

CASE No.

101

SOUTHERN DISTRICT

RINCON DE LA PUENTE DEL MONTE GRANT

TEODORO GONZALEZ

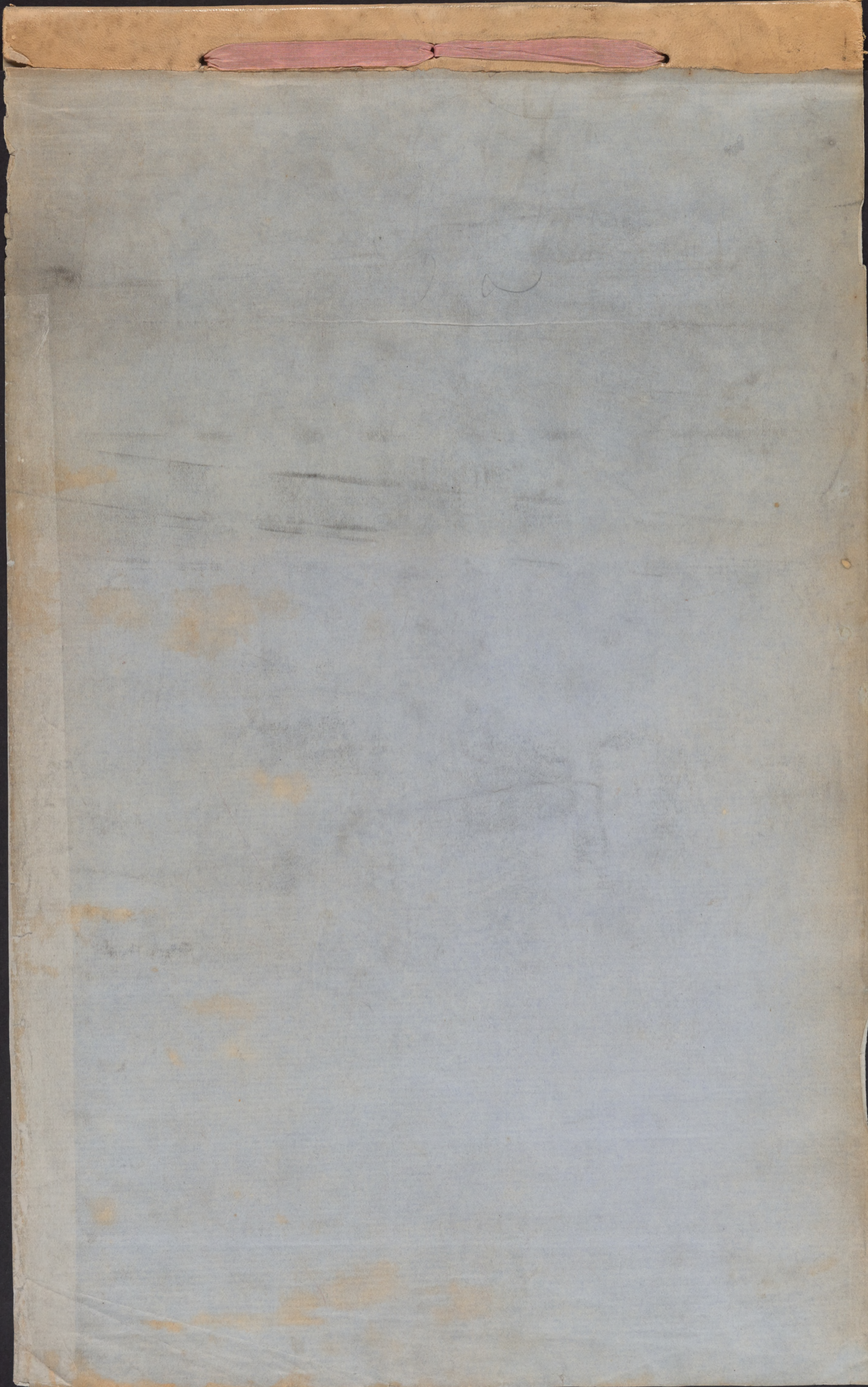
CLAIMANT

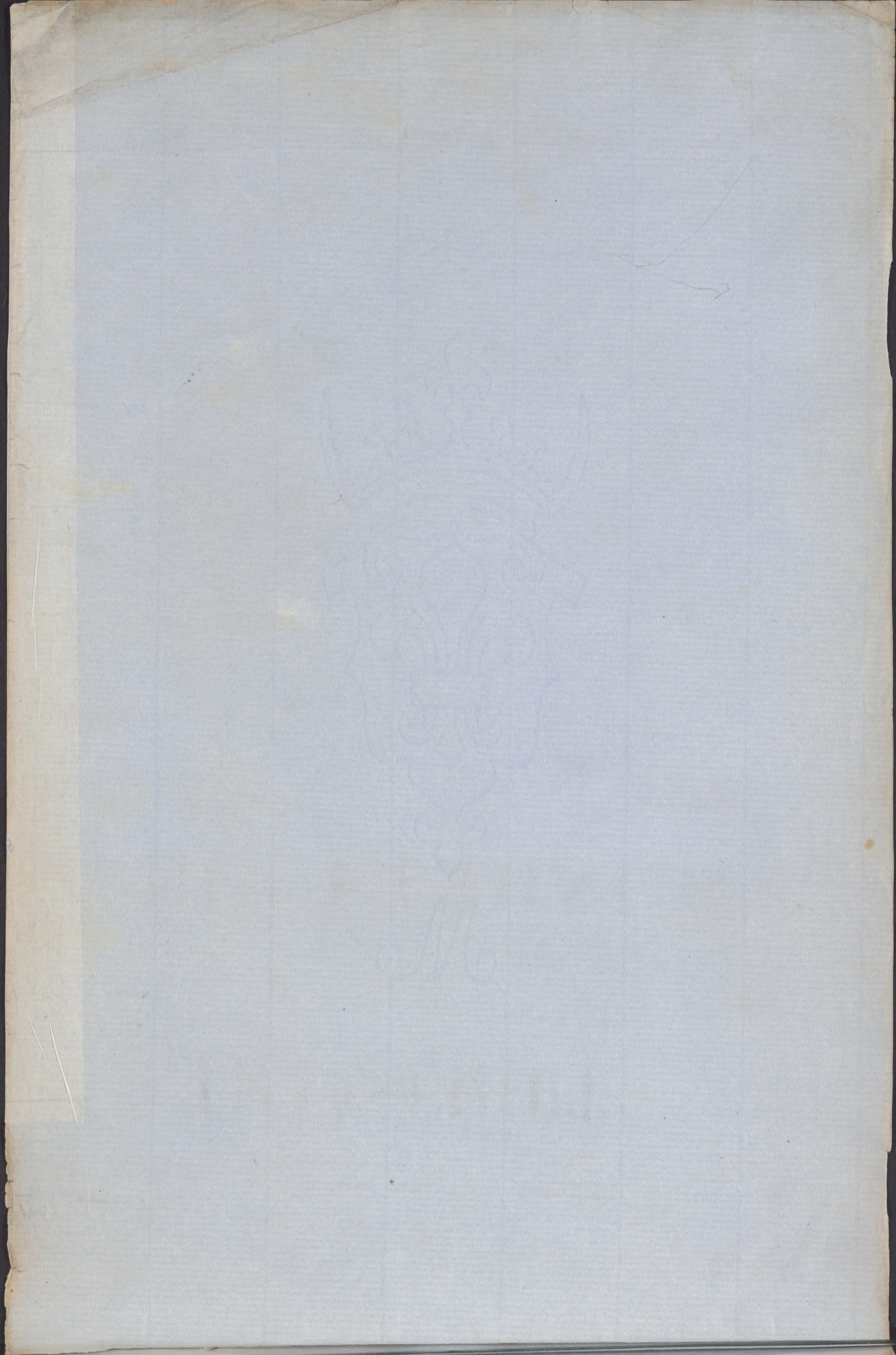
LAND CASE 101 SD

84 pgs.

FEB 25 1963

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TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 502

Teodoro Gonzalez

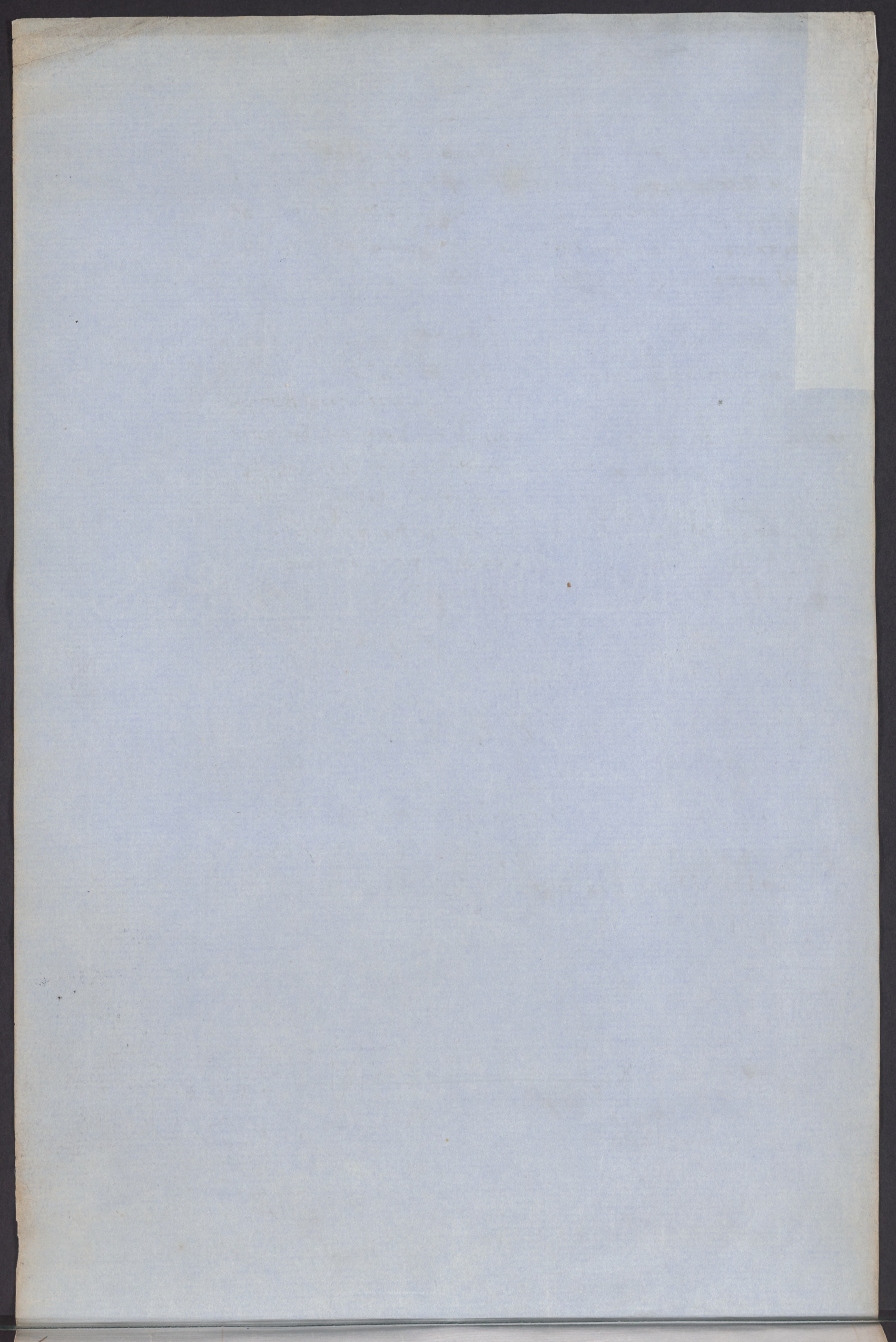
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Rincon de la Puente del Monte"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

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The Petition of *Todoro Gonzales* for the Place named "*Rincon de la Punta del Monte*," was presented, and ordered to be filed and docketed with No. 502, and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco December 30th 1852.
In case no. 502, *Todoro Gonzales* for the place named "*Rincon de la Punta del Monte*", the deposition of *José Abrego*, a witness in behalf of the claimant, taken before Commissioner *Henry J. Thorn* with documents marked *H. J. T. No. 1 & 2*, annexed thereto was filed;

(Vide page 3 of this Transcript.)

San Francisco March 23rd 1853.
In the same case the deposition of *José Abrego* a witness in behalf of the claimant, taken before Commissioner *Richard Hall* was filed;

(Vide page 6 of this Transcript.)

San Francisco August 10th 1853.

On motion of the United States Law Agent
Case no. 502 was ordered to be placed on the
Trial Docket.



August, 11th 1853.

Case no. 502 called; Submitted on briefs on
both sides and taken under advisement by
the Board.

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San Francisco February 7th 1854

In the same case Commissioner R. Aug. Thompson
received the opinion of the Board concerning
the claim:

(See page 50 of this Transcript.)

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To the Honorable the U. S. Land Commissioners for
the ascertaining & settling of private land claims in California.

The petitioner of Federico Gonzalez, a citizen of Cal-
ifornia respectfully sheweth unto your Hon. body, that
on the 9th of September U. S. 1836, he made & presented
his petition in writing to the Governor of California, soli-
citing for the benefit of himself & of his family, the grant
of a piece of land, called the Rancho de la punta del Norte
a description of which will be given hereafter.

Petition.

That Nicolas Gutierrez, then Governor of said Cal-
ifornia, referred the whole subject to the Ayuntamiento
of Monterey, to the Administrator of the Mission de Sal-
edad, & to the Just Alcade of Monterey, to decide whether the
land, prayed for, was free & liable to be granted, & whether
the petitioner possessed the necessary qualities, to be com-
plid with in his petition.

That all said reports being made in favor of your
petitioner, said Governor Gutierrez on the 20th day of Sep-
tember 1836 by virtue of the authority vested in him as
Constitutional Governor of California, declared your peti-
tioner the owner of said land, & ordered the proper docu-
ments, constituting title to be executed & delivered to
the same.

That such formal grant issued on the same day,
to wit, on the 20th Sept. 1836 & was confirmed & approved
by the Departmental Assembly, then in session.

And your petitioner further saith, that on the 11th
of December 1840 he obtained from the proper author-
ities juridic possession of all the lands so granted to
him as aforesaid.

And your petitioner further saith, that all the
documents relating to this subject, as petition, reference,
reports, the Governor's concession, together with a copy
of the original grant & map are on file in the archives

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of California, now in possession of the U. S. Surveyor General for the state of California, & that certified copies of all of them are herewith submitted & prayed to be made a part of this petition, but that the original grant, ^{papers} & the documents of juridic possession are in the hands of your petitioner & ready to be brought in evidence, whenever required.

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And your petitioner further saith, that the lands so granted to him are described as follows.

