo
 80, 00 chains 1st mile stake (no corner made) and
 fully covered with timber Vats &c

2d Mile

N 28 W 40, 00 1/4 Sec no corner made 68, 00 to arroyo
 80, 00 2nd mile stake marked with Oak 2 1/2 in dia
 22 W 34 lbs " do 12 " " S
 66 W 61 " x 11 land and timber same as on last mile

3rd Mile

N 28 W 15, 00 chs descend hill to level Valley 39, 00 to
 arroyo 40, 00 1/4 Sec Station arroyo marked with Oak
 two 36 W dia N 53 E 136 links 43, 00 to the Putas
 River (runs N 35 E 49, 00 leave the River 68, 00 to
 small arroyo 80, 00 3rd mile stake in an open
 place dug above and planted stake Land first qual-
 ity Timber large and abundant

4th Mile

N^o 28th 40.00 set 1/4 Sec Stake wht Oak 30 in dia 52 1/2
to 82 69.00 to small Anays & then 78.00 to Putas
River 80.00 in the River set Stake no trees Land and
Timber same as last mile

5th Mile

N^o 28th 5.00 chs leave the River (runs S 28 W) 40.00
set 1/4 Sec Stake near road (no trees to mark) 63.00
skirt along ball of Tol 80.00 set 5th mile Stake and
marked wht Oak 40 in dia to 12 1/2 to 208 lbs Land
and Timber 1st quality

6th Mile

N^o 28th 160 lbs to Putas River 15.00 chais leave
it runs S 29 E 40.00 set 1/4 Sec Stake in prairie
no trees 80.00 set 6th mile Stake in prairie no trees
Land same as last mile but destitute of Timber

7th Mile

N^o 28th 40.00 set 1/4 Sec Stake in prairie no trees
80.00 set 7th mile Stake no trees to mark Land fair
quality but few of timber

8th Mile

N^o 28th 6.00 in the belt of timber 26.00 leave Timber
40.00 set 1/4 section no trees 61.00 to small Anays
80.00 set 8th mile Stake and marked wht Oak 30 in
dia S 88 E 31 lbs This line passes near very large
groves of timber and over land of Amos & his also
fertile and beautiful

9th Mile

N^o 28th 4.00 leave timber 40.00 set 1/4 Sec Stake no
trees 52.00 to small Anays - 80.00 chs to 9th mile
Stake no trees Land and timber same as in last
mile

10th Mile

N^o 28th 40.00 set 1/4 Sec Stake no trees 80.00 set
10 mile Stake in mid open prairie no trees to mark
This line passes over perfectly level open rolling land
4 to 5 miles wide without much timber but cover-
ed with a luxuriant growth of Cats

11th Mile

N^o 28th 40.00 chs set 1/4 Sec Stake no trees 80.00
set 11 mile Stake no trees

12th Mile

N^o 28th 30.00 to the Anays etc cur's 1 chain x. 40.00
00 set 1/4 Sec Stake marked wht Oak 30 in dia
S 48 W 65 lbs 48.00 to same Anays 33.00 leave it

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Sum side 80.00 set 12th mile station in small
val whr Oak 40 in dia S 25 E 104 lks last 1/4 mile
a little hill

13th Mile

S 28 W 40.00 set 1/4 sec station in small across
potholes to mark 68.00 chains to the succession
side of rocky ridge of hills along which the line pass
is for two miles and a quarter offset 15 chains
and measured N 28 W up a narrow straight valley
80.00 offset no corner made land 2nd quarter broken
hills

14th Mile

N 28 W 40.00 chains on offset no corner made
80.00 " " " " " "

This line runs along top rocky steep hills

15th Mile

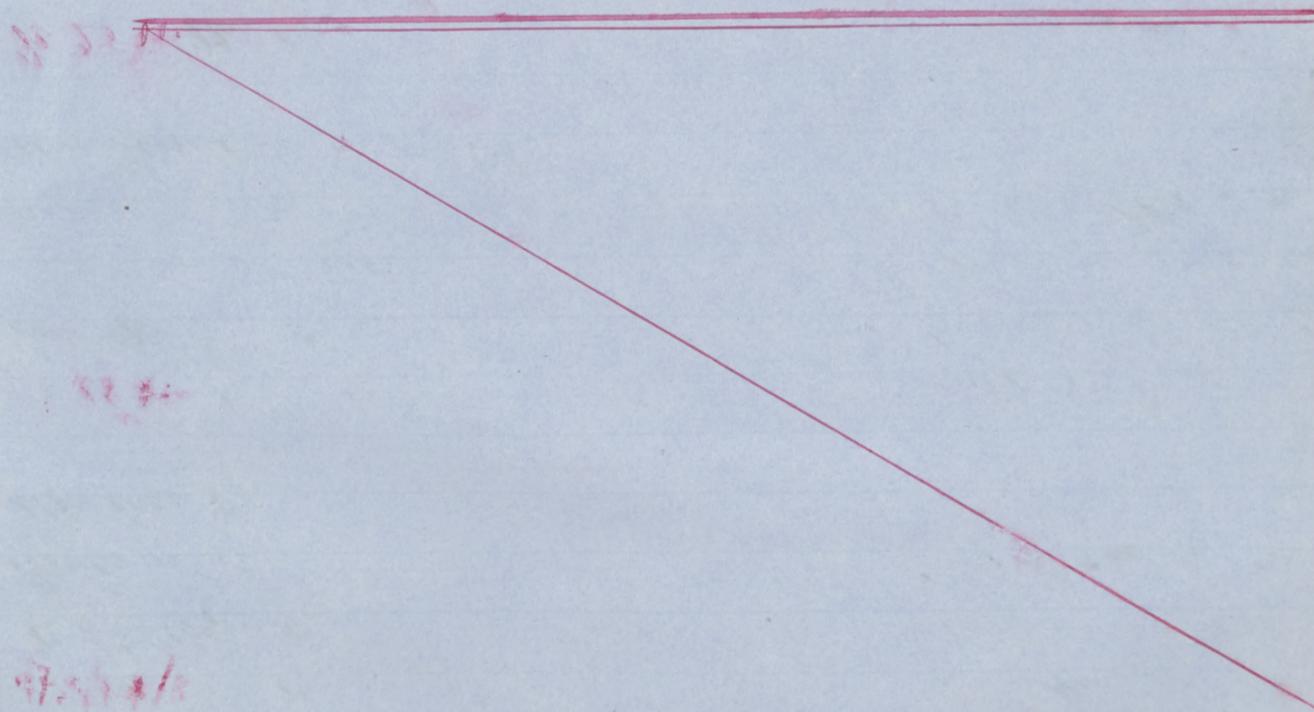
S 28 W 40.00 chains on offset no corner made
80.00 " " " " " "

Some description of country

15 1/2 Mile

S 28 W at 20 chains in 15 1/2 mile came back
to line 28.00 to head waters of the Etan in 30.00
begin to ascend circular plateau hill 40.00 set
1/4 sec station on the East side of the summit and
marked with 15 in dia N 79 E, 24 chs x 111
Ever green Oak 20 in dia N 62 W 30 links This is
Station No 15 on the Boundary December 1852
A Van Don

