

CASE NO.

211

NORTHERN DISTRICT

LAGUNA SECA GRANT

LIBERATA CESENA BULL, ET AL.

CLAIMANT

LAND CASE 211 ND. 153 PAGES

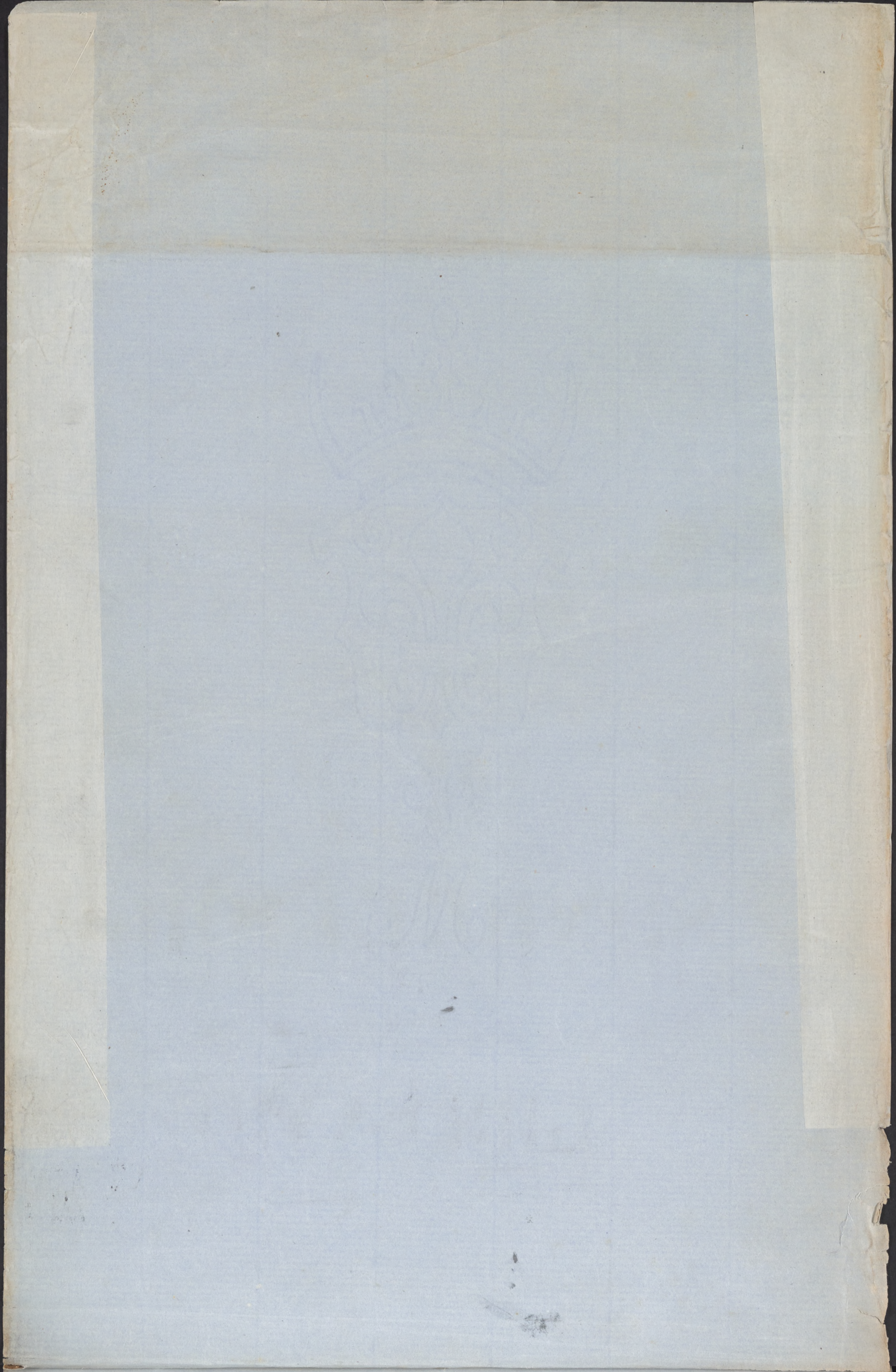
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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 244

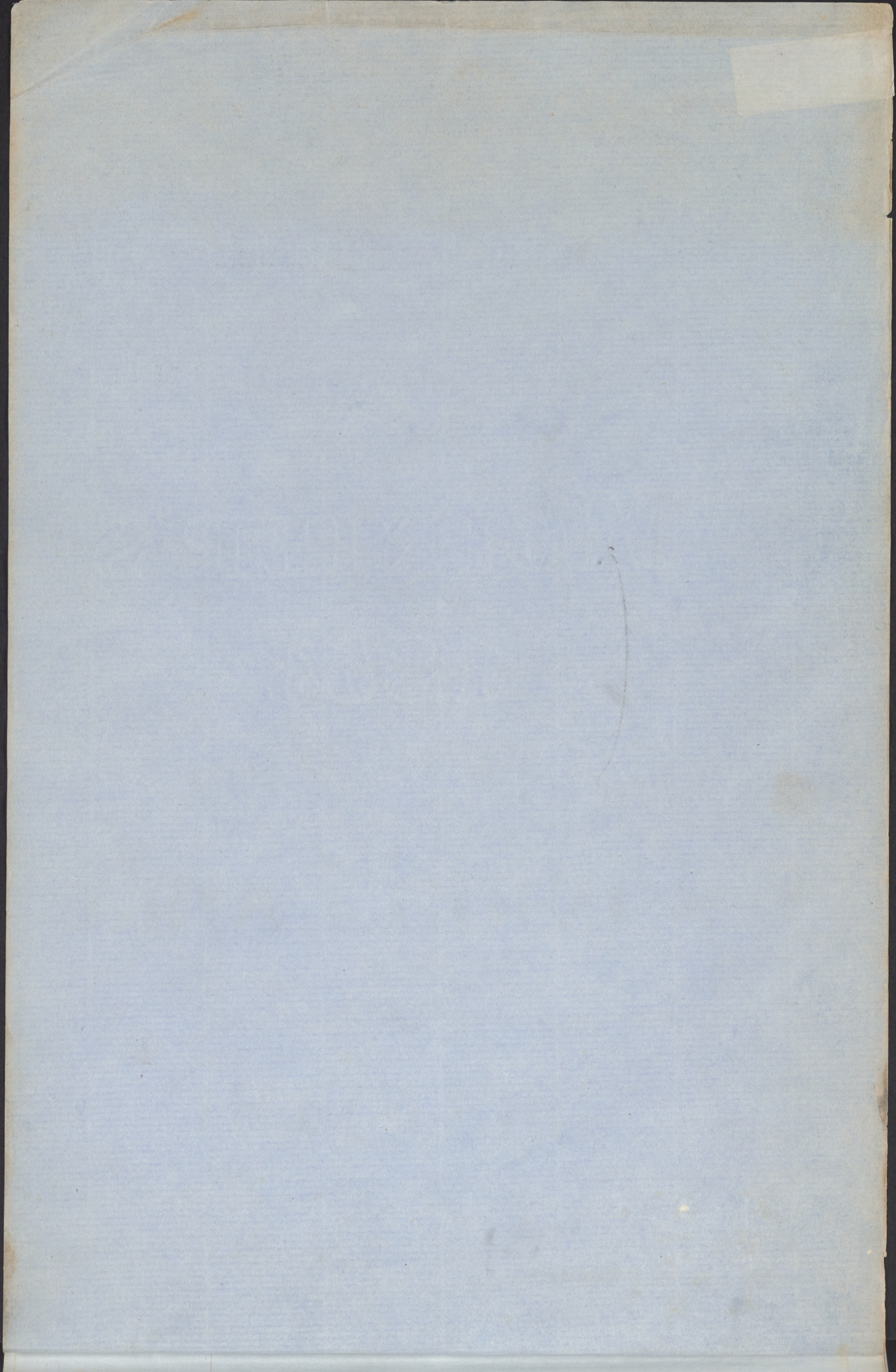
Liberata Cesena Bull et al CLAIMANT S.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Laguna Seca."



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this

Anno Domini One Thousand Eight Hundred and Fifty- , 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 *Liberata Lesiña Bull, et al.* (Heirs of William Fisher) for the Place named "*Laguna Seca*", was presented, and ordered to be filed and docketed with No. 244 and is as follows, to wit;

(Vide page of this Transcript.)

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

San Francisco, May 24' 1852.
In Case no. 244. Heirs of William Fisher, the deposition of R. H. Dimmick, a witness in behalf of the Claimants, taken before Commissioner Harry J. Thornton, was filed;

(Vide page 4 of this Transcript.)

San Francisco April 9' 1853.
In the same case the deposition of Antonio Maria Pico, a witness in behalf of the Claimants, taken before Commissioner Melana Hall, with documents marked H. H. nos. 1 & 2, and translations thereof annexed thereto, was filed;

(Vide page 5 of this Transcript.)

San Francisco, November 11' 1853.
In the same case the deposition of Antonio Maria Pico, a witness in behalf of the Claimants, taken

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before Commissioner Alphons Felch, was filed;
(Vide page 9 of this Transcript.)

San Francisco, December 19 1853.

In the same case the deposition of Jose Noriega,
a witness in behalf of the claimants, taken before
Commissioner R. Aug. Thompson, was filed;
(Vide page 11 of this Transcript.)

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San Francisco April 10 1854.

In the same case the deposition of J. J. Warner,
a witness in behalf of the claimants, taken before
Commissioner Peter Lott, was filed;

(Vide page 12 of this Transcript.)

In the same case the Counsel for the claimants
filed the following Affidavit and Stipulation, to wit,
(Vide page 131 of this Transcript.)

San Francisco April 11 1854.

Case no. 244 was called, submitted on briefs and
taken under advisement by the Board,

San Francisco Sept. 26 1854.

In the same case Commissioner Alphons Felch
delivered the opinion of the Board confirming
the claim;

(Vide page 133 of this Transcript.)

and the following order was made, to wit,

(Vide page 137 of this Transcript.)

To the Honorable the U.S. Board of Commissioners for the adjudication of private land claims in California -

The petition of Dona Leonora Casiano Bull, Dona Maria Murphy, Legitimada, Maria Guillermo Fisho, Tomas Fisho, Eulogio Fisho & Jacinto Fisho heirs of William Fisho ared respectfully sheweth.

Petition

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That they are the present claimants of a tract of land in the County of Santa Clara, State of California containing four leagues of land known by the name of the Rancho del Refugio de la Laguna Seca.

That on the 22^d day of July 1831 Senor Jose Figueroa the then Governor of California who acted under the laws and Customs then in force relative to the Granting of lands in the name of the Mexican Nation granted said land to Senor Don Juan Alvarez with the due approval of the Intendant Deputacion, and said Grants was afterwards duly invested with the juridical possession thereof all of which appears by reference to said grant and the certified proceedings of ~~several~~ possession filed herewith and marked Exhibit B.

That in the year 1845 in consequence of the insolvency of said Juan Alvarez said Rancho was sold in liquidation of his debts and Don Jose Antonio Aguirre became the purchaser thereof to whom the legal transfer was made as appears by the insolvency proceedings an Exemplification whereof is herewith filed marked Exhibit C.

That on the 24th day of November 1845 the said Jose Antonio Aguirre sold conveyed and transferred said land to said William Fisho by deed of that date who was seized & possessed of the same at the time of his death in April 1851 as appears by the said deed hereto annexed marked Exhibit C.

That said William Fisho caused said land to be surveyed in the year 1855 by C. S. Lyman the then Official Surveyor of the Middle Department of California, a certificate of which Survey together with the copy of the Map thereof is filed herewith marked D.

That there is no conflicting claim

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to said land made known to your petitioners
and they refer to the documentary Evidence before
said the same as copies of which and translations
are filed herewith marked Exhibits A, B, C, D, E, F, G,
H and the testimony of witnesses to be produced
and claimed before this Hon Board.

All of which is respectfully submitted
for such action as the nature and justice of the
case may require.

San Francisco May 24th 1852.

W P Belknap
Counsel for Petitioners.

Filed in Office May 24th 1852.

W signed
Geo Fisher Secy.

Office of the Board of Land
Commissioners for California
San Francisco May 24. 1852.

At this day before me Henry J Thornton one of the
Commissioners for ascertaining and settling private
land claims in California. came K H Hammoek a
Witness produced in behalf of the claimants the heirs
of William Fisher deceased whose petition is No 2444
on the docket of said Commission and being duly
sworn testified as follows

The Law Agent of the United States was
duly notified and attended.

Questions by Claimant.

Question 1st.

What is your name age and
place of residence?

Answer.

My name is Kimball H Hammoek
my age is 39 & my residence is California.

Question 2^d.

Please state what Offices you
have held in California?

Answer.

I was an Alcalde of the Dis-
trict of San Jose in the year of 1848 & 1849 & have held

Deposition
of
K. H. Hammoek

the Office of Judge of the Superior Tribunal
in the Law of 1824 in California.

August 3

You will look upon the
document purporting to be a transcript of proceedings
held in Courts in California and of record in the Office
of the first Alcalde of San Jose to which your certifi-
cate is attached which is herewith filed as an Exhibit
to this disposition marked A, and say whether you
have compared the said document with the original
on file and whether you were or not, as Alcalde as above
stated the Custodian of said record, and whether or
not the said record document is a full and true copy
of the said original as your certificate purports, and
was said certificate appended to said Exhibit A
made and signed by you as it purports!

Answer.

I have looked upon the
Exhibit marked A & filed herewith, and upon the certifi-
cate attached thereto. I am as Alcalde the Custodian
of the original of which this document is a true copy
which original was of the record of said Office. The
Exhibit is a true copy thereof as stated in the certificate
attached which was made by me as it purports and
bears my genuine signature.

H. H. R. Dimmock
The Law Agent of the United States present,
& declining to cross examine the witness.

Sworn to and Subscribed before me
this 24th of May 1852.

Henry J. Thornton Comr Geo.

Filed in Office May 24. 1852.

Per signed!

Geo. Foster Secy.

San Francisco April 9. 1853

At this day before Comr Hedrick Hull Comr
Antonio M. Pico, a Witness on the part of the Claimant's
Heirs of William Foster petition No 244, and was
duly sworn his evidence being interpreted by the
Secretary. —
The U. S. Associate Law Agent was present.

Deposition
of
Antonio M.
Pico

In answer to Enquiries by Counsel for the
claimant the witness testified as follows:

My name is Antonio M. Pico, my
age forty three years and I reside at San Jose.
I am acquainted with the hand writing
and signatures of Jose Figueroa Augustin Zambrano
Juan Alving, Jose Ma. Albino, Jose J. Fernandez
Luis Chabayo, Guillermino Castro & Tomas Pacheco.

A paper is now shown me purporting
to be an original grant to Juan Alving dated 22
July 1834 to which is annexed a testimonial of the
giving of Judicial possession December 6, 1834.

I believe the signatures of the said
several persons wherein they appear on said paper
to be genuine. Said paper is hereto attached and
marked A. A. No. 1.

I know the grantee Alving & that
he occupied the land described in the grant under some
authority from the Town of San Jose previous to the
grant made by the Governor in 1834 & continued to
occupy it until 1844 or 1845, when it was sold. He
had a house in which he lived with his family had
gardens and cultivated the ground & raised cattle
& horses. The land in the County of Santa Clara is
about three leagues in a southerly direction from
San Jose. It is known by the name of Laguna
Seca.

The land was sold by order of the Court to
Jose Antonio Aguero.

A paper is now shown me
being El libro A annexed to the deposition of N. H.
Quinnock heretofore taken in this case purporting to be
a copy of proceedings before me as Alcalde, I was Al-
calde in the years 1841 & 1845, I have examined said
paper which I believe to be a correct copy from the
original in the public Archives at San Jose.

The proceedings stated in said
paper took place before me as Alcalde as therein
set forth. Some of the proceedings which took place
before other Officers I believe to be in said paper cor-
rectly stated. The whole proceedings for the sale of
said land I believe to have been in conformity to the
laws & usages then in force in California. I was re-
quired by the Judge of the First Instance at Monterey

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to sell the land as Alcalde and I made the oath
By virtue of the sale the ownership or fe passed
to Aguirre the purchaser.

A paper is also shown my pre-
sented to be an instrument of conveyance from
myself as Alcalde to Jose Antonio Aguirre dated
24th of Nov. 1815, with another conveyance from
Jose Antonio Aguirre to William Fisher dated 24th of
November 1815.

The first named instruments were
created by me as Alcalde at the time it bears date
and the names of the witnesses were placed there by
them at the same time.

I am acquainted with the
hand writing & signatures of Roberts & Reddy. Wm A
Luidsdorff, Jose Antonio Aguirre & Miguel de
Pedronera and believe their signatures appearing to
the said several named conveyances to be genuine
said paper is here to be numbered & marked H. No 2.

From the year 1815 until his decease
the land was occupied by Wm Fisher & since his
decease by his family - and still being there.

Questions by the Associate Law Agent.

Has any claim been made against the title of
Fisher by others.

Answer. I have heard that Mariano G Vallejo
was making a claim to the land. I heard him say
that the proceedings of the sale were not legal & he should
claim the land for Alvarez's Son.

I know of no judicial proceedings
in regard to the land.

Antonio Ma Pico
Sworn & Subscribed

Before me
Holland Hall
Comroe 3

Filed in Office April 9. 1858.

(Signed)
Geo Fisher Secy.

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Office of the Board of Commissioners &c.

This day before Comr R Aug Thompson, came H C Melone a witness in behalf of Claimant Anty. Liberatora Cesna Ball Etal heirs &c No 2111, who after being duly sworn deposed as follows.

Present W D Belknap atty for Claimant and R Greenhow Esqr Capt Law Agent.

In answer to question.

Witness states that his name is H C Melone, age forty six, and resided San Jose where he has resided since September 1849, and has held the office of Clerk of the Court of Probate for the County of Santa Clara from the organization of the State Government up to the 1st of the present month of October.

Witness further states that he knew the late William Fisher well. He died at his residence the "Laguna Seca" in the County of Santa Clara about the 1st of April 1851. He died intestate and letters of administration were issued from said Court on his Estate in May or June following his death. He left a widow Levicata Cesna who has since married George H Ball and five children. Maria since married to Daniel Murphy, William Thomas and Cassian and another daughter whose name I do not recollect. He also had another son born after his death, name not recollect.

Question by Claimants atty.

Do you know the hand writing of C S Lyman of So look on the document shown you marked Exhibit 4, as filed in this case and state in whose hand writing is the said document and the signatures thereto.

Answer

I have often seen C. S. Lyman write and know his handwriting. The said document and the signature thereto are in his handwriting.

H. C. Melone.

Sworn to and subscribed before me this 15th day of October 1853.

R. Aug Thompson Comr.

Deposition of H C Melone.

Filed in office Oct 15, 1853. W D Belknap Secy.

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Office of the Board of Commissioners etc.

This day before Commr Alphus Peck came Antonio Maria Pico a witness in behalf of claimants Libnata, Casana Bull & al. He is No 2114, who after being duly sworn depose as follows -

Deposition of Anto M. Pico

The witness spoke in the Spanish Language and his evidence was interpreted by the Secretary.

Questions by Mr. Ryland Attorney for Claimant.

1 Question.

What are your name age and place of residence?

Answer

My name is Antonio Maria Pico. My age is forty three years and I reside in San Jose, Santa Clara County California.

2 Question.

Please to state fully what you know of the occupation & cultivation of the Rancho Laguna Seca by Inan Alvarez.

Answer.

Said Alvarez has occupied it ever since he received a grant of the land with houses corrals garden & he also cultivated the ground. I know that Alvarez built a house on the place before he obtained the grant and he lived in it with his family from that time until his death. Alvarez also built another house on the place after the grant was made. This last was an adobe house which was there in 1811.

He had four houses in all on the place all of which were occupied by himself and family and servants.

3 Question

Who lived on the place and in these houses after Alvarez?

Answer.

Since the death of Alvarez William Fishel lived there with his family. He is dead and since his death his family had continued

to live there up to the present time

4. Question.

Look at the document now presented to you marked No 36. vol. and answer to your deposition taken April 9, 1853 and filed in this case and state in what capacity Jose Maria Albisa acted at the time mentioned in said document.

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Answer.

I have examined the document, Albisa acted at that time as Alcalde of the town of San Jose in giving judicial possession and Jose J. Fernandez acted as his Secretary.

5 Question -

State the names of the Ranchos adjoining the Rancho Laguna Seca.

Answer.

On the North side is the Rancho of Santa Teresa, belonging to the Bernal's On the North west the Rancho of Cupitanillos belonging to the Bonifas, on the South the Rancho of Cuacela de las Uvas, belonging to the Murphy's Also the Rancho of Arroyo de las Lagas, also belonging to the Murphy's and on the East, the Rancho of Las Animas belonging to Charles Mber.

6 Question

Look on the map now presented to you being part of a traced copy of an Expediente heretofore filed in this case, on the 10th day of November 1853 and also on the map here shown to you purporting to be a map of the Rancho Laguna Seca and marked Exhibit No 1 with the initials N.S. and answer to this deposition and state whether or not they present a fair representation of said Rancho.

Answer.

I have examined them they both represent accurately the land.

7. Question

Do you know whether the Rancho was ever called by another name than "Laguna Seca".

Answer. I have always known it

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by that name and no other since my recollection
They gave the name of Refugio to it afterwards.
5th Question.

What quantity of land is there
in the Rancho Laguna Seca or Refugio?

Answer.

Four leagues of which
possession was given according to the title.

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Antonio Maⁿ Pico
Sworn and Subscribed
Before me this 11th day of
November AD 1853.

Alphus Felch
Commissioner

Filed in Office Nov. 11, 1853.

By me Geo. Fisher Secy

Office of the Board of U.S.
Land Commissioners &c.

San Francisco Decr 14, 1853.

This day before Comr. R. Aug. Thompson
came Jose Noriega a witness in behalf of the
Claimants Librator Casina Ball et al. Heirs of
William Fisher petition No 244 and after being
duly sworn he gave evidence being given in Spanish
and interpreted by the Secretary as follows.

Deposition
of
Jose Noriega

Present H. G. Wallace atty for Claimant and
R. Brewster Esq. Associate Law Agent.

In answer to question Witness states his name is
Jose Noriega, his age fifty three and his residence
San Jose Santa Clara Co. Cal^a.

Question by Claimants atty.

Are you acquainted with the Rancho called Laguna
Seca Claimant in this case, if so state what you
know of its occupation and cultivation by Juan
Aloniz the original grantee?

Answer.

I know said Rancho I have known it
since the year 1834, in the month of Decr or Nov

B

of that year I staid there all night, Juan Al-
varez was then living there with his family and
continued to live there until it was sold when
William Fisher became the purchaser, I was there
frequently during the lifetime of Alvarez, he had in
it two houses, corrals, fences, horses and cattle
he had an orchard of fruit trees and cultivated
a portion of the land. In 1834 when I was just
there Alvarez lived with his family in one of the
houses and the other was inhabited by his children
after Alvarez left. William Fisher went into the
possession and lived on it until his death, and his
family still live there.

Jose Piriega.

Sworn to and Subscribed
before me this 17th Decr 1853.

R. Aug Thompson Comd.

Filed in Office Decr 14, 1853.

(signed) Geo Fisher Secy.

United States of America
State of California

This day personally came
before Peter Lott a Commissioner for taking
testimony &c to be used before the Board of U.S.
Land Commissioners in said State, I D Warner
a Witness in behalf of Claimants in Case No 244 on
the docket wherein Liberata Bull et al are delinquent
debtors, said Witness being duly sworn deposed
as follows.

The U.S Land agent is present.

Questions by Claimants Counsel Mr
Belknap.

1. What is your name age & residence?
Ans. My name is D D Warner Impresario
San Diego California age 111.
2. Look at the document filed in this case
& marked Doe vs. He. No 2. annexed to Dep of A
M Pico taken before Comr Heiland Heald and
state if you ever acquainted with Robert F Ridley

Deposition
of D D Warner.

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Wilhelm A Leidsdorff & Miguel de
Pedrona whose names appear on said doc-
ument and if they are still living! If not how
long have they been dead.

Ans.

I was well acquainted with all three
of said parties Robert T Realy, Jm A Leids-
dorff and Miguel de Pedrona whose names
I recognize as signed to said document.

Realy lived and died at the
Mission Dolores. Leidsdorff lived and
died in San Francisco. Pedrona lived &
died at San Diego.

They have all been dead two
years or more.

Cross Question by Mr McKim Law
Agent

1. How do you know these persons are dead?

Ans. I saw Don Miguel de Pedrona
die & I know the others to be dead because
I have not seen them for a number of years
in their accustomed places nor in the land
and I am assured of the fact to my full &
certain satisfaction by universal report.

J J Warner.

Subscribed and sworn to
before me April 11. 1851.

John Lott Commissioner
for taking testimony &c

Filed in Office April 11. 1851.

(Signed) Geo Fisher Secy.

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Jurgado Constitucional del
Pueblo de Alvarado. ~ ~ ~

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Expediente instruido para medir y clar
posicion de cuatro sitios de Ganado Mayor
pertenecientes al Rancho de Nuestra Señora del
Refugio (a) Laguna Sea de la propiedad de
del C. Juan Alvarez

H. B. N^o 1.
annexed to the
deposition of
A. M. Pico
taken before
Cm^r Giland
Hall

Año de 1836.

Sello Primero (Seal) seis pesos.

Para los años de mil ochocientos treinta y dos y mil ochocientos treinta y tres.

José Figueroa General de Brigada de la Repùblica Mexicana, Comandante General Inspector y Jefe Político de la Alta California.

(Seal) Por cuanto D. Juan Alvarez Mexicano por nacimiento ha pretendido para su beneficio personal y el de su familia, el terreno conocido con el nombre de la Laguna Seca colindante con los ranchos de Sta Teresa y San Francisco de las Llagas y Sierras laterales: practicadas previamente las diligencias y averiguaciones correspondientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas y de conformidad con el acuerdo de la Junta Diputacion Territorial del dia diez y ocho del corriente aprobando la concesion del citado terreno de la Laguna Seca y ademas el que tiene cultivado en el parage de Santa Teresa hecha en doce de Junio proximo pasado al referido Don Juan Alvarez; a nombre de la Nacion Mexicana he venido en conferirle el terreno mencionado declarandole la propiedad de el por las presentes letras sujeto a pagar el canon que se le imponga si resultare pertenecer a los ejidos del Pueblo de San José Guadalupe, cuando se arreglen sus limites y a las condiciones siguientes.

1^a Que se someterá a las q. establecidas el reglamento q. se ha de formar para la distribucion de terrenos baldios y que entretanto ni el agraciado ni sus herederos podrán dividir ni enajenar el q. se le adjudica imponer censo, vinculo, fianza hipoteca ni otro gravamen aunque sea por causa piadosa ni pasarlo a manos muertas.

2^a Podrá cercarlo sin perjudicar las transiòs Caminos y servidumbres: lo disfrutará libre y esclusivamente destinandolo lo al uso ò cultivo que mas le convenga: pero dentro de un año a lo mas fabricará casa y estará habitada.

3^a Solicitara del Juez donde luego respectivo le dè la posesion Juridica en virtud de este despacho por el cual se demarcan los linderos en sus limites: pondrá a mas de las requeridas algunos arboles frutales ò silvestres de alguna utilidad

3. 17

4.º El terreno de que se hace mención es de cuatro sitios de ganado mayor pero mas o menos segun explica el diseño que corre en el expediente. El Yuezq. tiene la posesion lo hara medir conforme a' ordenanza para secular los linderos: quedando el sobrante q. resulte a' la Nacion para los usos convenientes.

