

CASE No.
174

SOUTHERN DISTRICT

LOS BAULENES GRANT

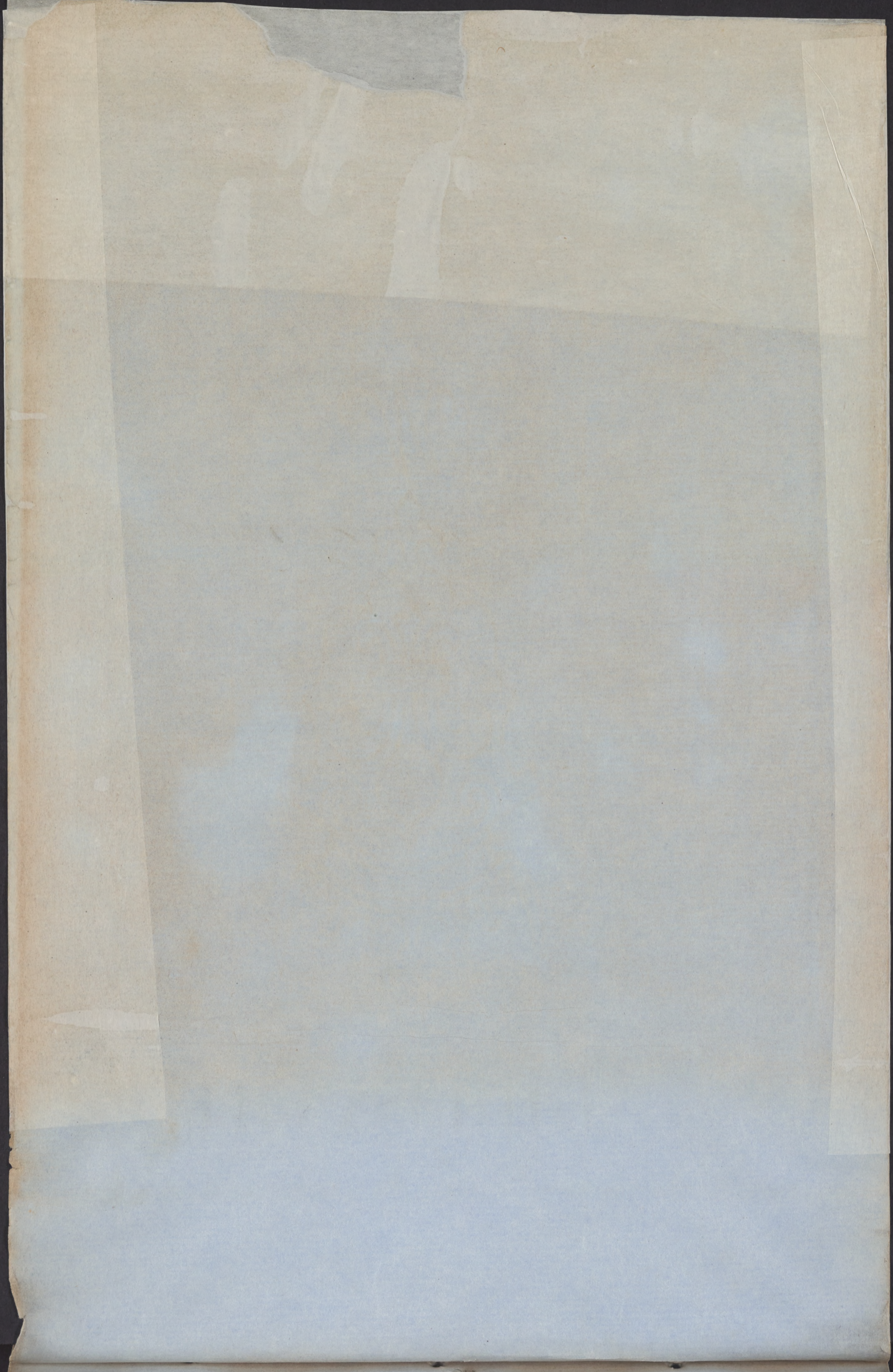
GREGORIO BRIONES
CLAIMANT

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5-41

17/2



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 541

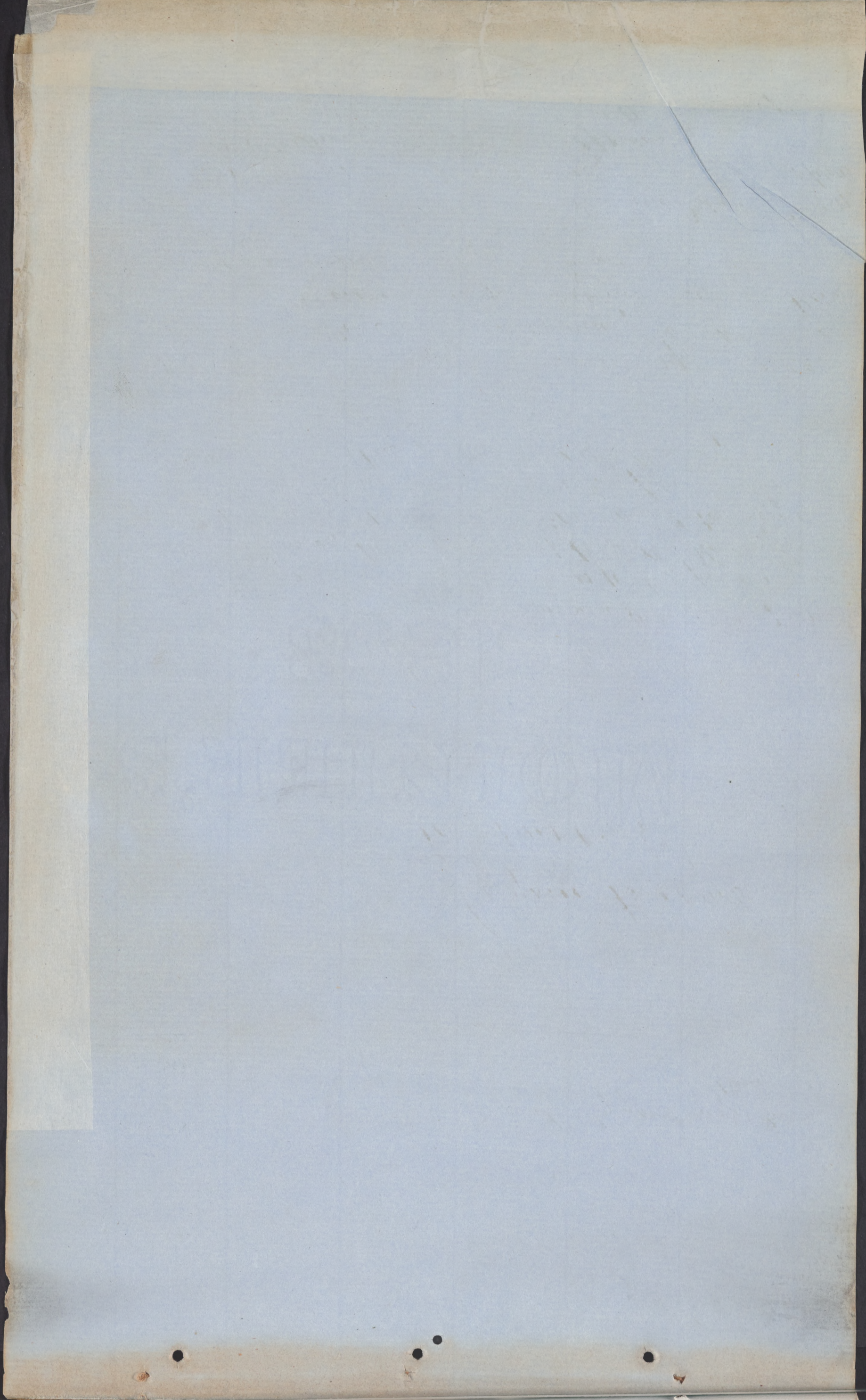
Gregorio Brines CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Los Banderes"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *Thirtieth first day of January* 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 *Gregorio Briones*,
 ~~~~~ for the Place named  
 ~~~~~ "*Sos Barlenes*,"  
 was presented, and ordered to be filed and docketed with No. 541, 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 February 1st 1853.
 In Case no. 541. *Gregorio Briones* for the place named "*Barlenes*," the deposition of *Wm. A. Richardson*, a witness in behalf of the claimant, taken before Commissioner *Melano Hall*, was filed;