Filed in Office November 2nd 1853
Geo Fisher
Surveyor



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[Faint handwriting at the bottom edge of the page]

mountains known as Laguna San Juli and
 Duemontol you will therefore make your survey
 within the pre mentioned Mountain boundaries and
 locate the land according to the claim with refer-
 ence to the sketch or plan of the same in such a man-
 ner as to confine the location within the said limits
 and include in the survey the said quantity of eight
 plus more or less by means of the above mentioned
 plan or diagram accompanying my instructions and
 by instituting the proper exigencies in the Raudon
 Cañada the respective portions of said moun-
 tain boundaries to be Duemontol Hills on the
 South the Laguna range on the East the Cuel
 Mountains on the North and the Sierra de
 Juli on the West all running to mark with
 great distinctness the Topography of the Valley
 and defining its boundaries like a garden wall
 Taking into consideration the distinctness of these
 natural confines and regarding the import of
 instructions to be that these Mountain bound-
 aries should constitute the limits of the claim rather
 even if they comprise less than eight square
 Leagues may it appear to me plainly to be my
 duty to establish the corners of said claim
 along the plainest summits and the general course
 of said Mountain Ranges when they comprise
 more or less than said quantity of eight square
 Leagues For the place of beginning therefore I
 concluded to the right bank of the River Putas
 where it forms a cañon or narrow outlet through
 the Duemontol Hills and ascending the greater
 elevation in said cañon (about 350 feet) I es-
 tablished Station No 1 as follows

Station First

(At the highest point of the Duemontol Hills
 immediately in the high bank of the Putas River)
 Marked with Oak 20 in Dia No 1 as a center
 or Station True Thence $S 33^{\circ} W$ To Station No 2
 This line passes over very uneven surface narrow
 and precipitous ridges Timber Oak and Pine
 undergrowth small scrub Oak with thorny leaves

Station Second

Marked an evergreen Oak 12 in Dia No 2
 Thence $S 88.30 W$ 8 chs ascend to Valley $S 88\frac{1}{2} W$
 19.30 To Station No 3 - This line passes through the

upper part of a beautiful valley of level land com-
— prising between it and the River 3 or 400 acres

Station Fourth

Machua White Oak 45 in Dia No 3 in the main
— all of the small valley Thence N 76 W. 4.50 across
to ascend hills 25.00 To Station No 4

Station Fourth

See Station where White Oak 18 in Dia N 87
E 25 Lks " " 20 " " N 30 1/2
W - 77 (Tree marked X III) Thence N 72 W 120.00
To the valley of the Sabapuri 147.00 To the Arroyo Espain
75 chs across 150.00 To Road from Bencia 186.00 To
summit of an isolated Hill with pine or six large
pine trees on the top which I at first mistook for
station 5. but afterwards prolonged the line to a
high conical peak the most conspicuous land
mark about the Ranch 348.00 To Station No 5

Station Fifth

This is on the summit of an isolated conical peak the
highest of the Bali Range 500 or 1000 feet high &
is distinctly visible from any part of the valley
No trees to reach Thence N 35 W 30.00 To deep
Gulch 146.00 To Station No 6.

Station Sixth

Erected pile of stones No trees to mark also
on very high point of the Range overlooking the
valley Thence N 51 W. 120 chs N 51 W 120.00
To station No 7 This line and the one preceding pass
over very uneven ground scrub oak a small
species of cedar or pine and a stiff purple bark
bush constitute the growth

Station Seventh

Erected pile of stones No trees to mark Thence
N 35 W 133 chs To Station No 8 N 35 W. 133.00
This line runs over some very good oak with scatter-
— ing oak and pine timber

Station Eighth

Machua White Oak 20 in Dia N 23 W 8 Lks
No 8 No 8 No 8 No 8 (see part) Thence N 22 W. 123
chs to Station No 9 N 22 W 123.00 Same char-
— acter of land and surface as in last line The
Bali Ridge line gradually becomes lower but
preserves a very different character from the cool
hills between it and the River which are
from chaparral and covered with wild cats

Station Ninth

Machua Pine 20 in dia MB No 9 as a cut
 or Station Ten Hence N 12 W 85.00 Descend
 Total by of the Hondaajia 102.00 To across
 Hondaajia 104.00 cross across to Station No 10
 (85 lbs to trail from Coyota Valley)

Station Tenth

On the left Bank of the Anoy Hondaajia
 Machua White Oak 20 in dia MB No 10 Cut
 The Valley through which this Anoy runs is
 deep and narrow with rocky precipitous sides The stream
 is bold approaching mill sites Hence North 184.00
 To the River Las Putas 188.00 cross the River to
 Station No 11

Station Eleventh

Machua Live Oak 15 in dia S 75 W 30 lbs MB
 No 11 on the bank of the Putas River This live passes
 very uneven and rocky ground and through thick
 undergrowth It crosses the Putas where there are large
 piles of stone resembling masonry Hence N 23 E
 60.00 To Station No 12

Station Twelfth

Machua White Oak 10 in N 27 W 15 lbs Machua
 White Oak 15 in S 33 E 42 lbs at State
 and Machua MB No 12 Still tops more even
 and free from undergrowth Timber principally
 Oak Hence North 129.00 To Station No 13

Station Thirteenth

Machua White Oak 12 in dia N 71 E 36 lbs
 " " " 25 " " S 21 W 30 "
 at State and Machua MB No 13 same descen-
 tion of country as on last line Hence N 10 E
 85.00 To Station No 14

Station Fourteenth

Machua Pine 10 in dia N 20 W 18 lbs
 " " " " " S 32 E 27 "
 at State and Machua MB No 14 same ch-
 aracter of country as on last line Saw in some
 quantities of saw and found numerous springs
 of water during the dry part of the season Hence
 N 62 E 22.00 To one of the head streams of the
 Letecero 30.00 ascend to an isolated hill
 40.00 To Station No 15 at State Machua Pine
 15 in dia N 79 E - 24 x 11 Evergreen Oak 20 in
 dia N 62 W 30 Machua MB No 15 1/2 This

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is the upper point of a base line run from station
No 4 thro the middle of the Ranch 15 1/2 miles long
Some valley land on this line capable of cultivation
Thence N 46 E 37.00 To Station No 16 set stake where a
line of Oak 45 in dia North 10 lbs marked No 3
No 16 The last half of this line runs through a beauti-
tiful valley The course two stand on the bank
of Arroyo on the edge of valley one of the Tributaries
of the Colorado Thence East 20.00 To top of ridge
43.00 descend to valley 38.00 to Arroyo 60.00 begin to
ascend lofty ridge 210.00 To Station No 17

Station Seventeenth

Set Stake and marked White Oak 25 in dia
S 27 W 19 lbs " " " " " " " "
N 53 W 28 " 25 lbs of this ridge passes through
fine valley land Not broken and barren The Coal
Mountains have run into the Sierran Thence
S 45 E 132.00 To Station No 18

Station Eighteenth

Set Stake and marked White Oak 12 in dia
N 71 E 53 lbs Pine 30 in dia S 15
W 22 lbs Country broken timber abundant prin-
cipally white Oak with some pine (there is no
other timber on this Ranch but Oak aspen Pine
Cottonwoods and willows) S 31 E 206.00 To Station 19

Station Nineteenth

Evergreen Oak 25 in dia N 27 W 26 lbs
White Oak 15 " " S 53 E 30 " Set
Stake and marked No 19 The surface of these
hills are more even than those of local and few
from Chapparel Thence South 200.00 to deep Gulch
237.00 To Station No 20

Station Twentieth

Erected pile of stones where a tree white Oak 20
in S 40 E - 71 lbs white Oak 12 in N 27 W 64
lbs This course is on a circular hill rising above
the general elevation These hills are generally cover-
ed with a totally thick forest with cacti The
numerous small arroyos which run down their
sides sink at their base in the ground Thence
S 32 E 470.00 To Station No 21

Station Twenty First

Set Stake and marked Red Oak 12 in dia S
33 W 122 lbs No other tree The Sierran ridge from
Station No 20 is quite straight and gradually

declines as it approaches the River Putas It is covered with timber and a few oats and has a most beautiful appearance There is a still higher ridge further E which has a bare and rocky appearance continuing across the Putas and forming the dividing ridge between Crassa and San Juan valleys which may possibly be regarded as the Laguna Mountains Hence I 5000 to bottom of deep valley with an average 80,00 To Station No 22

Station Twenty Second

Mailed Scout Cab & in dia as a center station The M.B. This station is on a high pointed hill directly across the Putas from station No 1 Hence 527 E. 54,00