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5. Si contraviniere a' estas condiciones perdera su derecho al terreno y sera renunciabile por otro. En consecuencia mandado que teniendose por firme y valedero este presente titulo se tome razon de el en el libro a q. corresponda y se le entregue al interesado para su resguardo y demas fines. Dado en la Ciudad de Monterrey a veinte y dos de Julio de mil ochocientos treinta y cuatro. José Figueroa.

Agustin N. Zamorano. Seco.
Queda tomada razon en el libro de asuntos sobre adjudicacion de terrenos a fojas treinta y nueve numero treinta y siete q. obra en la Secretaria de mi cargo. En Monterrey a veinte y tres de Julio de mil ochocientos treinta y cuatro. Zamorano.

Sello tercero Dos Reales.

Habilitado provisionalmente por la administracion de la Aduana del puerto de Monterrey de la Alta California para los años de mil ochocientos treinta y seis y mil ochocientos treinta y siete.

Gutierrez. Angel Ramirez

Señor Alcalde unico Constitucional.

El C. Juan Alvarez vecino de esta frontera ante V. S. como mas haya lugar en derecho y salvar las presentas necesarias: digo que teniendo el titulo correspondiente a cuatro sitios de ganado mayor que se me han concedido por el Supremo Gobierno territorial y deseando estar en posesion de mis bienes para que no se me perjudique, ni perjudicar yo a ninguno pido a V. S. se sirva darme posesion juridica del terreno conocido con el nombre de la laguna seca que consta de cuatro sitios de ganado mayor segun consta por el titulo que respectivamente acompaño por tanto. A. V. suplico proveyer como pido por ser en terminos de justicia que imploro y juro con lo necesario. L.º

Juan Alvarez.

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En el Pueblo de San José Guadalupe A de Alvarado a veinte y ocho de Noviembre de mil ochocientos treinta y seis, ante el C. Alcalde Constitucional, con citación de los de su asistencia se leyó esta petición y documentos que le acompañan y todo visto y oído los hubo por presentado y mandado se haga información de identidad visto de ojos y reconocimiento de dichas tierras a que esta presto dicho Alcalde a asistir personalmente y por este auto así lo proveyo, mandado, y firmó.

José María Albarrán Atto. José F. Fernandez.

En el expresado Pueblo a los veinte y nueve días del presente mes y año, yo el referido Alcalde
Jello tercero de reales.

Habilitado provisionalmente por la aduana Marítima del Puerto de Monterrey de la Alta California para los años de mil ochocientos treinta y tres y mil ochocientos treinta y siete.

Monterrey Angel Ramirez.

Con las de mi asistencia para proceder a la información de identidad hice parecer ante mi referido C. Sebastian Peralta en su persona que conozco casado y de oficio labrador el cual se le recibió juramento según forma ordinaria bajo del cual ofreció decir verdad en lo que se le interrogara y diciendo lo por su nombre el conocimiento que tiene de las tierras y parajes, términos y linderos pertenecientes al rancho de la Laguna Seca: dijo que hace más de diez años es vecino de esta jurisdicción y sabe que las tierras pertenecientes a dicho rancho son del C. Juan Alvirez y tiene por linderos las tierras de E. y O. una Laguna hacia al N. O. y una loma titulada la Loma Alta hacia al S. los cuales ha visto y reconocido varias veces, y que desde que las posee dicho Alvirez las ha labrado y cultivado pastando en ellas sus ganados y que para prueba y conocimiento de lo que tiene dicho está punto a ir a dichas tierras con el presente Alcalde y señalar los parajes, terrenos y linderos cuando llegaren: que esto que llevo dicho es la verdad por por el juramento que hecho tiene en que se afirmó y ratificó que le fue esta declaración ofreciendo ser de edad de cuarenta y seis años que las generales no le tocan y no firmó por no saber, certificó el Alcalde con las de mi asistencia.

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José María Albisu. asst. José F. Fernandez.
Inmediatamente en el mencionado Alcalde hizo comparecer en este Juzgado el C. Ignacio Albisu en su persona que conosco, Casado de oficio labrador, al cual se le recibió juramento segun costumbre bajo el cual prometio decir verdad en lo que se le interrogare y siendolo por el conocimiento que tenga de las tierras y parages, linderos y terminos pertenecientes al Rancho de la Laguna Seca dijo: que hace mas de doce años es vecino de esta jurisdiccion y sabe que las tierras pertenecientes al expresado rancho han

Sello Cuarto (seal) una Cuartilla

Para los años de mil ochocientos treinta y nul ocho - cientos treinta y siete. = " sido poseidas por el Cuid. Juan Albisu y tiene por linderos la Loma Alta, Sierras de E. y O. y una Laguna las cuales ha visto y reconocido varias veces: y que desde que las posee dicho Alvarez las ha labrado y pastado en ellas sus ganados y que para probar y conocimiento de lo que tiene dicho esta pronto a ir a dichas tierras con el presente Alcalde y señalarle los parages, terminos y linderos donde llegan y que esto que lleva dicho es la verdad por el juramento que hecho tiene en que se afirmó y ratificó leida que le fue esta declaracion dijo ser de edad de treinta y tres años que las generales no le tocan y no firmo por no saber verificarlo el Alcalde con los de su asistencia. = Bernal: tanjido, no vale. =

José María Albisu. asst. José F. Fernandez.
En dicho Pueblo a veinte y nueve del expresado mes y año, comparecio en este Juzgado el C. Luis Chaboya en su persona que conosco, Casado de oficio labrador al que se le recibió juramento segun costumbre por el que ofrecio decir verdad en lo que se le interrogare, y habiendolo sido por el conocimiento que tenga de las tierras y parages, terminos y linderos pertenecientes al rancho de la Laguna Seca, dijo: que hace mas de diez años es vecino de esta jurisdiccion y sabe que las tierras pertenecientes al referido rancho han sido poseidas por el C. Juan Alvarez y tiene por linderos la Sierra de E. a O. y una Laguna hacia el N. O. y la Loma Alta hacia el S. las cuales ha visto y reconocido varias veces, y que desde que las posee dicho Alvarez las ha labrado y pastado

parando en ellas sus ganados y que para prueba y
convenimiento de lo que tiene dicho esto pronto o ir
a dichas tierras con el presente Alcalde y señalarle
los parajes, terrenos y linderos donde llegan: que
esto que lleva dicho es la verdad por el juramento q.
hizo en que se afirmó y ratificó leida que le fue
esta declaración oyendo ser de edad de cincuenta
años que las grades de la ley no le tocan y lo firmó con
el Alcalde y con las de su asistencia.

Así M^o Abisa. Luis Chaboya. as^o José F. Fernandez.
Sello tercero Dos reales.

Habilitado provisionalmente por la dot. administración de
la Aduanas Maritima del puerto de Monterey
de la Alta California para los años de mil ocho
cientos treinta y tres seis y mil ochocientos treinta
y siete. Gutierrez. Angel Ramirez.

Inmediatamente se notificaron a los testigos de
identidad que para el día dos del proximo Dic-
-embre deben ir con el presente Alcalde y los de
su asistencia a señalar los linderos que han manifi-
-estado en sus disposiciones del rancho nombrado
la Laguna Seca y en su consecuencia eligieron lo
ocho y que se clas por citados: esta respudieron
y solo firmó el C. Luis Chaboya no verificando lo por
Peralta y Abisa por no saber. Oyo fe. opa.

José Maria Abisa. Luis Chaboya. José F. Fernandez.
Estando en el campo, en el paraje nombrado
la Laguna Seca terminas del pueblo de Atarascos
en dos de Diciembre de mil ochocientos treinta y seis.
Yo el Alcalde Constitucional con las de mi asistencia
los testigos por mi examinados, presente el C. Juan
Alvarez y los C. Agustín Bernal y Juan Fernandez
sus circunvecinos procedi a ver y reconocer las
tierras de dicho rancho y para su mayor claridad
puestos a caballo en compañía de todas las partes
y testigos referidos marché a los sus dichos me ten-
-alasen los parajes, terminos y linderos de ellos
segun las señales que han declarado en sus dispo-
-siciones y en su conformidad quinaron a la parte
del N. O. hasta una laguna inmediata a un Port-
-eyuelo y desde allí se procedi hacia al E. camin-
-ando por los linderos del rancho de Santa Fevesa
hasta llegar a la cumbre de la Sierra que corre al
N. a E. y ser terminos y linderos de las expresados

tierras y desde el expresado parage se continuo, la vista de ojos y caminando hacia al Sur hacer llegar a un replar que manifiesto el C. Alvarez compruense con esa longitud por no perjudicar al C. Juan Maria Hernandez que tiene solvenada su costa en estas mismas coluiciones y de este parage se continuo la referida vista de ojos hacia al O. hasta llegar a la cumbre de la otra Sierra y ser el ultimo lindero del expresado rancho de La Laguna Seca: cuyos parages, y el Alcalde Constitucional ni y reconoci con las de asistencia, testigos expresados, y papeles presentados y cotizados dichos reconocimientos con ellos halli ser cierta la identificacion de las mencionadas tierras segun y como lo declararon dichos testigos: y para que conste firmaron los que supieron con el Alcalde repetido y los testigos de asistencia oloy fe.

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Sello tercero dos reales.
Habilitarlo provisionalmente por la administracion de la Aduana Maritima del puerto de Monterrey para los años de mil ochocientos treinta y seis y mil ochocientos treinta y siete.

Gutierrez Angel Ramirez.
Jose Maria Albu. Guillermo Castro.
Luis Chaboya. asist. Jose F. Fernandez.
En el referido Pueblo a los tres dias del mismo mes y año se nombraron por mediadores a los CC. Tomas Pacheco y Joaquin Moraya por inteligentes en materia de mediadores y que haciendoles saber, pasescan a este Sugguato, aceptos y juven y fecho esta pronto el Alcalde Constitucional a señalar dia para dichas mediaciones y por este auto asi lo proveyo, mandó y firmo oloy fe.

Jose Maria Albu. asist. Jose F. Fernandez.
Habiendolo hecho saber a los mediadores nombrados y a los CC. Juan Alvarez, Buenos el rancho Chulugo Laguna Seca y a los Colindantes Agustín Bernal, Carlos Castro, y Juan Maria Hernandez el auto ante cedente, aceptaron los primeros y convenieron las segundas: estas dijeron por receptoria y firmaron las que supieron. oloy fe.
Jose M. Albu. Tomas Pacheco.
Guillermo Castro. Juan Albu.
asist. Jose F. Fernandez.
Y inmediatamente comparecieron en este

Sugando las cc. Tomas Pacheco y Joaquin Moraga en sus personas que comparecieron, vecinos de esta jurisdicción y juraron a Dios y a la Señal de la Santa Cruz que usaron bien y fielmente el encargo de medidores sin fraude ni engaños ni contra de ninguna de las partes y firmó Tomas Pacheco no verificando lo obrado por no saber. Oloy fe.

José Maria Albisu. Tomas Pacheco.

asista José F. Fernandez.

En seguida y visto el juramento y a cepción hecho por los medidores nombrados Tomas Pacheco y Joaquin Moraga, eligió el repetido Alcalde Constitucional don Juan de los Rios para las medidas del terreno mencionado, haciéndose saber a todos los interesados y medidores y que por este auto así lo provego, mandó y firmó.

José Maria Albisu. asista José F. Fernandez.

En cuatro del mismo mes y año se hizo saber el auto antecedente al c. Juan Albisu Albirez dueño del rancho referido y a los medidores Tomas Pacheco y Joaquin Moraga: y entendidos respondieron lo oyen y que se oían por ciertos, firmando Albisu y Pacheco con el repetido Alcalde y los de su asistencia; Oloy fe.

José Maria Albisu. Tomas Pacheco.

Juan Albirez asistencia. José F. Fernandez.

En el mismo día se libraron boletas de comparendo a los colindantes Agustín Gervasio, Carlos Castro y Juan Maria Fernandez para que comparecieran en el día seis del corriente en el mencionado rancho de la laguna Seca: y por este auto así lo provego mandó y firmó.

José Maria Albisu. Guillermo Castro.

asista José F. Fernandez.

En el Rancho de la laguna Seca a seis de Diciembre de mil ochocientos treinta y seis presente el c. Juan Albisu y circunvecinos a dichas tierras se hizo comparecer ante el Alcalde Constitucional y los de su asistencia a las cc. Tomas Pacheco y Joaquin Moraga medidores nombrados a los cuales se les mandó encerrar un cordel de hilo y medir cuarenta varas con vara de medir de cuatro palmos castellanos y con efecto los suso dichos en presencia de todos hicieron un cordel de

encarecado y bien tirado con vara Mexicana sellada en toda forma hasta el numero de cincuenta varas la cual medida se hizo fiel y legalmente a vista, presencia y paciencia del interesado y cirujanos y para que conste firmanon los que supieron con el presente Alcalde y los de su asistencia

José Maria Albizu. Guillermo Castro.
Jomas Pacheco. Juan Alvarez. asst. José Y. Hernandez.

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Estimado en el campo y tierras pertenecientes al rancho de la Laguna Seca del C. Juan Alvarez hoy seis de Diciembre de mil ochocientos treinta y seis el Alcalde Constitucional del Pueblo Libre de Alvarado, actuando por receptoria con dos testigos de asistencia a falta de Escribano publico presentes los cc. Jomas Pacheco y Joaquin Moraga, medidores nombrados y los coludantes Agustín Orenal a nombre de su padre Joaquin, Guillermo Castro a nombre del suyo Carlos y Juan Maria Hernandez mandado dicho Alcalde a los medidores procederan a la medida de cuatro sitios de Ganado mayor que tocan y perteneciente al rancho de la Laguna Seca, segun el titulo presentado en cuyo: Ocho de cinco habiendo vuelta a medir y reconocer el corral observaron principio a dicha medida desde los linderos del rancho de Santa Teresa que miran hacia el S. desde donde se fué caminando hacia dicho veinte hasta llegar a un roblar que llaman el picachero del ojo de la noche o de las flejas, hasta donde se conformo el C. Juan Alvarez por no perjudicar al C. Juan Maria Hernandez que en aquellas inmediaciones tiene colada su casa, pudiendo que lo que le falta de longitud se le conceda de latitud por donde no perjudique a ninguno de los que tienen establecidas rancheria en sus inmediaciones: y habiendose le concedido se vio que habia medidas mis quinientos corrales de a cincuenta varas por lo cual en uso de aquellos roles hizo el interesado tres señales o tajos de hacha para señal de qui alli colocaria una notonera y en vista de la pequena latitud que en aquel parage se encuentra se retrocedio hasta un arroyo que hace de la tierra del E. desde cuyo pie se principio la medida en linea recta caminando al hacia el O. atravesandose el

el arroyo del Coyote y Camino que se salvaron de las medidas conforme a la ordenanza de la Intendencia hasta llegar al pie de la Sierra azul y se midieron setenta y ocho cordales de a cincuenta varas, por lo que no habiendo alcanzado la area plana a completarse los cuatro sitios de Ganado mayor se le concedio las dos Sierras de S y O. aguas vertientes a la Area Plana del rancho mencionado y conformandose el C. Juan Alvarez en este terreno, aranco yerbas y ramos que arroyo hacia los cuatro sitios en señal de su legal y legitima posesion en tal estado mandado el C. Alcalde al repetido Alvarez que para permanencia y claridad de los limites expresados hiciera a su corta y mencion unas mojoneras de piedra y cal en alto de mas de vara, para que en todo tiempo consten de observen y guarden por terminos y linderos de sus tierras por las demas circumbecinos de ellas; y de haberse efectuado dichas medidas quietas y pacificamente sin contradiccion de persona alguna lo probo por testimonio y el Alcalde Constitucional referido de lo de haber pasado como dicho es y que las expresadas medidas han sido hechas a todo el legal saber y entender de los interesados segun depusieron sin dolo, fraude ni engaño contra alguna persona y por lo mas seguidamente realizaron el juramento que tienen echo y para que conste en todo tiempo y lugar firmaron con el presente Alcalde y las de su asistencia y todas las personas que supieron y se hallaron las presentes Doyse.

José Maria Altamirano. Guillermo Castro.

Tomás Pacheco. Juan Altamirano.

M. José F. Fernandez.

En vista de haberse concluido el presente entregarse original a la parte del C. Juan Alvarez como lo ha solicitado; va en nueve folios rotos de a medio pliego la caratula y una blanca El repetido C. Alcalde Constitucional así lo proveyó mandado y firmó.

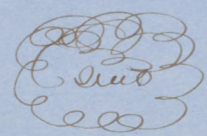
José Maria Altamirano. M. José F. Fernandez.

Filed in office. April. 9th 1853.

Geo. Fisher. Secy.

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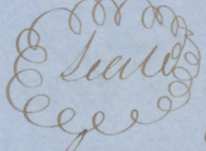
2114

Seal First  Six Dollars.

For the year Eight hundred and thirty two and thirty three.

Jose Figueroa General Brigade of the Mexican Republic, Commanding General Inspector and Superior Political Chief of Upper California.

"B"
Translation of Grant and American Possession

Seal  Whereas Don Juan Alvarez Mexican by birth for his personal benefit and that of his family has petitioned for the land known by the name of the Laguna Seca (the dry Lake), bounded by the Rancho of Sto Teresa and San Francisco de las Lagas and lateral hills the relevant obligations and investigations having previously been observed in accordance with the requirements of the laws and regulations. Exercising the power conferred upon me and in conformity with the resolution of the Most Excellent Imperial Department of the 18th of the present month approving the concession of the said land of the Laguna Seca besides that portion of the place of Sto Teresa which he has cutwaded. In accordance with the 12th of June last year past to the said Don Juan Alvarez in the name of the Mexican Nation I have granted and do hereby grant to him the aforementioned land declaring it to be his property by these present letters subject to the payment of the fee (precio or tab canion) which may be disposed of the land which he cutwades on the place of Sto Teresa should prove to belong to the thrashing floor (regidars) of the pueblo de San Jose de Guadalupe whose limits may be determined and upon the following conditions.

- 1st. That he submit to whatever may be established by the law to be formed for the distribution of the vacant lands and in the meantime neither the grantee nor his heirs can partition or transfer the land adjudicated to him in any ground and without certain bond mortgage or other encumbrance upon it whatsoever coin for pious purposes nor can he transfer it in mortmain.
- 2d. He may fence it without prejudice to the crossing roads and servitudes. He may enjoy it fully and exclusively, subjecting it to use or cultivation which may best suit him, but within a year at the farthest he shall build a house which shall be inhabited.
- 3d. He shall ask in due time of the respective Magistrate the judicial possession in virtue of this decree.

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that the boundaries may be designated upon the limits
whenever in addition to the land marks he shall place
some fruit trees or forest trees of some utility.

2th. The land mentioned contains four leagues of
large cañals (ganado mayor) a little more or less
as shown on the map set forth in the Expediente

The Magistrate who gives possession shall have it measured in conformity with the
ordnance shall have it measured in conformity with
the ordinance in order to determine its boundaries
and surplus which may result remaining to the Nation
for the beneficial use.

3th. If he contravene these conditions he shall lose
his right to the land and it shall be annunciable
by another.

I consequently command that hereafter
this title firm and valid record be taken of it in the
corresponding book and it be allowed to the interested
party for his security and other purposes.

Given in Monterrey the 22nd of July and
thousand eight hundred and thirty four.

Jose Requena

Augustin Zamorano Sec.

Recorded in the book of Entries of titles concern-
ing the adjudication of lands upon the 34th folio
of the folios 20 3rd in the Secretaries Office in my
charge.

Monterrey July 23rd 1834.

Zamorano.

Seal & C.

Senor Solo Alcalde Constitucional.

The citizen Juan Alvariz resident of this
Jurisdiction, before you in due form of law and receiving
the necessary protests, says that having the corresponding
title to four square leagues of large cañals which were
granted to me by the Supreme Territorial Government
and desiring to be in possession of my property
that I may not suffer injury nor do injury to any body
I beg it may serve you to give me judicial possession

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of the land known by the name of the Laguna
Sea consisting of some leagues of land (Cauado
Mayor) as appears by the respective titles which accom-
pany this.

Whence I pray that you may decree
as I petition you that I may be within the bounds
of Justice which I implore and I remain with the
necessaries.

Juan Alvarez.

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In the pueblo de San Jose de Guadalupe of
Alvarado the 18th of November 1834 before the Citizen
Constitutional Alcalde the witnesses being called
this petition was read and the documents which accom-
pany it and having seen and heard everything pre-
sented, it was ordered that information of the identity
be made by a personal view and examination of the
said lands for which the said Alcalde is ready to
assist personally and for this decree he thus ordered
Commanded and signed Jose Ma Albiso

Witness. Jose J. Fernandez.

In the pueblo aforesaid on the 29th day of the
same month and year I the said Alcalde with
my assistants in proceeding to an information of the
identity summoned before me the Citizen Sebastian
Pratto whom I know a married man and by
profession a farmer who took the oath according
to the usual form by which he offered to speak
the truth in those matters upon which he should be
interrogated as to the lands and places, leagues and
cuerpos belonging to the Rancho de la Laguna Sea
and said that he is a resident of the jurisdiction
for more than ten years and knows that the land
pertaining to the said Rancho belongs to Juan
Alvarez and he has for boundaries the mountains
upon the East and West, a lake toward the
Northwest and a hill called the Cerro Alto toward
the South which he has seen and examined several
times and since the said Alvarez has possessed
he has worked and cultivated them feeding his
cattle upon them and for proof and knowledge of
what he has said he is ready to go upon said land

with the present Alcaldes and show him the place the land and its boundaries where they reach that what he has said is the truth upon the oath which he has taken whereby he affirmed and ratified this declaration which was read to him saying that he was forty six years of age that the general matters do not affect him and that he does not deny because he does not know how the Alcaldes benfiquing it with his assisting neighbors.

Witness

Jose Ma Albiso

Jose F. Fernandez

Immediately ^{myself} the said Alcaldes summoned to this tribunal citizen Ignacio Albiso in person whom I know named and by occupation a farmer who took the oath according to custom under which he promised to tell the truth in that which should be asked him and according to the knowledge he might have of the lands and spaces, bounds and limits belonging to the Rancho de la Laguna Seca, the belief that he has been a resident of this jurisdiction for more than twelve years and knows that the lands belonging to the said Rancho have been possessed by the citizen Juan Alvarez and has for boundaries the Corda Alto upon the East and west and a Laguna which he has often seen and recognized many times since he has possessed it. Said Alvarez has cultivated it and pastured cattle upon it, and for proof and knowledge of what he has said he is ready to go upon said lands with the present Alcaldes and show him the places the bounds and limits how far they go and that what he has said is the truth upon the oath he took for which he ratified and confirmed this declaration which was read to him he said he was 63 years of age that the whole matter does not concern him and he did not deny not knowing how benfiquing the Alcaldes with his assisting witnesses.

Jose Ma Albiso.

Witness

Jose F. Fernandez.

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In the said stubble on the 24th day of the said month and year Citym Luis Charoya in person was summoned in person to this Court, whom I know married a farmer took the oath according to custom by which he affirmed to tell the truth in those matters asked him of his knowledge of the lands the bounds and limits of la Laguna Seca he said that he had lived in this Jurisdiction more than twelve years and knew the land belonging to the Rancho had been possessed by Citym Juan Alvarez and its boundaries were the mountains upon the East and west and a lake on the North west and the Loma Alta on the South which he has often seen and recognised many times and that since said Alvarez had possessed said land he had worked and cultivated it pasturing his Cattle upon it and for proof and knowledge of what he had said he was ready to go to said lands with the present Alcalde and show him the places the lands and boundaries where they go. that what he has said is the truth according to the oath which he had made upon which he affirmed and confirmed this declaration which was read to him, saying that he was the age of 57 years that the general matters of the land do not affect him and he signed with the Alcalde and his assisting Witness - Luis Charoya

Jose Ma Albiso.

Witness.

Jose Y Fernandez.

Seal 2^a 80.

Immediately the witnesses to the identification were notified that upon the 2nd of December next they should go with the present Alcalde and his assistants to point out the boundaries they had mentioned in their descriptions of the Rancho called la Laguna Seca and as consequence they heard said they heard and recognised the summons they they answered and Luis Charoya only signed - Pratta and Aloisa not signing it not knowing how I satisfy -

Jose Ma Albiso

Luis Charoya.

Witness. Jose F. Fernandez.

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Being on the plain on the place named the Laguna Seca the boundaries of the Pueblo of Abasco do before the 2^a of December 1834 the Constitutional Alcaldes with my assistants, the witnesses examined by me, present the Citizen Juan Alvarez and the Citizens Agustin Romas and Juan Fernandez, neighbors I proceeded to run and survey the lands of the said Rancho and for greater clarity mounted on horse back in company with all the parties and said witnesses I ordered the surveyors aforementioned to declare to me the lands their bounds and limits according to the land marks which they had declared to me in their depositions, and in accordance therewith they led me to the North West portion located near a Potosi well (an opening between hills) from there they proceeded towards the East following the boundaries of the Rancho of Santa Teresita till they came to the top of the mountains running North and South which are the bounds and limits of the said lands, and from this place the survey was continued going South westerly till we came to a Roblar (bar of iron) which the Citizen Alvarez conforming in length so as to not infringe upon Citizen Juan M^o Fernandez who had located his house in this vicinity, and from this place the said survey was (eye view) made, continued to the West till we came to the Summit of the great range of hills which is the last boundary of the said Rancho of Laguna Seca which places I the Constitutional Alcaldes saw and reconnoitred with my assistants, the witnesses aforesaid and company, the surveyors present with the said Examination and found the identification of the said lands to be true and correct, and according to what the said witnesses had declared and that this may appear those that know how have signed with the said Alcaldes and his assistants of which I give faith.

Jose M. Alvarez

Guillermo Castro

Luis Chabaya
Witness

José F. Fernandez

In the said Pueblo upon the 2nd day of the same month and year, the Citizens Thomas Pacheco, and Juaguin Moraga, were named Surors for their intelligen^{ce} in matters of measurement and of which having knowledge they were summoned to this Juygado to accept and take the oath, and this being done the Constitutional Alcade will at once appoint a day for the said measurement, and for this decree this is ordered Comandado and signed, of this I give faith.

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Jose Ma Aloiso,
Witness, Jose G. Fernandez.

Having informed the said Surors and the Citizens Juan Alvarez owner of the Rancho entitled Laguna Seca and the Judges Augustin Bernal Cipus Castro and Juan Ma Hernandez of the above decree the first accept and the second assents, this they say for answer, and those who know how sign, I certify Jose Ma Aloiso

Thomas Pacheco
Guillermo Castro
Witness, Jose G. Fernandez.
Juan Alvarez.

Immediately appeared in this Juygado the Citizens Tomas Pacheco and Juaguin Moraga, in their own proper persons whom I know residents of this jurisdiction and swore to God upon the sign of the Holy Cross, that they will well and faithfully perform the duties of Surors, without fraud or deceit, against any body of their parts, and therefore Tomas Pacheco signed, Moraga did not, not knowing how, of this I give faith.

Jose Aloiso
Witness, Jose G. Fernandez.
Tomas Pacheco.

Therefore the oath and the acceptance being made by the Surors named Tomas Pacheco, and Juaguin Moraga, the said Constitutional Alcade appointed the sixth day of the present month for the measurement of the mentioned land

which is announced to all the interested parties and the Sumofors and for this decree it is thus ordered Comanded and signed.

Jose Ma. Alvarez.

Witness. Jose Y. Hernandez.

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Upon the 4th day of the same month and year the foregoing decree was made known to the Citizen Juan Alvarez owner of the said Rancho and to the Sumofors Tomas Pacheco and Joaquin Moraga and being informed they answer that they hear and recognize the Citizen Alvarez and Pacheco with the respectful Alcade and his Clerk signing as usual.

