

CASE No.

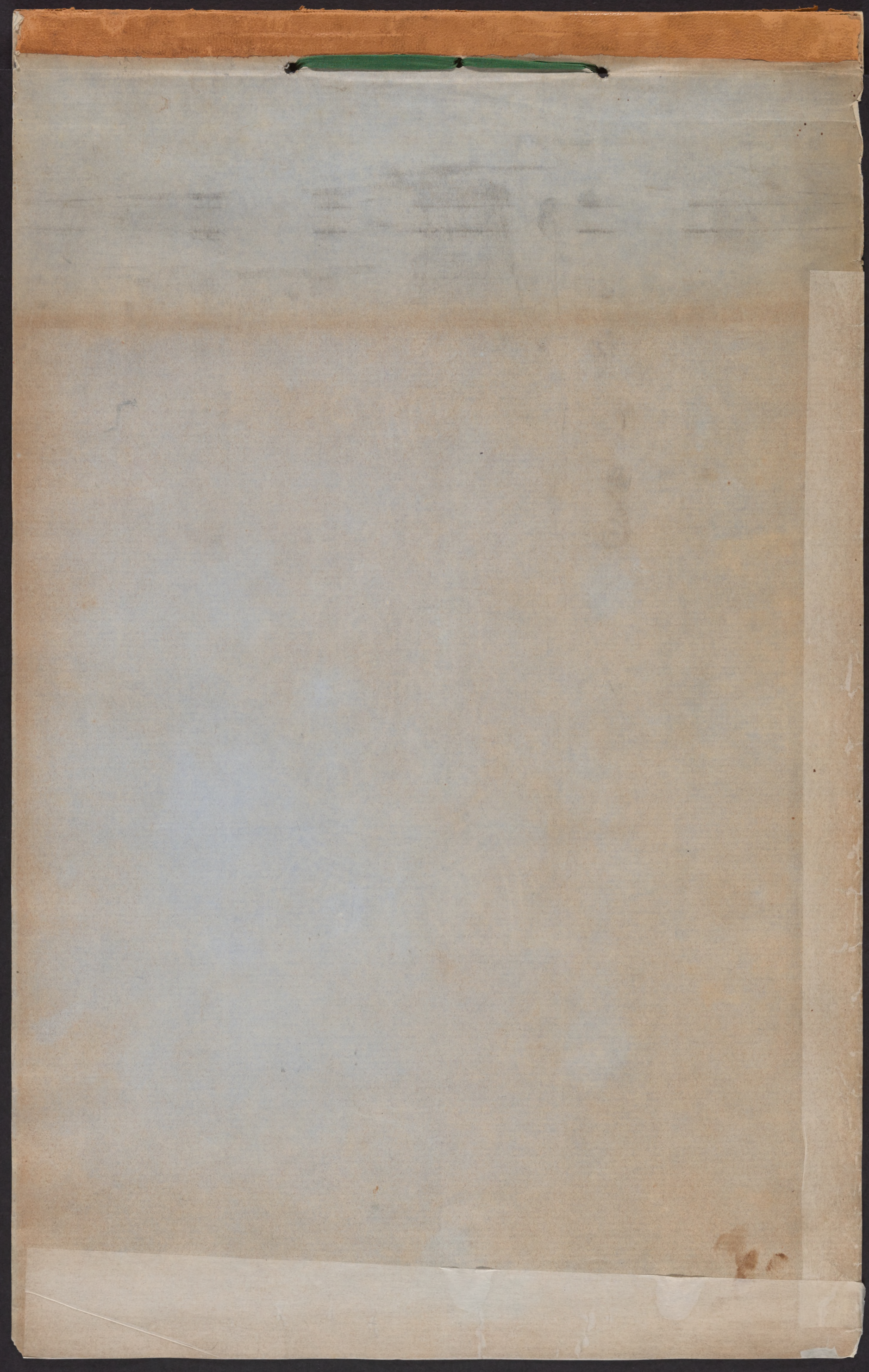
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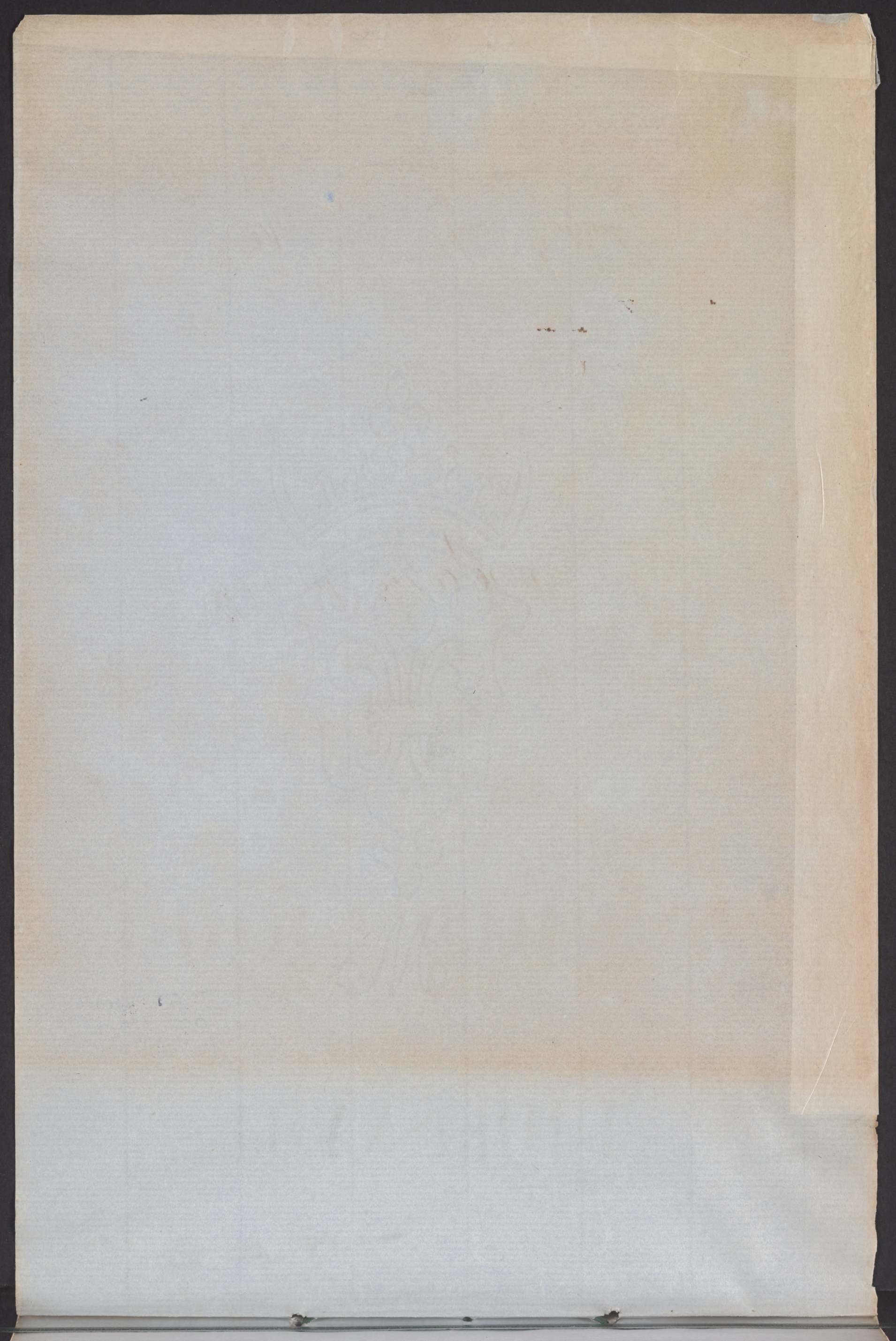
SOUTHERN DISTRICT