(Vide page 5 of this Transcript.)

San Francisco Sept. 16th 1853.
 Case no. 541 called: The Counsel for the claimant read the evidence, argued, submitted, and taken under advisement by the Board.

San Francisco February 14th 1854.
 In the same case the Counsel for the claimant filed the following motion, and Affidavit:
 (Vide pages 17, 18 & 21 of this Transcript.)

San Francisco March 17 1854.

In the same case the counsel for the claimant filed the following Affidavit, to wit:

(Vide page 19 of this Transcript.)

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San Francisco April 18 1854.

In the same case Commissioner Alpheus Felch delivered the Opinion of the Board upon the motion of the counsel for the claimant filed heretofore, to wit, on the 14th February last, accompanied with affidavits, asking leave to introduce further testimony, granting the motion:

Ordered, That the case be reinstated on the Trial Docket, and placed at the foot of the Calendar of the 1st class.

San Francisco June 12 1854.

In the same case the deposition of Antonio Ortega, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed:

(Vide page 11 of this Transcript.)

San Francisco July 24 1854.

In the same case the depositions of Pablo Briones and William A. Richardson, witnesses in behalf of the claimant, taken before Commissioner Peter Sott, was filed:

(Vide pages 8 & 16 of this Transcript.)

San Francisco July 25 1854.

Case no. 541 was submitted on briefs.

San Francisco Aug. 15 1854.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board confirming the claim: (Vide page 35 of this Transcript) and the following order was made, to wit:

(Vide page 39 of this Transcript.)

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To The Honorable The Board of U.S. Commissioners for the ascertainment and settlement of Land titles in California,

Petition

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Your Petitioner Gregorio Briones a Native Citizen of California respectfully sheweth that he claims to be the owner of a tract of land of the Extent of two square Leagues situate in the County of Marin bounded and described as follows viz: Commencing where the North western Line of "Sanctitas" on the Rancho owned by William A. Richardson enters the sea, and running with said line north easterly to the Summit of the Mountain known as Tamalpais. ~~thence north westerly~~ along the Summit of said Mountain to the Rancho of Rafael Socino, thence South westerly to the Centre of the Cañada del Cerro; thence South westerly to the Center of the Laguna de Socino thence South westerly in the nearest direction to the ocean.

Thence South Easterly along the shore of said Ocean to the "Puntada de Barrios" Thence Easterly and along the shore of said Ocean to the place of beginning.

That your Petitioner has occupied and lived upon said tract of land continuously from the year 1837 to the present time.

That in the month of October 1841 he presented his petition to the then Military Commandant of the Northern frontier of California, asking for a grant of said land according to the boundaries above set forth, and obtained from said functionary a provisional grant of the right to occupy said land until a formal title to the same could be procured from the Governor.

That on the 30th of July 1842. Your Petitioner presented his petition to the Prefect of the 1st District of California

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asking for a grant of the ^{land}, upon which petition the Alcalde of the District of San Francisco Solano to whom the same had been referred reported favorably to the prayer of the Petitioner.

That the Expediente containing the record of all said Proceedings having been forwarded to the office of the Executive of California, remained there without further action till the 16th of June 1845, when your Petitioner presented his petition to Pio Pico then Governor of California, setting forth the above recited facts, and praying for a formal grant of said land. That on the 29th of November 1845 the said Pio Pico made a decree declaring your Petitioner the owner of said land.

That on the 11th day of February 1846, the said Pio Pico Governor as aforesaid issued to your Petitioner the grant of said land a copy and translation, of which are herewith filed the original being in the hands of your Petitioner and ready to be offered in evidence.

That the Expediente or Governmental record of all of the above recited facts from the first petition to the final decree is now on file among the Archives of the former Government of California, and that a traced copy of the same duly certified by the Surveyor General of the United States for California is herewith presented.

That your Petitioner is in quiet and exclusive possession of the whole of said land and knows of no claim thereto, conflicting with his own, as above set forth.

He therefore prays your Honors to confirm his said claim and title and as in duty bound &c.

Clark Taylor & Beckh
Atty for Pet^r

Filed in Office July 31st 1853, Geo. Fisher Sec.