Jose Ma. Alvarez.
Tomas Pacheco.

Witness. Jose Y. Hernandez.

Upon the same day Summons were issued against Bernal Carlos Castro and Juan Ma. Hernandez to appear on the 5th day of this month at the said Rancho Laguna Seca and for this decree it is so ordered adjudged and signed.

Jose Ma. Alvarez }
Guillermo Castro }

Witness. Jose Y. Hernandez.

All the Rancho of La Laguna Seca upon the 4th day of December 1834 present the Citizen Juan Alvarez and neighbors of said lands. Summons to appear before the Constitutional Alcade and his assistants was given to Citizen Tomas Pacheco and Joaquin Moraga the measurers of said who were ordered to take a hundred Cord and to measure 50 varas with a measuring vara of Castellian spans (palmas) and in fact the aforesaid measurers in presence of all measurers of the Court and well stamped with the Public vara in and given to the number of 50 varas which measurement was made truly and legally in the due knowledge and attention of the interested parties and in

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testimony of those who know how symbol
with the present Alcalde and his assistants.

Jose Ma Alarico.
Juan Alvarez.

Guillermo Castro
Tomás Pacheco

Asist. J. P. M.
Jose P. Fernandez.

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Being upon the plain and lands belonging to the
Rancho of Laguna Seca of the Citizen Juan Alvarez
upon this day the 21st of December 1834, the Alcalde
Constitutional of the Pueblo of Alvarado increasing
the judicial Authority with two assisting witnesses
for want of a Notary Public present the Citizen
Tomás Pacheco and Joaquin Moraga the Measurers
above named and the adjoining neighbors Augustin
Bernal in the name of his father Joaquin Guillermo
in the name of his father Carlos and Juan Ma Her-
nandez the said Alcalde ordered the Measurers
to proceed to the measurement of 15 sitas of large cut
which sitas and belong to the Rancho of the Laguna
Seca according to the title presented in obedience to
which having finished measuring and trying the
cord they commenced the said measurement of the
land from the boundaries of the Rancho of
Santa Teresa which runs towards the South
from where they proceeded towards said course
till they came to a Rollo called the peak of the
Cerro de la Coche (hogs eye) or de las Lagunas (of the
lagoons) to where the Citizen Juan Alvarez agreed
to conform so as to work no injury to the Citizen
Juan Ma Hernandez who has established his
house in that neighborhood asking that whatever
is wanting to him in length be granted to him in
breadth so as to injure no one who has Ranchos
established in his neighborhood and having allowed
it there was measured 150 cords of 50 varas each
whereupon the interested party made three signs upon
one or more trees with a hatchet to show that
there he had placed a land mark and in consideration
of the small width found in that place they went
back towards an arroyo which makes from the
hill on the East from which they commenced the
measurement in a direct line going towards the

Next crossing the arroyo of the Coyote, and the road which they passed over in the measurements conformably to the ordinances of the Muttio (until they came to the foot of the Sierra Real (Blue Mountains) and they measured 78 cords of 50 varas each, wherefore the level was not being sufficient for the occupation of four sitios of large cantos, they granted him the two mountains upon the East and West turning water upon the plain area of the said Rancho, and the citizen Juan Alvarez agreeing to the measurement of the level, placed several posts and branches which he scattered to the four winds in token of his legal and legitimate possession, whereupon the citizen Alcaldé ordered the said Alvarez, that for the permanence and distinctness of said boundaries at his own cost and order he shall establish some monuments of stone or chalk of more than a vara high so that in all time they may appear and be observed and guard the boundaries and limits of the levels from the high lying lands, and having effected said measurement quietly and peaceably, and without opposition from any person, he asked for testimony, and the said Alcaldé Constitutional Certified the transactions aforesaid, and that the said measurements have been made entirely according to the true knowledge and understanding of the measurers as they had disposed without fraud, collusion or intent to any person, and for the greater security they ratified the oath which they had made, and for the establishment of which fact in all times and places, they signed with the present Alcaldé, and those of his assistants, all who know and were present, I certify.

Jose Ma. Alvarez
Juan Alvarez.

Guillermo Castro
Tomás Pacheco

Witness, Jose Y. Fernandez.

In accordance with what is concluded this original Esquedula, is entered on the part of the citizen Juan Alvarez as he has solicited

35

4 leagues at the 9th leaf in the middle of the
page the Coronado and blank leaf. The
said letter in Alcalde Constitucional thus
ordered dictated and signed.

Juan Ma. Aloia.

Witness. Jose' G. Fernandez.

Filed in Office May 27, 1852.

(signed)
Geo Pittin Secy.

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1 20
21



39

1834. N. 31 y. 37.

1

Especlentes sobre los parages nombrados la laguna
y Santa Feresa solicitados por los cc. Juan Alvares
y Loquin Bernal.

102.

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Jurisdiccion del Pueblo de San José.

Año de 1834. 2

Especliente.
Sobre el parage nombrado la laguna solicitado
por Juan Alvares.

Sello tercero Dos reales.

3

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Montevideo para los años de mil ochocientos treinta y tres y mil ochocientos treinta y cuatro.

Piguerra.

J. Rafael Gonzales.

Montevideo Mayo 11 de 1834.

Sr. Jefe Superior Político.

El ciudadano Juan Alvarez vecino del Polidense los antecedentes Pueblo de San José Guadalupe ante V. S. agregase y dice cuenta con el debido respeto hago presente que para resolver.

Con fha. 20 de Julio de 1830 solicito al Gobierno político de este Territorio un

Piguerra.

paraje conocido con el nombre de la laguna que actualmente ocupo con

Sr. Jefe Superior Político.

En cumplimiento de mis bienes y labores. En 18 de Julio de anterior decreto de 1830 recorde mi pedido y acompanyo V. S. devolvio esta inst. el diseño conforme con la ley de 21 de Mayo de 1830 que hasta la fecha no he tenido a que se contrae.

resolucion. En el dicho diseño no me haya un corto pedazo de tierra que comprende una saca de agua que nuevamente he practicado de la dicha laguna por mis labores. Suplico a V. S. me conceda hasta lo que ocupa dicha saca.

Montevideo Mayo 13 de 1834.

Por tanto a V. S. Suplica se sirva dar a mis dichos solicitudes el giro que tenga a bien afin de adquirir la propiedad del mencionado terreno, jurando no ser de malicia y lo necesario.

Agustin N. Zambrano.

Le L. L.

Leutano.

Montevideo Mayo 12 de 1834.

Juan Alvarez.

Sello 4. una quartilla.

4

Habilitado provisionalmente por la Republica Mexicana para los años de 1825 y 1826 en el Territorio de las Californias.

Sr. Jefe Superior.

El ciudadano Juan Alvarez, Alcalde Constitucional y residente en el Pueblo de San José Guadalupe del mundo etc. con el mas profundo respeto y subordinacion que debe a V. S. pasese y oírse: que hace el tiempo de tres años que he solicitado un rancho paraje para rancho o establecimiento de Ganado mayor y labores que llaman laguna seca, distante del Pueblo, cosa de cuatro leguas poco mas o menos que el antecesor de V. S. decreta a mi solicitud, que no lievado en perjuicio de abitantes del referido Pueblo, quienes individuos del oho podran

dejar se parecer y se le pudiesen frangearme esta peticion por el caso hubo algunos no ser acomodados motivo a interes que tenian para ser acredores igualmente como yo q. Considerando que ni yo ni estos son distinguidos con regularidad de bienes para poseer tal paraje y a arriba otro de nuevo mismo a la Superioridad prudencia de ve tenga a bien facultar me el permiso segun reconocido poner en el referido paraje un establo de ganado Mayor, caballeria y Siembras. Por tanto A.V. Revolucionamente Suplico se sirva proveer como llevo pedido gracia que espero al causar a esta acreditado junio y benignidad a lo que recibiré agradecido su menor.

Ho y ant.º = A. S. M. = Pueblo de San José de Guadalupe. 30 de Junio de 1826. Juan Alvarez.

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nope 2

Habilitado jurada por el Rey, la Constitucion en 10 de Mayo de 1826. (Mexican seal of the Custom House follows)

Habilitado provisionalmente para los años de 1830 y 1831 (Stamp on the original.) Casarín.

Sor. Jefe Sup.º Político.

El ciudadano Juan Alvarez, Alcalde etetual del Pueblo de San José Guadalupe ante V.S. Con el debido respeto hace presente que desde el año de 1826 dirijio a V.S. una solicitud pidiendo la propiedad del sitio llamado la Laguna que está en las inmediaciones de dicho Pueblo el que ha fomentado desde el año de 43 de con previo consentimiento del Ayuntamiento que en aquel entonces existia pero cumpliendo ahora con las leyes establecidas para este fin acompaño A.V.S. el decreto que previene el art.º 2º del Reglamento de colonizacion para que V.S. se sirva disponer lo que enenentrar conveniente. Por tanto.

A.V.S. Pido se sirva ahora de la manera que halla p.º 6 puesto en lo que recibiré merced y gracia

Monteney 13 de Julio de 1830.

Juan Alvarez.

7 here follows a chart or plan.

No abilitado para estas diligencias para los años de 1834 y 1835.
(Seal) Monterey. Mayo 16 de 1834.

De conformidad con las leyes de la materia, Informe el
y lte Ayuntamiento del pueblo de S^o José Guadalupe si
el contenido en esta instancia obtiene los requisitos prevenidos
para ser atendido en su solicitud: si el terreno que
pretende esta comprendido en las 20 leguas limitrofes o
diez lotonales que expresa la ley de 18 de Agosto de 1824. Si es
de regadío temporal o abrevadero, si pertenece a propiedad
de algun particular corporacion, Mision o Pueblo con todo
lo demás que se tuvo en cuenta para ilustrar la materia.
El Sr. Don José Piquerra, General de Brigada, Comandante
General, Inspector y Jefe Superior Político del Territorio de
la Alta California, así lo mandó, decretó y firmó de que
doy fe. José Piquerra. Agustín V. Zamorano. M^o.

El interesado en esta instancia obtiene los derechos
prevenidos para que se le atienda en su solicitud. El terreno
que pretende no esta comprendido en las veinte leguas lim-
itrofes ni diez lotonales que expresa la ley de 18 de Agosto de
9 1824. El sitio es de temporal y tiene por linderos el prototy-
uelo de la laguna y el ojo de la Cocti or oriente a lomi-
ente de loma a loma de latitud. Estos limites expuestos
en esta instancia no deben de regir p^o que ha sido una
buente. El terreno que solicita

pertenece a esta jurisdiccion, dista de la poblacion de
quatro a cinco leguas, las tierras de labor que agreja en
su expediente que tiene cultivados son de regadío y par-
tence al sitio de Santa Teresa, cuyas tierras tienen una
saca de agua de la misma laguna.

Pueblo de San José 25 de Mayo de 1834.

Pedro Chaboya. J^o Rejedor. Maximino Martínez.

Monterey. Junio 10 de 1834.

Pose al Alcalde de esta Capital ante quien
la parte de Don Blas produccion informacion de tres testigos
notorios que seran interrogados sobre los puntos siguientes.
1^o Si es ciudadano Mexicano por nacimiento, si es casado y tiene
hijos, si es de buena conducta. 2^o Si el terreno que pretende
pertenece a la propiedad de algun particular, Mision corpo-
racion o pueblo, si es de regadío temporal o abrevadero
y que estension terrenal. 3^o Si tiene bienes con que poblar lo
o posibilidad de adquirirlos. Tracualas estas diligencias
vuelva el Expediente para su resolucion. El Sr. Don José
Piquerra J^o de Brigada, Comandante y Jefe Superior

Político del Territorio de la Alta California, así lo mandó, decretó
y firmó de que doy fe. José Figueroa.

Agustín V. Zamorano. Lrdo.

10) Sello tercero Dos reales.

Habilitado provisionalmente por la Administración de la
Autoridad Marítima de Monterrey para los años de mil
ochocientos treinta y cinco.

Figueroa.

Rafael Gonzales.

Monterrey. 11 de Junio de 1834.

En cumplimiento al Superior decreto que antecede del Sup^{or}
Jefe Político de fha 10 del corriente. tomese la información
de tres testigos coloneos q. Seran interrogados sobre los tres puntos
que menciona dicho Superior decreto. Así lo el Alcalde cons-
titucional lo decreté, mandé y firmé con los testigos de assa.
Doy fe. Manuel Jimeno Casarín.

assa. José R. Estrada. de assa. Marcelino Escobar.

En la fha. presente la parte de Don Juan Alvares se les
notificó el auto que antecede y entendido dijo que lo oye y
firmó con migo y los testigos de asistencia. Casarín.

Juan Alvares. José R. Estrada. Marcelino Escobar.

En la fha presente Don José Tiburcio Castro, se le recibió jur-
-amento en toda forma debida por lo que oyo y dijo de verdad
en lo que supiere y fuere preguntado y siendo lo por su
nombre, empleo, estado, edad, patria y religion dijo: ll-
-amarse como queda dicho, que es labrador, Casarín de
sesenta años, natural del Estado de Luisebe y P. A. R.
Interrogado sobre los tres puntos que menciona dicho Superior
decreto del Sup^{or} Jefe Político de fha 10 del corriente dijo:
que conoce a Dⁿ Juan Alvares q. es Mexicano por nacimiento
es casado y tiene hijos q. es de buena conducta, también
conoce el terreno q. pretende dicho Alvares y no pertenece
a la propiedad de ningún particular, Misión, Corporación
ni al Pueblo donde se vea, como Cuatro a cinco leguas por
Guillerino lo ha ocupado, que dicho terreno es de regadío
y no de temporal: que es de abrevadero y tendra de extensión
poco mas de dos leguas: que por ultimo dicho Alvares tiene
bienes de campo con que poblarlo, que lo dicho es la verdad
ha cargo del juramento que tiene hecho en el que se afirmó
y ratifico levié que le fue esta su declaración y firmó con
migo y los testigos de asistencia. Casarín.

Tiburcio de Castro.

José R. Estrada.

de assa.

Marcelino Escobar.

12)

Sello tercero Dos reales.

Habilitarlo provisionalmente por la estatua Maritima del Puerto de Monterrey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Piqueroa.

Rafael Gonzales.

En la fha. presente Don Carlos Castro se le recibio juramento en toda forma debida por el cual ofrecio ser decir verdad en lo que supiere y fuere preguntado, y siendo lo por su nombre, empleo, estado, edad, patria y Religion dijo: llamarse como queda dicho que labrador estarlo de sesenta años natural de Sonoma y C. N. R.

Interrogado sobre los tres puntos que menciona el expresado sup^r Decreto del Sr. Jefe Político de fha. 10 del corriente dijo: que Don Juan Alvares es Ciudadano Mexicano por nacimiento que es casado, tiene hijos y es de buena conducta, que el terreno que solicita dicho Alvares no pertenece a la propiedad de ningun particular, Misión ni Corporacion Solamente del Pueblo de San José Guadalupe por que esta union los ha ocupado que dicho terreno es de regadio, es de temporal y abrevadero y que tendra de estension por lo mas de dos leguas: por ultimo que el expresado Alvares tiene bienes de campo con que poblarlo; que lo dicho es la verdad ha cargo del juramento que tiene hecho en el que se afirmo y ratifico toda que le fue esta su declaracion y firmo con miyo y los de asistencia.

Casarin.

Carlos Castro.

José N. Estrada. Marcelino Escobar.

- (13) En la fha. presente Don Salvo Pacheco se le recibio juramento en la forma debida por el que ofrecio ser decir verdad en lo que supiere y fuere preguntado y siendo por su nombre, estado, empleo, edad, Patria y religion dijo: llamarse como queda dicho que es labrador casado de treinta y nueve años natural de este puerto y C. N. R. Interrogado sobre los tres puntos que menciona el repetido Superior decreto del Sr. Jefe Superior político de fha. 10 del corriente dijo: que Don Juan Alvares es Ciudadano Mexicano por nacimiento, que es casado y tiene hijos y es de buena conducta. que el terreno que solicita dicho Alvares no pertenece a la propiedad de ningun particular, Misión, Corporacion ni Pueblo: que es de regadio temporal y abrevadero y que tendra de estension por lo mas o menos de dos leguas, por ultimo que el expresado Alvares tiene bienes de campo con que poblarlo. que lo dicho es la verdad ha cargo del juramento que tiene hecho: en el que se afirmo y ratifico toda que le fue esta su declaracion y lo firmo con miyo y los testigos de asistencia. Salvo Pacheco. José N. Estrada. asu. Marcelino Escobar.

14 Sello tercero Dos reales.
 Habilitarlo provisoriamente por la Aduana Maritima del puerto de Monterrey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.
 Fiqueroa. Rafael Gonzales.

Monterrey Junio 11. de 1834.

Concluidas estas diligencias vuelva el expediente al Sr. Jefe Politico para su resolcion. Asi lo el Alcalde Constitucional lo decretó, mandé y firmé con los testigos de esta.

Cesarin. José R. Estrueta, Marcelino Escobar.

Monterrey Junio 12 de 1834.

Vista la peticion con que da principio este Expediente el Jefe de la autoridad Municipal del Pueblo de San José Guadalupe: las exposiciones de los testigos con todo lo demas que se tuvo y reconviene de conformidad con lo dispuesto por leyes y reglamentos de la materia se declara a Don Juan Alvarez dueño en propiedad del terreno conocido con el nombre de la Laguna, colindante con los ranchos de San Francisco de las Higuas, y Santa Teresa y señoras laborales dirijase este Expediente a la Suma. Diputacion por la devota aprobacion. El Sr. Don José Fiqueroa, Genl. de Brigada Comandante General, asi lo mandó, decretó y firmó con los de asistencia.
 José Fiqueroa. Agustín V. Encarnacion. Saco.

Monterrey 11 de Junio de 1834.

En Sesion de este dia acordó la Exma. Diputacion poner este Expediente a las Comisiones unidas de Colonizacion y terrenos baldios.
 José Fiqueroa.

Sello tercero Dos reales.

Habilitarlo provisoriamente por la Administracion de la Aduana Maritima de Monterrey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Fiqueroa. Rafael Gonzales.

Sr. Jefe Sup^{or} Politico.

El Ciudadano Juan Alvarez, vecino del pueblo de San Monterrey. Jun^o 6 de 1834. } Asi, segun derecho respetuosamente
 traslado a la parte de } hace a V. S. presente que el año de
 Don Louquin Beunel } 1823 conseguí permiso por
 por el terminio de tres años. } Don Luis Antonio Oquendo
 Fiqueroa. } en cargo de interinamente del ayuntamiento
 prohibí para establecer en el parage nombrado Laguna
 Seca el que actualmente ocupa colindante con el ciudad
 ano Louquin Beunel, a quien seinto yo alcatoré de otro

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Pueblo Santo de 1826 se permiti pudiese su ganado en separa
del de la Comunidad en el de Sta Teresa mientras que conseguir
d que solicitaba nombrado el jefe el que en efecto le fue
Concedido mas a virtud de saber el que representa que
Bernal pido en propiedad el de Sta Teresa, cuyo terreno
Comprende mis labranzas y su cas de ayun en lo que tengo
Ajrado mi substancia. Por este Individuo que interito
disponarme de un derecho que he adquirido en fuerza de
sacrificios costosos nos es acredor a lugar sus fines en la parte
is que contra a perjudicarme. Por tanto

A V. S. Suplico se sirva obrar en el particular segun
en cuenta de justicia y sea conveniente. Duro lo necesario
Monteney. 5 de Junio de 1831. Juan Alvares.

Sello tereno Dos reales.

Habilitado provisionalmente por la Administracion de la
Autoridad Maritima de Monteney para los años de mil ocho-
cientos treinta y cuatro y mil ochocientos treinta y cinco.

Piquerosa.

Rafael Gonzalez.

Monteney. Junio 16 1831. Sor. Comandante Inal y Jefe Sup. Político.

Deso cuenta a la Suma

Joaquin Bernal en defensa

Diputacion Territorial y de sus derechos y en contestacion a lo conten
agregase al expediente, cito en la representacion del Sr. Juan Alvares
promovido por Juan que V. se servio trasladarme con fha. 6
Alvares en solicitud del Corriente ante V. S. con el mejor respeto
del parage. de la Laguna.

Piquerosa.

Monteney. 17 de Junio
de 1832.

In sesion de este dia ocupado por mi. su segunda que el mismo
se a condo pase a la Senala. Mente del pueblo de San
Comision de coloniza Jose en el ano de 1826 me dio permiso
cion y terrenos baldios para separar mis bienes de la Comunidad
y ponerlos en el parage llamado Santa

Piquerosa.

Feresa. Hasta a qui vivia a condes pero
ahora no contento el Sr. Alvares con el
parage que se le dio despues de tomar posesion voluntaria
de parte de las tierras que he poseido pacificamente
tantos años me acuda de querer le despojar de la suya
siendo certisimo que el parage en donde estan sus tierras
pertenece a Santa Feresa y de ninguna manera a la
Laguna Seca y tambien es notoria y bien publico que el

ha hecho uso, ni pretendido tal parage hasta el año pasado cuando se metió por fuerza a pesar de mis reconvenções. Los ramos que alega el Sr. Alvires haver hecho en el parage en cuestión merecen a mi entender, mas bien castiga que premio pues por ellos, ha trahido de quitar por fuerza lo agero e incomodar sin necesidad alguna pues no le faltan tierras buenas de labor en su propio sitio, a un vecino pacífico que nunca le ha injuriado. Por todo lo espuesto pues no le soy Señor que V. S. conocera claramente que ya no pido ninguna cosa injusta no quiero perjudicar al Sr. Alvires pero la tierra en question ademas de pertenecer a Santa Teresa y no a la Laguna seca me hace muchisima falta y si se le conociera el Sr. Alvires previendo los resultados mas funestos por que tendria que abandonar el sitio que ocupa y en que he gastado tanto (pues hoy que hecha cuatro Casas de adobe y otras Casas Començadas, una huerta, muchos arboles frutales vna. de) por no andar en pleytos continuos y por tanto A. V. S. humildemente suplico tenga a bien disponer que el Sr. Alvires se contente con la suya y que a mi me deje en pacífica posesion del parage que ha usado, protestando no proceder de malicia y lo necesario.

Monterrey. 14 de Junio de 1834.

Aruego del interesado. Guil^o Ed^o Martuell.

Sello tercero Dos reales.

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

Figueroa.

Napuel Gomales.

Sr. Jefe Sup^o Político.

El ciudadano Juan Alvires, vecino del Pueblo de San José Guadalupe poseedor del parage llamado la Laguna seca ante V. S. conforme halla lugar en decreto presente en virtud de lo que alega en el quatro del corriente la parte del Ciudadano Joaquín Bernal en la question que ha promovido que andolose que me he introducido en los limites del terreno de Santa Teresa que le pertenece digo que el dicho individuo no tiene absolutamente motivo para quejarse de despojo p^r que en nada crea averle quitado tierras de su propiedad el rancho de Santa Teresa no tiene señalado limites por ninguna autoridad y por consiguiente no puede tener mas estension a su propiedad asta ahora que aquella que ha cultivado y fomentado con sus bienes, ninguno puede ser mejor testigo que yo mismo p^r que siendo alcalde Plazo de la presente ocupar con sus bienes este sitio

interinamente mientras que conseguia el parrage del 4^{to} -to el que se positivo se le conseguio en tiempo de Don Luis Arguillo y como no le gusto seguir fomentando el primero
 20) Este es el origen que tiene la adjudicacion del repetido parrage, y esta la fha se ha citado en el con solo un permiso que por verificar a su familia un expense a la responsabilidad en creyendome con facultades para disponer arbitrariamente de las tierras del comun por este motivo al poner mis labores mex lei con tanto derecho como el dho. Sr. Bernal y para verificar hice la suca de agua que ha efecto he conseguido muchas ventajas por que en lo demas del terreno que se solicitaba no hay tierras de regadio. Dice el Sr. Bernal que se le he anunciado cuando me he convenido y en esto falta a la verdad pues nunca me ha pasado tal cosa y con este animo no regare que si he choiado con un Yerno suyo: el Sr. Don Antonio Lunol, pero este argumento hoy otro origen muy distinto que esto ahora lo he tratado con prudencia y me cuenta en lo posible de emprenderla con el. Por lo espuesto, Sr. Jefe Político N.S. se servira tomar en consideracion lo dho y atender a los perjuicios que se me seguiran se desistia en mi solicitud perdiendo un corto pedazo de terreno que con grandes perjuicios he beneficiado para fomentarme.
 Por tanto

21) Sello tercero Dos reales.
 Habilitado provisoriamente por la Administracion de la Aduana Maritima de Monterey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa. Rafael Gouzales.
 A. S. Suplico se sirva ser atendido a lo espuesto y disponer lo que encuentre de justicia, quando no ser de malicia y lo necesario.

Monterrey. 14 de Junio de 1834.

Juan Alvares.

Monterrey Junio 14 de 1834.

Dese cuenta a la Exma. Diputacion y a que se al expediente promovido por Joaquin Bernal en solicitud del terreno de Santa Feresa.

Figueroa?

Monterrey. 17 de Junio de 1834.

En sesion de este dia se acordó pase a las comisiones de colonizacion y terrenos baldios.
 Figueroa.

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Jurisdiccion de
S. José Guadalupe.

22
Año de
1831.

Espectante.

Sobre el Rancho nombrado Sta Teresa pite su
posesion legal.

Don Joaquin Bernal.

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Sello Puerto una Cuartilla.

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

Figueroa.

Rafael Gonzalez.

Monterrey. Mayo 11 de 1832. Sr. Jefe Superior Politico

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De conformidad el ciudadano Joaquin Bernal, invalido
con las leyes de la de la compania de San Francisco
materna informo el ante V.S. con la mejor forma se presenta
Ayuntamiento del y dice que hace el termino de cinco años
Pueblo de San José que J. Ayuntamiento del Pueblo de San
Guadalupe si el int José, me concedio un sitio perteneciente
eresado en esta iusta a la jurisdiccion llamado y concedida
-ncia obtiene los por el nombre de Santa Teresa, cuya
dequiritos prereriosos descripcion geografica a compum. En
para ser atendido en consecuencia de dho. permiso, tome pose
su sollicitud: si el ter- eion del indicado sitio, radicando me
-reno que preveute en el con los bienes y fincas abajo exp-
Compreuendo en las ho- resuolos, gozando tranquilamente su
segua limitofes o 10- posesion hasta la presente. En adition
litonales que expresa al bien estar de mi numerosa familia
la ley de 18 de mayo y el mejor resguardo de los bienes que
de 1824. Si el de ugadio posee, he hecho repetidas instancias
temporal o abrevadero a las atenciones de V.S. en sollicitud
si pertenece a propiedad de la legitima concecion de este parage
de algun particular sin haberse hecha ninguna determinacion
compravacion, dition definitiva, ocurro pues a la notaria
o pueblo con todo lo sollicitud de V.S. para que se sirva de
deudas que crea condesconcederme la legitima propiedad
-ente a ilustrar la del sitio de Santa Teresa en obsequio
materia: notificando de los servicios que he prestado a la
a la parte presente el nacion. El numero considerable de mis
diseno del terreno q. bienes y la numerosa familia que
sollicita. El Sr. Don. de estos subsisten y para que en ellos
José Figueroa Gonzalez hayan mayores estumules a los labores
de bujadia, conuando y el pamento de dhos. rarras de industria.
General y Jefe Sup^{or} Me halla en la avanzada edad de
Politico del territorio setenta y cuatro años y con una decendencia
de la Alta California de Setenta y ocho años, quienes subsisten
Atto lo mandó, decretó en el repetido sitio, en donde se han fabri
y firmo de que doy -carlo cuatro casas de adobe y has plan
fe. José Figueroa. -tudo una vira de mil ceapas y una
dquistio. Francisco. Puerta que contiene mas de doscientos
Cactario. arboles fructales. Mis bienes de campo 24

49

Dos mil y cien cabezas de ganado Mayor, ciento y veinte
 Cabezas de Mayor, tres manadas de yeguas, cincuenta Caballos
 mansos, veinte y dos quintas de bueyes y cinco bestias mulares.
 Todo lo cual ocupa el muy repetido sitio de Santa Teresa
 y lo expongo al conocimiento de V. S. para que se cite de dar
 mi Suplico a la Exma. D. diputacion Territorial y para que
 se digna de concederme la propiedad que solicito en
 caso de ser acreedor a ello. Por tanto revidante Suplico
 se digna de proveer como llevo pedido que es gracia que
 pido. Se.