AROMITAS Y AGUA CALIENTE GRANT

JUAN MIGUEL ANZAR

CLAIMANT





TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 20

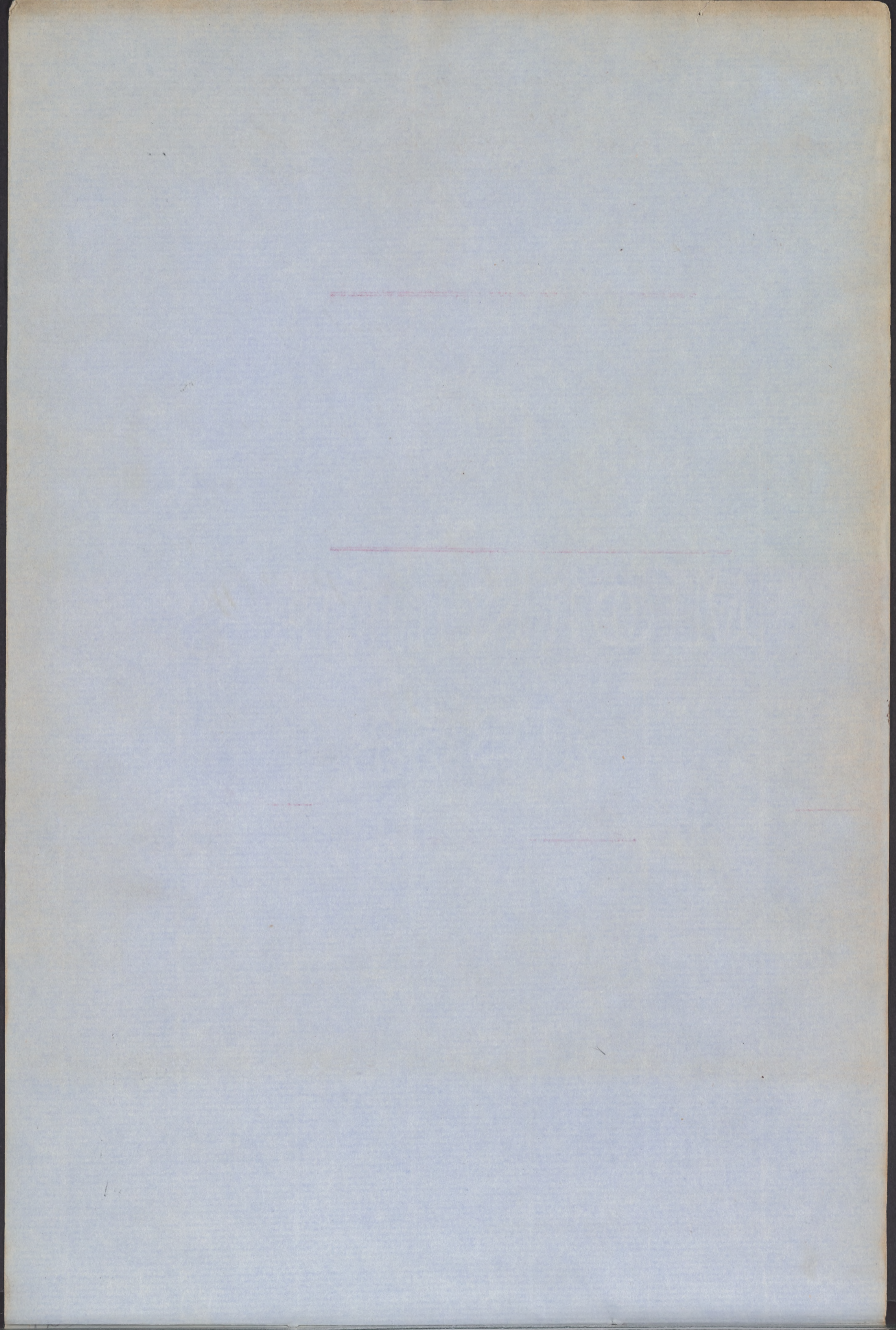
Man Miguel Anzar et al
David S. Spence CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Armitas y Agua Caliente"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Juan Miguel Anzar* for the Place named "*Armitas y Agua Caliente*" was presented, and ordered to be filed and docketed with No. 20 and is as follows, to wit;

(Vide page 3 & 4 of this Transcript.)

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

Friday Feb 27th 1852
In Case n^o 20 *Juan Miguel Anzar*, the Deposition of *David S. Spence*, a witness in behalf of the Claimant taken before Commissioner *Edward Hall*, was filed, and is in the words & figures as follows to wit:
(Vide pages of this Transcript 4 & 5)

Tuesday March 2nd 1852
In the Case n^o 20 *Juan Miguel Anzar*, the Deposition of *Samuel S. Barr*, a witness in behalf of the Claimant, taken before Commissioner *Harry S. Sherman* was filed, and is in the words and figures as follows,

2.

to wit: (Vide pages of this Transcript
22. 23.)

Wednesday March 3^d 1852

In case n^o. 20 Juan Miguel Anzar,
the Deposition of Jose Rafael Gonzalez, a
witness in behalf of the claimant, taken before
Commissioner Harry J. Thornton was filed
and is in the words and figures as follows;
to wit (Vide pages of this Transcript 23,
24. 25. 26. 27.)

Monday April 19th 1852

In Case n^o. 20, Juan Miguel
Anzar, the Deposition of Jose Antonio Anzar,
a witness in behalf of the Claimant taken before
Commissioner Hiland Hall, was filed and is in
the words and figures as follows, to wit: (Vide
pages of this Transcript 27. 28. 29.)

Friday June 25th 1852

The following case was set in its order
for hearing and ordered to be placed on the Trial
Ticket, to wit: n^o. 20, Juan Miguel
Anzar, " Arroyos y Aguas Calientes "

Monday July 10th 1853

In case n^o. 20, Juan Miguel Anzar, for
the place named " Los Arroyos y Aguas Calientes " Commissioner
Harry J. Thornton delivered the opinion of this Board,
and the decree of final Confirmation.

Ordered, that the Opinion and the Decree of Final
Confirmation of this Board, delivered this day in this case
be recorded on the Journal, which Opinion and Decree
are in the words and figures as follows, to wit: (Vide
pages of this Transcript 29. 30.)

To the Honorable the Commission
to ascertain and settle Private
land claims in California

Petition

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Aromitas y
Aqua Caliente
Juan Miguel Anzar
Grant of José
Castro, 12 Octo
1835

Juan Miguel Anzar gives notice that he claims a tract of land called the Rancho de las Aromitas y Agua Caliente, situated in the County of Monterey, in said State, bounded as follows, to wit: measuring from a place called the Three Springs in the point of the hills of San Juan Bautista northwardly to a place called Agua Caliente, thence to the boundaries of the Rancho of San Fabian; thence by way of, and, including the valley called the Cañada de los Carreros, to the beginning: the same being of irregular shape, and supposed to contain about three Sitios of four thousand four hundred and twenty eight acres each. And said claimant says that the said tract of land was conceded to him by the Mexican Nation by a grant given on the 12th day of October A.D. 1835, by Don José Castro, then first member of the Territorial Deputation of California, and by virtue thereof Governor, or Political Chief, interim of the Territory of Upper California, and, as such authorized to make grants of land in the name and on behalf of the said Mexican Nation.

That afterwards, to wit: on the 26th of November of said year, the said land was set apart, designated and delivered to him, and its boundaries ascertained and fixed as aforesaid, by an act of Juridical possession given by Don José Rafael Gonzalez, Constitutional Alcalde of Monterey.

And the claimant further shows that he has ever since been in quiet and active occupation and enjoyment of said land, and has improved, cultivated and occupied it according to law.

The original of the said grant and of the proceedings in the said act of juridical

possession / copies whereof, together with a translation of said original grant are hereto annexed marked Exhibit A and the documents and records relating thereto existing in the archives of the former Governments of California, are the documentary testimony on which said claimant relies to support his claim. There is no interfering claim to said land as far as your petitioner knows and believes.

Jones Tompkins & Stride
attys

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Filed in Office Feb'y 3^d 1852
Geo. Fisher,
Secy

Office of the Commissioners of
California Land Claims

San Francisco Feb'y 26, 1852

Deposition of
David Spence

On this day before Hiland Hall one of the Commissioners for ascertaining & settling private land claims in the State of California came David Spence a witness produced in behalf of the claimant in the case of the petition of Juan Anzar, for the Rancho Armitas, being number 20, on the docket of said commissioners & after being duly sworn testified as follows, the Land Agent attending

Question by Mr. Jones, Counsel for the Claimant

1. What is your name, age & residence?

Answer. My name is David S. Spence my age fifty three & my residence is in Monterey, where I have resided for the past twenty eight

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years.
2. Are you acquainted with the handwriting of Jose Castro, Francisco del Castillo Negrote & Jose Rafael Gonzalez, and if so look upon the title papers in this case marked A, with the initials H. H., and say if the several signatures of said persons upon said papers are genuine.

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Answer I have often seen them all write, and am acquainted with their handwriting. I have no doubt their signatures on said papers are all genuine.

D. Spence

Sworn & Subscribed
before me Hiland Hall, Commissioner,
Filed in office Feby 27th 1852
Geo Fisher Secy

Rancho de las Armitas

Sello primero Seis pesos
Habilitado provisionalmente por la Administracion
de la Aduana Maritima de Monterrey de la
alta California para los años de mil ochocientos
treinta y cuatro y ochocientos treinta y cinco
Figuerba A. Ramirez

Expediente
"A. H. H."

Jose Castro, Primer vocal de la
E. Diputacion Territorial i Jefe Politico
interino del Territorio de la Alta California



Por cuanto D. Juan Anzar
Mexicano p^o nacimiento, ha
pretendido p^o su beneficio
personal i el de su familia
el terreno conocido con el nombre
de las "Armitas i Agua Caliente" cuyos linderos

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Son al N. el terreno de D. Manuel Jimeno Casarin, al E. S. Juan B^{ta} i al O. los Carneros, practicadas previamente las diligencias i averiguaciones concernientes segun lo dispuesto p^o leyes i reglamentos, usando de las facultades q^o me son conferidas, en decreto de este dia i a nombre de la Nacion Mexicana he venido en declarar la propiedad del terreno conocido con el nombre de las Armitas i Agua Caliente a D. Juan Anzar declarandole la propiedad de el por las presentes letras sujetandose a las condiciones siguientes

1^a Que se sometera a las que estableciere el reglamento que se ha de formar p^o la distribucion de terrenos baldios i que entretanto ni el agraciado ni sus herederos podran dividir ni enagenar el que se les adjudica, imponer censo, vinculo, fianza ni otro gravamen aung^o sea p^o causa piadosa ni pasarlo a manos muertas.

2^a Podra cercarlo sin perjudicar las travasias, caminos i servidumbre: lo disfrutara libre i esclusivamente destinandolo al uso i cultivo q^o mas le acomode.

3^a Solicitara del Jefe respectivo q^o le de la posesion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites pongra a mas de las mojeras algunos arboles frutales o silvestres de alguna utilidad.

4^a El terreno de que se hace mencion es de cerca de dos sitios de ganado mayor segun explica el diseno que corre en el expediente. El Jefe q^o diere la posesion lo hara medir conforme a ordenanza quedando el sobrante que resulte a la Nacion p^o los usos convenientes.

