

CASE NO.

42

SOUTHERN DISTRICT

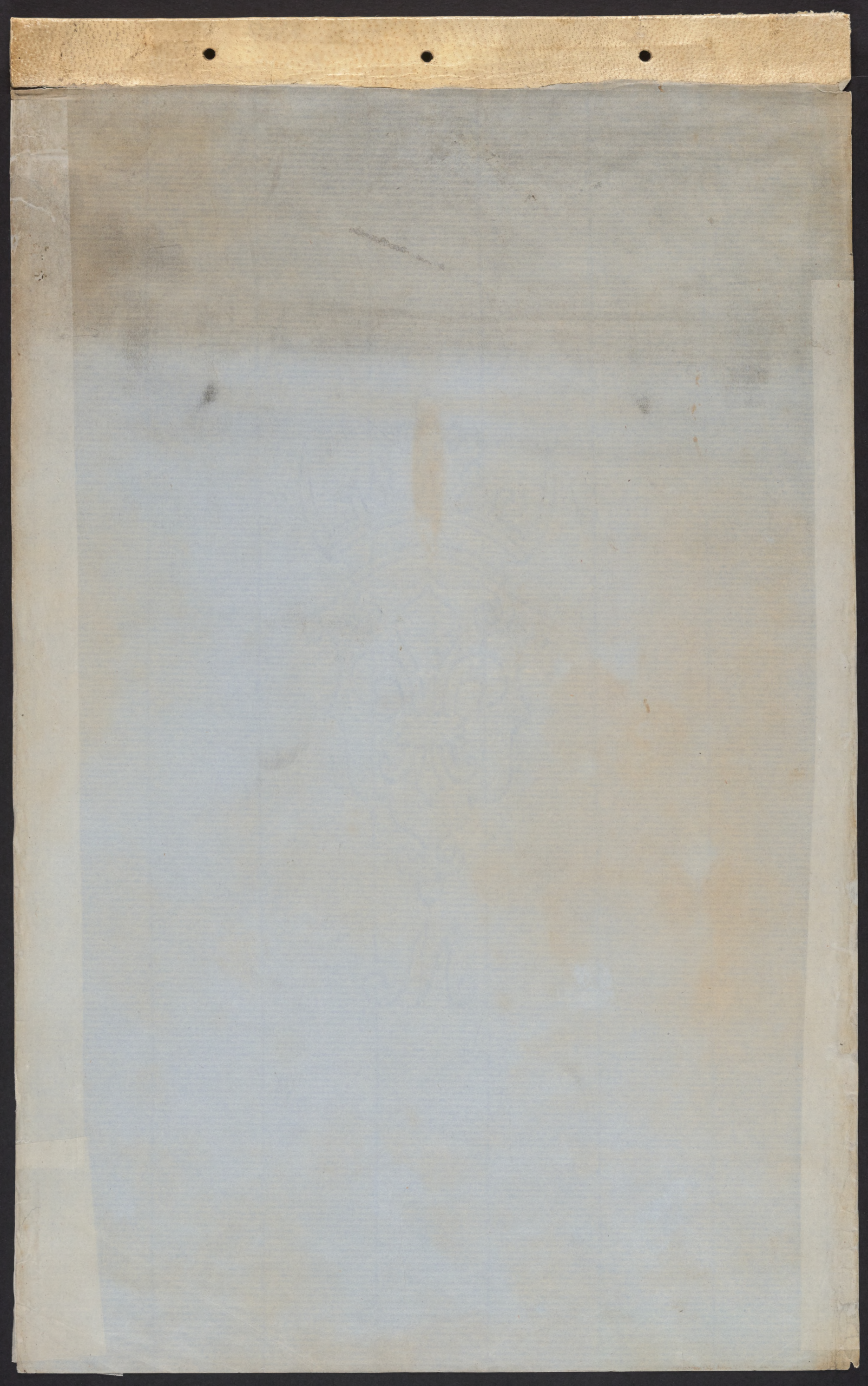
SANTA YSABEL GRANT

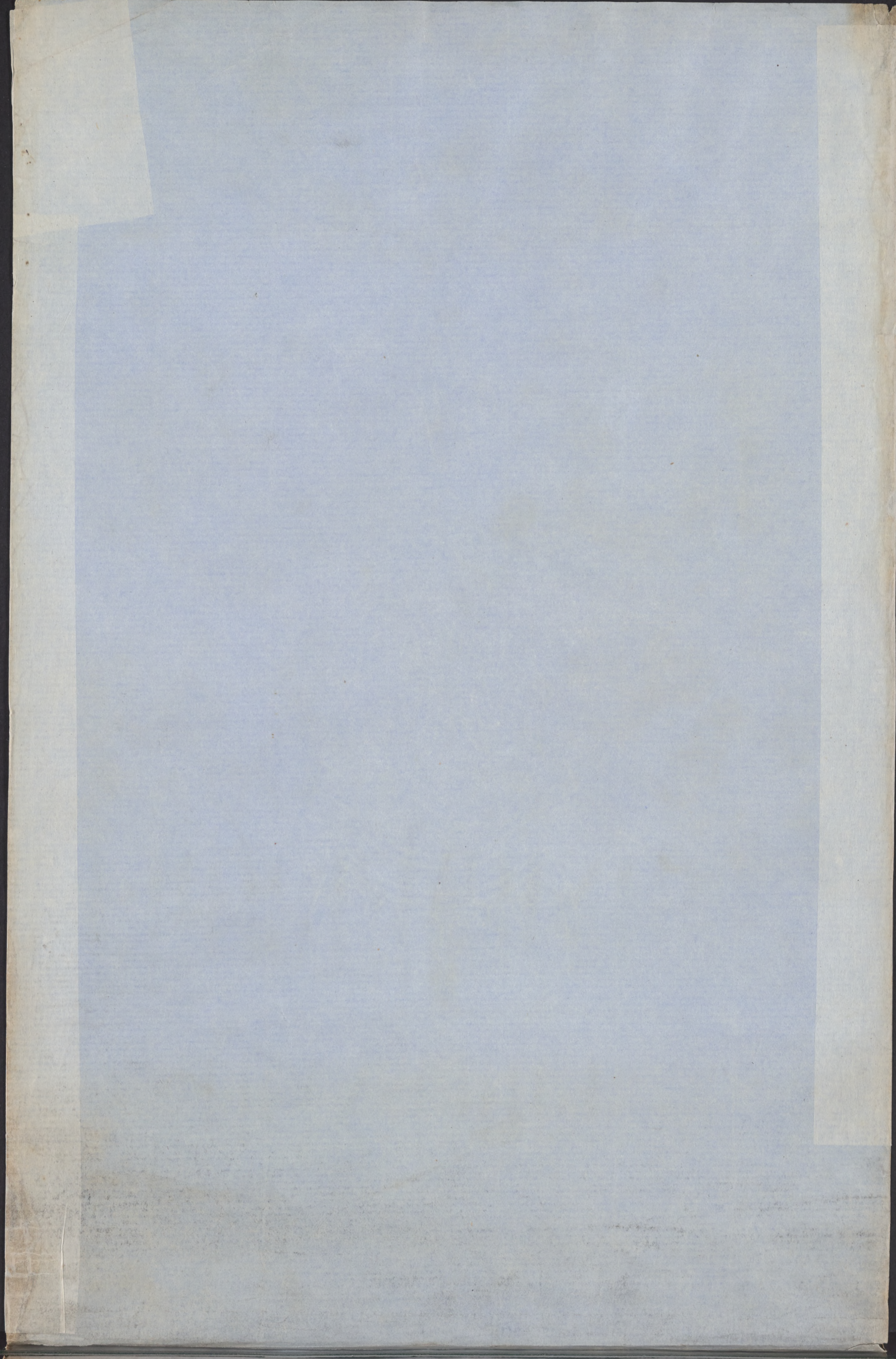
FRANCISCO ARCE

CLAIMANT

FEB 14 1963

MADE IN U.S.A.
32% COTTON FIBER
BROWN BOND
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TRANSCRIPT
OF THE
PROCEEDINGS

IN CASE

NO. *356*

Francisco Arce

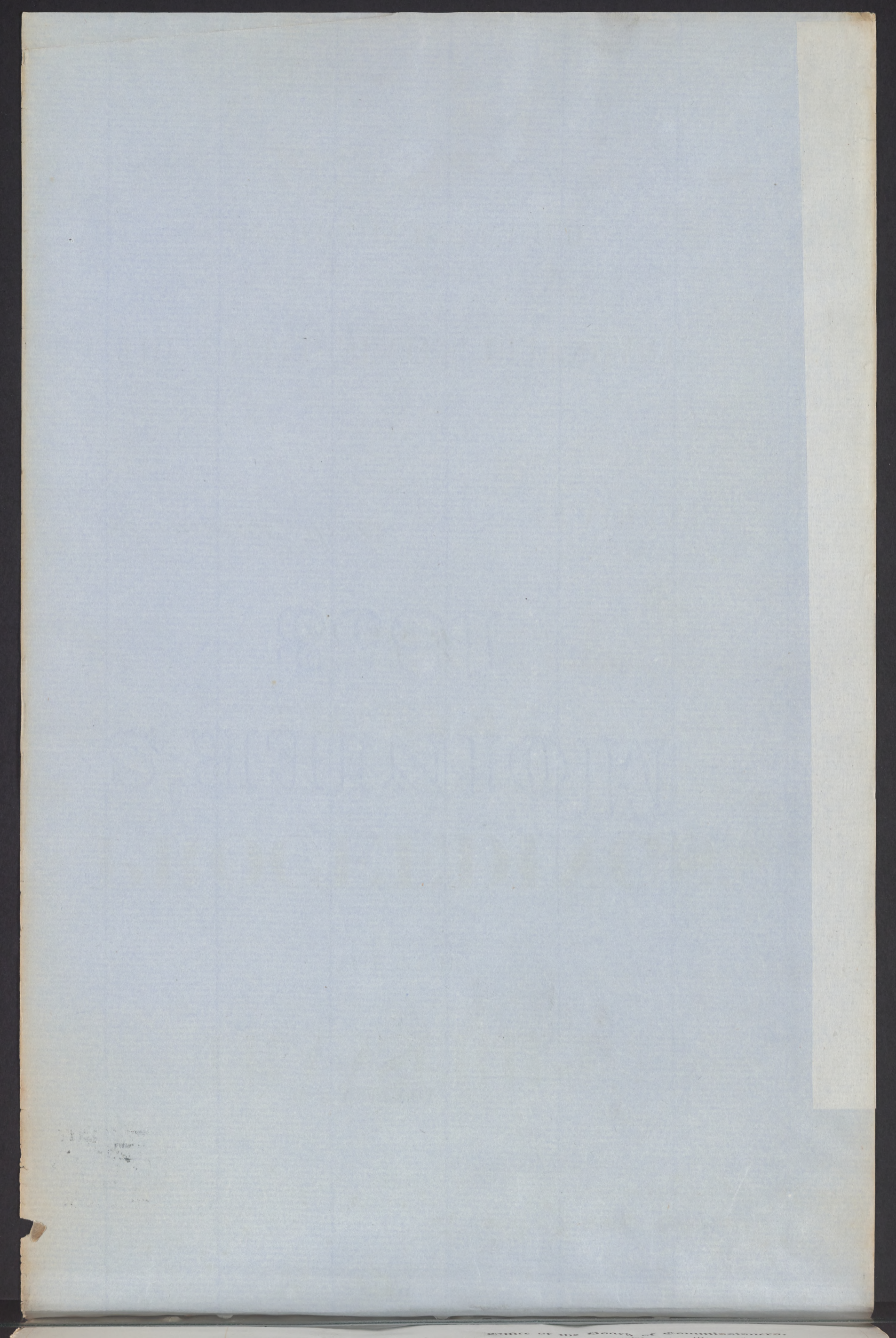
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Santa Ysabel"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, that on this *twenty second day of September*, 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 *Francisco Arce* for the Place named "*Santa Isabel*" was presented, and ordered to be filed and docketed with No. 356 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 March 17th 1853.

In case no. 356 Francisco Arce for the place named "Santa Isabel" the deposition of William A Richardson, a witness in behalf of the claimant, taken before Commissioner Harry J. Thornton, with document marked W. J. T. No. 1 annexed thereto, was filed;

(Vide page 4 of this Transcript)

San Francisco March 30th 1853.

In the same case the deposition of Manuel Cortes, a witness in behalf of the claimant, taken before Commissioner Harry J. Thornton, was filed;

(Vide page 5 of this Transcript)

San Francisco Sept. 6th 1853.

Case no. 356 called: The counsel for the claimant read the evidence; argued, submitted and taken under advisement.

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San Francisco Decem: 13th 1853.

In the same case Commissioner Thompson Campbell delivered the opinion of the Board rejecting the claim;

(Vide page 24 of this Transcript)



To the U.S. Board of Land Commissioners for the ascertainment and settlement of Land Claims in California.

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Petition

Your Petitioner Francisco Arce a citizen and a native of California respectfully sheweth

That he claims to be the owner of the tract of land known as "Santa Isabel" situate in the county of San Luis Obispo and bounded and described as follows viz: On the North by "San Miguel" On the South by "La Ascension", On the East by the place known as "La Estrella" and on the West by the range of hills lying to the west of the main road leading from "La Ascension" to San Miguel containing four square leagues.

300
That your petitioner claims said land under and by virtue of a grant thereof, made to your petitioner on the Twelfth day of May A.D. 1844, by Manuel Micheltorena then Governor of Alta California and duly empowered to make the same.

That on the 15th day of June A.D. 1844, the said grant was duly confirmed by the Departmental Assembly of California.

That the said grant and a translation of the same are herewith filed.

That the Expediente of said title containing the original petitions of your petitioner to Gov. Micheltorena, the reference by the latter, the various reports to him, the diseng of the tract, the decree, and a copy of the grant, are on file in the archives of the former Government of California now in the possession of the Surveyor General of the U.S. for Cal, and that fac simile copies of the same, duly certified by him with translations thereof are herewith filed.

That a similarly certified copy of the Records of the said Departmental Assembly showing said approval, and a translation of the same, all also herewith filed.

Your Petitioner therefore prays your Honorable Board to confirm his said claim and title to said tract of land.

That your petitioner has been in quiet and exclusive possession of said tract of land, even since the date of said grant, and that he knows of no claim conflicting with his own.

Clark Taylor & Beckh
Atty for Pet.

Filed in Office Sept 22nd 1882
Clerk Fisher. See

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PAGE 5

San Francisco March 13th 1883.

On this day before Comr. H. J. Thornton, came Wm A Richardson, a witness in behalf of the Claimant Francisco Arce petition No 356 and was duly sworn, his evidence being given in English.

250

Deposition
of William A.
Richardson

Questions by Claimant

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

Ans. My name is Wm A Richardson my age fifty eight years, and I reside on my Rancho of Sanelito, in Marin County.

Quest 2nd Look at the Document now shown you, purporting to be a grant from Manuel Micheltoena to Francisco Arce of the land named "~~San Juan~~ ^{Santa Isabel}". State what you know in regard to the genuineness of the signatures to said document.

Answer. I am well acquainted with the signatures of Manuel Micheltoena and Manuel Jimenez, having often seen them write; wherever they appear upon said document they are genuine.

William A. Richardson

U.S. Land Agent present

Sworn to & subscribed before me this 13th March 1883.
Henry J. Thornton Comr &c

Filed in Office
March 13th
1883,
Clerk Fisher
See

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San Francisco March 30th 1853.
On this day before Com^r Henry J. Thornton
came Manuel Castro a witness in behalf of
the Claimant Francisco Arce petition No. 356,
and was duly sworn, his evidence being in-
terpreted by the Secretary.

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Deposition
of Manuel Castro

Questions by Claimant

Quest 1st What is your name age & residence.
Ansr. My name is Manuel Castro, my
age is thirty one, and I reside at present in
upper California.

Ques. Are you acquainted with the land
claimed in this case called Santa Isabel, if
you state what you know of its occupation.

Ansr. I am acquainted with this
place. In the year 1845 it was in the
possession of the Claimant who had servants
upon it & cattle and cultivated it, and I
understood tho I do not know, that he lives
on it still.

200

Manuel Castro

W. S. Leary Agent present

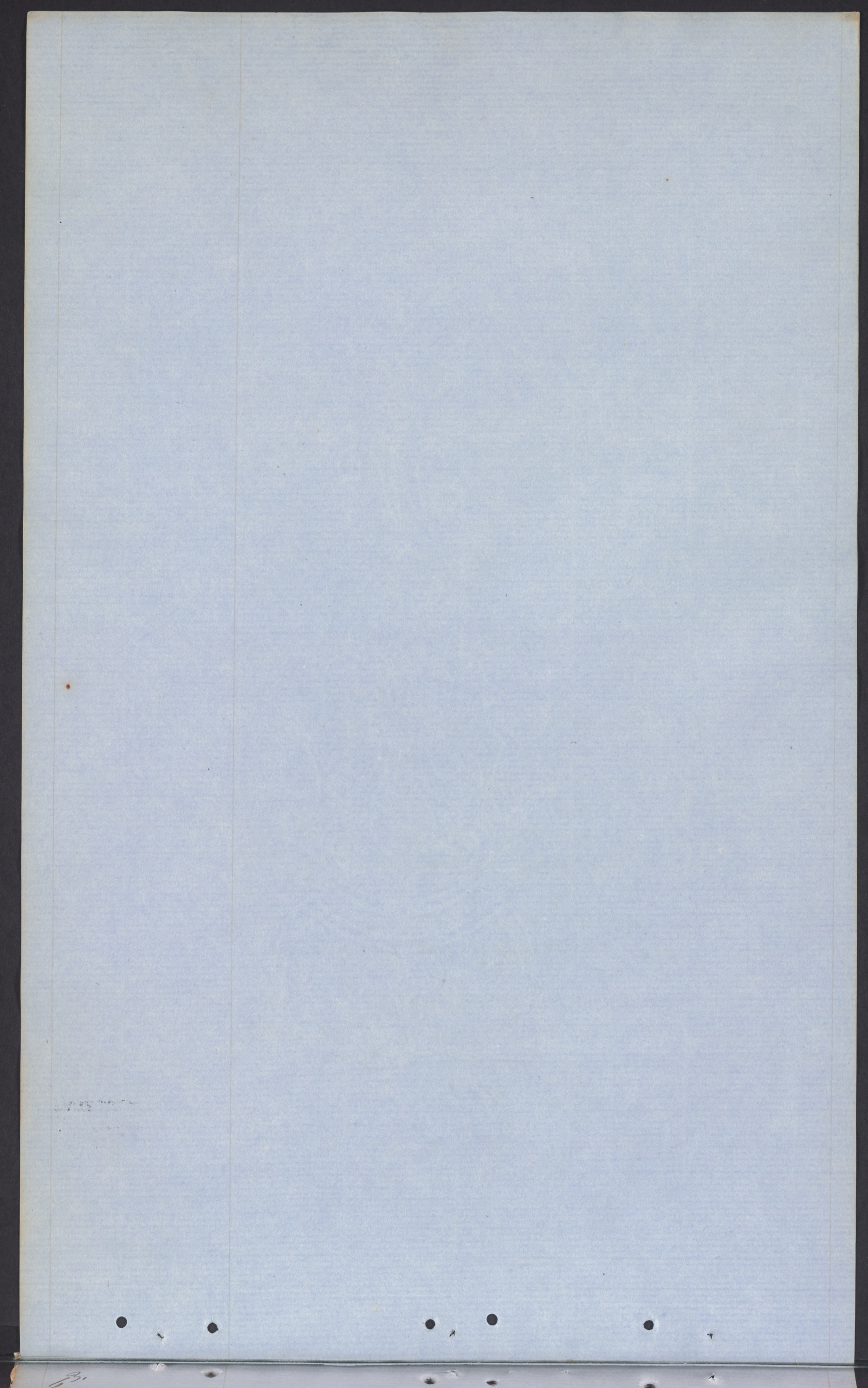
Sworn to & subscribed

Before me this 30th of March 1853

Henry J. Thornton
Com^r &c

Filed in Office March 30th 1853.

Geo. Fisher
Sec



9.

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1843.

Expediente

*Promovido por el ciudadano Fran^{co} Arce
en solicitud del terreno nombrado.*

Santa Ysabel.

376.

Sello cuarto Dos Reales.

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

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Micheltreña.

Manuel Castañares.

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Monterey, Obre 9. de

1843. 9.

Excmo. Sr. Gobernador.

Yo el Sr. D. Justificación de V. E. con el debido respeto y como una hecho y cuando ante haya lugar haya presente que ocaído de declararse a las prefecturas del 1º distrito y cuando que es de tan vital importancia en este país, tanto para mas fague necesario utilidad como para el bien pvecomunal, solicito

Micheltreña

de V. E. se otorgue conderoleme en propiedad, un paraje que se halla sumamente baldio en las inmediaciones del Establecimiento de San Miguel conocido con el nombre de Sta Gabel ch que denuncio en toda forma, coluidante al N. con San Miguel, al S. con el paraje llamado La Ascension, al P. con las lomas que se hallan situadas al oho lado del camino real y al O. con el paraje llamado La Estrella, en extension de Cuatro sitios de Ganado Mayor más o menos segun esplica el otieno que debidamente acompaño.

10

Por tanto a V. E. suplico reverentemente acceder a mi peticion de lo que espero recibir gracia de. Angeles. Enero 11. de 1843.

Franco Arte.

Como dispone el S. S. Gobernador, pase esta solicitud al Sr. Prefecto del 1º distrito para que se sirva informar sobre el contenido de ella, y a continuacion dirigirse al B. P. Abto de San Antonio para que se sirva emitir su opinion y evaluado que sea todo budra a esta Sma. para cumplir con lo prevenido en el Superior titulo Decreto de fha de hoy.

11

Monterey. 7 de Octubre de 1843.

Mano Jimenez.

Servase informar a esta Prefectura el B. P. Abto de San Antonio sobre el contenido de esta instancia para fecho poder buerlo jurisdante esta Prefectura a la Sma del Superior Gobierno Departamental.

Monterey. Obre. 9 de 1843.

José R. Estrada.

Sr. Prefecto del Distrito.

El terreno presenciado en la presente solicitud es uno de los que en otros ejos. sembró la Mis^{on} de San Miguel la perteneciente a tres mil cepas de viñas que actualmente existe con aguaje y pastos, y eno seria conveniente de pasear pa la manutencion de las reducidas misionerías San Juanitos i indigenos. Salva spie al parecer del Sr. Gobernador del Departamto.

In Ant^o. y de nobre de 1843.

P. José de Jesus. Ab^o. Gutierrez.

Sr. Srno. del Despacho.

Don Francisco Arce pretende en esta instancia se le conceda el terreno nombrado Santa Ysabel colindante como en ella espresa; por el informe del Sr. D. Mto de San Antonio, resulta que en dicho terreno existen todavia algunas cepas de viña pertenecientes al Establecimiento de San Miguel y aunque S. M^o da a entender seria conveniente dejar estas plantitas y todo el paraje que se solicita a favor del mismo Establecimiento esta Prefectura opina fundada en la Verdad de que el espresado sitio se halla baldio sin producir de que el referido Establecimiento tiene otros terrenos suficientes y de que las cepas indicadas de ya antes se estan destruyendo por su total abandono se debe preferir a Don Fran^{co} Arce en la concesion del terreno repetido en atencion de sus servicios y honras en circunstancias; pues si esta Prefectura hubiese ya informado al Gob^{no} en favor de Don Ezequiel Sobrany le hizo por no saber que el Sr. Arce lo tenia solicitado premirante que el. Por lo expuesto V. S. con su acostumbrado uerento dictaminari lo que crea de Justicia.

Monteney. Diciembre 24 de 1843.

José M. Estrada.

Srno. Sr. Gobernador.

La solicitud de Sr Fran^{co} Arce tiene un año, y por consecuencia es anterior a la del Sr. Navas y la del Srno. Gobernador Sobranes, y aunque en la pretension de este ya se ha manifestado las razones para que no pueda atenderse a su solicitud, para en cuanto a las personas y meritos de Sr Navas y el Sr Arce. como V. S. las conoce bien puede equisite agradecer al que

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Considerado con el mejor merito.

Monteney. 4 de Enero de 1844.

Manl Jimeno.

Monteney. Mayo 2 de 1844.

Habiendose conocido los Sres. Ales y Narvaez y
Señorido Soberanos otro terreno, suya levantar una
acta y que contiene las terrenos del Convento entre los
Dos primeros, pag. pr el resultado q. de. puela y a las
Srias, sin necesidad del otro decreto entender los títulos
previo avaluo de las viudas a cuyo imporentes quedara
responsable en el termino q. Señala.

Mitchett.

Monteney. Mayo. 13 de 1844.

Vista la peticion con que sta principio este expediente
las diligencias que proceden con todo lo demas que
se tubo presente y de ver convenio, de conformidad
con las leyes y reglamentos de la materia se clari
a D. Francisco Aste Dueno en propiedad del
paraje nombrado Santa Gravel, Colindante con
el terreno nombrado la Abancion, con el Rio de
San Miguel que media entre Dto paraje y con
las Lomerias que ruban al Oriente, en el numero de
Cuatro Libras de Sanada mayor pu lo mas o menos
Libras el correspondiente Despacho, tomere razon
en el libro respectivo y dirigirse este expediente a
la Santa Asamblea Departamental para su
aprobacion. El Sr. D. Manuel Mitchell. Gobernador
Comandte General e Inspector Del Departamento
de California, así lo mandó, decretó y firmó
de que doy fe.

Mitchett.

Bene Jimeno map 1844

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(Seal) En el Puerto de Monterey a los diez y seis dias del mes de Marzo de mil ochocientos cuarenta y cuatro en la casa del E. S. Gobernador Comandte General Dn Manuel Micheltorena, se presentaran el Capitan de Puerto Dn Pedro Narvaez y Dn Francisco Arce para convenir en las diferencias que resultaran de haber ambos pretendido un mismo terreno y habiendose oido las razones y alegatos de uno y otro, disputo. S. E. y fueran conformes los interesados en dividirlo que dando la parte del paso de Robles p^a el Sr Narvaez, y el de Sta Isabel para el Sr Arce, siendo el lindero principal que divide el paraje el Rio de San Miguel, segun demuestran los croquis respectivos, que dando obligados la presentados a pagar en lo que se abalve las fincas y otras plantitas que en el se encuentran. Y para la debida constancia firmo S. E. los interesados y el Srio Del Despacho.

Pedro Narvaez. Francisco Arce. Michelt^o.
Manuel Jimeno. Seco.

El Cuid^o Manuel Micheltorena Gnal de Brigada del Ejercito Mexicano, Ayudante G^l de la Plaza Mayor del mismo, Gobernador Comandte Gnal e Inspector del Departamento de Californias.

Por cuanto Don Fran^{co} Arce ha pretendido para su beneficio personal el paraje conocido con el nombre de Sta Isabel colindante con el terreno conocido la Asuncion con el Rio de San Miguel que media entre dho paraje y con las lomerias que miran al Oriente, practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y decretos, usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado, declarandole la propiedad de el por las presentes letras y bajo las condiciones siguientes.

1.^a No podra venderlo, enagenarlo ni hipotecarlo ni imponer censo, vicato, ni otro gravamen alguno.

2.^a Podra cercarlo sin perjudicar las tierras comunales ni servidumbres, lo disfrutara libre y exclusivamente destinandolo lo al uso o cultivo que mas le acausare, pero dentro de un año a los mas fabricara casa y estero habitable.

3.^a Solicitara del Jefe respectivo que le de la posesion definitiva en virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites

podrán à mas de sus maderas, algunos arboles frutales
o silvestres de alguna utilidad.

4.^a El terreno de que se hace donacion es de cuatro
Sitios de Ganado mayor por lo mas o menos segun ap-
li en el otisco respectivo. El Dato que otiene la propiedad
lo ha de medir conforme à ordenanza que da el
el Sobrante q. resalte à la nacion para las usas corrientes.

5.^a Si contraviniere a estas condiciones perderà
su derecho al terreno y sera denunciable por otro.

En consecuencia mandò que se le diese el
Acta del presente, y teniendose por firme y ratado
se tome razon de el en el libro respectivo y se entregue
al interesado para su resguardo y otras fines.

Dado en Maudery a diez de Mayo de mil ochos-
-cuenta y cuatro.

Que esta tomada razon de este Despacho en el libro
respectivo a fajar & vuelta. Manuel Micheltorena.
Manuel Lirio. Suo del Despacho.

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

22.

I Samuel L. King Surveyor General of the
United States for the State of California and as such
now having in my Office and under my custody a portion
of the Archives of the Former Spanish and Mexican
Territory in Department of Upper California, do hereby
certify that the twelve preceding and hereto attached
pages of tracing paper numbered from one to twelve
inclusive and each of which is verified by my initials (S.L.K.)
exhibit true and accurate Copies of certain documents on
file and forming part of the said archives in this Office.

23.

and also that the word "Cuatro" in the second line from
the bottom of the second page is in the original, and
-ently written on an erasure made by scratching out
some word previously written between the words "de
and "Sitios".

In testimony whereof I have hereto signed
my name officially and affixed my private
Seal not having a Seal of Office) at the City
of San Francisco Cal. this 26th Day of August
1852.

Samuel L. King.

Surveyor Genl. Cal.

Retired in office. Sept. 22nd 1852.

Geo. Fisher. Secy.

22 1/2

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1843

Records of Proceedings at the instance of the
Citizens Frances Arce soliciting the land
called Santa Isabel

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"B"
Translation of
Expediente of
Grant.

Excellent Sir Governor!

I, Fran^{co} Arce, a native of this
Department, before Your Honor with due
respect and as best may tend to the purpose
represent; That desiring to devote my
self to the honorable occupation of agriculture
and breed of cattle, which is of so vital an
importance in this country, as well for its
usefulness to myself as for the public good,

I solicit you to be pleased to grant me
the ownership of a location which is positively
vacant in the environs of the establishments
of San Miguel, known by the name of Santa Isabel
which I claim in due form, bordering to the
North on San Miguel, to the South on the
location called La Ascencion, to the West
on the high lands which are situated on the
other side of the high way, and to the East
on the location called La Estralla, in extent
four square leagues (sitios de ganado mayor)
a little more or less, as is shown in the
sketch which I duly annex hereto.

280

Therefore I pray you humbly to accede
to my petition, whereby I expect to receive
favor.

Angeles 4th of January 1843
Fran^{co} Arce.

(In the Margin)
Monterey October 7th 1843.
Let the Secretary of State report hearing before
hand the prefectura of the 1st District, and
what else he may deem necessary.
Micheltorena

Agreeably to the order of the Excellent Sir
Governor, let this solicitation be referred

To the Sr Prefect of the 1st District, that he may please to report upon the contents of it, and consecutively let it be directed to the R. Father of San Antonio, that he may please to express his opinion and when all finished, let it be returned to this Secretary Office, in compliance with the order in the Superior decree of this days date.
Monterey 7th Octobr 1843.
Manuel Jimeno

The R. Father of San Antonio will please to report to this Prefectura upon the contents of this instance, that this Prefectura can take the necessary action for the Secretary Office of the Superior Departmental Government.
Monterey October 9th 1843,
Jose R. Estrada.

Sr Prefect of the District
The land solicited in the present petition is one of those that formally were sown by the Mission of Sⁿ Miguel. There belongs to it three thousand vines (cepas de vides) which actually exist with a stream and pastures, and I believe it would be convenient to retain it for the maintenance of the reduced Missions, their cattle, and inhabitants: except the Superior opinion of the Governor of the Department.
San Antonio 7th of Novbr 1843,
Fco José de Jesus M^a Gutierrez

To the Secretary of State:
Don Juan^o Arce Petitions in this instance to be granted the land called Santa Isabel bordered as therein expressed. By the report of the R. Father of San Antonio results that there on said land still exist some vines, (cepas de vides) belonging to the Establishment of San Miguel, and through His Reverence gives to understand that it would be convenient to retain those plants and the whole location solicited, in favor of the

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same Establishment, yet this Prefectura is of opinion, founded in truth, that the said site is vacant without produced, of which the said establishment has other lands sufficient, and that the mentioned vines (cepas) are in a state of daily destruction on account of their total abandonment.

Now Don Francisco Arce ought to be preferred to the concession of his services and good circumstances (conduct) wherefore if this Prefectura has already given a report to the Government in favor of Don Eccequiel Sobranes, it did so because it did not know that Sr. Arce had solicited before him. From what is represented you will with your usual discrimination report what you believe most just.
Monterey December 2nd 1843.
Jose R. Estrada

250

Excellent Sir Governor;
The solicitation of Don Francisco Arce is one year old, and consequently is prior to that of Sr. Narvaes and that of Sr. Sobranes, and though in the petition of this last one, I have already manifested the reasons why his solicitation should not be attended to, yet in regard to the persons and merits of Sr. Narvaes and Sr. Arce as H. E. knows them well. You can please to favor him, whom you shall consider to be most meritorious.
Monterey 2nd of January 1844.
Manuel Jimeno.

Monterey May 2nd 1844.
Mexas Arce and Narvaes having come to terms, and Sobranes having another land, let there be taken a Record in which may be shown the terms of the agreement between the two first parties, in order that from the result it may give, the Secretary may now without the necessity of another Decree, make out the title, deeds, previously

appraising the vines, for the amount of which Arcees will remain responsible on the terms that it designates.

Micheltorena

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Monterey May 12th 1844.

Having seen the Petition with which this Expediente commences, the proceeding reports with every thing else that suggested itself and was to the purpose, in conformity with the laws and regulations upon the matter, I declare Don Francisco Arce owner in his own right of the location called Santa Ysabel, bordering on the land called La Ascencion, on the River of San Miguel, which intersect (or lies between) said location, and on the high lands that lies to the east, in extent four square leagues (sitios de ganado mayor) a little more or less.

I let the necessary document be made out, enter it in the respective book and direct this Expediente to the D. Departmental Assembly for its approbation.

In O. Manuel Micheltorena Governor Commander General and Inspector of the Department of both Californias, thus ordered decreed and signed, of which I give testimony.

Micheltorena

In the Port of Monterey on the 16th day in the month of March 1844, in the house of the Governor Commander General Don Manuel Micheltorena, presented themselves the Captain of the Port Don Pedro Navares and Don Francisco Arce, in order to agree on the differences that occurred on reason of both having both solicited one and the same land, and having heard the grounds and allegations of each other: His Excellency determined and the interested parties agreed to divide it, retaining the part of the Pass of Robles for Sr Navares, and that of Sta Ysabel for

it to the use or culture that best may suit him, but within one year at most he will build a house to be inhabited.

3. He will solicit of the respective Judge to give him juridical possession in virtue of this document, by whom the boundaries are to be marked, on the extremities of which he will put besides the land marks some fruit trees or wild ones of some utility.

4. The land granted is four square leagues (sitios de ganado Mayor), a little more or less, as the respective sketch shows.

The Judge who shall give the possession will cause it to be measured conformable to ordinance, leaving the surplus that may result to the Nation for convenient purposes.

5. If he should violate these conditions he will lose his right to the lands and may be denounced by any other party.

Consequently I order that these presents serving him as a title deed and being held as firm and valid, it be entered in the respective books, and delivered to the interested party for his security and other purposes.

Given in Monterey on the 15th May 1844.

This Document has been entered in the respective books on fol. 8, reverse Manuel Michelarena.

Manuel Jimenez, Secretary of State.

Filed in Office Sept 23rd 1882
 Genl. Fisher
 Sec

Spain 200c follows

Sello tercero un Peso.

Habilitado provisionalmente por la aduana maritima del puerto de Monterey en el Departamento de las Californias para las años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

Micheltorena.

Pablo de la Guerra.

(Seal)

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

Por cuanto D. Francisco Arce, ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Sta. Ysabel, colindante con el terreno nombrado la Estacion, con el Rio de San Miguel que media entre Dho. paraje y con las lomerias que miran al Oriente, practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son conferidas a virtud de la Nacion Mexicana, he venido en concederle el terreno mencionado sujetandose a la aprobacion de la Suprema Asamblea Departamental y bajo las condiciones siguientes

1º No podra venderlo, enajenarlo ni hipotecarlo imponer censo, vinculo fidei o otro gravamen alguno.

2º Podra serarlo sin perjudicar las herencias comunales y servidumbres; lo disfrutara libre y esclusivamente, destinandolo al uso o cultivo que mas le convenga pero dentro de un año fabricara casa y estara habitandola.

3º Solicitara del Juez respectivo que le de la posesion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites podran a mas de las mojoneras algunos arboles frutales o silvestres de alguna utilidad.

4º El terreno de que se hace donacion es de cuatro sitios de ganado mayor poco mas o menos segun explica el dictamen respectivo. El Juez que diere la posesion lo hara medir conforme a ordenanza quedando el sobrante que resulte a la Nacion para las usas convenientes.

5º Si contuviere a otras condiciones perdena su derecho al terreno y sera renunciado por oho. En consecuencia mande que se cumpla

In consecuencia mande que se cumpla

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1.
C. 856
2. 3. 1/2 90 lvs
4-23.

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2.

3.

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de título el presente y teniéndose por firme y válido lo tome razón en el libro respectivo y se entregue al interesado para su resguardo y demás fines.
Dado en Monterrey a diez de Mayo de mil ochocientos Cuarenta y Cuatro.

4

Man^l Micheltz

Man^l. Simeon. Sec.

Recibo tomada razón de este Despacho en el libro respectivo a fajas 8. Suelta.
Simeon.

Filed in office March 17th - 1853.

Geo. Fisher.
Secretary.

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5.

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{ Asamblea Departam^l. { De orden de la Exma^a Asamblea
 { De California. { Departamental paso à manos de V. S. para el Superior
 Convencimiento del Exmo^o Sr. Gobernador, tres títulos de
 terrenos concedidos al norte de este Depart.^{to} por el
 Gobierno del mismo en favor de las Sres. D^{na} Guillerma
 Gulnax, conu^{id}te de Senador, D^{na} Andres Pico, y
 D^{na} Fran^{co} Arce, relativos, el primero su fha. 13 de
 Enero de 1844 a once sitios de ganado mayor en el
 punto llamado Campo de los Franceses, el segundo
 fha. 5 de Junio pp^{ta} equa^{te} de once sitios de ganado
 mayor en el Rio de los Moquelanes, y el tercero de
 seis sitios en Sto Isabel, cuyos tres títulos, que tanto
 se evacuó el pronto despacho de Vlos, S. E. el Sr. Sub
 erador, fueron aprobados, conforme à la ley de la
 materia, en Sesion de hoy por este Honorable Cuerpo
 a que tengo el honor de pertenecer como Disputado
 Secutario.

Y cumpliendo con aquello Superior dicto
 Sprocion, lo obige a V. S. pa el fin indicado, protestando
 le à la vez, las mas distinguidas consideraciones
 de mi particular afecto.

Dios y Libertad. Sala de Sesiones en Los Angeles
 à 15 de Julio de 1846.

Narciso Ob. lito.
 Sup^l. Secy.^o

Sr. Secut^o Del Despacho del Gobierno de este Depart
 - amento D^{no} José Matias Moreno.

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

I Samuel D. King, Surveyor General
 of the United States for the State of California
 and as such now having in my office and under
 my custody a portion of the archives of the former
 Spanish and Mexican Territory Department of
 Upper California do hereby certify that the ten
 two preceding and hereunto annexed pages of
 tracing paper, numbered one and two and each
 of which is verified by my initials (S. D. K.) and is
 a true and accurate copy of a document 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

7

21

not having a seal of office) at the City of San-Francisco
Cal. this 23rd Day of June 1852.

8

Sam^l L. King.
Surveyor of Caliz^a.

42 SD
PAGE 22

Filed in office. Sept. 22nd 1852.

Geo. Fisher.
Secy.

(Seal)

The Citizen Manuel Micheltrana
Brigadier General in the Mexican Army,
Adjutant General of the Plaza Mayor is
the same, Governor Commander General
and Inspector of the Department of both
Californias;

42 SD

PAGE 23

"D"

Translation
of Grant and
Approval

Whereas Don Francisco
Arce has claimed for his personal
benefit and that of his family the location
known by the name of Sta. Isabel, bordering
upon the tract of land called la ascension,
on the River San Miguel which
runs in the middle of said location, and
on the high lands fronting to the east, after
having previously taken the necessary action
and made the necessary investigations ac-
cording to the requirements of laws and
regulations, in exercise of the powers
vested in me in the name of the Mexican
nation, I have concluded to grant
him the land mentioned, subject to the
approbation of the Excellent Departmental
Assembly and under the following
conditions

280

1st He shall not have the power to
sell, alienate or mortgage it, nor sub-
ject it to debt, entail, or bond on any
other incumbrance.

2^d He may fence it without prejudice
to the crossings, roads and servitudes;
he will enjoy it fully and exclusively, ap-
propriating it to the use or culture that
best may suit him, but within
a year he will build a house to be
inhabited.

3rd He will solicit of the respective
Judge to give him judicial posses-
sion in virtue of this document,
by whom the boundaries are to be
marked, on the extremities of which
he will put besides the land marks,
some fruit trees or wild ones of some
utility.

4th The land granted is four square leagues (sitios de ganados mayores) a little more or less, as is exhibited in the respective sketch. The judge who shall give the possession will cause it to be measured conformably to ordinance, leaving the surplus that may result to the Nation for convenient purposes.

5th If he should violate these conditions he will lose his right to the land and may be denounced by another party.

Consequently I order that these presents serving him as a title-deed and being held as firm and valid, it be entered in the respective book and delivered to the interested party for his security and other purposes.

Given in Monterey on the twelfth day of May eighteen hundred forty four

(Signed) Manuel Micheltorena

Man Jimeno
Secretary

This document has been entered in the respective book on folio 8th reverse
Jimeno

Departmental Assembly
of California

By order of the Excellent Departmental Assembly, I convey in your hands, for the superior information of the Excellent Sr Governor, three title deeds of land granted in North of this Department, by the Government of the same in favor of the Gentlemen Sr Guillermo Gulnak, Commander of Squadron, Sr Andres Pico and Sr Franco Arce, relatives, the first of date 13th January 1844 to 11 square leagues in the point called campo de las Francesas, the second of date 5th June last, likewise to 11 square

24

42 SD
PAGE 25

leagues on the River of Los Moquelime, and the third to six square leagues in Sta Isabel which three title deeds, of which I at the same time recommend the speedy dispatch of His Excellency the Governor, were approved, conformable to the laws on the matter, in session of to day by this Honorable Body to which I have the honor to belong as Deputy Secretary.

And that superior order accomplished, I communicate it to you for the aforesaid purpose, assuring you at the same time of the most distinguished considerations of my particular esteem.

God and Liberty The Hall of Sessions
in Los Angeles 15th of July 1846.

Francisco Botello
Deputy Secretary

To the Secretary of State of this Government
Don Jose Atutias Moreno

Filed in Office Sept 22nd 1852
Genl. Fisher Sec

200

Opinion

Francisco Arce } "Santa Isabel"
vs }
The United States } 4 Leagues

The Petitioner in this case claims by virtue of a grant issued by Governor Michelmorena, and bearing date the 13th day of May A.D. 1844. The papers on file show that said grant was approved by the Departmental Assembly on the 15th day of July A.D. 1846. The signatures of Governor Michelmorena and Manuel Jimeno are both proved to be in their hand writing. It is proved by the deposition of Manuel

Castro, that the place called Santa Isabel was, in the year 1845 in the possession of the Claimant who had servants and cattle upon it and cultivated it, This is all the evidence in regard to the inhabitancy of the land adduced by the Claimant. There is no proof that any judicial measurement was even made of the premises. The grant has all the usual conditions one of which requires that he shall build a house within a year and that it shall be inhabited.

The proof does not show anything from which a compliance of this condition could be inferred.

300
He had servants it seems on the place, but there is nothing to show that he ever lived there himself, and indeed the contrary is plainly indicated. Besides the grant is for a specific quantity of land to be located within certain exterior boundaries referred to in the grant, and designated on the map which accompanied the Claimant's petition to the Governor. The party was required to apply to the proper officer for the judicial measurement of the four leagues granted him, and the judge who might make the measurement was enjoined to leave the surplus to the nation. It does not appear that the party in interest ever made any such application for judicial possession or measurement, neither does it appear that any measurement was ever made during the existence of the Mexican Government, we have so repeatedly expressed our views on this question that we deem it only necessary in the present instance to state the facts and announce the conclusion.

It is clear then that no ~~signature~~ segregation of the four leagues granted was ever made by authority of the Mexican Government, and this Commission has no power to make it now. The claim in this case as well for want of equity in the performance of conditions, as for want of identity and location is deemed

2/

to be invalid. A Decree in conformity with the opinion will be entered.

Filed in Office Decr 13th 1853

Case: Fishers Sec

42 SD

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Decree

Francisco Tree
vs
The United States

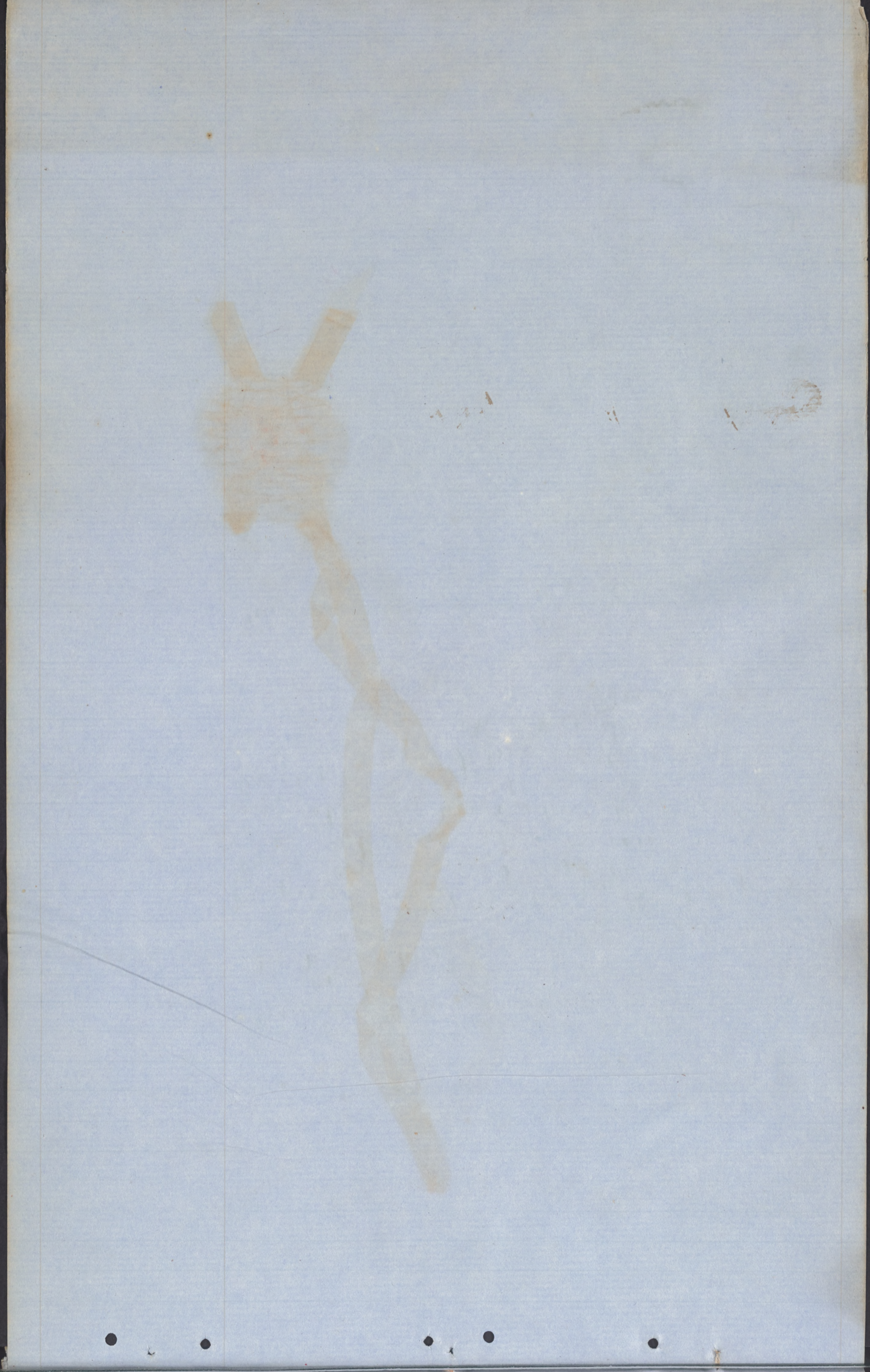
In this case on hearing the proofs and allegations, it is adjudged by the Commission that the said claim of the petitioners is not valid, and his application for confirmation thereof is therefore denied.

100

Alphens Felch
Thompson Campbell
R. Aug. Thompson
Commissioners

Filed in Office Decr 13th 1853.

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 *Twenty Six* pages, numbered from 1 to *26*, both inclusive, to contain a true, correct and full Transcript 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. *356* on the Docket of the said Board, wherein *Francisco Arce* is

the Claimant against the United States, for the place known by the name of "*Santa Ysabel*."



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. *1854*, and of the Independence of the United States of America the seventy=*ninth*.

Geo. Fisher.

42

U. S. DISTRICT COURT,

Southern District of California.

No. ~~37~~ 42, Docket

THE UNITED STATES,

42

San Francisco *Arce* *appt.*
for Santa Isabel
4 Sq. Leagues in S. Luis Obispo

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS

In Case No. 35

Rec^d - 25 Aug
Filed, 26 Aug

42

No 356

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

Case No. 356. } In the Southern District.

Sir:

42 SD
PAGE 29

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

Yours respectfully,
Campbell, Taylor & Beckley
Atty. for Claimant

San F. Co.
Dec. 8th, 1854.

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

42.

N^o 42.

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

Case N^o 356.

—

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

Filed Dec. 12. 1854.

J. E. Carr
Clk.

Francisco Ace } No. 42
 as }
 The United States } Com's docket 356

The Petition of Francisco Ace respectfully sheweth That this case is an appeal from the decision of the Board of U.S. Commissioners for the ascertainment and settlement of private land claims in California. That the claim filed by your Petitioner before said Board was for four leagues of land in the County of San Louis Obispo, viz. in the Southern District of California. That after considering your Petitioner's claims and the proofs filed in support of the same, said Board on the 13th of Dec. 1853 decided that said claim was invalid. That a transcript of the record of said proceedings was filed in this Court on the 26th of August 1854, and a notice of appeal filed by Claimant on the 12th of Dec. 1854. Your Petitioner prays that said decision of said Board may be reversed and that this Court may confirm his title to said land.

To the Hon. the District Court of the U.S.,
 for the Southern District of California

J. Luck
 Atty for Claimant

for a description of which land and your petitioners title thereto
 referred hereby specially made to the Petition filed before said Board

No: 42

Francisco. Cal

vs

The United States

Petition for

Review

Filed Sept 19th 1850

B. E. Jones
clerk.

J. C. Shelby

42 SD

PAGE 322

In the District Court of the United States for
The Southern District of California
Hon Isaac S. H. Ogier Judge.

42 SD

PAGE 33

Francisco Arce } N^o 42.
vs. } (Transcript N^o 356)
The United States }

The answer of Pacificus Ord, Attorney of
The United States for the Southern District
of California, for and in behalf of the United
States, to the petition for Review of claimant
Francisco Arce, in the above entitled cause,
says: That he denies, generally, all and
singular each and every allegation in
the said petition contained. And the
said United States respondent, denies
the validity of the alleged claim or
title of the said petitioner. And said
respondent prays that this Hon^{ble} Court
will affirm the decision of the Board
of United States Land Commissioners for
the State of California, and decide
the said alleged title or claim of said
Francisco Arce, to be invalid. And general
relief.

P. Ord,

Attorney of the United States for the
Southern Dist of Cal.

N^o 42.

Francisco Arce

vs

The United States.

Answer of the State to
petition for review.

Filed Sept 21st 1855

P. E. Carr clerk
By John W. Simpson

42 SD

PAGE 34

P. M. Allen, of N.S.

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

TO

The President of the United States,

42 SD
PAGE 35

*Pacificus Ord Attorney of the
United States for the Southern Dist.
of California*

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 *Nineteenth* day of *September* in the year of our Lord one thousand eight hundred and fifty-*5*, at the City and County of Los Angeles, in said District, by

*Francisco Arce, praying
the said Court to review the decision of the
Board of U.S. Land Commrs. for a tract for
the State of California for a tract of land
in the County of Santa Barbara which
claim was rejected by said Board of
Land Commrs. on the 13th day of Decr.,
A.D. 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 *19th* day of *September* in the year of our Lord one thousand eight hundred and fifty-*5* at Los Angeles aforesaid.



C. E. Case Clerk.

By John W. Ross

Copy of Summons 90
Docket Same 3.00
Serving Petition 3.00
\$ 7.90

No 42.

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

Fancisco Arce

VS.

The United States

SUMMONS.

Received Sept 21st 1855

E. Hunt
U.S. Marshal

42 SD

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I served this summons along with the proper copy of the petition upon *J. Ord, U.S. Dist. Atty.* by leaving with him personally a true copy of the same.

at *the City of Los Angeles* in the Southern District of California on
the *21.* day of *Sept* A. D. 1855.

Sworn to and subscribed before me, *this 21st Sept*
1855 *J. E. Jan.* Clerk.

E. Hunt U.S
By R. J. Jones Marshal
deputy

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

December Term 1855

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PAGE 37

No. 42.

The United States

Appellee

vs

Francis ~~Arce~~

Appellant

The appellant, moves for an order
continuing the above entitled cause
and in support of his motion refers
to the annexed affidavit

Respectfully

Wm. H. P. & P. H. P.

Josiah Billings on his oath says, that he is of the law firm of Hallett Peckey & Billings of San Francisco - that just previous to the departure of this affiant from San Francisco to attend to the present term of the U. S. Court in Los Angeles, his firm was employed by David Francisco Arce, who lives on this affiant is informed and believes in the County of Santa Clara, to attend to his claim against the United States for the Rancho of Santa Isabel which was rejected by the Land Commission, ^{it} is now pending in this Court - that it appears that issue was joined in this case by the filing of the answer on the 21st day of September last - that notice of appeal and the petition for review were filed by Jeremiah Clarke Esq. of San Francisco who was one of the Attys ^{of said Arce} in the prosecution of his claim before the Land Commission - that, as this affiant is informed and believes, the said Arce at the time he employed this affiant's firm to attend to this case, was wholly ignorant, either through some difficulty or misunderstanding or from some other cause existing between him and said Clarke, of what, if any, steps had been taken in said ~~case~~ cause in this Court - that said Clarke would not or was not any longer to represent said Arce therein - and that therefore the said Arce retained this affiant's firm.

This affiant further says that the said
cause is not ready for trial - that further
proof of occupation & cultivation of the
ranch by the claimant from the year
in which the grant was made to the
present time is necessary - proof
that a house was built on the ranch
inhabited and land cultivated
within a year from the date of the
grant - and that the claimant has
land stock and employees on the
ranch all the time from within a
year of the date of the grant to the
present time - further that proof
is wanting to show clearly that the
identity of the land and its susceptibility
of signature according to the cult
of the grant and the mark of the
espediente - and the affiant states
that he is informed and believes that
all of the proof needed unless it
be with reference to the single matter
of building a house within the year
can be obtained - but that the
claimant is not here - the land is
in San Luis Obispo County, and the
names of the witnesses to prove these
facts are not known to this affiant
- further this affiant states that
under the circumstances ^{as far as they were known} of the case at
the time of the employment of this
affiant firm, it was not supposed
that the presence of said Area at

This term of the Court was either
unnecessary or advisable - further
that it was a surprise to this affair
to this affair that this case was
on the Calendar.

Yours truly
J. E. Carr

Subscribed & sworn
to this 31st day of
December A.D. 1855

Before me.

J. E. Carr
Clerk

No. 42

The United States
appellus

Francisco Area
appellant

Motion for Continuance
with affidavit

Filed Dec 30th 1855.

J. E. Carr
Clerk

H. P. P.

42 SD

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No 42

U. S. Dist Ct.
Southern Dist of California

The United States
Appellee

In Court
Dec. 31. 1855.

42 SD
PAGE 42

Francisco Arce
Appellant }

And now the appellant appearing by
his Atty Headlock Peachy & Balling and
the United States Appellee by the Dist.
Atty P. Ord Esq. On motion of the
attorneys of appellant it is
Ordered that ~~to~~ either party be
allowed to take such further
testimony and evidence in the
above entitled cause as they may
wish.

In

No. 42

The United States
Appelles

vs

Francisco Arco
Appellant

Order allowing further
testimony.

Filed Dec 31st 1855.

J. E. Carr
Clerk.

H. P. S. P.

Deposition of Mariano Bonillo a
Butcher in the pack of the Lamant and ap-
pelle, taken before Edwin United States
Commissioner for the Dist of California
at the Office of the United States Dist Clerk
for the Southern Dist of California in
the City of Los Angeles on Saturday the
10th day of January A.D. 1857 at 3 o'clock
P.M. by ^{their} consent and at the request of
of the respective attorneys of the ^{parties} be-
use as testimony on behalf of the Appel-
lant and Claimant in a certain Cause now
pending in the United States Dist Court
for the Southern Dist of California, being
Case No 43 on the Docket of said Court
wherein Francisco Ara is Appellant
and Claimant and the United States are
Appellee

Present Ford W. Stetson on behalf of the
Appellee and William P. Cashy of Billingshop
Attorney on behalf of the Appellant
& Claimant

Francisco Arce

Applicant

No 42

The United States

Santa Isabel in San Luis Obispo

42 SD

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Mariano Bonilla being duly sworn on
the oath of the Applicant answers as follows

Qust. - What is your name, age
and place of Residence

Ans - My name is Mariano Bonilla

Am 51 years of age and reside
in the County of San Luis Obispo

Qust - Do you know the Ranch called
Santa Isabel in San Luis Obispo
County claimed by Francisco Arce
the Claimant in this case, if yes, state
particularly how long, ~~but~~ and how
well you have known it?

Ans - I know it, I have known
the same since the year 1837, I know
it perfectly well because I have been
all over the Land, and have lived
within two leagues of the Land and I
have been the ~~proprietor~~ ^{administrator} of San Mi-
guil and there was a vineyard, that
belonged to San Isabel, being a part
of what was formerly the Mission of
San Miguel, I have known since
1837 to the present time, continuously
and without interruption

Qust - Do you know the place or track

of Land called "La Asuncion" in San Luis Obispo County, of you, how long have you known it, how does it lie with reference to Santa Ysabel? — I know the Land, as well as I do that of San Ysabel because I have been the owner of "La Asuncion", and with reference to Santa Ysabel, it lies on the South, and adjoining Santa Ysabel.

Quest — Is "La Asuncion" a well known tract of land and is the boundary line between it and Santa Ysabel well known and easily distinguished?

Ans — It is land well marked and the line between it and Santa Ysabel is well known and well defined by a Range of Hills,

Quest — How does the River San Miguel run with reference to "La Asuncion" and also with reference to Santa Ysabel?

Ans — It runs ~~between~~ through ^{the middle of the} the Land of "La Asuncion". It is the boundary line of Santa Ysabel on the West Side, but it runs in a meandering course.

Quest — Are ^{there} the Hills on the East of Santa Ysabel, of you, are they well known and easily distinguished?

Ans — There are and they are well known and easily distinguished & extend back a great way.

Wm Atty — Cross Examination by Rod

Quest, Are you directly or indirectly interested in the Land claimed herein?

Ans, - Absolutely I have none whatsoever

J. M. ^{no} Bouillay

(3)

42 SD

PAGE 46A

Sum to and subscribed to before
me this 10th day of January 1857

Chas
W. Com^{me}

United States of America
Southern Dist of California

42 SD

PAGE 47

I, Wm. United States Commis-
sioner for the Dist of California, do hereby
Certify that the foregoing deposition ~~of~~
~~of~~ of Mariano Borillo, was taken
before me in accordance to the request
and agreement of the said attorney
at the office of the Clerk of the United
States District Court for the Southern
Dist of California, in the City of San Fran-
cisco and State of California, that the said
Mariano Borillo was by me duly
sworn according to Law, as a witness
in said cause in the Caption of this
deposition mentioned and after being
so sworn his testimony was by me re-
duced to writing in his presence and
that of the said attorney and after
having been by me carefully read
to him and by him corrected as he de-
sired was by ~~me~~ him signed in my
presence.



In testimony whereof
I hereunto set my hand
and seal this 10th day of
January A.D. 1887

Wm.
McCombs

NO 43

NS Dist Court

vs
Francisco Ace
appnt

vs

The United States
appnt

Deposition of Maria
Bonilla

Filed Aug 10th 1889
Gins
clerk

8 Folios

42 SD
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In the District Court of the
United States within and for
the Southern District of California

42 SD

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Hon. Isaac S. H. Ogden, Judge.

December Term A.D. 1856.

The United States
Appellant
vs.
Francisco Arce
Appellant

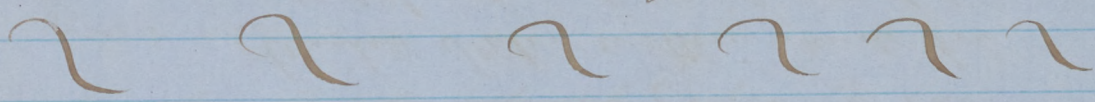
No. 42

Transcript from the Board of
Land Commissioners etc., 356.

This case coming on to be heard, on
appeal from the decision of the Board of
Land Commissioners to ascertain and settle
private land claims in California, upon
the transcript of the proceedings and decision
of said Board and the ^{documentary} papers and other
evidence upon which said decision was
founded, and also upon other evidence
taken and filed in this Court; and
counsel for the respective parties having
been heard, it is ordered,
Ordered, adjudged and decreed, that
the decision of said Board of Land
Commissioners rejecting the claim of the
above ~~named~~ named appellant, Francisco

Arce to the land set forth and described
in his petition to the said Board of Land
Commissioners and in the Documentary
and other evidence filed in this case, be
and the same is hereby reversed in
And it is further ordered, adjudged
and decreed, that the title of the
said Francisco Arce the above named
appellee to the said land is a good
and valid one, and that his claim
to the said land be and the same
is hereby confirmed

The land of which confirmation is
hereby made, is, in quantity, of four
square leagues and no more, is
situated in the County of San Luis
Obispo, and is known by the name
of "Santa Yoabel"; being the same
granted on the 12th day of May 1844 by
Manuel Micheltonera to the said
Francisco Arce: to be located within
the following boundaries, viz: "La Asuncion",
the San Miguel River, and on the East
by the hills (lomerias); according to
the documents of title and map to
which reference is had. If the quantity
of land within said boundaries is less than
four square leagues then the Confirmation
hereby made is made to the whole tract,
but if the quantity within said boundaries
exceeds four square leagues then the



Confirmation hereby made in regard
to the quantity of four square leagues
and no more. Isaac St. Ogee
W. S. Davis Judge
for the Territory of Cal

No. 42,

The United States
appellee,

vs.

Francis Arco
appellant

Deere.

Reversing decision of
Land Commissioner and
Confirming Claim.

Filed July 13th 1857
C. H. S.
clerk

Record in page 133

42 SD

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UNITED STATES OF AMERICA, ss.

42 SD

PAGE 53

THE PRESIDENT OF THE UNITED STATES OF AMERICA,



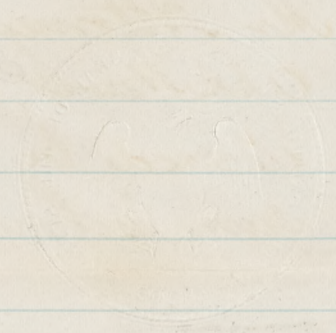
To the Honorable the Judges of the District Court
of the United States, for the Southern District
of California

Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District
of California before you, in a cause
between Francisco Arce, Appellant and the United States,
Appellees, (No 42, for Santa Isabel) - wherein the decree
was rendered in favor of the said Appellant.

42 SD

PAGE 54



as by the inspection of the transcript of the record _____

of the said *District*

Court, which was brought into the Supreme Court of the United States, by virtue of *an appeal*

agreeably to the act of Congress, _____

in such case made and provided, fully and at large appears.

And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *fifty three* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and ~~was argued by counsel:~~ ~~On consideration whereof,~~ *on the motion of Mr Attorney General Bates and of counsel for the Appellants,* it is now here considered ordered, and decreed by this court that this cause be and the same is hereby dismissed. — 19 Feb

42 SD

PAGE 55

You, therefore, are hereby commanded that such *further* proceedings be had in
said cause,

as according to right and justice, and the laws of the United States ought to be had, the said *appeal*
notwithstanding:

Witness the Honorable *Roger B. Taney* Chief Justice of said Supreme Court, the
first Monday of *December* in the year of our Lord one thousand eight hundred
and *sixty three* -

COSTS OF *---*
Clerk..... \$ *---*
Attorney... \$ *---*

\$ *---*
=====

Tested by

Geo. Middleton

Clerk of the Supreme Court of the United States.

No. *142*. December Term, 1863.

MANDATE

SUPREME COURT UNITED STATES.

U. States vs. Price

Filed Sept 12. 1864

John Decker

CK

42 SD

PAGE 56

Office of the Surveyor General of the United States, }
FOR CALIFORNIA.

42 SD

PAGE 57

I, J. W. MANDEVILLE, United States Surveyor General, for the State of California, do hereby certify that the Rancho "Santa Isabel"

confirmed to Francisco Arce

has been surveyed by this office, and that the survey and plat was approved by the U. S. Surveyor General, on the _____ day of _____

1865; that I have caused to be published, once a week, for four weeks successively, in two newspapers, to wit: the *Monterey Gazette*,

published in the County of *Monterey*, State of *California*

being the newspaper published nearest to where the said Rancho is located, the

first publication being on the *first* day of *September*, 1865,

and the last, on the *22^d* day of *September*, 1865; also, in the

American Flag

a newspaper published in the *City and County of San Francisco*, State of *California*

the first publication being on the *30th* day of *August*, 1865,

and the last on the *30th* day of *September*, 1865, a notice

that the said land had been surveyed, and a plat made thereof, and the survey

and plat approved by me. And I do further certify, that the said survey

and plat were retained in my office during all of ^{nine} ~~said four weeks~~ days, and until the

expiration thereof, subject to inspection; and I further certify, that no order

for the return thereof to the U. S. District Court, has been served upon me.

In Testimony Whereof, I have hereunto signed my name

officially, and caused my Seal of office to be affixed, at the City

of San Francisco, this *third* day of

January, 1866.

J. W. Mandeville

U. S. Surveyor General for California.

No 42

Certificate of Survey

Filed Jan'y 9 1866

John Wheeler
Att