5-

San Francisco, Feb. 1, 1853.
On this day before Court, Hiland Hall
Garré Wm. A. Richardson a witness in behalf
of the Claimant, Gregorio Bionnes, petition
No. 57, and was duly sworn, his ev-
idence being given in English

The W. S. Associate Law Agent present.

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Deposition of
Mr. A. Richardson

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

Ans. My name is William A.
Richardson, my age fifty seven, my
residence in Marin County

Question 2nd Look on the
Original document now shown you purpor-
ting to be an original grant from Pio Pico
to Gregorio Bionnes, of the Rancho de
Baulinas, dated February 11th 1846, said
document being marked Exhibit A, and
being now attached to your deposition?
State what you know of the signatures
to said document, and whether the
same is genuine?

Answer. I have examined
the document now shown me, and have
no doubt of its genuineness. I am acquainted
with the hand writing of Pio Pico and José
Maria Covarrubias, having often seen them
write.

The signatures upon said doc-
ument purporting to be the signatures of
those Gentlemen are their genuine
signatures.

Quest. State how long
you have been acquainted with the
said Rancho of Baulinas and by whom
it has been occupied?

Answer. I have resided
in the County of Marin where said Rancho
is situated, and I have been acquainted
with said Rancho, for at least ten years;
during all that time it has been in

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the exclusive occupancy of Gregory Briones,
the claimant, and those claiming under him.
He has lived upon, viz with his
family for at least that period, in a
house erected by himself.
He has cultivated portions of the
same during all that time and has applied
portions of it to grazing purposes, and
upon other portions he has been in the habit
of cutting timber. He resides there still,
Wm. A. Richardson

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sworn Subscribed
Before me,
Island Hall Commr.

Dated in Office July 1st 1853,
Geo. Fisher Sec

U.S. Land Commission

Gregory Briones }
vs }
The United States. }

Affidavit
of
Wm. A. Richardson

Personally appeared William Richardson,
who being duly sworn, says that in the
above case judicial possession was
given by the proper Officers to the
said Claimant about the 1841,
that the map contained in the Expedi-
ent's or title papers, is the one which
was before the Government at the time
the grant was made, and that the grant
was given with reference to said map,
as affiant believes, because affiant
made the map himself and the original
on file in the United States Surveyors Office
is in his hand and knows of his own knowl-
edge that it was remitted to the Government.
The Officer who executed the judicial
survey was Salvador Vallejo, who, also,
gave judicial possession to Rafael

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Garcia of the adjoining Tract, which formed the North West boundary of Briones,

The boundaries of the land claimed in this grant are, on the South East, the mountain of Malpais, it being the boundary of the Lancelito Ranch, claimed by Affiant, and from thence along the ridge of said Mountain on the North West to the boundary of Rafael Garcia, thence, in a South West direction, crossing Elk Valley, and Locing Lake, to the beach of the West of the Pacific Ocean, thence South East to the Point of Bartinas Bay, and thence North East, following the line of the Coast, to the first named boundary of the said Lancelito tract of Affiant on point of beginning,

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Affiant states that by actual measurement, this grant was declared to be two leagues, and he is satisfied that the land within the above described boundaries does not contain, not a trifle of any more, than two leagues of land, its boundaries are well known, and were clearly defined by the judicial survey above mentioned,

The affiant did not state these facts on his former Examination because he was not examined respecting the boundaries,

William A. Richardson

sworn to & subscribed
Before me July 14th 1854,

R. Aug. Thompson
Clerk

Filed in Office July 14th 1854,
Geo. Fisher Sec

No 541.
"C"

United States of America
State of California

Deposition
of Wm A.
Richardson

San Francisco July 24 1854
This day personally came William A. Richardson a witness for the Claimant Gregorio Bionis in Case No 541, on the books of said Board of W.S. Land Commissioners in said State, and said witness being duly sworn before Peter Lott, a Commissioner for taking testimony for said Board deposed as follows;

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W.S. Land Agent Present
Questions by Claimant's Counsel

1st Question. What is your name, age, and place of residence?
Answer. My name is Wm A Richardson, my age 59 years, my residence Marin County, California.

2nd Question. Are you acquainted with the Rancho of Paulinas, claimed in this case, by Gregorio Bionis with its boundaries, if yes, state them.

Answer. I am acquainted with said Rancho, and I know its boundaries. It is bounded on the North East by Sancilito farm, on which I live, on the North West by the place called "Canada Secoo" the land of Rafael Garcia, on the North East by the Ridge or Mountain of Tamolpais, which runs South East and North West, and on the South West by the Pacific Ocean.

3rd Question. How much land does said Rancho contain?

Answer. Two square

Leagues in quantity, as near as possible,
 4th. Look at the Map
 accompanying the Expediente in this case
 in document marked "4^o Expediente" and
 filed in this case, and state what you
 know of the original.

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Answer. This is to all
 appearance a traced copy of the original
 which is in the Surveyor General's
 Office. I made the original myself
 by order of the Magistrate Salvador
 Vallejo at the time Briones applied
 for the land in order to ascertain
 the location and quantity of the land.

5th Question. State if
 you know whether it was, or was not
 before the General at the time the grant
 was made?

Answer. It was before
 him, Briones for came from Los An-
 geles to Monterey and took the map
 down to the Governor for the purpose
 of enabling him to make the grant.

6th Question. What is the
 character of the object marked on the
 map "Estero de la Laguna"

Answer. It is a salt
 water flat, which at high tide admits
 boats and launches.

Cross Examined by U.S. Land Agent.

7th Question. When, by
 whom, and how, were those boundaries
 established?

Answer. Answer they
 were established by me, by order of the
 Magistrate (Salvador Vallejo) in 1841
 by measuring from the boundaries
 of Garcia and my own of Sarcelito,
 which were known, and by measuring
 from the Sanmulpais to the ocean.

made a rough measurement with a line
50 Varas in length.

2nd Question, who carried
the line with which you measured

Answer, One Antonio Ortega
and an Indian, they carried it on
horseback.

3rd Question, Where &
upon what date did you establish your
starting point?

Answer, We started
from the Point of the Table Land, near the
mouth of the Creek, or estero, we started
there because it was the point near
the ocean.

4th Question, State how
far, in what direction and to what
point you run from the place of begin-
ning.

Answer, We measured
about North West up to the boundary
of Garcia, as near two leagues as
possible, we run the line twice.