Pueblo de San José Mayo 10 de 1834.

Joaquin Bernal.

Pueblo de San José y Mayo 14 de 1834.

El Ciudadano Joaquin Bernal, interesado en
 esta instancia y todos los moradores del rancho de Santa
 Teresa obtienen todos los requisitos que expresa la ley de 18
 de Agosto de 1826 pero si pertenece a la jurisdiccion del ²⁵
 Pueblo y dista del, su lindero mas proximo, dos leguas
 de latitud en su parte mas ancho una legua
 de longitud una legua y cuarta es decir desde la loma
 de las lagunas, hasta el portezuelo de la laguna. El
 pretendiente posee mas de dos mil cabezas de ganado
 mayor y Caballeria y ha fabricado y estan actualmente
 fabricando buenas Cabeyas y ultimamente tiene el acervo
 de haber plantado una y buenta de arboles con el
 acervo de un pequeño aguaje en la inmediacion de las
 Cabas, siendo todo lo demas del terreno de temporal y
 para que conste en donde couenga lo firmo con el
 primer regidor de este Ayuntamiento por falta del
 Secretario.

Manuio Mortinez.

Pedro Chaboya.

Monterrey Mayo 24 de 1834.

Pase al Alcalde de esta
 Capital ante quien lo parte de Joaquin Bernal
 produce una informacion de tres testigos notorios
 que sean interrogados sobre los puntos siguientes:
 Primero si el interesado es Ciudadano Mexicano por
 nacimiento: Si es casado y tiene hijos: (segundo) si es de
 buena conducta: Segundo: si el terreno que pretende
 pertenece a la propiedad de algun particular, Mirón.

Tercero Cuarto una Cuartilla.

Abilitado provisionalmente por la D. diputacion
 de la Aduana Maritima de Monterrey para los años
 de mil ochocientos treinta y cuatro y mil ochocientos

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mil ochocientos treinta y cinco.

Figueroa.

Papel Joviales.

Pueblo de San José, si es de regadío temporal o abier-
-adero y que extensión tuviera. Tercero si tiene bienes
de campo con que poblarlo o posibilidad de adquirirlos
Ya cumplidas estas diligencias vuelva el Excmo. para
su resolución. El Señor. Dⁿ José Figueroa, General de Brigada
comandante General Inspector y Jefe Superior Político del
Territorio de la Alta California así lo mandó decretado y firmo
de que doy fe.

José Figueroa.

Cor. Alcalde constitucional.

27

Pueblo de San José. El Ciudadano Agustín Bernal en nombre
Mayo 13 de 1834. de su padre Joaquín Bernal ante
El sitio nombrado 1^{ta} N. con el debido respeto que no tubienolo
Feresa, perteneciente a podiolo obtener hasta la presente la legi-
la jurisdiccion de este. tina propiedad del rancho de Santa
Pueblo y ocuparlo por leresa que acaso habra sido por haber
el interesado tiene pr. faltado el requisito de la noticia exacta
limites de sur ha norte del espresado sito. Ocuero a N. para que
al Puerto de la se siiva dar una noticia geographia de
laguna y la loma de la situacion del repetido parage. Por
las lagrimas y tiene lo que. N.E. Suplico se siiva obrar en esta
seis mil varas de mi peticion con mejor haya lugar en
latitud: su estension de ancho no siendo en papel sellado
de longitud se comp. por no haber lo de ninguna clase en
-rente entre las lomas este lugar
acia el occi^{te} donde Pueblo de San José y Mayo 13 de 1834.
están las farricas y las Agustín Bernal
primeras lomas al oriente
y tiene de Yerno una legua lo que ocupó el interesado por
concecion de este Ayuntamiento. Sin perjuicio de este Pueblo.
Pedro Chaboya.

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here following a map on folio.

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

Figueroa

Rafael Gonzales.

Monterrey. 26 de Mayo de 1834.

En cumplimiento al sup^o

decreto del Sr. Jefe Superior politico de fha. 21 del corriente
tomese la informacion de tres testigos idoneos que sevan in-
-terrogados sobre los puntos que menciona dicho Superior
decreto. Asi yo el Alcalde constitucional lo decreto mandando
y firmo con los testigos de asistencia con quienes actuo en
la forma establecida. Doy fe.

Manuel Jimeno Casarin. Jose Maria Maldonado.

Jose R. Estrada.

En la fha. se le notifico a la parte de Joaquin Bernal el
auto que antecede y entendido: dijo: lo oye y no firmo por
no saber lo hizo yo con los de asistencia. Casarin.

Jose Maria Maldonado.

Jose R. Estrada.

30) En la fha. presente Don Jose Joaquin Estradillo se le
recibio juramento en toda forma de derecho por el cual ofrecio
decir verdad en lo que supiere y fuere preguntado y siendo
lo por su nombre, estado, edad, patria y religion: dijo
llamarse como queda dicho, que es casado de treinta y
cuatro años natural de este puerto de Monterrey y C. A. R.
Interrogado sobre los tres puntos que menciona el sup^o decreto
del Sr. Jefe Politico dijo: que conoce al ciudadano Joaquin
Bernal, que es Ciudad^{no} Mexicano por naci^{to} que es casado
tiene hijos y es de buena conducta que tambien conoce el
terreno que pretende: dho Bernal: que no pertenece a la pro-
-piedad de ningun particular, Mision, Pueblo ni ha emp-
-racion ninguna. que dicho terreno no es de regadio y si
de temporal y abrevadero y que su estension sea cosa de
dos leguas y que dicho Bernal tiene bastantes bienes con que
poblarlo, siendo estos de campo suficientes para el ter-
-reno solicitado, que lo dicho es la verdad ha cargo del
juramento que tiene hecho en el que se ofrecio y ratifico.
leida que le fue esta su declaracion y firmo con miigo
y los de asistencia

Casarin.

Jose Maria Maldonado.

Jose R. Estrada.

31) En la fha. presente el vecino Vicente Cantun se le
recibio juramento en toda forma de derecho por el cual
ofrecio decir verdad en lo que supiere y fuere preguntado
y siendo lo por su nombre, estado, edad, patria

map 3

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y religion: dijo llamarse como queda dicho que es casado de cuarenta y tres años, natural de este puerto de Monterey y C. N. Interrogado. Sobre los tres puntos que contiene el sup^o decreto del Señor Jefe Político de fha. veinte y cuatro del corriente: dijo que conoce al Ciudadano Joaquín Vernal que es Ciudadano Mexicano por nacimiento que es casado, tiene hijos y es de buena conducta que también conoce el terreno que pretende dicho Vernal y que no pertenece a la propiedad de ningún particular, Mision ó Pueblo y ni ha corporacion ninguna: que dicho terreno no es de regadío y si de temporal y abrevadero y que su estension sera poco mas ó menos de dos leguas, que el mencionado Vernal tiene bastantes bienes de campo con que poblarlo que lo dicho es la verdad a cargo del juramento que tiene hecho en el que se afirmó y ratificó lo que le fué esta su declaracion y no firmó por no saber, lo hizo yo con los de asistencia. Casarín.

José Don g^o Estarrella.

José Maria Castañares

José R. Estrada.

32)

Acto tercero Dos reales.

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

Figueroa.

Rafael Gouzales.

En la fha presente el Vecino Mariano Duarte se recibió juramento en toda forma de derecho por el cual ofreció decir verdad en lo que supiere y fuere preguntado y siendo lo por su nombre, estado, edad, patria y Religion dijo: llamarse como queda dicho, que es casado de cincuenta y siete años, natural de este puerto de Monterey y C. N. Interrogado sobre los tres puntos que se refiere el sup^o decreto del Sr. Jefe político de fha. veinte y cuatro del corriente dijo: que conoce al Ciudadano Joaquín Vernal, que es Ciudadano Mexicano por nacimiento que es casado, tiene hijos y es de buena conducta que también conoce el terreno que pretende dicho Vernal y que no pertenece a la propiedad de ningún particular Mision, Pueblo y ni ha corporacion ninguna que dicho terreno no es de regadío, y si de temporal y abrevadero y que su estension sera cosa de dos leguas; que dicho Vernal tiene bastantes bienes de campo con que poblarlo que lo dicho es la verdad a cargo del juramento que tiene hecho en el que se afirmó y ratificó lo que le fué esta su declaracion y firmó con miigo y los testigos de asistencia.

Casarín. Mariano Duarte.

José Maria Castañares. aso. José R. Estrada.

Sello tercero Dos reales.

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

Figueroa.

Rafael Gonzales.

Monterrey. 27 de Mayo de 1834.

Concluidas estas diligencias vuelva el Expediente al Sr. Jefe Sup. Político para su resolucion. Asi lo el Alcalde lo decreté mandé y firmé con los de asistencia. Doy fe.

Casarín.

José Maria Castañares. José R. Estrada.

Monterrey. Junio 10 de 1834.

Vista la peticion con que da principio este Expediente el informe de la autoridad Municipal del Pueblo de San José Guadalupe, la expresion de los testigos con todo lo demas que se tubo presente y ver convido, de conformidad con lo dispuesto por las leyes y reglamentos de la materia se declara a Don Joaquin Bernal, dueño en propiedad del terreno conocido con el nombre de Santa Teresa, colindante con el rancho de la Laguna, loma de San Juan y Sierras laterales, sin perjuicio del aprovechamiento comun por lo respectivo a pastos, leñas, aguas muertas de los abitantes del pueblo de San José y sujeto a pagar el canon que se le imponga, si resultare pertenecer a los ejidos de dicho pueblo, cuando se arreglan sus limites.

34 Dirijase este Expediente a la Exma. Diputacion para la debida aprobacion. El Sr. D. José Figueroa, Jefe de Brigada, Comandante J. Inspector y Jefe Superior Político de la Alta California, asi lo mandó, decretó y firmó de que doy fe.

José Figueroa.

Agustin N. Zambrano. Trió.

Monterrey. Junio 12 de 1834.

En sesion de esta dia acordó la Exma. Diputacion pose este Expediente a la comision de terrenos baldios.

Figueroa.

Sello tercero Dos reales.

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

Figueroa.

Rafael Gonzales.

Sr. Comte Mal. y Jefe Superior Político.

Joaquin Bernal, soldado y arrendatario de la Compañia de Sr. Francisco y arrendado en el Rancho de Santa Teresa en su nombrado nombre y el de sus hijos

Monterrey. Junio 28 de 1834. = En sesion de este dia se acordó pasar esta solicitud a las comisiones de donde se hallan los autos -cedentes.

ante V.S. con el debido respeto hace presente. que con fecha 11 del presente y 12 del mismo se presentó a la Superioridad de V.S. haciendo ver el perjuicio que se le sigue en haberse metido en su sitio en su autoridad propia

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Figueroa.

el C. Juan Alvares, y ahora sabedor que le ha concedido por V.S. a la Exma Diputacion no puede menos de hacerle presente que es el unico abrevadero que hay en mi sitio y q. al C. Alvares le subnan en su sitio, tierras de siembras y campos por que solo por necesidad ha solicitado el querer me despajar de lo que levemente me pertenece y me es indispensable hacer ver a V.S. los muchos hijos yernos y nietos que tengo por partes en pocas ya aquel no sera ranchito 34) Suo pueblo y. ari Sr. conociendo V.S. el gran perjuicio que se me hace que se me quite esta abrevadero espere se dignen tomar en consideracion la abundancia de ganados con que me hallo, asi como tambien la mucha gente que abita en el citado mi rancho. Por Fauto a V.S. pido y suplico se otique tener en consideracion esta mi solicitud en q. recibire gracia y merced.

Monterrey. 28 de Junio De 1834.

Jos. Joaquin Bernal.

37) Cello tercero Dos reales.

Habilitado porvicioalmente por la Administracion de la Armada Maritima de Monterrey para los años de mil ochocientos Treinta y cuatro y mil ochocientos Treinta y cinco.

Figueroa.

Rafael Guzman.

Sr. Comandante Genl. y Jefe Sup. Político.

Monterrey. Junio 6 de 1834.

Joaquin Preoral nato

traslado a la parte de Juan Alvares por el terminio de tres años.

real del Estado de Sinaloa y fundador de este territorio sin cuenta y cinco años

Figueroa.

ante V.S. con el mas debido respeto me presento y obligo: que hallandome poseedor del rancho nombrado de Teresa desde el año de 1829 segun lo manifiesta el oficio que se alla en manos de V.S. y como dicho sitio se alla colindante con el rancho de el C. Alvares dicho sector sin embargo de haber sido reconocido por mis varias veces p^a que no se tomase terreno del que a mi pertenece, siempre ha insistido alabar adelantando su idea, con algunas amenazas capases de oponer

de exponer la quietud de mi familia y considerables trastornos como probre justificarlo. Ante V. S. en cuya virtud y conocimiento lo que se empeña V. S. en tranquilizar a los habitantes de este territorio por medio de su notaria pública: se digna el que el mencionado Albires no quiera estar por mi propiedad sujetándose a lo que sea solo de su providencia: pues de lo contrario Sor. y Jefe Superior nos exponemos ambos de que seria molestar la otension y ambos muy perjudicales por sus usururas. P. I. A. V. S. recivido ausente Suplico que en obsequio del que representa. De todo lo que su Sabio penetracion aja de justicia que sea que espere de su bien conocida bondad el que yo no ser de malicia y lo necesaria. Se de.

Monterrey. 4 de Junio de 1831.

Joaquin Bernal.

38/ Inm. Sor.

Las comisiones de colonizacion y terrenos baldios que conocen en los asuntos de esta materia y que V. S. a encomendado a ellas, a entrar en el examen del que verrian los ciudadanos Juan Albires y Joaquin Bernal como aparece del expediente y traslado de ambas partes en cuestion: ha meditado detenidamente sobre la esencialidad de la suscitada pramba, y habiendo visto las pretensiones de uno y otros advierte: que por las partes de Juan Albires no obstante no comprenden un diseño, el terreno de labores que ahora ocupa y ha verificado con la ca de agua a su costa: que por este echo que oyo mi dro. sobre el y como por haberlo pedido ya en forma segun su memorial de 13 de Mayo ultimo esta concecion lo enen consiguiente: las comisiones por lo que expuesto. En tal virtud y atendidos, las cosas por el Sor. Jefe Político de los terrenos de la Laguna sea al repetido Albires conforme su diseño: y el de Santa Feba al Sr. Bernal con vista no podran tener ya el efecto que se deja entender con todas sus partes por lo que ya dicho: las comisiones han creido conveniente para allanar obstaculos y la question promovida presentar como en efecto lo hacen: a la deliberacion de V. S. las siguientes proposiciones.

1^o Se aprueba la concecion hecha por el Sr. Jefe Político en favor del Ciudadano Juan Albires del pago de la Laguna sea con el terreno que tiene laborado y verificado hoy con la ca de agua que ocupario a su costa.

2^o Se aprueba asimismo la concecion hecha del

parage de Sta Teresa (the original paper is worn off to this red line) ³⁹ debe unicamente de el, el terreno de labor que se le adjudica ultimamente al repetido C. Juan Alvarez por la aprobacion del articulo anterior.

Monterrey. 21 de Junio de 1831.

José A. Estudillo

Carlos Antonio Carrillo

José Castro.

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Exmo. Sr.

Las comisiones de colonizacion y terrenos baldios a quienes se devolvio el expediente de los cc. Agustin Bernal y Juan Alvarez a efecto de reprimir el dictamen que presenta en sesion del 3 del corriente bien reformada de lo practicado hasta la pta. y que sobre el particular a dictaminado como consta en sesion de 21 de p.^o no duda deber hacer merito de aquel uso o convenio que ultimamente presentaron los interesados al Sr. Jefe Politico y que tambien paso a la Comision. En tal virtud presenta a la deliberacion de esta Exma. Diputacion la siguiente proposicion. Se toma en consideracion el dictamen presentado en 21 del p.^o de Junio referente a las solicitudes de terrenos que hizo en los cc. Joaquin Bernal y Juan Alvarez.

Monterrey. Julio 5^o de 1831.

José J. Ortega.

Carlos Antonio Carrillo.

José Estudillo.

José Castro.

41) Dada cuenta a la Exma. Diputacion en sesion de este dia con los dictámenes presentados en 21 de Junio y 5 de Julio aprubó las dos proposiciones en que se concluye el primero cuyo tenor es el siguiente.

1^o se aprueba la concesion hecha por el Sr. Jefe Politico en favor del Ciudadano Juan Alvarez del parage de Santa Teresa en favor del Ciudadano Joaquin Bernal exceptuandose unicamente de el el terreno de labor que se le adjudica ultimamente al repetido Ciudadano Juan Alvarez segun la aprobacion del art.^o anterior.

Y en su consecuencia se devuelve el expediente al Sr. Jefe Superior politico para su Censura.

Monterrey. Julio 8 de 1831.

José Pignero.

José Maria Maldonado.

Monterrey. Julio 11 de 1831.

En vista del acuerdo de la Exma. Diputacion territorial del dia 8 del corriente en confirmacion de los terrenos ⁴² de Santa Teresa, el de la Laguna sea presentados por el Ciudadano Joaquin Bernal y el Ciudadano Juan Alvarez sobre los titulos respectivos, tomese ahora en el libro

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42. i que correspondiese y entreguese a los interesados para su resguardo y demas fines. El Sr. D. José Figueron General de Brigada, Comandante General Inspector y Jefe Superior Politico del Territorio de la Alta California asi lo mandó decretó y firmó de q. d. y f. José Figueron. A guatin V. Zamorano. J.

413/

José Figueron General de Brigada de la Republica Mexicana, Comandante General Inspector y Jefe Superior Politico del territorio de la Alta California.

Por cuanto el Ciudadano Joaquin Bernal Mexicano por nacimiento ha pretendido para subsistencia personal y el de su familia el terreno conocido con el nombre de Sta Teresa colindante con los ranchos de la Laguna Seca y Narbaes arroyo del Coyote y rranas de las Lagunas y S. Juan: practicadas previamente las diligencias y averiguaciones correspondientes, segun lo dispuesto por las leyes y reglamentos: usando de las facultades que me son conferidas y de conformidad con el acuerdo de la Exma Diputacion Territorial del dia 8 del corte aprobando la concesion del citado terreno de la Laguna Seca y ademas el que tiene autorizado en el privilegio de Sta Teresa fecha en 12 de Junio proximo pasado al referido Ciudadano Joaquin Bernal nombre de la nacion Mexicana he venido en conferirle el terreno mencionado declarandole la propiedad de el por las presentes letras sin perjuicio al aprovechamiento comun por lo respectivo a pastos leñas aguas maderas de de los habitantes del Pueblo de S. José Guadalupe y

Concesion del terreno q. tiene cultivado el Ciudadano Juan Alvarez

44) sujeto a pagar el canon que se le imponga si resultare pertenecer a los ejidos de otra poblacion cuando se arreglen sus limites y a las condiciones siguientes.

1º Que se someterá a las que estableciere el reglamento que se ha de formar para la distribucion de terrenos baldios y que entre tanto ni el agraciado ni sus herederos podran dividir ni enagenar el que se le adjudica: imponer censo, vinculo, finca hipoteca ni otro gravamen aunque sea por causa pialos ni pasarlo a manos muertas.

2º Podra sereno sin perjudicar las transias Caminos y servidumbres, lo disfrutara libre y exclusivamente destinandolo al uso y cultivo que mas le acomode: pero dentro de un año o lo mas, fabricara casa y catorá habitada.

3º Solicitara desosé luego del Tuez respectivo le de

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posesion jurídica en virtud de este despacho por el cual se demarcarán los límites pondrán o más de las mogneras algunos árboles frutales o alventres etc, alguna utilidad.

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4º El terreno de q se hace donacion es de un sitio se granado mayor poco mas o menos segun esplica el diseño que corre en el Especifico. y el que tiene la posesion lo hará medir conforme a ordenanza quedando el sobrante que resulte a la nacion p^a los fines convenientes.

5º Si contraviniere a estas condiciones perderá su derecho al terreno y será denunciado por otro.

En consecuencia mandado que teniendose por firme y valeroso este titulo se tome razon de el en el libro a que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterrey a 11 de Julio de 1831. José Figueroa.

Agustin V. Zamora. Secretario.

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José Figueroa General de Brigada de la Republica Mexicana, Comandante General Inspector y Jefe Superior Político del Territorio de la Alta California.

Por cuanto D. Juan Alvarez Mexicano por su cuenta ha presentado para su beneficio personal y el de su familia el terreno conocido con el nombre de la Laguna Seca colindante con los ranchos de Santa Teresa y San Francisco de las Lagas y Sierras laterales, practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas y de conformidad con el acuerdo de la Excm. Diputación Territorial del Alta & del corte aprobado la consecucion del del citado terreno de la laguna seca y demas el que tiene cultivado en el parage de Sta Teresa echa en 12 de Junio proximo pasado al referido Dⁿ Juan Alvarez: a nombre de la nacion Mexicana he venido en conferirle el terreno mencionado declarandole la propiedad de el por las presentes letras sujeto a pagar el canon que se le imponga si resultare pertenecer el terreno q. Cultiva en el parage de Sta Teresa a los ejidos Del Pueblo de San José Guadalupe cuando se arreglen sus límites y a las condiciones siguientes.

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1º que se someterá a las que establece el reglamento que se ha de formar para la distribucion de terrenos baldios y que entre tanto se elagrado

2. 59

ni sus herederos podrán dividir ni enagenar el que se le adjudica, imponer censo, vínculo piamta hipoteca ni otro gravamen aunque sea por causa piadosa ni por obra a unives muertas.

2º Podrá cercarlo sin perjudicar las traversias caminos y servidumbres lo disfrutará libre y esclusivamente destinándolo al uso ó cultivo que mas le convenga: pero dentro de un año ó lo mas fabricará casa y estará habitada.

3º Solicitará despues luego al Rey respectivo que le dé posesion jurisdica en virtud de este despacho por el cual se demarcarán los linderos en cuyos limites podrá ó mas de las mayoreas algunos arboles frutales ó silvestres de alguna utilidad.

4º El terreno de q. se hace mención es de cuatro sitios de ganado mayor poco mas ó menos segun capta el terreno q. corre en el expediente. El Rey que tiene la posesion lo hará medir conforme á ordenanza para señalar los linderos, quedando el sobrante que resulte á la nacion para los usos convenientes.

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

En consecuencia mandado que teniendolos por firmes y valederos este titulo se tome razon de el en el libro a q. corresponde y se entregue al interesado para su resguardo y otras fines. Dado en Monterrey á veinte y tres de Julio de mil ochocientos treinta y Cuatro. = José Figueroa.

Agustin V. Zamorano.

Office of Surveyor General
of the United States for California.

I John C. Hoags, Surveyor General of the United States for the State of California and as such having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican territory or Department of Upper California by virtue of the power vested in me by law, do hereby certify that the 18 preceding and hereunto annexed pages of tracing paper numbered from one to forty eight inclusive, exhibit a true and accurate copy of a certain Document now on file and forming a part of the said archives in this office.

In testimony Whereof I have hereunto.

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Signed my name officially and caused my Seal of Office
to be affixed at the City of San Francisco this twenty
second day of October 1853.

John C. May.

US Surveyor General for California

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Filed in Office. Nov^r 1. 1853.

Geo. Fisher. Secy.

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U. S. Land Commission -
The heirs of Wm Foster died. No 2111.
The United States

Translation of Expediente
of the Rancho named
"La Laguna"

Translation
of
Expediente -

The same being filed in this Cause with annul-
ation thereto as certified from the Surveyor General's
Office of Expediente of the Rancho named Santa
Theresa.

In the year 1834.

Jurisdiction of the
Pueblo of San Jose

Expediente
of the place called "the Laguna" solicited by
Juan Alvarez -

Seal third. Two Reals -

Authorized provisionally by the administra-
tion of the Maritime Custom House of
Montevideo for the years 1833 & 1834.
Figueras - Jose Rafael Gonzales.

Senior Superior Political Chief,

The Citizen Juan Alvarez neighbor of the
Pueblo of San Jose made before your Excellen-
cy with due respect I wish that with date of
30th July 1830 I solicited of the Political Governor
of this territory a place known by the name of the
Laguna which I actually occupied with my
properties and cultivation.

Upon the 15th July 1830 I
received my petition and accompanied it with
the map according to the law of 11th of November
1828. And to this date I have had no information
In the said map I have not made a small
portion of land which comprehends an asquero
(caual) of water which I have lately made
(canal) from the said Laguna (lake) for
my cultivations - I petition of you to grant

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me as far as said Asquid Estates,
 (wherefore to your Excellency I sup-
 plicate if it may serve to give to my said
 petitions the view that may hold favorably
 to the end that I may acquire the property of
 the mentioned land, meaning not to be actualized,
 by Malice & Co -

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Monterey May 12. 1834.

Juan Abrego,
 (Marquias deerey)

Monterey May 4. 1834

Soliciting the antecedents to them be col-
 lected and a report be made for determination

requira
 Senor Superior Political Chief.
 In fulfillment of the foregoing decree of your
 Excellency I return this application with the
 antecedents to which it is joined.

Monterey May 15th 1834.

Augustin Zamorano.

Seal Hk. One quarter.

Authorized provisionally by the Mexican Repub-
 lic for the years 1825 and 1826 in the Territory of
 California -
 Hermand.

Senor Superior Chief.

The Citizen Juan Abrego Constitutional
 Alcalde and residing on the Pueblo of San
 Jose Madalena of the Authority of your Excel-
 lency with the most profound respect and subordi-
 nation which he owes before your Excel. prays
 himself to say, that since three years ago he
 solicited a place for a Rancho or Establish-
 ment for Cuyje Cattle and Anticipation which
 they call "Laguna Seca" (dry lake) distant
 from the Pueblo about 4 leagues a truth more or
 less and your predecessor decreed to me my
 petition that it being of nuisance to the inhabitants
 of the said Pueblo its individuals could give
 their opinion and if they could allow me this,

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petitioner purchased three more, some that
agreeing from the interests noted they might
them to be claimants equally with myself
and concerning that neither I nor they are dis-
tinguished in the regularity of goods to put
upon the place already above mentioned so
apply anew to the presence of Don Cay that
you may have the goodness to accord me the
permission as already acknowledged to put
upon the said place an establishment of Cows
Cattle horses & tillage -

wherefore I now respectfully pray
you it may see to approve as petitioned that
I hope to attain the grace of your accredited judg-
ment & clemency for which I will have grateful the
least who most attentively kisses your hands.

Pueblo of San Josi
of Guadalupe 31st June 1826 }
Juan Alvarez

Authorized by the King's constitution in Dec^r of March 1822,
Authorized provisionally for the years
1830 & 1831.

Casarin,
Senor Superior Political Chief.

