

CASE No.
196

SOUTHERN DISTRICT

HUERHUERO GRANT

FRANCISCO BRANCH

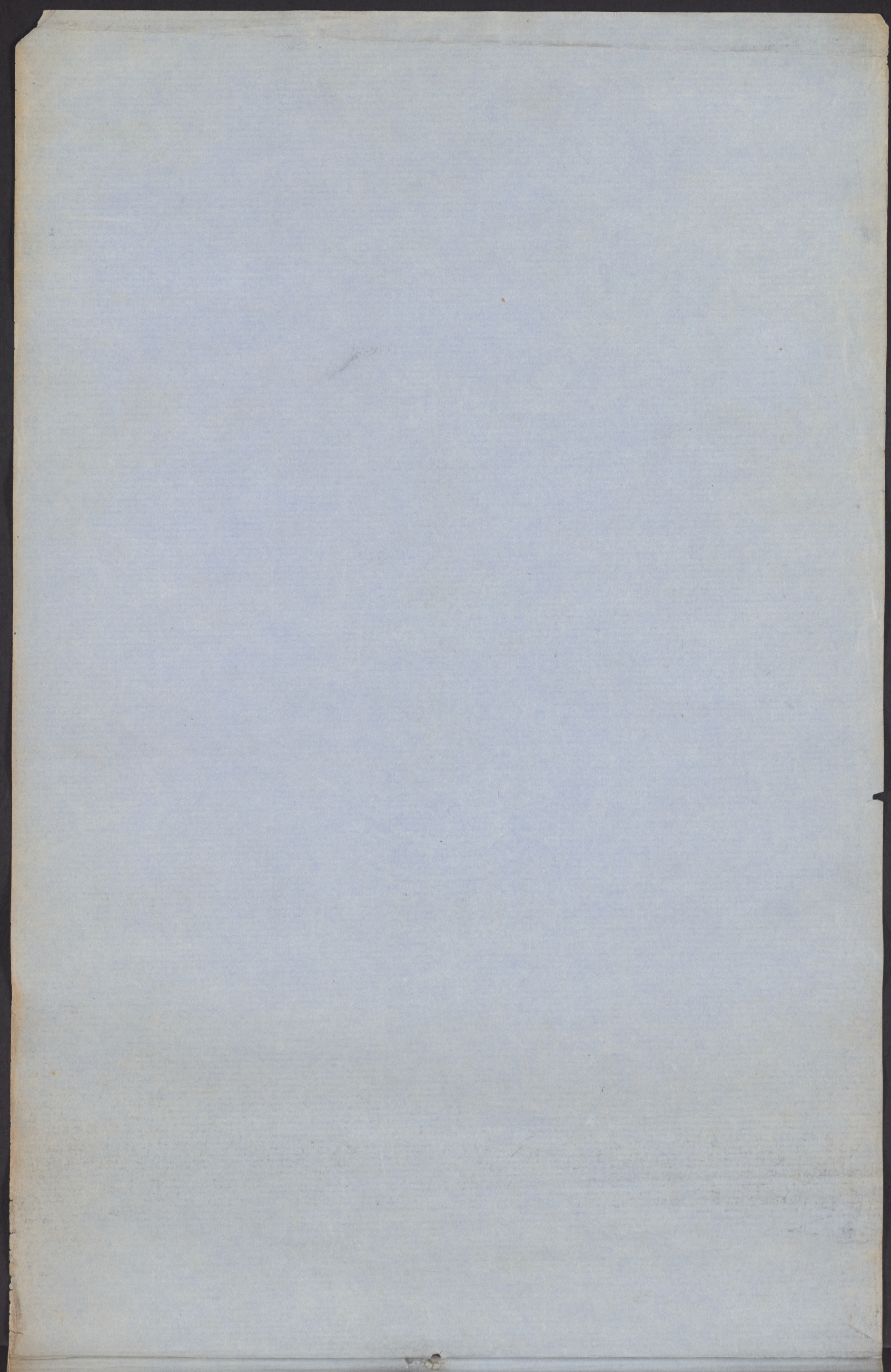
CLAIMANT

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MAR 11 1963

U.S.A.
REAR COVER PAPER
BOWEN BOND
BOSTON

87



TRANSCRIPT

196 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 87

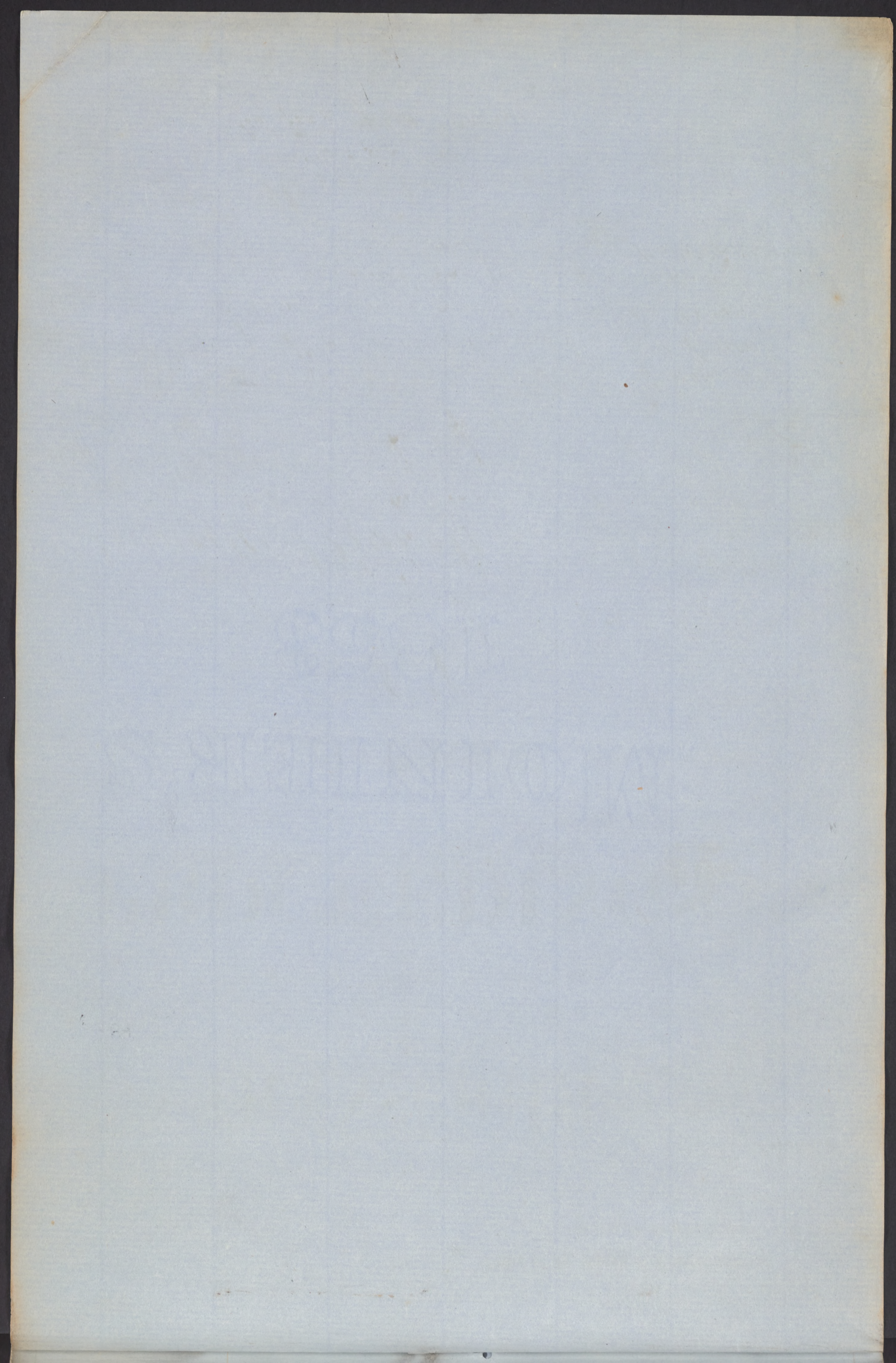
San Francisco Branch CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Honesty"



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 *Second day of March*, Anno Domini One Thousand Eight Hundred and Fifty-*two*, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

196 SD
PAGE 2

The Petition of *Francisco Branch*,
~~~~~ for the Place named  
~~~~~ "*Muerhuero*,"  
was presented, and ordered to be filed and docketed with No. *87* 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;

Sos Angeles Sept. 9' 1852.
In case no. *87*, *Francisco Branch* for the place named "*Muerhuero*," the deposition of *Publio la Buena*, a witness in behalf of the claimant, taken before Commissioner *Harry J. Thouton*, was filed:

(Vide page *5* of this Transcript.)

Sos Angeles October 8th 1852.
In the same case the deposition of *William R. Hutton*, a witness in behalf of the claimant, taken before Commissioner *James Wilson*, was filed:

(Vide page *5* of this Transcript.)