They are known as Rancho de la punta del monte. They contain about seven Spanish square leagues; they are situated in the present County of Monterey. They are bounded by the lands of Francisco Soto, of Juan Malvarin, & according to the documents of juridic possession more particularly described as follows: commencing at a large oak tree between the two houses near the Mission de Soledad running E. N. E. towards the Sanco situate at the entrance of the Canada 182 cords of 50 varas each, thence following the same direction to the Alamo 40 cords of 50 varas each, being the Canada which forms the boundary line with the land of Juan Malvarin, thence E. S. E. to the land of Francisco Soto 104 cords of 50 varas each, & thence from the Alamo at the entrance of the Canada 40 cords of 50 varas inside said Canada, thence leaving said Canada & running W. S. W. to the punta del monte, 138 cords thence E. S. E. back to the place of beginning.

And your petitioner further saith, that he has been in the quiet & peaceable possession of said lands since the time of obtaining said grant, exercising at all times full & undisputed ownership over the whole of the same, & is not aware of the existence of any title paramount or superior to his own.

He therefore claims to be the lawful owner of the

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lands above described & prays, that your Honorable body
in consideration of the premises will confirm and
validate his claim & title thereto.

Clarke, Taylor & Beckwith
Atty for Pet.

Filed in Office Dec 28th 1852.

Geo: Fisher. Secy

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Deposition of
Josi Abrego.

San Francisco, Dec 30th 1852.

On this day before Comr Henry S. Thornton, came
Josi Abrego, a witness in behalf of the claimant Federico
Gonzalez, petition No 502, & was duly sworn his evidence
being interpreted by the Secretary.

The U. S. Associate Law Agent was present

Questions by Claimant

Quest 1st What is your name, age & place of residence.

Ans. My name is Josi Abrego, my age is forty years,
& my residence in the city of Monterey.

Quest 2^d Look at the original documents now shown
you, one purporting to be the original grant from
Nicolas Gutierrez to Federico Gonzalez, of the land
called Rincon de la Punta del Monte de la Solidar &
the other purporting to be a record of juridic possession,
which said two documents are attached to your deposition
& now filed in this cause, marked Exhibits No 1 & No
2. - State what you know concerning these documents
& the signatures, & whether they are genuine.

Ans. I see the documents now shown to me, I know

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The signatures thereto attached, especially that of Nicolas Gutierrez attached to the original grant. I know all of them to be genuine. I know the signature of Teodoro Gonzalez, David Spence, Gumio Flores, Manuel Castro, Juan Matarin, G. de la Torre, Jose M. Maldonado, J. B. Alvarado, Estaban Munoz, Salvador Munoz, Jose Castro, Rafael Sanchez Catalonia, Manzanera, Manuel Jimenez, & Nicolas Gutierrez & Antonia M. Ochoa. They are all genuine signatures.

Jose Abrego.

U. S. Law Agent present -

Sworn to & subscribed before me this 30th of Dec 1852.

Henry J. Thurston.

Filed in Office Dec 30 1852.

Comr. Sec.

Geo. Fisher - Secy.

San Francisco March 23 1853.

Deposition of Jose Abrego.

On this day before Comr. Meland Hall, came Jose Abrego, a witness in behalf of the claimant Pedro Gonzalez, petition No 502, & was duly sworn, his witness being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

Questions by Claimant.

Quest 1st What is your name, age & place of residence.

Ans - My name is Jose Abrego, my age forty years, & I reside at Monterey.

Quest 2^d State what you know in relation to the land petitioned for by Teodoro Gonzalez. - Ans - I have known the name during the last twelve years, it has been in the exclusive possession & occupation of the petitioner during that time, he having laid upon cultivated & otherwise improved it, during that period during it for grazing purposes.

Jose Abrego.

Sworn & subscribed before me. Meland Hall, Comr. Filed in office March 23 1853. Geo. Fisher Secy.

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Expediente B.

Expediente
promovido por el C. Levotero Jorales, sobre el terreno
nombrado el Pincón de la Leg. Punta del
Monte de la Soledad.

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para los años de mil ochocientos treinta y seis y mil
ochocientos treinta y siete.

Monteney. Sep^r. 9. de 1836.

Sr. Jefe Superior político.

De conformidad con las ordenes de Sr. D. Juan de los Rios y Obispo de esta Capital si el contrato establecido en esta poblacion, Casado y con un solo en esta ocasion las bienes de campo que solicite y me concedis obtiene todos los requisitos para que me permita los derechos en la pr^{ta} ser atendido en la solicitud del Curul para practicar mi grande - ciudad si el tenere que y obediscase me a mi antigua profesion de presende esta Compendio de cultura, pero desgraciadamente la ordenada en las veinte leguas limitadas del tenere y esencia de sus justos no poner - cosas o obreg literales que en el por caso caso de subditar. Ocho tenere expresa la ley de 18 de Agosto de 1808 a proposito de mi generacion y granjea - Si es de regular temporalmente me en caso de me entregue el que poseo abieradeno si pertenezca a en la actualidad por los obregones y para la propiedad de algunos que en el sufren mis grandes y deudas. Con - esticular, Meun o pueblote fundante que procuro en caso que me exija con todo lo deudas que habeis puesto a V. S. que previos las informes y pueras crea conveniente para ello que tengo a bien, se sirva conceder me en - thar la materia. Inculcares elata propiedad el parage llamado Ancon - ueria jurara este expediente de la Punta del Monte, iniciado contra la Sr. D. Juan de los Rios de la Soledad - eion de la Soledad y el Numero de las Suplicas p^a que esponga lo que oca. Coluicante con el Rio de Monteney, cuy tenere - ure sobre el particular. aunque esto concedido en parte a Felipe Aguilera el Sr. Nicolas Gutierrez, D^o no ha obtenido la correspondiente confirmacion Coronel, Comand^{te} General de la S. Diputacion ni por consiguiente se le ha y sus pector, Jefe Superior de la pueblote el título oportuno. Politico Int^o de esta D^o. Como me consta por ciencia propia que Felipe asi lo mande, deerti y Aguilera no tiene bienes con los ni posibilidad pruno de que hoy sea de tenere las por su conducta de irparla que Nicolas Gutierrez. tiene reducido a la clase de jornalero Parausit^o del Socor^o Marcian Bonella, y que por otra parte no tiene muger ni hijos

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me enei con opinion a' solicitar, si me prefiere Concediendome
el expresado terreno que el ha' obtenido Suprepticamente como estaya
pronto a' justificar por los testigos idoneos gubernativa y jud
-icialmente segun se me ponga y al tenen de esta Sobretual
parloque. A. V. S. Suplico y oycudo sobre ella el dictamen
de la S. D. diputacion, se sirva dar la causa, admitir la peticion
que ofeso y previamente concediendo el indicado terreno, cuya
longitud n. s. es de tres y media leguas y su anchura de dos
cemi de ve' en el adjunto dicento y mandar se me expedio
Tello terreno (Real) Dos reales.

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el titulo (Para los años de mil ochocientos treinta y seis y mil
ochocientos treinta y siete). de propiedad como gracia que
pudo a' V. S. en Montaney a' ocho de Setiembre de mil ochoci
-entos treinta y seis. - Leonardo Gonzales. =

Montaney. Setiembre 1º de 1836. = En sesion de este dia se mando
pasar a la comision de terrenos baldios por el J. itaquismiento
Estrecha. Jose Maria Maldonado. Inio.

y. A. La comision de Colonizacion a quien se puso la soli
-licitud se hizo al Sr. Jefe Politico el C. Leonardo Gonzales sabe
que se me conceda el paraje nombrado Rin con del monte
ha tomado las informes que ha heido necesarios y de ella
resulta q. Felipe Ayala lo tiene solicitado con anterioridad por
que este individuo carece de bienes en q. poblarlo con arreglo
a lo procurado en la ley de la materia y que por lo mismo esta
en las facultades del Sr. Jefe Politico denegar lo, no ha sido
relacion la comision del C. Vicente Felix por la espera bastante
que hace de las chupaderas que pertenecan al terreno en cuenta
se ve' en la faja en esta frente de este expediente, y teniendo
el C. Leonardo Gonzales, los requisitos procurados para ser
atendido en su solicitud puede concederse la misma de
clararlo por denunciando al Sr. Jefe Politico en cuya virtud
la comision concluse sujerandose a la deliberacion de la
comision concluse sujerandose a la deliberacion de esta J.
Congracien la proposicion siguiente. Puede concederse al C.

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C. Leonardo Gonzales el purage nombrado Rincon del Monte que
Solicita en su favor de no tener bienes con que poblarlo, el Sr. Felipe
Aguila que lo tiene, Solicita con autoridad y escedible a los
Chispadores que renuncio el Sr. Vicente Helis

Monteney Setiembre 14 de 1836. Promisario de Chumolenga.

Santiago Watson. Monteney. Set. 14 de 1836.

En Sesion de este dia se dio Cuenta con el auto cedente de diamas
y se aprueba la proposicion en que concluye la comision, ordenando
Sira el superior al Sr. Jefe Superior Político y que pase a suplicar
al Chayardomo de la Soledad.

José M. Estrada. José Maria Maldonado.

Sello tercero (Seal) Dos Reales.

Para los años de mil ochocientos (Seal) treinta y seis y mil ochocientos
treinta y siete. = San Carlos Jo Sep. de 1836 = el tener llamado
el Rincon de esta comision no lo ocupa p^a no tener con que fomentar
lo esta comprendido en las doce leguas litorales y no en los límites
límites que expresa la ley, es de temporal y se le puede arguir
al interesado, quedando el que pasó a beneficio de la comision.

P.T. M^o en el Reul.

Sello Cuarto una Cuatilla

Habilitado provisoriamente por la administracion de la aduana
mantenia de Monteney de la Alta California para los años de
mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro. (Seal) Angel Ramirez.

Rehabilitado por el bienio de 1839.

Gutierrez. A. Gonzales.

Sr Jefe Sup^{or} Político.

Vicente Helis, vecino de la Jurisdiccion del puerto de Monteney
anté la notaria justificacion del Sr. y como mas luego lugar en
dho. se presenta y dice que teniendo a la vez bienes con que poblar
el purage llamado las Chupinas de la Soledad que pidió el
auto p^a p^o sobre el pedimento desauto libre la persona en su
baya de el, quien sea capaz de fomentarlo. Por t. d. v. s. pido
y suplico lo tenga por presentado y lo de por desistido de su

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en lo que recibiere gracia y justicia; jurando lo necesario. =
Montreney, Setiembre de 7 de 1836.

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Nicente Felis. Montreney, Setiembre 7 de 1836.

Pase el Señor Alcalde 1º de esta Capital quien la parte del C.
Leovono Gonzales produce una informacion de tres testigos
valones que sean interrogados sobre los puntos siguientes
Primeramente si el Solicitante es C. Mexicano por nacimiento, si es
Casado y tiene bienes hijos, y si es de buena conducta, Segundo
si el terreno que pretende es baldio, pertenece a algun
particular, Minero o Pueblo, si es de regadío temporal o
aherado, y la estension que tenga. Tercero si tiene bienes
de campo con que poblarlo, o posibilidad de adquirirlos.
Evaluados estas diligencias, vuelva este expediente por el mismo
El C. D^{no} Nicolas Gutierrez, Comandante General y Jefe Politico
del territorio de Monte de Oro y fírmelo de que doy fe.

Nicolas Gutierrez.

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Done January 21 1837
Montreney

Setto cuanto una Cuartilla.

Habilitado provisionalmente por la administracion de la aduana Mexicana del puerto de Montreney en el Departamento de la alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro.

Angel Ramirez.

Rehabilitado por el bienio de 1835 y 1836. Castro Gutierrez
A Ramirez. Montreney. Setiembre de 1836.

Notifiquese al ciudadano Gerolamo Gonzales presente los testigos que se han de examinar bajo los puntos que se contiene el Superior Decreto que antecede. Recivase las vijeraciones y devuelva el expediente al Señor Jefe Político para su superior resolucion. Asi y el Alcalde Constitucional de la mencionada en la demarcacion de esta municipalidad lo oyo, mandó y firmó con testigos de asistencia. José P. Estrada. José Ma. Maldonado. Manuel Crespo. — En la misma fha. se notificó el auto que antecede al Sr. Gerolamo Gonzales y de él circunstanciado dijo: lo oyo y que presenta por testigos a los ciudadanos José Maria Ramirez, Juan Mutarín y Siméon Castro y lo firmó con mi go y las de mi asistencia. José P. Estrada. José Ma. Maldonado. Manuel Crespo.

En la misma fha. presente al Sr. José Ma. Ramirez sus testigos presentados por el interesado, se le recivió juramento que hizo en forma de Dho. bajo el cual ofreció decir verdad en lo que supiere y fuere preguntado; y siendo lo por su nombre, estado, edad y vecindad dijo: es un hombre como queda referido que es casado de cuarenta y dos años y vecino de este Puerto. Preguntado al tenor del interrogatorio que se admite en el Superior Decreto de este día; dijo a lo 1º que el que solicita es ciudadano Mexicano por nacimiento que es casado, no tiene hijos y si políticos, y es de buena conducta y algo. a lo 2º que el tenor que prescribe no sabe si pertenece a alguna persona, nacion o pueblo que es de temporal y aboroteno y que su extension es de tres leguas por lo mas o menos. que ambas cosas del conreuido

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Habilitado por el Sr. Jefe de la Administración de la Armada
Marítima del Puerto de Montevideo en el Departamento de las Californias
juró las años de mil ochocientos treinta y seis y mil novecientos
treinta y siete.

de lo preguntado, siendo el interesado, y que lo he dicho es la
verdad a cargo de juramento que tiene hecho, y en que se opuso
y ratificó el sobrestante que le fué su declaración, y lo firmó
con migo y las de asistencia = José B. Estrada = José de Gutiérrez
De. atto. José María Maldonado. Manuel Crespo de Castro.

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= En la misma fecha presente los testigos de esta actuación lo le
vieron juramento en forma a cargo el cual opuso algún motivo
en lo que supiere y fuere preguntado y siendo lo por su nombre
caract. estado y vejez digo: se llama Juan Malvarín; que es
casado de cuarenta y cinco años y vecino de esta Municipalidad
Preguntado. Por el mismo orden que lo fué en anterior digo:
a lo 1.º que es Ciudadano Mexicano por nacimiento que es casado, no tiene
hijos y su conducta es buena; y responde a lo 2.º que ignora
el contenido de la pregunta es cuanto si pertenece a algún punto
- entor, Mision o Pueblo, pues solo sabe lo tiene Solicitado Felipe
Aguila; que es de temporal o aboradeno; y su estancia de cerca
de un sitio de ganado mayor y cortado; a lo 3.º que tiene bienes
con que poblarlo y que lo dicho es la verdad a cargo de juramento
que tiene hecho en lo que se opuso y ratificó lo cual le fué su
declaración y lo firmó con migo y las de atto.

José B. Estrada. Juan Malvarín de atto. José de Maldonado
De. atto. Manuel Crespo. = Incontinentemente presente el
tercero testigo y vel repuso al cual le recibí juramento
que hizo en forma de derecho, bajo el cual opuso decir verdad
en lo que supiere y fuere preguntado: y siendo lo por su nombre
estado, edad y vejez digo: llamado Simeón Castro; que es
casado de cuarenta y cinco años y vecino de este Puerto. Preguntado
por el tenor en que lo fué en las otras anteriores dijo: a lo 1.º
que el que Solicita es Ciudadano Mexicano por nacimiento que es casado

notiene hijos y es de buena conducta y responde: a lo 2º que Ateneo
 que pretende el C. Gonzales no sabe a quien pertenece marque se cite
 -cite el C. Felipe Aguilera; que es de temporal, obradeno y en atencion
 de tres leguas y contada; a lo 3º que tiene bienes de campo con que
 poblar lo y que lo dho es la verdad en lo que se afirmo y ratifico
 le da que le fue su declaracion y lo firmo con miyo y las de mi
 asistencia. José A. Estrada. Simeon Castro. José M^a Mal
 -donado = Manuel Crespo. De assa.

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Sello tenereo Dos reales.

Por los años de mil ochocientos treinta y seis y mil ochocientos
 treinta y siete. = Concluydo las informes que se acordó en
 auto de cite olin se acordio este expediente al J. Jefe Político en 8
 fajas blancas y para constancia lo auto y rubrico.

Monte Rey Sep. 20 de setre 1836. = Vista la peticion con que al
 principio este expediente el informe de la autoridad municipal
 del R. P^o M^o de la mision de S^o Carlos, la informacion de sus
 testigos con todo lo demas que se tubo presente y ver conuicido
 conformidad con las leyes y reglamentos de la materia y acordado
 tambien a la denuncia y juramentos de ellos p^o Sobrante el tenereo
 = "

Sello tenereo Dos reales.

Por los años de mil ochocientos treinta y seis y mil ochocientos
 treinta y siete. = " de que se trata, se declaró el Ciudadano
 Levano Gonzales, otuero en propiedad del nombrado Punta
 del monte de la Soledad o P^o con de la punta dejandose las a la
 aprobacion de la Junta Suputacion y ejecutando el interesado
 el título que obtieno nombrado Canasta de las Lunetas, Suj
 -etandose a las condiciones que se estipularon. S. S. D. Nicolas Sur
 -rieny, Teniente Coronel de caballeria, Permanente Comandante
 General y Jefe Superior Político de la California, auto manado
 de auto y firmo. De que doy fe: Nicolas Gutierrez - Parais
 al Sr. Manuel M^a Gonzales. = Monterey 29 de Mayo del 36
 Auto cuenta a la S. Junta Departamental, acordado en sesion de 11 de
 ordinario de auto que paso a las Comisiones unidas de agricultura
 y comercio. José J. Hernandez = En 25 del mismo se devuelo a
 Hernandez.

Faint, illegible handwritten text covering the majority of the page.

Su mo. Sr.

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La comision de agricultura encargada de dictaminar sobre el expediente pido para por Sr. Don Juan Gonzalez, sobre que se concede el paraje llamado Prision de la Punta del Monte; visto los tramites corridos y las muy favorables informes, lo que obran en lugar a la concesion del solicitante tenemo por echo por el Sr. D. Theodoro Gonzalez, Nicolas Gurreny, Jefe Superior politico Interino de este Departamento y en favor del solicitante. La comision pone a la deliberacion del S. los articulos siguientes. Art. 1º Se aprueba la concesion del terreno Prision de la Punta del Monte sea por el Sr. Don Juan Gonzalez en favor del Ciudadano Don Juan Gonzalez
Art 2º El presente expediente pasara al Gobierno Departamental para las fines convenientes. Montevideo Mayo 25 de 1852.

Jose Pascual Gonzalez. J. Anguillo.

Montevideo 26 de Mayo de 1852. = En Sesion de esta obra se aprobó la Junta Departamental los dos articulos con que concluye el dictamen anterior. Jose L. Hernandez. Sec.

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

I Samuel S. King Surveyor General of the United States for California, and at this now having in my office and under my charge and custody a portion of the archives of the former Spanish and Mexican territory a Department of Upper California Do hereby certify that the contents preceding and hereunto annexed pages of tracing paper numbered from one to twenty inclusive and each of which is verified for by my Initials (S. S. K.) exhibit true and accurate copy of certain documents on file and forming a part of the said archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private Seal (not having a Seal of office) at the City of San Francisco Cal. this 23 day of December 1852.

Samuel S. King. Surveyor G. Cal.

Filed in office Dec. 28. 1852.

Geo. Fisher. Secy.

Seal of the first Class, one dollar.
Authorized provisionally by the Maritime Custom House
of Monterey for the years 1839 & 1840.

Signed / Alvarado Signed / Antonio M. Oros.

Custom House
Seal

Senior Political Chief

Translation of
Expediente
C.

I, Teodoro Gonzalez a resident of this port of America by
birth, with due respect; before your Excellency, do say: that
in consequence of my being established in this town, married, &
the owner of some cattle, I solicited & obtained the grant of
the place called Los Laureles, situated on the Coast of Car-
mele, for the purpose of pasturing my cattle & dedicating
myself to my former profession of an agriculturist, but
unfortunately the sterility of the land & the scarcity of its
pasturage place me under the necessity of soliciting another
tract of land more adapted to my profession & to farming
purposes, unavailing in case, that it be granted to me, the
one which I at present possess, on account of the fruitlessness
& damages sustained thereon by my cattle & agricultural
labours - With this foundation, which I will prove should
it be required, I request that your Excellency after taking the
information & proofs which you may deem necessary, would
be pleased to grant me in absolute ownership, the place
called Rincon de la punta del Monte, situated between
the Mission of La Soledad & the rancho of the Tomjones,
bounded by the river of Monterey, which land, although
it has in part been granted to Felipe Aguilera, he has
not obtained the corresponding confirmation from the
Most Excellent Deputation, nor consequently has
the necessary title been given to him - As I know of
my own knowledge that Felipe Aguilera has no known
property, nor the possibility of obtaining any, on ac-
count of his dissipated conduct which has reduced
him to the class of a simple laborer, & on the other

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hand, as he has no wife nor children, I consider that I have the right to request that I be preferred in having said land granted to me, which he is about obtaining subreptitiously, as I am ready to prove by good witnesses either administratively or judicially as may be required & to the tenor of this petition, therefore, I request that your Excellency, after hearing the opinion of the Most Excellent Deputation, would be pleased to take the necessary proceedings with respect to said petition, admit the proofs which I offer, & give me the preference by granting me the before mentioned land, the length of which from North to South consists of three & a half leagues & its breadth of two leagues, as appears by the accompanying plot, & that you would order the title of ownership to be made out for me, as a favor which I request of your Excellency in Monterey on the eight of September, eighteen hundred & thirty one - Teodoro Gonzalez. Monterey, September ninth, eighteen hundred & thirty one - In conformity with the laws & regulations on the subject, the Ayuntamiento of this Capital will report, whether the party interested in this memorial be possessed of the necessary requirements to be attended to in regard to his petition whether the land asked for, be comprised within the twenty boundary leagues, & the ten leagues from the sea coast, mentioned in the law of the 18th of August 1824, whether it be irrigable subject to the seasons or calculated for watering, & pasturing, cattle, if it belong to the ownership of any private person, Mission, corporation or town, with all the rest which they may deem necessary to illustrate the matter. These steps being taken, this expediente shall be forwarded to the Administrator of the Soldado for him to report what he may have to say on the subject -

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* I have formed the original textural material of this expediente as contained on a card paper of the fourth class
Note of the Translator, W. C. P. Smith

Senior Don Nicolas Gutierrez, Lieutenant Colonel,
Commandant General, Inspector & Superior Political Chief
ad interim of this Territory, did thus command, close
sign, when of give testimony - Nicolas Gutierrez.
In the absence of the Secretary, Mariano Bouilla -
Morelia, September tenth, eighteen hundred & thirty one.
In this days session the Illustris Ayuntamiento orders
this to be referred to the committee on vacant lands -
Estrada. Jose Maria Maldonado, Secretary -
Illustris Ayuntamiento, the committee on colonization
to whom was referred the petition made by citizen Teodoro
Gonzalez, to the Political Chief, respecting granting to
him the place named Rincon del Monte, has taken the
information which has been deemed necessary, wherefore
it results that Felipe Aguilera asked for it previously, but
that this individual does not possess the means of obtaining
it in conformity with the requirements of the law on the
subject & that consequently the Political Chief is authorized
to refuse granting it, the committee not making mention
of citizen Vicente Felix, on account of the enormous amount
which he makes of the Chapateros, which belong
to the land in question, as appears on the fourth folio of
this expediente. And as citizen Teodoro Gonzalez
possesses the necessary ^{*} goods to be attended to in his
petition, it may be granted to him, it having been de-
nounced to the Political Chief, in virtue whereof the
committee concludes by submitting to this deliberation
of this Illustris Corporation the following proposi-
tion - The place called Rincon del Monte
which citizen Teodoro Gonzalez asks for, may be granted
to him, by reason of citizen Felipe Aguilera not having
sufficient means to stock it, although he asked
for it first, & on account of citizen Vicente Felix
having denounced the chapateros - Morelia,

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September twentieth, eighteen hundred & thirty six =
 Bonifacio Madariaga - Justice Watson - Monterey, September seven-
 twentieth, eighteen hundred & thirty six - In the day session the
 foregoing opinions were submitted, & the proposition with which
 the committee concludes was approved, it being agreed that it
 should serve as information for the Political Chief & that the
 expediente be forwarded to the Mayor dome of the Soledad =
 Don N. Estrada - Don Maria Maldonado, Secretary - San
 Carlos, twentieth of September, eighteen hundred & thirty six.
 The land called the Rincon belongs to this Mission, but it does
 not occupy it, (fermentable) it is comprised within the ten leagues
 from the sea coast, but not within the twenty boundary leagues
 mentioned in the law, it is dependent on the seasons (de tem-
 -poral) & may be granted to the party interested, leaving the
 place which he possesses for the benefit of the Mission =
 Friar Don Maria del Bejagio Suarez del Real.
 Senior Superior Political Chief - Vicente Felix a resident
 of the jurisdiction of the part of Monterey, before the well known
 justice of your Excellency has the law may best permit, pre-
 -sents himself, & says: that not having at present what would
 be stock the place named Los Chupaderos de la Soledad,
 which he asked for last year, he desists from his petition, lea-
 -ving it free for any one to select who may have the means
 of stocking or cultivating it (fermentable) Therefore he
 begs & requests that your Excellency would consider him
 as presented & hold him to have desisted from his petition
 whereby he will receive favor swearing that which is nec-
 -essary &c. - Monterey, September twentieth, eighteen hun-
 -dred & thirty six = Vicente Felix. Monterey, September
 twentieth 1836 = Let this be referred to the first Alcalde of
 this Capital, before whom the party interested, citizen Te-
 -doro Gonzalez, will produce the testimony of three com-
 -petent witnesses, who shall be interrogated on the

following points. First, whether the petitioner be a Mexican
 citizen by birth, if he be married & have children, if his con-
 duct be good. Second, whether the land asked for, belongs to
 any private person, Mission or town, if it be irrigable, depen-
 dent on the seasons, or adapted for pasturing & watering
 cattle & what extent it may comprise. Third, whether
 he has any cattle or stock (bienes de campo) or room with to
 stock it, or the possibility of obtaining any. These steps being
 taken, the expediente will be returned to be decided upon.
 Senior Don Nicolas Gutierrez, Commandant General,
 & Political Chief of the Territory, did thus decree, command
 & sign, whereof I gave testimony. Nicolas Gutierrez,
 Monterey, September twentieth, in the year hundred & thirty
 one. — Let citizen Judon Gonzalez be notified to
 produce the witnesses who are to be examined on the
 points referred to in the foregoing superior decree, let the
 testimony be received & this being done, let the expediente
 be returned to the Political Chief for his superior deter-
 mination. Thus I, the constitutional Alcalde of
 first nomination within the jurisdiction of this mu-
 nicipality did decree, command & sign with the
 assisting witnesses — Jose R. Estrada. Assisting
 witnesses Jose M^a Maldonado. Assisting witness Manuel
 Crespo. — Five four dollars. on the same date the forego-
 ing decree was notified to citizen Judon Gonzalez,
 who on being made acquainted therewith said; that he
 heard it, & presented as witnesses citizens Jose Maria
 Ramirez, Juan Malara & Simion Castro & signed
 with me & the assisting witnesses — Jose R. Estrada.
 assisting witness, Jose M^a Maldonado. assisting witness
 Manuel Crespo. — on the same date, citizen Jose Maria
 Ramirez a witness presented by the party interested being
 present, the oath was administered to him, which he
 took in the legal form, in virtue whereof he promised

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to tell the truth respecting what he know & might be asked & being asked his name, state, age, & residence, he said; that his name was the one already mentioned, that he was married, aged forty two years & a resident of this just. Being asked according to the tenor of the interrogatory mentioned in the superior decree of this date, he said: to the first; that the petitioner is a Mexican citizen by birth, that he is married, has no children but step children, that he is of good conduct, & to the second, he answered, that the land asked for he does not know whether it belongs to any person, mission or pueblo, - that it is dependent on the seasons & adapte it for pasturing & watering cattle, that the extent of it is three leagues a little more or less in length & two in breadth, & he answered, to the third, that the party interested has both things mentioned in the question, & that what he has said is the truth in accordance with the oath which he has taken & which he affirmed & ratified when his declaration was read to him, & he signed with me & the assisting witnesses Don R. Estrada. Jose M. Ramirez. assisting witness Don M. Maldonado. assisting witness Manuel Crespo - On the same date the second witness in these proceedings being present; the customary oath was administered to him, in virtue of which he promised to tell the truth respecting what he know & might be asked, & being asked his name, state, age & residence, he answered that his name was Juan Malasón, that he is married, is forty five years of age & is a resident of this municipality - On being interrogated in the same order as the preceding witness, he answered to the first, that he is a Mexican citizen by birth, that he is married, & has no children & that his conduct is

good, & he answered to the second, that he is ignorant of the contents of the question, respecting whether the land belongs to any private person, Mission or town, but merely does know that it was asked for by Felipe Aguilera; that it is dependant on the reasons & adapted for pasturing & watering cattle & comprises more than one square league (sitio de ganado mayor) & answered to the third, that he has cattle, (beasts) wherewith to stock it & that what he has said is the truth in conformity with the oath which he has taken, which he affirmed & ratified, when his declaration was read to him & he signed it with me & the assisting witnesses. Don R. Estrada - assisting witness Don M. Maldonado - assisting witness Manuel Crespo - Juan Melanin. Immediately afterwards, the third witness, being present, the said Alcalde administered him the oath, which he took in legal form, in virtue of which he promised to speak the truth respecting what he knew & might be asked, & being asked his name, state, age, & residence: he said, that he was called Simon Castro, that he is married fifty two years of age, & a resident of this Post; on being interrogated in the same order as the two preceding witnesses, he answered to the first, that the petitioner is a Mexican citizen by birth, that he is married, has no children, & is of good conduct; & answered to the 2^d that he does not know to whom the land solicited by citizen Gonzalez belongs to, but that it was asked for by citizen Felipe Aguilera, that it is dependant on the reasons & adapted for the pasturing & watering of cattle & that it is of the extent of three leagues, & answered, to the third, that he has cattle wherewith to stock it, & that what he has said is the truth, which he affirmed & ratified when his declaration had been read to him, & he

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signed with me & the assisting witnesses. José N. Estrada,
 Fermion Castro, assisting witness, José María Maldonado,
 de. assisting witness Manuel Crespo. The testimony
 should be taken in the decree of this date, being conclu-
 ded, this expediente is returned to the Political Chief
 on eight useful folios, in testimony whereof I do this
 day sign with my flourish - A flourish. Monterey,
 September 20th eight hundred & thirty one - In
 view of the petition which commences this expediente
 the report of the municipal authority; that of the Honorable
 Father Minister of the Mission of San Carlos, the testi-
 mony of witnesses & all the rest that was born in mind
 & was necessary to be observed, in accordance with the
 laws & regulations on the subject, & in attention
 likewise to the denunciamiento of our delation therefore
 to edict the land in question, Citizen Pedro Gon-
 zalez is declared to be the legitimate owner of the said
 Punta del Monte de la Soledad or Rancho de la Pan-
 ta, subject to the approval of the Most Excellent
 Deputation & the party interested delivering up & ces-
 sioning the title which he obtained for the Canada
 de los Laureles, & abiding by the conditions which
 may be stipulated -

Señor Don Nicolás Gutiérrez, Commandant Gen-
 eral, Lieutenant Colonel, of Permanent Cavalry
 & Superior Political Chief of Mexico California, did
 thus command, decree, & sign, whereof I give tes-
 timony - Fees twelve Dollars -
 Nicolás Gutiérrez.

In the Abence of the Secretary, Manuel María González,
 Monterey twenty second of May, eight hundred
 & thirty one being reported to the Most Excellent
 Departmental Junta, it was decreed in the ordinary

session of to-day, that it be submitted to the joint com-
 mittee of Agriculture & Commerce. - José F. Fernandez.
 Secretary. Most Excellent Sir - The committee of
 Agriculture charged with giving an opinion respecting
 the expediente carried on by Don Teodoro Gonzalez in
 order to obtain the grant of the place called Rincon de la
 Punta del Monte, having seen the proceedings had, &
 the very favorable report which gave cause to the grant
 of the said land, made by Don Nicolas Gutierrez, Supe-
 rior Political Chief, administrator of this Department
 in favor of the petitioner, submits to the deliberations
 of your Excellency the following articles - Article 1st
 The grant made by Don Nicolas Gutierrez in favor of Don
 Teodoro Gonzalez of the land called Rincon de la Punta
 del Monte, is approved - Article 2^o The present expa-
 diente shall be returned to the Departmental Go-
 vernment for the necessary use. Monterey, May twenty
 fifth, eighteen hundred & forty. - José Rafael Gonzalez.
 Santiago Arguella - Monterey, twenty sixth of May
 eighteen hundred & forty. - In to-day's session the
 Most Excellent Departmental Junta approved the
 two articles with which the foregoing opinion concludes.
 Manuel Amis President. José F. Fernandez. Secretary.
 The undersigned Secretary to the Departmental Go-
 vernment of the Californias, - Do certify: that the
 foregoing testimonial is copied literally from
 the original expediente on file in the Secretary's office
 under my charge, at the request of the party interested
 Don Teodoro Gonzalez, the original title was
 taken out & accompanies this testimonial; it,
 (the testimonial) consists of fourteen folios, the
 first, second, & twelfth & thirteenth on sealed paper
 of the first class & the remainder on sealed paper of
 the fourth class. And in order that it may produce

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the effects which may be required, Signed the present
~~document is not valid~~ & sealed with the seal of
the said Secretary's office on the fourth of June, eight-
teen hundred & forty. (Signed) Manuel Romero.

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Seal of the first class, Six dollars.
Authorized provisionally by the Administration of the Mar-
itime Custom House of Monterey of Upper California for
the year eighteen hundred & thirty four & eighteen hundred
& thirty five.

(Signed) Figueroa. (Signed) A. Ramirez.

Made valid for the years 1836 & 1837
(Signed) Gutierrez (Signed) A. Ramirez.

Nicolas Gutierrez, Lieutenant Colonel of Permanent
Cavalry, Commandant General, Inspector & Political
Chief Administrations of Upper California.

Whereas Citizen Teodoro Gonzalez Merican
by birth, has solicited for his personal benefit & that of
his family the land described in the plot which accom-
panies the espediente, known by the name of Punta
del Monte de la Soledad; the necessary steps & investigations
having been taken & made in conformity with the laws
& regulations on the subject, I have by virtue of the pow-
er conferred upon me in the name of the Mexican
Nation granted unto him by decree of this date the
land mentioned, & claiming unto him the ownership there-
of by these present letters, subject to the approval
of the Most Excellent Deputation & under the follow-
ing conditions.

1st He shall abide by the conditions which may be
established by the regulations which are to be formed
for the distribution of vacant lands & in the mean-
time neither the grantee nor his heirs shall divide

nor alienate the land granted to them, impose ground rent, entail, reversion or any other burden although it may be for pious purposes, nor transfer it in mortmain.

2^d He may fence it in without prejudice to the crossings, roads & privileges, destining it to the use & cultivation which may best suit him, but within one year at furthest he shall build a house & it must be occupied & inhabited.

3^d He shall request the respective Justice to give him judicial possession in virtue of this title, said Justice will designate the boundaries, at the limits whereof he shall besides placing the land marks, plant some fruit trees or wild ones of some utility.

4th The land whereof donation is made consists of four square leagues (sitios de ganado mayor para aparceria) by the plot which accompanies the expediente. The Justice who gives possession, will cause it to be measured according to law, paying the surplus which may result to the Nation for the necessary uses.

5th If he transgress these conditions he shall forfeit his right to the land & it may be denounced by another.

I consequently command that these presents serving him for a title, & being held as valid, a record thereof be made in the proper book, & this be delivered to the party interested for his security & further ends.

Monterey on the 20th of September 1830.

Fees \$20.

(Signed) Nicolas Gutierrez.

(Signed) Manuel M^o Gonzalez.

Recorded at folio 17 of the respective book on file at the office under my charge.

Fees \$10. Monterey September 20th 1830.

(Signed) Gonzalez.

12/502

I, the undersigned do hereby certify that foregoing
 eleven pages contain a true & faithful translation
 of the original Testimonial of the expediente of
 Don Tudor Gonzalez, respecting his petition for the
 rancho of the Punta del Monte de la Soledad, alias
 Rincon de la Punta del Monte. of the original
 title to said land.

Montrey 12th October 1852.

W. C. Marshall
 State Translator.

Seal of the third class, two miles.

Authorized provisionally by the maritime Custom
 House of the Port of Montrey in the Department of the
 California for the years eight hundred forty and
 eight hundred forty one.

Signed / Amaro Signed / Antonio M^o Coie

Made valid for the years 1842 & 1843.

Signed / Alvarado Signed / Antonio M^o Coie.

Most Excellent Governor.

Tudor Gonzalez, before the goodness of your Excellency
 makes known, that he being the possessor of the land
 known by the name of Rincon y Punta del Monte de
 la Soledad, which the Government of this Depart-
 ment granted to him in conformity with the title which
 he obtained, & it not being to his interest, to abide by the
 conditions mentioned in the first clause of said title,
 he requests that your Excellency would be pleased to decree
 that he has the free & exclusive use & power to dispose
 as owner of said land, without the obligation of obser-
 ving said clause.

He therefore requests that your Excellency would
 be pleased to decree in conformity, whereby he will

secure a great favor.

Monterey, October 6th 1842.

(Signed) Frederic Gonzalez.

Marginal Deane.

Monterey October 6th 1842.

In conformity with the petition of the party interested, he is by these presents exempt from the obligations imposed upon him in the first clause of the title of concession given by Government to the land mentioned.

(Signed) Alvarado.

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I, the undersigned do hereby certify the foregoing to be a true & faithful translation of the original.

Monterey 12th October 1852

W. C. P. Martnell.

State Translator.

Filed in Office Dec 28th 1852.

Geo. Fisher.

Sicry.

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

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Certificación del Expediente y título original
del Rancho nombrado Rincon de la punta del Monte
de la Soledad, Constante de cuatro o sitios de ganado
Mayor, propio de D. Teodoro Gonzales. Vecino del
puerto de Montenegro.
año de 1840.

Document. N^o 1.

Sello 1^o seis pesos.

Habilitado provisionalmente por la aduana marítima del
puerto de Montenegro, para los años de 1839, y 1840.
abranado. Antonio Maria Esid.

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Real) Señor Jefe Superior Político = Teodoro Gonzales vecino de
este puerto y Mexicano por nacimiento, con el debido respeto
ante V. S. digo: que a consecuencia de hallarme establecido en esta
poblacion casado y con algunas bienes de campo; solicité que me
concedio el parage nombrado Las Saunelas sito en la costa de
San Carmelo para pastorear mi ganado y dedicarme me a mi
antigua profesion de agricultura, pero desgraciadamente la falta
necesidad del terreno que ocupa de sus prastos me ponen en el
de mayor caso de solicitar otro terreno mas apropiado a mi ofi-
cio y ganancia, con un fundo en caso de me entregad el que poseo
en la actualidad y por las desmejoras y alomias que en el supien mis
ganados y siembras. = Con este fundamento que podare en caso
que se me exija, junto a V. S. que presas las informes y pruebas
que tenga a bien, se sura adjudicarme en absoluta propiedad
el parage llamado Rincon de la Punta del Monte habiendolo ante
la Union de la Soledad y el Rancho de las Saunelas, colindante
con el Rio de Montenegro, cuyo terreno aunque esta concedido en
parte a Felipe a Aguilera no habiendo la correspondiente confi-
rmacion de la S. Diputacion, ni por consiguiente solo ha ocupado

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el título oportuno = como me consta por ciencia propia que Melipue
Aguila no tiene bienes conocidos ni posibilidad de tener los por
su conducta dejada que lo tiene reducido a la clase de simple jornal
-ero y que por otra parte no tiene mujeres, ni hijos, ni aun objeción
a solicitar se me prepare con necesidadome el espresado terreno que
el ha obtenido suceptivamente, como otros puntos a justificar por los
testigos idoneos gubernativa o judicialmente segun se me promesa
y al tenor de esta solicitud por lo que = Sr. D. Suplico que oyendo
esta el abietamen de la E. Diputación, se sirva darle curso, admita
la peticion que ofrezgo y prepare me concediendome el citado terreno
teniendo una longitud n.s. es de tres y media leguas y su anchura
de dos como se ve en el asunto dicho y mandarse me expedir el título
de propiedad como gracia que fuere a p.s. en chomney a ocho de seti-
embre de mil ochocientos treinta y seis = Levon v. Gonzales - chomney
Setiembre Nueve de mil ochocientos treinta y seis. = De conformidad
-ant con las leyes y reglamentos de la materia informo el citado
-amirante de esta Realidad si el citado en esta instancia obtiene
los requisitos para ser atendido en su solicitud: Si el terreno que
pretende es comprendido en las veinte leguas limitadas o deslimita-
-das que expresa la ley de 18 de Agosto de 1825; Si es de regadío, cultivo, arado
o aboradeno; Si pertenece a la propiedad de algun particular, miina
Corporacion o pueblo con todo lo demas que crea conveniente para
ilustrar la materia. Para lo que se pasará este expediente al
Administrador de la Realidad para que exponga lo que ocaure
sobre el particular. El Sr. D. Nicolas Gurienez, teniente Coronel
Comandante Jral, Inspector y Jefe Superior Político Int^o de
este territorio asi lo mandó, obediendo firmo de que doy fe. Nicolas
Gurienez = Por ausencia Del Secretario Maximiano Bonello. chom-
ney Setiembre diez de mil ochocientos treinta y seis. = En sesion
de esta Realidad se mandó pasar a la Comision de terrenos baldios. En
sesion de esta Realidad se mandó pasar por el Justiciero = Sr. D. -
Jose Maria Malдонаdo. = Secretario = Jral. La comision de coloniz-
-acion y obras a que se pasa la solicitud que hizo al Sr. Jefe
politico al C. Levon v. Gonzales sobre que se le conceda el paje

nombrado Dn con el Monte, ha tomado las informaciones que han
 crecido necesarias y de ella resulta que Felipe Aguirre tiene sole
 - cionado con autoridad, pero que este individuo carece de bienes
 con que poblar lo con arreglo a lo prevenido en la ley de la mun
 - eria y que por la misma esta en las facultades del Sr. Jefe Político
 de exarlo, su hacienda relación de la comarca del C. Vicente
 Felipe por la expresada renuncia que hace de los Chupaderos
 que parecen en el terreno en cuestión, como se ve en la faja cuarta
 frente de este expediente y teniendo el C. Leopoldo Gonzales las
 requisitas prevenidas por ser atendido en su solicitud puede con
 - cederle en su solicitud en virtud de serlo por ser un era etc.

Item Cuarto Una Cuartilla.

Habilitado provisionalmente por la estatuta Municipal al punto
 de Chourrey en el Departamento de las Californias, por las áreas
 de mil ochocientos Cuarenta y mil ochocientos Cuarenta y nueve.

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Alvarado. Antonio M. Osio.

al Sr. Jefe Político en cuya virtud la comision concluye sujetando
 a la deliberacion de esta y corporacion la proposicion siguiente.
 Puede conceder el C. Leopoldo Gonzales el paraje nombrado
 Dn con el Monte que sobesta en ragon de no tener bienes con que
 poblar el C. Felix Aguirre que lo tiene solicitado con autoridad
 y susceptible a los Chupaderos que renuncia el C. Vicente Felipe
 Montenegro Setiembre diez y siete de mil ochocientos treinta y seis.

Bonifacio de Mandanaga. = Santiago Watson = Montenegro
 Setiembre diez y siete de mil ochocientos treinta y seis = Inscrito
 de este dia se dio cuenta con el antecedente estatuto y se
 apruebo la proposicion en que concluye la comision, dando
 servia de informe al Señor Jefe Superior Político y que pare
 el expediente al mayordomo de la Soledad. = Teste P. Situada
 José Maria Maldonado. = San Carlos. Veinte de Setiembre de
 mil ochocientos treinta y seis = El teniente llamado el Dn con
 de esta Dn con, no lo ocupa por no tener con que fomentar la
 esta comprendido en las diez leguas litorales y no en las veinte
 limitadas que apruebo la ley es de temporal y se le puede arguirse

al insinuando queriendo el que paree a beneficio de la medicina. Et
Nº del Glorioso Señor Jefe Superior Político = Vicente Felix Vicuña
de la jurisdicción del puerto de Montreney, ante la notoria justifi-
-cación de N.º. Como mas haya lugar en derecho se presente y
obice que tendiendo a la vez bienes con que poblar el parage

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Seño Cuanto una Cuantilla.