The Citizen Juan Alvarez Actual Alcalde
of the Pueblo San Josi of Guadalupe before Don
Cay with due respect shows that since the year
1826 he directed to your Excellency a petition praying
for the ownership of the situation called the Laguna
which is on the borders of said Pueblo, which he
has cherished since the year 13 with the previous
consent of the Ayuntamiento which in that time
then existed but now in fulfillment of the laws
established for this purpose I forward to your
Excellency the map which complies with the 2nd
article of the regulations of Colonization so that
your Excellency may please to dispose whatever may
see your consent.

To Don Cay I pray it may see
you to perform after the manner that may be found
just wherein I shall receive favorable grace.
Monterrey July 18th 1831.

Juan Alvarez

(map)

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Note - Upon the lands represented in this map are various hills, oak groves & land marks. The lands are not measured nor are the limits placed with exactitude & exactitude.

Authorized by this administration for the years 1834 & 35. J. R. Gonzales.

Monterey May 14th 1834.

In conformity with the laws of the matter let the Illustrious Ayuntamiento of San Jose give information if they contain'd in this instance, has the requisites for or demand that his petition may receive attention, if the land he asks for is contained in the twenty border leagues or the ten territorial as expressed in the law of 18th August 1824 if it is originated de- pendent upon the Season, or a cattle watering place if it belongs to the property of any par- ticular Corporation, Mission or Pueblo with every thing else you may believe convenient to illustrate the matter.

The Citizen Don Jose Fig- ueroa Mayor of Bogota, Commandant General Inspector and Superior Political Chief of the Territory of Alta California thus orders, orders and signs which I attest.

Jose Figueroa.
Agustin V Zamora
Secy.

The interested party in this instance possesses the requisite rights, so that he may be attended to in his petition - The land which he asks for is not comprehended in the twenty border leagues nor the ten territorial which the law of 18th of August 1824 expressed.

The land is dependent upon the Season and has for boundaries the "partiguas" (an opening between hills) of the Laguna and the top of the hog from East to West from hill to hill in breadth. These limits placed in this instance should not go down till that time has been a marking out. The land which he

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Subjects pertaining to this jurisdiction distant
from the town from four to five leagues the
cultivated lands he includes in his Espediente
which he has titled an irrigated and belong to
the place Santa Teresa the which lands have
an assigned of water from the same Laguna.
Pueblo of S. Jose

24th de May 1834.

Pedro Chaboya,
1st Regidor Malimo, Martinez.

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Montreal June 10th 1834.

Transmit to the Alcalde of this
Capitol before whom the party D. Juan Alvarez will
produce an information of three proper witnesses
who shall be interrogated upon the following points.
1st. If he is a Mexican Citizen by birth ~~if~~ he is
married and has children, if he is of good conduct
2nd. If the land he asks for belongs to the property of
any particular Mission Corporation or Pueblo, if
irrigated, temporal or a certain place and what
extent it may have.

3rd. If he has goods with which to occupy it or the
possibility of acquiring them. These steps being
performed let him return the Espediente for a termina-
tion.

The S^{mo} Don Jose Figueroa, Brig Gen
Comm^d gen & Sup^r Pol Chief of Terr^y of
Citta Californica thus orders orders and affirms
which I attest.

Jose' Figueroa,
Augustin Zamorano Sec.

Seal third, Two Riols.

Authorized provisionally (re usual form) for
1834 & 1835
Figueroa Rafael Gonzales.

In fulfillment of the Superior decree
which precedes of the Superior Political Chief of
State of 14th instant concerning the information of
three proper witnesses and interrogating them upon
the three points of the mentioned Superior decree

Thus I the Constitutional Alcalde drew
order and sign with the assisting witnesses.

Attest.
Municipal Manuel Jimenez Casarin.
Witnesses Jose R Estrada Marcelino Escobar.

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On the present date the party Don Juan Alvarez
being first notified of the foregoing & hearing he
he said he heard and signed with me & the
witnesses of assistance.

Casarin.
Juan Alvarez.
Witnesses Jose R Estrada Marcelino Escobar.

Upon the present date Don Jose Tiburcio Castro
received the oath in all due form by which he offered
to speak the truth in what he might be asked and
asked and being asked for his name, Employment
Estate Age Country & Religion said he was called
as above expressed, that he is a farmer is married
40 years old, a native of the State of _____ and of
the Catholic Apostolic Religion.

Interrogated upon the three points mentioned
in said Superior decree of the Senior Notary
Chief of the State of Mich. he said he knew Don
Juan Alvarez that he is a Mexican by birth is
married & has children & is of good conduct, also
he knows the land which said Alvarez asks
for & it does not belong to the property of any
particular person, corporation, or to the public,
which it borders by four or five leagues, for it
has been occupied by that said land is irrigated
and not temporal that it is a watering place
and has in extent a little more than two leagues
that finally said Alvarez has goods of the plain
(cattle) with which to stock it, that he has spe-
ken the truth in accordance with the oath he took
and affirms and ratifies, having read over to
that end, this his declaration & he signs with
me and the assisting witnesses.

Casarin.
Jose Tiburcio Castro.

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Witness
Jose R Estrada
Witness
Marcelino Escobar.

Seated and Two Reals.

Authorized provisionally (as usual form) for the years 1814 & 1815.
Figueroa Rafael Gonzales,

Upon the present date Don Carlos Castro received the oath in due form by which he offered to tell the truth in what he knew and was questioned and being questioned as to his name Employment Estate Age Country & Religion said he was called as above named, is a farmer, 36 years of age, native of Sonora & of the Catholic Apostolic Religion.

Interrogated as to three points mentioned in said Suspensive Decree of the Said Political Chief of date of present month, said that Don Juan Alvarez is a Mexican Citizen by birth is married, has children & is of good conduct that the land which said Alvarez solicits does not belong to the property of any particular Mission corporation, only of the Pueblo of San Jose, Guadalupe but this never has occupied it, that said land is irrigated, is tilled and a watering place & has in all but a little more than two leagues, finally that said Alvarez has care to stock it, that he has spoken the truth as charged by the oath, he has taken which he affirms & ratifies after reading what was in his declaration & he signed with me & the witnesses of assistance.
Casarin. Carlos Castro.

Witness
Jose R Estrada
Witness
Marcelino Escobar.

Upon the present date Don Salvo Pacheco took the oath in the due form by which he offered to speak the truth as to what he knew & would be questioned and being asked for his name Employment Estate Age, Country & Religion said he is called as aforesaid, is a farmer, married 39 years native of this spot & Catholic A - Religion -
Interrogated upon the three points

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Mentioned in the said Superior decree of the
Senior Political Chief of date of 10th inst, he
says that Don Juan Alvarez is a Mexican
Citizen by birth, is married has children and
is of good conduct, that the land which said
Alvarez solicits does not belong to the property of
any Mexican corporation or Pueblo, that it
is situated temporal and a tending place and
that it is in length a little more or less than two
leagues, finally that the said Alvarez has come
to stock it, which he says is true as charged
by his oath which he has taken. He affirms &
ratifies having read to that end this declaration
made & signs with me and the witnesses of
assistance -
Casarin.

Salvio Pacheco.

Witness - Jose R Estrada, Witness - Marcelino Escobar.

~~Seat Court, Two Riots.~~

~~Authorized provisionally (se-usual form)
for the years 1844 & 1845.
Tiquiroa Rafael Gonzalez.
Upon the present date Don Carlos
Castro received the oath in due form by which he
affirmed to tell the truth in what he knew and was
questioned and being questioned as to his name
employment, estate, age country & region, said he
was called as above named is a Spaniard 26 years
of age native of Sonora & of the Catholic Apostolic
Religion -
Interrogated as to the three points men-
tioned in said Superior decree of the Sr Political
Chief of date of present month said that Don
Juan Alvarez is a Mexican citizen by birth is married
has children & is of good conduct that the land
which said Alvarez solicits does not belong to the
property of any particular Mexican corporation~~

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Seal third Pro Rats.

Authorized provisionally (80 usual form) 1834 & 1835.

Piquinos Refab Gonzales. Monterey June 11th 1834.

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These Slips being concluded return the Expediente to the Sr. Political Chief for his determination. Thus I the Alcalde Constitutional do so. ordered and affirm with the Assisting Notary.

Casario. Notary Jose R Estrada Marcelino Escobar. Notary

Monterey June 12th 1834.

On being the petition commencing this Expediente, the information of the Municipal Authority of Pueblo of San Jose Guadalupe the depositions of the witnesses with all the rest which is done and is convenient in conformity with the disposition of the laws and rules of the matter, Don Juan Alvarez is declared owner in fee of the lands known by the name of the Laguna bounded by the ranches of San Fran^{co} de los Lagas and Santa Teresa and lateral hills

Direct this Expediente to the Most Excellent Deputation for its due approval. Don Don Juan Piquinos Brig. My Com^{da} Genl. Supl & Supl. Pol. Chief of State California, thus ordered & signed which I attest.

Jose Piquinos Augustin Zamorano Secy.

Monterey June 14th 1834.

In session of this day the Most Excellent Deputation agreed pass this Expediente to the Com^{is}ion on Colonization and vacant lands.

Jose Piquinos.

Seal third Pro Rats.

Authorized (80 usual form) 1834 & 1835.

Piquinos Refab Gonzales

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Sir, Superior Political Chief.

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The Citizen Juan Alvarez neighbor of the pueblo of San José in accordance with law respectfully states before your worship that on the year 1823 permission was accorded to me by Don Luis Arguilla entrusted provisionally with Political Command to establish myself in the place called Laguna Seca which I actually occupied bounded by the Citizen Joaquin Bernal to whom I being Alcalde of San Pueblo in the year 1826 permitted to put on it some cattle separate from the general stock in Santa Teresa while he obtained a place he had solicited called "Infento" which in fact was granted to him. But your worship in virtue of knowing that Bernal sells in property the place of Santa Teresa whose map encompasses my fields of tillage and canals of water in which I have made my subsistence -

Sir this individual who intends to dispute me of a right which I have acquired in force of a sacred Cosecho, is clamant to obtain his ends in that part in which he professes to injure me.

Wherefore I beg it may serve you to perform in this particular as you may find to be according to justice & as may be convenient.

I swear what is necessary &c.
Montevideo June 5th 1834.

(Marquias deera)

Montevideo June 5th 1834.
Pass this over to the part of Joaquin Bernal for the term of 8 days.
Yeguiroa.

Seal thus - Two Reals.

Authorized provisionally (so usual clause)
1834 & 1835.

Senior Consequant Senr & Supr Pol Chief, Joaquin Bernal in defence of his rights and in answer to what is contained in the

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representation of Juan Alvarez which your
Worship served to transmit to me upon the
Cot. and before Don Cley with the utmost
respect appraisals & says.

The Senior Alvarez himself in the
representation aforesaid is seen obliged to confess
two things very favorable to my claim, first
that the place which he obtained provisionally
of the Senior Don Luis Arguello is the Laguna
Seca which he actually occupies and which is
bounded by the place occupied by me. the second
that he himself being alcalde of the Pueblo
of San Jose in the year 1716 gave me permission
to separate my goods from the Common Stock
and place them upon the place called Santa
Teresa. Thus far we agree, but now the Senior
Alvarez not content with the place which is
given to him after taking violent possession of
the part of the lands which I have possessed
peaceably so many years accuses me of wishing
to dispossess him of his, it being most certain
that the piece where his tillage is allowed to
Santa Teresa and in the manner to the Laguna
Seca and also most notorious and public that
he has not made use of, nor asked for such a
place until the past year when he took it by
force in spite of my opposition.

The costly sacrifices which the
Senior Alvarez alleges to have made on the place in
question must as I understand rather punish
me, since by them he has endeavored to put out
by force the stranger & discommoded to the
necessity and since there are not wanting good
lands for cultivation in his own place, a peaceful
neighbor who now enjoys them.

By what is thus set forth,
I flatter myself Senior that your Worship will
understand clearly that I ask no unjust thing
I do not wish to usurp the Senior Alvarez but since
the land in question belonging to Santa Teresa
and not to the Laguna Seca, the utmost injury
is done me and if it should be granted to the Senior
Alvarez I foresee the most grievous results
for I shall have to abandon the location which
I occupy in which I have spent a good deal

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since I have already made four adobe houses and two others are commenced, a garden many fruit trees vineyard &c. to avoid going into many law suits.

Wherefore to your Worship I must humbly pray to decide fairly, that the Sr. Alonzo be content with his own, and that he leave me in peaceful possession of the place which I have occupied, protesting not to proceed through malice and whatever is necessary.
Montreux 12th July 1834.

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At request of the entrusted party,
William Ell Hartnell.

Seal third, Two Riass.

Authorized provisionally (as usual clause) 1834 & 1835.
Figueroa Rafael Gonzales.

Sr. Don Sulpicio Political Chief.

The citizen Juan Alonzo member of the Pueblo of San Jose Guadalupe possessor of the place called Laguna Seca, before your worship as he finds place in law through, in virtue of what is alleged on the 10th inst. on the part of the City Sr. Joaquin Senal in the question which is mooted complaining that I have introduced my calf into the limits of the land of Santa Teresa, which belongs to him. I say that the said individual has absolutely no grounds for complaint of despoilation for in nothing as I believe has he lost the lands of his property.

The Rancho of Santa Theresa has no limits marked out by authority & consequently he can have no greater extension of his property than that which he has cultivated and held in improvement with his goods. Who can be no better witness than myself because being Alcalde in the year '25 I permitted him to occupy with his goods this place provisionally, whilst that he was acquiring the place "Ingenio", which positively was conceded to him in the time of

of Don Luis Arguello, and so it does not
 please him to continue improving the just.
 This is the origin which the
 adjudication has of the said place, and to this
 time he has been upon the place, only thus by
 permission for the benefit of his family, he assigns
 me the responsibility, not believing myself
 possessed of the powers to dispose absolutely of
 the common lands for the purpose of my title.
 I hold it with as much right as the said Señor
 Bernal and for my benefit, I made a canal
 of water which in fact has produced much benefit
 for the rest of the land solicited, there is no
 irrigated land.

The Sr. Bernal says that
 I threatened him when he has me
 and in this he fails of the truth, for he has
 any such thing passed with this old fellow
 I do not deny that I had a quarrel with a
 son in law of this Don Antonio Señor, but this
 quarrel had another origin very different, and by
 this I have treated him with kindness and he
 excuses me as much as possible to carry on
 with him.

By what is set forth Sr. Political
 Chief your worship may be advised to take into
 consideration the aforesaid and attend to the
 affairs which will attend me if I should fail
 in my petition except which asks for a small
 piece of land which with great sacrifices I have
 made beneficial to protect me.

Wherefore I beg that you may send
 word to attend to what is expressed and to arrange
 that which is found just, swearing I am not
 actuated by malice and what is necessary.

Monterey 12th June 1834.

Juan Aloniz.

Monterey June 12th 1834.

Refer it to the Most Excellent Deputation
 and collate the Expediente promoted to Joaquin
 Bernal in solicitation of the land of
 Santa Teresa -

Figueras -

Montreal June 14th 1834.
 In session of today it was
 agreed to pass it to the Commission of Colon-
 ization & vacant lands.

Figueras

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Translation of Extracts from the
 Expediente of the Rancho of "Santa Teresa"
 agreed to and filed in this Cause with the
 Expediente of the Rancho "Lajuna Seca" as one
 document.
 Page 38 of said document.

Most Excellent Sir.
 The Committee of Colonization and Vacant
 lands, who are acquainted with the points of
 this matter which you have entrusted to them
 upon entering into the delimitation of the
 complaints of the Citizens Juan Alvarez and Joa-
 quin Bernab as appears by the Expediente
 and representation of both parties in question
 have considered attentively the essence of the
 Aleguement on both sides and having seen the
 claim of each report that on the part of
 Juan Alvarez notwithstanding his map does
 not include the tillage lands which he now
 occupies & has made beneficial by a canal of water
 at his own cost and by this act he has obtained
 a right over it and never having petitioned for
 it in due form according to his Memorial of
 12th May last, the Committee believe this Con-
 sideration acquired by what has been expressed in
 virtue of and attending to the acts of the
 Sr. Political Chief of the lands of Lajuna
 Seca to the said Alvarez according to his map
 and that of Santa Teresa to the Citizen Bernab
 as it is, will cannot have the effect as is given
 to understand in all its parts by what has been
 said. The Committee believe it convenient to
 surmount obstacles to present the mooted
 question as in effect they have done to the delimita-
 tion of some of the following propositions

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1st. They approve the Concession made by the Sr Political Chief in favor of the Citizen Juan Alvarez of the place of Laguna Seca with the land which he has cultivated & made beneficial to this day with the Canal of water which he made at his own cost.

2^a. They approve also the Concession made of the place of Santa Teresa dividing from it only the Cultivated lands which they have just adjudged to the said C. Juan Alvarez according to the appointment of the preceding Article -
Montreux 21 June 1834.

Jose A Estudillo Ant^o. Carrillo.
Jose Castro.

Being passed to the Most Elect Deputation in Session of this day with the presented reports in 21 June & 5th July Approval's giving to the two propositions which conclude the just the tenor of which is as follows

1st. The Concession made to the Sr Political Chief is approved in favor of C. Juan Alvarez of the place of the "Laguna Seca" with the land which he has cultivated and raised till to day with the Canal of water which he constructed at his own cost.

2^a. They approve likewise of the Concession made by the Sr Political Chief of the place of Santa Teresa in favor of the C. Laaguin Bonat accepting only that of the tillage land which has been adjudicated totally to the said C. Juan Alvarez according to the approval of the foregoing Article -

And in consequence let this Expedient to be returned to the Superior Political Chief for his action

Montreux July 8. 1834
Jose Figueroa Presdt.

Jose Maria Maldonado
Secy. }

(The Expediente Conclusivo
with the Record of the first Grant
which has heretofore been translated
& translation filed in this Case No 2111)

1849

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A.

Exhibit to de-
position of R.
H. Demmeick
in case no. 244
of W. Fisher
Claimant.

Expediente Testimoniado en
que constan las diligencias practicadas
para el embargo eavaluo, Enmate y Po-
sition, en favor de Don Jose Antonio
Aguirre, del Rancho de Don Juan M.
Vires, Conocido por el del Refugio o
Laguna-beca en 1845, por Cantidad
de pesos que
— aduudava —

Jusgado Constitucional
San Jose Guadalupe de
Enero del año de 1849

Juzgado c 3
1^a Instan^a 3

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Para el dia seis del que eige lleba orden expresa de presentarse ante ese juzgado del Cargo de V. el Ciudadano Juan Albires; por lo que procedera V. inmediatamente a la vista de esta al embargo del rancho, huertas, casa y muebles de su pertenencia; no Comprehendiendose en estos ultimos los que por las generales de la Ley quedan exceptuados, como son Camas, baules, ropa de uso, trastos de Cocina y mesa, haramintas de labranza o artes; y notificara V. a dicho Albires, que si dentro de diez dias contados desde el en que se verifique el embargo no satisface a Don Gaspar de Orma la Cantidad de ochocientos Cuarenta y un pesos siete reales y a Don Jose Rafael Gonzales la de seiscientos Cien y ocho pesos cinco reales que les adeuda le pondra en venta publica el rancho Huertas, Casa y muebles embargados rematandose al mejor postor, y si el producto de ellos no alcanzare a pagar dicha cantidad y los gastos que eroque el remate: procedera V. tambien al embargo y remate de los vienes semovientes, que sean necesarios para el Completo de la cantidad esperada y todos sus gastos; en cuyos procedimientos si fuere necesario nombrara V. peritos abalvadores y ocupara V. las personas y brazos que fueren necesarios; bajo la inteligencia, que todos estos gastos sean pagados con los intereses y vienes de Don Juan Albires: pudiendo

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A. Exhibit
Continued

en caso preciso pedir y exigir de ese vecindario el auxilio correspondiente para llevar al Cabo estos procedimientos y hacer respetar esta orden; exigiendo de dicho individuo la multa que corresponde por la falta de comparencia a las dos citas espeditas por el juzgado segun lo manifiesta el Superior Tribunal de Justicia en oficio de fecha treinta del que finalizo; de todo lo cual dara' V. Cuenta inmediatamente a este juzgado para los fines a que haya lugar.

Dios y Libertad. Monterrey
Agosto 2 de 1844
Marcelino Escobar

Señor Alcalde 1.º del Pueblo de San Josef

En el Rancho del refugio a los Diez y seis Dias del mes de agosto de mil ochocientos cuarenta y cuatro: Yo Antonio Maria Pico Alcalde primero Constitucional del pueblo de San Jose' de Guadalupe y su demarcacion; actuando con dos testigos de asistencia, por falta de escribano publico; hize notoria al Ciudadano Juan Alvares la nota oficial que me dirige el Señor Juez de primera instancia de la Capital de Monterrey con fecha dos del que rige, contrairda a proceder al embargo de dicho rancho de sus propiedades; lo que verifique embargandole el sitio, la Casa, y dos huertas, teniendo unas, ciento ochenta arboles frutales y mil ciento nueve Cepas; y la otra setenta y dos: en molino con todos sus muebles y

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siete vigas aserradas y veinte morillos
redondos; tambien diez y seis sillas desar-
madas y dos Catres extranjeros, segun
la orden del Señor juez y fallo del Su-
perior Tribunal de Justicia de este De-
partamento cuya orden obra en cabeza
de este expediente. Asi lo dispuse, man-
de y firme con los de asistencia y el
embargado. Rancho del Refugio 16
de Agosto de 1844

Antonio M^a Pico

Juan Alvares

Asistencia

Pedro Zepeda

Buella

De asistencia

Ygnacio Berruena

(3)

Monterrey Agosto 23 de 1844

No toca a este gobierno mas
que hacer cumplir la sentencia de los
tribunales; mas en obsequio de la humanidad
enfermedades y honradiz del suplicante
recomienda al Señor presidente de la
Superior de Justicia se sirva procurar ver
si los acreedores tienen alguna Conci-
liacion pagandoles un edicto por empla-
zo o ampliandoles siquiera el derecho del
emate interin ocurre al Señor Aguirre
pidiendo esperas, que no es dudable de
su acreditada religiosidad se ni que a
esta familia, que de otro modo se arruina=
Micheltorina

Monterrey 24 de Agosto = El
Alcalde primero del pueblo de San Jac' sus-
pendira por dos meses el emate de los vi-
nes del Ciudadano Juan Alvares interin ocurre
con los acreedores y le conceden mas tiempo en obse-
quio del decreto del Exmo. Señor Gobernador =
Malarin.

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14) Señores Alcalde unico Constitucional
 El Sr. Carlos Weber ante V.
 Como mejor proceda en derecho digno
 habiendose cumplido el tiempo y mas
 pasado el tiempo hasta diez meses desde
 la fecha del mes de julio del año procesi-
 mo pasado en que me dio e iso la obli-
 gacion el Señor Juan Alvares que V. la
 confirmo como Juez en su Juzgado,
 y al tiempo de ver los atrasos que se me
 siguen perjuicios y danos Cabas con la
 retencion de mi dinero y efectos del comer-
 cio que tomé; en cuya virtud imploro a
 la recta justificacion de V. se proceda al
 embargo de los bienes conocidos de Campo,
 que si hay un algo en su rancho, para
 que cumpla y egiere segun el mandato
 y se hizo la obligacion que igualmente
 incluyo, y si en el caso de no haser la
 paga real y efectiva se venda en pu-
 blica subasta; y de no poderse escoger el
 metalico que aduda me confirmo con la
 decision de dos sujetos integros que a
 sus saberes pongan el valor por Cabeza;
 Por tanto

A. V. Suplico provia como
 pido, por ser en terminos de Justicia,
 que Juro lo jurasmo 7^a

Pueblo San Jori' Guadalupe
 Mayo 1^o 1845
 Carlos Maria Weber

15)
 Juzgado primero 3
 Constitucional 3

Se ha exhibido por este
 juzgado en oficio de base del Corriente
 relativo, a que se haga comparecer en
 ese de su cargo al vecino Juan Alvares,

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A. Exhibit
 continued

por lo que contesto a V. que estando yo usando licencia por un mes y habiendo cumplido esta base dos dias no estoy impuesto mas de este ultimo oficio y dicho Señor Aloires le ordenare con oportunidad de presente en ese, pues siendo de la jurisdiccion del mando de V. es verdad debe comparecer a todo tramite judicial o demanda que haya contra el.

Dios y Libertad. Monterrey Junio 21 de 1845

Marcelino Escobar

Señor Alcalde de primera Nominacion del Pueblo de San José Guadalupe

6) Señor Juez de 1ª Instancia José Antonio Aguirre ante V. Comparece y dice: Que habiendo terminado el plazo de dos meses concurrido a Don Juan Aloires por el Superior Tribunal para que cubriese la deuda que tiene pendiente con el que abla.

A. V. Pide se sirva mandar que conforme con lo actuado en el expediente se proseda a los tramites que demarcan las Leyes para cubrir la deuda que tiene pendiente con el expediente

Santa Clara Agosto 4 de 1845

José Antonio Aguirre

Señor Juez de 1ª Instancia D.º Antonio M.º Pico.

7) Juzgado de 1ª Nominacion

Señor Don Antonio Aguirre. Como ha llegado la convocatoria del Señor Prefecto del Contado

83

del rancho de Albores merced que sea
persona de V. pase a este juzgado para
los fines que combenguen

Pueblo de San José Guadalupe 1.^o de
Septiembre de 1845

Antonio Maria Pico

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Comparece Don Gaspar Peña como
mi apoderado

Santa Clara 1.^o de Septim-
bre 1845

José Antonio Aguirre

A. Exhibit
Continued

(9) Juzgado de 1.^a Instancia
del P.^o de Yerbuena

Anunte a lo dispues-
to por la Sub-Prefectura del distrito en
fha 30 de proximo pasado Octubre
relativo al asunto en cuestion de Don José
Antonio Aguirre contra los bienes y
propiedades de Don Juan Albores, y
en atencion a lo dispuesto posteriormente
por el mismo Sr. Aguirre a la
Subprefectura y para evolver lo con-
beniente, provida V. al formal abaluo
por peritos de ciencia conciencia y pro-
vidad del rancho y demas pertenun-
cias en el de dicho Don Juan Albores.
Y igualmente el escrupuloso examen de
si hay mas acredores que los nombrados
contra dichos bienes; pero que toda
a creencia sea bien legalizada y con-
frontada; pues la hacienda publica
en Caso, y gastos de oficina se han de
preferencia, y procurando en todo obrar
conforme a Ley y justicia. Con los re-
sultados espere me de el mas pronto
posible habido para las ultimas providencias.

Dios y Libertad. Yerbabuena No-
viembre 8 de 1845

Jefe de la Cruz Sanchez
Señor Alcalde 1.º del Pueblo San
Jose Guadalupe

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PAGE 83

1º En el Puerto de la Yerbabuena
a los dias y nueve dias del mes de No-
viembre de mil ochocientos Cuarenta y
cinco, comparecio en este Juzgado el
ciudadano Jose Antonio Aguirre y
Dijo, ante mi y los testigos de asis-
tencia, que por la presente Comude po-
der amplio y suficiente en toda forma
de derecho a favor de Don Gaspar Orma
para que representando su persona, escri-
ba de las autoridades competentes la po-
sesion del rancho llamado el refugio
que era de la pertenencia de Don Juan
Alvares, que fue punto en remate pu-
blico, por cuenta de los acreedores de
dicho dueño; y que mediante las cir-
cunstancias del remate me pertenece si-
guir la Ley, como consta de los docu-
mentos existentes en el Juzgado Corres-
pondiente jurando no ser maliciado.