Sin 21°40' Sin 44°20' : 22 chs

1. 34242

9. 84437

11. 18679

9. 56727

41.64 chs 1. 61952

Sin 45°34' Sin 68°14' : 41.64 chs

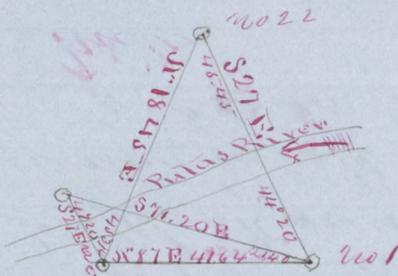
1. 61952

9. 96793

11. 38745

9. 83510

54 chs 1. 73235



To obtain the distance across the cañon from Station No 22 to Station No 1 527 E 54,00 across the Putas River to Station No 1 the place of beginning

Oath and Signature of Chain Bearers We and each of us do solemnly swear that we will and faithfully perform the duty of chain men in the Survey of the Rancho of San Putas that we use due diligence in leveling the chain and plumbing the Tally pins and that we truly reported the length of all lines measured as to the best of our skill and ability which is God

Jas F. Conklin

John S. Butler

Gunn to and Subscribed in my presence

Aron Van Doren

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Surveyors Oath

I Am Juan Don Deputy Surveyor do solemnly swear that in pursuance of an order of Survey from the United States Board of Private Land Commissioners and a letter of instructions from the Surveyor General of Public Lands for the State of California dated October 20th 1852 respecting the Survey of the Rancho of Las Patas and in strict conformity to the laws of the United States and the above mentioned instructions I have faithfully surveyed the said Rancho de las Patas and do further swear that the foregoing are the true and correct notes of such Survey

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Juan Don
Deputy Surveyor
Said Deputy this 10th day of January 1853
E. R. Saunders
Notary Public

Field notes of a Base line run as near as possible transverse through the middle of the Rancho beginning at Station No 4 and running N 28 W 13 1/2 miles to Station No 15 Beginning at Station No 4 there

First Mile

N 28 W 40.00 No corner made 55.00 To Arroyo 80.00 To 1/4 mile No corner made Land hilly on area with timber and clats

Second Mile

40.00 No corner made 68.00 To Arroyo 80.00 to second mile corner Set stake and marked with Oak 24 in dia N 22 W - 54 lbs white Oak 12 in dia 366 lbs marked with Land and Timber same as in last mile

Third Mile

15.00 Descent hills to level land 39.00 To Arroyo 40.00 made 1/2 mile corner on bank of Arroyo white Oak 36 N 33 E 136.43 00 To the Patas River (runs N 35 E) 49.00 Leave it 68.00 To small Arroyo 80.00 In open place no trees to mark dug a hole and plan the astrak land first quality and level valley some timber large and some small all Oak

Fourth Mile

40.00 1/4 sec stake to Oak 30 in N 57 1/2 W 82 lbs 69 to small Arroyo 78.00 To Patas River 80.00 In the River set stake no trees Land first quality level and rich The growth of oak timber magnificent The ground without much growth but covered luxuriantly with wild oats

5h

Fifth Mile

5.00 Leave the River runs S 28° W N 28° W. 40.00
Set 1/4 Sec Stake no trees to mark 63.00 Start along
edge of Tow 80.00 Set 5th Mile Stake marked with
40 in dia N 12 1/2 W 208 lbs no other near same as
Timber same as in last mile

Sixth Mile

11.00 To Petas River 13.00 Leave it 40.00 Set 1/4 Sec Stake
in Prairie no trees 80.00 Set 6th Mile Stake no trees
to mark Land same as last mile but destitute of
Timber.

Seventh Mile

40.00 Set 1/4 Sec Stake in Prairie no trees 80.00 Set
7th Mile Stake no trees to mark same character of land
as last mile and entirely destitute of Timber

Eighth Mile

6.00 Enter belt of Timber 26.00 Leave belt of Timber
40.00 Set 1/4 Sec Stake no trees 61.00 To small arroyo
80.00 Set 8th Mile Stake and marked with Oak 30
in dia S 88 E 31 lbs This line passes near groves
of very large timber all oak and very land of im-
-passable fertility and beauty

Ninth Mile

7.00 Leave timber 40.00 Set 1/4 Sec Stake no trees
52.00 To small Arroyo 80.00 Set 9th Mile Stake
no trees to mark Land and timber same as in last mile

Tenth Mile

40.00 Set 1/4 Sec Stake no trees 80.00 Set 10th Mile
Stake in wide open place no trees to mark This line
passes over perfectly level open valley land without
Timber but covered with a luxuriant growth of
mild oats from three to four feet in height

Eleventh Mile

N 28 W 40.00 Set 1/4 Sec Stake no trees 80.00 Set
11th Mile Stake no trees near same character of land
as in last mile

Twelfth Mile

30.00 To the Arroyo Ettecum sch + 40.00 Set 1/4
Sec Stake and marked with Oak 30 in dia S 48 W
65 lbs 48.00 to same Arroyo 53.00 Leave it same
side 80.00 Set 12th Mile Stake in small valley in
Oak 40 in dia S 25 E 104 lbs after leaving the ete-
-cun the last time ascended small broken hills in
more level land

Thirteenth Mile

40.00 Set 1/4 Sec Stake in small arroyo no trees near to mark

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68.00 To the prominent sides of a rocky ridge of hills along which the line runs for two miles and a quarter offset 15 chains and measure (N 28 W) up a narrow straight valley 80.00 in corner made land Secina quality broken hills

Fourteenth Mile

40.00 Run with offset in corner made

80.00 " " " " " " " " " " " "

This line runs along the summit of a rocky steep ridge of hills

Fifteenth Mile

40.00 Run with offset of 15 chs in corner made

80.00 " " " " " " " " " " " "

Same description of country as last mile

Fifteenth and one half mile

20.00 on 15 1/2 mile came back to line

28.00 To the Etocano 50 Lhs +

30.00 Began to ascend circular isolated hill

40.00 Set 1/4 sec stake on the East side of the summit

and marked Pine 15 in dia N 79.° E 24 Lhs + III

Evergreen Oak 20 " " N 62 W - 30 - This is a Station Number 15 on the Boundary

The foregoing field notes for the initiating survey of the Ranch of Las Pintas Maria Anastasia Segura de Benjesa et al claimants having been duly examined and found to be in conformity with the instructions of this Office based upon the order of the Board of Commissioners dated July 2nd 1852 are hereby approved but inasmuch as they show an area greatly exceeding the eight square leagues therein mentioned such approval is not to be construed as expressing any opinion as to the quantity to which the claimants may be entitled All Sundry General's Office San Francisco California Jan 7th 1853

(Signed) Samuel D King

United States Surveyor General

Note By the calculation made in this Office the total area of the Survey was found to be (34,645 47/100) Fifty four thousand six hundred and forty five and 47/100 acres

