

CASE No.

40

SOUTHERN DISTRICT

ARROYA SECO GRANT

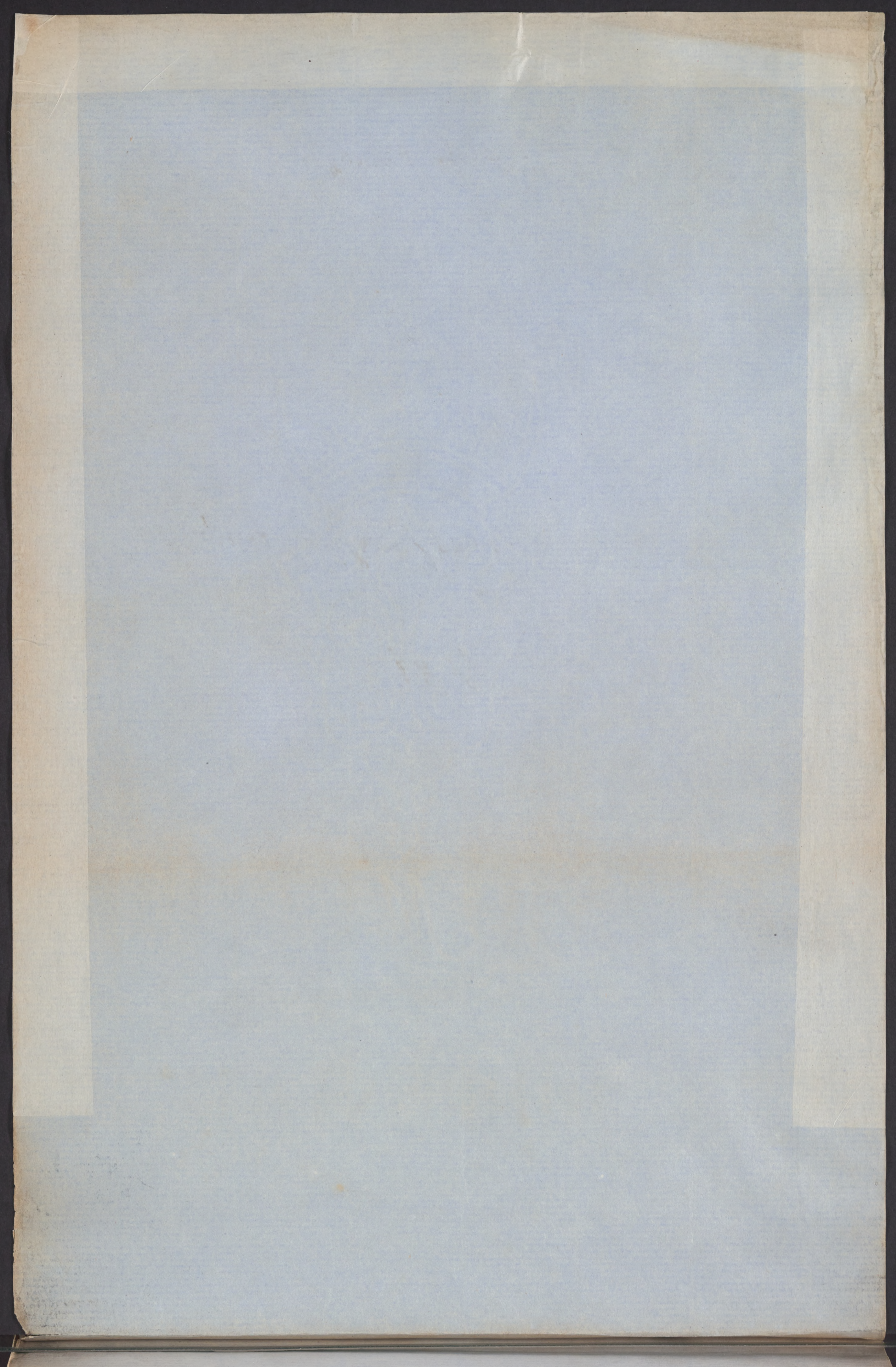
JOAQUIN DE LA TORRE
CLAIMANT

FEB 14 1963

1963
S2M COLTON LIVES
BROKER BOND
Baltimore



186



TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. 186

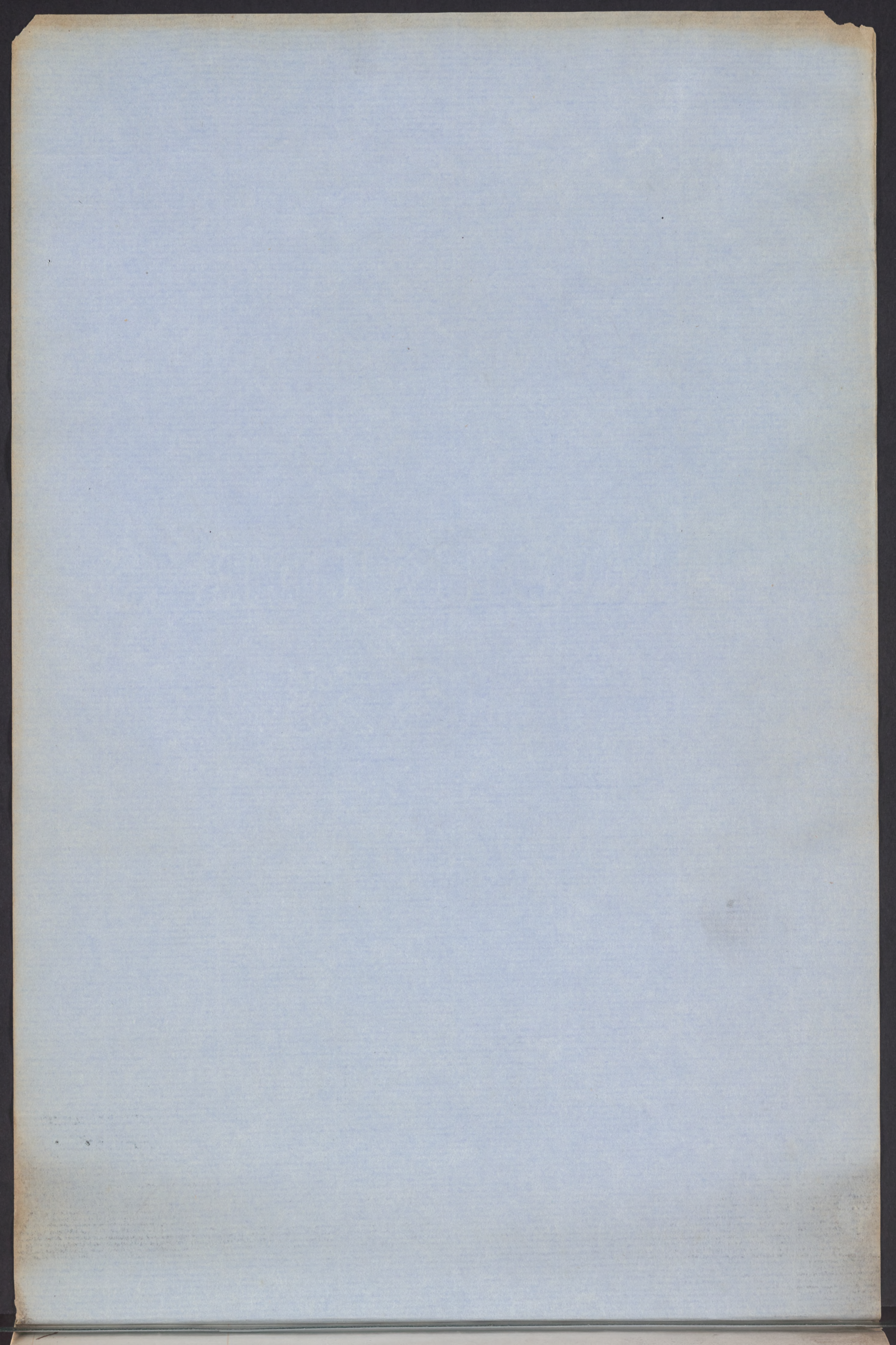
Joaquin de la Torre CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Arroyo Seco."



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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PAGE 2

Be it Remembered, that on this *twentieth day of April*, 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 *Joaquin de la Torre* for the Place named "*Arroyo Seco*" was presented, and ordered to be filed and docketed with No. *186* 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 28th 1852.
In Case No. *186* *Joaquin de la Torre* for the place named "*Arroyo Seco*" the deposition of *Jose Abrego*, a witness in behalf of the claimant, taken before Commissioner *Henry J. Thornton* with document marked *H. J. T. No. 1* annexed thereto was filed;
(Vide page *5* of this Transcript.)

San Francisco March 23rd 1853.
In the same Case the deposition of *Jose Abrego* a witness in behalf of the claimant, taken before Commissioner *Richard Hall*, was filed;
(Vide page *6* of this Transcript.)

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San Francisco Aug. 9th 1853.

On motion of the said Agent Case no. 186
was ordered to be placed on the Trial docket.

Case no. 186, called; The Counsel for the
Claimant read the Evidence, argued, sub-
mitted and taken under advisement.

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San Francisco Nov. 22nd 1853.

In the same case Commissioner Alpheus
Fitch delivered the opinion of the Board
respecting the claim;

(See page 27 of this Transcript)

Original

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PAGE 4

Petition

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

The Petition of Joaquin de La Torre respectfully sheweth, that on the 9th of December 1840 he made and presented his petition in writing to Don Castro, then Governor of the Province of California, soliciting for himself the grant of a piece of land, known under the name of Arroyo Seco, a definite description of which will be given hereafter.

That on the 28th of December 1840 said Castro referred said petition to the person in charge of the Mission de la Soledad, in order to obtain his report thereon.

That the same reported, that said land was Mission land, but was waste and unoccupied, and that there was no obstacle to prevent a grant of the same to your petitioner.

That said Governor in consideration of the premises on the 30th of December 1840, by a decree issued by him to your petitioner, declared the same to be the lawful owner of said land and directed the proper documents to be executed to him.

That such was done, and formal grant, under the signature of Governor Alvarado, issued on the same day, viz., on the 30th of Dec 1840.

That your petitioner applied to the respective Magistrate to give judicial possession of said land, and that such was done with all the formalities of the law on the 4th of December 1843.

And your Petitioner further saith, that the petition, reference, report, the Decree

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and a duly certified copy of the grant and original map of the premises are on file in the Archives of California now in the possession of the U.S. Surveyor General for the State of California, and that duly certified copies and translations of the same are herewith submitted and prayed to be made a part of this petition.

That the original Grant, Map, and the documents of judicial possession are in possession of your petitioner and ready to be offered in evidence whenever required to do so.

That said Land is situated in the County of Monterey, near the Mission de Soledad, is known under the name of "Arroyo Seco" contains four square leagues more or less and is bounded as follows:

On the North & North-West by the River called Rio Grande. On the West by the mountains called "Sierra Grande", and by the "Arroyo Seco". On South and South-West by the Mesa Grande de San Vicente.

300

And your Petitioner further saith that he has since that time been in quiet and undisputed possession of said Land and always exercised full and unlimited ownership over the same, and is not aware of the existence of any title conflicting with and superior to his own.

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

Co. Carl Taylor & Beckh
Attorneys for Petitioner

Filed in Office April 20th 1852. Geo. Fisher
Secy

Span Doc follows

Deposition of
Jose Abrego

San Francisco Dec 28th 1852
On this day before Comr. Henry J. Thornton,
came Jose Abrego, a witness in behalf of
the Claimant Joaquin de La Torre, petition
No. 186, and was duly sworn, his evidence
being interpreted by the Secretary.

The U.S. Associate Land Agent was present

Questions by Claimant

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

Answer. My name is Jose Abrego, my
age 40 years, and my residence California

Quest 2nd. Look at the Document now
shown you, purporting to be an original grant
from Juan B. Alvarado to Joaquin de
La Torre, of the land named "Arroyo Seco,"
dated Monterey 30th December, 1840 by
the original marked Exhibit No 1 and herewith
filed as a part of this deposition.

State if you are acquainted with the hand
writing of Juan B. Alvarado and Manuel
Jimenez, and if so whether the signatures
attached to said original document are the
genuine signatures of said persons.

Answer. I am well acquainted with
the hand writing of Juan B. Alvarado
and Manuel Jimenez, having often seen
them write. Their signatures to the doc-
ument shown me are genuine. I am also
acquainted with the signatures of Gonzales
& Francisco Rico upon the said Exhibit
which are also genuine.

Jose Abrego.

U.S. Land Agent Present.

Sworn to and subscribed before me
this 28th of Decr 1852.

Henry D. Thornton
Comm

Filed in Office Dec^r 28th 1852.
Geo. Fisher Secy

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Deposition
of Jose Abrego

San Francisco, March 23^d 1853.
On this day before Com^r. Neiland Keall, came
Jose Abrego, a witness in behalf of the
Claimant, Joaquin de la Torre, Petition
No. 186, and was duly sworn, his
evidence being interpreted by the Secy.
The W.S. Associate Land Agent was present.

Questions by Claimant

Q-1st. What is your name, age, place
of residence?

Answer. My name is Jose Abrego, my age
is 40 years and I reside in Montebay.

Question 2nd. Are you acquainted with
the land petitioned for by Joaquin de la
Torre, if so state what you know in
regard to its possession and occupancy

Answer. I have known said land for
ten years, during all that time it has
been in the possession of the petitioner
who held it through Esteban de la Torre,
brother of the Petitioner, said Esteban de
la Torre improved and used it for and
on account of said Joaquin de la Torre.

Jose Abrego
sworn to and subscribed

Before me.

Neiland Keall Com^r

Filed in Office March 23^d 1853. Geo. Fisher
Secy

Span doc follows

1 S. D. K.

Jurisdiccion de }
Monterey }

Año de 1840

40 SD
PAGE 8

Espediente
B.

Espediente

promovido por el Alferoz D. Joaquin
de la Torre, en solicitud del terreno
que se expresa

1840

302

8

2 S. D. K

Dello Cuarto una Cuartilla
 Habilitado provisionalmente por la Aduana marítima
 del puerto de Monterrey, en el Departamento de los
 Estados Unidos, para los años de mil ochocientos
 cuarenta y mil ochocientos cuarenta y uno.
 Alvarado. Antonio Maria Neco

40 SD
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Ad.
 marit.
 de
 monty

Don Perfecto del N.º distrito

Expediente
 B.

Don Juan B. ta.
 28 de Diciembre de 1840
 Para este exped.^{te}
 al encargado del
 establecim.^{to} de la
 Soledad para que
 informe sobre el
 contenido, y vuelva
 para proveer
 Castro

Don Joaquin de la Torre
 Alferes de la Milicia activa
 y agregado a la Comp.^a surma-
 rante de Monterrey ante
 V. S. como mas halla
 lugar y el derecho oportuno,
 se presenta y dice, que teniendo
 necesidad de un sitio en que
 poner un corto numero de
 ganado mayor y caballar
 y dedicarse al cultivo de la
 labor, solicita el terreno
 conocido con el nombre de

Arroyo Seco. Dho sitio se comprende desde la
 primera subida de la mesa asta el arroyo del dedo
 como lo demuestra el diseño q. debidamente acompaño,
 por tanto

A. V. S. rendidamente suplico provea
 lo q.ª jusque conveniente en favor del q.ª solicita
 si hari la hayare en justicia.

Monterrey 9 de Dic.^{re} de 1840
 Joaquin de la Torre

3 S. D. K.

En vista del Superior decreto de V. S. fecha
 28 de Diciembre de 1840 para que informe en esta
 instancia, el terreno de que se hace mencion se
 halla valdío, solo ocupa en su inmediacion
 dicho terreno hacia a la parte del Sur una
 viña, contra la misma Sierra, perteneciente

ma, comarca, marmasura, pancha...
a dicho establecim^{to}.
Pueblo de S. Juan de Castro 27 de
Diciembre 1840
Bisente Cantua

San =

mapa no 1

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S. J. K.

[Delo Cuarto una Cuartilla
 Habilitado provisionalmente 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 Antonio Maria Osio]

40 SD
 PAGE 11

Adm.
 marit.
 de
 Monty

= Juan de Castro Diciembre 30 de 1840

Dirijan este expediente al Excmo. Sr.
 Gob. de este Departam^{to}. ante quien por via de
 informe espongo que el terreno a que se contrae
 esta solicitud se halla valdico, y bien puede
 serle Concedido en propiedad a la parte que le representa.
 Juan de Castro

Monterey 30 de Dhe de 1840

Vista la peticion con que da principio
 este exped^{te}, los informes que preceden, con todo lo
 demas que se tubo presente y ver combino, de con-
 formidad con las leyes y reglam^{to} de la materia
 declaro a D. Joaquin de la Torre dueño del terreno
 nombrado el Arroyo Seco, colindante con el rancho
 de Carlos Espinosa por la mesada San Vicente, con
 el Arroyo del Dedo, con la punta del rio grande,
 con el paraje de los Cochis, con la Mesagrande de la
 Soledad, y con la Sierra grande. Libue el
 Corresp. despacho, tomue rraun en el libro respectivo
 y dirijan este exped^{te} a la Excmo. Junta Departamen-
 tal p. su aprobacion. El Excmo. Sr. Gob.
 asi lo decreto, mando y firmo

lenta
 grupo
 el

117

J. S. D. K.

40 SD
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*They crossed
in the original*

El lindero de la Mude San Vicente debe correr hasta
 el río Seco, Monterey y de este hasta la punta del arroyo
 Sierragrande y de este por todo San Vicente debe correr hasta la
 Sierragrande y de este por todo San Vicente hasta la punta del

*They crossed
in the original*

Con Carlos Sep. p. la mude de S. V. y arroyo
 del dedo con la punta del río grande y esta con el
 río grande y con la mude grande del arroyo
 Seco, con la Sierragrande, y con el arroyo del dedo

Con Carlos Sep. p. la mude de S. Vicente
 y arroyo del Dedo, con la punta del río grande
 y con el paraje de los Cochinos con la mude grande
 de la Soledad, con la Sierragrande
 D. 30 Sep 4 Sit. f 8
 Res f 8

Office of the Surveyor General of the

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United States for California

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

In testimony whereof I have hereunto signed my name officially, and affixed my private seal (not having a seal of office) at the City of San Francisco, Cal., this 3^d day of April 1852

Sam^l King
Surv^r Gen^l Cal.

Filed in office April 20th 1852
Geo: Fisher
Sec

Record of Proceedings
at the instance of the Ensign Don Joaquin
de la Torre, who solicits the Grant of Lands
therein expressed.

"C"

Translation

40 SD

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Seal

San Juan Bautista
Dec: the 28th 1840.

Let this Records
of Proceedings
pass to the party
in charge of the
Establishment
"de la Soledad"
in order that he
report on its con-
sents, and let
it be sent back
for determination

(Signed) Castro

300

To the Hon. the Prefect of the first
District.

Jose Joaquin de la Torre, ensign
in the Militia in active service, and
attached to the permanent Company
of Monterey, appears and says before
Your Honor according to the best
forms in right, that having need
of a site whereon to station a limited
number of black cattle and horses
and to devote himself to the pursuits
of husbandry, he asks for the tract
of land known under the name of
"Arroyo Seco"; said site is comprised
from the first ascent of the Table
Land up to the arroyo del dedo; as
it appears from the accompanying
sketch.

Therefore he entreats your Honor
submissively to determine what you
may judge convenient in favor of
the petitioner, if you should find it to be just.

Monterey December 9th 1840

(Signed) Joaquin de la Torre

In consequence of your Honor's Superior Decree
dated December the 28th 1840, in order that I report

on this instance. The tract of land under consideration is vacant; only a vineyard is located on said Tract of Land in its immediate vicinity towards the southern part, against the "Sierra" itself, and belonging to said Establishment.

Pueblo de San Juan de Castro,

(Signed) Vicente Cantua.

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Deal San Juan de Castro, December 30th 1840
Let this record of proceedings be referred to his excellency the Governor of this Department unto whom I manifest, by way of report, that the tract of land to which the petition refers is vacant and it may well be granted to the party who claims it.

(Signed) José D. Castro.

Monterey, November 31th 1840.

280 After seeing the petition at the head of this Record of Proceedings, the proceeding report and whatever else it was thought convenient to attend to, in conformity with the laws and regulations on the matter I declare Don Joaquin de la Torre the owner of the Tract of Land called "El arroyo seco" bordering on the Rancho of Carlos Espinosa, at the point of the Rio Grande, on the location "de los Cochinos", on the great table land "de la Soledad", and on the great "Sierra". Let the corresponding patent be issued, let it be entered in the respective books, and let this Record of Proceedings be referred to the Excellent Departmental Junta for approval. His Excellency the Governor thus did order, decree and sign.

The boundary of the table land of Saint Vicente

B-

ought to run up to the "Rio Grande", and from
this all along its margin up to the junction (junta)
of the Arroyo Seco".

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On Carlos Espinosa at or along (por) the Table
land of San Vicente and the rivulet "del dedo" on
the conjunction of the "Rio Grande" and on the
Location "de las cochas", on the great Tableland
"de la Soledad", on the great Sierra.

Hees, on the 30th December, 4 Litras # 8.

Reedo # 8.

100

E. G. R. P.

Filed in Office April 30th 1883

Gen. Fisher S. J.

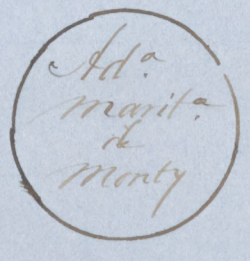
Specimen follows

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Sello 1.º Seis pesos

Habilitado provisoriamente por la Aduana marítima de Monterrey para los años de 1839 y 1840
Avarado Antonio m.º Osio

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Doc. No. 1. annexed
to deposition of José
Albrego, taken before
Commissioner Henry
J. Thornton



Juan B. Avarado, Gobernador
/ interino / del Departamento de las Californias

Por cuanto el C. Joaquín de la Torre,
ha pretendido para su beneficio personal, el terreno
conocido con el nombre de Arroyo Seco, colindante con
el rancho del C. Carlos Espinoza, con el Arroyo del
Dedo y mesa de S. Vicente: colindante con la junta
del Río grande, y con el paraje de los Cochis, con
la mesa grande de la Soledad y la Sierra grande:
practicadas previamente las diligencias y averiguaciones
consernientes, según lo dispuesto por leyes y reglam.^{tos};
usando de las facultades que me son conferidas, a nombre
de la Nación Mexicana, he venido en decretar
el terreno mencionado; declarándole la propiedad
de él por las presentes letras, sujetándole a la aprobación
de la Junta Junta Departamental y a las condiciones
siguientes.

- 1.ª Podrá ser usado sin perjudicar las travasias,
Caminos y Serridumbres; lo disfrutara libre y exclusivamente
destinándolo al uso o cultivo que mas le acomode
pero dentro de un año fabricara casa y estara habitada.
- 2.ª Solicitara del Plaz respectivo que le dé
posesion juridica, en virtud de este despacho, para el cual
se demarcaran los linderos, en cuyos limites pondra
las mojeras correspondientes.
- 3.ª El terreno de que se hace mencion es
de cuatro sitios de ganado mayor, segun explica el
diceno que corre agregado en el expediente respectivo.
El Plaz que diere la posesion lo hara medir conforme
a ordenanza, quedando el sobrante que resulte a la
Nacion para los usos convenientes.
- 4.ª Si contraviniere a estas condiciones
perdara su derecho al terreno y sera denunciado por otro.
En consecuencia mando que teniendose por

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firma y Validos este titulo se toma razon de el en el
libro a que corresponde, y se entregue al interesado
para su resguardo y demas fines. Dado en Monte-
rrey a Treinta de Dhe de mil ocho cientos, Cuarenta

Juan B. Alvarado

Man^{te} Jimeno

Srio

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Queda tomada razon de este despacho en el
libro de asientos sobre adjudicaciones de terrenos a
foja 8

Jimeno

Nota

El lindero de la casa de S. Vicente
debe correr hasta el rio grande, y de este p.^o toda su
margin hasta la punta del arroyo seco.

Alvarado

Man^{te} Jimeno

Srio

Queda el derecho de mi propiedad hami
ermano Esteban de la Torre, siendo testigos
Coag.^o de la Torre
Juan Nicobar Fran.^{co} Araiza

map
no 2

Doc. no. 1. e.

Continued

40 SD

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El infrascrito Secretario del Gobierno Departamental
Certifico: que el diseño que se demuestra a la
bulla es igual al original que existe agregado
en el expediente respectivo perteneciente a D. Joaquín
de la Torre.

Montreay treinta de Diciembre de mil
ochocientos cuarenta.

Man. Jimeno

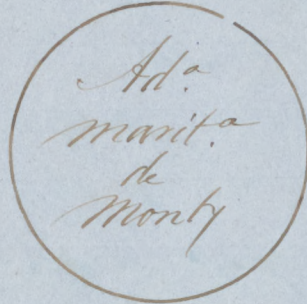
Nota.

El presidente certificado esta entendido
en papel comun por no haber del que corresponde
Jimeno

Dello Cuarto Dos reales

Habilitado provisionalmente por la Aduana maritima
del puerto de Montreay, en el Departamento de las
Californias, para el año de mil ochocientos cuarenta
y tres.

Micheltorona Man. Castañeros



Por Juez de Paz y del 1.ª instancia

El C. literando la Torre pecino
de este lugar ante la justificación
de V.S. como mas haya lugar en derecho digo: q.
perteneciendome en propiedad como tengo manifestado
al juzgado del cargo de V.S. el terreno conocido
con el nombre de Arroyo Seco; Solicito la posesion
juridica conforme al título y diseño que acompaño
Por tanto

A V.S. Suplico se sirva darme la posesion q.
pido jurando no ser de malicia y lo necesario

Montreay Noy. 20 de 1843
literando la Torre

Dello Tercero Un peso

Habilitado provisionalmente por la Aduana maritima
del puerto de Montreay en el Departamento de las
Californias, para el año de mil ochocientos
cuarenta y tres

Nicheltorna

Pablo de la Guerra

Doc. no. 1. continuada.

Ad.
mand.
de
Monty

Monterrey 4 de Dbre de 1843

40 SD
PAGE 20

Por presentado y admitido; por mediar
por mi el presente Jure de Paz y de primera instancia
a la medición y señalamiento de linderos y posesión
judicial q. solicita el interesado en esta instancia
señalando p.ª ejecutarlo el día 4 de Dhe del presente
año, por no haber habido lugar antes; p.ª lo q. se
sitara con bolita de comparando los Colindantes
Así yo Jure de Paz Constitucional lo decreté, mandé
y firmé con los de asistencia

as.
Don m.ª Gutierrez
Teodoro Gonzalez
as.
Fran.º Rico

En la fha presente el C. Estevan de la
Torre se le notificó el auto q.ª antecede y entendido
dijo lo oye y q.ª se da p.ª sitado, firmando conmigo
y los de asistencia

as.
Don m.ª Gutierrez
Teodoro Gonzalez
as.
Fran.º Rico
Estevan de la Torre

En la misma fha se libraron las bolitas
q.ª se manda en el auto antecede y para constancia
lo rubrico por auto con los de asistencia

as.
Fran.º Rico
Don m.ª Gutierrez
as.

Rancho del Arroyo seco Dhe 4 de 1843
Presentes los Colindantes D. Carlos Espinosa y Sr.
Feliciano Sobranes, nombre por medidores a los C. C.
Polinario Gomez y Sergio Gonzalez, p.ª las mediciones
y señalamiento de linderos y posesión de C. Esteban
de la Torre, quienes previa la aspiración y juramento
procederan al desempeño de su encargo. Así yo
el Jure de Paz Constitucional lo mandé y firmé
con los de asistencia.

Teodoro Gonzalez

Don m.ª Gutierrez

Doc. No. 1. continuad.

as.
Don MacGutierra

Feliciano Sobreros

as.
Fran^{co} Rico

40 SD
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En la misma fha presente los C. C. Plinario Gomez y Sergio Gonzalez se les notifico el auto de su nombramiento y entendidos dijeron que oyeron y aceptan dicha comision, jurando por Dios y por la Cruz de la Señal de la Cruz desempeñarla fiel y legalmente acusador y entender, y no firmaron q^o no saber hacerlo, yo con los de asistencia

as.
Don MacGutierra
as.
Tedoro Gonzalez
as.
Fran^{co} Rico

Procurrente yo el expresado Don MacGutierra mande traer el Cordel con q^o se habia de medir las tierras y los expresados medidores lo tomaron, y ante mi con una vara de medir usual Mexicana midieron un Cordel de cincuenta varas p^a hacer la medida y lo firmo con los de asistencia de q^o doy fe

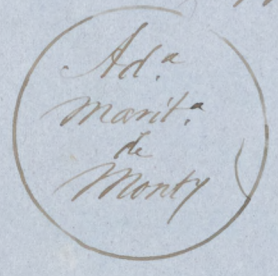
as.
Don MacGutierra
as.
Tedoro Gonzalez
as.
Fran^{co} Rico

Sello Cuarto dos reales

Habilitado provisionalmente por la Aduana maritima del puerto de Monterey en el Departamento de las Californias para el año de mil ochocientos cuarenta y tres

Micheltorona

Pablo delaguena



En el mismo paraje, dia, mes y año siendo las nueve de la mañana

yo el presente Don MacGutierra mande a los medidores nombrados se dispusieron para la medicion de tierras q^o se le habia de hacer al C. Esteban de la Torre y puertos en el Arroyo del Pedro / lindero de Carlos Espinosa / V. V. p^a Suduete, midieron asta el rio, con 450 Cordeles de a cincuenta varas de largo, y desde el lindero de Carlos Espinosa hasta

EXRE

la Boca de la Cañada de la Viña se midieron ciento cincuenta Cordiles de a cincuenta varas, en cuyas mediciones mande se formaran las moheruras correspondientes q. señalan los linderos q. se pertenecen. El terreno medido corresponde a cuatro sitios de ganado mayor, y lo firmaron con mi go los Colindantes y los de asistencia

as.^a Teodoro Gonzalez
Don ma Gutierrez Feliciano Sobrany
as.^a Por el interesado Colindante
Fran^{co} Rico Carlos Espinosa
Manuel Castro

En el rancho nombrado Amayo de co jurisdiccion de la Soledad, el dia 14 de Dhe de 1843 yo Jefe de Paz Constitucional y su jurisdiccion, despues de practicada, las medidas del mencionado rancho, por lo q. resulta cuatro sitios de ganado mayor y presenty los Colindantes Carlos Espinosa y Feliciano Sobrany, siendo estos conformes con los demas de auto, mas de q. entrace en posesion del mencionado rancho el C. Esteban de la Torre, bajo las medidas sitadas y formalizada acostumbrada en este caso, lo q. verifiqu inmediatamente arrancando yerbas y haciendo demostraciones como daino del terreno de q. se a dado juridica posesion, culla validacion la autorizo firmando los Colindantes e interesado con los de asistencia

as.^a Teodoro Gonzalez
Don ma Gutierrez Feliciano Sobrany
E. de la Torre Por Carlos Espinosa
Manuel Castro
as.^a Fran^{co} Rico

Tomare nota en el libro de posesiones y de buelbare este expediente original al interesado por los fines q. mas le convengan. Asi yo el Jefe de Paz Constitucional Sr. Teodoro Gonzalez, lo decreté mande y firmé con los de asistencia

22 N^o 100

asa Teodoro Gonzalez Ma.
Jose maguieros Fran^{co} Rico

En la misma p^{ha} se tomo razon a foja
veinte y una del libro respectivo, y se le debolvió
este expediente al Sr. Leteban de la Torre y p.^a
Su Comtancia lo firmo con los de asistencia
Teodoro Gonzalez

40 SD
PAGE 23

asa Ma.
Jose maguieros Fran^{co} Rico

Exhibit n^o 1 to deposition of Jose Abrego
in n^o 186

Fila in offic Dec: 28th 1852
Geo: Fittur
Sec

(Stamp)

Juan B. Alvarado, Governor ad interim of the Department of both Californias:

Whereas the Citizen Joaquin de la Torre has solicited for his personal benefit, the tract of land known by the name of Arroyo Seco (dry creek) bordering on the Rancho of the Citizen Carlos Espinosa, on the Arroyo del dedo, and plains of S. Vicente, on the junction of the Rio grande with the place called las Cochis (the coaches) on the large plains of the Soledad, and La Sierra Grande: after having previously taken the necessary action and made the necessary investigations, according to the requirements of the laws and regulations; in exercise of the powers vested in me, in the name of the Mexican Nation, I have determined to grant him

the mentioned tract of land declaring it his property by these present Letters Patent, subject to the approbation of the Excellent Departmental Assembly and to the following conditions:

1st He may fence it, without prejudice to the crossings, roads and servitudes, he shall enjoy it freely and exclusively, appropriating it to the use or culture that may best suit him, but within one year he shall build a house to be inhabited.

2nd He shall solicit the respective judge that he give him juridical possession, in virtue of this document, who is to mark the boundaries, on whose extremities he is to put up corresponding land marks.

3. The mentioned tract of land is four square leagues (sitios de ganado mayor) as is exhibited in the sketch that accompanies the respective Record of proceedings.

4th Should he violate these conditions, he shall lose his right to the land and it

40 SD

PAGE 24

Translation of
Original Grant
and Juridical
Possession.

being

"Doc No. 1. annexed
to the copy of the
Alcayde."

300

may be denounced by any other party.
 Consequently I order that this title deed
 being held as firm and valid, the same be
 entered in the corresponding book, and delivered
 to the interested party for his security and
 other purposes.

40 SD
 PAGE 25

Given in Monterey 30th December 1840.

(Signed) Juan B. Alvarado.

(Signed) Manuel Jimenez. Secretary.

This patent has been entered in the book
 of registry for adjudications of lands fol 8.
 (Signed) Jimenez

Noticed

The boundary of the plain of S. Vicente
 ought to run to the Rio Grande, and from
 thence all along its edge to its junction with
 the Arroyo Seco.

(Signed) Alvarado
 Jimenez Secretary.

200

This is to give the right of my property to
 my brother Esteban de la Torre.

(Signed) Joaquin de la Torre

Witnesses

Jose Ariza

Juan Esteban.

(Map)

The Subscribed Secretary of the Departmental Gov-
 ernment certifies: That the sketch exhibited
 on the reverse is a copy of the original that
 accompanies the respective Expediente belonging
 to Don Joaquin de la Torre.

Monterey 30th December 1840.

(Signed) M. Jimenez.

Notice.

The preceding certificate is made on

on common paper, because of not having the proper one.

(Stamp)

To His Honor the Justice of the Peace and of the 1st Instance

40 SD
PAGE 26

The Citizen Esteban de La Torre, a neighbour of this place, before Your Equity and in the most just way, says, that as the land known by the name of the Arroyo secy, belongs to me as my property, as I have proved to the Court of Justice in your charge, I solicit the judicial possession conformable to the title deed and sketch that accompanies it. Therefore I pray V. H. to be pleased to give me the possession I ask, swearing that there is no malice in it and to what else is necessary.

Monterey Nov 20th 1843,
Esteban de La Torre,

280

Monterey 4th December 1843.

I hereby presented and admitted, that the present Justice of the Peace, and of the 1st Instance should proceed to the measurement and assignment of boundaries and judicial possession, which is solicited by the party interested in this instance, I appoint for its execution the 4th day of December of the present year, not having had time before; for which the bordering land owners were cited by a writ of summons.

Thus I, Constitutional Justice of the Peace decreed ordered and signed, with the assistant witnesses.

(Signed) Teodoro Gonzales
Assistants: Jose M. Continues, Ficoo Rico.

On the same day the Citizen Esteban de La Torre was notified of the proceeding decree and made acquainted with it, he said he had

heard it and that he admitted summons,
 signing with me and my assistants,
 (Signed) Teodoro Gonzales
 Assistant José M. Gutierrez Fico, Rico
 Esteban Torre.

40 SD

PAGE 27

On the same day was served the summons
 ordered in the preceding decree, in witness
 whereof I sign by my flourish, with the
 assistants.
 (Flourish) José Gutierrez, Fico Rico,

Pancho of Arroyo Dec 4th of December 1843.
 The bordering land owners, Don Carlos Espinosa
 and Don Feliciano Serberanis being present,
 I appointed as measurers the citizens Sol-
 manig Gomez and Sergio Gonzalez for the
 measurement and assignment of boundaries and
 possession of the land of the citizen Esteban de
 la Torre, who anticipated the acceptance
 and oath, that they may proceed to the
 fulfillment of their office. Thus did I
 the Constitutional Justice of the Peace order
 and sign it with the assistants.

280

(Signed) Teodoro Gonzales,
 Assistant José Gutierrez Feliciano Serberanis
 Fico Rico,

On the same day the citizen Solmanig Gomez
 and Sergio Gonzalez being present, I notified
 them of the decree of their nomination and
 made aware of it, they said that they ac-
 cept said Commission, swearing by God
 our Lord and the sign of the Cross, to fulfil
 it faithfully and lawfully to the best of
 their ability and understanding, and
 they did not sign because they could not
 do it; I did so with the assistants,
 (Signed) Teodoro Gonzales, José de la. Gutierrez, Fico Rico,

40 SD
PAGE 28

Immediately after I the said Judge ordered to be brought the line, with which they had to measure the lands, and the said measurers took it, and with a usual Mexican Vara measure, before me measured a line of fifty varas, to be used for the mensuration, and I signed it with the assistants, of which I give testimony;

(Signed) Teodoro Gonzales,
Assistants Jose de la Cruz. Fico Rico

(Stamp)

In the same place, day, month and year, at 9 o'clock in the morning, I, the present Constitutional Justice of the Peace, ordered the nominated measurers that they should proceed to the mensuration they had to make of the lands of the Citizen Esteban de la Torre, and beginning at the Arroyo del dedo (boundary of Carlos Espinosa) from N. N. E. to south west, they measured as far as to the river with 450 lines of fifty varas length, and from thence and the borders of Carlos Espinosa to the mouth of the Canada de la reina they measured 150 lines of fifty varas, of which mensuration I ordered they would form the corresponding land marks that might mark the boundaries which belongs to it.

The land measured corresponds to four square leagues (sitios de ganado mayor) and the bordering land-owners and assistants signed with me.

(Signed) Teodoro Gonzales
Feliciano Sobemís
Assistants Jose de la Cruz Fico Rico
From the interested bordering land-owners
Carlos Espinosa
Manuel Castro

In the Rancho called Arroyo Seco, Jurisdiction of La Solidaridad. The 4th day of December 1843. I the Constitutional Justice of the Peace, and of the said jurisdiction, after having effected the measurement of said Rancho by which it proves to be four square leagues, (sitios de ganado Mayor) and the bordering land-owners Carlos Espinosa an Feliciano Gobernador being present, this being conformable to the rest of the decree, in order more to enter into possession of the said Rancho, the Citizen Esteban de la Torre, under the measurements understood the formalities customary in this case, which he immediately verified by pulling up roots and making demonstrations as owner of the land, of which he is given judicial possession, the validity of which I authorized, the bordering land-owners and interested party signing with the assistants.

(Signed) Teodoro Gonzales
 Assistants: Jose Gutierrez, Fredo Rico,
 Feliciano Gobernador, Don Carlos Espinosa,
 Manuel Castro, E. de la Torre.

280

Let it be entered in the book of possession and return this original Record of Proceeding to the interested party, for the purposes that may check with him. Thus I the Constitutional Justice of the Peace Teodoro Gonzales decreed ordered and signed it with the assistants.

Teodoro Gonzales
 Assistants: Jose Gutierrez, Fredo Rico

On the same day it was entered on folio 31 in the respective book, and this Record of Proceeding

Filed in office April 20th 1862 was returned to the Citizen Esteban de la Torre, In testimony whereof I sign with the assistants, signed) Teodoro Gonzales
 Assistant: Jose de la Gutierrez, Fredo Rico.

vague and indefinite as to render such a survey necessary to define its limits even if it were not required by the express terms of the grant. The Claimant has introduced as a part of his proof the record of Judicial possession, comprising the grant and other evidence given to the officer who officiated in giving the possession.

The application was made by Esteban de la Torre who alleged in his petition that he had become the owner of the property, and this officer gave him the possession of the land as his property.

The proof of this ownership as exhibited to the officer appears on the record and consists of a document signed by Joaquin de la Torre and two witnesses written on the original grant and conveying his right in the property to his brother Esteban.

The only testimony as to the use made of the premises granted is found in the deposition of Jose Abrego given on the 23rd March 1883. He states that he has known said land for ten years; during all that time it has been in the possession of the Petitioner who held it through Esteban de la Torre, brother of the Petitioner. Said Esteban de la Torre improved and used it for and on account of said Joaquin de la Torre.

The most liberal construction which can be given to this grant could not free the grantee from the obligation if he would be entitled in equity, to hold the land either to cultivate it within a reasonable time after the concession or to build a house upon it to be inhabited as specified in the grant. Occupancy or cultivation are the purposes specified in the Regulations

of 1828 for which grants might be made.
The testimony fell far short of proving a compliance with these conditions,

40 SD
PAGE 32

The witness Abijo (the only one who testified on the subject) did not even know the place until more than two years after the grant. There was no proof that a house was ever built on the place or that any person ever lived on it.

The loose statement of the witness is not sufficient to show that any portion of the land was even cultivated.

The grantee, who is the present claimant, is not shown even to have done any thing with the premises, and although the witness states, that he had possession through his brother Esteban, the record evidence shows that whatever acts of ownership were done by the latter they were on his own claim to the property under a conveyance from his brother.

250

The latter and not the former would seem from this record to be entitled, if any one, to the land. The claimant has clearly failed to give the necessary evidence to sustain his right to a title from government, and his application must be refused.

Claim rejected

Filed in Office Nov 30th 1853.

Geo. Fisher Secy

Decree

Joaquin de La Torre }
vs }
The United States }

In this case on hearing the proofs and allegations, it is adjudged by the Commission that the said claim

23

of the Petitioner is not valid, and his application for a confirmation thereof is therefore denied.

Alpheus Peleh
Thompson Campbell
R. Aug Thompson
Commissioner

40 SD
PAGE 33

Filed in Office Nov 22nd 1883
Case: Fishers
Sec

Office of the Board of Commissioners,

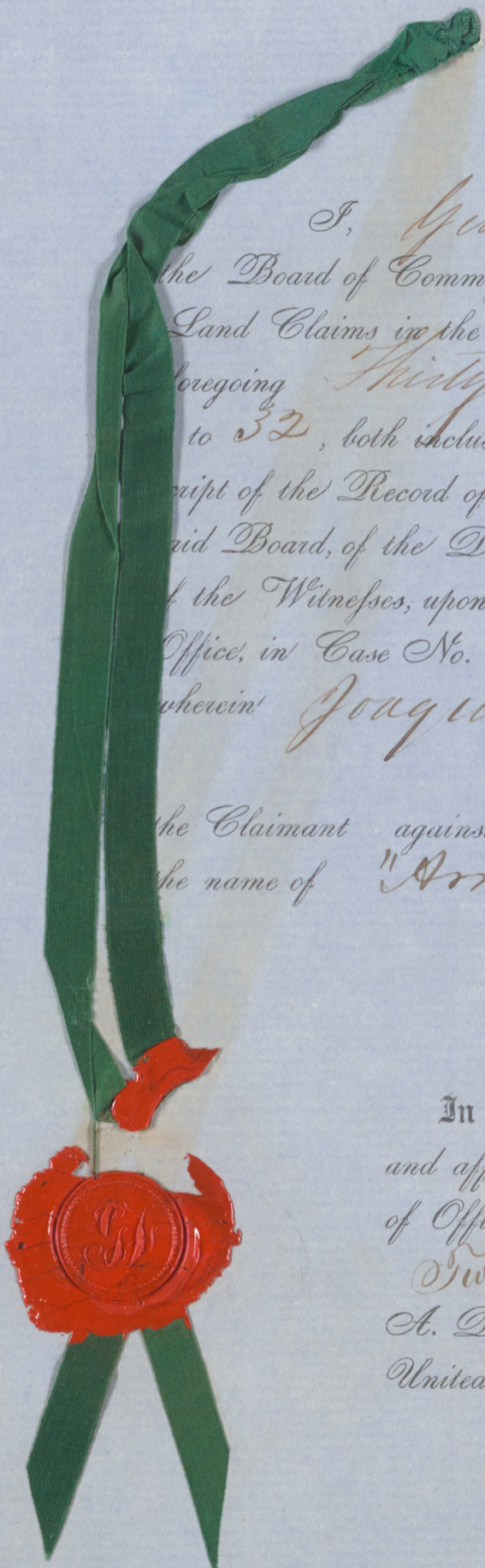
To ascertain and settle the Private Land Claims in the State of California.

I, *George Fisher*, Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Thirty two* pages, numbered from
to *32*, 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. *186* on the Docket of the said Board,
wherein *Joaquín de la Torre* is

the Claimant against the United States, for the place known by
the name of "*Arroyo Seco*."

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 second day of *August*
A. D. *185*, and of the Independence of the
United States of America the seventy=*ninth*.

G. Fisher



40
U. S. DISTRICT COURT,
Southern District of California.

No. ~~3~~ 40. Docket

THE UNITED STATES,

vs. 40
40
40
Poquim de la Torre
For Arroyo Seco
4 Sq. Leases in Monterey Co
appt.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 186

Rec 25 Aug. 1854
Filed 26 Aug. 1854

A. S. Taylor
Sp. Clk.

40



17186

N = 40

Joaquin de la Torre
adv. App ~
United States
Alp Julla

Order to
enter Decree
Nunc pro tunc

Filed Feb 7 19th 1857
C. J. J. J.
clerk

40 SD

PAGE 36

On appeal from the Board of U. S. Land Commissioners.

Case No. 186. } In the Southern
District.

40 SD
PAGE 37

Sir,

Please to take notice,
that the claimant in the above case
will prosecute the appeal therein.

Yours respectfully,
Campbell, Taylor & Beckh
Atty. for claimant

San Francisco,
Dec. 8th, 1854.

To the Clerk of the
U. S. District Court,
Southern District of California.

N^o 40

U. S. District Court
Southern District
of California. —

Case N^o 186. —

Notice of
Appeal from the
Board of U. S.
Land-Commissioners,

Filed Dec. 12. 1854.

C. E. Carr.
clk.

40 SD

PAGE 38

To the Clerk of the United States Court
for the Southern District of California

40 SD
PAGE 39

Notice is hereby given that under the
provisions of law, an appeal will be prosecuted
by the claimant, from the decision made by
the United States' Board of Land Commissioners,
by which the claim upon this tract
designated as No 186, to a tract of lands
(Containing four square leagues, called
"Arroyo Seco" granted by the proper Mexican
Authorities on the 30th of December 1840
to Joaquin de la Torre, was rejected.

Stanly & King
Attorneys for claimant

San Francisco }
May 1855 }

No 40.

Jougnin de la Lona

vs

United States

No 186

for the place

Arroyo Seco

Please file for me
me

Notice of appeal

upon part of

Claimant

Filed June 6th 1853.

J. C. Farr
clerk.

Hugh & King

Attys for Claimant

Docket No. 40-

Joaquin de la Torre

vs

The United States.

Appeal. by Claimant

40 SD

PAGE 41

To the Honorable the Judge of the United States Court for the Southern District of California.

The petition of Joaquin de la Torre a citizen of California respectfully represents-

That under the provisions of the Act of Congress of the 3^d of March 1851, he presented a petition to the Board of Commissioners appointed under said act to examine claims to land in California praying for the confirmation of his claim to the tract of land called "Arroyo Seco" therein described, and situate in the present County of Monterey California, under a grant from Governor Alvarado dated 30 Decem 1840 to your petitioner, and accompanied it by evidence of his title, and to which for more particular description he begs leave to refer.

That his said claim being designated as No 186 in the docket of the said Commission was reported by them on the 22 November 1853; that the said land is situate within the limits of the Southern Judicial District of California; that a transcript of the proceedings and decision of the Commission

12 Dec. 1854

40 SD

PAGE 42

in the case, was filed in the office of the Clerk
of the Court for that District on the 26th of August 1854
and under the date of the ~~26th of August~~ ^{12th of Dec.} 1854, a
notice was filed with the said Clerk that
your petitioners appealed from such decision.

Your petitioners pray for a rehearing of
the case upon this appeal; that the said
decision of the Commissioners may be reversed
and annulled, and that the Court will make
such decree and order, as may be necessary
and proper to recognize, confirm, and declare
valid his title and claim to the premises
mentioned and referred to in his said petition
and evidence of claim.

And your petitioners will ever pray &c

Los Angeles Sept. 22nd /55
San Francisco Cal

Shuly & King
for Claimant -

1855

No. 40 In U. S. Dist. Court
Southern Dist. Cal;
sd.

Joaquin de la Torre }
vs } Appeal
The United States }

"Arroyo Seco"
Mining Co.

Land Claims No 186-

Petition for Review -

Filed Sept 22nd 1855,
C. E. Carr atty
By John W. Hoop
" Dep

Rec'd a copy of the within
petition Sept. 22nd 1855.

P. Orr
s. i. c. a. t. s.

40 SD

PAGE 43

Stanby & King for claimant

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

Hon Isaac S. K. Ogden Judge.

Yaguin de la Torre } N^o: 40.

vs,

(Manuscript N^o: 186.)

The United States.

The answer of Pacificus Ord, Attorney,
of the United States for the Southern District
of California, for and on behalf of the
United States, to the petition for review,
or rehearing, of Yaguin de la Torre, of the
decision of the Board of United States
Land Commissioners, in said Cause; - says:

That he denies all and singular
such and every allegation in said petition
contained. And the Respondent for
further answer denies, generally, the
validity of the alleged title of said
Claimant and petitioner: And prays
that the decision of the said Commission-
ers rejecting said Claim or title of
said ~~Carlos Cayetano Espinoza~~ Yaguin de
la Torre, in said Cause, may be affirmed;
and the title of said Claimant and
petitioner deemed to be invalid. And
general relief.

P. Ord

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

I have served this answer on A Thomas Atty
for Joaquin de la Torre, by delivering to him
personally a true copy of the same at
Los Angeles Dec 27th 1855

Edward Hunter
U S Marshal
per M L Goodman
Deputy

Marshals Cost

Arresting Summons, \$300

N. 40.

Joaquin de la Torre.

vs.

The United States

Answer of the U S Marshal
to the petition for review.

Filed Sept 24th 1855.

L. E. Farr.
Att.

40 SD

PAGE 45

P. M. D. & Atty. G.

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

Joaquin de la Torre } Appeal by Claimant
The United States } No: 186 in the Land
Commission

In this case it being suggested
by Counsel for Claimant that the transcript
of the record from the Land Commission is imperfect
it is ordered by the Court, the District Attorney
being notified and consenting thereto, that
the original transcript be returned to the
office of the Clerk of the Commission, by
the Clerk of this Court, that said transcript
may be amended, and that a perfect copy
of the original documents may be transmitted
to this Court

No 40

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

Joaquin de la Torre } Appeal by Claimant
The United States } No 186 in the Land Com.

In this case it having been
ordered by the Court that the transcript be
returned by the Clerk of this Court ^{to the office of the Land Commission} in order that
the same may be amended it is hereby stipulated
and agreed that no rights of the United
States or of the claimant is to be affected
by said order in any respect.

La Angeles Sept 25th 1855

F. M. ...
Dist. Ct. U.S.

Proby & King for
Claimant.

10/270 (2.95)

No 40. In the Dist. Court
U. S. So. Dis
Cal.

Joaquin de la Torre

vs

The United States
Stipulation.

Filed Sept 26th 1853.

C. C. Carr atty

By John W. Stokely
1000

40 SD

PAGE 49

IN THE DISTRICT COURT OF THE UNITED STATES,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

Los Angeles,.....December Term, 1855.

40 SD
PAGE 50

Benjamin de la Torre

.....
APPELLEE,
VS.
UNITED STATES,
APPELLANT.

} No. *40*,
(No. *186* of Transcript.)
On Appeal from the United States Land Commission.

On motion of P. ORD, Attorney of the United States for the Southern District of California, it is hereby

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 said United States in the above entitled cause, rendered on or about the *5th* day of *March* A. D. 1856.

P. Ord
D. de la Torre

2640

U.S. Dist Court
Southern Dist of California

Joaquín de la Torre
appellee

vs
The United States
appellants

Notice of Appeal J.C.

Filed March 4th, 1850

C. E. Conner clerk

By C. Morgan Deputy

40 SD

PAGE 51

Joaquin de la Torre } N^o 40
Appellee }
ad }
United States } Arroyo Lico
Appellant }

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

Dec Term 1836

In pursuance of a letter from the
Attorney General of the United States
herewith annexed saying that it is not
the intention of the United States to
prosecute an appeal in this case
it is hereby stipulated by and between
the parties that an order of record
be entered in this case vacating
the order of appeal heretofore grant-
ed, and that the Claimant have leave
to proceed under the decree of this
Court heretofore rendered in his favor
as a final decree.

Los Angeles Jan'y
9th 1837

J. V. M. Disbolls

Wancock & Stanley
and King Atty of
Claimant

California Land Claims.

Attorney General's Office

25 September 1851,

40 SD
PAGE 53

Sir:

In the case of the claim of Joaquin de la Torre, confirmed to the claimant by the Commissioners, Case no. one hundred and eighty-six, (186), 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

Clayton

Pacific Ord. Eq.

U. S. Atty for the

Southern Dist. of Cal.

40

Joaquin de la Torre

186

40

Filed this 9th January
A.D. 1857
C. S. S. S. S.
J. M. S. S. S.
S. S. S.

Rec'd Nov 4 1836

40 SD
PAGE 54

Joaquin de la Torre Appellee } N^o 40
United States Appellant }

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

40 SD

PAGE 55

June 1837
Before Hon Isaac S. H. Ogier
Judge

The Attorney General of the United States having given information by letter that it is not his intention to prosecute the appeal heretofore taken to the Supreme Court of the United States in this cause and a stipulation having been entered into by the District Attorney for vacating the order granting the said appeal to the Supreme Court of the United States, and for leave to the claimant to proceed under the decree of this court heretofore rendered in his favor. On Motion of the United States Dist Atty It is ordered adjudged and decreed that the order granting an appeal in this case to the Supreme Court of the United States be and the same is hereby vacated and the claimant have leave to proceed under the decree of this court heretofore rendered in his favor as a final decree.

Isaac S. H. Ogier
U S Dist Judge
for the S Dist of Cal

No 40

Order to dismiss
appeal

Filed July 9th, 1857
Clerk
C.R.

40 SD
PAGE 57

Joaquin de la Torre }
Appellee } N^o 40
ad }
United States Appellant "Arroyo Loco"

In the United States Dist
Court of the Southern Dist of
California
Over Term 1836

In pursuance of ^{in letter} ~~instructions~~
from the Attorney General of the
~~saying that it is for the interest of the United States to promote the appeal in this case,~~
United States herewith annexed
it is hereby stipulated, ^{by & between the parties} ~~and agreed~~
that an order of record be entered
in this case vacating the
order of appeal heretofore granted
and that ^{the} claimant have leave
^{to} proceed under the decree of this
court heretofore rendered in his
favor as a final decree.

Los Angeles Jan 9 1837

P. M.
Dist Atty.
Henry H. H. H. H. H.
for Stanley & King
Attys of Claimant

No 48

Notice to deacons
annual

Filed Jan'y 9th 1834
Opinus
CR

Before the United States Dist.
Court for the Southern District
of California Dec Term 1836

40 SD
PAGE 59

Joaquin de la Torre
Appellant } Docket
vs } No 40
United States Appellee }
Before Hon. Isaac S. K. Ogier
U. S. Dist. Judge

Now comes the Appellant by
his Attorneys Hancock for Messrs
Stanley and King and moves this
Honorable Court that a decree be
entered "Nunc Pro Tunc" it appearing
from the Minutes of this Hon.
Court that the said Appellants
title was confirmed by act of the
December Term of 1833 to wit
on the 5th of March 1836

Henry Hancock
for Messrs Stanley & King
Attys of Appellant

No. 40

Joaquin de la Torre
Appellant
vs
The United States
Appellee

Motion to file
under "Name pro
Tunc"

Filed Feb 19th 1857
Clifford
J. C. C.

In the District Court of the United
States for the Southern Dist. of Cal.

~~Argued~~ ~~Special Term~~
December 1 1835

40 SD
PAGE 61

Joaquin de la Torre Appellant }
ad } Dec No. 40
The United States Appellee }

This cause coming
on to be heard upon an appeal
from the decision of the United
States Land Commissioners, appointed
under the act of Congress approved
on the 3^d of March 1833 for the
purpose of ascertaining and settling
private land claims in the State
of California; upon the Transcript
of the proceedings, decision, papers
and evidence upon which said
decision was founded and in
appraising that the said Trans-
cript was duly filed according
to law, together with the notice
of intention to present the
said appeal; and the Counsel
for the respective parties having
been heard It is ordered adjudged
and decreed that the Decree founded
on the said decision be reversed

40 SD
PAGE 62

and that the ^{title} claim of the said
Joaquin de la Lora Appellant
dated the 30th of December AD 1840, as shown
in this Cause is a good
and valid one, and that
the same is hereby con-
firmed to the ^{land} ~~Branch~~ situated
in the County of Monterey Cal.
Called "Arroyo Lico" containing
four square leagues ^{and no more} of land
as described in the ^{said} Grant and
the ^{map} referred to therein -

Provided that the said
quantity of four square leagues
be contained within the limits
called for in said grant and
map to which it refers, but
if there be a less quantity than
four square leagues, then the
claim of the said Appellant
is hereby confirmed to such
less quantity

James K. Ogden
U.S. Dist. Judge

Sto 40

Erasmus S. Turner
and
W. H. States

Deem

Filed July 19th 1857

Erasmus
S. Turner

40 SD
PAGE 63

Recorded on Page 221