5th Question, Where
from that point?

Answer, We next
run across from the Lamanipais
in a direction from North East to
South West, passing near the head
of the Lake, and running to the sea,
about one league.

6th Question, Was
Vallejo's order in writing?

Answer, It was not,
he gave me the order verbally on the
ground after he finished giving pos-
session to Garcia.

7th Question, What
was the shape of the land you measured.

Answer, It was an
oblong shape.

8th Question. How do you know the map was before the Governor when the grant was made?

Answer, I saw it put in an envelope by Arcei at Monterey to send down to Los Angeles by Pablo Briones who I understood was sent to Monterey to bring the map to the Governor / Pico Pico / who was in Los Angeles. That is the only way I know I was in Monterey, the Governor in Los Angeles.

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W. A. Richardson
Subscribed & sworn to
Before me, July 24th 1854.
Peter Gold, Commissioner

Filed in Office July 24th 1854,
Case: Fisher Sec.

United States of America
State of California

San Francisco June 10th 1854.

Deposition
of
Antonio Ortega

This day personally came before me Peter Gold a Commissioner for taking testimony to be used before the Board of W. L. Land Commissioners in said State, Antonio Ortega a witness on behalf of Claimant in No 541 on the Locks of said Board wherein Gregorio Briones is Claimant, and said witness being duly sworn on oath, deposed in Spanish, which was interpreted into English by the Interpreter to said Board, as follows to wit;

The W. L. Land Agent is present
Questions by the Claimant's Counsel,
1 Question. What is your

name, age, and residence.

Answer, My name is Antonio Cortez, my age 72 years, my residence Marin County, California.

2nd Question. Are you acquainted with the Rancho called "San Blas" in said County and how long have you known it?

Answer, I am acquainted with said Rancho, and have known it since 1838 or 1839.

3rd Question, Who has occupied the Rancho since you have known it, and in what manner has it been occupied?

Answer, It has been occupied by Gregorio Briones since I have known it. He built a house 15 Varas in size, and he and his family lived. He had a corral and cattle and horses and hogs, and farmed the land.

4th Question, State if you know the boundaries of said Rancho?

Answer, The measurement commenced at the anchorage called Baulinas and ran to the Canada Cierro, which adjoins the land of Rafael Garcia, and then the land was so brisky we only pointed out the boundaries from that point.

5th Question, On which side of the Rancho is Rafael Garcia's land?

Answer, It is on the side towards San Rafael.

6th Question, Whose lands bounds this Rancho on the side towards the Bay of San Francisco?

Answer, Capt Richardson's Rancho of Sancelito.

7th Question. Of what land is the Sierra Malpais one of the boundaries?

Answer. It is the boundary of Sancelito Rancho, and of Briones Rancho of Barlenas.

8th Question. How much land is there in the Rancho of Barlenas?

Answer. About $1\frac{3}{4}$ league long and one league wide.

9th Question. Look at the map in the Expediente filed in this case, and say whether or not it is a correct representation of Barlenas Rancho?

Answer. This question is not answered because the witness does not seem to understand maps.

Cross Examined by U.S. Land Agent.

1st Question. Where did you reside in 1838, and 1839?

Answer. I lived in San Rafael and Barlenas and from that time till 1843.

2nd Question. How do you know the measurement commenced at the anchorage at Barlenas?

Answer. Because I was the person who measured.

3rd Question. By what authority did you so measure?

Answer. Salvador Valles was the Alcalde who gave the possession, and he appointed me to measure.

4th Question. Who else went along?

Answer. Timothy Murphy, Domingo Pais, who are now dead, and Esregorio Briones and Rafael Garcia.

Answer.

5th Question. Who owned the adjoining Ranchos?

Answer. Rafael Garcia, is the only one adjoining Paulinas, except Wm. A. Richardson.

6th Question. Why did you commence your measurement at the Anchorage?

Answer. Because Briones petitioned for the land to begin at that point. It seems to me it was to Alvarado the petition was addressed.

7th Question. Why do you think it was to Alvarado?

Answer. Because Velly's and I measured the land.

8th Question. Measured what land?

Answer. The land of Rafael Garcia, Timothy Murphy, Domingo Lais, Juan Martin, Fernando Felix Carrillo Selis.

9th Question. Were all these lands measured the same day?

Answer. We did not measure them all in one day, they were all measured in the same month.

10th Question. In what order of time were they measured,

Answer. Murphy, Lais, Garcia, Briones Felix, Martin & Selis.

11th Question. Why were not all the Colindantes present?

Answer. Garcia was there, he was the next adjoining and the rest were not there.

suppose because they did not wish to be there.

12th Question. With what length of line did you measure and how,

Answer. I do not recollect the length of the line, we measured on horseback.

13th Question. What guided you in the direction you measured and how far did you ride?

Answer. We went in whatever direction we please, and pointed out this that and the other objects as we came to them, as boundaries.

14th Question. What objects did you point out as boundaries of the Banlinas Rancho, and what were the distances between them?

Answer. At Banlinas at the sea there was a large rock or natural wharf, from this point towards Garcia about $1\frac{3}{4}$ League was placed a pile of stones, we estimated the distance from the Malpais to the sea at about one league. Malpais was one of the boundaries.

15th Question. Who estimated those distances, and what is the shape of the land?

Answer. Vellido and myself estimated the distances, the land is not square or round. It is irregular in its form.

Antonio Ortega

Subscribed and sworn to before me on this 10th day of June, A.D. 1854.

Peter Lott Commissioner for taking testimony &c.

Filed in Office June 12th 1854, Geo. Fisher Sec.

United States of America J. P.
State of California J. P.

Deposition
Pablo
Briones

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San Francisco July 24th 1854.
This day personally came before Peter
Lott a Commissioner for taking testimony
to be used before the Board of U.S. Land
Commissioners in said State, Pablo Briones
a witness for Claimant, Gregorio Briones
in Case No 54, on the Docket of said
Board, said witness being sworn
testified in Spanish, interpreted by the
Interpreter as follows:

The U.S. Law Agent present.

Questions by Claimant's Counsel

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

Answer. My name is
Pablo Briones; my age 32 years, my
residence Marin County, California,

2nd Question. Are you
acquainted with the Rancho "Canelinas"
defined in this case, if yes, state
who occupies the same and how it
is occupied, and how long it has
been thus occupied?