5^a Si contraviniere a estas condiciones perdera su derecho i sera denunciado por otro.

En consecuencia mando q^o teniendose por firme i valido el presente documento q^o se le servira de titulo se tome razon de el en el libro

... al interesado p^o el Jefe de ...

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q.^a Corresponde entregandose al interesado p.^a Su resguardo
i demas fines. Dado en Monterrey a 12 de
Octubre de 1835

José Castro

Dros 20 p^{as}

Srio.
F.^{co} del Castillo
Négrete

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Queda tomada razon en el libro respectivo
a fojas Setenta y siete señalado con el numero
Setenta i cinco, cuyo libro obra en la Secretaria
de mi cargo.

Dros 10 p^{as}

Monterrey 12 de Octubre de 1835
Castillo

José Castro

BASE

Delo Tercero Dos reales
 Habilidad provisionalmente por la Administración
 de la Aduana Marítima de Monterrey de la
 alta California para los años de mil ochocientos
 treinta y cuatro y mil ochocientos treinta y cinco.
 Castro Angel Ramirez

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Señor Alcalde Constitucional

Juan Miguel Anzar Ciudad. Mexicano
 dice: Que habiendo obtenido la concesión propia
 del terreno conocido con el nombre de las Huemitas
 y Agua Caliente o como á v. p.ª q.ª se sirva
 donde la posesión jurídica conforme esta prebenido
 en el artículo 3.º del título de dho Terreno q.ª se
 me espidió con fha 12 del Corriente mes y
 año q.ª debidamente acompaño, igualm.ª la
 confirmación respectiva y abolición de estos
 Docum.ª p.ª q.ª obran en mi poder los efectos
 devidados.

Por tanto
 A. V. Suplica se sirva ponerle
 en la posesión q.ª solicita de lo q.ª recibirá merced
 y justicia.

Monterrey Oct. 20 de 1835
 Juan Mig. Anzar

Monterrey Oct. 20 de 1835

Por presentado y admitido;
 procedase á dar la posesión q.ª se solicita, á cuyo
 efecto se señala el Lunes 26 del Corriente; citense
 á los colindantes p.ª dho día y nombrece probiam.ª
 medidores y contadores á quienes se les hará
 saber p.ª su aceptación y juramento. Así yo el
 Ciudad. José Rafael González lo decido, firme
 y mande con los de mi asistencia.

asist.ª de asa
 José Maria Castañares Juan Madariaga
 Fran. Perez Truchero

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En la fecha presente el Ciudadano Juan Miguel Anzar se le notificó el auto q.^o antecede y entendido dijo lo oye, y q.^o se da por leído, firmandolo conmigo y los de asistencia.

Jose Rafael Anzales
de asist.^a Juan Madariaga
de A. Pedro Lopez

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Sello Tercero Dos reales
Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco
Castro Angel Ramirez

En la misma fecha se libraron las bolitas de comparendo en cumplimiento de lo mandado en el antecedente auto, y para constancia de la diligencia practicada lo anoto y rubrico
(a scroll)

En las lomas de S.^o Juan Bautista por la parte asial este á los veinte y siete dias del mes de Oct.^{bre} de mil ochocientos treinta y cinco presentes los Ciudadanos Colindantes Jose Tiburcio Castro por la Emision de S.^o Juan B.^a, y Antonio y Faustino German (hermanos) por el Sitio de la breca y Agua Caliente, y D.^o Canuto Berunda mayordomo de D.^o Manuel Jimeno Cabrera, D.^o Antonio Castro por las Lomas y D.^o David Lithyolm poseedor del Rancho de S.^o Tiburcio. Yo el Alcalde Segundo Constitucional de la Capital de este Territorio notifique á los expresados colindantes q.^o se hallan presentes el auto anterior, y entendidos lo firmaron conmigo y los de asistencia, los que supieron
de asist.^a Jose Rafael Anzales
Jose Tiburcio Castro de asist.^a
Inocente Garcia

Faustino y Antonio German no saben
Antonio Castro Joaquín Sdo no sabe

En el mismo parage, día, mes y año
yo: el referido Alcalde en cumplimiento del decreto
de doce del presente Octubre. Presentes los Señores
colindantes para la medición del terreno, =

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Sello Tercero, Dos reales
Habilitado provisionalmente por la Administración de
la Aduana Marítima de Monterrey de la Alta
California para los años de mil ochocientos treinta y
cuatro y mil ochocientos treinta y cinco

Castro Angel Ramirez
= Señalamiento de linderos y procecion juridica
nombre de medidores al Ciudadano German y al
Ciudadano Inocente Garcia quienes previa la acep-
tacion y juramto procederan al desempeño de su
encargo. Asi yo, el nominado Alcalde lo
decrete y firme, con los de mi asist^a

de asist^a
Fran^{co} Perez Pacheco

de asist^a y
como medidor
Inocente Garcia

En la misma fecha y el expresado
parage se les notifico el nombramto echo en los
ciudadanos Antonio German y Inocente Garcia;
y digeron q^e aceptaban y aceptaron dicho encargo
y firmaron por Dios Nro Señor y la Señal de la
S^{ta} Cruz el cumplir fiel y legalm^{te} a todo su real
Saber y entender, sin fraude contra persona alguna
y no firmaron p^o q^e digeron no saber, y lo hice
yo el presente Juiz con los de asist^a

Inocente Garcia

José Rafael Guzmán

de A.
José Tiburcio Castro

de A.
Juan Madariaga

Incontinente yo: el referido Alcalde

... lo ... que se han de medir las

mande traer el Cordel con que se han de medir las
tierras, y q.^o los medidores lo midan de cincuenta
varas, y en presencia de los Colindantes lo tomaron
dichos medidores, y con una vara de medir usual
mexicana teniendola en la mano midieron cincuenta
varas p.^o hacer la referida medida, y lo firmé
con los de mi asist.^o

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D. A.
Fran.^{co} Ponce Pacheco

Sanzales
D. A.
Inocente Garcia

En el mismo parage, mes, dia y año,
á las nueve de la mañana de aquel dia, yo: el
presente Alcalde mande á los medidores nombrados
se pongan p.^o las medidas de tierras =

Sello Tercero dos reales

Habilitado provisionalmente por la Administración de la
Aduana Maritima de Monterrey de la alta California
para los años de mil ochocientos treinta y cuatro y mil
ochocientos treinta y cinco

Castro

Angel Ramirez

que se han de hacer al Ciudadano Juan
Miguel Amador. Y en el mismo punto desde
el parage donde se encuentran tres ojitos de agua abisal
este en la punta de las tomas de S.^o Juan B.^o y
girando al N.^o hta. el Agua Caliente, hay ciento
ochenta cordeles, y desde la misma Agua Caliente
á los linderos de David, hay doscientos cordeles,
y desde aquel lindero tomando la Cañada de los
Cameros, á saber á los tres ojitos de agua sin
cordeles, por lo q.^o resulta q.^o siendo el terreno
irregular como se ve en el diseño seran tres sitios
poco mas ó menos de ganado mayor y p.^o constancia
lo firmo con los de mi asistencia

de A.
Fran.^{co} Pacheco

D. A. Rafael Sanzales,
de A.
Inocente Garcia

En el rancho conocido por las Armitas q.^a es el punto Centrico del terreno q.^a se ha medido, yo: el Alcalde Constitucional de Segunda Nominacion en la Municipalidad de Monterrey de la Alta California despues a los veinte y siete dias del mes de 8.^{to} de mil ochocientos treinta y cinco, despues de practicadas las medidas del mencionado rancho conforme se demarca en la antecedente medicion presentes, los colindantes David Lillo y Juan Miguel Anuar en union de los Ciudadanos Jose Tiburcio Castro, Ant.^o y Faustino German, Joaquin Solo y Antonio Castro q.^a fueron conformes con todo lo mas q.^a ver con vino, mande entrar en posesion del rancho al Ciudadano Juan Miguel Anuar bajo las medidas sitadas y formalidades =

Sello tercero de reales

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

Castro Angel Ramirez
= acostumbradas en casos semejantes, lo q.^a verifico arrancando lleras y haciendo demostraciones como dueño del terreno, y q.^a se le ha dado en posesion y propiedad cuya validacion la autorizo y firmo con los de mi asistencia y algunos de los colindantes que lo supieron hacer

Jose Rafael Gonzalez
de A. de A.
Jose Tiburcio Castro
Fran.^{co} Perez Pacheco
Monte Garcia

Monterrey Nove 1.^o de 1835

Tomase rraza en el libro de posesiones y devuelbase original este expediente al interesado p.^a q.^a le sirva de titulo. Asi yo: el Alcalde 2.^o lo determine, mande y firme con los de asist.^a

Jose Rafael Gonzalez

de asist.^a
Jose Tiburcio Castrode asist.^a
Juan Madariaga

En la misma fecha, se tomó razón en la foja 1.^a del libro respectivo, y se devolvió el expediente en fojas útiles en cumplimiento del antecedente auto;

y para constancia lo anoto y rubrico
(a Scroll)

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Monterrey 9^{to} de 9 de 1835

Pase este expediente al Ciudad.^o Asesor del Terr.^o p.^a q.^a se sirva tasar los derechos q.^e corresponden a este Juzgado. Así yo el Alcalde Segundo lo decreto y firmé con los de asist.^a

de A.
Jose m.^o Silva

Jose Rafael Gonzalez
de P. A.
Fran.^o Lopez Pacheco

En la fecha enterado el Ciudad.^o Juan Anzar del auto q.^e antecede dijo lo oia y lo firmé

Juan Anzar
de A.

J. A.
Juan Madariaga

Sello tercero dos reales
Habilitado provisionalmente por la Administración de la Aduana Marítima de Monterrey de la Alta California p.^a los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco
Castro Angel Ramirez

En ocho fojas útiles se remiten los presentes autos al Ciudad.^o Asesor: lo anoto y rubrico p.^a constancia
(a Scroll)

Sr. Alc.^o 2.^o Constit.^o

Al Juzg^{do} del Cargo de N. Corresponden p^r.
 los dros causales en la practica de las anteriores
 diligencias, los Cuarenta pesos Siete reales que
 aparecen en la suma de la siguiente cuenta

Por la presentacion de un escrito con recaudos y su preceido	1. 0.
Por tres notificaciones dentro y fuera del Juzg ^{do}	2. 3.
Por tres notas a 4 r ^s	1. 4.
Nombram ^{to} de peritos, su aceptacion y juram ^{to}	1. 5.
Diligencia de reconocim ^{to} del Cordel	4
Posesion en un acto	3. 0.
Por dos autos de substanciacion	2. 0.
Toma de razon	6
Por 35 leguas de ida y buelta a 6 r ^s 26. 2	
P ^r . Cinco f ^{ts} . escritas a 3 r ^s cada una	1. 7.
Suma	<u>40. 7.</u>

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Dros de asesoria
 Cincopesos
 (a Scroll)

Monterrey 9^{to} 10 de 1835
 Lic^{do} Cosme Vera

Filed in office Feb'y 27th 1852
 Geo. Fisher,
 Secy

First Stamp — Six dollars
 Legalized provisionally by the Collector of the
 Custom of Monterey of Upper California for the
 years 1834 and 1835
 (Signed) Figueroa (Sig^{nta}) A. Ramirez

Translation
 Doc: A. A. A.
 "Expediente"

Jose Castro first member of the most
 Excellent Territorial Deputation and Political
 Chief "ad interim" of the Territory of Upper
 California

Whereas Juan Anzar, a native Mexican, has solicited, for his personal benefit and that of his family the tract of land known by the name of Las Armitas i Agua Caliente the boundaries whereof are, to the North of lands of D.^o Manuel Jimeno Casarin, to the S. E. Juan Bautista, and to the W. the Carneros: the previous requisites and investigations having been made agreeably to the laws and regulations on the subject, by the authority in me vested by the decree of this day and in the name of the Mexican Nation, I have adjudicated to him the said Juan Anzar the ownership of the tract of land known by the name of Armitas i Agua Caliente, declaring it by these presents to be his property subject to the following conditions to wit:

1st. He will abide with the conditions which the Regulations to be issued for the distribution of vacant lands may establish, and that in the meantime neither the grantee, nor his heirs shall be capable of dividing or alienating the land hereby granted: to impose ground rent, entail, reversion, nor any other burthen, though it be for charitable purposes, nor to transfer it into Mort Main.

2^d. He may enclose it without obstructing the Crossings, highways, and right of way; he shall enjoy it freely and exclusively, destining it to the use or cultivation which may best suit him.

3^d. He shall solicit the respective Magistrate to give him legal possession in virtue of this title by whom the boundaries shall be traced out, on the limits of which he shall plant besides putting the land marks, some fruit or useful forest trees.

4th. The land of which mention is made is about two square leagues (Sitios de ganado mayor) as explained in the plot annexed to the record of proceedings (Expediente)

The Magistrate who may give possession, shall cause it to be measured according to ^{the} ordinance: the surplus which may result shall remain to the Nation for the proper uses.

5th Should he (the grantee) violate these conditions he shall forfeit his right to the land and it may be denounced by another.

In consequence whereof I command that this present document being held firm and valid shall serve him as a title, and the same to be registered in the proper book, and be delivered to the party interested for his security and further purposes.

Given in Monterey on the 12th October 1835

(Signed) Jose Castro

(Signed) the Secretary

Fran^{co} del Castillo Negrete

Registered in the proper book on folios 77 marked with N.º 75 which book is in the office under my charge.

Monterey 12th October 1835

(Signed) Castillo

Fees of 10.

Third Stamp. Two Reales
Legalized provisionally by the Collector of Customs of Monterey of Upper California for the years 1834, 1835.
(Signed) Castro (Signed) Angel Ramirez

To the Constitutional Alcalde

Juan Miguel Amador a Mexican Citizen, states that having obtained the proper concession of the tract of land known by the name "Armitas i Agua Caliente", he appears before you soliciting you will be pleased to give him legal possession in accordance with the provision of the 3rd article of the title to the said tract of land, which has been issued to him on the 12th of the present month and year, which

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he respectfully herewith accompanied, also the confirmation of the grant, and the returning of the same, for his convenient purposes.

Therefore he prays you to be pleased to put him into the possession he solicits: by which he will receive favour and justice.

Monterey Octo 20th 1835

(Signed) Juan Miguel Anzar

Monterey Octo 20th 1835.

This petition having been presented, it is received. Let the possession prayed for be given, for which purpose Monday 26th inst is set apart: let the Contiguous neighbours be cited for that day, and let measurers and tally-men be appointed previously, who shall be notified of their appointment and oath of office. Thus I citizen Jose Rafael Gonzalez have decreed, ordered (Signed with my assisting witnesses:

The Citizen Juan Miguel Anzar was notified on the same day of the preceding decree, heard it read, understood it and acknowledged the citation, signing it with myself and the assisting witnesses

(Signed)

Juan Madariaga

(Signed)

Jose Rafael Gonzalez

"

Pedro Pinedo

Third Stamp, Two reales

Authorized provisionally by the Collector of Customs of Monterey in Upper California for the years 1834 & 1835

(Signed) Castro

(Signed) Aygo Ramirez

bvcl

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Under the same date was issued a summons in compliance with the foregoing decree, and in proof that the same was carried into effect, I note (Sign the same

On the hills of San Juan Bautista on this eastern side & on the 27th day of October 1835 being present the (bordering neighbours) citizens Jose Tiburcio Castro for the ex-mission of San Juan Bautista, and Antonio Francisco German (brothers) for the sitio of La Brea and Agua Caliente and D.^o Canuto Berunda, mayordomo of D.^o Manuel Almona

Casario, D.^o Antonio Castro for the Arroyos, and D.^o Daniel Lythym now in possession of the San Tiburcio Rancho — I the 2.^o Constitutional Alcalde of the Capital of this territory notified the aforesaid bordering neighbours (who are now present) of the former decree. They acknowledged the same and signed it with me and the assisting witnesses

(Signed) / Jose Rafael Gonzales
 (Signed) / Antonio Castro Inocente Garcia

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On the same place, day, month and year I the said Alcalde in compliance with the decree of the 12.^o day of the present October, being present the aforesaid bordering neighbours for the purpose of measuring the said land, to define the boundary lines and give juridical possession, Citizens German and Citizen Inocente Garcia were named measurers who accepted the appointment and took the required oath & commenced operation

Therefore I the above named Alcalde decree & sign with assisting witnesses

(Signed) / Jose Rafael Gonzales
 Witness / Inocente Garcia
 (Signed) / Fran.^o Perez Pacheco Witness & measurer / Inocente Garcia

On the same day and at the same place I notified them of the appointment made of the citizens Antonio German and Inocente Garcia: and they said that they accepted the appointment taking the necessary oath in the name of the Lord making the Sign of the Cross — that they would faithfully and legally comply to the best of their knowledge and ability, without fraud against any one.

They do not sign not knowing how to write. I the present judge do so for them with assisting witnesses

(Signed) / Jose Rafael Gonzales
 (Signed) / Jose Tiburcio Castro Inocente Garcia

Witness / Juan Maducia
 Faustino and Antonio German Cannot write
 Antonio Castro — Juana Solo — cannot write

Forthwith I the said Alcalde ordered to be brought the line with which they were to measure the land — that the measurers measure fifty varas

in the presence of the bordering neighbours with the usual / Standard Mexican vara, holding the same in the hand till the said fifty varas are measured, and I sign with assisting witnesses

Witness / Signed / Gonzales
(signed) Fran^{co} Pachecco / Witness
Inocente Garcia

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At the same place, day, month & year at nine o'clock in the morning of said day I the present Alcalde sent to the above named measurers that they would prepare themselves to measure the land they are to measure for the Citizen Juan Miguel Anzar commencing at a point from the place where there are Tres ojos de agua (Springs) at the eastern point of the hills of San Juan Bautista and running north to the Agua Caliente (Springs) one hundred and eighty cordelas (lines of 50 varas) thence to the boundary of David two hundred cordelas: and thence taking by the Cañada de los Hornos coming out at the Tres ojos de agua, one hundred cordelas - The result is this (the ground being uneven as can be seen by the plan) there will be three sitios, a little more or less de ganado mayor.

In virtue of the same I herewith set my hand with assisting witnesses.

(Signed) Don Rafael Gonzales
Witnesses / Inocente Garcia
(signed) Fran^{co} Pachecco

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On the Rancho known as the "Armitas" which is the central point of land that has been measured I the Constitutional Alcalde of the Second nomination of the municipality of Monterey Alta California on the 27th October 1835, after the aforesaid measurements had been effected of the aforesaid Rancho in conformity with the lines of demarcation as before presented. The bordering neighbours David Luther and Juan Miguel

Anzar together with the Citizens Jose Tiburcio Castro, Ant. and Faustino German, Joaquin Soto and Antonio Castro were satisfied with the proceedings & who agreed in every respect.

I have ordered Juan Miguel Anzar to take possession of the said Rancho under the admeasurement cited observing the usual formalities in such cases. He done so plucking grass and making demonstrations as owner of the land which had been given him in possession & right, the validity of which title to the same I confirm and sign with witnesses and some of the bordering neighbours who can write.

(Sig.^{na}) Jose Rafael Gonzalez
 (Sig.^{na}) Jose Tiburcio Castro
 " Y^{co} Peres Pacheco

Monterey Nov. 1st 1835

Let it be registered in the Book of Possessions and let the original (Expediente) be returned to the interested in order that it may serve as his title.

Thus I the 2nd Alcalde determine, order, and sign with witnesses.

(Sig.^{na}) Jose Rafael Gonzalez
 (Sig.^{na}) Jose Tiburcio Castro
 (Signo) Juan Madriaga

On the same day it was recorded on folio 1 of the respective book and the "Expediente" returned in proper form in compliance with the former decrees. In virtue thereof I put my hand & Seal of office.

Monterey February 9th 1835

Let this Expediente be delivered to Citizen Anzar, possessor of the land, in order that he pay the dues that correspond to this Court.

Thus, I the Second Alcalde decree and sign with assisting witnesses.

(Signed) Jose Maria Silva (Sig.^a) J. de Rafael Genuales
 " J. de Jose Maria Pacheco

On the same day the Citizen Juan M. Anzar
 acknowledged that he heard the preceding decree,
 and I have signed it.

(Sig.^a) Jose Maria Silva (Signed) Genuales
 (Sig.^a) Juan M. Anzar " Juan Madriaga

The present decree was joined together on
 eight leaves & presented to the Citizen Anzar

I have noted & signed:

To the 2nd Constitutional Alcalde
 To the Court under your
 jurisdiction corresponds the following, caused in the
 foregoing affairs i.e., Forty dollars & Seven
 reales which appear in the sum as p.^a annexed account.

Account (Expenses for Title V ^a)	
For the presentation of a writing Tra & decree	1.
" three notifications in & out of Court	2. 3.
" naming Peritos (person skilled) their acceptance and oath	1. 5
" preparing line for measuring &c	4
" act of possession	3. "
" two decrees of Substantiation	2 "
" recording	6
" travelling 35 leagues going & returning	26. 2
" five writings @ 3 R ^s ea	1. 7
" three notices @ 4 R ^s ea	1. 4.
	<u>40. 7.</u>

Monterey 9th Oct 1835

(Sig.^a) Lic.^{do} Casme Peña
 Assessor's Fees
 five Dollars

I Certify the foregoing
 to be a true and correct translation from the
 Spanish on file in this office, which translation

was made in this office.

San Francisco March 23^d 1852

Geo Fisher

Secy

Filed in office March 23^d 1852

Geo Fisher

Secy.

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California Land Commission

San Francisco March 2^d 1852

At Chambers

Deposition of
Saml. S. Barr

Before me Harry J. Thornton, one of the Board of Commissioners to ascertain & settle private land claims in the State of California, came Samuel S. Barr, a witness summoned to testify in behalf of the claimant Juan Miguel Anzar whose petition is N^o. 20 on the Docket.

The Land Agent of the United States being present and the said witness having been by me first duly sworn, testified as follows, to wit:

Questions propounded by Claimant

Question 1st What is your name, age, and residence?

Answer. My name is Samuel S. Barr, my age is about thirty seven, and my residence is at the Mission of Santa Clara.

Question 2nd Please state whether you know the Rancho called the Armitas? if so, where it is situated, & if it is occupied? if so, how and by whom?

(Law Agent objects to the Question)

Ans. 2. I know the Rancho. It is situated on the waters of the river Pajaro, I think it is ten or twelve miles from San Juan Bautista and adjoins the plantation of Vallejo. The Rancho is occupied by Don Juan Anzar the claimant, his Indians and work people. There is a

church on it — he carries on various kinds of works, such as the manufactory of Soap, Saddlery and Blacksmithing, farming operations, gardens, orchards, large herd of Cattle. The above operations were carried on upon the Rancho as I have seen them two or three times during the last year.

The Land Agent declines putting any interrogatories to this witness.

J. Herrett Barr,

Sworn to and Subscribed

before me this 2^d of March 1852

Harry J. Thornton

Com: &c

Filed in office March 2^d 1852

Geo: Fisher

Secy

California Land Commission

San Francisco March 3^d 1852

At Chambers

Before me Harry J. Thornton one of the Board of Commissioners to ascertain & settle private Land Claims in the State of California came Jose Rafael Gonzales, a witness summoned to testify on behalf of the Claimant Juan Miguel Anker whose petition is N. 20 on the Docket.

The Land Agent of the United States being present on due notice and the said witness having been by me first Sworn testified as follows, viz:

(Interrogatories by Claimant's Counsel)

Question 1. What is your name, age & place of residence, and birth place, and when did you first arrive in California?

Deposition
of Jose Rafael
Gonzales

Ans. My name is Jose Rafael Gonzalez, I am sixty seven years of age, I reside in the City of San Jose de Guadalupe, and am a native of the City of Mexico. I arrived in California on July 15th 1833

Ques. 2. What public office if any did you fill in October 1835?

Answer I was Alcalde at the Port of Monterey

Question 3. Do you know any place in California called the Rancho de las Armitas? if so how long have you known it, and in what way?

Answer I do know it, and have known it almost ever since I came to California. I gave juridical possession of it to Juan Miguel Anzar

Ques 4. State whether you made an official report of that juridical possession?

Ans. I did report the same officially to the Ayuntamiento in Monterey, and the record was entered.

Ques 5. Did you deliver the (Acta) voucher to the interested party (Anzar)

Ans. I did deliver a record of proceedings had, in the matter, to the party interested (Anzar)

Ques 6. Are the documents here shown you, or any part of them, the account of your proceedings which you delivered to the interested party (Anzar)? If yes — are those documents the originals of Copies which are filed with the petition of Juan Miguel Anzar in the office of the Secretary of the Board of Land Commissioners for California

marked Exhibit A. and referred to in said petition which is n^o 20 on the docket of the said Board. Did you sign those papers and deliver them to the party (Anzar)? Are the papers and signatures genuine?

Answer. They are the documents commencing at folio 3 and concluding at folio 8. They are the originals which I signed with my own hand delivered to Anzar, and the papers and signatures are genuine.

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PAGE 26.

Ques. 7. Do you know José Maria Castañares, Juan Madriaga, Francisco Torres Pacheco, Pedro Lepeda, José Tiburcio Castro, Inocente Garcia, José Maria Silva, Cosme Peña

Answer. I know them all. Three of them are dead viz: José Tiburcio Castro, Cosme Peña and José Maria Silva.

Ques 8. Look at their signatures in & upon Exhibit A. and state if you know, who made them

Ans. Those with my name are of my own hand writing and the other signatures that appear on the paper are the signatures of those who signed them. I saw them write them, they having signed the same in my presence as Alcalde at the time.

Ques 9. Do you know whether the fees enumerated in folio 8, on last page but one, were paid - if so, to whom.

Ans. They were paid to me as Alcalde - Five dollars of which were paid to the assessor. The balance was divided by halves between myself & the clerk. They were the usual

perquisites of Office in conformance with law.)

(Cross Interrogatories by the U.S. Law Agent)

Ques 1st State whether the Rancho de las Armitas is or not within ten leagues of the Sea

Ans. I do not know.

Ques. 2. How far is it from Monterey to the Rancho de las Armitas in a direct line?

Ans. It is about eight leagues to the house of the Rancho, which is about the centre of the land.

Ques. 3. Where do the persons reside named in the Interrogatory Seven in Chief who are now living.

Ans. Jose Maria Castaneros resided in Mexico at present - Juan Calderiaga in Monterey - Francisco Perez Pacheco in Monterey - Pedro Lopez in San Jose de Guadalupe - Inocente in San Luis Obispo.

Ques. 4th Were all the signatures which you saw made including your own affixed to the documents at the time they purport on the face of the papers to have been made, or subsequently.

Ans. They were affixed at the time they purport on the face of the papers & not subsequently.

Ques. 5. When were the fees paid to you, a statement of which appears on the documents.

Ans. They were paid so soon as the account was presented to Juan Miguel Arzob,

which was done immediately after the papers were made out.

Cross Exam. Did you give the said Anzar, juridical possession of said tract at the time it purports to have been done on the face of the papers, or subsequently.

Ans. I did give juridical possession at the same time as it appears on the face of the papers.

Jose Rafael Gonzalez,
Sworn to & Subscribed
before me this 3^d of March 1852
Harry J. Thornton
Com^r &c

Filed in office March 3^d 1852
Geo Fisher,
Secy

Office of the Board of Commissioners
of California Land Claims
San Francisco April 19th 1852

At San Francisco
in this 19th day of April 1852

Personally appeared before Hiland Hall one of the Commissioners for ascertaining & settling private land claims in the State of California Father Jose Antonio Anzar, a witness for the claimant in the petition of Juan Miguel Anzar, for the Rancho of Arroyitas y Agua Caliente, being petition N^o 20, on the Ticket of the Commissioners. His evidence being given in the Spanish language was interpreted by the Secretary of the Board.

Deposition
of Jose Ant^o
Anzar

The Law Agent was notified and attended by M. Greenhow.

In answer to the questions put by Charles B. Strode, Counsel for the Claimant he says —

That his age is 61 years, he has been in California twenty two years, as missionary Priest. He knows the Rancho of Armitas y Agua Caliente, in the County of Monterey: Has known it ever since it was established as a Rancho, does not recollect exactly when: it was established during the Government of Figueroa.

He is acquainted with Don Juan Miguel Anzar who is his brother. He first placed people on it and settled it at his own expense. Witness does not recollect precisely the year, but it was some time about 1835, or since. Does not recollect the year when the grant was made.

The Claimant first built a wooden house, then an adobe house, established a soap factory, Black-Smith Shop and Saddlery; and a Silversmith Shop.

He also cultivated the land, raising Indian corn, wheat, barley and vegetables, planted an orchard and stocked the land with cattle. The claimant has been continually in possession, ever since.

The Claimant Don Juan Miguel Anzar, is a native of Colima, in Mexico: was the head of a family in 1835. Witness knows that the claimant received judicial possession of the land, from what he heard at the time though he was not present at the act: the circumstances were related to him by those who were present on their return.

The Rancho is now called Armas, the name of another tract adjoining, since bought by me.

In answer to questions by the Land Agent as represented by M. Greenhow, witness says He understood that this grant was confirmed by the Territorial Deputation, but does not know certainly when. He knows that it was

Confirmed.

Fr. J. Ant. Anzar

Sworn & Subscribed
before me

Richard Hall

Com'

Filed in office April 19th 1852

Geo. Fisher

Secy

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Juan Miguel Anzar Claimant

vs.
The United States

No. 20. Las Armitas
y Aguacaliente

Opinion and Decree of,
Confirmation by Commissioner
Harry J. Thornton

Opinion &
Decree of
Final Confir-
-mation

The claim in this case presented is founded on a grant of the property in fee, under the Decree of the Mexican Congress of the 18th of August 1824 and of the Executive Ordinance of the 21st November 1828, by Jose Castro Political Chief, or Governor of California, for two square leagues, or sitios de ganado mayor, on the 12th of October 1835. On the 26th of November of the same year, a measurement according to the Custom of the Country, was made of the land granted, and possession thereof delivered to the grantee, who has been ever since in the undisturbed occupation and enjoyment of the same.

The genuineness of the grant, and the authority of the grantor, as well as the facts above stated are all verified by the evidence in the case.

The objections urged against the Confirmation, that the land is within the

ten littoral leagues, and that there is no evidence adduced of the approval of the grant of the Governor by the Departmental Assembly have been already fully considered, and overruled by this Board, in the cases of Cruz Corvantes, Pearson B. Reading, and others which have been confirmed.

In accordance with the principles laid down for our Government in the decision of these claims, by the 11th Section of the Act of 3^d March 1851, we declare the claim valid, Commissioners Hall concurring in the result, we make the following decree of Final Confirmation

H. J. Thornton

This Board upon full consideration of the various grounds affecting the validity of the said claim having come to the conclusion that the same is valid: Therefore proceeds to make and does hereby make the following decree or report of Final Confirmation viz: It is decreed that the said claim be confirmed to the claimant to the extent and quantity of two (2) Square leagues, or Sitios de ganado mayor and for no more: being the same land described in the grant and expediente referred to therein, and of which possession has been had and enjoyed by the grantee since November 1835: Provided that the said quantity of land granted and now here confirmed be contained within the boundaries called for in the said grant and map to which the grant refers: and if there be less than the said above named quantity within the said bounds, then we confirm to the claimant that less quantity: it being apparent that said quantity exceeds the minimum of two hundred Varas, as prescribed by the ordinance of the 21st of November 1828.

Given under our hands Cay N. 1853

Hiland Hall

Harry J. Thornton

Com^{rs}

Filed in office

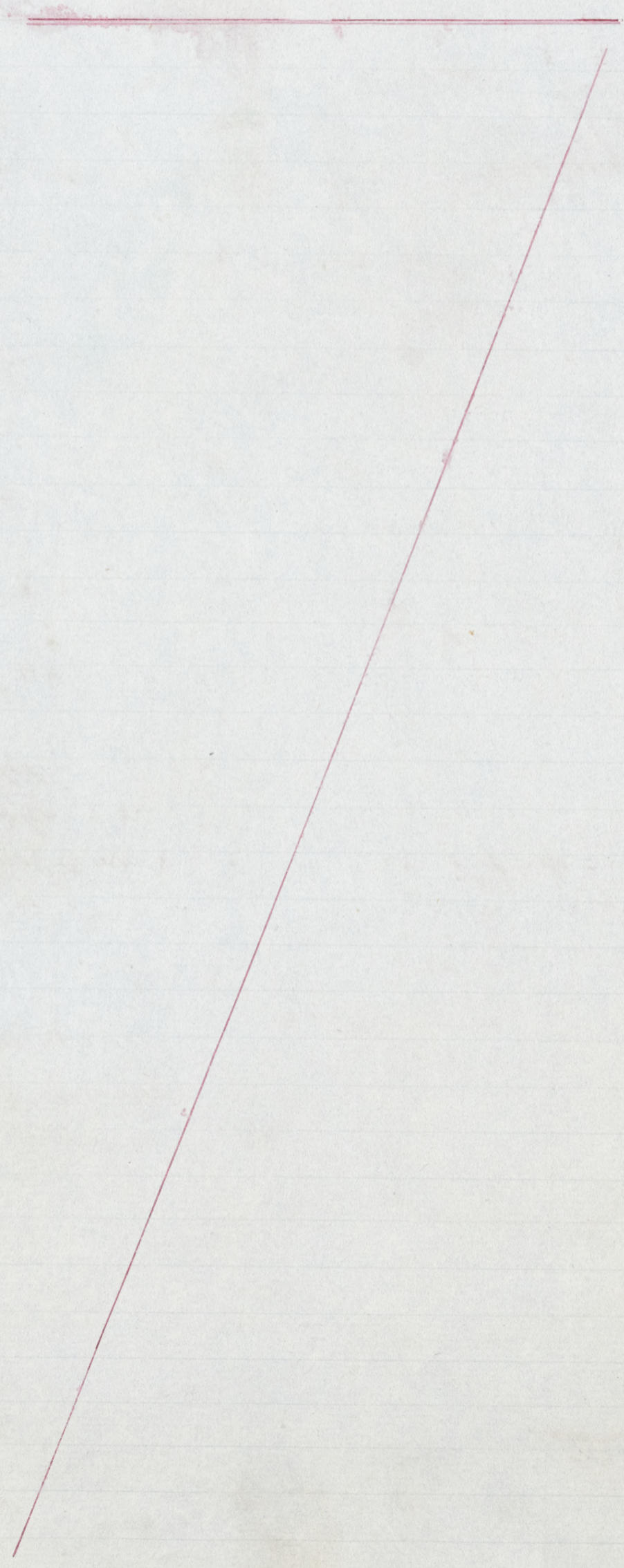
Filed in office

31

January 10. 1853

Geo Fisher
Secy

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Q2

Office of the Board of Commissioners,

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

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George Fisher Secretary to
Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Thirty one* pages, numbered from
1 to *31*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. 20 on the Docket of the said Board,
wherein *Juan Miguel Anzar* is

the Claimant, against the United States, for the place known by
the name of "*Armitas y Agua Caliente*"

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
thirty first day of *March*
A. D. 1854, and of the Independence of the
United States of America the seventy-*eighth*

Geo. Fisher.



102

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

No. 102.

THE UNITED STATES,

vs. 102

Juan Miguel Arzar, Adm

~~*Quintanilla*~~

For Armitas of Agua Caliente.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 20

Filed, *November 8th* 1854.

J. E. Carr
Clerk.

102

I, John A. Monroe Clerk of the
United States District Court for the Northern District
of California, do hereby certify that I have received of

George Fisher

Secretary of the Board of Commissioners to ascertain and settle
the Private Land Claims in the State of California, a docu-
ment purporting to be a Transcript of Record of the Proceedings
and of the Decisions of the said Board of the Documentary Evi-
dence and of the Testimony of the Witnesses upon which the same
is founded, in Case No. 20 on the Docket of the said
Board, wherein Juan Miguel Azcar is

the Claimant against the United States for the
place known by the name of Rancho de las Armitas
y Agua Caliente to be filed in accordance with the provisions
of the Act of Congress, approved August 31st, 1852, with the
Clerk of the United States District Court for the District of
California in which the Land claimed is situated.

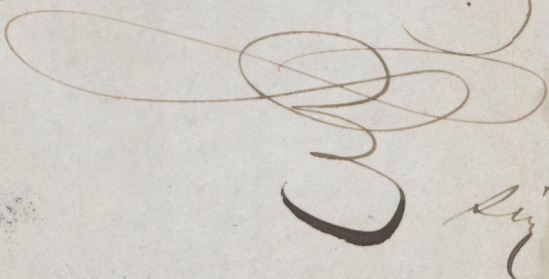
In Testimony Whereof, I have hereunto set my
hand and affixed the Seal of the said Court, in the
City of San Francisco, the thirteenth day of
April A. D. 1854,

John A. Monroe Clerk
J. Alex. Jr. Scheele

102 ~~77~~ SD
No ~~77~~

Receipt—
The Clerk of the
U. S. Dist. Court
for the
Northern District
for
Transcript No 20.

Filed in Office April
13th 1854.

G. Fisher
 sig

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Registered

Attorney General's Office
10th August 1854.

Juan Miguel Anzar, Claimant

vs.

The United States.

20.

You will please take notice that an appeal in the above case (a transcript of the proceedings in which was received in this Office on the 27th of April 1854), from the decision of the Commissioners to ascertain and settle the private land claims in the State of California, to the District Court of the United States for the Southern District of California, will be prosecuted by the United States.

Clintworth
Attorney General.

N^o. 102.
U. S. Dist. Court
No 102.

South. Dist. of Cal.

Juan Miguel Anzar
vs.

The United States
for No. 20.

Notice of Appeal from
atty. Genl. 10 Aug. 54

No. 28

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Rec^d 22 Sept. 54

Filed 23. 10. 54

A. S. Taylor
Dpt. Clerk

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

CITY AND COUNTY OF LOS ANGELES--STATE OF CALIFORNIA.

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Juan Miguel Anzar app.^{ee}
ads.

The United States app.^{ts}

Docket No. 102.

Transcript No. 20.

TO THE HON. ISAAC S. K. OGIER, JUDGE :

No 102
The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 3rd day of February A. D. 1852, Juan Miguel Anzar

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called Armitas y Agua Caliente - situate in the County of Monterey State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 10th day of January A. D. 1853, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 8th day of November A. D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No: 20; reference to which it is prayed may be had and made part of this petition. That on or about the 27th day of April A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: ^{or about} on the 23rd day of September A. D. 1854, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the

said claim should have been rejected by them. And the said claimant, having no valid right or title derived from the Spanish or Mexican Governments, to the land claimed as aforesaid, the lawful right and title in and to the said land was acquired by, and it now belongs to the United States, by virtue of conquest, and the Treaty of peace, friendship, limits and settlement, between the United States and the Republic of Mexico, made at the City of Guadalupe Hidalgo, February 2d, A. D. 1848,

Wherefore, the said Pacificus Ord, Attorney of the United States for the Southern District of California, for and in behalf of the United States, by reason of the premises, and in pursuance of the Act of Congress, entitled "An Act to ascertain and settle the Private Land Claims in the State of California," approved March 3d, A. D. 1851, and the laws and statutes in such case made and provided, prays that the said claimant, or his attorney may be served with a copy of this petition; and that this Honorable Court will review the said decision of said Commissioners, and reverse the same; and decide on the validity of the same, and decree the alleged title to be invalid: with costs and general relief.

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P. Ord

Attorney of the United States for
the Southern District of California.

No 101,

U. S. Dist Court,

San Fran. Dist of Cal.

Juan Miguel Anzon

appce

vs.

The United States.

applo.

Petition for review

Filed Nov 8th 1855.

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P. Ord. - healthy.

United States of America, }
Southern District of California. } SS.

TO

The President of the United States,

Juan Miguel Anzar.

102 SD

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GREETING :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against you, and each of you, in the District Court of the United States, in and for the Southern District of California, on the *8th* day of *November* in the year of our Lord one thousand eight hundred and fifty-*five* at the City and County of Los Angeles, in said District, by

J. Ord, US Atty. praying the Court to reverse the decision of the U.S. Land Commissioners confirming your claim to the Rancho "Callea" Armitas y agua Caliente" on or about the 11th day of June A.D. 1853 and which was appealed to this Court by the United States Atty Gen. on the 23rd of September, 1854

and that you, ~~and each of you~~, are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said petition, or that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs. *The Plaintiff will apply to the Court for the relief demanded therein.*

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this *eight* day of *November* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

J. E. San.

Clerk.

No 102,

March 4 first
Copying Invoices - Do
Accounting
Messages to ~~San Francisco~~
Spills for Miles
each for Invoices
and Petition ~~76~~
\$72.00

United States of America,
Southern District of California,
U. S. DISTRICT COURT.

Juan Miguel Anzar, Applee

vs

The United States, Applee

SUMMONS.

Rec'd Nov. 9 '85
Laura B. Hunter
Not a member

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I served this summons along with the proper copy of the petition upon

The Party named in the within sum-
mons, is dead

at the day of November in the Southern District of California on
A. D. 1855.

Sworn to and subscribed before me, Nov 31st
day of December 1855 Clerk. }

C. Egan
by O. Mungay Deputy

Ede Hunter
U. S. Marshal.
Per J. A. Mcays
Jepet

U.S. Dist Court - Southern
Dist. of California
Juan Miguel Anzar, socket No 102
ads } Aronitas
The United States } Transcript No 20

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It being made satisfactorily
to appear to the Court by evidence
filed and admitted by the District
Attorney ^{in open Court} that since the filing of the
claim in this case before the U.S.
Land Commission the said Juan
Miguel Anzar died, leaving a
widow Maria Antonia Castro, who
afterwards intermarried with Frederick
A. McDougall and afterwards died
leaving the said Frederick A. Mc-
Dougall her husband surviving; and
it further appearing as aforesaid that
~~the said~~ Juan Francisco Anzar,
Anatolio Anzar, and Policronio
Anzar are the only legitimate chil-
dren living of ^{either} the said Juan Miguel
Anzar or the said Maria Antonia
Castro, it is ordered by the Court
that this cause be revived and the
prosecution thereof continued in the
names of the said Fred. A. McDougall,
Juan Francisco, Anatolio, and Policronio
Anzar.

Booklet No 102

Transcript " 20

W S Dist Court
Southern Dist of Cal

Frank Maguire answered

Eds
The W States

Order on Motion

Filed Dec 9th 1836

Chas
Clerk

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

Juan Miguel Anzar } Docket N^o 102
 } "Cronitas"
The United States } Transcript N^o 20

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State of California }
County of Los Angeles } 3

Horace Hames

Being duly sworn says that he resides
at the City of San Francisco - that busi-
ness relations have for several years past
made him well acquainted with the
circumstances of the family of Juan
Miguel Anzar the claimant above named;
that according to common report in
the neighborhood of his residence which
was at or near San Juan Bautista - the
said Juan Miguel Anzar died after the filing
of his claim in this case before the U.S. Land
Commission, leaving a widow named Maria
Antonia Castro, and three children named
Juan Francisco, Anatolio, and Poleronia,
who are the only legitimate children living of
the said Juan Miguel Anzar or of the said
Maria Antonia Castro - that the said,
Maria Antonia subsequently intermarried
with Frederick A. Mc Dougall, and
afterwards died intestate, and that the

said J.A. Mc Bangall surviving
husband of said Maria Antonia,
and the three children above named
are still living at San Juan
Bautista and are the only heirs
of either the said Maria Antonia
or of the said Juan Miguel Aurora
all which deponent states from
common and unanimous report, and
verily believes to be true

Swoon subscribed }
before me Dec. } Horace Harber
9th 1856 }
C. J. Harber
Clerk

100102
U.S. Dist Court

Juan Miguel
Aurora

20
The U.S. States

Affidavit

Filed 9th Dec 1856

C. J. Harber
Clerk

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Copy of this to be
put in Corral
My own file
Subscribed to
at San Juan

U.S. Dist Court - Southern District of
California

Frederick A. McDougall
Juan Francisco Arzar
Anatolio Arzar &
Polimerio Arzar } Appellees } docket No. 102

No. 102 SD
PAGE 48

ad

"Cromitas"

The United States Appellant } Transcript N° 20.

And the above named
Claimants, in answer to the petition of the
U.S. District Attorney on behalf of the
United States, say that their title to the
land claimed in this case is valid, and
they pray that the decision of the U.S.
Board of Land Commissioners confirming
their said claim, may be affirmed, and
that their said title be decreed to be
valid

Horace Hawes
Attorney for Claimants

U. S. Dist. Court No 102

Fred^r A. Mc Dougall
Juan Fran^{co} Auzar

Anatolio Auzar &
Policronio Auzar

vs

The United States
— " —

Answer of Claimants

Filed 9th Dec 1887

C. J. M.
Clk

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and Policronio Anzar the above
named Appellees, Claimants, is ^a good
and valid ^{one}, and the land claimed
in this case is hereby confirmed
to them, ~~to have and to hold in~~
~~proportions according to their re-~~
~~spective interests,~~
as follows:

The land of which con-
firmation is hereby made is the
tract known by the name of
"Las Armitas y Agua Caliente" situ-
ated in the County of Monterey bounded
by the lands of Don Manuel Jimeno
Casarin, the lands of ~~the~~ the Mission
of San Juan Bautista, and the tract
called "Los Carneros" being the
same land described in the grant
to Juan Miguel Anzar made by Jose
Castro acting Governor of California
bearing date Oct. 12th 1835 and the
map referred to therein, contained
in the Transcript in this case; and
the land hereby confirmed is to the
extent of two square leagues (or
"Sitios de Ganado Mayor") and no
more, within the boundaries afove-
said, and if there be less than the
said above named quantity within
the said boundaries, then that less

quantity only is hereby confirmed
to the above named claimants

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James H. Ogden
W. S. Dir. of Cal
of the S. Dir. of Cal

No 102

U.S. Dist Court

F.A. McDougall

Juan Fran^{co} Anzar

Anatolis Anzar &

Policronio Anzar

ads

The United States

—————
"—————

Decree

Recorded 1st May 1857

page 97

Filed Dec 10th 1854

Ofims
Ch.R.

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7
392

⁵⁰¹⁹²
U.S. Dist Court

HA McDougall

Juan H. Azar

Anatoli Azar

Policronio Azar

vs

The U. States

Arizotas

Inden

Filed Dec 12th / 1854

Chms

chr

California Land Claims-
Attorney General's Office

27 September 1856.

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Sir:

In the case of the claim of Juan Mi-
quel Argar, confirmed to the claimant by the
Commissioners, case no. twenty (20), appeal will
not be prosecuted by the United States.

I am

Respectfully

Canting

Sanifius Ord Esq

U. S. Attorney

Los Angeles, Cal.

V 102

Juan Miguel Anzar

20

✓
Filed Feb 21st 1857

Spina
chr

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✓ PAGE 57

Rec No 4 1836

[Stipulation]

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

Frederick A. M. Douglass

San Francisco Auxar

Anatolio Auxar &

Policronio Auxar

ads.

The United States

Docket No. 102.

Transcript No. 20.

Claim for tract of land
called "Armitas y agua
Caliente."

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The Attorney General of the United States having given notice that it is not the intention of the said United States to prosecute the appeal from the decree of the United States Board of Land Commissioners heretofore rendered in the above entitled Cause, and the said decree of the United States Board of Land Commissioners having been affirmed by the United States District Court; Therefore, both parties consenting, it is hereby stipulated, that the Order of Appeal to the Supreme Court be revoked, and that the said decree of the District Court be made final; and that the claimants have leave to proceed thereon as a decree of final confirmation.

P. Ord. U. S. Dist. Ct.

by J. M. Kern acting atty.

Augusto Alvarez
Atty for Claim.

Docket No. 102.
Transcript " 20.

U. S. District Court for the
Southern District of California

Frederick A. M. Lougall
et al.

— vs. —

The United States. —

Stipulations.

Filed this 20th April 1888
Chas. C. K.
J. M. Hartman
Dep.

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In the District Court of the United States for the Southern District of California, ~~San Diego~~
Frederick A. Mc Dougall
Juan Francisco Anzar
Anatolio Anzar &
Policeronio Anzar
vs
The United States

December term 1857
Docket No 102
Transcript No 20.
Claim for the tract of land called "Acornitas y Agua Caliente"

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The Attorney General of the United States having given notice in writing, which has been filed, that it is not the intention of the United States to prosecute the appeal from the decree of the United States Board of Land Commissioners heretofore rendered in the above entitled cause and the said decree of the Board of Land Commissioners having been affirmed by this Court it is therefore hereby stipulated by the Attorney for Claimants and the District Attorney on behalf of the United States that the appeal from the decision and decree of this Court be dismissed and vacated and that the said decree be made final and the claimants have leave to proceed thereon as a decree of final Confirmation.

J. D. Asst. Atty.
Horace Sturges
Atty for Claimants

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

Frederick A. McDougall
 Juan Francisco Anzar
 Anatolio Anzar
 Policronio Anzar
 and
 The United States.

June Term 1853
 Docket No 102
 Transcript No 20.
 Claim for the tract
 of Land Called
 "Acuñitas of
 Agua Caliente."

102 SD

PAGE " 61

The Attorney General of the United States, having given notice in writing, which has been filed, that it is not the intention of the said United States to prosecute the appeal from the decree of the United States Board of Land Commissioners heretofore rendered in the above entitled Cause, and the said decree of the Board of Land Commissioners having been affirmed by this Court; therefore the claimants by their Attorney and the District Attorney on behalf of the United States consenting thereto by stipulation filed, it is by the Court now heretofore ordered that the appeal from the decree of this Court be and the same is hereby vacated and dismissed; that said decree of this Court be and the same is hereby made final, and that the above named claimants have leave to proceed thereon as a decree of final Confirmation. Thus ordered in open Court the 14th June 1853

Charles Ogden
 U.S. District Judge

Docket No 102
Transcript No 20
U.S. Dist Court
Southern Dist

—
F.A. Mc Dougall
Atal

ads.

The United States
—

Filed this 14th day of June
A.D. 1858
C. Lewis clerk
J. H. Westerman
Dep

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8357

U. S. Sur^g. Gen^l. Office,
San Francisco, Cal, Feb^y 14th 1860.
The United States, } D. C. 102
vs. } "Armitas, y
F. A. W. Douglass, et al } Agua Caliente"

Sir;

In conformity with an
order dated 23rd January, 1860,
I herewith return the Survey of
Rancho "Las Armitas, y Agua
Caliente". - The portion in yellow,
is in dispute between this Rancho,
and the "Salsipuedes", lately returned
to your Court, and so reported.

Very Respect^{ly},

Yr^o Obed^t Serv^t

J. W. Mansueto

U. S. Sur^g. General.

Hon^{ble}; J. S. K. Ogden,
U. S. Dist^{ct} Judge

No 102

Filed in Office
this the 21st February

1860

C. Sims et al

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In the U. S. District Court for the Southern
Dist of California

The United States

NO 102 SD

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vs Spain

Docket No 102

Transcript No 20.

Frederick A McDougall
Juan Francisco Anzar
Anatolio Anzar and
Policronio Anzar.

claim for the tract of land
called "Arornitas (or Arornas) of
Agua Caliente"

And now comes the above named
claimants by their Attorney and suggest and make
known to the Court that the survey of the lands
finally confirmed to the claimants in this case,
made by the surveyor General of the U.S. for Cal-
ifornia is not in conformity with the final decree
in this cause, and that the said claimants will be
injured thereby, and thereupon the said claimants
move the Court for an order upon the Surveyor Gen-
eral of the United States for California directing
him to return the Survey by him made of the
land confirmed to the said claimants, into
Court for its further action.

Horace James
Attorney for Claimants

In the U.S. District Court for
the Southern Dist of California

The United States

Docket No 102.

Transcript No 20

Frederick A McDougall
Juan Francisco Anzar
Anatolio Anzar and
Policronio Anzar.

claim for the tract of land
called "Armitas (or aromas) of
Agua Caliente".

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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 party applicant on application of
Horace Hawes Attorney for the claimants it is ordered
that the said Surveyor General return to this Court
the plat of said Survey and that the claimants
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.

Thus done and ordered in open Court this
day of _____ A.D. 1860.

U. S. Dist Court

¹⁰²
The United States

vs

Fred A. McDougall
Juan Francisco Auzar
Anatolio Auzar &
Policronio Auzar

Motion & order to
return survey

"Las Armitas"

Relief Office

Motion
this 23rd July 1860

C Jones
OR

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U.S. Dist Court - Southern Dist of
California

The United States } Docket N^o 102
F. A. McDougall }
et al. } Manuscript N^o 202
} Claim for the tract
} of land called
} "Las Arboletas y Agua Caliente".

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PAGE 67

The map of survey of the land finally
confirmed in the above entitled case
having been returned into Court for
its further action pursuant to the
order heretofore granted, and both par-
ties having failed to except to the same
within the time limited for that purpose,
~~it is therefore ordered on application of~~
* ~~the plaintiff and map of survey~~ it is therefore ordered on application of
Court for Claimants that said ^{order &} proceeding
for return of survey be dismissed and that
the ^{plat} plat and map of survey returned into this
by the U.S. Surveyor General in this case be re-
moved from the files and returned to the
Surveyor General together with a certified copy of
this order. Thus ordered in open Court this 13th
day of September 1860 -

No 102
U. S. Dist Court
Southern Dist Cal^a

The U. States

vs
H A M ^{vs} Dougall
Dwyer et al

order of Court

Filed this 13th
Sept 1860

C. Jones
clerk

No 102 SD

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U S Dist Court, Southern
Dist of California

The United States *vs* *Don Juan et al*
vs
PA No 20

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Claim for the tract of land called
"Los Arroyos y Agua Caliente"

The map of survey of ^{the} land finally
conformed in the above entitled case
having been returned into Court for
its further action pursuant to the
Order heretofore granted and both
parties having failed to except to
the same within the time limited for
the purpose, It is there ordered
on application of Counsel of Claim-
ant that said Order and proceeding
for return of survey be dismissed
and that the said Plat and map
of survey returned into this Court
by the US Surveyor General in
this case be removed from
the files and returned to the
Surveyor General together with a
Certified Copy of this Order

This done in open Court this
13th day of Sept-1860

Wm M Oyer
Usstt Sdct
J Hest Cole

United States of America }
Southern Dist of California } P

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I Ojims Clerk of the US
Dist Court for the Southern District
of California hereby certify that
the above and foregoing is a true
and correct copy of the original
Order made by said Court on the
13th day of September ad 1860
in the Case No. 102 on the Appear
of said Court wherein F A M^d Aonfau
et al are Plaintiffs, Contra The United
States as the same appears of
record on file in my office

In Witness whereof I have
hereunto set my hand and
affixed the Seal of said
Court this 22^d Sept 1860

Ojims Clerk

Ad 102

San Francisco Oct 3 1860
I hereby certify that I have
this day made personal
service of this order on
J W Mansfield U S Attorney
Genl of California by leaving
with a copy of the same
and the Mah herein mentioned

James C Pennington
U S Marshall
by A W Buchanan and Detl
Marshall
Filed this 10th Oct
1860
Marshals fees
for service \$ 2.00
" mileage 30.00

In the U.S. District Court for the Southern
Dist. of California.

The United States

Docket No 102

~~vs~~ vs

Frederick A. McDougall

Transcript No 20

Juan Francisco Anzar

Anatolio Anzar and

Policronio Anzar.

Claim for the tract of land called
"Arornitas (or aromas) y agua
caliente."

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 party applicant,
on application of Horace Hayes attorney for the claimants it is ordered that
the said Surveyor General return to this Court the plat of said survey and
that the claimants 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

Thus done and ordered in open court
this day of A.D. 1860.

this
United State of America
Southern District of California p. 3

I
Clerk of the District Court of the United States for the Southern District of
California do certify the foregoing to be a true copy of an order of said
Court duly entered in the above entitled cause as the same appears
of record. I Testimony whereof I have here=
unto set my hand and the seal of said Court
at Los Angeles this
day of A.D. 1860

W. S. Dist Court

No 102

The United States.

vs.

F. A. McDougall

Juan Francisco Anzar

Policronio Anzar and

Anatolio Anzar. —

Copy Order

To return survey
of Aronitas y agua de ab-
cente. —

Filed in Office

the 23rd Jan'y 1862

@ Jms

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