Jefe de la Cruz Sanchez
Jose Antonio Aguirre
asistencia asistencia
Rafael Pinto Juan de Cantaneda

III
Nombrados por N. Señores para
el abaluo del rancho llamado del Re-
fugio de la pertenencia del Señor Don
Juan Alvares, con el objeto de ponerlo
en remate publico, y fixar en verdadero
abaluo; despues de calculos prudentes
y determinados y segun nuestro saber y

85-

entender, hemos abalvado de mancomun en lo siguiente. =

Los Cuatro sitios, la casa, huertas viñas, Corrales y demas pertenencias de dicho rancho en la suma de Cuatro mil Cuatrocientos pesos.

Juramos lo necesario. San Jori' de Guadalupe Octubre 24 de 1845

Salvio Pacheco Juan Stike

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A. Exhibit
Continued.

Señor Alcalde 1º Constitucional

Nota

Se agrega a este abalvado cincuenta pesos de una olla de fierro

Pico.

Remate del Rancho llamado del Refugio -

Abalvado segun peritos \$ 4.400
1/3 parte de rebaja \$ 1 466 3/4

Postura admisible 2.933. 3/4

Pico.

(12) En el Pueblo de San Jori' Guadalupe a los seis dias del mes de octubre de mil ochocientos Cuarenta y cinco.

Ahora que son las tres de la tarde, se prosedio a la junta de los habitantes de esta poblacion por medio de tres llamamientos por pregones y reunidos en este juzgado de mi Cargo.

Yo el Ciudadano Antonio Maria Pico Juez de primera nominacion de este partido en saber, que quedaba habiendola postura para el remate del rancho llamado del Refugio de la Pertinencia de Don Juan Alvares y no habiendo habido postor alguno por la

Condicion de ser al Contado Participé' no
 tener lugar por hoy dicho remate hasta
 Comunicarlo a la Superioridad

Antonio Maria Pico

(13.)

Señor Juez de 1.^a Nominacion de
 este Partido.

Gaspar Peña apoderado
 como Comta del Señor Don Jori' Anto-
 nio Aguirre, para representarlo en el
 embargo del rancho llamado del re-
 fugio de la pertenencia de Don Juan
 Albires hace a V. presente; que no ha-
 biendo tenido lugar hoy postura al-
 guna para el remate de dicho ran-
 cho, seido a nombre de mi proder-
 dante, que se le adjudique como ege-
 cutante lo mejor de la finca embar-
 gada, que sea suficiente para cu-
 brir el credito, que tiene dicho Señor
 Aguirre contra el Señor Albires

Juro lo nuevo. Pueblo de San
 Jori' Guadalupe Octubre 6 de 1845

Gaspar Peña

Antonio Maria Pico.

(14) Juzgado de 1.^a Inst.^a
 del P.^o de Yerbabuena

Es en mi poder
 el abalo, que mando V. verificar del
 rancho del Refugio de Don Juan
 Albires: asi mismo el remate, cuyos
 documentos le devuelvo para los usos
 combinados, y le acompaño en el
 numero 1 y 2 la solicitud que hace
 Don Antonio Aguirre, para que
 se le ponga en Juncion del referido

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rancho por los alegatos que espone, y la lista de acreencias que econose sobre el; y no habiendo lugar ya a admitir las demas, que posteriormente han resultado segun su lista, que me incluye, por no haberse preguntado los interesados en el tiempo de los pregones y avisos al Publico. En tal virtud procederá V. de Conformidad con lo pedido por dicho Señores, a ponerlo en posesion de el, obrando en todo conforme a la ley de la materia, con las formalidades de edicto y devolviendome los documentos enumerados de que le hago referencia, me dara' cuenta de lo que haya ejecutado en el asunto.

Dios y Libertad Yerbabuena Noiembre 17 de 1845

Jose' de la Cruz Sanchez

Señor Alcalde 1.º del Pueblo de San José de Guadalupe

15) En contestacion a la nota oficial que me paso' V. con fecha 9 del presente en que copia el oficio de el Señor Alcalde de 1.ª nominacion del Pueblo de San José de Guadalupe relativo al remate de el rancho llamado de el Refugio de la pertinencia de Don Juan Albires. Contento diciendo que me hago responsable al pago de la tasacion de dicho rancho, en los terminos de el remate, valiendome de el derecho, que la Ley me concede por ser el denunciante primero y referuntar por mis deudas mas de las dos terceras partes Por tanto.

A. V. Suplico que mediante la presente

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A. Exhibit
Continued.

se sirva ponerme en posesion de dicho can-
cho con la mayor brevedad posible, por ser
muchos los perjuicios, que se me estan segui-
do por la demora

Acompaño la lista de los acreedores, que
se presentaron a tiempo segun los avisos
publicados para el emate aunque esta
debe constar en el juzgado de primera
nominacion de el Pueblo de San Jose
de Guadalupe; en dicha lista bajo mi
firma han señaladas las partidas, que
represento, y estimaré a vd. pida a
dicho juzgado, que con la brevedad po-
sible emita todos los documentos relati-
vos a este asunto para su terminacion.

Dios y Libertad Yerevaluna Octubre
16 de 1845

José Antonio Aguirre
Señor

Subprefecto del 2.º Distrito

16) Lista de los acreedores de el can-
cho llamado de el Refugio de la per-
tencia de Don Juan Albires cuyas
cantidades represento y son las siguientes

Mi credito contra dicho cancho	841.7
El de la Mision de San Jose	600.0
Otro mio	48.0
El de el Señor A. B. Thompson	323.0
El de el Señor Stocks	233.0
El de Don Enrique Melino	100.0
Suma mi credito	\$2.145.7

José Antonio Aguirre

Las demas deudas son las siguientes

A. Don Rafael Gonzales	378.5
A. Don José de Jesus Vallys	97.0
D. Antonio Suñol	417.0

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D. Salbio Pacheco	22. 0
Juana de Dios Montero	4. 0
Al Señores Bernal	60. 0
<u>Total</u>	<u>\$ 3.125</u>

A.
Exhibit con-
tinued

De estas ultimas deudas la mayor parte estan sujetas a reglo en mi favor en caso de necesidad por tener cuentas abiertas con mi go

Yerbabuena Octubre 16 de 1845
Jose Antonio Aguirre

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Lista de los Yndividuos que esclaman deudas en el Ciudadano Juan Albires.

A. D. ^{na} Jose de Jesus Vallejo	97. "
A. D. ^{na} Jose Antonio Aguirre por la Mision de San Jose Dos vaquillas	600. "
A. D. ^{na} Antonio Sañol	417. "
A. D. ^{na} Antonio B. Thompson	323 "
A. D. ^{na} Henrique Mellus	100 "
A. D. ^{na} Salbio Pacheco	18 "
A. D. ^{na} Juana Montero	03 "
A los Señores Vernales	60 "
A el juzgado de este Pueblo	6 "
A D. ^{na} Jose Ant. ^o Aguirre	841-7
A D. ^{na} Rafael Gonzales	348. 5
A D. ^{na} Santiago Stote	233 "
A. D. ^{na} Enrique Bee	59. 5
A. D. ^{na} Luis Peratta	34. 4
A. D. ^{na} Ant. ^o Maria Pico	10. "
A. D. ^{na} Euligio de Celis	18. "
A. D. ^{na} Katan Spear	86. "
A. D. ^{na} Fran. ^{co} Garcia	36. "
A. D. ^{na} Jose de Jesus Mesa	10. "
A. D. ^{na} Petra Pacheco	36 "
A. D. ^{na} Rafaela Soto	10 "
A. este juzg. ^o por los derechos	146. 5

Pueblo de San Jose G. No-
viembre 15 1845

117 Yncontinenti, habiundo Comparecido Don José Antonio Aguirre por su apoderado Don Gaspar Peña; el que legalizando su representación, con un documento bastante, que queda depositado en este Protocolo, se procedió a la posesión jurídica, no habiundo Comparecido el deudor comun, por haber sido acusado de rebeldía, y este juzgado, en virtud del fallo del tribunal Superior, y aclaracion de una Consulta hecha al Juez de primera instancia, sobre no haber lugar en la graduacion de créditos por no haberse presentado en tiempo habel segun el espíritu de la Ley, y actuando por excepción a falta de escribano publico que no le hay segun proviene el derecho, se dio la espresada posesion, concurniendo los colindantes para en caso de Contravercia aleguen el derecho que les convenga. Asi lo provei y firme con los nuncionados testigos en el Pueblo de San José de Guadalupe a los veinte y cinco dias del mes de Noviembre de mil ochocientos cuarenta y cinco.

Antonio Maria Pico

Asistencia
Salvio Pacheco

José Noriega

118 En el Pueblo de San José de Guadalupe a los veinte y seis dias del mes de Noviembre de mil ochocientos Cuarenta y cinco; El Alcalde de primera Nominacion de dicho Pueblo actuando por excepción con dos testigos de asistencia por falta de escribano publico; presentes los Ciudadanos

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A. Exhibit
Continued

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José Reyes y Eusebio Galindo, el primero como Colindante y testigo, y hice la entrega Solemne, de las Escrituras del rancho del Refugio, antes perteneciente a la propiedad de Don Juan Albires; cuyo rancho es hoy propiedad de Don José Antonio Aguirre por el expediente, que con arreglo a las Leyes y Tribunales obra en este juzgado: Conteniendo dicho rancho una Casa, Dos Huertas, una con ciento y ochenta árboles frutales y mil ciento nueve Sepas; y la otra sesenta y dos Sepas, un molino de castrar, y una Olla de fierro: la estension del terreno como de Cuatro Setios de ganado mayor, Como consta en el Título, presentes los Colindantes Don Juan Bernal por su hermano Agustín Bernal: Guillermo Castro a nombre de su padre Carlos Castro; Don Carlos Quiroa por su derecho y Como dicho es verificado solemnemente la entrega de todos los Documentos que le pertenecen al Señor Don José Antonio Aguirre, quien los pidió por testimonio y verificada la posesion por mi Como Alcalde de primera nominacion, entendi, este Título asegurandole todos los derechos que en el se refieren para que pueda hacer uso del referido rancho antes conocido con el nombre de la laguna boca, firmandolo por receptor con los de asistencia hoy dia de la fecha.

Antonio Maria Pico

asistencia
Eusebio Galindo

asistencia
Guillermo Castro
asistencia

José de Jesus Martínez

He recibido Como apoderado de Don José Antonio Aguirre los documentos de Posesion

del Rancho del refugio de la pertenencia de Don Juan Albires.

Pueblo de San José 26 de Noviembre de 1845

Gaspar Orena

Pico James Stokke

(19) Señores Alcalde de 1.^a nominacion

Antonio Suñol vecino de este Pueblo ante V. Como mas halla lugar en derecho me presento y digo: Que sabiendo que el rancho conocido con el nombre de la Laguna Boca, de la pertenencia de Don Juan Albires esta rematado, por Don José Antonio Aguirre, para el pago de deudas de dicho Albires, ocurro a V. para que si despues de los juagos resultare algun sobrante, que de en poder de alguna persona de credito, para de este modo evitar el despilfarrro de estos intereses y que tenga mi ahijado Juanito hijo de Don Juan Albires alguna cosa para alimentarse y educarse hasta que llegue a la edad oportuna de su crianza P. D. A. V. Pido se sirva elebar esta mi solicitud a manos donde sea conveniente de lo que Escibire gracia y justicia.

Pueblo de San José Noviembre 27 de 1845

Antonio Suñol.

Madernos 5

Juzgado 3
San José 3

Año de 1845

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Informacion del Rancho de la Laguna del Refugio del Señor Juan Abires

A. Exhibito
Continúa

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(20) A los dos Dias del mes de febrero de 1844, comparecio el Ciudadano Juan Abires quedando responsable a pagar la Cantidad de Cientos pesos que adeuda el individuo Felix Villagrana, por una multa que se le impuso en este Juzgado lo que firmo con mi go el referido Juan Abires a 2 de febrero de 1844 pagando dicha Cantidad en el termino de 15 dias

Antonio M.^a Pico

A ruego del interesado
Juan Abires

(21) Cargos del Juzgado a Don Juan Abires.

Por las primicias diligencias de embargo	\$25.
Por pago que se le iso al que cuido el rancho	8 "
Por el Juramentario y abaluo	35 "
Por varios documentos hechos en el emate	" " "
y su g ^{ta}	60. "
Por 18 pesos pagados por don Juan Antonio Aguirre por un correo	18 "
Por sus pesos que adeuda a este fondo por Santana Dias	6
	<hr/>
	\$ 152 "
	<hr/>

(22) Don Juan Albires debe por cuenta de su mujer a Rafaela Soto 10. pesos
Pueblo San Jue' Noviembre 15. de 1845

Rafaela Soto

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(23) Apunte de lo que me es deudor el
Señor Don Juan Albires es

A. Saver

10. Cueros a 12 reales	\$ 15 "
3. mas, tres pesos de un capote em- puñado	3 "
Mas 18. pesos que me quedo a pa- gar el cabo Soto, y hasta esta fe- cha no me ha dado nada por que dia, que lla se los pago a dicho Señor Albires	18 "
Suma de lo que me debe	<u>36 "</u>

Son 36 \$

(24) Cuenta que me adeuda Don Juan
Albires en aguardiente desde el año 1843
Es la Cantidad de \$ 10 "
Jesus Mesa

(25) Cuenta que me adeuda Don Juan Albires desde el año de 1843	
Es la cantidad de \$ 27 - "	
Ydem mas tres vaquillas	9 - "
	<u>\$ 36</u>

Francisco Garcia

(26) Pueblo de San Jue' 2
Octub. 13 de 1845 3
Don Juan Albires

95

A. Matan Spear

Deve

A. Exhibit }
Continued }

Por Saldo de su Cuenta en esta fecha \$ 86
C "

27) Don Juan Albines en Cuenta con Matan Spear

Deve

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1838	Nov. 23	Por 8 Costales \$12.1/2 ^o puntalones \$7.50	19.50
1839	Feb. 14	" Cuenta de Don Jacobo P. Lese	178.50
	Sept. 29	" 60 ^o Easo negro	9.00
1842	Abril 12	" 1 pxa indianilla \$15	
		" 2 idem manta Cruda 34 ^o entrigados a	
		" 1 barril de rom ~ 60 D. Ysabella	109.00
	Julio 8	" 95 lbs Tabaco	47.50
			<u>\$ 363.50</u>

Habonos

1839	Feb. 26	Por 32 @ 5 lbs arina	\$ 48.31 1/2
		" Jaron 20 @ 5 Costales \$7.50	\$ 27.50
	Junio 11	" 3 Costales	\$ 41.50
	" 28	" 50 @ 8 lbs arina	\$ 81.48
1841	Nov. 15	" Jaron	<u>29.87 1/2 190.67</u>
1842	Sept. 10	" id.	41.50
	" 18	" 12 Cueros de res.	24.00
	" 20	" 1 bota 13 1/2 @ Sebo	20.25 85.75
			<u>\$ 277.42</u>

Resumen

Cargos	\$ 363.50
Datas	<u>277.42</u>
	\$ 86.08

(28) Don Juan Abires Cuenta
con E. de Beliz

Deve

A saldo de su cuenta	\$ 9. 4
ii Cargo por Dm Soledad Ortega	8. 4
	<hr/>
	18 - "

Yervabuena
Sept 1.º de 1845
E. de Beliz

(29) Cuenta de D.ª Juan Abires que
me debe por dos Suertes de Tierras que me
vendio y me quito

Presibi trese Arrobas de arina con dos bostales de baqueta su importe es	24. 4
Y dem diez pesos en plata	10. 0
	<hr/>
	34. 4

Octubre 6 de 1845
Luis Peratta

(30) Cuenta que forma Don Juan Ab-
bires desde el año 1836

Cargo

10 r. aguardiente	1 - 2
id 2 r. mas	0. 3
id 3 r. mas	0. 3
id mas medio quartillo	0. 4
id mas aguard ^{te}	11. 6
id el año 1836 tres mas	1. 1
Plata	8 - "
un peso en plata	1 - "
id. aguardiente	1 - "
id mas de botellas aguard ^{te}	3 - "
	<hr/>
Suma	\$ 16. 3

De lo que lla me abonó

Una vara de caso	3 - "
------------------	-------

97

una docena de botones	2
tres reales de seda	3
un papel de tinta	2-4
	<u>\$ 6-1</u>

29 de Sept de 1837
Pico

A. Exhibit
continued

Don Juan Albires a Don J. Vallejo
1840 Due Abono

Abril 15 Por efectos recibidos en cuenta	
amdt	\$ 28-"
P. 12 v. Varragan	18-"
P. 10 v. Valleta	37-"
P. 1 Pza manta y 1 lb. almidra	20-4
P. 1 Dozena medias gris	18-"
P. 15\$ en Plata en San Jue	<u>15-"</u>
	Sum \$ 137.0

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1841 En febrero 4 abono 20 Cueros	
por Don Mariano Castro	35-
Abono en su rancho 2\$ de Chile	2-
Abono una vaquilla	<u>3-</u>
	\$ 40

Salde debiendo \$ 97-"

San Jue Agosto 30 de 1845

Jue de Jesus Vallejo

(32) Por el presente autorizo al Senor Don Jue Antonio Aguirre, para que ante quien conbenga pueda cobrar doscientas vaquillas, o seiscientos pesos, de que es deudor a esta Mision Don Juan Albires, a cuenta de mayor cantidad que esta Mision adeuda al Senor Aguirre

Mision de San Jue Agosto 29 de 1845

Jr. Jue de Jesus M. Gutierrez
Mtro

Señor Alcalde del Pueblo de San José

Debe D.^a Juan Albires a Antonio
Suñol 417., Pesos 4 reales
Pueblo de San José Diciembre 15 de 1844
Antonio Suñol

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(33)

1845 Don Juan Albires a A. B.
Thompson Deve por Balance de S/C
vieja \$ 323

En 22 de julio presenta la cuenta
de Don Juan Albires el Señor Thomson
que se debe algun tiempo
Antonio M^a Pico

(34)

Señor Alcalde de 1.^a Nominacion

Santiago Stokes vecino de Mon-
terrey ante V. respetuosamente comparece
y dice que siendo sabedor que el can-
cho de D.^a Juan Albires se va a poner
en pública subasta; y como dicho señor
me es deudor de la Cantidad por medi-
camentos ciento setenta y ocho pesos
desde el año de mil ochocientos treinta
y seis, como tambien adjunto la cuen-
ta para que si lo tuviere de justicia se
me pague lo que he dicho; de lo que en-
biere gracia.

Pueblo de S.^a José de Guadalupe
1.^o de Septiembre de 1845

James Stokes
Buelta

Por cuarenta y dos dias de asistencia \$ 126. a razon de 3 p^{ta} dia.

99

Un viaje a Sta Cruz por Medicin? ~
 Por orden de dho Albires \$ 18 - "
 Por mas medicinas \$ 44 - "
 restante por efectos en mi tienda - - \$ 45 - "
Suma Total \$ 233

A. Exhibit
Continued

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James Stokes
 Esta por presentado el Senor Estoc
 hasta que sea la publicacion en venta
 el rancho del mencionado para su pago
 San Jose' Guadalupe 12 Sept. de 1845
 Pico

Senor Juez Constitucional
 El Senor Dⁿ Juan Albires me
 es deudor de diez y ocho pesos dados
 en aguardiente, con dos cueros mas que
 ultimamente me causo:
 Pueblo de San Jose' Guadalupe Octu-
 bre 6 de 1845
 Salbio Pacheco

(33)
 Don Juan Albires a Henrique Mellus
 1845 Deve
 Mayo 11 Por 4 pzas mantas lica ~ 14 ~ 56 - "
 5 m. Paño ~ ~ ~ 7 ~ 35 "
 1 pra pañuelos ~ ~ ~ 6 - "
 1 hacha ~ ~ ~ 3
 Pesos 100 - 0
 Yerba Buena junio 27 de 1845
 Henrique Mellus

(36)
 Senor Alcalde
 El Senor Juan Albires me es
 deudor de dos cueros
 Pueblo de San Jose' G. Octubre 6 de 1845
 Juan de Dios Montero

(37)

Señor D.^{no} Juan Albires a los Señores BERNALES Debe (A saber)

Por 12 reses que mato el Señor General D. Manuel Micheltona en el rancho de la laguna eca y se las pago' a dicho Albires a cinco pesos buena \$ 60
Pueblo de San jué octubre 6. 1845
Juan Bernal

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(38)

Juan Albires Debe a Henrique Bee

1000 feet of plank	\$ 40
20.000 Shingles	\$ 160
40 rafters	60
10 beams	30
<u>Suma</u>	<u>290</u>

Peribido 1. ^o orn. de Wm. Maclure	\$ 118
D ^o John Copingers	10
por flanel	12
2 vill Naulon chin	3
Paid au Indian	<u>1.4</u>
<u>Paid Copingers</u>	<u>144-4</u>

Henry Bee eceiro	\$ 50
2 Goats of oxen	\$ 50
8 arrobs of flour	12
2 bullock to Pile	14
Soap	6.7
1/4 yard of Silk	<u>3</u>
	85.7
Amount owed	<u>144-4</u>
	<u>\$ 230 3</u>

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Lumber delivered	\$ 290 - 0
Amount rec'd	\$ 230 - 3
Balance due	\$ 59 - 5 cts

Territory of California
 Juzgado del Pueblo de
 San Jose, Jan'y. 31st
 A. D. 1849

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I do hereby certify that I have compared the foregoing copy with the original Instrument and documents, on file in this Office now before me and that the same are correct transcripts, therefrom and of the whole of said original documents

In testimony whereof I have hereto set my hand and office the day and year above written.

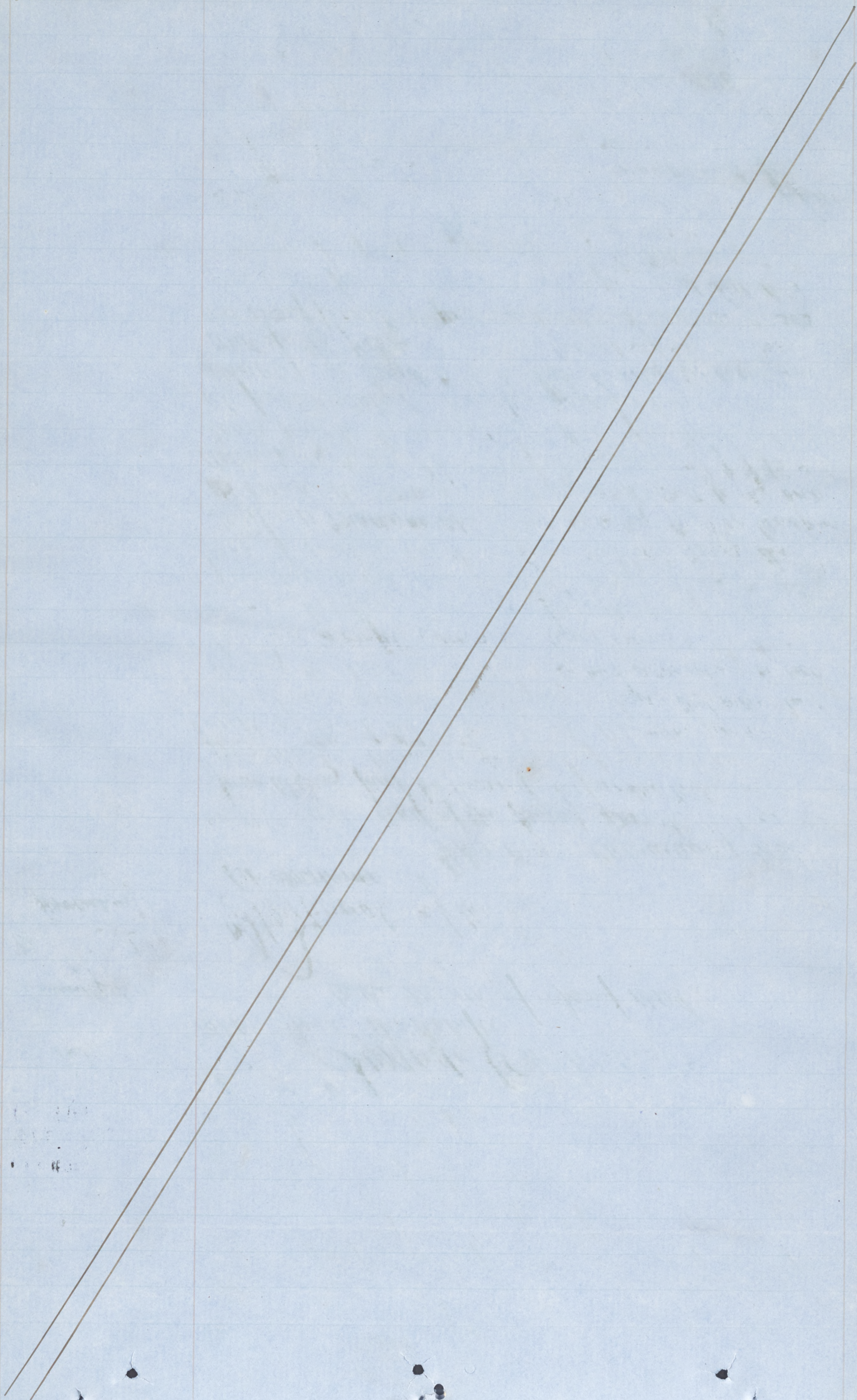
H. H. Dimmick
 1st Alcalde

A. Exhibit &
 Concluded.

(39)

Filed in Office May 27th 1852
 Geo. Fisher
 Secy.

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Exemplified Cedula showing the steps taken in the sequestration of appraisement sale and possession in favor of Don Jose Antonio Aguirre of the Rancho of Don Juan Alonzo known as "El Refugio o Laguna Seca" in 1815 for the payment of his debts.

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14 D^h

Translation
of
Insolvent
proceedings
and
sale to
Aguirre,

Suggado Constitutional
San Jose' Madaluse
in the month of Jan'y 1849.

Tribunal of the
1st Instance

This Decree Commands that on the sixth day of the present month the Citizen Juan Alonzo present himself before the tribunal in your charge. wherefore you will proceed at once in spite of this to the seizure of the Rancho gardens house and Chattels belonging to him not including among the last three things which according to the law are exempt, such as beds trunks clothing in use kitchen and table furniture, implements of furniture or art and you will notify the said Alonzo that if within ten days from that in which the seizure is made he shall not satisfy to Don Gaspar de Bruna the sum of eight hundred and forty one dollars to Don Jose Rafael the sum of \$775.85 Reals which he owes them that you will offer at public sale the Rancho gardens house and Chattels or direct to the highest bidder at auction and if the product of these things upon the sale are insufficient to pay said sums and the costs you will proceed also to seize upon and sell his unincorporated property as far as may be necessary to the satisfaction of the said sum and all the costs, in which proceeding if it be necessary you will appoint skilful appraisers & employ the hands and persons necessary with the understanding that all the costs shall be paid with the property & goods of Don Juan Alonzo being employment from the beginning to ask & exact from the neighborhood the requisite aid to carry out these proceedings and to pay respect

to this order Effecting from said individual a
corresponding fine for failing to appear in answer
to the two summonses issued from this Tribunal
as is manifest in the records of the Tribunal
of the Superior Tribunal of Justice upon the 31st
day of the month finished of all which you will
make immediate report to this Tribunal for the
ends which may be met.

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God and Liberty Montevideo Aug 2, 1844.

Marcelina Escobar

To the Snor Alcalde 1st
of the Pueblo San José.