San Francisco Aug. 24' 1853.
Case no. *87* called, and ordered to be placed at the foot of the Docket.

San Francisco December 31 1853.

In the same case the deposition of Juan M. Bonilla, a witness on behalf of the claimant taken before Commissioner Thompson Campbell was filed.

(Vide page 5 of this Transcript.)

196 SD
PAGE 3

San Francisco May 2^d 1854.

Case m.s. 7 was called, submitted on briefs and taken under advisement by the Board.

San Francisco Sept. 12th 1854.

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

(Vide pages 5-7 of this Transcript.)

In the same case the following order was made, to wit:

(Vide pages 5-9 of this Transcript.)

To the Honorable Commissioners to Settle Private
Land Claims in California:

Petition.

The petition of Frances Branch respectfully shows
That on the ninth day of May A.D. One thousand Eight
hundred and forty two Juan B. Alvarado Governor of
California by virtue of the Authority of his Office, gran-
ted to Mariano Bonello the tract of land known by the
name of "San Juan" situate in the now County of San
Diego, containing One square league as described in
the grant and shown in the map which accompanied it
That on the 28th day of March A.D. One thousand
Eight hundred and forty six Pio Pico Governor of Cali-
fornia by virtue of the Authority of his Office granted to
the said Mariano Bonello an Extension of three square
leagues to the aforesaid tract of "San Juan" with bound-
aries fully described in the grant itself

That on the sixth day of November A.D. One thousand
Eight hundred and forty seven the said Mariano Bon-
ello conveyed the aforesaid land to him the said
Branch: That on the 18th day of January A.D. One tho-
usand Eight hundred and Eight, the said tract of land
was surveyed and the judicial possession given to the
petitioner in due form of law Copies of which grant
Map Extension, Conveyance and Act of Survey and Ju-
dicial possession are hereto annexed marked A with
translations marked B

That the said tract was occupied by the said
Bonello at the time of said grants and has been
since and that ever since the giving of the aforesaid
Conveyance and judicial possession, the petitioner has
occupied and does now occupy fully peacefully and qui-
etly the aforesaid land.

That the said Bonello during his Ownership and the
petitioner since his Ownership has done and performed
all the requirements of the said grants necessary to
make the fee perfect and absolute —

That the land has not been surveyed by the Surveyor
General of the United States but that it was surveyed
under the direction of the proper Authority at the time
of giving judicial possession and that its limits
are definite and well known —

That he knows of no interfering claim

The petitioner relies for Confirmation of title upon the
Original papers Copies of which are hereto annexed
upon the documents and Minutes concerning the same

196 SD

PAGE 4

in the archives now in the possession of the Surveyor
General and such other proofs as he may be able
to see are necessary

Whereupon he prays the Commissioners to conform
in the same grants to the petitioners

By his attorneys
Halleck Peachy & Billings

196 SD
PAGE 5

Filed in Office March 2nd 1858

Geo. Fisher
Secy

185



S- No 87
Deposition of
Wm R Stutton

Office of the U. S. Land Commissioners
Los Angeles Oct 8th 1852

On this day before James Nelson one of the Commissioners for ascertaining and settling private Land claims in California came Wm R Stutton a witness produced in behalf of the Claimant Francisco Manck whose petition is No. 87 on the Docket of the Board and was duly sworn his oath being given in English -

The Law Agent of the United States by R Green how Esq was present and did not object -

1 Question. What is your name age & place of residence
Ans. My name is William R Stutton my age 26 years and I have resided in California since April 1847

2 Question. Say what you know about the occupation of the Rancho of "Suarhuero" claimed by Francisco Manck -

Ans. I know the Rancho of Suarhuero, it is situated in the County of San Luis Obispo. In 1851 was County Surveyor of that County, surveyed this Rancho for the Claimant, who at that time occupied this land with Cattle and horses, there were the ruins of an Old house on the Rancho and the Claimant was building a new one; he had at that time between four and five hundred head of Cattle and horses on the Rancho, and servants living there and taking care of his stock - The said Rancho is from 25 to 30 miles from the Sea Coast - Wm R Stutton
Oct. 8. 1852 Subscribed & Sworn to before me
James Nelson Comr

Office of the California Land Commissioner
Los Angeles Sept. 9. 1852

Deposition of
Wm R Stutton
Pablo de la Guerra

On this day before Harry Thornton one of the Commissioners to ascertain and settle private Land claims in California came Pablo de la Guerra a witness produced in behalf of the Claimant Francisco Manck, whose petition is No 87 on the Docket of the Board and was duly sworn his oath being given in English (The Law Agent of the United States present)