Answer. I am ac-
quainted with it. It is occupied by
Gregorio Briones. He has 3 houses,
a corral, 28 acres in fence and cultivation,
he has horses, cattle, sheep and hogs on
it. He has lived there between
18 & 19 years with his family, he is my
father.

3rd Question. Look at
the map in the Expediente marked
"4 Expediente" and filed in this case
and state what you know of the original of
which this purports to be a traced copy.

Answer. It was about the year 1846, my father sent me to the Governor at Los Angeles to obtain his title to this land. When I got there the Governor told me the Expediente was at Monterey and sent me after it. I went to Monterey and got it and carried it to the Governor. This is the same map to all appearance that was in the paper which I then carried.

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Cross Examined by W.S. Law Agent.

Qⁿ Question. Was it in the rainy season or dry?

Answer. It was in the rainy season, in the month of February 1846.

his
Pablo X Briones
mark B

Subscribed & sworn to
Before me July 24th 1854.

Peter Lott
Commissioner &c.

Filed in Office July 24th 1854,
Geo. Fisher Sec.

Crescencio Briones
of the United States } In the W.S. Land Com.
Mission for the State
of California.

Affidavit
of Manuel Torres

Personally appeared Manuel Torres who being duly sworn (makes oath) and says: That in the above stated claim he acted as the friend and agent of the claimant in having the claim to be presented to this Board for confirmation; Briones is an old man who does not speak the English language is

not used to proceedings in Court, and is not competent to manage such affairs, He handed his title papers to affiant and requested him to act as for himself.

Affiant caused Counsel to be employed through Mr. Desalvo. But Affiant was not at that time aware of the fact that there had been an actual judicial survey of the land, and that the map contained in the Expediente was the one before the Government at the time the grant was made and that the title was issued with reference to the same, which facts together with well defined boundary

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Affiant, alleges can be proved by Mr. Richardson and as affiant is informed by Salvador Vallejo, also affiant has only learned these facts within a few days, which is the reason they were not communicated to counsel in time to be proved before the case was submitted for decision to your Honorable Board.

Affiant further states that all the conditions of settlement and occupation attached to said grant have been fully complied with.

Manuel Jones

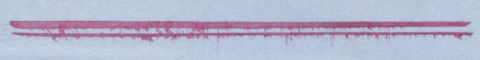
found to subscribed

Before me July 14' 1854,

R. Aug Thompson Comr.

Filed in Office July 14' 1854

Geo. Fisher Secy.



No 541.

Gregorio Briones

vs
The United StatesClaim for the Rancho. Petitions granted to
said Briones.

Personally appeared said Briones who having been duly sworn makes oath and says that when he handed his grant and Title papers in this case to his Agent, he supposed that he communicated all the facts necessary to make out his case. He does not recollect that he communicated the fact that the map in the Title or Expediente was before the Governor at the time the grant was made as he supposed that it sufficiently appeared from the Expediente.

It is however true, that the map was before the Governor when the Grant was issued and that the boundaries are well defined, and well known or expressed in the Grant, and represented on the map.

Affiant is a Native Mexican has very little acquaintance with legal proceedings as conducted in this Country since the change of Government.

He applied several times before his cause was submitted to his Counsel Mr. Clark & King if any further evidence or proof was necessary as to boundary or compliance with the conditions of the Grant, and was assured by his Counsel that no more proof on these or other points was necessary.

Affiant is able by proof to establish clearly the boundaries of his grant, that the map was before the Governor at the time of the issuance of the Grant, and that all the conditions of the Grant and the Law have been

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Affiant
of
Claimant

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complied with. Affidavit prays to be allowed
D do do.

Gregorio Briones

Sworn to and subscribed
Before me March 15, 1854.

R. Aug Thompson
Coun^r

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Filed in Office March 15, 1854
Geo. Fisher
Sec

Gregorio Briones }
vs }
The United States }

Motion

The Claimant in this case moves for
leave to take further testimony for rea:
sons assigned in the Affidavit herewith
filed, and that the case be remanded
to the docket.

V. E. Howard.
for Claimant.

Filed in Office July 14, 1854.
Geo. Fisher Sec

Span 200c
follows

L. 21

1845.

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Expediente promovido por el Ciudadano
Gregorio Briones en pretencion del terreno
que expresa.

Sello tercero dos reales.

Habilitado provisionalmente por la Aduana marítima de Monterey en el Departamento de las Californias para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

Unión.

Antonio María Ochoa.

Revalidado para los años de 1842 y 1843.

Avarado.

Antonio María Ochoa.

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(Seal)

Sr. Prefecto del 1^{er} Distrito.

Monterey. Agosto 24 de 1842. Gregorio Briones natural de este Informe el Sr. Juez de País, hijo de Padres fundadores Casada País de Sr. Francisco si con hija del país y con cinco hijos el terreno que se pretende vecino de esta Jurisdicción ante V. S. puede concederse si hay en la Mayor forma digna que hace linderos con los que dem un año que he ocupado un terreno - area el diseño y todo lo en las 15 auenes con el permiso que jusque oportuno. del Sr. Juez de esta Jurisdicción

Estrada.

(como acredita el adjunto documento

San Juan^o Marzo 1^o de 1844.

que a compra esta mi solicitud; y porá mas seguridad de mi familia

Como el terreno de que pido a V. S. se me conceda la propiedad lo hace mención el interés de otro terreno con todos sus huecos - ado no pertenece a y baldíos que son dos sitios de esta Jurisdicción, y si a la Ganado Mayor (porá mas o menos) de Sr. Francisco solano siendo los linderos por el Sr. el Paso el interesado con censo de Tamulgrais linderos de Don un expediente a que inf. Gui llermo Richardson y con otro - orre la autoridad levo al N. O. Mta que colinda con que se compete quien la D^o Rafael Garcia al S. O. pasando de Sr. Francisco Salum. la cascada del Sierrá y Laguna

Guill^o Smithley.

de Socino hasta la playa en la costa

El terreno que se hace y sigue la costa hasta la punta mención no pertenece de los 15 auenes donde vuetta por a pueblo corporacion la playa al N. E. Mta el mencionado ni persona alguna y el censo de Tamulgrais como lo demuestra solicitante lo tiene ocupado el diseño que a compra. J. P. A. V. S.

