CASE NO.
187

SOUTHERN DISTRICT

LOS LAURELES GRANT

LEANDER RANSOM

CLAIMANT

LAND CASE 187 SD pgs. 48

MAR 8 1963

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 610

Leander Ransom CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Los Laureles."

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 Twenty first day of February Anno Domini One Thousand Eight Hundred and Fifty-One, 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 Leander Ransom for the Place named "Los Laureles," was presented, and ordered to be filed and docketed with No. 610, 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, Aug. 24th 1853.

In Case No. 610, Leander Ransom for the place named "Los Laureles," the deposition of Manuel Castro, a witness in behalf of the Claimants, taken before Commissioner R. Aug. Thompson, with document marked R. T., annexed thereto, was filed.

(Vide page 5 of this Transcript.)

San Francisco May 2nd 1854.

Case No. 610, on motion of the Counsel for the Claimant was ordered to be placed at the foot of the Calender of the 1st Class Cases on the Trial Docket.

San Francisco Aug. 22nd 1854.

Case No. 610, was submitted under the rule of 21st March 1854.

2.

San Francisco Aug. 29' 1854.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board rejecting the claim:

(Vide page 29 of this Transcript.)

On motion of the U. S. Law Agent the following order was made, to wit:

(Vide page 33 of this Transcript.)

3.

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

187 SD
PAGE 4
Petition

The petition of Landen Ramon, respectfully showeth unto Your Honorable Board, that he is the owner of a track of land in the County of Monterey called "Las Laureles" and for further explanation alleges.

That one José Agricia on the 22nd day of February 1844, made and presented his petition in writing to the Government of California, stating, that he had formally obtained a grant of the place called "Las Laureles" - that such grant was lost, and said Agricia therefore applied for another one.

That said petition was referred to the Governor of California to the Secretary of the Government, and by him to the respective District Alcalde.

That upon their information being given in favor of said Agricia, said Micheltorena, on the sixth day of March 1844, by virtue of the authority vested in him as Constitutional Governor of California declared said Agricia, the proper owner of said land, and directed the proper documents to be issued to him.

That a formal Grant issued on the 13th March 1844, and Your Petitioner further states, that he holds under the title so granted to said José Agricia.

That all the documents above referred to, as petition, references, reports, Concession, a copy of the original grant &c are on file in the Archives of California, now in the possession of the U.S. Surveyor General for the State of California, and that certified copies and translations of the same are herewith submitted.

That the original Grant itself and the Conveyance to your Petitioner, is in the hands of your Petitioner, and ready to be exhibited in evidence, whenever required.

And Your Petitioner further saith, that the land referred to, is situate in the present County of Monterey, is called "Los Laureles" and bounded by the Ranchos of Manuel Boronda Blas Martinez, the Carmelo, and the place where two Crosses have been made, containing two thousand varas square altogether.

And Your Petitioner further saith, that said José Agricia the original Grantee has been in the full undisputed possession and ownership of said land from the time of obtaining his said grant, and that your Petitioner is now in possession thereof, and is not aware of the existence of any title, paramount or superior to his own.

He therefore claims to be the owner of said land, and prays that Your Hon Board will confirm his claim and title thereto.

Clark Taylor & Beckb
Atty for Petitioner

Filed in Office Feby 21, 1853.
Geo. Fisher
Sec

5

Case No. 610

Office of the Commissioners of Land Claims in California.

This day before Com.r Robt. A Thompson came Manuel Castro a witness in behalf of Claimant Leander Ransom, Case No. 610 who after being duly sworn deposed as follows,

Deposition of Manuel Castro

Present D. Clark Esq Atty for Claimants and R. Greenhow Esq Ast. Law Agent.

Question by Claimants Atty. What is your name age, and place of residence.

Ans. My name is Manuel Castro, my age thirty one years, my residence Lower California.

Question by same. Examine the paper marked R.T. and filed in this case purporting to be a grant from Micheltorena to Agricia and state if you know the signatures thereto and if the same are genuine.

Answer. I know the signatures of Manuel Micheltorena and Manuel Jimeno. I have seen them write, and I believe their signatures on said document to be genuine.

I know the piece of land called Las Laureles, it is situated in the county of Monterey on the Carmil river and about a league and a half from the mission of the same name.

I passed the land on one occasion when the Indian Agricia was cultivating the land; he had no house on it, only a hut built of brush, he lived sometimes on the land and sometime at the mission this was in 1840. he

6.

was occupying the land before he got the grant from Micheltorena
And further this deponent saith not,

Manl Castro,

Sworn to & Subscribed
Before me this 24 day
of August 1853.

R. Aug. Thompson
Comr

Filed in Office Aug 24, 1853.
Geo Fisher Sec

(Item 206 follows)

7

Espediente

1844 [1 S.D.]

Espediente promovido por el Indigena Agnso del Rincon de los aureles

350

[2 S.D.]

Sello Cuarto Dos Reales
Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para el año de mil ochocientos cuarenta y tres.

Michelt.ena Manuel Castañares

Exmo Sor Com.te Gral —

L. S.

José Agncio indigena de la ex Mision de S.t Carlos ante V.E. con el debido respecto y sumision compa-rece y dice: que respectuosamente acompaña a V.E. el adjunto papel q.e acredita el sitio q.e se le dio en el parage nombrado los Laureles, y el S.or Gral D. Jose Figueroa tubo la dignacion de confirmarle esta do-tacion nombrando á D. Joaquin Torrez p.a q.e le diera la posesion, y ahora S.r Exmo se ha metido alli José Manuel Boronda y Blas Martinez — S.r Exmo yo soy un pobre Indio q.e me mantengo de mi trabajo personal curtiendo alg.s Baquetillas y gamuzas haciendo muy siertos p.a la subsis-tencia de mi familia p.r q.e yo tengo Nietos. — Exmo S.r mi justicia si acaso conoce V.E. q.e la tengo ocurre á V.E. p.a q.e — — — — estos individuos me dejen mi sitio libre [3 S.D.] p.r aunque no tengo tanto conq.to fomentarlo p.r haversmelo concedido el Sup.r Gobierno es mio como tambien p.r ser yo indigena de la Mision aquien pertenece. —

Exmo S.r creido yo de la probidad de V.E. y de su justicia de justificacion ocurro a ella en el fin de q.e la tenga de condolerse de este pobre é infeliz indigena su subdito. Por tanto a V.E. pido y suplico se digne

Monterey Febro 22 de 1844
Infe el S.r Dispacho tomando otros si lo creyere necesario
Michelt.a

favorecer á este q^e la implora, p^s q^e yo no puedo establecerme allí p^r causa de estos Dres
Por tanto Exmo Sor á V.E. como tan humano, y como á Padre de nosotros ocurro yo con esta necesidad la q^e espero se digne V.E. autorizar — Exmo Sor — José Agricio —

Juzgado de Paz del Pueblo de S^n Carlos } El Ciudadano Marcelino Escobar Juez de Paz de este Pueblo, en cumplimiento de la comunicacion oficial del Sor Prefecto del 1° Distrito de fecha 8 de Mayo en que me ordena les confirme sus terrenos q^e tenian señalados p^r el Gob^o a los Indigenas deste Pueblo, é tenido á bien el confirmarle al vecino Agricio sus tierras —

[4 P.D.K.]

Lo que queda tomada razon en este de mi cargo — Pueblo de S. Carlos 10 de Ag^to de 1840 — Marcelino Escobar —

[5 P.D.K.]

Como dispone el Exmo Sor Gobernador pase la presente matancia al alcalde primero de esta Capital p^a que se sirva informar sobre su contenido, pasandola despues á D^n Marcelino Escobar p^a que diga lo que haya sobre el particular en virtud de haber sido encargado de San Carlos — Monterey 22 de Ybr^o de 1844

Manuel Jimeno —

Sor Sec^o del Despacho —

El terreno nombrado laureles segun está inspuesto este Juzgado es de la propiedad del C^o José Man^l Boronda y Blas Martinez, quienes actualmente tienen en el caza, sementras, ganados, y todos sus intereses; respecto a las tierras que reclama el indigena Agricio en este Juzgado no hay constancias algunas, y creo

[6 P.D.K.]

que si las tenia ó poseia cuando solicitaron otros individuos el expresado terreno deve constar en los informes del expediente de la materia, y q^e p^r consiguiente el Gob^no de aquel tiempo dispondria lo conveniente. — Lo digo á V.S. en contestacion al Sup^o decreto que antecede — Monterrey

Stre 22 de 1844 — José de Amesti

En la misma fha. pasé á Dn. Marcelino Escobar segun lo dispuesto en el Supr. decreto que antecede — José de Amesti — Firmo.

[7 S.D.K.]

Sor Sno del Despacho —

El terreno q. reclama el Indiga Agricio se lo concedio el Gob.o anteriormte, y lo se lo confirmo en el año 40 en presencia de testigos por orden de la Sup.a y nunca asido menoscabado, ni por los Señores Boronda y Martinez, ni por Nadie, me consta que es colind.te si, con los laureles, mas es un pedacito de terreno que el se benefico del, y á los otros S.S. no les es en nada util, y amas q. cuando se les concedia debian saber q. iban á colindar con dho Agricio, pues asi deve constar en su espediente —

Es cuanto puedo decir a V.S. en informe sobre el asunto, y cumpliendo con la orden superior q. me fue comunicada este dia por el Juzgado 1.o en la representacion del referido agricio, lo que devuelvo —

Mont.y Febro. 24. de 1844. —

Marcelino Escobar —

Señor Gobernador

[8 S.D.K.]

Por todas las diligencias que se han practicado resulta que el indigena Agricio tiene permiso p.a sembrar una estencion de terreno que tendrá como dos mil varas, y este se le pudo conceder por no haber otra cosa que le impida; pero la disposicion de V.E. sera lo mejor — Monterey 24 de Mzo de 1844 —

Manl. Jimeno

Monterey Mzo 24 de 1844

Concedido á la Sra p.a los efectos consiguientes — Michelta

Monterey 5 de Marzo de 1844

Vista la peticion con que da principio este expedte los informes que se practicaron con todo lo demas que se tubo presente y ver convino — — — — — — — — — — — de conformidad con las leyes y reglamentos [9 S.D.K.]

de la materia declaro al indigena Ignacio dueño de dos mil varas por lado en el Rancho nombrado delos Laureles, colindante con el Rancho de los Vecinos Manl. Boronda y Blas Martinez y con el Carmelo hasta el punto q^e se han señalado dos cruces: sugetandose á la aprobacion de la Exma Asamblea Departamental, y á las condiciones que se expresan en el titulo Librese el correspond^te despacho y tomese razon en el Libro respectivo _ El Exmo Sor Gobdor así lo decreto mando y firmo - Doy fe. Michelt

Office of the Surveyor General of the United States for ~~the State of~~ California ~~and as~~

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

In testimony whereof I have hereunto signed my name, officially and affixed my private seal (not having a seal of office) at the city of San Francisco, Cal, this 28. day of January 1853 —

L.S.

(Signed) Saml D King
Surv Genl Cal —

Filed in office February 21st 1853 —
(Signed) Geo: Fisher
Secy

1844

Record of Proceedings at the instance of the Native Agricio of the Rincon de las Laureles,

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Translation of Espediente

Excellent Sir Commander General José Agricio, a Native of the Ex-mission of San Carlos, with due respect and submission appears before you and says:

That I respectfully accompany to you the adjoined paper, which entitles me to the "sitio" which was given me in the locality called "Las Laureles" and General Don José Figueroa had the condescendence to confirm me in this donation, appointing Don Joaquin Lorrey to give me the possession, and,

Excellent Sir! now have José Maul Baranda and Blas Martinez intruded themselves there.

Excellent Sir! I am a poor Indian supporting myself of my personal labor in tearing some hides and skins, making my living for the subsistance of my family; for I have already grand children.

Excellent Sir! as a justice to me, for perhaps Your Excellency is aware that I have a just cause, I apply to Your Excellency that these individuals may leave me my sitio free, for though I have not so much wherewith to improve it, yet it is mine, because the Government having granted me it, as also because, I am a Native of the Mission to which it belongs;

Excellent Sir! Relying on Your Excellency's well known probity, I apply

to you with the view that you will have commiseration on this poor and unhappy nation, your inferior, while I ask and pray your Excellency to vouch-safe to favor me in what I empeore because I cannot establish myself there, for the sake of these Gentlemen.

Therefore Excellent Sir; I apply to you as being so humane and as a father of ours, in this necessity which I hope you will condescend to authorise.

Excellent Sir yours
José Agricio

(In the margin)
Monterey Feby 22nd 1844
The Secretary of State will report taking other reports if he shall deem its necessary
Micheltorena

Justices Court of
the Pueblo of San Carlos

The Citizen Marceling escobar, a justice of the peace of this pueblo in compliance with the official communication of the Prefect of the 1st District dated 8th of May, in which he orders me to confirm the lands which the Government has designated to the nation of the Pueblo.

I have thought fit to confirm to the resident Agricio his land of which a record has been taken in my Office

Pueblo de San Carlos 10. August 1840.
Marceling Escobar.

The Excellent Sir Governor has ordered the present instance to be sent to the first Alcalde of this Capital, that he will please to report on its contents; afterwards to be sent to C. Marceling Escobar that he will report what he may have to say upon the subject, in virtue of having been an officer of San Carlos.

Monterey 22nd of February 1844.
Manl Jimeno

To the Secretary of State:
The land called Laureles, according to what this Justices court is advised, is the propert of the Citizen Jose Manl Boronda and Blas Martines, who actualy have on it a house, cornfields, cattle and all their personal property.

Respecting the lands that the native Agricio claims there are no proofs at all in the affairs of this Justices court, and if he had or possessed them when said individuals solicited the said land it ought to appear in the reports in the espediente on the subject and that consequently the Government at that time would have acted accordingly.
This I say to you in answer to the foregoing superior decree.
Monterey Feby 22nd 1844.
Jose de Amesti

On the same day sent to Don Marcelino Escobar conformable to the order in the foregoing superior decree
Jose de Amesti

To the Secretary of State
The land claimed by the native Agricio was formally granted him by the Government and I confirmed it to him in the year 40 in presence of witnesses at the order of the Prefectura, and he has never been troubled neither by Messrs Boranda and Martinez nor by anybody else. I certify that it is bordering on Los Laurelas, but it is a small piece of land of benefit to him and to the other gentleman it is of no use at all, and besides when it was granted them they must have known that they were to border on said Agricio, for

so it must appear in their expediente.
This is all I can tell you in reporting on the subject, and complying with the superior order communicated to me this day by the 1st Justice Court on the representation of said Agricio, I return it.
Monterey February 24th 1844.
Marcelino Escobar.

Sir Governor!
From all the action taken, it results that the Native Agricio has permission to occupy an extent of land something like two thousand varas, and this he can be granted, as there is nothing to hinder it, but your determination will be the best.
Monterey 4th of March 1844.
Manl Jimeno

Monterey March 4th 1844.
Granted and sent to the Secretary's Office for the consequent acts
Micheltorena

Monterey 6th of March 1844.
In view of the petition with which this expediente commences, the reports taken, with whatever else to bear in mind and was to the purpose, in conformity with the laws and regulations on the matter, I declare the native Agricio owner of 2000 varas along the Rincon / Angle / called las Barreles, bordering on the Rancho of the residents Manl Boronda and Blas Martinez and on the Carmelo to the point where two crosses have been marked, subject to the approbation of the Excellent Departmental Assembly and to the conditions to be expressed in the title deed. Let the corresponding document be issued and entered in the respective book. The Governor thus decreed, ordered and signed of which I bear testimony.
Micheltorena.

Filed in Office Sept 21, 1853.
Geo. Fisher
Sec.

(Documento Tolenos)

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Exhibit R. I. annexed to deposition of Manuel Castro

Manuel Michaltorena General de Brigada del Ejercito Mejicano, Ayudante General de la Plana Mayor del mismo, Gobernador Comandante General é Inspector del Departamento de las Californias

L. S.

Por cuanto el Indigena llamado Agricio ha pretendido para su beneficio personal y el de su familia una estencion de dos mil varas por lado, en el sitio que llaman de los Laureles, colindantes con el Rancho de los vecinos Manuel Boronda y Blas Martinez, y con el Carmelo hasta donde se han situado dos cruces: practicadas previamte las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas á nombre de la Nacion Mejicana, he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras, sujetandose á las condiciones siguientes

1ª No podrá venderlo, enagenarlo, ni hipotecarlo, ni poner censo, vinculo, fianza, hipoteca, ni otro gravamen alguno

2ª Podrá cercarlo sin perjuicio las traccias caminos y servidumbres, lo disfrutará libre y exclusivamente, destinandolo al uso ó cultivo que mas le acomode, pero dentro de un año fabricará casa y estará habitada

3ª Solicitará del Juez respectivo que le de la posesion jurídica en virtud de este despacho, por el cual se demarcaran los linderos en cuyos limites pondrá amas de sus mojoneras algunos arboles frutales ó silvestres de alguna utilidad

4ª El terreno de que se hace donacion es de dos mil varas como se lleva referido - El Juez que diere la posesion

lo hará medir conforme á ordenanza — quedando el sobrante que resulte á la Nacion para los usos convenientes —

5ª Si contraviniere á estas condiciones perderá su derecho al terreno y será denunciable por otro —

En consecuencia mando que sirviendole de titulo el presente y teniendose por firme y valedero se tome razon de el en el libro á que corresponde y se entregue al interesado para su resguardo y demas fines — Dado en Monterey á trece de Marzo de mil ochocientos cuarenta y cuatro —

(Signd) Manl. Michelta
(") Manl. Jimeno Srio

Queda tomada razon de esta concesion en el Libro respectivo a f. 7.

(Signd) Jimeno —

Filed in office February 21st 1853 —
(Signed) Geo. Fisher
Secy

Translation
Grant.

Manuel Micheltorena, General of Brigade of the Mexican Army, Adjutant General of Estado Mayor of the same, Governor, Commander General and Inspector of the Department of the Californias.

Whereas the Native called Agricia has solicited for his personal benefit and that of his family, an extent of Two thousand Varas at each wind, in the point called de "Los Laureles", boundering with the Rancho of the Neighbours Manuel Boronda, Blas Martinez and with the Carmelo up to the place where two crosses have been made, having previously taken the necessary steps and informations, concerning what is decreed by the laws and regulations, in use of the faculties conferred upon me in the name of the Mexican Nation I have granted him the mentioned land declaring it to be his property by these present letters, subject to the following Conditions:

First — He shall not sell it, transfer it, hypothecate it, nor impose any tax, lien, bond, hypotheca or any other drawbacks.

Second — He will be at liberty to fence it, without prejudice to the paths, roads and servitudes; he will enjoy it freely and exclusively, destining it to the use or cultivation that may best suit him; but within one year he shall build a house which shall be inhabited.

Third — He will solicit of the respective judge to give him juridical possession in virtue of this Patent, by which the boundaries shall be designated, putting at its limits besides the land marks, some fruit trees, or wild ones of some utility.

Fourth — The land of which donation is made is of two Thousand Varas as it is expressed; the judge who will give the possession will have it measured according to ordinance, leaving the surplus that may results to the nation, for the convenient uses.

Fifth — Should he contravene to these conditions he shall loose his right to the land and it shall become denounceable by some other party.

In consequence I do order that the present answering for a title and holding it firm and valid, it may be recorded in the corresponding book and delivered to the interested party, for his safety and other ends.

Given at Monterey on the 13th of March, 1844.

(Signed) Manl. Micheltorena
" Manl Jimeno
Secy

This concession is Recorded in the respective book page 1 &c
(Signed) Jimeno

Filed in Office Feby 21, 1853.
Geo. Fisher
Sec.

(Upon Loc follows)

19

Agricio to J. M. Escobar

Sello Cuarto dos Reales

Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y cuatro y mil ochocientos cuarenta y cinco.

Micheltorena — Pablo de la Guerra

L. S.

Certificamos los abajo firmados haberse verificado ante nosotros como testigos presenciales y por falta del Juez competente la venta que el Indigena Agricio natural de la Mision de S. Carlos hace por y á nombre de sus herederos y sucesores del terreno conocido conocido con el nombre de Buena impuesta al C. José Ma. Escobar: cuyo terreno le pertenece en propiedad p.r concesion q.e le hizo el Ex.mo Gobernador y Comte. General Dn. Jose Higuera en el tiempo de su administracion, cuyos documentos se le estraviaron, pero manifesto y entregó al comprador los que le dió para su seguridad — El Ex.mo Gobernador y Comte. Gral. Dn. Manuel Micheltorena en los que consta compuesto Ocho terrenos de un sitio de ganado mr. poco más ó menos el cual vende en la cantidad de dos vacas chichigias mansas y con sus crias hembras, una llegua de ricado un fusil y treinta pesos total que tiene recibido á su entera satisfaccion, declarandole no tenerlo vendido enagenado ni empeñado, que está libre de todo gravamen publico, y como tal se lo vende con la aprobacion y presencia de su mager e hijos — Y para la constancia correspondiente se estiende esta escritura extrajudicial advertidas las partes de tener que presentarse ante el Juez respectivo p.a su autorizacion. Lo que firmo con nosotros el comprador no haciendolo el vendedor por no saber — Monterey Junio 21 de 1845 —

(Signado) José Maria Escobar.

A ruego de Agricio (Signado) José Rafael Gonzalez

(Signado) Dav Spence (") Florencio Serrano

20.

Filed in office August 25th 1853.
(Signed) Geo: Fisher
Secy

Translation of Conveyance from Agricio to Escobar.

We the Undersigned certify that before us as presential witnesses and for want of a competent justice, has been verefied the sale that the native Agricio, a native of the Mission of San Carlos, for himself and in the name of his heirs and successors, makes of the land known by the name of Buena Empresta to the citizen Jose Ma Escobar, which land belongs to him in ownership by grant made to him by the Governor and Commander General D José Figueroa at the time of his Administration, the documents of which have been lost for him, but he exhibited and delivered over to the purchaser the documents which, for his security were given him by the Governor and Commander General, Don Manuel Micheltorena, in which it is shown that said land comprises one square league (sitio de ganado mayor) a little more or less, which land he sells for the consideration of two tame milk cows with their calves, one domesticated horse a gun and thirty dollars, all of which he has received to his entire satisfaction, declaring not to have sold, alienated or pawned it, that it is free of all public incumbrance, and as such he sells it with the approbation and in the presence of his wife and children.

And for a proper attestation and for the purchasers security, this extraordicial writing is made out, the parties being notified that they have to present themselves before the respective Justice for his authorization,

Filed in Office Sept 21, 1853, Geo. Fisher, Sec

Which the purchaser signed with us, the vender not doing it on account of not knowing how. Monterey June 24 1845.

Jose Maria Escobar, Jose Rafael Gonzales
On request of Agricio. Dav Spencer
Filerenia Serrano

J. M. Escobar
To
Thos. O. Larkin

Know all men by these presents that I José Maria Escobar of the town of Monterey in Upper California in consideration of the sum of Two hundred and fifty dollars, Lone in hand paid, the receipt whereof is hereby acknowledged, have this day and do, by these presents, grant, bargain, sell, and convey unto Thomas O. Larkin of Monterey in California aforesaid all and singular the following peice parcel and tract of land to wit, a certain tract of land lying and being on the Carmel River situate on the Northern boundary of a tract of land owned by Jose Manuel Boranda and Blas Martinez unto where are made two crosses in an oak tree being the distance between the boundary of said Mejors Boronda and Martinez and the said two crosses of two thousand yards, this tract of land is known by the name of "Buena Impuesta" and the whole consists of two thousand yards square of land as will more fully appear by a reference to the original Title Deed made in due form of law, and duly recorded in Monterey (in California) in the book of State (page) all of which will more fully appear by referance to said Deed & Record,

And I the said José Maria Escobar do hereby further covenant and agree to and with the said Thomas O. Larkin to warrant and defend all and singular the said premises together with all and singular the privileges and appurte-nances thereunto in any wise appertaining, or belonging, unto him, the said Thomas O. Larkin against all legal claims and demands of all persons whomsoever,

In testimony whereof I the said José Maria Escobar have hereunto setting hand, and affixed my seal this the Eighteenth day of March in the

year of our Lord one Thousand eight hundred and forty seven.

José Ma Escobar
(Sello)

Witness
William R. Garner
"
M. S. Schallenberger
"

The foregoing Document was sealed signed and delivered in my office and in my presence and a record of the same taken this 18th day of March A.D. 1847.

William R. Garner
Secretary.

Walter Colton
Alcalde of Monterey
(L.S.)

Filed in Office Aug 25th 1853.
Geo. Fisher
Sec.

Jacob P. Leese
To
Leander Ransom

This Indenture made and entered into, this twenty ninth day of January A.D. Eighteen hundred and fifty three, between Jacob P. Leese of the City of Monterey and State of California, of the first part, and Leander Ransom, of the city of San Francisco, same State, of the second part,

Witnesseth: That the said party of the first, for and in consideration of the sum of Two Thousand Dollars, to him in hand paid, by the said party of the second part, the receipt whereof is hereby acknowledged, hath granted, bargained, sold and conveyed, and by these Presents doth grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all and singular, his right, title, interest and estate, of in and to that certain piece, parcel or tract of land situate in the County of Monterey, State of California and described as follows, to wit; A certain tract of land, lying and being on the Carmel River, situated on the Northern boundary of a tract of land owned by José Manuel Boronda and Blas Martinez, unto whence are made two crosses in an Oak tree, being the distance between the boundary of said Messrs. Boronda and Martinez, and the said two crosses of Two Thousand yards; This tract of land is known by the name of "Buena Impuesta" and the whole consists of Two Thousand yards square of land, a little more or less, and was derived to the said Jacob P. Leese by Deed from Thomas O. Larkin, bearing date the eighth day of July A.D. Eighteen hundred and fifty three.

To Have and to Hold the above granted and described premises unto him the said party of the second part, his heirs and

assigns, as fully and completely as heretofore had and held by the said party of the first part.

In witness whereof, the said party of the first part hath hereunto set his hand and seal, the day and year first above written.

Jacob P. Leese (Seal)

Signed sealed and
Delivered in presence of:
G. W. Beckh.

State of California
County of San Francisco } ss.

On this Twenty ninth day of A.D. Eighteen Hundred and Fifty Three, before me, a Notary Public, in and for the County & State aforesaid, personally appeared, Jacob P. Leese, known to me to be the person described in and who executed the foregoing instrument, and acknowledged to me that he executed the same freely and voluntarily, for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and seal of Office, the day and year in this certificate first above written.

G. W. Beckh
Notary Public.

(L. S.)

Filed in Office Aug 25, 1853.
Geo. Fisher
Sec

Conveyance

T. O. Larkin
to
Jacob P. Reese.

This Indenture made and entered into at the City of Monterey, State of California, this eighth day of July, in the year of our Lord one Thousand eight hundred and fifty two. by and between Thomas O. Larkin late of Monterey City aforesaid now of New York City, State of New York party of the first part, and Jacob P. Reese of the said City of Monterey party of the second part, Witnesseth

That the said party of the first part for and in consideration of the sum of One Dollar lawful money in hand paid, by the said party of the second part, the receipt whereof is hereby acknowledged and confessed hath this day granted, bargained, sold and conveyed and by these presents doth grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns, all and singular, his right title interest, and estate, of in and to that certain piece, parcel or tract of land situate in the county of Monterey State of California, and described as follows; Viz: A certain tract of land lying and being on the Carmel River, situated on the Northern boundary of a tract of land owned by Jose Manuel Boronda and Blas Martinez unto whence are made two crosses in an oak tree being the distance between the boundary of said Mesrs Boronda and Martinez, and the said two crosses of two thousand yards.

This tract of land is known by the name of "Burna Impuesta" and the whole consists of two Thousand yards square of land, a little more or less. And was devised to the said Thomas O. Larkin by Deed from Jose Ma. Escobar bearing date 18th March 1845, duly recorded in the Book of Records of the Municipality of Monterey, now in the Recorders

Office of Monterey County at folio 29

To Have and To Hold the above granted and described premises unto him the said party of the second part, his heirs and assigns, as fully and completely as heretofore had and held by the party of the first part.

In Witness whereof the said party of the first part hath hereunto set his hand and seal the day and date first aforesaid.

Signed, Sealed & delivered
in presence of Thomas O. Larkin (L.S.)
Wm. S. Johnson

State of California }
County of Monterey } ss.

On this 8th day of July A.D. 1852, before me Recorder in & for said County came personally Thomas O. Larkin to me known to be the same person described in and who, as Grantor thereof, executed the foregoing conveyance, and he acknowledged to have executed the same freely and for the uses and purposes therein expressed.

Witness my hand & official seal, the day & year last aforesaid.

Wm. S. Johnson
Recorder of Monterey County.

(L.S.)

Filed in Office Aug 25th 1853.
Chas. Fisher
Sec

Leander Ransom
vs
The United States

For the place called "Los Laureles" in Monterey County, containing 2000 Varas square of land.

Opinion by Commissioner Alphens Felch.

In proof of the Concession of the land claimed by the Mexican Government, a grant made by Governor Micheltorena to Agricii a Native Indian under date of March 13. 1844. He appears to have had a temporary right of occupancy before that time, but his claim to the a confirmation of a perfect title must rest on the document above mentioned.

No approval of the Assembly appears to have been obtained and no judicial measurement was had.

The Grant required a house to be built and inhabited within a year.

The present claimant alleges title derived through several mesne conveyances from said Grantee.

Several objections present themselves to a confirmation in this case.

First — The conditions of building a house was not complied with, nor does the Grantee appear to have cultivated any of the land after the grant was made.

In xxxxx it is stated that he had cultivation on the premises and a rush hut; but he had neither his residence nor a house within the true spirit of the law on the place, at any time; and there is no showing that any of the terms of the grant were complied with after it was made to him by cultivation or occupancy of any kind.

Second — There is no proof of a

conveyance of the premises by the Grantee.
A certificate signed by three persons alleging that the Grantee appeared before them and admitted that he sold said premises to José Maria Escobar, who also signed said Document.

There is no proof even of the Genuineness of this Document and if this was proved it would still be no evidence of a conveyance of the land.

The document was not made before an Alcalde or any officer authorised to act officially in taking acknowledgement of Conveyances; it is in no sense a public writing, nor has it any authority as an instrument authenticating a sale.

This a mere private Certificate, not proved; and if proved not of a character to establish the transfer of the property by act of sale.

It would be equally insufficient to prove title under the Mexican Law as under our own.

The chain of title under which the Claimants holds, being thus broken he has failed to show a primary entitled to the premises, by a right derived from the Mexican or Spanish Government.

He cannot therefore be entitled under the act of 3rd of March, 1851, to a decree of confirmation.

Rejected.

Filed in Office Aug 29, 1854.
Geo. W. Fisher
Sec

31

Leander Ransom
vs
The United States

In this Case on hearing the proofs and allegations it is adjudged by the Commission that the Claim of the Said Petitioner is not valid, and it is therefore Decreed that his application for a confirmation thereof be denied.

Alphens Felch
R. Aug. Thompson
L. B. Laswell,
Commissioners

Decree

Filed in Office Aug 29, 1854,
Geo. Fisher
Sec

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And it appearing to the satisfaction of this Board, that the land hereby adjudicated is situated in the 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 District of California and the other be transmitted to the Attorney General of the United states.

Office of the Board of Commissioners,

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

I, George Fisher Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing Thirty three pages, numbered from 1 to 33, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 610 on the Docket of the said Board, wherein Leander Ransom is

the Claimant against the United States, for the place known by the name of "Los Laureles."

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

Geo: Fisher.

Sec.

U. S. District Court.
Southern District of California

No. 87. Docket 187

The United States,

vs.

Lander Larson.
"Los Laureles."

Transcript of the Record
from the 187
Board of U.S. Land Commissioners
in Case No. 610.

Filed December 19th 1854.
J. E. Carr
Clk.

187

Case No. 610

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

Leander Parsons
appt
vs
The United States
appee

Claim for "Las Laurels"

Sir!

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

San Francisco
May 9th 1855

Yours respectfully
Clarke Taylor & Beck
Attys for claimant

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

No 187.

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

Leander Ransom
appt

vs

The United States
appee

Claim for "Las Lauvelles"

Notice of Appeal

Filed May 22d 1855. J. C. Hyde
Clerk.

Clarke Taylor & Beckh
Attys for Claimants.

Docket No 187 SD Transcript No. 610.

Leander Ransom
vs
The United States. } Appeal.

To the Honble J. K. Ogier Judge of the United States District Court for the Southern District of California

The petition of Leander Ransom, a Citizen of California respectfully represents.

That under the provisions of the Act of Congress of the 3^d March 1851. he presented a petition to the Commissioners appointed under said act to examine claims to land in California praying for the Confirmation of his claim to the tract of land thereinafter described called Los Laurales situate in the County of Monterey under a grant from the Governor of California made on the 13th March 1844, to Agricia, and accompanied by evidence of his title; and to which for more full & particular description he begs leave to refer.

That his said claim being designated as No 610 on the Docket of the said Commissioners was rejected by them - that the said land is situate within the limits of the Southern District of California - that a transcript of the proceedings & decision of the Commissioners in the case was duly filed in the Office of the Clerk of the said Court: and due notice has been given that from petitioner appealed from said

decision.

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

And your petitioner will ever pray &c

Leander Ransom
by his Attys
Stanly & King.

187-

U. S. Dist. Court

South. Dist. of Cal

L. Ransom

vs

The Un. States

Petition for review

Left out of former package by mistake
L, R

Filed 2 June 57
A. S. Taylor
Dep Clerk

187 SD.
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In the District Court of the United States for the Southern District of Cal:

Leander Ransom	Gen No. 610.
vs	
The United States	No. 187.

The answer of Pacificus Ord Attorney of the United States for the Southern District of Cal: for and in behalf of the United States to the petition for review of Leander Ransom, denies generally the allegations of said petition, and the validity of the alleged title of said petitioner to said land. And petitioner prays that this Hon: Court will affirm the decision of the Commissioner rejecting said claim of said petitioner — and general relief

P. Ord
Atty of the U States
for the Southern Dist
of Cal:

No. 187

Leander Ransom
vs appellant

The U States
appellee.

Answer of Atty Genl.

Filed 2 June 1857
A. Taylor
Dep. Clk

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

June Term 1857

No: 187

187 SD
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Leander Ransom — Transcript No: 610. -

" vs. "

The United States — "Los Laureles"

This cause coming on to be heard on appeal from the final decision of the Board of United States Commissioners to ascertain and settle private land claims in the State of California, under the act of Congress approved March 3rd 1851, on a transcript of the proceedings and decision of said board, and of the papers and evidence upon which said decision was founded and the papers and evidence on file, in this Court, and Counsel for the Claimant and for the United States having been heard, notice of appeal having been duly filed according to law.

It is ordered adjudged and decreed that there is error in the decision and decree of the said Land Commissioners, and that the same be and is hereby reversed and annulled; and it is further adjudged and decreed that the title of the Claimant is good and valid, and the same is hereby confirmed to him -

The land of which confirmation is hereby made is of an extent of Two thousand Varas, at each wind, and no more, in the point called "Los Laureles" bordering with the Ranchos of the Neighbors, Manuel Boranda, Blas Martinez, and with the Camino up to the place where two crosses have been made, it being the land referred to in the grant and

Papers on file.

Then decreed and signed in open Court at Monterey on this 3rd day of June A.D. 1857

Sam'l H. Ogier
U S Dist Judge

187

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

Leander Ransom

vs

The United States

No: 187.

"Los Laureles"

Decree

187 SD

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Filed 3 June 57

A. J. Taylor

Clk

Recorded in Page 242

UNITED STATES OF AMERICA, ss.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District of California before you, in a cause between Leander Ransom appellant and The United States appellees (No 187 for "Los Laureles") wherein the decree was rendered in favor of the said appellee—

as by the inspection of the transcript of the record _____

_____ of the said District

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

agreeably to the act of Congress, _____

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

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

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

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

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

COSTS OF

Clerk..... $

Attorney... $

$

~~Teste by~~ Leo. Middleton

Clerk of the Supreme Court of the United States.

No. 150 December Term, 1863.

MANDATE

SUPREME COURT UNITED STATES.

U. States vs. Random.

Filed Aug. 11th 1864

Wm. A. Nelson

Clk

No. 184

U. S. Dist. Court
South Dist. of Cal.

Leander Ransom

vs

The United States