(Signed) Samuel D King

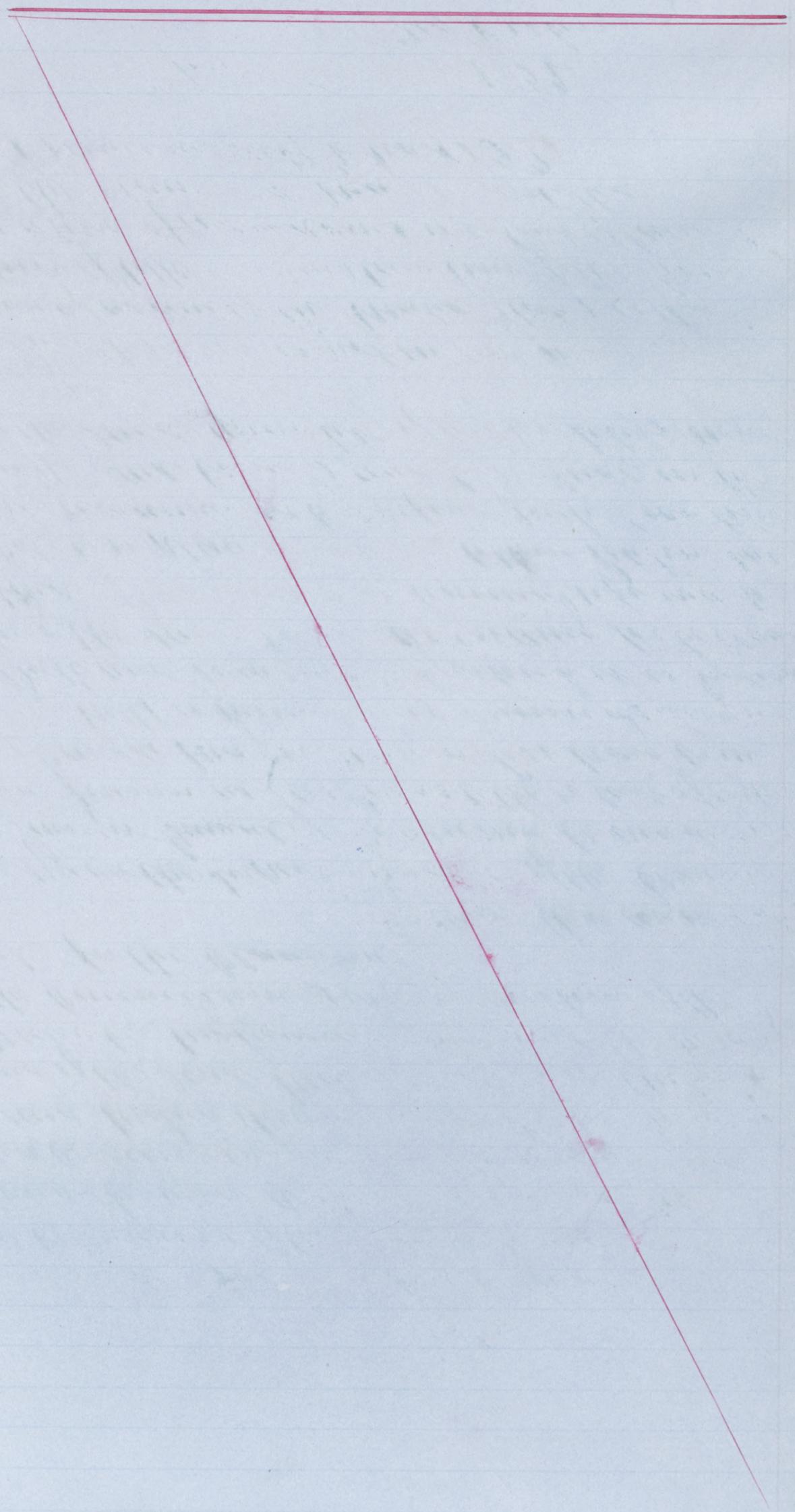
US Surveyor General

Surveyor General's Office San Francisco Jan 19 1853 I certify the above and foregoing to be a true copy of the

5-8

original notes on file in this Office
Samuel D. King
Summer General
Filed in Office January 19th 1853
Geo F. Fisher
Secretary

175 ND
PAGE 55



3-9

Order for
Initiating
Survey

Before the United States Commissioners to ascertain
and settle the Private Land Claims in California
In the matter of the Petition of Maria Anastasia
Siquiera de Benjesa et al for the Rancho de
Las Putas in the County of Yolo

175 ND
PAGE 56

For the purpose of
determining with precision and certainty the limits
and boundaries of the land claimed by Maria
Anastasia Siquiera de Benjesa Maria Nicolasa
Siquiera de Benjesa Jose Jesus Benjesa husband
of the said Maria Anastasia and Sisto Benjesa
husband of the said Maria Nicolasa in their Peti-
tion Number two hundred and thirty six pending
before the Commissioners it is in motion of the
Council for the Claimant

Ordered that an initiating
Survey under the Superintendance of the United
States Surveyor General of California be made of
the land known as Las Putas to the extent of eight
sections of land may be more or less being bound-
ed by the hills or mountains known as Laguna
Cerro Puli and Duencito by which it is intended
to locate the said land according to the claim
of the said Petitioners and having reference to
the sketch or plan annexed to their petition but
in such a manner as to confine such location
within the said limits and to include in the
survey the said quantity of eight sections more
or less

But this order is not in any manner to
determine as against the United States either the
question of title the construction of the Grant
the location of boundaries or extent of land to
which the claimant may be entitled
San Francisco July 2nd 1852

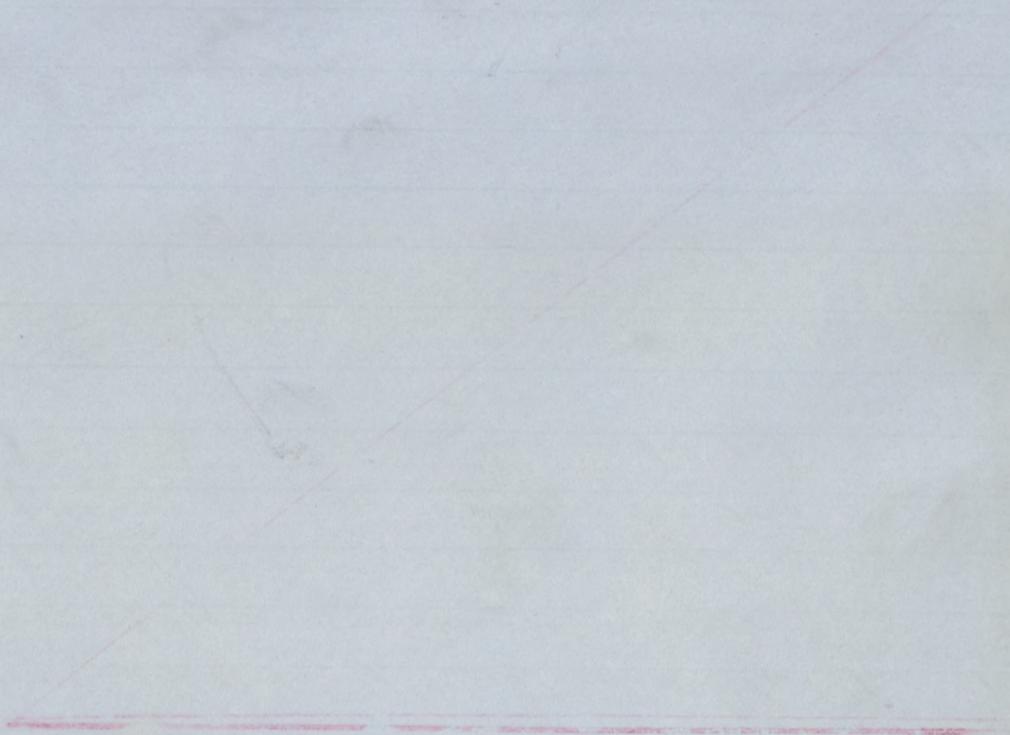
Filed in Office July 3rd 1852
Geo Fisher

Secretary

Recorded in Journal Vol 2d pages 68 +
69

Geo Fisher
Secretary

60



Communications from the
Surveyor General

U S Surveyor General's Office
San Francisco Cal Jan'y 19th 1853

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PAGE 57

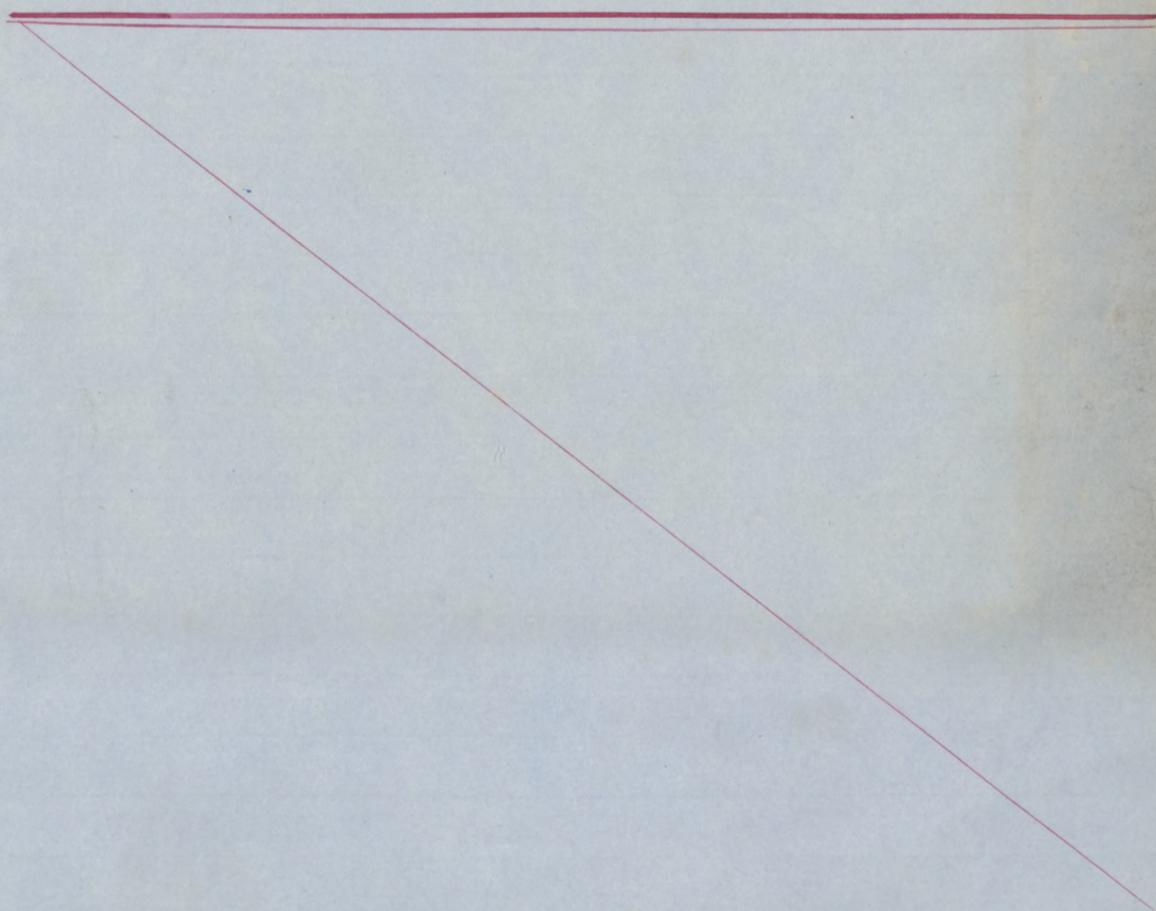
Honorable
Commissioners
for assu'taining Land Claims &c
in California
Gentlemen

I have the honor to transmit a
copy of the approved field notes and a copy of the
corresponding map of the Survey of the Rancho
of Las Putas made in compliance to the instructions
of this office based upon the order of your Honorable
Board of July 2nd 1853

I am Gentlemen very respectfully
Your Obedt Servant
Saml King
U S Surveyor General
California

236-3

Filed in Office January 19th 1853
Geo Fisher
Secretary



Handwritten marks on the left margin.

13

Opinion of the Maria Anastasia
Board
Requena de Buzasa & al
vs
The United States

For the place called
Las Putas in Yolo
County containing
Eight square Leagues of Land

175 ND
PAGE 58

In support of this claim the Petitioners have shown
in evidence a grant of the land in question made by
Governor Manuel Micheltorena to the brothers Juan de
Jesus and Lito Buzasa dated November 3rd
1843 the approval of the assembly of judges and
possession is proved

It is in proof that the grant was
built an Adobe house on the place in 1843 and that
one of the brothers moved into it immediately after
it was built and has continued to live in it
with his family ever since and that the other
brother built a house on the place in 1836 in which
he has since resided with his family annual cul-
tivation and the use of the land for grazing purposes
from a time prior to the date of the grant to the
present time by the grantee is proved

The place
solicited is described in the grant as the land
known by the name of Las Putas bounded by the
range of hills which encircle it named San Jacinto
Cerro Boli and Functol and in the fourth
condition of the grant the dimensions of which dona-
tion is made is declared to be eight square leagues
a little more or less according to the explanation
of the accompanying plan judicial measurement
is required to be procured by the grantee the proper
monuments to be established and the surplus
land (Sobrante) to remain the property of the
nation

The grantee failed to obtain a descri-
ption of their boundaries and a segregation
of their land as required by their grant If
however the boundaries of the entire tract are suff-
iciently definite and particular to serve as a
description in absence of confirmation and to
enable a survey to have them on the ground and
if they enclose within their limits a quantity of
land not exceeding the eight square leagues
which are granted the official measurements

by the Alcalde may be aspired with the boundaries of the promises described would seem to be sufficiently definite. The grant gives the names of the promises and defines the land as bounded by the range of hills which encircle it giving the names of the hills. The report of the Survey in accordance to which the grant was made describes the promises as promising a deep valley surrounded by hills.

The entries Castañeda says the mountains named in the grant are ranges of mountains with principal points bearing these names they entirely enclose the valley in which the said Pueblos live and it would be impossible to describe the land by natural boundaries more accurately than it is described in the grant to them.

The entries Anderson who made a survey of the land as Deputy U. S. Surveyor in 1852 describes the Mountain Ranges mentioned as boundaries in the grant as located according to their respective positions in the map in the expediente and says they reach distinctly the topography of the valley.

The field notes and maps of the Survey made by the entries last named are given in evidence. The Survey was made by running the exterior lines along the range of the mountains called for in the grant running along their highest elevations. It states the quantity of land included within the lines thus run to be 34,645 acres of this about 25,000 acres is level land and about 12,000 foot hills over the balance mountains.

If upon a true construction of this grant the promises described in it embrace not only the valley but the foothills and the surrounding mountains to their very tops the quantity of land not only of four leagues the eight square leagues intended to be granted but it also 4 leagues eleven square leagues the maximum quantity under which the colonization Law of 1824 could be granted to any one person if the Survey as construction of the terms of description are as the Claimants claim are entirely correct I do not see how we

may grant the land...

175 ND
PAGE 60

can do otherwise than reject this claim. But in my judgment the very contrary more than the description warrants at all by summits of hills forming its limits can not be regarded as embracing the hills or the declivity extending from their summits. The rule is well settled in regard to boundaries that the words to form and by all terms of exclusion unless by necessary implication they are manifestly used in a different sense (2 Hill 349) where lands are bounded by a road or stream above the average water the rule of law is to give the right of the owner to the center of the road and the thread of the stream but the courts have uniformly refused to extend this rule beyond the cases mentioned.

Brady vs Rice 11 Shuptr N 201

Moore vs Leonard 1 Mass N 91

Nash vs Atherton 10 Ohio N 163

The call for mountains as boundaries is scarcely if ever found in American conveyances. The large size of the premises granted and the peculiar physical features of the country in California and probably governs to the very common use of the mountain ranges as boundaries in Mexican grants.

The object in these cases is usually very clearly to grant the valley. This is generally interrupted by mountain stream and surrounded by high elevations of land often leading away into the highest peaks and coming down with well defined limits to the level alluvium of the valley or surrounding the valley with a complete like enclosure when as in the case now under consideration the intention was clearly to grant the valley defining the premises as bounded by the range of hills which enclose it. It seems to me assured to say that the hills did surround the premises and embracing in many instances the area of the valley all included in the grant.