In the rancho del Refugio on the 16th
day of August 1844 Antonio Maria Pico 1st
Alcalde Constitutional of the Pueblo de San José
de Guadalupe and its possessions acting with
the witnesses present for want of a notary public
made known to the Citym Juan Alvarez the official
order directed to me by the Snor Judge of the
first Instance of the Capital Montevideo dated
the 2^a of this month assigning me to a地段 of
Sujil Rancho and of his property which was per-
formed seizing the lands the house and two orchards
one containing 88 fruit trees and 1114 vines and
the other 72 a mad. with all its appurtenances and
10 stacks of saw timber and 211 20 yard rods also
14 mgs and 2 saddles and two foreign hammocks
according to the order of the Snor Snago and
sentence of the Superior Tribunal of Justice of
this department which order forms the requiring of
this Aspetante.

Rancho de Refugio. 16 Aug. 1844.

Antonio Maria Pico,
Juan Alvarez.

Atmpts. Pedro Sepado
Ignacio Bonifaz

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27/2/2121

Monterey Aug 23^d 1844.

It is no concern of this Government further than to execute the sentences of the Tribunals but in the observance of humanity the pableness and the respectability of the Supplicant. It is recommended to the Srmo President of Superior Justice that he endeavor to ascertain if the conditions are disposed to be favorable upon his paying interest for the extension or will at least postpone their right to have a sale. In the meantime he can make application to Srmo Aguirre for a delay as without doubt a person of his well known charity would not deny to to this family which otherwise might be ruined.

Michitorenue.

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Monterey 24th August. The Srmo Alcalde of the Pueblo of San Jose will suspend for two (two) months the sale of the property of Juan Alvarez in the meantime he can meet his creditors & they may grant further time in observance of the decree of His Ex^{ca}. Srmo Governor.

Malurin.

Srmo Solo Alcalde Constitucional.

The Citizen Charles Weber before you that he may the better proceed according to law says that the time being fulfilled and more than the time given to two months since the date in the month of July in the past year in which the Srmo. Alcalde made and advised me the obligation which he signed with you as Judge in your Court and at this time being the delay which attend me the injury & lesser matters the detention of my money and goods which he had in view of these things I beg you in all right and justice will proceed to a seizure of the property known as of the plain of which he has some upon his rancho so as to comply with and execute as he signed and made the obligation which likewise provides that in case he does not pay it truly and effectually his property may be sold at public sale

and if he is not able to collect the money he
wishes me that he conform to the decision of two good
men whose knowledge shall fill a piece per head
Whatsoever I say it may be done as I
ask to be within the bounds of Justice which I
swear whatever may be necessary.

Pueblo de San Jose Guadalupe
May 1. 1815.

Charles M Weber,

I Juan Alvarez say that I am obligated
to give fulfillment in the sum of fifty five dol
lars in debt to Sr Charles Weber till the end of
the month of July with the condition that if I
do not comply the Justice may put my cattle
at public sale and in evidence whereof I give
this document before the Alcalde of the Pueblo.
June 21. 1814.

Juan A Alvarez.
Antonio Maria Weber.

And farther for a pending debt which I
have with Sr Sr Don Carlos beside this
proceeding I am under obligation to give in ful
fillment of the sum of one hundred and thirty two
dollars in produce within the year 1814.

In evidence whereof I give this in
this large month of the first obligation before the
same Judge.

Juan Alvarez.
Antonio Maria Pico.

First Tribunal
Constitutional

We have received at this Tribu
nal your decree of the 11th of the present month
relating to the appearance of Sr Sr Alvarez
in answer to this matter under your charge. To
which I reply that I have employed a series of our
months and having returned to my official duties
for these two days only I am not informed beyond
this last order. I will direct them that the said
Sr Sr Alvarez at the first opportunity appear in
this matter being of the Jurisdiction of your authority

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verily he should be summoned to answer every
judicial proceeding or demand which may be
against him.

God and Liberty.
Montreux June 21st 1845
Marcelino Escobar.

Senor Alcalde of the first Jurisdiction of
the Pueblo San Jose Guadalupe.

Senor Juaze of 1st Instance.

Jose Antonio Aguirre appears before you and
says that the appointed time being terminated of two
(dos) months granted to Juan Alvarez by the
Superior Tribunal to liquidate the debt which he
has pending with him with respect to. Before you
supplicates that you will be pleased to order
that in conformity with the decree in the Expediente
we may go on with the proceedings filed by law
to recover the debt he owes the applicant.

Santa Clara Aug 4, 1845,
Jose Antonio Aguirre,
Senor Juaze of the 1st Instance
Don Antonio Maria Pico.

Juaze of 1st Jurisdiction,
Senor Don Antonio Aguirre as
already stated is made before the Senor Prefect
concerning the Rancho of Alvarez you are required
to attend before this Tribunal for the ends that
may be met.

Pueblo de San Jose Guadalupe.
Antonio Maria Pico.

Don Gaspar Orena appears as my attorney.
Santa Clara Sept 1st 1845
Jose Antonio Aguirre.

Juaze of 1st Instance
Presidio of Santa Clara
In view of the decree of
the Tribunal of 1st Instance of Montreux hereto
annexed and in conformity with its provisions
you will proceed to the execution of the

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seizure & Sale of the Rancho referred to proceed
ing in all things with the formalities of custom, ma-
king the corresponding previous notices to the
public and the publications, and as soon as the
matter is performed you will report to this Tribunal
for the including summas and of the receipt
of this and the Mattas accompanying you will
make a Acknowledgment of one receipt.

Gods Liberty, Yrha Buena
5th Sept 1845.

Jose' de la Cruz Sanchez,
Senor Alcalde 1st of San Jose.

Tribunal of 1st Instance
of the Presidio of Yrha Buena.

In accordance with the
decree of the Subprefect of this District of the
date of the 3rd of October last relating to the matter
in question of Don Jose Antonio Aguirre against
the goods and properties of Don Juan Alvarez
and attending to the last petition of the same
Donor Aguirre to the Sub Prefect and to determine
that which is convenient, you will proceed to the
formal appraisement by persons skilled in science
of good conscience and upright of the Rancho
and other property of Don Juan Alvarez
likewise to a careful examination if there are
more creditors than those named against said
property, but the whole amount of indebtedness
should be well liquidated and ascertained.

That in that case the public
interest & the costs of court should be performed
procuring the whole to be done according to law
and justice, with the result I hope you will
give me notice as soon as possible for further
proceedings.

Gods Liberty Yrha Buena
Nov 8, 1845.

Jose' de la Cruz Sanchez,
Senor Alcalde 1st Pueblo
of San Jose de Madaleno.

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In the Court of Texeira & Duma on the 19. day of the Month of November 1845 appeared in this Casgado the Citizen Jose Antonio Aguirre and said before me and the witnesses present that by these presents he grants a power and couple and sufficient in full form of law in favor of Don Gaspar Orma so that representing him he may receive from the Constituent authorities the possession of the Rancho called Refugio which was formerly the property of Don Juan Alvarez and was offered at Public Auction for account of the Creditors of said owner and that by means of the Circumstances of the Sale it belongs to me according to law as appears from Existing documents in the corresponding Tribunal swearing that he does not act through Malice &c.

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Witnesses:
 Jose de la Cruz Sanchez
 Jose Antonio Aguirre
 Raphael Pinto
 Fernando Castaneda

The Experts appointed by you for the valuation of the Rancho del Refugio which belongs to the Sr Don Juan Alvarez with the object of placing it in public auction & fit a true valuation after prudent and careful calculations & according to our knowledge and understanding we have valued it jointly as follows.

The four leagues the house the orchards & other properties of said Rancho in the sum of \$ 4,100.

No more what is necessary.
 San Jose de Guadalupe
 Oct 4. 1845.
 Jesus Stebbins.
 Senor pt Alcalde, Constitutional

Note. Fifty dollars is added to this appraisement for an iron kitto.
 Geo.

Sale at Auction of the Rancho called "Refugio"

Evaluation by the appraisers	\$ 41,400
1/3 part deducted	13,800 ⁵⁰ / ₁₀₀
Pico.	\$ 29,600 ⁵⁰/₁₀₀

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In the Pueblo of San Jose de Guadalupe
October 11 1815.

Now at 3 O'clock in the afternoon an assemblage of the inhabitants of this District (Poblacion) was made by means of three concourses by public advertisements, and they having gathered together in this Tribunal under my charge, the Citizen Antonio Maria Pico Judge of the first Nominacion of this part made known that the bids were open for the purchase of the Rancho called "del Refugio" the property of Don Juan Alvarez & not having any bidders because the terms were for ready money I gave notice that the said sale is not effected to day until the Superior Authority is communicated with.

Antonio Maria Pico.

Señor Judge of the 1st Nominacion of this District

Gaspar Ornela Attorney as is shown of the Señor Don Antonio Aguirre to represent him in the seizure & sale of the Rancho called "del Refugio" the property of Don Juan Alvarez presents himself before you saying that there having been no bidders at the sale of said Rancho to day. I ask in the name of my principals that the best part of the property seized may be adjudged to him as the plaintiff in the Alienation that there may be sufficient to cover the credits which said Señor Aguirre has against the Señor Aguirre, I swear what is necessary.

Pueblo of San Jose Guadalupe
Oct 6. 1815.

Gaspar Ornela
Antonio Maria Pico.

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Juzgado 1^o de 1^{ra} Instancia
del Pueblo de San Juan Buena Vista

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There is in my possession
power the appraisement ordered by you of the
Rancho del Refugio the property of Don Juan
Alvarez, likewise the sale, which documents I re-
turn for the convenient purpose and I enclose
also marked number 122) the petition of Don
Antonio Aguirre to be placed in possession
of the said Rancho for the charges which he
sets forth & the list of debts recognized against
it and there having been no opportunity to
admit the rest which have been presented lately
according to the list which includes them because
the interested parties did not present them in time
for the publications and notices to the Public

In virtue of which you will proceed
in conformity with the petition of said Donor to
place him in possession of it, obviating the whole in
conformity with the law of the matter and the
formalities of the Custom, and returning to me
the numbered documents of which I have made
reference you will report to me what you have done
in this business.

God and Liberty.
San Juan Buena Vista Nov 14. 1845.

Jose de la Cruz Sanchez
Senor Alcalde 1^o del Pueblo
de San Juan de Guadalupe

In answer to the Official note which
you issued to me with the object in which a copy
of the Dispatch from the Mayor Alcalde of the 1^{ra}
Promoción of the Pueblo de San José de Guadalupe
relative to the sale of the Rancho called 'el Refugio'
the property of Don Juan Alvarez, I reply saying
that I had myself responsible for the payment
of the Mayor's debt against said Rancho within
the terms of the sale assuming myself of the right
which the law has conceded to me as being the
first demandant and representing for my
own debts more than 2/3 of the whole.

Therefore I pray you that by virtue
of these presents you will put me in possession

of said Rancho as soon as possible for the
reasons are many which attend me by reason
of delay.

Accompanying this is the list of creditors
who presented themselves in time according to
the published notices of sale, also, this should
be on file in the Juzgado of the 1st Nominacion
of the Pueblo de San Jose de Guadalupe, in the
said list under my signature are pointed
out the parts which I represent, and I will
thank you to ask the said Juzgado to remit
as soon as possible all those documents relative
to this business for its termination
God will direct.

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Mexico Nueva Oct. 11. 1845.
Jose Antonio Aguirre
Senor Subprefecto del 2^o distrito.

List of the Creditors of the Rancho
called "El Refugio" the property of Don Juan
Alvarez the sums which are represented as
follows.

My claim against said Rancho.	\$ 841.	7
That of the Mission of San Jose	611.	0
Creditor of Milk	218.	0
That of A. S. Thompson	323.	0
That of Senor Stokes	233.	0
That of Henry Mullus	111.	0
	\$ 2,145	7

Jose Antonio Aguirre.

The remaining debts are as follows.

To Don Rafael Gonzalez	\$ 37.	5
" Jose de Jesus Dallyo	97.	5
" Antonio Sanot	417.	4
" Sabio Pachey	22.	0
" Juana de Dios Montro.	41.	0
" a Senor Berual	60.	0
Total.	\$ 5,125.	0

Of these debts the greater part are subject to a regulation in my favor in case of a necessity to have the accounts clear with us.

Orba Bana Oct 16. 1845.

Don Antonio Aguirre.

uuuuuu.

List of persons claiming debts against the City of San Alvirz - Or

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To Don Jose de Jesus Dallyo	\$ 97.- 0
" Don Antonio Aguirre for the Mission of San Jose 2000 reales }	600. 11
" Don Antonio Surob	117. 41
" Antonio B Thompson	323. 0
" Henry Mullus	111. 11
" Salvia Pacheco	18. 0
" Doña Juana Martin	13. 0
the Senors Bernab	60. 0
" Juzgado of this Pueblo.	1. 0
" Don Jose Antonio Aguirre	811. 4
" Rafael Gonzalez	348. 5
" Santiago Esteban	233. 0
" Henry Bu	59. 5
" Luis Motta	34. 41
" Antonio Ma Pico,	11. 0
" Eugenio de Celis	18. 0
" Nathaniel James	86. 0
" Juan Cu Garcia	36. 0
" Jose de Jesus Inusa	10. 0
" Don Pedro Pacheco	36. 0
" Rafaela Soto	11. 0
" the Juzgado for costs.	111. 0

Pueblo de San Jose G. 3
Nov. 15th 1845.

Thruout without delay Don Jose Antonio Aguirre having appeared by his attorney Don Gaspar Orma who is made his legal representative by a document made sufficient which is filed in this judicial record (protocols) we proceeded to the Judicial possession the common debtors not having appeared being charged with Contumacia by this Court in virtue of the Sentence of the Superior

Tribunal and the assistance of a legal opinion
rendered to the Judge of the 1st Instance showing
his necessity for marshalling the debts, which were
not presented in due time according to the spirit
of the law and exercising the delegated author-
ity in want of a Notary public as the law provides
the said possession was given, the neighbors being
present in case there should be any opposition
as the law directs. Thus I set forth and signed
with the said witnesses in the Pueblo of San Jose
of Guadalupe on the 25th day of November 1845.

Antonio Maria Pico,
Jose Noriega.

(Assistant) Witness,
Salvio Pacheco.

In the Pueblo of San Jose of Guadalupe
the 24th day of November 1845, the Alcalde
of 1st nomination of said Pueblo exercising the
Judicial Authority with two witnesses present in
the want of a Notary public. Present the Citizens
Jose Rufus & Encarnacion Galindo, the Just, both
as neighbors and witnesses and made solemn delivery
of the writings of the Rancho del Refugio formerly the
property of Don Juan Alvarez, which Rancho is
to say the property of Don Jose Antonio Aguirre
by the Expediente which according to the provisions
of laws and tribunals is on file in this Juzgado
said Rancho containing one house two
orchards one with a hundred and eighty fruit
trees, 1100 vines, and the other 12 vines, a crushing
mill and an iron kettle.

The extent of the land is 48000
of large cuntas as appears in the title. Neighbors
present Don Juan Bernal by his brother Agustin
Bernal, Guillermo Castro in the name of his
father, Carlos Castro, Don Carlos Guibau (urban)
in his own right, and thus said proceeding it
solemnly benfied and all the documents pertaining
are delivered to the Senor Don Jose Antonio
Aguirre who had asked for them as testimony
and in benfication of his possession by me as
Alcalde of the just nomination I have let read

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this title confirming to him all the right
which pertains to it, so that he can have the use of
the said Rancho formerly known by the name
of Laguna Seca. Signing & acts by my
judicial authority with the witnesses present
upon the day of the above date.
Antonio Murria Pico.

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Witness
Eusebio Galindo
Guillermo Castro
Jose de Jesus Martinez

I have received as attorney of Don Jose
Antonio Aguirre the documents of the trans-
action of the Rancho del Refugio of the property
of Don Juan Alvarez.
Pueblo of San Jose 21 of December 1845.
Gaspar Orma.
Pico.
James Stokes.

Amor Alcaide of St. Dominick
Antonio Sanol of this Pueblo neighborhood
presents himself before you in the most prop
Expression of law and says. That knowing that
the Rancho named "Laguna Seca" of the
property of Don Juan Alvarez is sold to Don
Jose Antonio Aguirre for the payment of
the debts of the said Alvarez. I propose to you
that if after the same are paid there remain
any surplus it may be entrusted to some
person of credit so as to avoid the waste
of the interests that my ward the infant
John son of Don Juan Alvarez may have
something to feed and educate him until he
comes of age fit to educate himself.
Wherefore I pray it may seem to
carry up this my petition to the hands where it
may be considered by which I shall receive
favorable Justice.
Pueblo San Jose No 27 1845.
Antonio Sanol.

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Carpenter 5.

Juzgado
San José 4 } In the year 1845.

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Information of the Rancho de la
Laguna del Refugio of the Senor Juan Alvariz.

Upon the second day of the Month of February
1844. appeared the Citizen Juan Alvariz, remaining
responsible to pay the sum of (6) six dollars which
the individual Felis Villagrand owes for a fine
imposed upon him in this Juzgado which the said
Juan Alvariz sign with me the 24 day of February
1844. said sum to be paid within 15 days.

Antonio M. Pico,

At the request of the interested party.

Juan Alvariz.

Charges of the Juzgado against Don Juan
Alvariz.

For the first proceedings under the seizure.	\$	35.00
For payment made to the Rector of the Ranch		8.00
For the inventory & appraisement		35.00
For various documents made at the sale & the publications		40.00
\$ 18. pd by Jose Antonio Aguirre for a mail		18.00
\$ 6. which he owes this for saint days.		6.00
	\$	<u>152.00</u>

Don Juan Alvariz owes for the use
of his wife to Rafaela Soto 100 dollars.

Pueblo San José, Nov. 15th 1845.

Rafaela Soto.

Summary of that which Senor Don Juan
Alvariz owes me.

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100 hides @ 42 reales \$ 15.000
3 dollars more for a cloak
in pawn. 3.00

18 dollars more which I have to
pay to the Chief Soto & to this date
he has given me nothing because
he has already paid it to said
Señor Alvarez

Total which he owes me, \$ 18.000
\$ 34.00

34. The account which Don Juan
Alvarez owes me for brandy since the
year 1843

It is the sum of \$ 111.00

Jesus Mesa.

Account which Don Juan Alvarez owes me
since the year 1843

It is the sum of \$ 24.00
Liquor 3 buffers \$ 36.00

Manuel Garcia.

Public of San José, Oct 13. 1845.

Don Juan Alvarez
To Nathan Spear Dr
To bal of his acc. to date. \$ 84.00
1838. No 23. Dr.
For 8 Jacks @ 12. 1 pr pants @ 1.50 19.50
1839 Feb 14.
acc. of Don J. P. Lugo 178.50
April 29.
4 yds black canvas 9.00
1842 April 12
1 pr Andrianelles @ 15. 15.00
" 2 " Mantu anda 34 { delvinto
" 1.000 rum 10 { Dr. Habilla 109.00
July 1.
" 95 lbs Tobacco 47.50
\$ 313.50

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Dr.

1829 Feb 26.	For 32 @ 5 lbs flour	\$ 48.31 1/2
"	Soap \$20. 5 sacks \$7.50	27.50
June 11.	3 sacks	4.50
28.	50 @ 8 lbs flour	80.48
1820 Nov 15.		29.87 1/2
"	Soap	1
1822 Sep 10.	"	41.50
"	18.00 12 hides	24.00
"	20. 1bol @ 13 1/2 tattered	20.25
	<u>Total</u>	<u>\$ 277.42</u>
	Charges	\$ 363.50
	Credits	277.42
		<u>\$ 86.08</u>

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Don Juan Alvarez in a/c with
 C. de Celi
 To bal his a/c
 " Charge for Sr. Soledad Ortega
 Girba Buena Sept 1st 1815
 C. de Celi.

	Dr
	\$ 9.04
	8.04
	<u>\$ 18.08</u>

Account of Don Juan Alvarez which he owes me for 2 surtos of lands sold & divided.

He has received 13 arrobas of flour with
 2 sacks of leather (baquetas)
 Its value is. \$ 24.00
 The same day in Selva 10.00
 \$ 34.00

Oct 11. 1815. Luis Peratta.

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At price

Account of Don Juan Alvarez since the year 1831.

11 hats for Brandy.	Do.	\$ 1. 2
" 2, " more		1. 3
" 3 " " more		1. 3
" " " more		— 11
" " " more of a pint		— 11
8 the year 1834 thro		1. —
Silver		8. — 0
One dollar in Silver		1. 00
" brandy		1. 00
2 bottles of brandy more		3. — 1
dos bottles de aguardiente.		16. — 3

That which he has already received me.

one yard of Canvas	\$ 3. 00
one dozen buttons	2
3 hats of silk	3
a paper of ink	4
	11. — 4

29th Sept 1837. Pico.

Don Juan Alvarez
To Don Jose de Vallejo
1841 April 15.

To goods as per formosafe.	\$ 28. 00
12 yards of blanket	18. 00
11 " " " " " " "	37. 00
1. for blankets 1 pound of almonds	21. 4
1 doz gray stockings	18. 00
15 rolls in Silver in San Jose	15. 00
	\$ 137. 00

1841 July 4 pd by Don
Manuel Cutler 20 hats } 35
Pd in his rancho 27 of Chile } 2.
Pd on his knife } 3

Balance due.
San Jose Aug 31st 1835. \$ 97. —

Jose de Jesus Vallejo

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By these presents Señor Don Jose Antonio Aguirre is authorized to receive before whom he may find it convenient ranchos or plots which Don Juan Alvariz owes this mission in account of a grato sum which this Mission owes the said Señor Aguirre.

Mission of San Jose.

Aug 29. 1845.

José de Jesus Ma Gutierrez
Mtro.

unrec.

Señor Alcalde del Pueblo de San Jose.

Don Juan Alvariz owes to
Antonio Suñal

\$417 Dollars & four cents

Pueblo of San Jose

Dec 15. 1844.

Antonio Suñal.

unrec.

1845.

Don Juan Alvariz.

To A B Thompson

To balance his old a/c.

\$ 313.00

On the 22^o of July the Señor Thompson presents the account of Don Juan Alvariz which he owed for some time.

Antonio Ma Rico.

unrec.

Señor Alcalde of the 1st Prouincion James Stokes, neighbor of Monterey appears before you with respect saying that the Rancho of Juan Alvariz is about to be put up at public sale and as said Señor is my debtor in a sum for medicines being \$46. Since the year 1836 as also the annul'd account wherefore if justice be done he should pay me that which I have said, whereby I shall receive grace.

Pueblo San Jose de Guadalupe.
Sept. 1. 1845.

James Stokes.

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Account.
 For 12 days attendance p 126. 2/3.
 " trip to Santa Cruz for
 medicine by order of Sr. Alvarez. 18. —
 " More medicine 114 —
 " bal goods from my store 45 —
 Sum Total — — \$ 233.

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James Stetson
 The above is presented by Senor Stetson
 so that it may be included for payment in the
 publication for sale of the said (Alvarez)
 Rancho.
 San Jose Guadalupe
 2 Sept. 1845.

Pico

Senor Judge Constitutional.
 The Senor Don Juan Alvarez owes me p 18.
 given in funds with hisds more which
 duty I have
 Public of San Jose Guadalupe
 Oct 6. 1845 -

Salvador Pacheco

1844. Don Juan Alvarez
 To Henry Mellus
 May 11. To 4 pr white Hankets . 14. No.
 5 yds Cloth . 7. 56.
 1 pr pants — 4.
 1 hatchet . 3.
 \$ 110

Gerba Buena June 27. 1845.
 Henry Mellus.

Senor Alcalde. The Senor Juan Alvarez is my
 Debtor for 2 pedis —
 Public of San Jose. Oct 11. 1845.
 Juan de Dios Montano

Amor Don Juan Alvarez
 To the Señors Bernal Dr
 To 12 catts which Governor Micheltuna
 killed on the Rancho of 'Laguna Seca'
 and paid to the said Alvarez \$111
 at \$5. per head.
 Pueblo San José
 Oct. 6. 1845 - Juan Bernal.

Juan Alvarez Dr
 To Henry Bu
 To 1000 feet of plank \$411
 20,000 Shingles 1.611
 40 Rafters .611
 111
 \$241.

Paid of 1st Invoice \$113
 " Don John Caspuz 11.
 " for flour 12.
 2 silk handkerchiefs 3.
 Paid on Laguna - 1.4.
 Pd Caspuz. \$114.11

Henry Bu Paid
 3 Yoke Oxen \$501.11.
 8 Anos of flour 12.111.
 4 bullocks to kill 11.111
 Soap. 4.7.
 1/2 yards silk 3.
 \$85.7.
 1141.4
 Amt recd. 2311.3

Lumber delivered - \$2911. -
 Amt recd 2311. 3
 Bal-due - - - \$59. 5 hats

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Deputy of California
Squad of Public
San Jose Camp 31st - 1854 3 ps.

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I do hereby certify that I have compared the foregoing copy with the original instrument and documents on file in this Office now before me and that the same are correct transcripts therefrom and of the whole of said original documents:

In testimony whereof I have hereunto set my hand and Office the day and year above written.

R. H. Winick
Attest.

Filed in Office May 2nd 1852.

(signed) R
Geo Fisher - Secy.

[Faint, illegible handwriting throughout the page]

1. 725-

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No. 11. n. 2. Annua-
to the depuri-
tion of N. M.
Pico, taken
before Com.
Hiland Hall

En el Pueblo de San José Guadalupe a los veinte y seis
dias del mes de Noviembre de mil ochocientos cuarenta
y cinco El Alcalde de primera nominacion de otro
Pueblo actuando por receptoria con dos testigos de
asistencia por falta de Escribano Publico presentes los
Ciudadanos José Reyes y Eusebio Galindo el primero
como coludante y testigo, hizo la entrega solemne del
las escrituras del Rancho del Refugio antes pertene-
ciente a la propiedad de D^o Juan Arines, cuyo rancho
estoy propiedad de Don José Antonio Aguirre, por
el expediente que con arreglo a las leyes y tribunales
obra en este juzgado, conteniendo otro rancho, una
Casa, dos Huertas una con ciento y ochenta arboles
frutales, y mil ciento nueve cepas, y la otra sesenta
y dos cepas, una molina de Bastras, y una olla
de fierro, la estension del terreno consta de cinco
sijos de ganado Mayor como consta en el título
presentes los coludantes Don Juan Bernal por
su hermano Agustín Bernal, Guill^e Castro
por su padre, D^o. Carlos Castro. Don Carlos Guinov
por su otro. y como dichos verificando solemnemente
la entrega de todos los documentos que le pert-
enecen al Sr. Don José Antonio Aguirre quien
les juró en testimonio y verificando la posesion
por mi como Alcalde del primera nominacion
extendi este título asegurandole todos los atractos
que en el se refieren para que puede hacer el uso
del referido Rancho antes conocido con el nombre
de Laguna Seca firmandolo por receptoria con
los de asistencia hoy dia de la fta.

Antonio Maria Pied. aka. Eusebio Galinda.
Por mego de Juan Bernal. José J. Berreyera.
José R. Berreyera. = In el punto
de la Yerba Buena a los veinte y nueve dias del
mes de Noviembre de 1825 Ante mi Roberto I.
Ridley y los testigos de mi asistencia con quienes
actuó como Jueze de paz a caballo, comparecio
en su persona Don José Antonio Aguirre a
quien oyo je y conosco y dijo en su nombre en
nombre de sus herederos, hijos y sucesores y de
quien de ellos tuviere título voz y recurso en
qualquiera manera, venote y ota en venta solemne
y enagenacion perpetua, el terreno llamado
Laguna Seca, cuya descripción está designada

en el anterior documento a Don Guillermo Fisher por su apoderado Don Diego A. Forbes en precio y cantidad de tres mil pesos que el otorgante admite recibir en forma de una libranza girada por el otro. apoderado contra en principal. Y el enunciado. Don José Aguirre renuncia y traspasa el dominio, derecho y título a ot todo otro terreno y todo lo que en el hubiere a favor del otro. Don Guillermo Fisher o en quien le represente para que lo use, goce, cambie, enajene, y disponga de el a su decision y para que conste lo firmo este documento con miyo y los de dichos testigos de que doy fe.