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Al. Súplico se sirva conceder me dho. terreno como
tenga podido, jurando no ser de malicia y lincasonio
Monterey. Julio. 3o de 1842.

Gregorio Briones.

anote 6

"hace como diez años. No obstante el Il. Gobernador
decretará lo que juzga conveniente.

Sonoma. Marzo. 23 de 1844.

Jacob P. Keese.

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here follows a map of Valen.

Sello tercero Los reales.

Abilitado provisionalmente por la columna Maritima
del puerto de Monterey en el departamento de las Califor-
nias por los años de mil ochocientos Cuarenta y
mil ochocientos cuarenta y uno.

Acmeu.

Antonio Maria Osio.

Revalidado para los años de 1842 y 1843.

Arado.

Antonio M^o Osio.

(Seal)

Sr Comandante Militar de la Frontera del Norte y
encargado en lo civil en la Jurisdiccion de S^{to} Rafael de la
Alta California.

S^{to} Rafael. de Aguam
Obre 19 de 1849.

Puede el interesado
en esta instancia o ocupar
el terreno que solicita, ins
cribiendo del Gob^{no}
Departamental los
títulos de propiedad.
Salvador Vallyo.

El que suscribe hijo de P^{ro} Gregorio
Orjizano del mismo Pais y vecino
de esta Jurisdiccion de S^{to} Rafael ha
siete años ante V. S. en la mejor forma
digo: que necesitando de un terreno
propio para apacentar las pocas bienes
que Dios me ha dado y ubicar mi
casa y famil^a he registrado un terreno
(segun tres valdies) que colinda con
los ranchos de D^{no} Rafael Garcia
y D^{no} Guillermo Richardson elprim^o
nombrado los Bauleses y elsegundo
el Rancho alito, cuyos limites son con
D^{no} Rafael Garcia, la cañada del
Cerro y con D^{no} Guillermo Richardson

la Sierra de Tunal Pais y finalmente la costa; cuyo dho.
terreno que intermedio entre estas tres puntas lo regist^o
con todos sus hueros y baldios para mi propiedad
si en ello no hubiere objecion alguna p^a conseguir si me
es posible una pacifica posesion. Por lo tanto a V. S. Sup
lico se sirva concederme dho. terreno en lo que recibiré
merced y justicia que es la que impeto. Jurando no
ser de malicia y lo neces amo. de.

S^{to} Rafael. de Aguam Obre. 19. de 1849.

Gregorio Orjizano.

Sumo. Sr. Gobernador del Departamento.

Gregorio Orjizano criano por nacimiento y naturalizado
ante la recta justificacion de V. S. compareco y digo
que teniendo una crecida familia y algun numero
de Ganado de cunco y caballo, he solicitado pa publicar
mis bienes estar dos sitios de Ganado mayor en el terreno
conocido con el nombre de los Bauleses en el Jurisdiccion
de S^{to} Rafael cuyos linderos son los mismos y demuestran

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25-

Los documentos q. adjunto en testimonio de la resolud.
Excmo. Sr. El terreno que solicito lo estoy poblando desde el
año de treinta y siete y para mi resguardo solicito de la
Comand^a Militar de esta frontera el perimetro Interino pa
pocer pacificam^{te} el mencionado terreno de los Osauellones en
el cual tengo ubicado mi bien estar y el de mi familia que
consiste de una Viña: dos yebustos de arboles fructales dos corales
y mil varas de terreno cultivado de labor des en us arbol.

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P. A. M. E. pido y suplico reudidam^{te} p^a un efecto de Subcomis
nistrado me conceda la gracia q. solicito obrando en justicia
y la que la que injuria y unando no ser de malicia y lo
necesario. 2^o Dispensando el uso del papel comun por
falta del sellado correspondiente. Sr. Rafael de Aguirre
16 de Junio de 1845.

Gregorio Briones.

Juzgado de 1^a nominacion.

Timoteo Murphy Alcalde Constitucional
del Pueblo de San Rafael en la frontera del norte.

Certifico que en vista de la solicitud que antecede
por el Ciudadano Gregorio Briones he muy constante lo
posee desde el mes, año y cita y no se encuentran obs
-taculo alguno que le perjudique poseerlo, por lo que
el Excmo. Sr. Gobernador para probar segun balle
por conveniente Dado en el Pueblo de San. Rafael a
20. de Junio de 1845.

Timoteo Murphy.

Atydes noviembre 27 de 1845.

Vista la peticion con que da principio este expediente
los informes que en este constan, con todo lo demas que
se tuvo presente y ver convenio, de conformidad con la
ley de 18 de Agosto de 1824 y reglamento de 21 de
noviembre de 1828 se otorga al Ciudadano Gregorio
Briones, dueño del terreno de los Osauellones que tiene
de estension dos sitios de ganado Mayor mas
o menos.

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 at such
now having in my office and under my charge and custody
a portion of the archives of the former Spanish and
Mexican territory or Department of Upper California
do hereby certify that the eleven preceding and hereunto
annexed pages of tracing paper numbered from one to
eleven inclusive and each of which is certified by my
initials (S. D. K.) exhibit true and accurate copies of cer-
tain documents now on file and forming part of the
said archives in my office.

In testimony whereof I have
hereunto signed my name officially and affixed my
private seal (not having a seal of office) at the City
of San Francisco this Eleventh day of January,
1853.

Samuel D. King,
Surveyor of Calif^a.

Filed in office. January 31. 1853.

Geo. Fisher.
Secy.

1848.

Record of Proceedings at the Instance of the
Citizen Gregorio Briones, soliciting the Land
therein expressed.

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Translation
of
Espediente.

(Stamp) Don Prefect of the Parish District

J. Gregorio Briones, a native of this
Country, son of the fathers who laid the
Foundation of it, married to a daughter
of the Country and being with five sons
residents of this jurisdiction say before
you in the best form,

That I since a year ago have occu-
pied a tract of land in Los Bañinas
with the permission of the Justice
of this jurisdiction (as is certified by the
adjoined documents accompanying this my
solicitation) and for better security of
my family I ask you to grant me the
ownership of said land, with all its hollows
and commons which are two square
cagues (a little more or less) the
boundaries being to the South, East the
rock hill of Tardelpais, boundary of
Guillermo Richardson and the said
rock hill runs to the South West
passing the Cañada del Tiervo and
Lagunal de Doña to the beach on the
Coast, and follows the Coast to the
Punta de los Bañinas where it runs
back along the beach to North East to
the mentioned rock hill of Tardelpais
as is shown in the sketch I accompany

Therefore I pray you to be pleased to
grant me said land as I have asked, swear-
ing there is no malice and to what else nec-
essary.

Monterey July 30th 1842, Gregorio Briones,

(In the Margin) / Monterey August 4th 1842.
 The Justice of the Peace of San Francisco will report whether the land solicited can be granted, whether its boundaries are those marked in the sketch, and everything he may deem appropriate.

Estreada,

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(Also in the margin) / San Francisco March 20th 1844.

As the land mentioned by the Interested party does not belong to the jurisdiction but to that of Francisco Solano, the interested party is referred with his Expediente to the proper Authority which is that of Francisco Solano, that he may report Guillermo Heinckel.

(Also in the Margin) / The land mentioned does not belong to any Pueblo, Corporation or person, and the Petitioner has occupied it for about two years. Nevertheless the Governor will decree what he may deem convenient.
 Sonoma March 23rd 1844.
 Jacob P. Geest.

From the Military Commander of the Northern Frontier and Civil Commissioner in the Jurisdiction of San Rafael in Upper California.

I, the subscriber, son of the Mexican Parents, a native of the same County and resident of this jurisdiction of San Rafael for seven years, say before you in the best form, that being in want of a tract of land of my own whereon to graze the little stock God has given me to locate my house and family. I have surveyed a tract of land (to my belief vacant) which borders on the Rancho of San Rafael Garcia and Don Guillermo Richardson

the first named called *Los Paulinas* and the second *Jansalike*, the limits of which as to *Don Rafael Garcia*, the *Canada del Cerro* and as to *Guillermo Richardson* the *Sierra de Tammilipas* and finally the *Coast*; which said land being intermediate between these three points, I register with all its hollows and commons for my property, if there be no objection to attain in a peaceable possession is possible for me.

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Therefore I pray you to be pleased to grant me said land, whereby I shall receive favor and Justice, which I do simply swear-ing there is no malice herein, and to what else necessary.

San Rafael de Aguamir October 19, 1841.
Gregorio Briones.

San Rafael de Aguamir October 9, 1841,
/ In the margin / The interested party in this instance can occupy the land he solicits, while he solicits the Government of the Department for the title-deeds of ownership.

Salvador Vallejo's
Excellent Sir Governor of the Department

I, Gregorio Briones, a citizen by birth & naturalisation appear before your high Justice and say:
That having an increased family, and some number of black cattle and horses, I have solicited for the location of my personal property, two square leagues of land in the tract known by the name of *Los Paulinas* in the jurisdiction of San Rafael, whose boundaries are the same as exhibited in the documents I hereby again as a testimonial of the truth thereof,

Excellent Sir. The land I solicit I have been occupying since the year 3) and for my security I solicit of the

Military Commander of the frontier a permission to occupy the mentioned land de las Baullinas peace-ably ad interior, on which land I have located my and my families personally property which consists in a vineyard, two orchards of fruit trees, two corrales and one thousand varas of land cultivated by husbandry and enclosure

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Therefore I humbly ask and pray Your Excellency by an act of your benignity to grant me the favor I solicit thereby obtaining justice which is what I pray for, swearing there is no malice herein and to what else necessary etc. while dispensing the use of common paper for want of corresponding stamped paper,
San Rafael de Aguenas 16 June 1845.

Gregorio Briones,
Justice Clerk of the 1st Nomination,
Timoteo Murphy, Constitutional Al-
calde of the Pueblo of San Rafael on the northern frontier
Certifies that in view of the foregoing solicitation by the citizen Gregorio Briones who has constantly possessed it from the time he cites, and as there is no obstacle found pre-judicial to his possessing it.

The Excellent Sir Governor may provide as he shall find convenient,
Given in the Pueblo of San Rafael on the 20 of June 1845.

Timoteo Murphy,
Angeles November 2nd 1845.

Having seen the petition with which this Expediente commences the reports in it with whatever else to be borne in mind & was to the purpose, in conformity with the Law of 18 August 1824, and regulations of 21 November 1824, I declare the citizen Gregorio Briones owner of the land de las Baullinas, which has an extent of two square leagues (sitios de ganado mayor) a little more or less.

Filed in Office Sept 13. 1853
Geo. Fisher Sec.

Span 200 follows

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Pío Pico vocal mas antiguo de la honorable asamblea del Departamento de las Californias y Gobernador Interino del mismo.

(seal) Por cuanto el ciudadano Gregorio Briones ha justificado pertenecerle el purage del rancho de los Boulnes entre los linderos de los Señores Richardson, Garcia la Sierra de Malpais y la mar, practicadas 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 el mismo la propiedad de el por las presentes letras entendiendose dicha concecion de entera conformidad con las leyes y bajo las condiciones siguientes.

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1^a Podrá cereverlo sin pejuaticar las caminos y transias y servidumbres, lo disfrutará libre y esclusiva- mente aplicando lo al uso o cultivo que mas le acomode.

2^a La litura del juez respectivo le de la posesion juridica en virtud de este despacho por el cual se demarcaran los linderos respectivos en cuyos lugares, pondrá el interesado las mojones necesarios.

3^a El terreno de que se hace mension es de dos sitios de ganado Mayor poco mas o menos. El juez que diere la posesion lo hará medir conforme a ordenanza, dejando el sobrante que resulte a la Nacion para los usos convenientes.

En consecuencia mando que teniendose por firmé y valedero el presente titulo se tome razon de el en el libro a que corresponde y se entregue al interesado para su resguardo y demas fines.

Dado en la Ciudad de los Angeles a Once de Febrero de mil ochocientos Cuarenta y seis en este papel comun por falta del sellado.

José M^a Covarrubias. Pío Pico.

Queda tomada razon de este titulo en el libro respectivo Angeles. fecha ut supra. Covarrubias.

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Filed in office. Feb 1. 1853.

Gen. Fisher.

Secy.

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:

/ Translation of Grant /

His Highness, Senior Member of the Honorable
Assembly of the Department of the Californias,
and Governor ad Interim of the same,

Whereas, the Citizen Gregorio Bonines has
proved himself to be the owner of the place
of the "Rancho de las Paulinas" within the
boundaries of Messrs Richardson, Jancie,
the Sierra and the Sea, having first
performed the duties and made the in-
vestigations appertaining thereto, in con-
formity with the requirements of the laws
and regulations, using the powers conferred
upon me; in the name of the Mexican
Nation, I have come to concede to him
and the aforesaid land declaring it
his property by these present letters,
it being understood that the same shall be construed
in entire conformity with the laws,
and under the following conditions:

1st He may enclose it without pre-
judicing the roads, paths and servitudes,
He will enjoy it peacefully and exclusively
appropriating it to such use and culture
as may best suit him.

2nd He will solicit of the
proper Justice to give him judicial
possession in virtue of this dispatch
by which the boundaries will be indicated
in which places the party will place
the necessary land marks.

3rd The land which has
been mentioned is of two square leagues,
a little more or less.

The Justice who may give posses-
sion will have it measured conformably
to ordinance leaving the surplus which
may remain to the Nation for
convenient uses.

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Translation
of
Grant.

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Consequently I order that the present being held as firm and valid, account be taken of it in the corresponding book, and that it be delivered to the party for his protection and other ends.

Given in the City of Los Angeles this eleventh day of February eighteen hundred and forty six upon this common paper, for want of that which is stamped.

Dig Pico
(Blonish)

Filed in Office July 31st 1853,
Geo. Fisher Sec

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35.

Crescencio Briones
vs
The United States

For the track of land called Las Barlenas
in Marin County, containing two square
leagues of land,

Examined
by
Commissioner
Alphens Selch.

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A grant is given in Evidence
made to the present Claimant by Governor
Diego Pico, and dated February 11th 1846.
The genuineness of which is proved by
the testimony of William S. Richardson,
No approval by the Assembly is shown.

In the Grant the land is
described as being within the boundaries
of Messrs Richardson Garcia, the Sierra
and the Sea" and in the conditions of
the grant the concession is said to be of
two square leagues, a little more or less,
judicial possession being required, the
surplus (sobrante) remaining the
property of the nation.

In the Espe-
diente or traced copy of which from the
Archives is filed in the case is a map
of the premises, which although not
expressly referred to in the Grant is
quite certain was before the Governor
when the Grant was made.

This map represents the land
as described in the Grant with the
exterior lines of the Rancho traced
thereon, and the objects called for
in the description laid down.

The original map now in the
Espediente in the Archives, it would
appear from the testimony of Richardson
was made by him by order of the
Magistrate Salvador Vallejo at the time
Briones applied for the land in
order to ascertain the location and
quantity of the land.
He swears that at that
time a measurement was made of the

premises by running a line lengthwise of the track in a direction parallel to the shore of the ocean, on which it is bounded on one side, and by running across it from the sea to the mountains which bound it on the other.

Antonio Ortega another witness was present at the measurement and testifies to the running of the line lengthwise of the track, although he thinks the width back to the mountains was obtained by estimation only.

This measurement was made in 1841, the same year in which appears by the Expediente the application of Briones was first made for the grant addressed to the Military Commandant.

Both these witnesses concur in stating the premises thus described to be about one league in width by two leagues or a little less in length.

No juridical measurement appears to have been had after the formal grant by the Governor was made, but the boundaries are fully described and the monuments are of such a character that with the aid of the map and even without it, there would seem to be no difficulties in locating and running out the premises with accuracy.

The testimony of the witnesses concur in showing that the quantity of land within the limits defined does not exceed the two square leagues granted by the Governor.

We have uniformly held such testimony to be sufficient on the subject of segregation.

The occupancy of the premises by said Briones and his family as their residence and his continued cultivation thereof and keeping stock on the place from a period ~~some~~ sometime anterior to his grant to the present time, is

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abundantly proved,
He is entitled to a confirmation

Confirmed.

Filed in Office Aug 15, 1854,
Chas. Fisher Sec.

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Gregorio Benites }
vs }
The United States }

Decree

In this case on hearing the proofs and allegations it is adjudged by the Commission 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 known by the name of Las Barbas situated in Marin County and is occupied by the said Petitioner; and is bounded and described as follows: to wit:

Bounded on the north west by the place called Cañada, Serro known as the land of Rafael Garcia; on the south east by the place called Sancileto known as the Rancho of William A. Richardson; on the north east by the ridge or mountain known by the name of Zapualpaís running south east and north west, and on the south west by the Pacific Ocean; containing two square leagues of land more or less; reference to the had also to the grant, and to the map connected with the true copy of the Expediente both of which are filed in the case.

Filed in Office
Aug 15, 1854
Chas. Fisher
Sec.

Alphens Felch }
R. Aug. Thompson } Commission.
S. B. Garwell }

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BYGE

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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 Decisions 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 Northern
District of California, and the other
be transmitted to the Attorney General,
of the United States.



bvce ———
20



Office of the Board of Commissioners,

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

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I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Thirty nine* pages, numbered from
1 to 39, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. 541 on the Docket of the said Board,
wherein *Gregorio Bonino* is

the Claimant against the United States, for the place known by
the name of *Los Barlonas*.

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 sixth day of *December*
A. D. 1854, and of the Independence of the
United States of America the seventy-seventh.

Geo. Fisher.



Geo.



U. S. District Court.
Southern District of California

No. 174. Docket

The United States.

vs.
174
Gregorio Priones.
"Los Bauletes."

Transcript of the Record
from the
Board of U. S. Land Commissioners.
in Case No. 511

Filed December 19th 1854.

J. S. Fans
" clk

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Office of the Attorney General of the United States,

Washington, 7th March 1855.

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Gregorio Briones

vs.

The United States.

} 541.

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 30th day of December 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

541.
No 174

U. S. D. Court S. D.

United States

vs

Gregorio Prinos

Appeal Notice.

Filed April 21st 1855

J. C. Farr
clk.

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In the District Court
of the Southern District of
California, Dec. Term 1856

United States No 174
vs
Gregorio Brisson vs the U.S. Land Comm.

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And now the said
Appellee comes and moves to
dismiss the appeal in this case
for want of jurisdiction, in this
that the land claimed in
this case is located and situated
in the Northern District of
California and County of
Mission

V. E. Howard
for Appellee

No 174

W States

v

Guzon & Bronse

Motion to dismiss

Filed this 5th day of
Dec 1854

Amos Clark

Suspension

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