1 Question. What is your name age, and place of residence
Ans. My name is Pablo de la Guerra - My age is about 33 years I reside in Santa Barbara and am a native of California -

2 Question - Examine the Documents marked No 6 and

attached to this deposition and say if you know the
Signatures

Ans. I am well acquainted with the Signatures of Juan
B. Alvarado, Manuel Jimeno, Jose A. Estrada, Jose
Manuel Castaneda, Pio Pico, and of Mariano Bonella
then Signatures to these documents are genuine and the
documents to the best of my belief are genuine

U S Law Agent present Pablo de la Guerra
Sworn to and subscribed before me this 9th day of
September 1852 - Harry J. Thorton Com'r of
"Filed in Office Sept. 9th 1852"

Geo. Fisher Secy

Office of the Board of U.S. Land Commissioners &c
San Francisco Dec. 31. 1853

Deposition of
Mariano Bonella

This day before Commissioner Thompson Campbell came
of Mariano Bonella a witness in behalf of the Claimants
Francisco Branch Petition No 87 and being sworn his
evidence being given in Spanish was interpreted by the
Secretary as follows

1 Question. What is your Name age and place of residence

Ans. My Name is Mariano, I am forty seven years of
age and I reside in the County of San Luis Obispo I
give my Name as Mariano because I am generally
known by that name

2 Question. Are you acquainted with the Rancho
called "San Juan"

Ans. I am acquainted with it

3 Question. Where is said Rancho situated?

Ans. It is situated to the North East of San Luis and
about six or seven leagues from that place

4 Question. Do you know to whom the Land was first
granted -

Ans. It was granted to me -

5 Question. When and by whom

Ans. It was granted to me in 1842 by Governor Alvarado

6 Question. Did you ever occupy the Rancho up to State
When and how?

Ans. I have occupied it since 1839 with animals I
built a house and corral -

7 Question. What year did you build a house in

Ans. I built the house in the month of May in 1840

8 Question. How many cattle and horses and sheep did
you have on the Ranch

Ans. I had five hundred sheep two hundred cattle
amongst broken and unbroken I had about the hundred ^{and twenty}

9 Quest. Did you or not live on this Land in 1842
Ans. I did not live there with my family in that year
but I visited there and had servants on the place

10 Quest. How much land did you cultivate on this
Rancho?

Ans. I had two Lots about two hundred yucas & yucas
each, more or less -

11 Quest. What took place on Sacie Rancho in year 1844
in regard to your Occupation

Ans. I left Sacie place in the year 1844 on account of
the hostility of the Indians; they having killed three
of my servants

12 Quest. Did they carry off any of your stock

Ans. After that time some of my horses and cattle
were missing, but I do not know whether the
Indians took them or not. They burned my house
and corral

13 Quest. Did you re-occupy same place and rebuild
the house?

Ans. In the year 1845 I built a small house & corral
and in the year 1846 I took stock on it

14 Quest. What you troubled after your second occu-
pation by the Indians?

Ans. I was troubled by them in the year 1847 as they
killed a brother of mine

15 Quest. Have you sold this Land, if so when and to
whom?

Ans. I have sold it to Don Francisco Branch in the
year 1847

16 Quest. How large was the first grant made to you

Ans. The first grant made by Alvarado was for one
square league

17 Quest. Did you ever receive a grant in augmenta-
tion to your first grant, if so, state when by whom
and the quantity.

Ans. In 1846 I received a grant in augmentation of
the first for three leagues -

18 Quest. Was this augmentation included in your sale
to Branch

Ans. It is was included in that sale

19 Quest. State all you know of the Occupation by
Branch of the Land

Ans. Immediately after I made the transfer to him under
the sale he built a house made a corral, and he
stocked it with cattle, hogs and necessary hardware

196 SD
PAGE 8

holding the cattle and he continued thus to occupy it from that time to the present -

20 Quest. What number of stock has he had on the place at any time within the last two years?

Ans. He took at one time within the last two years three hundred head of cattle, at another time he took there some more but I don't know how many

196 SD
PAGE 9

21 Quest. Examine the paper marked No 1 annexed to the deposition of Pablo de la Sierra and file in this case and say whether or not you recognize it as the official sale made by you to March

Ans. I recognize said paper now shown me as being a true and correct copy taken from the Protocol at the time it was made by me, and the signature thereto attached is the genuine signature of the justice before whom it was made -