Roberto J. Niello José Antonio Aguirre.
 atda. W. A. Leiboldoff.
 atda. Miguel de Percevera.

Inhibid nº 4.

Filed in office. April 9th 1853.

Geo. Fisher,
 Secy.

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Exhibit
of
Translation
of
Deed
to
Aguirre
&
transfer
to
Fisher

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In the pueblo of San José Guadalupe
November 26th 1843. The Alcalde of the 1st nom-
ination of said Pueblo exercising a delegated
authority with two witnesses in attendance for
want of a Notary Public. present the Citizens
José Reyes & Casibius Galindo, the first as
neighbor (coludante) & witness and made
formal (column) delivery of the writings of
the "Rancho del Refugio" formerly the property
of Don Juan Albino whose Rancho is this
day the property of Don José Antonio Aguirre
of the Espectantes which by the regulation of the
Laws and tribunals is filed in this tribunal.

Said Rancho containing one house, two orchards
one with 180 fruit trees & 1109 vines & the other 73
vines, a emshing mill & an iron hento.

The extent of the land is four
setias of large catts, as appears in the title present
the neighbors Don Juan Bernal for his brother
Agustín Bernal, for his Guillermo Ceastro by
his father Don Carlos Castro. Don Carlos
Hick in his own right, and as aforesaid the
delivery of all the pertaining documents to the
Senior Don José Antonio Aguirre was solemnly
attested who demanded them for his testimony -
and in verification of his possession by me as
Alcalde of 1st nomination.

I have extended this title
conforming to him all the rights referring thereto
so that he can enter upon the said Rancho named
"La Juncos Seca" defining hento in my delegated
authority with those present on the day of this
date.

Antonio Ma Pico,

witness

Casibius Galindo.

José R. Berryesa.

By request of
Juan Bernal

José R. Berryesa.

In the point of Cuba Buena November 24
1845. before me Robert J. Ridley and the
Witnesses of my assistance with whom I act

temporarily as Justice of the Peace appeared in person. Don Jose Antonio Aguirre whom I certify, I personally know and said that in his name & in the name of his heirs, children and successors and whoever of them could have any title claim or recourse in any manner whatsoever he sells and gives in solemn sale & perpetual terms for the land called Laguna de la Asompcion which is stated in the former document to Don Martin Fisher by his Attorney Don Diego A. Forbes in the price & sum of \$3,000. which the grantee admits to have received in the form of a draft drawn by the said Attorney against his principal.

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And the said D. Jose Aguirre releases & passes over the dominion right and title to the whole of said land and every thing he may have therein whereby he may use enjoy lease transfer & dispose of it according to his own free choice.

And in testimony thereof he signed this document with me & the said witnesses whom I certify.

Robert T. Ridley
Jose Antonio Aguirre.

Witness
Wm. A. Leidersdorff.

Witness
Augusto de Pedronet.

Filed in Office May 27 1852.

(Signed)

Geo Fisher
Secy.

Boundaries of the "Rancho de la Laguna Seca" belonging to Capt William Bohn

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Certificate
of
Survey

Commencing at an oak tree marked with the letter "F", standing a few feet west of the public road and the western bank of the Arroyo del Coyote at the foot of the hill which lies north of the Laguna the boundary line runs by compass north $37^{\circ} 11'$ East the distance of 131 chains to a heap of stones near the Summit of the hills thence $S 57^{\circ} 15' E$ along the top of the hill 1138 chains to another stone heap on a hill ascending in a rock of peculiar whiteness thence $S 78^{\circ} 0' E$, 152 ch 55 L. to a pine tree on the verge of the plain through which the Arroyo runs enters the plain thence $S 46^{\circ} 0' E$ across said plain 23 ch 20 L. to a blazed oak thence directly towards the Peachi del ojo de la Coche. $S 24^{\circ} 20' W$ 221 ch 30 L. to the oak tree described in the official documents as marked with three cuts of an axe for a land mark & standing just east of the public road thence $N 53^{\circ} 15' W$ 74 ch 50 L. to a dry oak on the west side of the road and near the base of the hills thence $S 59^{\circ} 30' W$ 92 ch to a high rock surmounted by a heap of stones thence $N 85^{\circ} 30' W$ 125 ch to the stump & stub of two cypress trees said oak being marked with an axe thence $N 54^{\circ} 30' W$ 227 ch. 30 L. to a blazed oak being one of a conspicuous clump thence $N 71^{\circ} 15' W$ 73 ch 10 L. to one of another clump of oaks also marked thence $N 35^{\circ} 30' W$ 127 ch to a wild plum tree marked & standing near the Summit of a high hill thence $N 42^{\circ} 0' E$ 97 ch. to a stone heap on the top of the hill lying north of the Laguna thence $N 6^{\circ} 45' E$ 46 ch to the place of beginning.

The area within the above mentioned boundaries being 17818 acres or 14 Mexican leagues & 42 acres of which are 9000 acres lie on the plain between the two ranges of hills.
Measured Sept 1847.

By
C. S. Lyman
Surveyor for the Middle Department
of Upper California.

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Filed in Office May 27, 1852.

(Signed)
Geo. Fisher Secy.

U.S. Land Com

Heirs of Wm Fisher
Decd.

The United States

No 21141.

Affidavit
and
Substantiation.

W P Belknap Attorney of
Claimants Lewis Bloom says he was
the Attorney of the Administrators of
the Estate of Wm Fisher decd and knows
well the family left by said decedent

That the name of the Child born
after its fathers death is Francis & the
name of the youngest daughter is Eulogia
There were five children besides
the posthumous one making six in all
and all are less than 21 years of age

W P Belknap.
Sworn & Subscribed
before me April 11th 1854

John Lott
Commissioner &c

It is stipulated & agreed that
the above affidavit of W P Belknap
Counsel for Claimants be filed in this
Case No 21141 with the same force and effect
as testimony as if taken in the usual form
of depositions as practised by this Board.

April 11th 1854.

J. H. McKim
Law Agent.

Filed in Office April 11, 1854.
(signed)
Geo Fisher Secy.

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211
Liberata Cosmo Bullgab

The United States, 3 For the place
called Laguna Seca
in Santa Clara
County containing
four square leagues
of land.

The Claimants named in the petition
are proved to be the widow and children
of William Fisher who died early in the year
1851.

The title to the premises is alleged to
have been derived from the Mexican Government
by grant to Juan Alvarez. his title it is
claimed was transferred by judicial sale and
proceedings in bankruptcy to Jose Antonio Aguirre
who conveyed said premises to William
Fisher.

The grant to Alvarez which is
given in evidence was issued by Governor
Jose Figueroa and is dated July 22 1834
and was approved by the Reputacion on the
8th day of the same month.

Under this grant judicial
possession was given on the 6th day of December
1834. Alvarez had a house and lived on the land
before the grant was issued and he continued
to reside there with his family and to culti-
vate and improve the premises until the judicial
sale above mentioned took place. This is suf-
ficient to establish the right of Alvarez to the
property.

A voluminous record of judicial
proceedings in favor of Jose Antonio Aguirre
and others against said Juan Alvarez
therein cited is given in evidence.

These proceedings were
commenced before the Tribunal of the First
Instance and by virtue of a decree of that court
the premises in question were sold upon on the
16th day of August 1844 to satisfy the debt
incurred against said Alvarez.

The record shows that
proceedings were suspended at the request of the
debtor in order to give him time to raise

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Opinion
by
Court
Filed,

the money and discharge the debt but failing in this the property was appraised and offered for sale to public vendue.

There being no bid of ten thousand the appraised value as required by the Mexican law the property was not sold. The Creditor Aguirre then applied to have the property assigned to him specially to the legal process securing that right to the Judgment Creditor and on the 25th day of November 1845, the debtor having made no objection the possession was officially delivered to him under an order of the Court and on the next day like formal and official delivery was made to him of the title papers by which said Alvarez held said rancho and the same was declared the property of said Aguirre by virtue of the proceedings.

Three days after the property was thus delivered to Aguirre to wit on the twenty ninth day of the same month he conveyed the same in full property to William Fisher who immediately went into possession and continued to reside upon and cultivate the premises until he died and since that time it has been the residence of his family.

No specific objection to the judicial proceedings as set out in the record above mentioned or to the validity of the sale made on the judgment to transfer the title for Alvarez to Aguirre is made.

These proceedings seem to have been conducted with much formality and great care and on comparing them with the Mexican Law on the subject we see no reason to doubt their conformity in all essential matters therein.

Under them the title to the property must be regarded as having passed to Aguirre and by the conveyance above mentioned it was transferred to Fisher whose widow and heirs at law the present claimants are now entitled to regain the property.

A decree will therefore be entered in their favor. Confirmed.

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Filed in Office
Sep. 27. 1852
(signed)
Geo Fisher
Secy

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2111

Libertata Cosma Bull vs.
The United States.

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Decree

In this case on viewing the proofs and allegations it is adjudged by the Commission that the claim of the said petitioner is valid and it is therefore decreed that the same be confirmed.

The land of which confirmation is hereby made is situated in Santa Clara County & known by the name of Laguna Seca and now occupied by the said delinquents, and is bounded and described as follows to wit:

"On the northern side by the line of the Rancho of Santa Teresa as the same is established in a decree of confirmation of said Rancho heretofore entered by this Commission on the southern side by the Rancho de las Lagunas, on the west by the range of hills called Sierra Gato, and on the east by the mountains bordering the level land of said Rancho and embracing the sides of said lateral mountains which turn the water upon the plain area of said Rancho. El Cuidado from the same on the southwesterly part the portion of land which is now or formerly was occupied by Juan Maria Hernandez who established his house in that neighborhood. the said premises containing four square leagues of land a tenth more or less being the same land which was granted to Juan Alvarez and the same of which judicial possession was given to him in 1836 and including also that portion of the said place called Santa Teresa which the said Alvarez had under Cultivation at the time of the said grant to him and which was included in the concession. Reference for more particular description of the land hereby confirmed to be had to the grant and the testimonial of judicial possession and the map making part of the expediente which are on file in this case -

(two over)

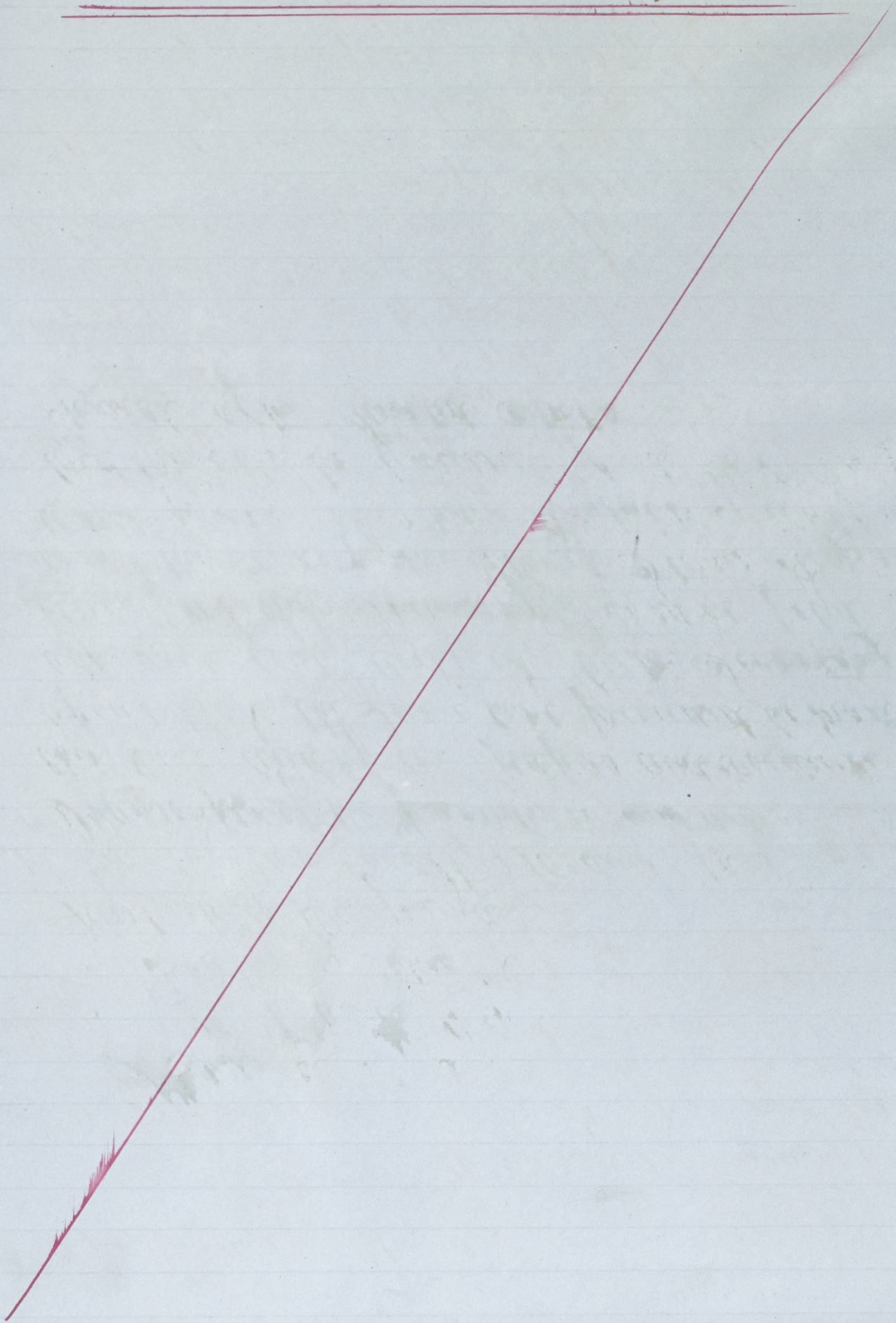
Alpheus Peck
R. Aug. Thompson
S. B. Farnell

Commy am

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Filed in Office Sep 27. 1852.
Cyrus

Geo. Fisher
Secy. 5

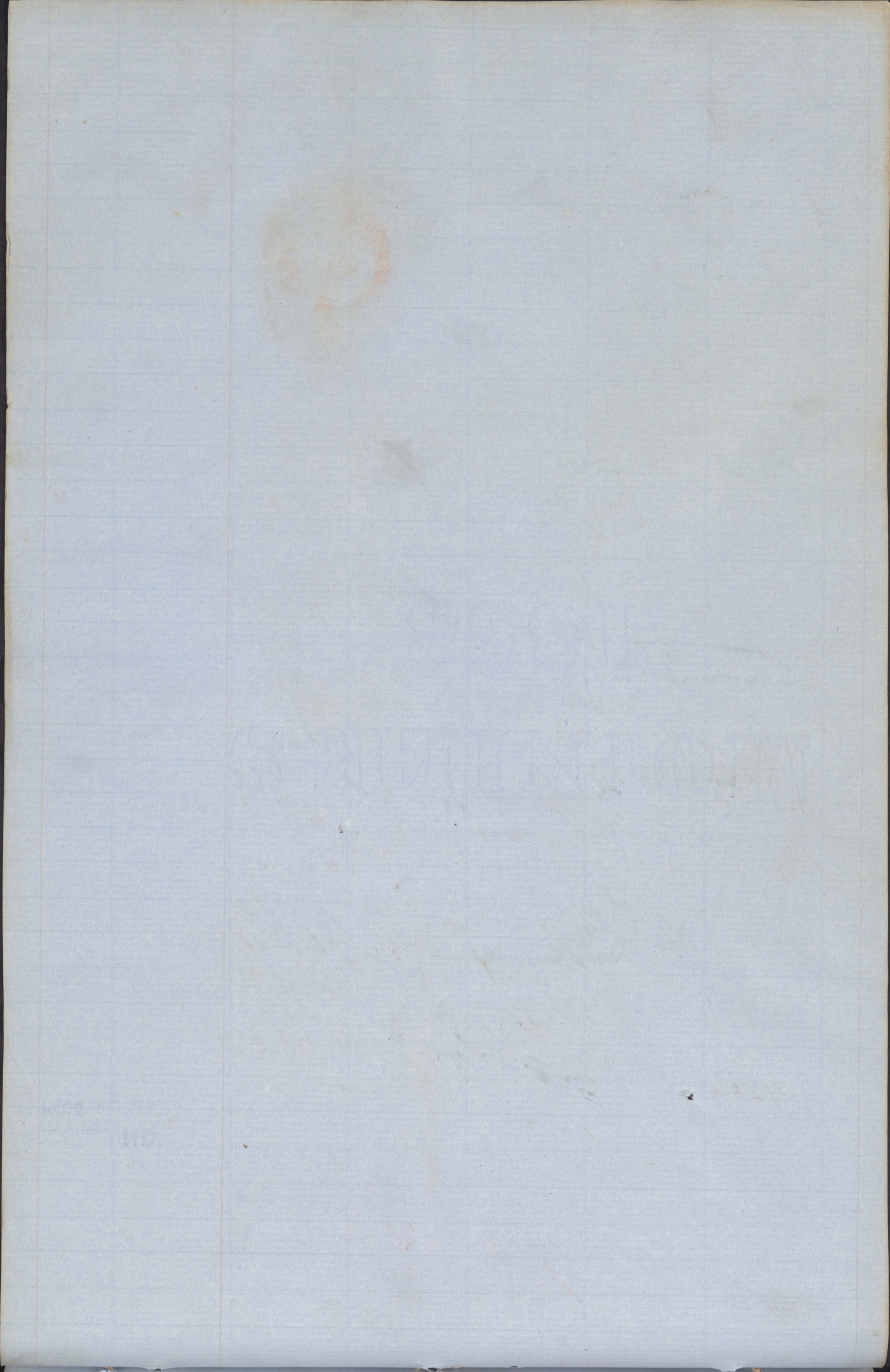


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And it appearing to the Satisfaction of the Board that the Land hereby adjudicated is situated in the Northern District of California;

It is ordered that two Transcripts of the proceedings and 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,

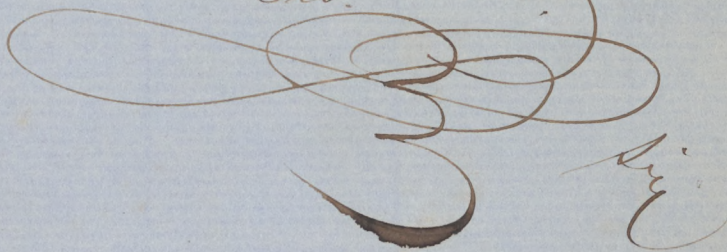
To ascertain and settle the Private Land Claims in the State of California.

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 *one hundred & thirty seven* pages, numbered from
1 to *137*, 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. *244* on the Docket of the said Board,
wherein *Liberato Cristina Bull et al* are

the Claimants against the United States, for the place known by
the name of "*Laguna Seca*"

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Twenty fifth day of *May*
A. D. 185 , and of the Independence of the
United States of America the seventy-*ninth*.

G. Fisher
Secy.



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

No. ~~211~~ 211

THE UNITED STATES,

ND

vs.

Siberata Cesena Bull,
et al -

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 244.

Filed, *June 2^d* 1855.

John A. Warner,
Clerk

Office of the Attorney General of the United States,

Washington, 7th April 1855.

Liberate Cesena Bull et al. Heirs of Wm. Fisher

vs.

The United States

} 244.

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 February 1855, the appeal in the district court of the United States for the Northern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 211

U. S. District Court
Northern Dist of Cal^o.

The United States
vs
Liberata Carrena Bull, et al^s.

Notice of Appeal
in Case no. 244.

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

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

The United States
Appellants
vs
Liberata Cesena Bull dal,
Heir of William Fisher, dead - Appellee -

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

That a transcript of the said Records
was filed in this Court on the 2nd
day of June 1855 -; that a notice of
Appeal was filed on the 18th day
of June 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. Russell
Asst U.S. Atty

No 211

Dist. Ct. U. S. North. Dist.

The United States

vs

Liberate Cecelia Buelow

vs

Petition

Filed Aug 5. 1856.

by Charles
Deputy.

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Clapwell

District Court of United States
Northern District of California

Severata Cesena Bull and
Heirs of Florilicio Fisher, Dec. } Appellees

vs
The United States — } Appellant

The Answer of the above Appellees
to the Petition filed in this case on the
part of the United States —

In Answer the said Ap-
pellees say, it is true that the land
mentioned in said Petition lies in
said Northern District & within the
jurisdiction of this Court — But they
deny that their claim to the same
is invalid but aver that the same
is valid, and pray that this Honor-
able Court will decree that ^{their} title to
the same is valid —

Forrest Williams Thornton
Attorney for Appellees —

No: 211 N

Genl. C. C. North, Genl.

Liberator Boston Bull and
Co

ads

The United States

Answer

Filed Aug 5, 1856
by Charles
Deputy.

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PAGE 140

J. W. & J.

In District Court of United States
Northern District of California
The United States

vs

Sobata Lesena Ball et al }
Heirs of Wm Fisher dec'd }
No: 211 -
Filed Term,
Febry 11. 1856.

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This cause coming on this day to be heard on the Transcript of the Record from U.S. Land Commission and the pleadings, was argued by counsel. In consideration whereof this Court is of Opinion that there is no error in the decision and decree entered in said Commission, and that ^{the same} should be and is hereby affirmed - And this Court doth adjudge order and decree that the title of the claimants to the Lands described in said Transcript is valid and the same is hereby confirmed to them. The Land of which confirmation is hereby made, is situated in Santa Clara County and known by the name of La Laguna Seca and now occupied by the said claimants and is bounded and described as follows, On the North by the line of the Rancho of Santa Teresa, On the South by the Rancho de Las Lagas, On the West by the range of hills called the Sierra Azul and on the East by the mountains bordering on the level lands of said Rancho, embracing and including

the sides of said lateral mountains which turn the water upon the plain of said Rancho, Excluding from the same on the South westerly part the portion of Land which is now or formerly was occupied by Juan Maria Hernandez, who established his home in that neighborhood; The said Rancho of Laguna deca, containing four square leagues a little more or less, being the same land which was granted to Juan Alvarez and the same of which juridical possession was given him in 1836 - and including also that portion of the said place called Santa Teresa, which the said Alvarez had under cultivation at the time of the said grant to him and which was included in his concession and grant - Reference for more particular description of the lands hereby confirmed to be had to the grant, Expediente and testimonial of juridical possession and map contained in the said Expediente, and on file in this case -

Order of the Honorable
H. J. Lieb Judge

No 211

U. S. Dist. Court
Northern District
of California -

The United States

vs

Leherata Cesena Ball del
Heirs of Mr. Fisher dec'd

Decree

Filed Feb'y 11, 1856,
W. H. Chereis,
Deputy Clerk.

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At a stated Term of the District Court of the
United States of America for the Northern
District of California, held at the Court Room
in the City of San Francisco on Wednesday
the 14th day of January in the Year
of our Lord one thousand eight hundred
and fifty seven -

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Present:

The Hon: Ogden Hoffman, District Judge.

The United States

v
Liberata Casena Bull
et al, Heirs of M. Fisher

Case No 211: Transcript 244

The Attorney General of the
United States having given notice that no appeal
to the Supreme Court of the United States will be
prosecuted in this case, and a stipulation having
been entered into by the District Attorney that
no further appeal shall be taken on the part
of the United States and for leave to the Claimants
to proceed under the decree of this Court heretofore
rendered in their favor: On motion of the Dis-
trict Attorney it is Ordered, adjudged and decreed
that the claimants have leave to proceed
under the decree of this Court heretofore
rendered in their favor, as under Final Decree.

Ogden Hoffman
U. S. Dist Judge

N^o 211.
U. S. District Court

The United States

v

Liberata C. Bull et al
Heirs of W. Fisher.

Case n^o 211
Transcript 244

In Order

Filed July 14, 1857,
W. H. Chevers,
Deputy.

California Land Claims.

Attorney General's Office

4 December 1851.

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Sir:

In the case of the claim of Liberata Casena
Bull et al. Heirs of Mrs Fisher, confirmed
to the claimant by the Commission, case no. two
hundred and forty-four (244), appeal will not be
prosecuted by the United States.

I am

Respectfully

Clement

Wm Bladen Esq

U. S. Attorney

San Francisco

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

~~~~~  
The United States

v  
Liberata Casena Bull  
et al: Heirs M. Fisher

Case No. 211: Transcript 244

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

NW Blandine, Dist^y
Thomson Williams & Thomson
attys for claimants

No. 211.
U. S. District Court

The United States

v
Liberata C. Bull
et al: Hirs M. Fisher

Case no. 211
Transcript 244

Stipulation

Filed January 14, 1857.
W. St. Charles,
Deputy Clerk.

Sherata Cerina Bull	} Sir Court U.S. Justice Nathan Dist of Columbia
& others, Henry of Wm Fisher	
Appellees	
as	
The United States	}
Appellants	

This cause came on to be heard at a stated Term of this Court on application from the first decision of the Court to ascertain & give final and lawful claims in the State of Oregon under Act of Congress approved March 3 1851 upon a transcript of the proceedings & decision of said Court and of the papers & evidence on which same decision was made and it appearing that said transcript has been duly filed according to law and Counsel for the respective parties being heard, It is ordered adjudged, certified & decreed that the said decision of the said Court should be and the same is hereby in all things affirmed.

Siberata Cesaria Bull
 v. The, (Henry & William
 Fisher appellants,
 The United States,
 Appellees, -

The claimant, in this case are the
 widow & children of William Fisher
 deceased. The intestate went into
 possession of the premises, claimed
 in 1848 continued there until his
 death, and from that period his family
 have resided upon it. The intestate
 William Fisher claimed under fol-
 lowing documentary titles. -

1. A grant from from Governor Jose Fi-
 -garriga to one Juan Alvarado on ^{date}
 22. July 1834. - On the 8th of same month
 and year the grant was approved by
 the Territorial Legislature and sub-
 sequently Judicial possession
 of the premises was given to grantee
 who erected a home thereon & culti-
 vated in possession until divested
 by a Juvenile ^{proceeding} ~~sale~~ under the laws
 of Mexico.

2. The second species of documentary
 evidence is the Record of the Juvenile
 proceedings which took place before
 the Mexican Tribunal, intermediate

the 16th Aug. 1844 + 25 Nov. 1845. These
proceedings gave resulted placing
in an order of the Court placing one
Jose Antonio Alguin in possession
of the premises and at the same time
declared to be his property. The grantee,
seems to have been a party to these
proceedings, and they ~~appear~~ ^{seem} to
have been conducted with due
formality, and no specific objec-
tion has been made to their validity
and the Court can see none. Sub-
sequently, the purchaser of the
said Indivisa Sale conveyed
to William Fisher the ancestor
of claimant.

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So much for the documentary title.
The parcel testimony of title has the
possession of the land to have been
in the grantee from the date of the
grant until 1845 until deprived
of it by the Courts of Mexico, the con-
tinued residence of it by those
who derive their title from the
action of said Courts.

A decree must be entered affirm-
ing the decision of the Court in fa-
vor of the validity of this claim.

211

U.S.
1
L.C. Bull }
Deputy

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Office of the Board of Commissioners,

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

San Francisco, May 25th 1855

J. A. Monroe Esq

Clerk of the U. S. District Court for the

Northern District of California

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 244 on the Docket of the said Board, wherein *Liberata Cesena Bull, et al*, are the Claimant against the United States, for the place known by the name of *La Laguna Seca*.

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher