

CASE No.
159

SOUTHERN DISTRICT

LAND IN MONTEREY COUNTY GRANT

JAMES MEADOWS

CLAIMANT

LAND CASE 159 SD pgs. 55

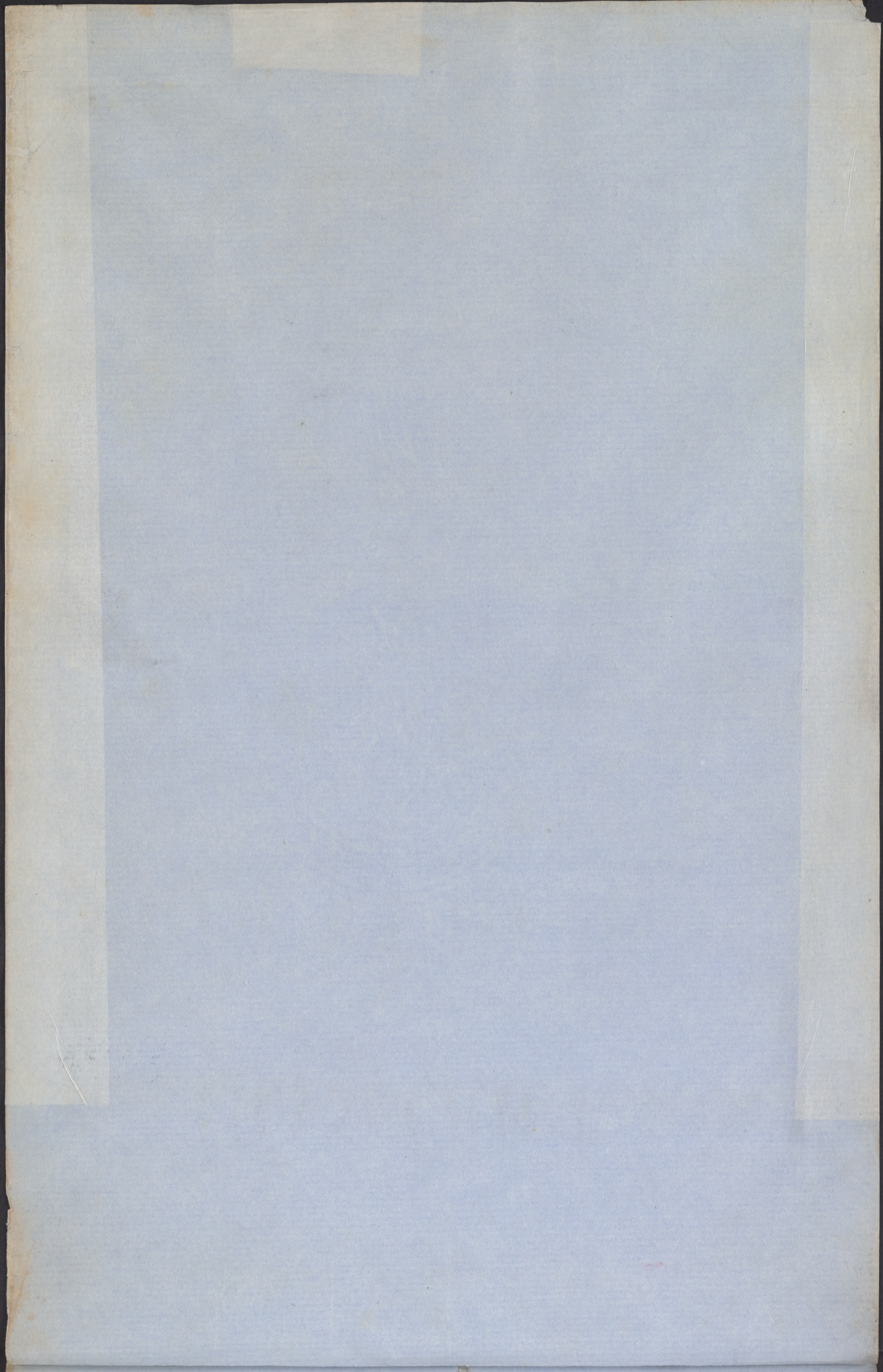
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BLOOMER BOND
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3-10

Letter - postcard



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. *573*

James Meadows

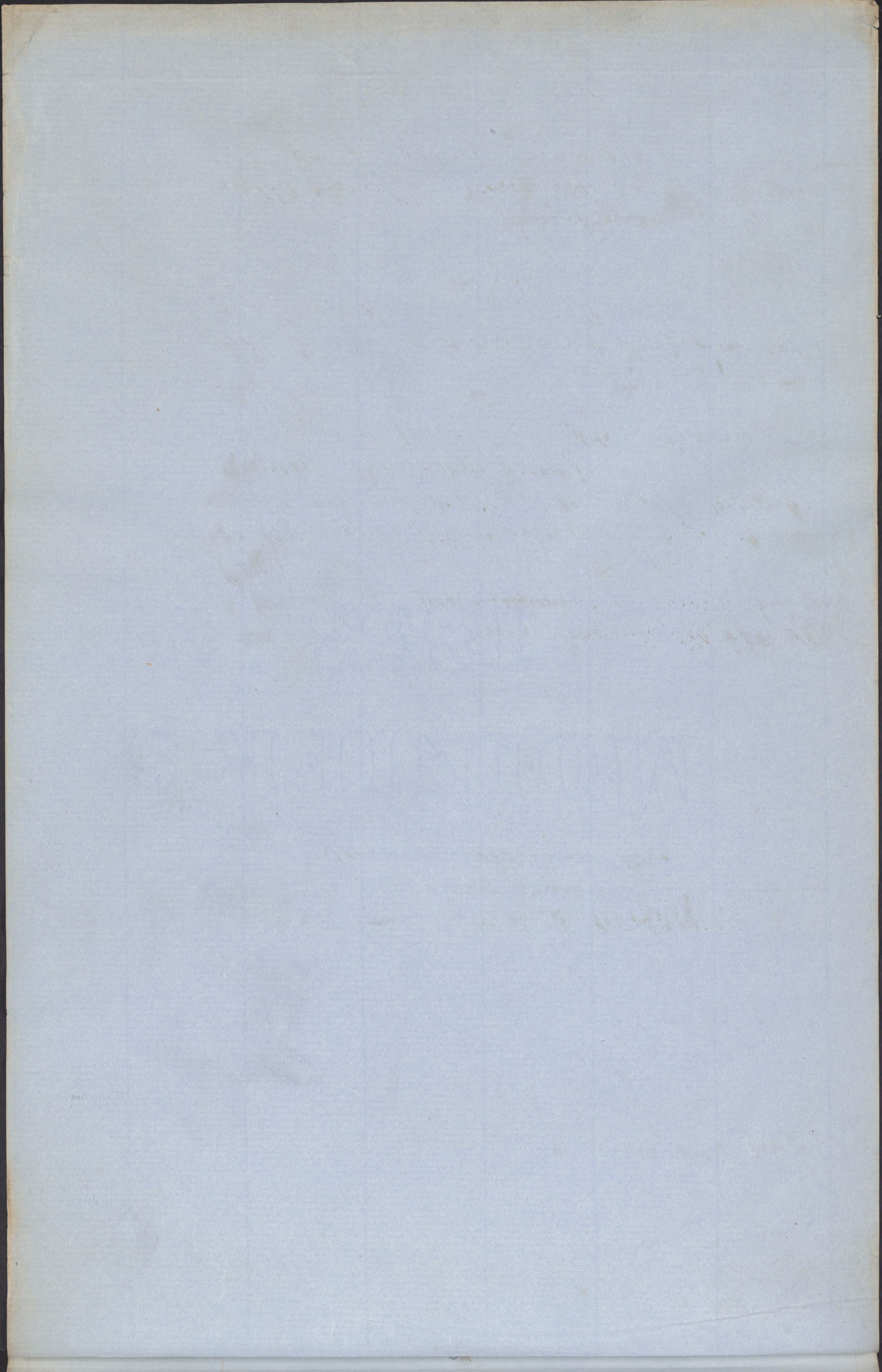
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Sania in Monterey County.



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 *twelfth day of February*, Anno Domini One Thousand Eight Hundred and Fifty-Three, 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 *James Meadows*,
for the Place named
Sand in Monterey County,
was presented, and ordered to be filed and docketed with No. 573, and is as follows, to wit;

(Vide page *B* of this Transcript.)

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

San Francisco, Feb, 26th 1853.

In Case no. 573, James Meadows for land in Monterey County, the deposition of Manuel Castro, a witness in behalf of the claimant, taken before Commissioner Michael Hall with document marked A. D. no. 1 annexed thereto, was filed;

(Vide page *A* of this Transcript.)

San Francisco Oct. 5th 1853.

Case no. 573 was submitted on Briefs and taken under advisement by the Board,

San Francisco March 14th 1854.

In the same case Commissioner R. Aug. Thompson delivered the opinion of the Board confirming the claim;

(Vide page *34* of this Transcript.)

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San Francisco Aug. 15th 1854,

In the same case, on motion of the United States
Law Agent, the following order was made, to wit:
(See page 37 of the Transcript.)

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Petition

To the Hon^{ble} the Board of Commissioners for ascertaining and settling Private Land Claims in the State of California

The Petition of James Meadows of Monterey County California respectfully represents

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That on the 27 of January 1840 Governor Juan B. Alvarado Governor of California granted to Antonio Romo in the land bounded by the San Juan Segundo the Concha de Padilla and the lands then actually occupied by the Indians of San Carlos of the extent of about one league more or less, the said tract of land lying and being in the County of Monterey State of California,

That the said Antonio Romo sold all his right title and interest to said tract of land to William R. Gannett and dated January 30th 1847

That the said William R. Gannett sold all his right title and interest to said tract of land granted aforesaid to Thomas O. Locken by deed dated 1st March 1847, That said Thomas O. Locken sold all his right title and interest to said tract of land to your Petitioner by deed dated 16th of August 1848 copies of which said original grant with translation are herewith presented

The premises considered your Petitioner prays that the said grant may be confirmed and that he have a decree in his favor and general relief as in duty bound

R. O. A

Atty for Petitioner

Filed in Office February 10th 1853

Geo Fisher
Clerk

4

San Francisco February 26. 1853

Deposition of
Manuel Castro

On this day before Simon Belmont Hall Commissioner
Castro a witness sworn in behalf of the Government
James Meadows Petitioner N^o 573 and was duly sworn
his evidence being interpreted by the Secretary

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The U^s Associated Law Agent was present
Questions by Government

Quest 1. What is your name age and place of residence
Ans My name is Manuel Castro my age thirty one years and
residence -

Quest 2. Look at the document now shown you mentioned
N^o 573 purporting to be a grant and unto someone
and state whether you know the signatures of Manuel B
Alvarado Antonio Ma Ocho and Manuel Jimeno upon
said document

Answer I have examined the document and know the sig-
natures of Manuel B. Alvarado Antonio Ma Ocho and Manuel
Jimeno I have often seen them write and their signatures
are genuine.

Quest 3. Did you know Antonio Romero the person mentioned
in said document and the land therein described
If you state what you know about the occupancy of
the land by Antonio Romero or other persons,

Answer Antonio Romero used the land before described
Romero occupied the land in 1847 when I first knew it
He had a house and garden there and cultivated the land
I lately passed there and saw it in the occupancy of a
person who was a foreigner, I am told some of the chil-
dren of Romero are there, The name of the foreigner is
Meadows In answer to questions by the Associate Law
Agent the witness says the "head" of the paper before men-
tioned is in the home waiting of Francisco Ace who now
lives at Santa Clara, Manuel Castro

sworn and subscribed before me

S. Hall Commissioner

Filed in Office Feb 26th 1853 Geo Fisher Secy

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Expediente

[1]

1889

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Expediente promovido por
el Sr. José Antonio Romero en
pretension de un terreno en
las inmediaciones del Carmelo.

A

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Sello Tercero dos Reales

Heabilitado provisionalmente por la Aduana
Maritima de Monterrey para los años de
1839 y 1840 -

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Marádo

Antonio M. O. S. S.



Sr. Prefecto

San Juan -
Dic. 10 de
1839 -
Admitido levas
en el correspon-
diente informe
al Exmo Sr
Gobernador del
Departamento
Castro

El C. José Antonio Romero
Natural de este alto Territorio:
ante V.S. como mas haya lugar
y el derecho me permita, me
presento y digo, q^o atendiendome con
el numero de ciento y cincuenta
admitido levas, una manada de cincuenta
llegas, veinte caballos manros
y quinientas buegas, y apesar de
q^o consideraba fuese mio el sitio
llamado el Tuzco pero q^o ya está
en poder del C. Salvador Mesquita:
en cuya virtud, ocurro á la sa-
bia consideracion de V.S. a fin de
que se me conceda el sitio que

segun demuestran el ducato q^o debidamente acom-
pañar - P. S.

A. V.S. suplico se digno conceder-
me el referido sitio si asi lo ayare de Justa
de q^o recibira gracia -

Monry. 30 de Nbre. de 1839 -

Antonio Romero

Exmo Sr. Gobernador

El interesado en esta instancia obtiene los requisitos

7

necesarios para ser atendido, y esta Prefectura o-
pina que el terreno que pretende puede conce-
derselo sin perjuicio del indigena agrario y de
los limites de Manuel Borronda y Blas Martinez

J. Juan de Castro Die. 2 de 1839

Jose Castro

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Monterrey Die. 10 de 1839

Informe al Juez de pas del Pueblo
de S. Carlos

Morados

Exmo =

[4]

[Sello tercero dos reales

Heabilitado provisionalmente por la Aduana
Maritima de Monterrey para los años de 1839
y 1840

Morados

Antonio Moros



Sor Gov. Sr.

Para informar con la verdad
q. corresponde al pedido de V. E. dice
q. el terreno q. solicita el representan-
te esta adjudicado ya la mayor parte de el a
los Indios Agrario, Viuda de Baldozno, Anselmo
y otros varios que lo ocupan con labores de siem-
bras

Amos Exmo Sor en el momento
q. los Indios de este Pueblo supieron la preten-
sion del Sor Romero vinieron a mi suplicandome
hiciera presente al Gobierno lo perjudicial q.
es, y por ser conocido de mala conducta como
ellos lo pueden probar seria seguro el dano
q. p. el recibirian si lo dieron el paraje
q. solicita
San Carlos

10 de Diciembre de 1839 -
 Aruego del Juez de Paz Gutierrez de
 Oho Pueblo -

José de Arnesti

Monteney Diciembre 30 de 1839 -

Vuelva esta instancia al Sr Juez de
 Paz para que informe circunstanciadamente
 si el terreno que se demarca en el diseño que es
 adjunto comprende las tierras de algunos indigenas
 de los expresados, haciendo que el interesado Romero
 lo reforme y explique de una manera mas
 terminante sin incluir lo que fuere propiedad
 de otro individuo -

Moniádo

Excmo Sr Gobernador

En cumplimiento del superior decreto anterior
 pase' con dos testigos de asistencia y algunos acom-
 pañados a espesionar la tierra solicitada en
 esta instancia y desde el corral de Padilla asta
 la Cañada de la segunda abra una legua, pero
 de ancho no tiene ni 500 p.^o donde esta mas
 ancho, ques del rio a la Falda de las lomas, y
 en esta lengua de tierra asi, estan como
 veinte personas de los Indios que tienen sus
 terrenos donde siembran y pastean sus bienes-
 tos, pues lo demas son lomas muertas, q^o no
 tienen agua ni maderas, y asi por, no allo,
 no ser baldios mas de las lomas q^o son inu-
 tiles - por lo dicho y para mas informado á
 V.E. le adjunto el diseño legalmente sacado

Pueblo de S^{ra} Carlos En^o 4 de 1840

Marcelino Escobar

Mon-

9

- terrej Enero 21 de 1850 -

Vista la peticion con que ^{do} principio este expediente los informes del Sr. Prefecto del 1er Distrito y del Juez de Paz de San Carlos con todo lo demas, que se tubo presente y ver conoimo, de conformidad con las leyes y reglamentos de la materia: he venido por el presente decreto en concederle al Cno. Sr. Antonio Romero las Lomerias que se hallan colindantes con la Cañada de la segunda corral de Padilla y con las Tierras de los Indios que actualmente ocupan sujetandose a las condiciones que se estipularen siendo las principales el de pagar el canon que se le imponga si pertenece el terreno a los ejidos de San Carlos, y a pagar igualmente a los colindantes el importe de pastorage o de dano alguno que reciban de los brenes que introduzcan en otras Lomerias.

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El Sr. Dn Juan B. Alvarado Gobernador constitucional del — — — — — [7]
- Departamento de las Californias así lo mandó decretó y formó de que doy fé —

Here follow two maps or sketches
marked uspectively — — — — — } [8]
[9]

[10]
Juan B. Alvarado Gobernador Constitu-
cional del Departamento de las Californias —
Por cuanto el Ciudadano Antonio
Romero ha pretendido para su beneficio per-
sonal y el de su familia las Lomerias que
colindan con la Cañada de la segunda con.

et Corral de Padilla y con las tierras de los indios, que actualmente ocupa; practicados previamente las diligencias y averiguaciones convenientes, segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle otras lomerias, sujetandose a la aprobacion de la Junta Departamental y a las condiciones siguientes.

1.^a Podrá cercarlas sin perjudicar las trabecias caminos y servidumbres, destinandolas al uso o cultivo que mas le convenga.

2.^a Si algunos de los bienes que se introduzcan en otras lomerias salieren fuera de ellas y

— — — — — [//]
— entraren a las tierras de los colindantes podrán estos asegurarlos del modo que les parezca, hasta que se les pague el valor que ellos pidan, ya de parturage o de dano alguno que reciban.

3.^a El terreno que se le concedo será sinalado por el Juez respectivo, quien le dará la posesion juridica cuando la pida, obligandose a pagar el canon que se le impusiere si llegare a pertenecer a los ejidos del Pueblo de San Carlos.

4.^a En consecuencia mando que se mientose por firme y valedero este titulo se tome razon de él en el Libro a que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Montorey a siete de Enero de mil ochocientos cuarenta.

11
Office of Surveyor General of the
United States for California

I, John C. Hays, Surveyor General of the
United States for the State of California,
and as such, having in my office and in
my charge and custody a portion of the
archives of the former Spanish and Mex-
-ican Territory or Department of upper
California, by virtue of the power vested in
me by law - do hereby certify that the Eleven
preceding, and hereunto annexed pages of
tracing paper, numbered from one to Eleven
inclusive, exhibit a true and accurate copy
of a certain document now on file and
forming part of the said archives in this
office -

E. S.

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 Fourteenth
day of January A.D. -
1852 -

(Sig^d) John C. Hays
U.S. Surveyor General
for California

Extract from the 2nd section of the act
of Congress⁵⁵ providing for the Survey of
Public Lands in California, and other
purposes - Approved March, 3rd 1853.
⁵⁵ The Secretary of the Interior is hereby

authorized to cause an official seal to be prepared for the office of the said Surveyor General (California) and any copy or extract from the plats, field notes, and other records and documents on file in his office when attested as such by the said seal and the signature of the Surveyor General, shall, in all judicial matters, have the same force and effect as the original". →

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Filed in office February 10th 1854.
Geo. Fisher
Secy

1839

Expedient to be instituted by citizen Jose Antonio
Romero in relation of a tract of land in the vicinity of the
Camacho

Translation of
Expediente

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Stamp of the Third Mass Tax Reales
Authorized Provisionally by the Maritime Customs House
of Montevideo for the years 1839 and 1840

Alondras

Antonio Ma O Seo

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San Juan December

10th 1839

Snor Rufut

Admitted Let it be citizen Antonio Romero a
sent up with the contents of this Upper Territory
- responding inform with due respect and in confor-
- tion to the most Exe mity to Law do appear before
- your Governor of the Your Honor and say that being

Department
Caster

possessed of six hundred and fifty
head of cattle a band of fifty
men twenty tame horses and
five hundred sheep and that
although I considered as mine
the sitio named "El Incho"
I see that it is in the possession
of citizen Salvador Mesquita
in virtue of which I appeal to the
wise consideration of your Honor
that I may obtain the grant of

the sitio as it appears from the map which I enclose
- accompanying I humbly pray that your Honor may
deign to concede to me the mentioned sitio if you find
it just by which I will receive a favor as your hands

Montevideo 30th November 1833

Antonio Romero

Most Excellent Snor Governor

The party interested in this instance has the means my.

petitioners to be attended to and this Superior considers
that the tract of land he solicits may be granted
to him without prejudice to the Indian Apries
and to the limits of Manuel Boronda and Gas
Montroy

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San Juan de Castro Dec 2^a / 1839

Jose Castro

Montroy December 10th 1839

Let the Justice of the Peace of the Pueblo of San Juan
inform

Alvarado

Most Excellent -

[Sent of the Yna Seas Ino Seas
Authorized Provisionally by the Maritime Customs
House of Montroy for the years 1839 and 1840

Alvarado

Antonio Ma Osis

= Senior Governor

In order to inform with the corresponding truth on the
request made of you Excellency they leave to say that
the tract of land which is solicited by this Applicant
is already adjudicated in its principal portion to the
Indian Apries the widow of Pedro dones Oselma
and various other persons who are occupying it
and cultivating it,

Moreover Most Excellent Sir as soon
as the Indians of this Pueblo became acquainted with
the intention of Senior Governor they came to me and
begged of me to represent to the Government how angry
wrous he is and how in consequence of his notorious
bad conduct which they can prove they would receive
a manifest injury if the tract he solicits was granted
to him

San Juan 10th December 1839

at the request of the Justice of the Peace ad interim
of said Pueblo

Jose de Armesto

Monteuy December 30th 1839

Let this Instance be returned to the Justice of the Peace in order that he may inform circumstantially whether the tract of Land marked in the adjoining map comprehends the lands of some of the mentioned Indians concerning the party interested. I am to reform it and to return it in a more definite manner without including what may be the property of other individuals

Uruaraso

Most Excellent Senior Governor

In conformity to the preceding Superior Decree I proceeded with two assisting witnesses and some other persons accompanying me to inspect the land situated in this Petition and from the Conca of Padilla up to the Cañada of the Segura there is one league: but in width it does not contain more than 500 varas in its widest part which is from the River to the skirt of the hills in this neck of land, there are about twenty Indians who have these lands where they sow and possess some little stock of cattle, as for the rest they are barren hills without water or timber, Thus Senior I find no other vacant lands but the hills which are useless in consequence and for the better information of Your Excellency I annex hereto the map duly made out,

Mexico of San Carlos January 4th 1840
Marcelino Escobar

Monteuy 27th January 1840

In view of the Petition with which this Expediente begins of the information from the second Paper of the first District and from the Justice of the Peace of San Carlos also of all that was in view and it was thought proper to be considered in conformity with the laws and regulations on the subject I have determined by this present decree

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to grant to Citizen Jose Antonio Romero the range of hills that are bordering on the Comarca of the Laguna on the Leonal of the Padilla and on the Comas of the Indians in this country subject to the conditions that may be stipulated the principal of which is that he shall pay the municipal tax that may be imposed in case the land belongs to the Ejidos of San Carlos and also to the bordering neighbors the amount of Pastorage or of any damage they may receive from the cattle they may introduce upon the said range of hills

Senor Don Juan B. Alvarado Constitutional Governor of the Department of the Californias has thus ordered decreed and signed it which I attest

And follows Two Maps

Juan B. Alvarado, Constitutional Governor of the Department of the Californias

Whereas Citizen Antonio Romero has petitioned for his own personal benefit and that of his family for the grant of the range of hills bordering on the Comarca de la Laguna on the Leonal of Padilla and on the Comas of the Indians actually in this country the corresponding formalities and investigations being previously had in conformity with the laws and regulations in the exercise of the Authority conferred on me in the name of the Mexican Nation, I have granted to him the said range of hills subject to the approval of the Minister of the Departmental Intendant and to the following conditions

1st He will be at liberty to enclose it without prejudice to the crossings roads and structures applying it to the use or cultivation that may suit him best,

2d He shall answer of the cattle that may be killed on the said range of hills or out of them and enter the Comas of the bordering neighbors

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they may secure them in the manner they choose water
they are indemnified to the extent they may claim
either for pasturage or any other damage received
3d The tract of land which is granted to him shall
be marked out by the respective Judge who will give
him the Judicial Possession thereof when he asks for
it, on condition that he shall pay the Municipal
Tax that may be assessed on him in case the land
should happen to belong to the Estates of the Pueblo of
San Carlos

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If he should be contrary to these conditions he will lose
his right to the land and it will be liable to be con-
veyed by Deed to the

In consequence I recommend that this title being con-
sidered as firm and valid it be entered in the corresponding
book and be returned to the grantee for his protection
and other ends

Done in Monterey on the seventh of January one thou-
sand eight hundred and forty

I George Fisher Surveyor to the United States Land
Commission to ascertain and settle the Private Land
Claims in the State of California do hereby certify the
foregoing to be a true and correct translation of a Spanish
donation tracing paper from the US Land
Surveyor General's Office in Case No 373 wherein
James Meadows claims a tract of land in Monterey
County now on file in this Office

In testimony whereof I have hereunto
subscribed my name Office of the
Above named Commission San
Francisco California this
seventh day of March AD
1852

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Filed in Office February 16th 1834
Geo Fisher
Gm

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de ellas, y entraren a las tenas de las co-
lindantes, podran estos asegurarlos del modo
que les parezca, hasta que se les pague el
valor que ellos pidan, o de pastoreo, o de
daño alguno que reciban -

3^a El terreno que se le concede será
señalado por el Juez respectivo quien le dará
la posesion juridica cuando sea pedido, obli-
gandose a pagar el canon que se le imponga
si llegare a pertenecer a los ejidos del pueblo
de San Carlos -

4^a Si contratniere a estas condici-
ones perderá su derecho al terreno y será
denunciabile por otro - En consecuencia mando
que teniendose por validero este titulo se tome
razon ^{en} el Libro respectivo y se entregue al inte-
resado para su resguardo - Dado en =

[Sello Tercero Dos Reales

Facilitado por la Administracion de la Aduana
maritima del puerto de Monterey de la Alta Ca-
lifornia, para los años de mil ochocientos treinta
y seis y mil ochocientos treinta y siete -

Gutierrez

Angel Ramirez

Balga para los años de 1839 y 1840 -

Morandi

Antonio Morandi]



= Monterey a veinte y siete
de Enero de mil ochocientos cua-
renta -

(Signo) Juan B. Morandi

(Signo) Manuel Jimeno
Sr. del Despacho

21

Queda tomada razon de este despacho en el
Libro de haciendas sobre adjudicacion de terrenos
baldios af. a t. a.

Jimeno

[Endorsed]

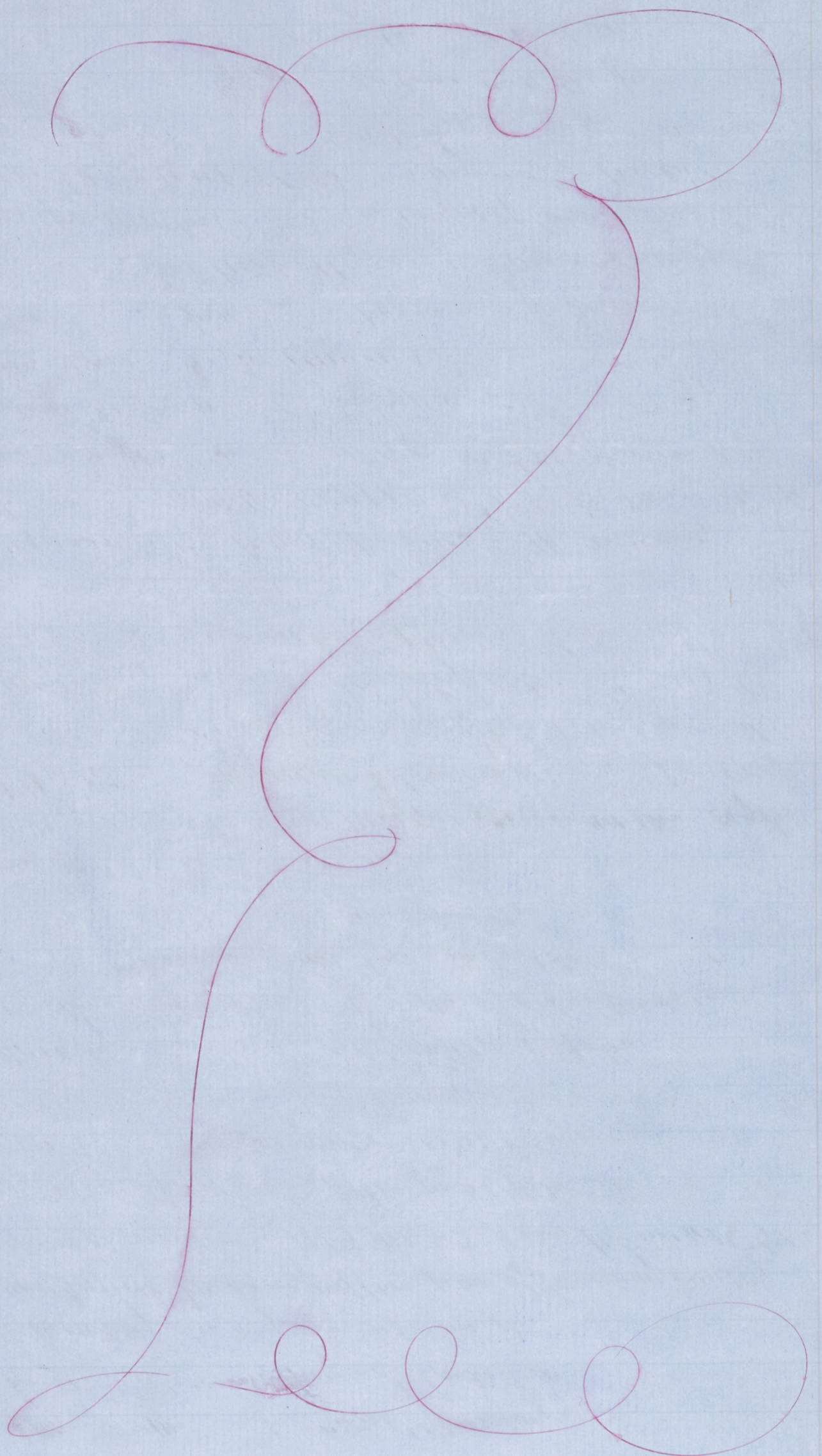
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Received for record 21st October 1850 at
H. P. M. - Recorded in "Deeds of grants C"
page 34

(Signed) Wm. J. Johnson
Recorder of
Montz. Co.

\$ 5.00

Filed in Office February 25th 1853
(Signed) Geo. Fisher
Secy.



This indenture made and entered this sixteenth day
 Copy of Transcript of August 1844 in the Town of Monterey Territory of California
 from Larkin to his land between Thomas Larkin and Rachel his wife
 James Pica cases of Monterey Territory of California parties of the first part
 and James Menares of the Town of Monterey Territory of
 California party of the second part Witnesseth That
 the said Thomas Larkin and Rachel his wife parties
 of the first part for and in consideration of the sum
 of One Thousand five hundred dollars to them in hand
 paid by the said James Menares party of the second
 part the receipt whereof is hereby acknowledged and
 confessed have granted bargain sold and conveyed
 and by these presents do grant bargain sell and con-
 vey unto the said James Menares party of the second
 part and to his heirs and assigns forever all their right
 title interest and estate in and to a certain tract or por-
 ce of land and situated lying and being near the
 Mission of Carmel Territory of California bound-
 ed and measured as follows to wit The Hills that extend
 from the Valley Murron by the name of the Comman
 segment to the town known by the name of the
 house de Padilla and bounded by the lands enti-
 tled by the mainis and running to the sea or tide
 from the twenty seventh day of January one
 thousand eight hundred and forty to Antonio
 Romo by Juan B. Alonzo the Governor of Cali-
 fornia, which tract of land is in Carmel Valley district
 of said Monterey being one league of land more or less
 which said tract of land was donated to the said Thomas
 Larkin from William R. Hunter of said Monterey
 California by deed bearing date the first day of
 march A.D. 1844 all of which will more particu-
 larly appear, Reference being had to the Minutes
 of said Monterey.

To Have and to hold the same with
 all the rights privileges and appurtenances thereunto

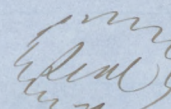
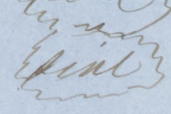
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belonging or in anywise appertaining unto the said James Meadows Party of the second Part and to his heirs and assigns forever,

In testimony whereof the said Thomas O Larkin and Rachel his wife Parties of the first part have hereunto set their personal seals in the Town of Monterey County of California in the day and year first aforesaid,

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(Signed) Thomas Larkin 
In presence of (1) Rachel Larkin 
(signed) Milton Little

(1) Talbot St Linn

County of California Jurisdiction of Monterey Sp
Be it remembered that on the 16th of August AD 1851 before me Alcalde within and for this Jurisdiction aforesaid, came the above mentioned Thomas O Larkin and Rachel his wife and acknowledged the above written Indenture to be their act and deed and accented that the same might be recorded as such according to Law,

The said Rachel being by me duly examined separate and apart from her said husband and the contents thereof being first made known to her declared that she did voluntarily and of her own free will and accord seal and acknowledge and do hereby the said Indenture without any coercion or undue influence of her said husband,

In witness whereof I have hereunto set my hand and seal the day and year aforesaid

(Signed) Walter Colton
(Endorsed) Received for Record 21st October 1851
at 4 PM Recorded in County books A Page 145

(Signed) Wm S Johnson
Recorder of Monterey Co
P. Ord. Atty

Filed in Office July 10 1853
Geo Fisher Secy

Magistrate's Office Monterey, Jan'y 30. 1847

Don of Roman
to Ganner

Know all men by these presents that Jose Antonio
 Roman and his wife Francisca Meda in their own names
 and those of their family and their heirs and successors
 have this day sold to William N. Ganner a tract of land
 to them belonging situated as follows and as spec-
 -ified in these original title granted to them by the Ex-
 -celsior Don Juan Bautista Alonzo on the twenty seventh
 day of January in the year of our Lord one thousand six-
 -hundred and forty four. The tracts that is land from
 the Valley known by the name of Arroyo de San Juan
 to the tract known by the name of the Corral de Pa-
 -dilla and bounded by the land owned at present by
 the Indians belonging to the Mission of San Carlos
 Jacinto of land they now sell to said William
 Ganner for the valuable consideration of seven hundred
 dollars, which amount said Jose Antonio Roman
 and said Francisca Meda have received to their entire
 satisfaction

The above document was translated and explained
 to the interested parties by Don George Allen as witness
 Done in my presence in testimony whereof I have
 set my hand and seal

Walter Colton Clerk
 Chief Magistrate

his
 Jose Antonio & Roman
 mark

his
 Francisca & Meda
 mark

Witness

George W Allen

The foregoing document is recorded in the book

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Magistrates Office in the Dock for the Prosecution of
Montgomery for the years 1846 and 1847 at Pages 47
and 48

William A Garner
Sentry

Received for Record 21st October 1850 at 4 PM
Recorded in Lemoyne at Page 143

Wm S Johnson

Recorder of Montgomery Co

Filed in Official Court 7th Nov 1853

Geo Fisher

Sentry

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PAGE 26

510
SD

Deed of Gannet
To Larkin

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PAGE 27

Know all men by these presents that I William
R Gannet of the Town of Monterey, Upper California in
consideration of the sum of Five hundred dollars
to me in hand paid the receipt whereof is hereby
acknowledged have this day and as by these presents
grant bargain sell and convey unto Thomas Larkin
in California above said all and singular the following
piece parcel or parts of land (to wit) A certain tract of
land lying and being situate between the Valley known
by the name of the Cañada de la Laguna and the
spot known by the name of the Cañada de Padilla and
bounded by the land owned by the Indians of San
Cebas in the year 1840 the whole tract of land containing
something more than one square league of land as well
more fully appear by a reference to the original title
deed made in due form of law and duly recorded at
Monterey in California in the book of State (as page 1)
all of which will more fully appear by a reference to the
said deed and record

And I the said William R Gannet do further covenant
and agree to and with the said Thomas Larkin
to warrant and defend all and singular the said
premises together with all the privileges and appurten-
ances thereto in anywise appertaining or belonging
unto him the said Thomas Larkin against all legal
claims and demands of all persons whomsoever
In testimony whereof I the said William R Gan-
net have hereunto set my hand and affixed my
seal this the first day of March in the year of our
Lord one thousand eight hundred and forty seven
William R Gannet
his seal

Done in the presence of
Rafael Vinton
Milton Little

The foregoing document was sealed signed and delivered
in my Office and in my presence and under of the same
taken and kept in this Office on this 21st day of March 1847

In testimony whereof I have set my hand and seal

Walter Colton Clerk
Alcalde of Montevideo

William R. Sumner
Sentry

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Reason why came before me the Alcalde of this Town
this day wife of the within signed
William R. Sumner and acknowledges that she signed
the within name and of her own free will and accord
without order or compulsion from her said Husband
and by these presents doth she relinquish to said
Leah for herself and heirs all her right title and in-
terest to the said Land

Montevideo March 1st 1847
Walter Colton

Received for Record 21st October 1853 at 11 A.M.

Record in Conveyances A Page 143

Wm J Johnson

Recorder of Montevideo

Filed in Office October 21. 1853

Gen Fisher

Sentry

Deed of Larkin
to Meadows

159 SD
PAGE 29

This instrument made and entered into this sixteenth
day of August AD one Thousand and Eight hundred and forty
Eight in the Town of Monterey Territory of California
By and between Thomas Larkin and Rachel his
wife of Monterey Territory of California Parties of the first
part and James Meadows of the Town of Monterey
Territory of California Party of the second part Witnesseth
That the said Thomas Larkin and Rachel his wife
Parties of the first part for and in consideration of the
sum of One Thousand Five hundred Dollars to them
in hand paid by the said James Meadows Party
of the second part the receipt whereof is hereby acknowl-
edged and accepted, have granted bargained sold and
conveyed and by these presents do grant bargain sell and
convey unto the said James Meadows Party of the second
part and to his heirs and assigns forever all those rights
title interest and estate in and to a certain tract or piece
of land and situated lying and being upon the Mission
of Carmel Territory of California bounded and descri-
bed as follows to wit

The Hills there extend from the Valley known by the
name of "Canaña Secunda" to the tract known
by the name of the "Conce de Padilla" and bounded
by the lines contained by the Indians according to
the deed or title given the twenty seventh day of
January one thousand Eight hundred and forty
to Antonio Romero by name B. Alvarado then Gov-
ernor of California which tract of land is in Carmel
Valley District of said Monterey being one league
of land more or less which said tract or piece of
land was "donated" to the said Thomas Larkin
from William M. Gerner of said Monterey California
by and bearing date the first day of March AD one Th-
ousand Eight hundred and forty seven all of
which will more particularly and at large appear
reference being had to the Archives of said Monterey

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PAGE 30

To have and to hold the same with all the rights pri-
vileges and appurtenances thereto belonging or in any
wise appurtening unto the said James Meadows party of
the second part unto his heirs and assigns forever
In testimony whereof the said Thomas O Larkin and
Rachel his wife parties of the first part have caused
set their hands and seals in the Town of Monterey, Terri-
tory of California the day and year first aforesaid
In presence of Thomas O Larkin [RS]
Milton Latta Rachel Larkin [RS]

Jacob St. John

Territory of California }
Jurisdiction of Monterey }
I do hereby certify that on

the 16th day of August 1853 the Thomas and Rachel Larkin
and one forty eight before me appeared within and
for the Jurisdiction aforesaid came the above named
Thomas O Larkin and Rachel his wife and ac-
knowledged the above written instrument to be their
act and deed and advised that the same might be
recorded as such according to Law, The said
Rachel being by me duly examined separate and
apart from her said husband and the contents thereof
being first made known to her declared that she
did voluntarily and of her own free will and accord
sent and as her act and deed within the said
Jurisdiction without any coercion or undue influence
of her said husband,

In witness whereof I have
put unto set my hand and seal this day and
year aforesaid

Walter Cotton

As witness for Record that October 11 1853 at 4 PM Record
in Conroyanus "A" Page 145. Wm. J. Johnson

Recorder of Monterey Co

Filed in Office October 21st 1853

Geo. Fisher Clerk

Copy of Deed
from Romero
Wm R Garner

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PAGE 31

Magistrates Office Montevideo Aug 30th 1847
Know all men by these presents that I, Don Tomas Romero
and his wife Francisca Alcedo in their own names and
those of their family and their heirs and successors
have this day sold to William R Garner a tract of
land to them belonging situated as follows & specified
in this original title granted to them by the Ex Governor
Don Juan Bautista Almonacid the 7th day of January
in the year of our Lord 1840 (viz) The said tract extends
from the valley known by the name of Coma an Hig
- anda to the tract known by the name of the Coma de
Pedella and bounded by the land owned at present
by the Indians belonging to the Mission of San Carlos
Said tract of land they now sell to said William
R Garner for the valuable consideration of seven
hundred dollars which amount said Don Antonio
Romero and said Francisca Alcedo have received to
their entire satisfaction,

The above document was translated and explained
to the interested parties by Mr George Allen as witness
Done in my presence in testimony whereof I have
hereunto set my hand and seal

(Signed) Walter Colton Seal
Chief Magistrate

(Signed) Francisca Alcedo (Signed) Jose Antonio Romero

Witness (Signed)
George Allen

The foregoing document is recorded in the Civil Mag
istrates Office in the Docket for the Jurisdiction of
Montevideo for the years 1846 and 1847 at Pages
47 and 48

(Signed) William R Garner
Buyer
over

31

(Endorsed) Received for Randa 22nd October 1830
at 4 PM. Randa in conveyance "A" Page 143
(Signed) Wm J Johnson
Recorder of Montung Co

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PAGE 32

Filed in Office February 10th 1833
Geo Fisher
Clerk

Know All men by these presents that I William
 copy of Trans R Garner of the Town of Monterey Upper California
 from Garner to in consideration of the sum of Five Hundred Dollars to
 J. Larkin. men should paid the scrips whereof is hereby ack-
 - nowledged have this day made as by these presents
 grant bargain sell and convey unto Thomas C
 Larkin in California above said all and singular
 the following parcel or tract of land (to wit) a certain tract
 of land lying and being situate between the Valley
 known by the name of the Laguna de la Laguna
 and the spot known by the name of the corral de
 Piedad and bounded by the land occupied by the
 Indians of San Carlos in the year 1810 the whole
 tract containing something more than one square league
 of land as well more fully appear by a reference to
 the original title deed made in due form of law
 and duly recorded (at Monterey in California)
 in the Book of State at Pages) all of which will
 more fully appear by a reference to the said deed
 and Record

And the said William R Garner do hereby further
 covenant and agree to and with the said Thomas
 C Larkin to warrant and defend all and singular
 the said premises together with all the Privileges and
 appurtenances therunto in any wise appertaining
 unto him the said Thomas C Larkin against all
 legal claims and demands of all persons whom
 - soever

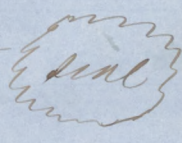
In testimony whereof I the said William R Garner
 have hereunto set my hand and affixed my seal
 this first day of March 1814

(Signed) William R Garner

Done in presence of
 (Signed) Rafael Pinto
 (") Milton Little

over

The foregoing document was sealed signed and returned
in my Office and in my presence and record of the same
taken and kept in this Office on this first day of March
A D 1847, in testimony whereof I have set my hand
and seal

(Signed) Walter Colton 
Mayor of Montung
Secretary

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Personally came before me the Alcalde of this Town
wife of the within Leguer William
R. Farmer and acknowledges that she signed the
within paper and of her own free will and accord
without order or compulsion from her said Husband
and by these presents do this day relinquish to said
Larkin for himself and heirs all her right title and
interest to the said Land

Montung March 1st 1848
(Signed) Walter Colton

Endorsed

Recorded for Record 21 October 1850 at 4
P.M. Recorded in conveyance as a Page 143
(Signed) Wm J Johnson
Recorder of Montung Co

Filed in Office February 10th 1853
Geo. Fisher
Clerk

Opinion

James Meadows

of
The United States } For one Square League of
Land in Mountain County

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PAGE 35

The Petitioner has given in evidence duly proved a grant of the Land in question to Antonio Romero made by Governor Alvarado on the 27th day of July 1840.

The deposition of Manuel Leacho shows that the grantee was in possession of the premises having a house and garden as early as 1842 and he then cultivated the land. The occupation and cultivation of the premises has been continued to the present time. No approval by the Departmental Assembly is shown and no judicial possession appears to have been obtained. The grant contains no condition requiring the building of a house within a year. The testimony does not show precisely when the cultivation and cultivation of the premises was commenced by the grantee but as the witness first saw the premises in 1842 and as he was always in possession with his small inghouse erected and his lands then under cultivation.

I think it should be required as a substantive compliance with the requirements of the Regulations. The claimant's title from Romero through three conveyances the first of which is from said Romero and wife to William A. Gannet executed on the 30 January 1847.

The second from said Gannet to Thomas W. Larkin dated March 1847, and the third from said Larkin to the present claimant dated August 16th 1848. These conveyances were all made before and are certified by Manuel Leacho then resident at Mountain

and were executed during the period of time intervening between the Congress of the Country by American Arms and the establishment of the new form of Government after the treaty of cession

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PAGE 36

These conveyances like most others made at that period partake of the Union acturities of both the American and the Mexican form they have not the entire formality of either for they embody the substance of both, The Provision of the Statute of California (Compila Laws 579) operates directly on this class of conveyances not only as to their effect as transfers of title but it also entitles them to be read in evidence in the same manner and with like effect as conveyances made under the act of the State of California now in force relative to conveyances of real estate under this law the Deeds before us are admissible as instruments of evidence and are sufficient proof of the transfer of the property in question to the present claimant

The property granted is described by metes and bounds and the description contained in the grant will sufficiently define its limits in the Deed to be entered in the lease

"Comprimed"

Died in Office March 14th 1854
Gen Fisher
Gen

Decree of
Confirmation

James Meadows
of
The United States

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PAGE 37

In this case on hearing the
proofs and allegations it is adjudged by the Com-
mission that the claim of the said Petitioner is
valid and it is therefore decreed that the same
be confirmed.

The land of which confirmation
is hereby made is situated in Montony County and
is the same now occupied by the Petitioner and born-
-ed and described as follows to wit,

The same being
and comprising the Hills which are born ed by the
Comunidad de la Laguna the tract of land called the
Loma de Padilla and the lands actually occup-
-ied by the Indians of San Marcos, On the 27th
day of January 1840 said land containing one
square league a little more or less and being the
same granted to Antonio Romero on the day last
mentioned by Governor Alonzo de Sotomayor for the
then the Captain of said Province to be held to said
Grant now on file in this case

Alphons Fitch

Thompson Comptroller

R. May Thompson
Commissioner

Filed in Office March 14th. 1854

Geo Fisher Secy

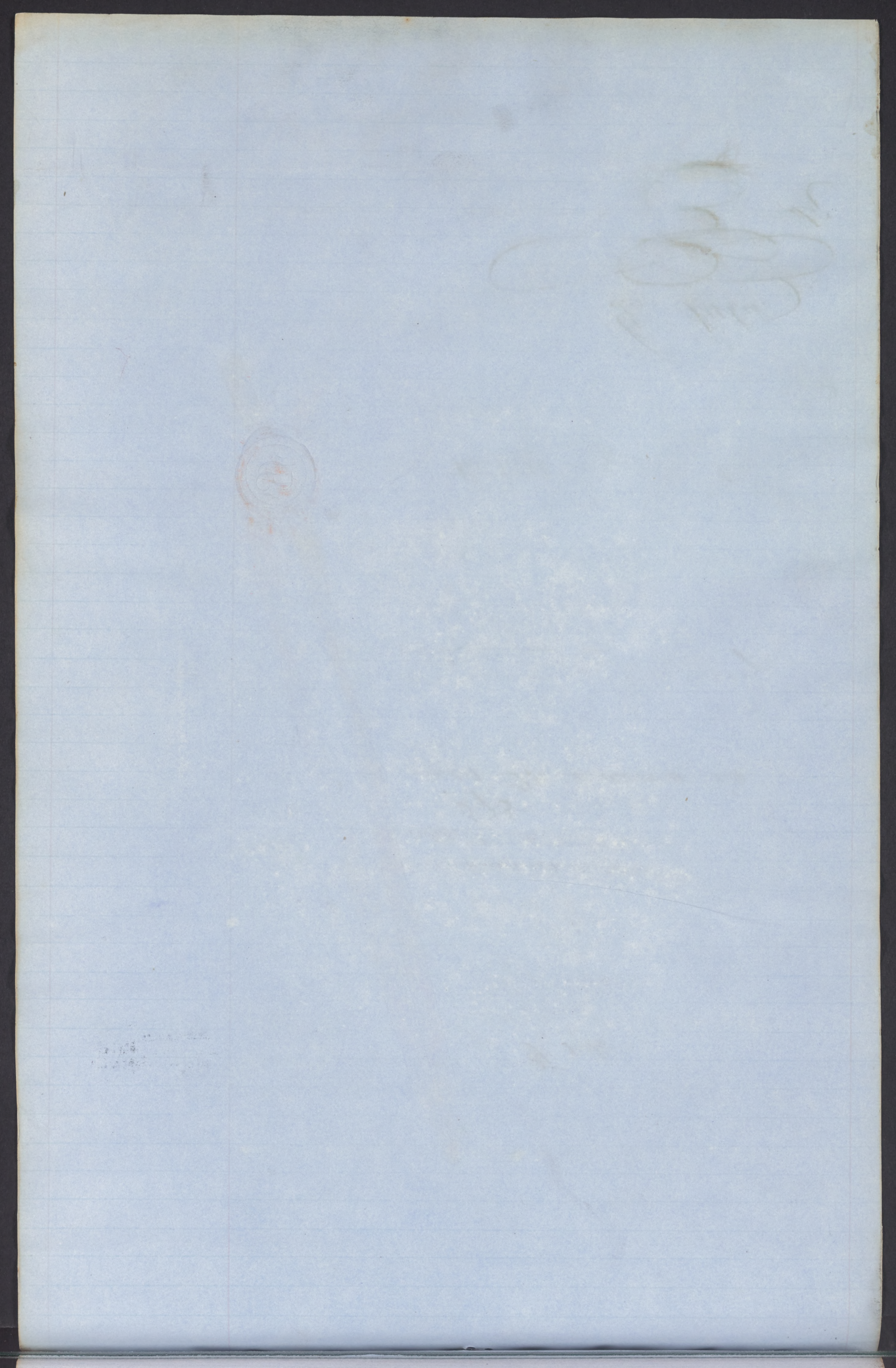
(10)

37

And it appearing to the satisfaction of this Board, that the land hereby adjudicated, is situated in the Southern District of California it is hereby Ordered, that two Transcripts of the Proceedings and of the decision in this case and of the papers and evidence upon which the same are founded, be made out, and duly certified by the Secretary, one of which Transcripts shall be filed with the Clerk of the United States District Court for the Southern District of California, and the other be transmitted to the Attorney General of the United States.

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Office of the Board of Commissioners,

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

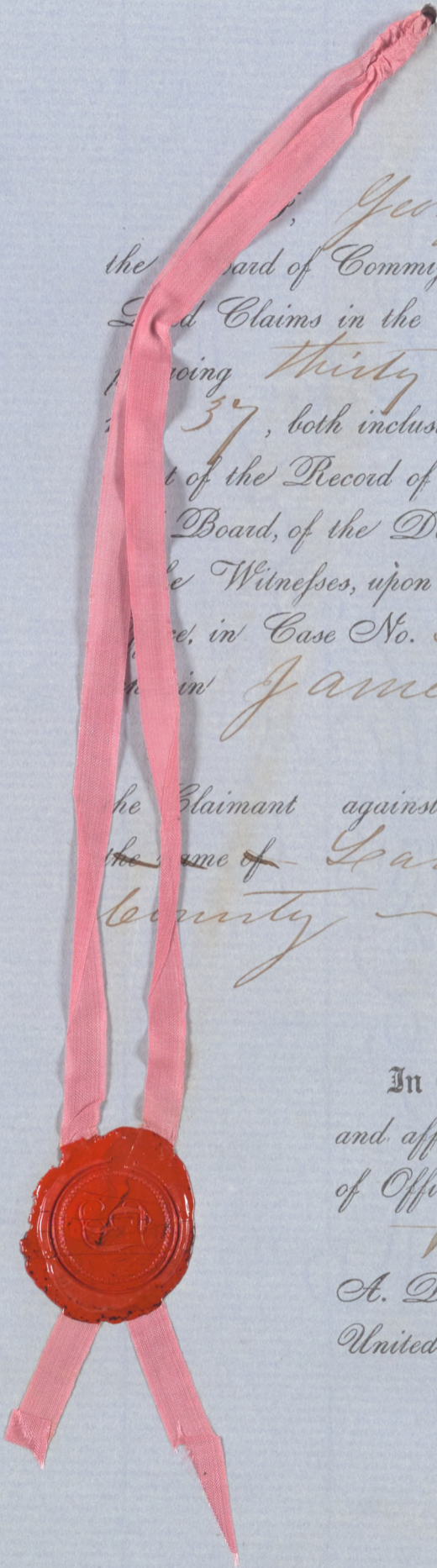
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PAGE 39

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 following *thirty seven* pages, numbered from *37*, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this office, in Case No. *573* on the Docket of the said Board, in *James Meadows*'s

claim against the United States, for the place known by the name of *Land in Monterey County*

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

G. Fisher.



159

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

No. 159. *Docket*

THE UNITED STATES,

vs. 159

James Meadows,

"Land in Monterey."

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 573.

Filed, *November 8th* 1854.

J. S. Fassett
Clerk.

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No. 573



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Office of the Attorney General of the United States,

Washington, 17th January 1855.

James Meadows

vs.

The United States.

} 573.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 12th day of October 1854, the appeal in the district court of the United States for the Santhern district of California will be prosecuted by the United States.

Cushing

Attorney General.

80

No 159.

U. S. District Court
Southern District

The United States

vs.

James Meadows.

Notice of Appeal from atty. Gen.

Filed Feb'y 24th. 1855.

J. E. Carr
clk.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

James Meadows

159 SD
PAGE Duplicate

vs.

The United States.

} 5-73.

159
9

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 12th day of October 1854, the appeal in the district court of the United States for the district of California will be prosecuted by the United States.

Cluening

Attorney General.

Juan Meadows,
appellee }
vs. }
The United States }
appellant }
In the United States Dis-
trict Court for the Southern
District of California
December Term A.D. 1856.

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The above entitled cause coming on
to be heard at a stated term of said Court, on
appeal from the decision of the United States Com-
missioners to ascertain better private land
claims in California, under an act of Congress
approved 3^d March A.D. 1851. upon a transcript
of the proceedings and decision of said Commis-
sioners, and of the papers and evidence upon which
said claim was based. all of which, together
with a notice of appeal have been duly filed
in this Court, & counsel for the respective par-
ties having been heard.

It is ~~ordered~~, ordered, adjudged and
decided by the Court, that the said decision of
the said Commissioners confirming unto the
said Juan Meadows the land claimed in this
case, he and the same is hereby affirmed, and
that the title of the said Juan Meadows for said
land is a good and valid title -

The land of which confirmation is hereby
made is situated in the County of Monterey and
State aforesaid, and is bounded and described
as follows; bounded by the "Cañada de la Segunda
da"; by the "Carral de Padilla", and by the lands
actually occupied, on the 7th day of January A.D.
1840. by the Indians of the Mission of San Carlos, for
further description, reference to be had to grant of the
said land, and to the maps, Copies of all of which

are attached to former part of the manuscript in this
Court.
Dated at St. Louis
U. S. Dist. Court
for the S. Div. of Cal

No 157.

JAMES MURPHY
vs
The United States
Appellant.

U. S. Dist. Court
Southern Dist of
California
Berkeley.

Filed Aug 13th 1857
Alms
Chas R
Referred in page 134

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

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



James Meadows. Appellee
vs.

Docket No. 159.

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The United States. Appellant.

Transcript No. 573.

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

The ^{Cameron & Thom,} Petition of ~~Pacificus Ord,~~ a resident of said City, County, and State, ^{Acting} Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 10th day of February — A. D. 1853; James Meadows.

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land in Monterey County, _____ in the County of _____ State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 14th day of March — A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 8th day of November A. D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 573; reference to which it is prayed may be had and made part of this petition. That on or about the 12th day of October A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit:
on ^{or about} the 27th day of February — A. D. 1855, the said
Attorney-General of the United States filed, or caused to be filed, in
behalf of the United States, a notice with the Clerk of said District
Court of the United States, that the appeal in said cause from the said
decision of the said Commissioners, in the District Court of the United
States for the Southern District of California, would be prosecuted by the
United States. Your petitioner further represents, that the land claimed,
as aforesaid, is situate in the Southern District of California, and within
the jurisdiction of this Honorable Court. Your petitioner further represents
and insists, that the said claim is invalid; and the said decision of said
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for
many errors and imperfections of law and evidence, apparent in said certified
transcript of the proceedings and decisions of said Commissioners in said
cause, filed and appealed from as aforesaid. And your petitioner denies all
and singular, each and every allegation in the said petition of said claimant,
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimant has any valid right or title to said land claimed
as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said pe-
tition to said Commissioners, or in support of the said claim, no decision con-
firming the same should have been made by said Commissioners; but the

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

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

Cameron E. Thom
Acting Attorney of the United States for
the Southern District of California.

N^o 159.

C. E. Thom.

Filed Dec 24th 1852
Clerk
Clerk

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In the District Court of the United States
of the Southern District of California
Hon J. S. K. Ogden Judge
James Meadows.

159 SD

PAGE 48

Appellee

N^o 159.

vs.

The United States.

Appellant.

Trans N^o 573.

The answer of James Meadows, to
the petition of the United States for
renewal, avers. That the title under
which he claims the tract of land
situate in Monterey County, is valid.
And he prays that the decision
of the Board of Land Commissioners
be affirmed; and his title be
decreed valid. And general relief.

D. S. Gregory.

Att^y for Appellee

N. 159.

James Meadows
appreciated

^{by}
The United States
Apprentice

Answer.

Filed numbered 36th
Oct 1854

Aug 13th 1857
James
M

The United States
vs. Appellant
James Meadows
Appellee

United States District
Court for the Southern
District of California.

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Docket No. 159, Term No. 573.

Claim for lands in Monterey County.
The Attorney General for the United States
having given notice of intention not to
prosecute the appeal in the above cause
and his letter of such notice being filed
herewith -

It is therefore hereby stipulated and
agreed by and between the parties hereto,
T. O. W. Esq. — Attys. acting for the
U. S. and D. S. Gregory for said appellee
that the decree of the said Court hereto-
fore rendered in said cause be and
the same is hereby made final and
that the said appeal be dismissed

T. O. W. Esq.

D. S. Gregory
Attorney for Appellee

#159

U. S. Dist Court
Southern Dist.

United States

by

James Meadows

↓
Stipulation for
final decree.

Filed July 2^d, 1854
C. Sims
clerk

159 SD

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

How Isaac S. W. Ogier Judge

The United States

vs Appellant

Docket No. 159

James Meadows

159 SD

Appellee

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Transcript from the Board of Land Commissioners No

The Attorney General of the United States having
given notice that the appeal to the Supreme Court
from the decision of this Court in the above enti-
tled cause will not be prosecuted by the United
States and a stipulation having been entered into
by the United States District Attorney and the at-
torney of the claimant that the order granting
an appeal to the Supreme Court heretofore
made in this cause, be vacated and that the
decree of this Court heretofore rendered in this
cause may by order of the Court be made
final -

It is ordered adjudged and decreed that
the order granting an appeal to the Supreme
Court heretofore made in this cause be and
the same is hereby vacated and that the
claimant have leave to proceed under the
decree of this Court heretofore rendered in this
cause as under a final Decree -

Isaac S. W. Ogier
U S Dist Ct

In the District Court
of the U.S. Southern District
California No. 159.

The United States

vs

James Meadows

~~Stipulation~~ and order
concerning same -

Filed July 2^d 1858

Chin
OK

California Land Claims
Attorney General's Office
19 Feby 1857.

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Mr: In the case of the claim of James
Meadow, confirmed to the claimant
by the Commissioners, Case no. five
hundred and seventy-three, (573), ap-
peal will not be prosecuted by the
United States.

I am,

Respectfully,

Cushing

Matias M. Ely
U. S. Attorney
Los Angeles -

Aug 15-9

James Madison

July 27^d 1858
Chin
CR