There can be no case to which the rule of law above quoted excluding from the grant the premises which are described as forming the exterior limits of the land granted more aptly applies than here. It would certainly were the contrary intention of the grant to extend the limits of the grant beyond the bottom lands

of the valley and we find this construction practically given by the Mexican Authorities in the numerous instances where intending adoptions as well they depise the promises granted as bounded by the top or creast of the hills

Whenever this is the intention it is believed that the language used will always be found to declare it in the terms that admit of no misin understanding

Among the documentary evidence introduced into this case are two deeds of the promises claimed herein one de Jesus Bungea to Anastacia Sequia his wife and the other from Lito Bungea to Nicolas Sequia his wife

The Petition in this case asks a confirmation in the name of these two grantees the wives of the persons to whom the original grants were made by the Governor of the husband and not themselves found as petitioners in this case a question not far from difficulty would arise as to the effect of the conveyances from husband to wife but as they are found in the Petition and as the title in them is without controversy we see no difficulty in entering a decree of Confirmation according to the case made in the Record

Confirmed

Filed in Office September 5th 1854

Geo Fisher Secretary

Decree of Confirmation

Mania Anastacia Sequia
de Bungea & al vs

In this case exhibiting the proposed allegations it is adjudged by the

The United States Commission that the claim of the Petitioners is valid and it is therefore decreed that the same be confirmed The lands of which Confirmation is hereby made are situated in Yolo County and known by the name of Las Pintas being the same which said Petitioners own and are bounded and described as follows to wit Being adup & all by bounded by the Range of hills which extend in a north by east bearing from Palo and in a north containing eight square leagues all the same where the foot of said hills being the boundary being the same land which was granted to said Jose de Jesus and Lito Bungea in 1843 upon the further accuption to be had to be grant and a plan or asin of the same showing

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part of the Española attached copy of which
is made in the case

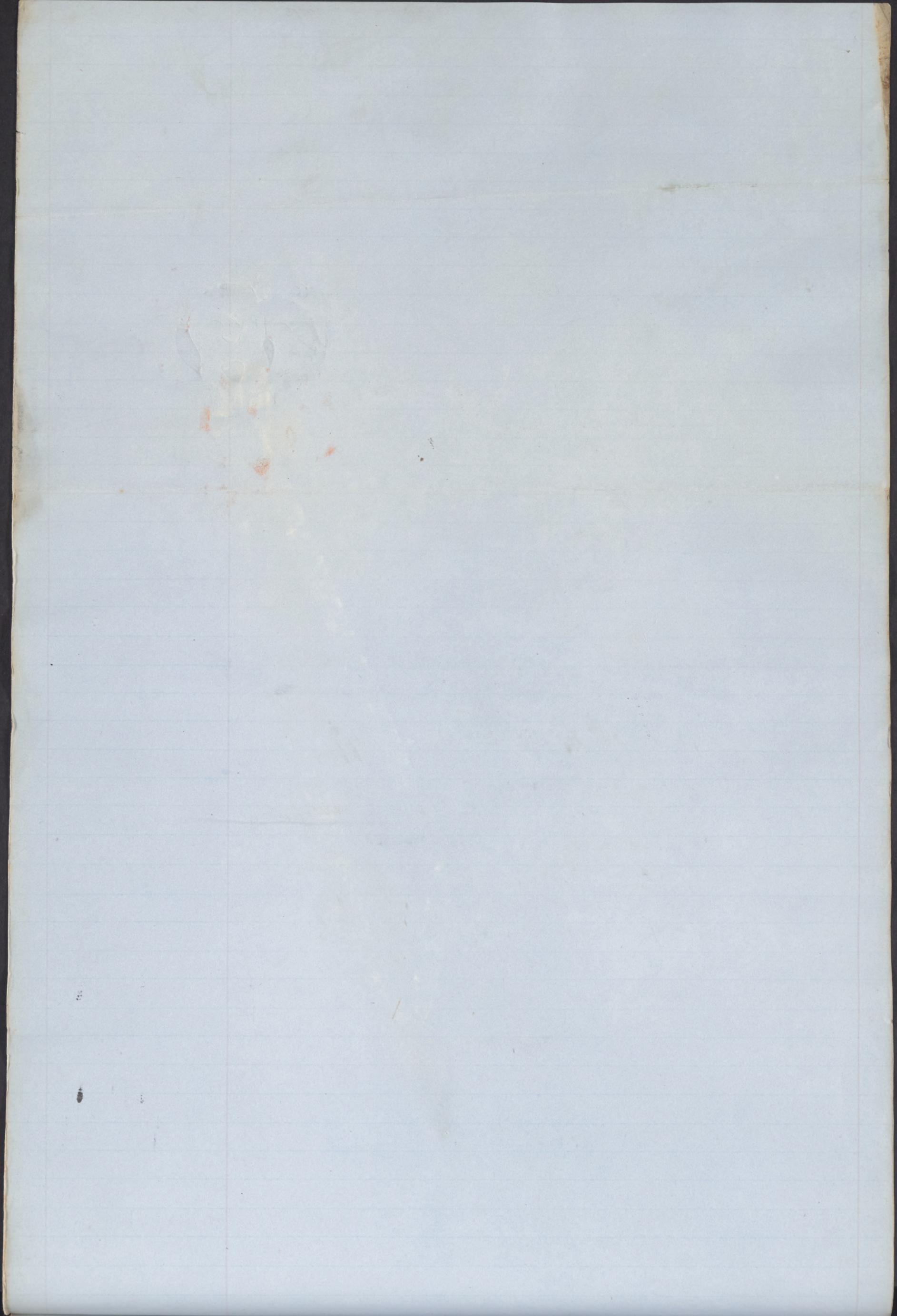
Alphons Gilch
N Aug Thompson
G B Powell

Filed in Office September 5th 1854
Geo Furber Secy

Transmitted

175 ND
PAGE 62

And it appearing to the satisfaction of this
Board that the cause hereby adjudicated is
situated in the Northern District of California
it is hereby ordered that two Transcripts of
the Proceedings and of the decision in this case
and of the papers and evidence upon which
the same are founded be made out and
duly certified by the Secretary one of which
Transcripts shall be filed with the Clerk of
the United States District Court for the
Northern District of California and the
other be transmitted to the Attorney General
of the United States



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 *Sixty seven* — pages, numbered from
1 to 67, 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. 236 on the Docket of the said Board,
wherein *Maria Anastasia Miguera de Berroya,*
A. al, are —
the Claimant against the United States, for the place known by
the name of "Las Pintas" —

In Testimony Whereof, I heretunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Thirty first — day of *January*
A. D. 1855, and of the Independence of the
United States of America the seventy= seventh.

Geo. Fisher.



Sig.

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

No. ~~175~~ *175*

THE UNITED STATES,
175
vs. **ND**

Maria Anastasia Higuera
~~*de Berruessa*~~
et al - de Berruessa.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,
In Case No. *236*

Filed, *February 5th* 1855,
John A. Moore
Clk



Office of the Attorney General of the United States,

Washington, 7th April 1855.

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PAGE 64

Mania Anastasia Hegiura et al. /
vs. } 236.
The United States .

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 27th day of January 1855, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Oliver

Attorney General.

No. 175

W. S. District Court
Northern Dist of Cal.

The United States

Maria Anastasia Niguera
de Beneyra, et al;

Notice of appeal

in case no. 236,

Filed June 18, 1855,
by W. H. Cheever,
Deputy

175 ND

PAGE 65

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

175 ND
PAGE 66

The United States
Appellants } N^o. 175.
vs de Berceuse
M^{ra} Ana^{ta} Acquera et al }

The Petition of the United States by their
Attorney represents: that this cause in an
application for a review of the decision
of the Board of Commissioners whereby the
Claim of the said Appellee was confirmed
as appears by reference to the records in
the case.

That a transcript of the said Records
was filed in this Court on the 1st day
of Jan. 1855: that a notice of appeal
was filed on the 1^{5th} day of Jan. 1855.
and that the land claimed lies in the
said District.

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

A. Hassell

Asst U.S. Atty.

U.S. Dist. Ct.

No. 175.

The U.S.

vs

M. A. ~~Higuera~~
de Burreyesa et al

Petition

Filed June 20, 1855.

by M. H. Cheever
Deputy.

U. States District Court
July Term 1845.

175 ND
PAGE 68

The United States

vs

Mani Aguirre de Parayza & Co
on Appeal.

And now come
the appellees by Counsel
and say there is no error
in the judgment of the U.S.
Land Commission, and
ask that the same
may be affirmed.

Wm. H. Bond
for Appellees.

No 175

U. S. Dist. Court,

The United States,

vs -

M^a Anastasia Niguera,

Answer,

Filed July 9, 1855,

by Cheves
Deputy

175 ND

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

175 ND
PAGE 70

Present:

The Honorable OGDEN HOFFMAN, District Judge.

The United States

vs
Maria Anastacia H.
de Perreyesa, et al,

D.C. 175: L.C. 236.

The Attorney General
of the United States having given
notice that no further appeal will
be taken in this case, and a stipu-
lation to that effect having been
entered into by the U. S. Attorney:—

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

Ogden Hoffman
U. S. District Judge

175

United States District Court, Northern
District of California.

The United States

vs.

*Maria Anastasia H.
de Berreyesa, et al*

ORDER.

Vacating appeal

Filed *April 2^d* 1857

John A. Monroe
CLERK.

By *M. H. Cheney*
DEPUTY.

75175 ND

PAGE 71

California Land Claim.

Attorney General's Office

7 January 1854

175 ND
PAGE 72

Sir:

In the case of the claim of Maria Anastasia Higuera de Beneyesa et al: confirmed to the claimant by the Commissioner, case no. two hundred and thirty-six, (236), appeal will not be prosecuted by the United States.

I am

Respectfully,

Clinton

Wm. Blanding Esq

U. S. Attorney,

San Francisco.

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

The United States

v
D. C. 175; L. C. 234.

Maria Anastasia
Higuera de Berreyesa, et al

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

San Francisco, April 2nd 1887

Wm Blanding
Dist Atty

Brown, Pratt & Tracy
Attys for Claimants

175
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The United States

of

M. A. H. de Berreyesa et al

Stipulation.

Filed April 2^d 1857
W. H. Cheever,
Deputy.

175 ND
PAGE 74

175

United States District Court, Northern
District of California.

The United States,

vs.

M^{ca} A. A. de Burryesa,
et als

Order amending decree

Filed

June 3d. 1857.

John A. Mearns,

CLERK.

J. M. A. Cheever

DEPUTY.

175 ND
PAGE 76

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

Maria Anastacia Higuera de Berreyesa	} Exceptions to Survey
Maria Nicolasa Higuera de Berreyesa	
Jose de Jesus Berreyesa & Sisto Berreyesa	
vs The United States	

In the matter of the final survey of the Rancho or tract of land called Las Putas situate in the County of Napa State of California finally confirmed to Maria Anastacia Higuera de Berreyesa Maria Nicolasa Higuera de Berreyesa Jose Jesus Berreyesa and Sisto Berreyesa come the claimants by their attorney J. P. Tracy and except to the final survey of said tract of land as made by Hon J. W. Mandeville Surveyor General of the United States for California and returned into this Court and state the following as the ground of their exception to wit

1st The terms of the grant and of the decree by which said land was finally

confirmed to the petitioners require that the exterior lines of said tract of land shall run by and along the hills which encircle the valley in which said land is situated. But the Surveyor General has run the exterior lines of said land so as to conform to the Township and Section lines of the Survey of the public lands of the United States

J. Tracy
Atty for Claimants

175 ND

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(No 175)

District Court of
the United States

Northern Dist of California

Maria Anastacia
Higuera de Berreyesa
Exads

vs

The United States

Exception to final Survey

Filed Nov: 3. 1859,

W. A. Chever,
Clerk,

175 ND
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J. Tracy
Atty for Claimants

175

At a stated Term of the District Court of the
UNITED STATES OF AMERICA, for the Northern District of
California, held at the Court House, in the City of SAN FRANCISCO,
on Thursday the 17th day of
November in the year of our Lord one thousand
eight hundred and fifty-nine,

175 ND
PAGE 80

Present:

The Honorable OGDEN HOFFMAN, District Judge.

Maria Anastasia Higuera de Berregesa
Maria Nicolasa Higuera de Berregesa
Jose de Jesus Berregesa & Sista Berregesa

vs.

The United States

D. C. No 175

L. C. No 236.

"Las Pintas."

This cause came on to be heard upon exceptions to the survey and was argued by counsel for the respective parties and due deliberation had in the premises wherefore it is ordered adjudged and decreed that the survey made of the land claimed in this case, by the United States Surveyor General for California under the final decree heretofore entered herein the field notes of which were approved by said Surveyor General and a certified copy of the plat of the same was filed in this Court pursuant to its order on the 30th of September 1859 be and the same is hereby approved and declared to be in conformity with the said decree and is adopted and ratified by the Court as the final survey of the land claimed herein and it is further ordered that a certified copy of this order be served upon the said United States Surveyor General for California for his information and guidance.

Ogden Hoffman
Dist. Judge

U.S. Marshal's Office
San Francisco, Nov: 17th 1859

I have this day made personal service of
this order, by copy on James W. Mandrille
U.S. Surveyor General for California

P. L. Solomon
W. S. Marshal

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

Clerk's Office,

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

..... Clerk.

By

..... Deputy.

No 175

District Court of the United States

IN AND FOR THE

Northern District of California.

Mrs. Anastacia Figueroa
de Beneyesa Petab

vs.

The United States

Order. A. W. Spring, Surveyor

Filed Nov 27/59 1859.

W. S. Marshal Clerk.

By

..... Deputy.

175 ND
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UNITED STATES OF AMERICA,
STATE OF CALIFORNIA.

175 ND
PAGE 82

COUNTY OF SAN FRANCISCO.

In the Circuit Court of the United States for the Districts of California.
IN AND FOR THE NORTHERN DISTRICT.

Maria Antonia V. de Bermudez

vs.

The United States

The President of the United States of America,

To

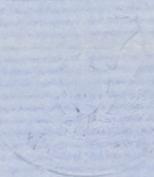
John Grigsby

GREETING:

You are hereby required, That all and singular business and excuses being set aside, you appear and attend before ^{Justice R. W. B. U.S. Commissioner of the Court of Claims} ~~the Circuit Court of the United States for the Districts~~ of California, ^{his Office} ~~to be held at the Court House~~ in the City of San Francisco, on the ^{9th} day of ^{October} A. D. 1857, at ¹⁰ o'clock, A. M., then and there to testify in the above stated cause now pending in said ~~Circuit~~ Court, on the part of the above named ^{of Claims} *United States*. And for a failure to attend you will be deemed guilty of a contempt of Court, and liable to pay all loss and damages sustained thereby to the party aggrieved.

Witness, The Hon. ROGER B. TANEY, CHIEF JUSTICE OF THE SUPREME COURT OF THE UNITED STATES OF AMERICA, this ^{30th} day of ^{September} in the year of our Lord one thousand eight hundred and fifty-^{Seven} and of our Independence the ^{eighty-second}.

Attest,



Geo. P. Johnston
Clerk,

By

Dep. Clerk.

Not finding the within named John
Grigsby. After diligent search in Napa
County. I return this subpoena without
service.