Habiéndose por el presente por la estatuta Maritima del puerto
de Montreney en el Departamento de las Californias para los años
de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Alravallo. Artº. No. 1º.

Removiendo las Chupulinas de la Soledad que pido el auto por el
decreto del pedimento de javado libre la posesion que ha en el punto
Sea Capaz de fomentar lo. P. L. a N.º. pite y suplica lo tenga por
presentado y lo de par desistido de su posesion en lo que asiere
gracia y Justicia, jurando lo necesario. Montreney Setiembre
Siete de mil ochocientos Treinta y Seis. Vicente Felix. Montreney
Setiembre veinte de 1836. = Pase al Señor Alcalde primer de
esta Capital ante quien la parte del Sr. Leonono Gonzales pido una
informacion de tres testigos notorios que seran interrogados
sobre las puntos siguientes: Primero Si el jurado es Ciudadano
Mexicano, por nacimiento, Si es europeo, Si tiene hijos si es de buena
condueta. Segundo Si el terreno que pretende poseer es de
particular, comun o deudo, Si es de legado temporal o hereditario
y la estension q. tenga. Tercero. Si tiene bienes de campo con que
poblarlo, o portilidos de adquirirlos; Si a cuadas de otros obligacion
sueha el expediente para su resolusion. El Sr. D. Nicolas Gubiernay
Comandante General y Jefe Político del territorio, lo mandó decretar
y firmó con las de mi asistencia. Nicolas Gubiernay -
Montreney Setiembre de mil ochocientos Treinta y seis, notifique al
Sr. Leonono Gonzales presente los testigos que se han de examinar segun
los puntos que se contrae el Supersion secreto que ante eote, recibiere
la informacion en fha., vuelva el expediente al Señor Jefe politico para
su Superior Resolucion. Asi yo el Alcalde Constitucional de la Com-
-arcacion de esta Municipalidad, lo decreté mandé y firmé con testigos

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José M. Estrada = de asistencia = José María Maldonado. = Lo asse.
Manuel Crespo = Derechos. Cuatro pesos.

Sello Cuarto una Cuantilla

Habilitado provisoriamente por la Administracion de la Aduana
Maritima del puerto de Monterey en el Departamento de las Calif-
ornias para los años de mil ochocientos Cuarenta y mil ochocientos
Cuarenta y uno. Alvarado. Antonio Maria Osio.

En la misma fecha se notifico el auto que antecede al Sr. Leonardo
Gonzales y de el entendido dijo: loyo y que presenta por los
testigos o los Ciudadanos José Maria Ramirez, Juan Malvarin
y Simeon Castro y lo firmo con miyo y los de mi asistencia José
R. Estrada = de asistencia José Maria Maldonado = de asistencia
Manuel Crespo = En la misma fecha presente el Sr. José Maria
Ramirez, testigos presentados por el interesado se le oyo jur-
ar auto que hizo en forma de derecho, bajo el cual oficio decir
verdad con lo que supiere y fuese preguntado, y siendolo por su
nombre, estado, edad y vecindad dijo: se llama como queda referido
que es casado, de Cuarenta y dos años y vecino de este puerto = fue
interrogado al tenor del Interrogatorio que se advierte en el superior
obediendo de este dia dijo; a lo primero; que es el que se oboita es Ciuda-
dano Mexicano por nacimiento; que es casado, no tiene hijos
y si soltero, y es de buena conducta y dijo; a lo segundo; que el
terreno que se pretende no sabe si pertenece a alguna persona
nacion ni pueblo; que es de temporal o abastadero, y que su aut-
entia extension es de tres leguas por lo mas o menos de largo
y de dos de ancho y responsable; el terreno en ambos casos del
consentido de la pregunta tiene el interado y que lo he obido
es la verdad a cargo del juramento que tiene hecho en el que
se afirma y ratifico. Sello Cuarto Una Cuantilla.

Habilitado provisoriamente por la Aduana Maritima
del puerto de Monterey en el Departamento de las Californias
para los años de mil ochocientos Cuarenta y mil ochocientos
Cuarenta y uno.

Alvarado. Ant. Maria Osio.

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leída que le fué su declaración y lo firmó con miyo y las de mi
 asistencia = José B. Sotomayor = José M^o Romeros = De otro = José
 María Maldonado. = de otro. Manuel Crespo = En la misma fecha
 presente el segundo testigo de esta actuación se le recitó juramento
 en forma bñ y de cual oficio de ser verdad en lo que supiere
 y fuere preguntado y siendo lo por su nombre, estado, estado y
 vecindad dijo: Se llama Juan Malvarin; que es casado, de cuar-
 -enta y cinco años y vecino de esta Municipalidad. Preguntado
 por el mismo orden que le fué el anterior dijo; es lo primero; que
 es Ciudadano Mexicano por nacimiento, que es casado, no tiene
 hijos y su conducta buena, y responde, al segundo que ignora
 el contenido de la pregunta en cuanto si pertenece a algún parti-
 -cular, Nación o pueblo; pues se lo sabe lo tiene solicitado Felipe
 Aguirre; que es de temporal y obrero y su extensión de unas de
 un sitio de ganado mayor y contada, a lo tercero; que tiene
 bienes con que poblar lo que lo he dicho es la mitad a cargo del
 juramento que tiene hecho en lo que se afirmó y rectifico leída que
 le fué su declaración y lo firmó con miyo y las de mi asistencia
 José B. Sotomayor = Juan Malvarin = de otro. José M^o Maldonado
 de otro. Manuel Crespo = Incontinente presente el tercero testigo
 y el referido al calce le recitó juramento que hizo en forma de
 derecho, bajo el cual oficio en lo que supiere y fuere preguntado
 y siendo lo por su nombre, estado, estado y vecindad dijo; llamase
 Simón Castro, que es casado de cincuenta y dos años, y vecino.

Sello Cuarto una Cuatricula.

Habilitado provisionalmente por la administración de la Estuero m-
 -arítima de Montreney en el Departamento de las Californias por
 los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Abogado

Antonio María Esio

de esta Ciudad, de cincuenta y dos años; Preguntado por el tenor
 en que lo fueran las otras anteriores testigos dijo; es lo primero
 que el que solicita es Ciudadano Mexicano por nacimiento, que es
 casado, que no tiene hijos y es de buena conducta que responde;
 al 2^o que el terreno que precede al Sr. Gonzalez no sabe a quien

pertenece, mas que lo solicita el Ciudadano Felipe Aguila que es de temporal y abrevadero; que tiene bienes de campo con que poderlo y que lo he' otorgado es la verdad en lo que se afirma y ratifico lo que se fue su declaracion y lo firmo con miyo y las de existencia = Jose' B. Estrada = Simeon Castro = de existencia = Jose' Maria Mel donado = de existencia Manuel Crespo = Concluido la informacion que se mandó en acto de este día se devuelve este expediente al señor Jefe Político en ocho fojas utiles; y para constancia lo anoto y rubrico. una rubrica = Mordency Setenta y Nueve de mil ochocientos treinta y seis = visto la peticion con que al principio este expediente se informó de la autoridad municipal al Sr. D. Ministro de la Union des^{ta} Carlos Longorruero y de testigos con todo lo demás que se tubo presente y en conformidad con las leyes y reglamentos de la materia y en virtud de la denuncia y fundamentos de ella para solicitar el terreno de que se trata se declaró al Ciudadano Levodoro Gonzales dueño en propiedad del terreno nombrado Punta del Monte Setto Cuenta una Cuartilla.

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Habilitado provisionalmente por la aduana Mexicana del puerto de Mordency para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Alvarado. Antonio Morria etc.

de la Soledad o División de la punta, dejando a salvo la aprobacion de la Santa Diputacion y escuchando el interes de el título del que obtenia nombrado Canales de las sucesas sujetandose a las condiciones que se estipularon. El señor D. Nicolas Gurierey General y Jefe Superior Político de la Alta California, así lo mandó, decretó y firmó de quoy fue. — Derecho Dize pasas. = Nicolas Gurierey. Por auto del secretario Manuel Maria Gonzalez. = Mordency veinte y tres de mayo de mil ochocientos Cuarenta. Dado cuenta en la Santa Junta Departamental, acordó en Sesion ordinaria de hoy y pasó a las comisiones unidas de agricultura y comercio = Jose' X. Fernandez = Secretario. = Damos testimonio. La Comision de

en carga de dictaminar sobre el expediente girado por Don
Leodoro Gonzales, sobre que se le conceda el parage nombrado Rincon
de la punta del monte, vistas las sumas escritas y los muy favorables
informes, los que tienen lugar a la concecion del solicitante tenen
hecho por el Señor D. Nicolas Gumeney, Jefe Superior Politico Int^o
del Departamento y en favor del solicitante, la concecion pone la
a la deliberacion de V. S. los articulos siguientes: Art. 1^o Se aprueba
la concecion del terreno Rincon de la Punta del monte hecho por
Este cuarto un^o martillo.

Habiendo provisoriamente por la aduana manutiva del Puerto
de Montevideo para los años de mil ochocientos Cuarenta y mil
ochocientos Cuarenta y uno. Abogado. Ant^o M^o Cesio.

el Señor D. Nicolas Gumeney en favor del C. D. Leodoro Gonzales
= art. 2^o El presente Expediente pasará al Gobierno Departamental
para las fines convenientes = Montevideo Mayo Veinte y cinco de mil
ochocientos Cuarenta. José Rafael Gonzales. = Santiago Arce y ello
Montevideo Veinte y seis de Mayo de mil ochocientos Cuarenta =
En sesion de este dia se aprobó la Sr. Junta Departamental las otras
articulos con que concluye el dictamen anterior = Manuel Jimenez
Mt. José L. Hernandez. Secy.

De acuerdo con mi esposa D^a Catalina Maurras
de Leodoro ^{Maurras} Gonzales y la de todos mis herederos se da en comun
a D^o Leodoro Gonzales, un pedazo de terreno y al el que le compró
el que forma a Francisco Soto el 11 de Mayo de 1842 segun consta
por el titulo; el que comienza desde la punta del monte de la
Soledad, hasta la primera casa que fuere el que le hace en Seors.
y para que conste y le sea validera la enunciarada concecion y que no
pueda oírse pensar por algun^{te} sus que persona alguna se lo oírse
en ningun tiempo lo otorgaron este documento en Montevideo a 31
de Mayo de 1842. Los testigos D. Salvador Maurras Don José
Antonio, y D. Rafael Gonzales Sanchez = Esteban Maurras = Catal
-ina Maurras de Leodoro Maurras = Salvador Maurras = José de Anasti
= Rafael Sanchez.

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map 14

Sello Cuarto una cuartilla.

Habilitado provisionalmente por la aduana maritima del puerto de Montreux en el Departamento de las Californias, para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno. Alvarado. Antonio Maria Oro.

Sello primero (Real) Seis pesetas.

Habilitado provisionalmente por la aduana maritima del puerto de Montreux en el Departamento de las Californias, para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Piguerau.

A. Ramirez.

Nicolas Guzman Teniente Coronel de Caballeria, Comandante Real e Inspector y Jefe Politico Int^o de la Alta California.

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San Juan de los Rios el Ciudadano Teodoro Gonzalez Mexicano por nacimiento ha prescrito para su beneficio personal y el de su familia el terreno que mide ca. 50000 que obra en el Expediente. Conocida con el nombre del Rincon de la punta del Monte de la Soledad, practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos de la materia, en decreto de este Sr. D. usando de las facultades que me son conferidas y a nombre de la nacion Mexicana he venido en concederle el terreno por estas presentes letras a reserva de la aprobacion de la S. Diputacion bajo las condiciones siguientes.

1^o que se sometera a las q. 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 les asyguo, ni imponer censo, ni carga, fianza ni otro gravamen aunque sea por causa pignorativa ni por otro alguno.

2^o Podra llevarlo sin perjudicar los transtascurridos y sembrados; abstiniendose al uso o cultivo que mas le acomode, por un periodo de un año a lo mas fabricar casa y erar habitación.

3^o Plantara el Jefe respectivo que le de la posesion jurisdiccion natural de este el espacio por el cual se demarcaran los linderos en cuyos limites se podran a un de las montañas algunas

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medios fustales i Alvestras de alguna utilidad. Si el terreno de que se hace Donacion es de cuatro cuartos de ganado mayor segun explicita el libran que corre en el expediente. El quey que tiene la posesion lo hara medir, conforme i ordenam, a quando el Obante que vacare i la uacion para las usas conueniente. 5º Si conueniere i otras condiciones, gerbera el obante al terreno q sera Perenniable por otro.

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En consecuencia mandó que se le diese de titulo el presente y esta enmendacion por firme y valiendo se tome razon en el libro a que corresponde y se entregue al interesado para su uigilancia y otras fines. Dado en Montreney a 20 de Septiembre del 1836.

Nicolas Gubieney. Maniwa Ina Gonzales. Quota tomada razon i fojas 17 del libro respectivo que obra en esta oficina y que es de mi cargo. Montreney. Sep 20 del 1836. - Gonzales -

Dros. top. Sello Cuarto una Cuartilla.

Habilitado provincialmente por la aduana maritima del puerto de Montreney en el Departamento de las Californias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Morand. Ant. Maniwa Obid.

Inprescrito Acusario del Despacho del Gobierno Departamental de las Californias - Certifico que el testimonio que antecede es sacado i la letra del Expediente original que obra en la Acusaria de mi cargo. Acuse y corre agregado a este testimonio el titulo original for piasmente de la parte de Don Leonardo Gonzales, consta de catorce fojas; la primera, segunda tercera y tercera del sello primero, plus resacas del Cuarto; y para que obre los efectos que puedan conuenir ahi la presente firmamos de mi mano y sellado con el de la esperada Acusaria i cuato de junio de mil ochocientos Cuarenta.

Manuel Jimenu.

Sello Terceño Dos reales.

Habilitado provincialmente por la aduana Montreney del puerto de Montreney en el Departamento de las Californias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Jimenu. Ant. Ina Obid.

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Revalidado para los años de 1842. y 1843.

Alvarado.

Antonio Maria Oro.

Srmo. Sr. Gobernador.

Monseny. Oct. 6 de 1842. Evorono Gonzales ante la bondad de v. s. con
la conformidad con los eludido respeto hago presente que si en el punto
que pide esta parte pre del terreno conocido con el nombre del Rusian
presente quanto en un punto del monte de la Soledad que el Gov no
de las obligaciones en q^{da} de este Departe me concedi segun el titulo que
lo pone la primera obtengo y conveniendome mostrar sujeto a
clausula otavo p^{ra} el las condiciones que existen en la primera clausula
Gov^{no} sobre el termino de mi Dto. Titulo. a v. s. Suplico Le otorga
que necesione.

de clararme q. estoy con el libro y respectivo
uso y poder para disponer como otuere. Sin
del mencionado tenere sin la obligacion a la
observancia de la repetida clausula. P. A. i
v. s. Suplico provier de conformidad con lo que
requiri gracia y merced.

Alvarado.

Monseny. Octubre 6 de 1842.

Evorono Gonzales.

Señor teniente Das reales.

Habiendo provisionalmente por la aduana de Montonia al
puerto de Monseny en el Departamento de las Californias para los
años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

Alvarado.

Antonio Maria Oro.

Revalidado para los años de 1842. y 1843.

Alvarado

Antonio Maria Oro.

Filed in Office. Dec. 30th 1852.

Gen. Fisher.

Secy.

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[Faint, illegible handwriting, likely bleed-through from the reverse side of the page.]

1871
1872

Montesrey.

1840.

Procesion del Rancho nombrado el Rincon de la Punta
del Monte al Cui^o Leonardo Gonzales el dia once
de Diciembre de mil ochocientos Cuarenta.

Tercero terreno Las Reales.

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Noti^olitarlo provisionalmente por la aduana maritima del puerto
de Montesrey en el Departamento de las Californias para los
años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Al men^o.

Antonio Maria Osio

Leonardo Gonzales Mexicano ante V. L. como mejor haya lugar ordena.
dice que habiendo obtenido la concesion propia del terreno del
conocido con el nombre de Rincon de la Punta del Monte de la Soledad
ocurre ante V. para que en virtud de estar aprobado por la J. Junta
Departamental Dho. tenens, se surta el auto de posesion judicial Conf.
-orme a lo prevenido en el articulo tercero de la ley de 1825 que se les
expedio en fha. veinte de Sept^{bre} de mil ochocientos treinta y seis.
que debidamente a congruente igualmente la confirmacion respectiva
ya que tobe en las especies de causas. P. P. a V. L. Suplico se surta
ordenado en la posesion y. Solicita de lo que recibire merced y fha.
Montesrey. Diciembre 7. de 1840. Por presentado y admis-

ido procesarse por mi el presente Juez de paz a lo mediacion
Señalando de linderos y posesion judicial que solicita el
citado en esta instancia. Señalándose para efectuar lo el dia once
del presente año para lo que se citaron con bolita de comparendo
a los colindantes. Asi yo el Juez de paz, Luis Meléndez, lo abate
manal^o y firmé con los de mi aca^o venida.

David Apence. Parais^o. Guillermo Flores. Juan^o Castro.

En la presente fha. el C. Leonardo Gonzales se les notifico el
auto que antecede y que entiendo digo: lo oye, y que lo oye por el auto

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firmado con las de mi asistencia. Spence.

Juan D. Torres. Ato. Manuel Castro.

Habilitado provisionalmente por la Aduana Mexicana del puerto de Choumrey en el departamento de las Californias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Aimero.

Antonio Maria Osio.

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En la misma fha. se libraron las boletas que se mandan en el antecedente auto y para constancia lo anoté y rubricó. P.S.

En el Rancho del Niñon de la punta de la Seledad a 11 de diciembre de 1840. Presente los Ciudadanos Ciudadanos D. Juan Malin D. Gabriel de la Torre y D. Francisco Lota nombrados por medidores o los c. Severino Taburo. o Ygnacio Anayo por las medidas de las medidas de tierras y posesion del Sr. Leonora Gonzales quienes juraron y juramento proveyeron al desempeño de su cargo así y el Jefe de Jefe Constitucional de esta demarcacion lo decretó, mandé y firmé con las de auto. David Spence. Juan Torres. Manuel Castro.

En la misma fha. presente los c. Severino Taburo y Ygnacio Anayo se les notifico el auto antecedente de su nombramiento y que el encargo de las medidas, lo aceptaron y aceptaron jurando por Dios Nuestro Señor y la Santa Cruz con promesa de ser de un fiel y legalmente o todo lo que se les mande y cumplir sus fraudes, contra persona alguna y lo firmaron con miyo y las de mi asistencia. Spence. J. Torres. Manuel Castro.

Yn continente yo el oficial Alcalde mandé traer el cordel con que se habian de medir las tierras que las expresadas medidores to tomaron y ante mi con una vara de medida usual Mexicana, mandé a los expresados Varas J. hacer la medida y lo firmo con las de mi asistencia.

Señalado Los reales.

Habilitado provisionalmente por la Aduana Mexicana del puerto de Choumrey en el depart. de las Californias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Aimero.

Antonio Maria Osio.

En el mismo parage, día mes y año librase las nueve de la otra, y del presente Jefe de Jefe Constitucional de esta jurisdiccion, mandé a los

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este July de las Cortes de Indias de 1763

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medidores nombrados se dispensaron para la medición de tierras que se le había de hacer al Sr. Levantador Gonzales y puntos en el camino que se le ha entre las otras curas. N.º. Cuanto al N.º. mediran hasta al Suro que se halla en la boca de la Cañada. Ciento ochenta y dos Cordeles de a cincuenta varas, y desde el mismo Suro hasta el Nuro que hace el camino nombrado se mediran Cuarenta Cordeles quedando otro Cañada lindero con Sr. Juan Chaudanes y para el Nte. Cuanto al S.º. hasta los linderos de Sr. Juan^{to} Soto se mediran Ciento y cuatro Cordeles y desde los tres otros alios en la boca de la Cañada 7º dentro se mediran Cuarenta y ^{ocho} Cordeles y que aspera hasta la punta del Monte Ocho Cuanto al S.º. se mediran Ciento treinta y ocho Cordeles y desde allí al camino a donde empezaron este Cuanto al S.º. se mediran y formaron las muchomeras correspondientes que señalan los linderos que se puse en. El terreno medido corresponde a cuatro sitios de ganado mayor y lo formaran con unigo y lina de mi existencia. David Spence. J. de la Torre.

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Juan Malvarado Levantador Gonzales G.º. Soto. M.º. Castro.

En el Cancele del Niico del punto del Monte de la Soledad a las once de la mañana del mes de Diciembre de mil ochocientos Cuarenta y ocho Juez de paz de Mowrey y Su Juri^{to} de Mowrey después de practicar las medidas del mencionado terreno. por lo que resulto cuatro sitios de ganado Mayor y presentes los Coludantes Sr. Juan Malvarado Sr. Gabriel de la Torre. Sr. Francisco Soto Jueces de paz conforme
Jefte Lorenzo Las reales.

Habiéndolo provisionalmente por la aduana Maritima del punto de Mowrey por a los años de mil ochocientos Cuarenta y ocho
entos Cuarenta y uno. Ni memo. Nos. M.º. Soto.

Con lo antes de autos, mande que copias en polecias del mencionado Nuro al Sr. Levantador Gonzales, bajo las medidas citadas y formalidades acostumbradas en estas curas, lo que se ha visto en exhibición de los autos y autos, y habido denuncias como se ha visto de que se le ha hablado jurisdicción polecias las señalamientos lo autorizo, firmando con los Coludantes interesados y a continuación. David Spence. J. de la Torre. Juan Malvarado.

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Leodoro Gonzales. S. de la Loma. Manuel Castro.
Moureny. 14 de Mayo. Tomese razon en el libro respectivo y
planchase este expediente original aludido para las fines que
se convengan. asi yo el Jefe de Paz Constitucional lo aludido
y firmo con las de mi asistencia. E. Daniel Spence. =
10 de Mayo. asistencia Manuel Castro.

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En la misma fha. se tomo razon de esta posesion a fajas doce
del libro respectivo y se le aludido este expediente al Ciudadano Gonz
-ales y para su constancia lo firmo y rubrico.

Por cuanto una Carta.

Habilitado provisionalmente por la aduana Maritima del
puerto de Moureny de la Alta California, por los años de mil
ochocientos treinta y cinco y mil ochocientos treinta y seis.

Castro. Angel Romirez.

Muy Iltra Ayuntamiento. = Leodoro Gonzales

Vecino de este puerto ante la notoria justificacion de v.s. comparece
y dice q. habiendose tenedor de algunos bienes y para la mejor seguridad
de ellos, merecer estar marcados con la marca que a la margen se
denuestra, oluro a las facultades de v.s. para que se digue registrarla
no habiendo obstaculo y lo puse se le de el permiso necesario para que
haya de ella el uso respectivo. Por tanto a v.s. suplico se
sirva proveer en obsequio del interesado a lo que le sirva gracia
y merced. Moureny. 14 de octubre de 1835. Leodoro Gonzales.

Por cuanto, El Iltra Ayuntamiento de este Capital

el Ciudadano Leodoro Gonzales vecino y residente de este Capital, ha
presentado en solicitud de este alta de lo conecido usar el signo y
senal que se advierte al margen para tohorrar las ganancias de su
propiedad, y usando de las facultades que de me se he conferido por
acuerdo del S. Diputacion territorial he recibido en concederle al ex
-residente Leodoro Gonzales el uso de signo y senal en este caso. Por tanto
mando que tomara razon de este titulo en el libro respectivo y se
forme a efecto de el y se entregue en solicitud con este aludido al
interesado para la debida constancia Dado en Moureny a los
diez y siete del mes de octubre de mil ochocientos treinta y seis.

D. Spence.

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D.ª Maria Malalouuo Sriv. = Registrado y pagado d.ª. d.ª.
del D.ª. Municipal segun lo mandado en el art. 2.º del plan
de propios y arriendos acordado por la S. Diputacion Aragon.
Queda tomada razon de este titulo a folios 6. del libro de
registros de fincos que obra en el archivo de la Secretaria de
mi cargo. Montaner. Oct 14 de 1853.

D.ª M.ª Maldonado Sriv.

Sello Cuarto una Cuastilla.

Habi estado provisionalmente por la aduana mandada al
puerto de Montaner de la Alta California, por los años de mil
ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

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The brand and Lencana referred to in this written document have
been this day received and is in my office.

Montaner. sept. 28th of 1851.

Wm. J. Johnson.

Acuerdo Mont. Cal.

Sello tercero Las Reclas.

Habi estado provisionalmente por la aduana mandada al
puerto de Montaner por los años de mil ochocientos treinta
y cuatro y mil ochocientos treinta y cinco.

Castro.

Angel Ramirey.

Filed in office Dec. 26th 1852.

Geo. Fisher
Secy.

1837

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1.5

Faint handwritten text at the bottom of the page, possibly a signature or date.

Translation of the possession of the Rancho known by
the name of Rancho de la punta del Monte to citizen
Teodoro Gonzalez, given the 11th day of December
1840 =

Seal of the third class, two scales.

Authorized provisionally by the Collector of the Customs
Translation of House of Monterey, in the department of California,
Juridical Possession. for the years eighteen hundred & thirty four & thirty five
hundred & thirty five.

(Signed) Antonio (Signed) Antonio M. Cui

To the Alcalde of Monterey.

Teodoro Gonzalez a Mexican Citizen says, that having
obtained the proper grant of the land known by the name
of Rancho de la Punta del Monte de la Soledad, re-
quest that, having been approved by the departmental
Legislature, you would be pleased to give him juridi-
cal possession, in conformity with the requirements of
the 3rd Article of the title to said land granted to him on
the twentieth of September A. D. eighteen hundred &
thirty one, & which is duly accompanied, together with
the respective approval, in order that the whole may
produce the desired effect. Therefore I request that
you would be pleased the possession which I solicit, whereby
I shall receive favor & justice - Monterey, December
7th 1840.

(Signed) Teodoro Gonzalez.

Monterey 7th of December 1840.

Considered as presented & admitted & in virtue of
that the present Judge will proceed to the mea-
surement, designation of boundaries & juridical pos-
session solicited by the party interested in this petition,
fixing as the day for putting it into execution the
eleventh day of the present month, in order of which

The neighboring land holders shall be summoned.
Thus I, the Justice of the Peace did decree, command
& sign with the assisting witnesses.

Signed/ Dar Spence.

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Signed wit- Signed wit-
Guinecindo Flores. Manuel Castro

In this date C. Teodoro Gonzalez was notified of the
foregoing decree & having understood said that he heard
it, & considered himself as summoned, signing it with
me & the assisting witnesses.

(Signed/ Spence.

Witness Witness
Guinecindo Flores. Manuel Castro

On the same date the summons ordered on the forego-
ing decree were dispatched & in testimony thereof,
I note it down & sign with my scroll.

(Scroll)

In the rancho of Pincin de la Punta del Monte
de la Soledad on the 11th day of December 1840.
Being present the neighboring land holders, citizens
Juan Malvarin, Gabriel de la Torre & Francisco
Soto I appointed as measurers citizens Serafin
Garrino & Ignacio Arroyo for the measurement, des-
ignation of boundaries & juridical possession of
the land granted to C. Teodoro Gonzalez. The said
measurers after accepting the appointment & taking
oath will proceed to comply with their commis-
sion - Thus I, the Constitutional Justice of the
Peace of this demarcation did decree, command,
& sign with the assisting witnesses.

(Signed/ Dar Spence.

Wits- Guinecindo Flores. wits Manuel Castro.

on the same date the foregoing decree of appointment

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was notified to Citizens Serafino Geronio & Ignacio Amigo, who having understood it, said that they heard it & did accept it, & sworn by the Lord our God & the sign of the cross that they would exercise the functions of said appointment faithfully & legally to the best of their knowledge & ability, without fraud towards any body person, & they did not sign because they said that they did not write & signed with the assisting witnesses.

(Signed) Spence.

(wit.) Guineo Flores. (wit.) Manuel Castro.

Immediately in presence of me the said Alcalde, the said measurers took a humpen cord & with a common Mexican vara rod, measured of fifty varas to mark the measurement with: in testimony whereof I signed with the assisting witnesses.

(Signed) Spence.

on the same date & which being at nine o'clock in the morning, & the said Constitutional Justice of this jurisdiction, commanded the appointed measurers to get ready to measure the land granted to citizen Federico Gonzalez & placing themselves in the oak tree, situated between two houses, the measurement was commenced going E by N. E. towards the Sence situated at the entrance of the Canada to where one hundred & eighty two cords of fifty varas were counted; & from the said Sence to the Alamo following the same direction forty cords of fifty varas were counted; being the said Canada the bounding line with the land of D. Juan Malarin: And then running E by S. E. until the bounding line of the land of D. Francisco Solo to where one hundred & forty cords of fifty varas were counted, & from the three Alamos situated at the entrance of the Canada going inside forty eight

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cords of fifty varas were counted, & running outside until
the punta del Monte, running W. by S. W. to where one hun-
-dred thirty eight cords were counted, & from that place run-
-ning E. by S. E. until the oak tree where the measure-
-ment was commenced to where one hundred & twelve
cords of fifty varas were counted, at which points I ordered
the corresponding land marks to be formed to mark
the boundaries. The land measured is of four square
leagues, & I signed with the neighboring land owners,
the party interested & the assisting witnesses.

(Signed) Don Juan

Gabriel de la Forse, Juan Malamin, Federico Gonzalez,
wits, Gumercindo Flores, Wits Manuel Castro.

on the rancho of the Rancho de la punta del Monte de
la Soledad & on the eleventh of December A.D. eighteen
hundred & forty, I, the said Justice of Monterey & its
jurisdiction, ordered to citizen Federico Gonzalez to take
possession of the land measured under the said mea-
-surement which he did, in presence of the neighboring
land owners, D. Juan Malamin, D. Gabriel de la
Forse, & D. Francisco Soto who agreed with the above
proceedings, & the said Gonzalez took up grass on the
land & made other demonstrative facts of possession
as owner of the land of which judicial possession was
given to him. The validity of which I authorize
signing it with the neighboring land owners, the party
interested & the assisting witnesses.

(Signed) Don Juan

G. de la Forse. Juan Malamin. Federico Gonzalez.
ass wits Gumercindo Flores. Wits. Manuel Castro.

Monterey 14th Dec 1840.

Let a record be made in the book of possession

49

I let this original expediente be returned to the party in-
-trusted for further ends. Thus I, the Justice of the Peace
C. David Spence did decree, command & sign with
the assisting witnesses -

(Signed) Spence.
ass. wits / Guinecinda Flores.
(ass. wits) Manuel Castro.

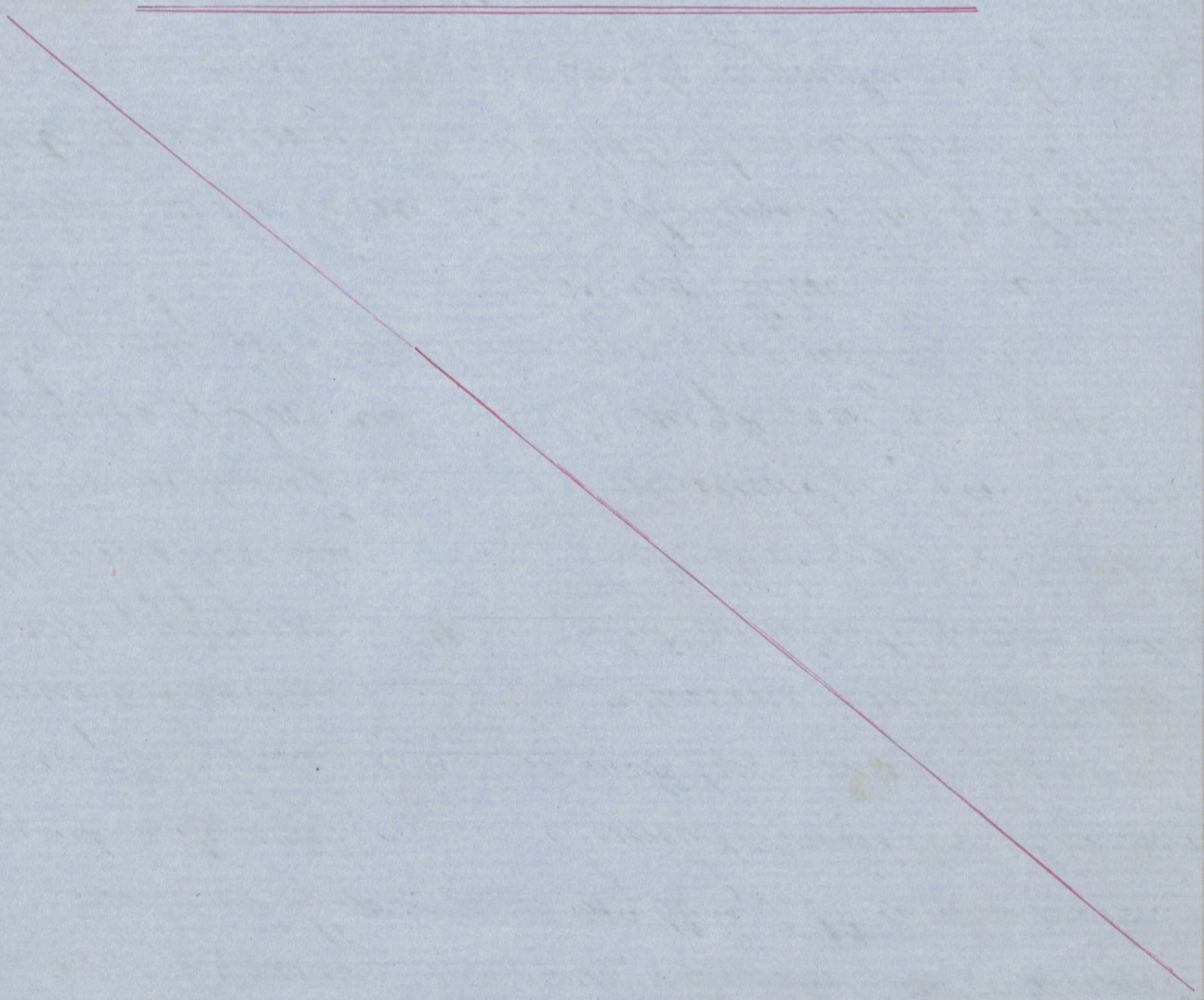
On the same date a record was made on the twelve
folios of the book ordered in the foregoing decree & the
original expediente was returned to citizen Pedro
Gonzalez - In testimony whereof I note it down
& sign with my seal.

(Justice's Seal)

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Filed in Office Dec 28th 1852

Geo. Fisher
Secy.



MS. A. 9. 2

Teodoro Gonzalez. *Rincon de la Punta del Monte*
 or *in the County of Monterey.*
 The United States.

Opinion of the Board by Comr R. Aug. Thompson.

The petition in this case presents a claim for a tract of land called Rincon de la Punta del Monte situated in the present County of Monterey, containing seven leagues of land; It goes on however & describes the land by meter & bounds as set out in the act of judicial possession showing the quantity to be much less, & the grant itself is for but four leagues. This case presents some peculiarities which it may be proper to relate — The original petition for the grant was made by the grantee, & present claimant Teodoro Gonzalez, on the 8th of September 1836, & after making the customary inquiries & investigations, a decree of concession was entered, & the grant or title in form was made out & signed by the Governor Nicolas Gutierrez, the Secretary on the 20th of September 1836. No further step appears to have been taken in the matter until the 22^d day of May 1840, on which the expediente was presented to the Departmental Junta for its approval, & on the 26th of the same month the grant was duly approved by that body. It also appears from a certificate of Manuel Jimenez, Secretary of the Departmental Government of the Californias, dated the 4th of June 1840, that a complete copy of the whole expediente or record of proceedings in relation to the grant, including those of the Departmental Junta, approving it, accompanied by the original title were at that time taken out by the party interested. From this certificate it seems that the grant although duly executed by the Governor & countersigned by the

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Secretary in 1836 was never delivered to the party until after the approval of the Departmental Order in 1840. This circumstance becomes important from the fact, that the occupation & cultivation required by the Mexican colonization laws is only proven from that period. The grant contains the usual conditions requiring him to build a house within a year, which must be inhabited. As it is very clear that the grant would confer no legal rights upon the grantee, he cannot be presumed to have known the conditions upon which it was made, until it was delivered to him, it follows as a necessary consequence that the year within which the performance of these conditions was required must date from the period of delivery. This, the certificate of the Secretary shows, proved to have been on the 4th day of June 1840. The deposition of Don Abrego taken on the 23^d of March 1853, proves that he has known the land claimed for the preceding twelve years, that during all of that period it had been in the exclusive occupation & possession of the claimant; that he had during the same time lived upon it, cultivated and otherwise improved it, & had used it for grazing purposes. This evidence shows according to the former decisions of the board, a substantial compliance with the terms & conditions of the grant. With regard to the extent of the land claimed there seems to be a singular discrepancy between the petition, the grant, & the act of judicial possession. The first, sets out the claim as containing seven leagues of land & then goes on & describes it by miles & bounds as set forth in the act of judicial possession from which it would seem that the quantity actually measured off to the party was but about two leagues, while the grant itself

is for four. This discrepancy however will present no obstacle to a confirmation within the boundaries described in the judicial possession, the measurements showing that it does not exceed the quantity called for by the grant. The land claimed is described with sufficient accuracy to enable the Surveyor to locate & identify it. There is a slight mistake made by the officer giving the possession, by running the course in the last call of the survey. This is a mistake frequently made by more skillful & experienced surveyors, than those who usually act in that capacity in making judicial measurements in California. It is however readily corrected by reference to the object called for, & the other lines of the survey. An original document in Spanish dated Monterey May 31, 1849 purporting to be an assignment or conveyance by Esteban Munras & wife to the claimant, of a tract of land extending from the Punta del Monte de la Solidar, to the first house built by said Munras, & which he purchased in 1842 of Francisco Solo is attached to the testimonio or certified copy of the original expediente filed in the case. The genuineness of the signatures to this document has been proven, but no translation has been furnished nor is there any evidence, corroborating it in any manner with the case. It has therefore not been considered as entitled to any weight in the determination of the claim. The petition sets forth a claim to a specific tract of land which is described by well defined miles & bounds; to that tract of land so described, the evidence in our opinion shows that the claimant is entitled to a confirmation, & a decree will be entered accordingly.

Filed in Office Feby 7 1854.

Geo. Fisher. Secy

No 502.

Teodoro Gonzales. } Rincon de la Punta del
 or } Monte, in the County of
 The United States. } Monterey.

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Decree of
 Confirmation.

In this case on hearing the proofs & allegations it is adjudged by the Commission that the claim of the petitioner is valid, & it is therefore decreed that the same be confirmed. The land of which confirmation is made, is known by the name of Rincon de la Punta del Monte, situated in the County of Monterey, being the same which has been held & occupied by the claimant from the year 1841 to the time of filing his petition before the board, & is bounded as follows. Beginning at an oak tree situated between the two houses & running E by N. E. towards the Sance one hundred & eighty two cords of fifty varas each; & from said Sance situated at the entrance of the Cañada, continuing the same course forty cords of fifty varas each to the Alamo; thence E by S. E. one hundred & four cords of fifty varas each to the boundary line of the land of Francisco Soló. Thence from the above Alamo situated at the entrance of the Cañada, forty eight cords of fifty varas, inside of the same, & one hundred & thirty eight outside running West by S. W. to the Punta del Monte. Thence W by N. W. one hundred & twelve cords of fifty varas each to the oak tree the point of beginning the same being of the extent shown by the judicial measurement, to which together with the original ground filed in the case, reference may be had for a more particular description.

Alphus Felch

Thompson Campbell.

R. Aug. Thompson.

Commissioners.

Filed in Office July 7 1854. Geo. Fisher. Secy.

Office of the Board of Commissioners,

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

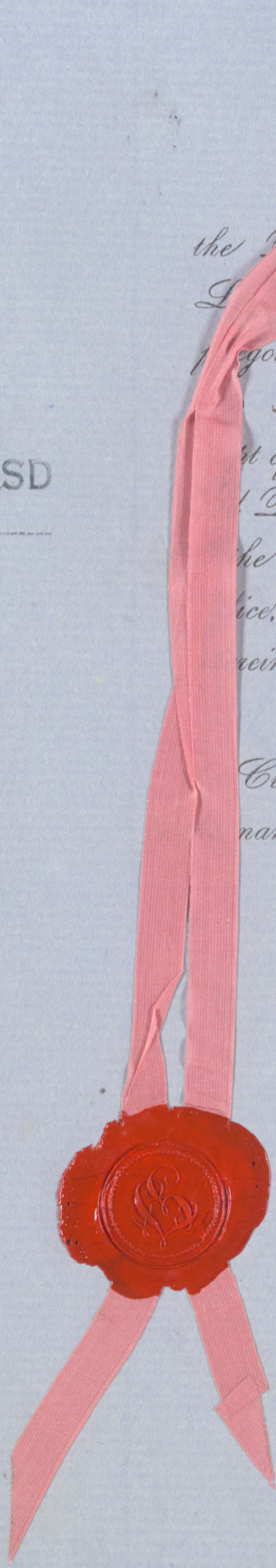
George Fisher Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
following *fifty three* pages, numbered from
53, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
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. *502* on the Docket of the said Board,
in favor of *Isauro Gonzalez* is

Claimant, against the United States, for the place known by
the name of "Fincon de la Puente del Monte."

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

Geo. Fisher
Geo. Fisher

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101

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

No. ~~101~~ 101. Docket

THE UNITED STATES, *Appels*

vs. 101

Tedoro Gonzalez

*for Rancho de la Puente
del Monte in
4 leagues Monterey Co.*

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

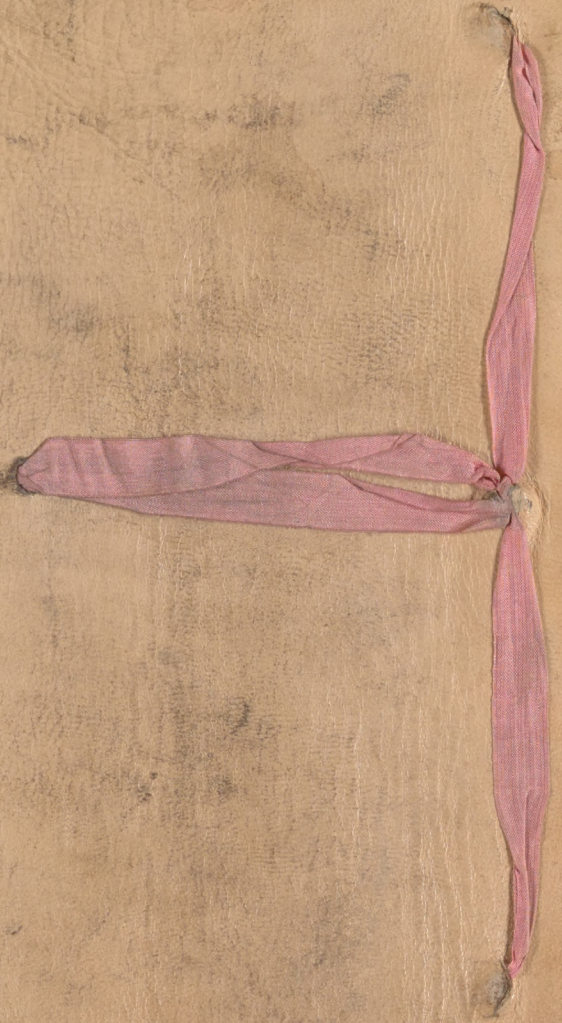
In Case No. 502

Recd. 29 Sept. 1854
Filed, 30 Sept. 1854

*A. Taylor
Dy. Clk.*

101

No. 502



Office of the Attorney General of the United States,

Washington, 17th January 1855.

Teodoro Gonzales }
vs. } 502.
The United States }

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 13th day of September 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Anthony

Attorney General.

N^o 101.

U. S. District Court
Southern District.

The United States
vs.
Teodoro Gonzalez

Notice of Appeal from Atty. Gen.

Filed Feb'y 27th 1855.

J. E. Carr.
clerk.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

SD
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Teodoro Gonzales }
vs. } 502.
The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 13th day of September 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Clarking

Attorney General.

No 101.

U.S. District Court.
Southern Dist of Cal.

The United States.

vs.

Teodoro Gonzales.

appeal notice.

Filed March 8th 1885.

J. E. Carr.
clerk.

101 SD

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District Court of the United States
Southern District of California

Teodoro Gonzales

vs

The United States

No. 101.

101 SD

PAGE 60

Teodoro Gonzales, the Claimant
and appellee in the above entitled
cause, in answer to the Petition of
Review filed by the United States
herein, avers that the title of said
Claimant to the tract of land
claimed is valid.

He therefore prays that the
Court may affirm the decision
of the Board of Land Commis-
sioners, and deem the said title
to be valid.

J. Blake Atty;
for Claimant

No 101.

Teodoro Ganguelis

acts

The United States

Census

Filed Sept 20th 1855.

A. E. Carran

By A. W. Ross

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J. Blake Act;

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

Tedoro Gonzales. } N. 101.
ad. } (Transcript N. 502)

The United States.

With Hon. Isaac S. Key Judge.

The petition of Pacificus Ad. Attorney of
the United States for the South District of California,
for and in behalf of the
United States, respectfully represents:

That on the 28th day of December ^{AD} 1832, Tedoro
Gonzales petitioned the Board of ^{of the} Land Commissioners
claiming seven square leagues of land called
~~Rancho~~ Rancho de la Punta del Monte, in Monterey
County Cal.

That on the 7th day of
February ^{AD} 1834, the said Commissioners Confer-
med the said claim. That on the 30th

of September ^{AD} 1834, the said Commissioners
caused a Transcript of their proceedings and
decision in said cause, to be filed in the
Office of the Clerk of this Hon. Court.

That thereafter, to-wit, on or about the 27th
day of February AD. 1835, the Hon. C. Cushing
Attorney General of the United States, filed or caused
to be filed a notice of intention ^{of the United States} to prosecute the
appeal in said cause. That on the 13th

day of September AD. 1834, the said Attorney

General received a certified transcript of the proceedings and decision of said Board of Commissioners, in said cause. That the land claimed is in the Southern District of California, and within the jurisdiction ^{denies, generally, that the said claimant has a valid title to said land.} of this Hon^{ble} Court. And the said United States, ⁱⁿ Wherefore this petitioner prays that the said decision of the said Commissioners may be reviewed, reversed, and set aside, and that this Hon^{ble} Court will decree the said claim, or title, to be invalid. - And general relief.

P. O. W.

Attorney of the United States
for the Southern District
of California

N^o. 101.

Teodoro Gonzales.

adv.

The United States.

Petition of said State for
Review

Filed Sept 24th 1835

A. C. Carron

J. W. W. Ritz

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P. Ord. as Dir. atty.

In the U States District Court for the
Southern District of California.

Special Term Sept 1855.

Los Angeles.

101 SD

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Tedoro Gonzales, app^{ee} } N^o 101.

vs.

The United States, App^t. (Transcript N^o 502)

On motion of P Ord attorney of
the United States for the Southern
District of California, it is, Ordered
by the court, that an appeal be granted
the United States, to the Supreme
Court of the United States, from the
judgment of this court against the
United States, in the above entitled
cause, rendered on or about the
25th day of September A.D. 1855,

P Ord

U.S. Dist. Ct.

No 101.

U. S. District Court
South^{rn} Dist. of Cal.

The United States Appellts

vs.

Prodra Gonzales appellts

Order of appeal to Supreme
Court on Motion of Prodr
U. S. attys 101 SD

PAGE 66

Filed October 18th 1855

O. E. Conant
By W. Rindorf

California Land Claims.
Attorney General's Office
16 September 1851.

101 SD
PAGE 67

Sir.

In the case of the claim of Teodoro Gonzales, confirmed to the claimant by the Commission, case no. five hundred and two (502), and also confirmed on appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am

Respectfully

Yours

Pacificus and Esq.

U. S. Atty for the

Southern Dist of Cal.

VV 101

Theodorio Gonzales

502

Filed 24th February 1854
C. Sims Clerk
J. M. Coleman
Dep.

101 SD

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Recd Oct 21 1836

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

101 SD

PAGE 69

The United States

Appellants,

vs
Miguel Gonzalez

Appellee

No 101 in District Court.

"Rincón

de las fronteras del mar
de Solida"

No 502 in Land Commission

Now comes the said Claimant and Appellee by his Attorney Isaac Hartman and suggests to the Court that the final survey of the lands claimed in this case, made by the Surveyor General of the United States, for the State of California, is not made in conformity with the final decree, and that the claimant will be injured thereby. Wherefore the said claimant and appellee prays for an order of this Court upon the said Surveyor General for the return of said survey for the use into this Court.

Isaac Hartman

Atty for Claimant
and Appellee.

No 701

The United States

vs

Sheldon Sengels

Motion for return of
sums

Filed this 1st Nov 1860

Opus

101 SD

PAGE 70

Hartman

[Faint handwritten notes on the left side of the page, including "Motion for return of sums" and "Opus"]

[Faint handwritten notes on the right side of the page, including "Motion for return of sums" and "Opus"]

UNITED STATES DISTRICT COURT,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA. }

The United States

No. *101*

101 SD
PAGE *71*

vs
Theodor Gonzales

It being suggested to the Court that the survey of the land claimed in this case, made under final decree, and approved by the U. S. Surveyor General for California, does not conform to said decree and is erroneous and that said survey will be to the injury of the Applicant

on application of *Matman City of Claimant*
it is ordered that the said Surveyor General return to this Court
the plat of said survey, and that the *Claimant*

be allowed *Twenty* days, from and after the return thereof, to file exceptions thereto; and it is further ordered that a certified copy of this order be served upon the said Surveyor General for his information.
I. S. K. OGIER, U. S. District Judge.

UNITED STATES OF AMERICA, SOUTHERN DISTRICT OF CALIFORNIA. }
COUNTY OF LOS ANGELES. }

I, C. Sims, Clerk of the United States District Court for the Southern District of California, do hereby certify that the above and foregoing is a full true and correct copy of the original order, made and entered on the *17th* day of *November* 186*0*, in said case, No. *101* on the docket of said Court, wherein
claimant against the United States, as appears of record in my office.

In witness whereof I herewith set my hand and affix the seal of said Court this the *17th* day of *Nov.* 186*0*.

C Sims, Clerk.

UNITED STATES OF AMERICA, }
SOUTHERN DISTRICT OF CALIFORNIA. }

THE PRESIDENT OF THE UNITED STATES,

To, J. W. MANDAVILLE, U. S. Surveyor General, for California—Greeting:

You are hereby notified that the United States District Court, for the Southern District of California, at the *Special Court* Term of said Court, 186*0*, in case No. *101* on the docket of said Court, wherein *Theodor Gonzales is* claimant against the United States, made and caused to be entered an order, of which the above and foregoing is a certified copy herewith transmitted to you for your information, and you are hereby required to take notice of the same.

Witness the Hon. ISAAC S. K. OGIER, Judge of the United States District Court, for the Southern District of California, this the *17th* day of *Nov* 186*0*.

Attest my hand and the seal of said Court the day and year last above written *C Sims*, Clerk.

No 144

San Francisco Nov 14 1860

I hereby certify that I have this day
made personal service of this order
on J. W. Manderick U.S. Surveyor Genl
for California by leaving with him
a certified copy of the same

James C. Perrine
U.S. Marshal
W. A. Buchanan
Deputy Marshal

Marshals fees
For service \$3.00
" mileage 30.00

Filed Nov 14 1860
Sims clk
J. John Wheeler Deputy

In the District Court of the United States
Santhern District of California

The United States
Appellants

No 101 District Court

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Teodorico Gonzalez

Appellee

"Rincon de la Punta del
Monte"

No 502 Same Court.

Now comes the said Appellee by his Attorney
Isaac Hartman and excepts to the final survey
of the premises claimed in this cause as made
and approved by the Surveyor General of the
United States for the State of California.

And the appellee specifies the following
line upon the map of said survey to which
exceptions are taken, to wit.

The line commencing at the point in said
survey marked "Cañada. Paso R. P. de" and
thence running to the point marked "Cerro
San R. P. de No 4"

Isaac Hartman

Atty for Appellee

U.S. District Court
Santhern District Cal.

Isaac Hartman being
duly sworn upon his oath says that he is

the attorney of the Appellee in the above
entitled cause, and that the foregoing ex-
ception is true as he is informed and veri-
ly believes.

Isaac Martin

101 SD

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Examined and subscribed before me this
13th day of February A.D. 1861.

G. J. Mack
C. J. Smith, Notary Public

February 13, 1861. Received a copy of the within

J. P. Pittsfield
Notary Public

No 101

Ladonia Bengalis

vs

The United States

Exemptions to Survey

Filed Feb'y 13th 1861

G. L. Mix

101 SD

Clark

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Wartman

Geo Apples

The United States
Appellants
Teodora ^{vs} Gonzales
Appellees

United States District
Court for the Southern
District of California
No 101.

101 SD

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Now at this time comes the said Appellee by his attorney Isaac Koartman and prays leave of the Court to withdraw the exceptions heretofore filed in this case and to submit to an affirmance of the approved survey of the premises claimed in this case heretofore made by the Surveyor General of the United States for the State of California, and which being fully understood by the Court is allowed, and it is therefore ordered, adjudged and decreed that the said survey of said premises heretofore made and approved by said Surveyor General on the 3rd day of May A.D. 1859. be and the same is hereby affirmed, and it is further ordered that the plat of the said survey now on file in this office be transmitted to the said Surveyor General by the clerk of this court together with a certified copy of this order.

Thus done in open
court this 28th day of April A.D. 1862.

Fletcher M. Haight
U.S. Dist Judge South Dist Cal

No. 101
U. S. Dist. Court
South Dist. Cal.

Tedoro Gonzalez

vs

The United States
on return of Survey

Decree - Confirmation
of Survey

Filed Apr 28, 1862
James Wheeler
Clerk

101 SD

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The United States

101 SD Appellants

PAGE 78

Leodoro Guizales

Appellee

On 8. Sept. 1836 appellee solicited for the land known as Rincon de la Punta del Monte. In this petition it is stated that ~~the~~ land a portion of the land had been previously granted to one Felipe Aguilera, but that his title not having been made complete he (the petitioner) prayed that a paper of title should be made to him. The reason assigned to induce the Government to give the preference asked for, was the alleged misconduct of Aguilera which had reduced him to the position of a simple laborer, and his consequently inability to comply with the policy of the laws colonization law. This petition was referred to the ayuntamiento of Monterey for information on various points, & among them, they were charged with the duty of ascertaining if the land solicited for, belonged to any private person. The report from that body was favorable to the merits of the petition, and refers specifically to

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PAGE 79

the position of Aquilari relation to the land. From their investigation of the point, "it resulted, to me then our language that Felipe Aquila asked for it (the land) previously, but that the mandante does not possess the means of extracting it in conformity with the requirements of the law on the subject, and that consequently the Political chief is authorizing to give grant of it." On receipt of this Report the Govern. a C. Gutierrez issued a grant ^{to} appellee dated 20 Sep. 1836 and ^{it} received the approval of the Departmental Assembly on 22 May 1840. Subsequent to such approval, on 9 June 1840 as appears by the testimony the grant was delivered to the appellee, and shortly thereafter he was placed in possession of the premises.

The genuineness of all these documents, is established by the testimony. The objection made by the Sri. Atty. U. S. to the documentary title is, that the land was not the subject of grant, it having been previously granted to Felipe Aquila. In proof of this, reference is made to the petition of

the

the grantee. The reply is, that the
 fact stated in the petition is clearly
 a mistake. By the investigations
 made by the Mexican
 Functionaries, to whom the
 subject was referred, it was
 ascertained no grant had is-
 sued to a given person, that he
 had merely solicited the land.
 It also appears he was deemed
 an unfit person to receive a grant
 by reason of his inability to study
 the land in conformity to law,
 and the whole matter was
 referred to the direction of
 the Political Chief. Until
 the grant issued it was his
 peculiar province to collect
 information and act upon it
 in the presence of grants, & the
 issue of grants. In the exer-
 cise of his discretion he refused
 to grant to the first applicant
 and did to the second. No title
 passed to the first applicant by
 his application. Every thing
 was in fieri, and the Govern-
 ment exercised a discretion and
 power vested in him by the law
 in selecting the applicant whom
 he thought most able to carry
 out the policy of the law. His
 act was enforced by the De-

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- Parliamentary assembly - We do not therefore consider the objection tenable which is made to the document, title on the ground above mentioned. The grant was not delivered to the appellee until 1840 - At this right an obligation under it commenced from the date of the delivery, on inquiry as to his performance of conditions and substantial compliance with the Mexican colonization laws, must commence from that date. - Now the testimony establishes that for twelve years previous to 23 March 1853 and during all that period the land had been in the exclusive possession & occupancy of appellee. That he had during that time built upon, cultivated and otherwise improved it and had used it for grazing purposes. Such acts establish a substantial compliance with the law. The grant describes the land granted as the land described in the map which accompanies the Expediente known as the Punta del Monte de la Soledad, and a claim annexed declares its extent to consist of four square leagues, and reserves the Soberanía. The act of Judicial possession establishes the fact, that the quantity called for within the metes &

and bounded for
 is about ten leagues. The petitioners present
 a claim for a tract of land called the
 Rancho de la Purisima del Monte and de-
 -scribed by ^{well defined} notes & bounds - and ^{the} pos-
 -sion of this land within this limit had
 been given by the Mexican authorities to
 the appellee. To this land we concede
 the claim to be valid. The decision
 of the Commission in favor of its validity
 is therefore affirmed.

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 PAGE 82

The United States }
 appellants }
 vs. }
 Teodoro Gonzalez }
 appellee }

British Court U.S. for
 the District of Col

This cause coming on to be heard on ap-
 -peal from the final decision of the Com-
 -missioners to ascertain and settle private
 land claims in the State of California
 under an act of Congress approved 3d March
 1851 on transcripts of the process and a
 decision and the papers and evidence on
 which said decision was made; and it be-
 -coming that said transcripts were duly pre-
 -sented to court and allowed for both
 matter having been heard, it is ordered
 and adjudged and decreed that the said de-
 -cision be affirmed, and it further ordered
 and adjudged & decreed that the claim of the
 said Teodoro Gonzalez is valid, and
 that the same is hereby confirmed to the
 tract of land known by the name of
 Rancho

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Rancho de la Punta del Norte, being the
same ~~land~~ which it is proved has been
in possession of the said Leandro Gan-
zuey since 1841 and bounded as follows,
Beginning at an oak tree situated between
the two houses and running E. by N. E. to the
meadow the "Lanica" one hundred & eighty ^{two}
cads of fifty varas each, and from said
"Lanica" situated at the entrance of the
Cañada, continuing the same course forty
cads of fifty varas each to the "Alamo",
thence E. by S. E. one hundred & four cads
of fifty varas each to the boundary line
of the land of Francisco Soto, thence
from the three "Aligos" situated at the
entrance of the "Cañada" forty eight
cads of fifty varas each inside of the
said, and one hundred & thirty eight
outside running West by S. W. to the
Punta del Norte; thence W. & N. W. one hun-
-dred & twelve cads of fifty varas each
to the Oak tree the point of beginning,
the same being of the extent shown
by the Fundicio's measurement to which
and to the grant copy & which is of file
in this case reference may be had
for a more particular description,

The United States
✓
General Gurgolly

Punto de la Monte

See