Napa Cal. M. October 8th 1854 J. L. Solomon
U.S. Marshal
by A. McComwell Depy

175 (Original)

Circuit Court of the United States

FOR THE

Districts of California.

NORTHERN DISTRICT.

M. A. N. de Rosnyson

vs.

The United States

SUBPENA.

for W. S. Winif

Filed this

day of

185.

Clerk.

Deputy.

175 ND

PAGE 83

I hereby specially depote Geo. W. Comwell
to serve the within writ.
San Francisco Oct 1st 1854. J. L. Solomon
W. S. Marshall

Maria Anastasia Heigueru de Benyesa
 Claimant for "Las Putas"

vs
 The United States

District Court for the
 Northern Dist. of California
 on Appeal from the
 Board of Land Commis-
 sioners -

175 ND
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10.	Deposition of John C. Wags
"	Deposition of Martin C. Cook
11.	Deposition of Aaron Van Horn
0 13.	Deposition of Jose S. Benyesa & Map annexed
"	Deposition of Juan de Castaneda
0 14	Deposition of Jose S. Benyesa
18-20.	Spanish Documents and Map Annexed
22.	Certificate of Surveyor General to Copies
23.	Copy of Grant
25.	Translation of Expediente and Grant
31.	Deed from Jose H. de Jesus Benyesa to Anastasia Heigueru -
33.	Translation of Above Deed -
35.	Deed from Leta Benyesa to Nicolasa Heigueru
37.	Translation of Deed on Page 35 -
39.	Exhibit 1. annexed to Deposition of Van Horn
49.	Field Notes of Survey -
55.	Surveyor's Path -
59.	Motion and Order for Initiatory Survey
61.	Communication from Surveyor General
63.	Opinion of the Board
66.	Decree of Confirmation Certificate of Secretary to Commission

U.S. Dist. Court
No 175
number

Manila A. Herrera
vs.

V. E. Howard

175 ND
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a	\$ 85
B	\$ 37.50
C	\$ 60
D	\$ 15
E	\$ 10.50
F	\$ 152
H	\$ 20
K	\$ 30
M	\$ 39
Total \$ 443.50	

Index of Transcripts

Manila A. Herrera
vs.

The United States
vs.

U.S. District Court
No 175
number

The United States
Appellants

United States

vs

Maria Antonia M...

of California

g...
M...

175 ND
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This cause came on to be heard at a stated term of this Court on appeal from the final decision of the Commission, to settle, ascertain and settle the private land claims in the State of California under the Act of Congress approved 3. March 1857 upon the testimony of the Recd. and upon the papers, evidence and proceedings on which such decision was formed, and counsel for both parties having appeared whereupon I considered, adjudged and decreed that the decision of the said Commission be affirmed, and it is hereby also ordered adjudged and decreed that the claim of appellants, being in mining to the land situated in Yolo County known as the "Las Pulis" bounded as follows, being a deep valley bounded by the range of hills which encircle it narrow containing eight & nine leagues a little more or less the foot of said hills, being the boundary being

The same land which was granted
 to Jori de Sepu Bumpoa and Jito
 Bumpoa by in 1843 reference for a
 further description to be had to the
~~not~~ grant and not a part
 of the expedite a trace a copy
 which is of use in this case

88

132

Mari Anastasia Hageni

Italy -

175 ND
PAGE 88

175

88

175

Ac S
of
M a Stegert
other

Maria Anastasia Higuera
 de Beneyera & Maria Nicolasa
 Higuera de Beneyera & others
 Appellants
 vs

Ritual Court
 U. S. for the
 Northern Dis-
 trict of California

The United States,

Appellees

In this case a petition was filed by
~~Legatta~~ Counsel in behalf of two mar-
 ried women and their hus-
 bands and a conveyance of the
~~land claimed~~ from the husbands
 to the two wives, respectively of the
 land claimed is incorporated
 with the documentary evidence.
 As the husbands have joined
 in the petition and there seems
 to be no controversy in the mat-
 ter, this Court without men-
 tioning to pass upon the
 legal effect of those conveyances
 will proceed to pass upon
 the general validity of the claim.
 The grant under which Appellants
 claim was issued by Governor
 Micheltoreno under date of 3.
 November 1843. The original
 grant is not before the Court
 the signature to it having
 been procured before the Com-
 missioners

Minors, and the original
 document returned into the
 Surveyor General's office as
 in a few instances, as this
 Court is informed ^{has been} and re-
 turned to the claimant. But
 in this case as in all others
 similarly situated it is
 admitted by the District
 Attorney of the U. S. that
 the original document
 having been removed before
 the Commission, a certi-
 fied copy of it filed in the
 transcript of the Record the
 production of the original
 before this Court is dispensed
 with unless the genuineness
 of the signature is contested
 by the production of new
 evidence ~~to~~ before this
 Tribunal. In this case, the
 testimony of Man de Castañeda
~~establishes~~ refers to the copy of
 the grant and sketches, the
 genuineness of the sig-
 nature of Governor Melchior
 Torres and of Luján
 the Secretary. Under

these circumstances, the Court
 considers the genuineness of the
 grant established. It grants
 the land known as "Las Pintas"
 bounded by the range of hills
 known by the name of Surua Cu-
 er Buli y Guinetta which encircle
 it. The usual conditions accompa-
 nying the Mexican Colonization
 grants are annexed to this grant,
 among them is one which declares
 "that the land of which dona-
 tion is made is eight square
 leagues (sitios de ganaderia mayor)
 a little more or less according
 to the explanation of the re-
 -comparing map." Their
 -dence establishes the fact, that
 a decree of 1836 one of the claim-
 -ants built a house on the
 land in which he has resided
 ever since, and that in 1843 ano-
 -ther house was built on the land
 and another of the parties moved
 into it and has resided there in
 to the present time. No appo-
 -mal of the Department assembly
 was obtained. This made the
 -now, deciding, the Court con-
 -sidering does not sit of invalidate

the claim. The failure to obtain
judicial possession is the only
remaining objection considered
by the Commissioners. This un-
der the circumstances, could
be no question but decide the
claim in view of the settled doc-
trine of this Court. But there
are peculiar circumstances, in
this case, which ^{independently of the grant,} served operate
to prevent such result. The
boundaries of the entire tract
are sufficiently given in the
grant itself to enable a surveyor
to locate the tract of land em-
braced if ~~they~~ ^{it} contain within
those limits, a quantity of land
not exceeding "eight square leagues
more or less." The grant gives
the name of the premises, and
describes them by the name of the
hill, which encircle them. The
report of the Secretary upon which
the grant was made described
the premises as a "deep valley
surrounded by hills"

I witness & swear, that the moun-
tain named in the grant are

and not to include the hills, or
of the mountains up to the
point of their highest elevations.
Thus, ~~we~~ constituted the grant
is a sufficient, ^{as to} the ~~part~~
quantity and location, &
judicial possession may
have been once dispensed
with mining as we have
repeatedly decided in party
of title; but being merely a
condition subsequent the
non performance of which
will not when a party has
substantially performed
the consideration, ^{of the grant} ~~involves~~
~~the grant~~, Quia cum re
non data we consider the
failure to obtain judicial
possession in this case can
not destroy the claim of
the appellee. The decision
of the Commission in favor of the
validity of this claim

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ranges of mountains the principal points, of which bear their names, that they, entirely enclose the valley in which the parties live, and he concludes by saying it would be impossible to describe the land by natural boundaries more accurately than it is described in the grant. By a resurvey which it appears, by the evidence has been made by a U. S. Surveyor the land exceeds greatly, the quantity of eight square leagues, but such survey was made as appears by the trees now growing in evidence by running the exterior lines along the range of mountains called in the grant along the highest line of their highest elevation.

~~If (to wit the language of the commissioners)~~ The true construction of this grant we conceive to be, that it was intended to grant only the valley above enclosed by the mountains at their base

thus