22^d Are you acquainted with the boundaries of the just grant made to you by Governor Alvarado and if so please describe them -

Answer. I do know them. On the North it is bounded by the range of hills of Don Durio, On the East by a continuation of the same range of hills On the South by the same hills, and the same on the West. The extent of same embraced in these boundaries is one square league

23 Quest. What are the boundaries of the Augmentacion granted to you by Pio Pico

Ans. On the North it is bounded by the range of hills called Don Durio, On the East by a league called Agua de las Coelomijos which descends to firm a place in the mountains called San Jose y Comate On the South by the hills contiguous to Don Margarito and on the West by the same range of hills contiguous to San Ysabel. The hills of Durio also separate it from the Rancho of La Estrella

24 Quest. Are the points mentioned by you well known objects in that neighborhood?

Ans. The place called San Ysabel and the place called San Jose y Comate are well known the other places are not

25 Quest. How much land does the Augmentacion embrace -

Ans. It embraces three square leagues

26 Quest. Did you ever hold the office of Alcalde in San Luis Obispo -

Ans. Yes almost constantly since the year 1841
27 Ques. As such Alcalde did you ever give the
judicial possession of this Ranch
Ans. I did

28 Ques. Examine the paper marked as before us please
in this case with the deposition of Pablo de la
Cruz and state whether it is the Original Record
of said judicial possession and whether the signa-
tures are all genuine

Ans. I have examined the said paper and recog-
nize it to be the Original Record of said judicial
possession and the signatures thereto attached are
genuine

196 SD
PAGE 10

(Examined by Mr Greenhow)

1 Ques. Is there any Law or Custom in Mexico
authorizing an Alcalde or Judge to give judicial
possession to himself or himself granted to him
Ans. There is no such Law

(Examined by Beaumont Counsel)

1 Ques. Why was the judicial possession not given
while you owned the Land

Ans. It was not given because there was no Judge
who could give it

J. Marco Botello

Sworn to & Subscribed
before me this 31st day of
December 1853

Thompson Campbell
Clerk

Filed in Office Dec. 31 - 1853

Geo. Fisher Secy

10

181

Expediente promovido por Dⁿ Mariano Bonilla en pretencion del Sereno

Nombado el

"Auerkuego"

Año de 1842.

282.

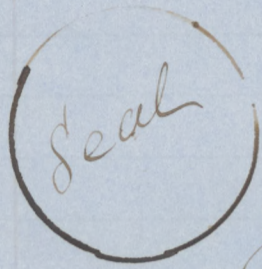
196 SD
PAGE 11

Sello Tercero 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 mil ochocientos cuarenta y una.

Alvarado

Antonio Ma. Osio

196 SD
PAGE 12



Rehabilitado por la misma, para el año de mil ochocientos cuarenta y Dos.

Alvarado

Antonio Maria Osio.

Yo Prefecto del 1^{er} Distrito

Mariano Bonilla natural de la capital de Mexico ante la notaria justificacion de V. S. con el debido respeto y como mas haya lugar digo q^{ue} ha ce tres años, solicite la concecion de un Terreno nombrado el Huerhuero en union de mi Cuñado Trifon Garcia q^{ue} en la misma instancia pedia otro sitio llamado "Atascadero" p^{er} resultar a ho ras alguna confusion en los limites de ambos sitios q^{ue} los separa un espacio de dos leguas p^{er} evitar dho confusion, pido a V. S. q^{ue} conforme a el informe q^{ue} se dio en mi anterior instancia se oirva esta vez repetirlo, en esta p^{er} q^{ue} formando un expediente separado se me espida el titulo corre 3. pondit^o q^{ue} solo este pasa puede dilitar lo.

El mencionado terreno del Huerhuero se manifiesta en el diseño q^{ue} debidamente acompaño y en su estencion comprehende un sitio de Ganado mayor. Por tanto. A. V. S. suplica se oirva acceder a mi solicitud q^{ue} en ella recurre gracia y justicia. y juro &c.

Monterey D. Ab. 16 de 1842.

J. Mar^{te} Bonilla

Como Sr. Gob^{er} de este Departam^{to}
En atencion a q^{ue} mi antecesor D^o Jose Castro spino podra concederle al interocado el terreno q^{ue} pretendia, la pref^{er} de mi Cargo es de parecer de asi lo creyerè de justicia V. S. se le conceda al Ciudadano Mar^{te} Bonilla el terreno nombrado el "Huerhuero" q^{ue} contiene poco mas o menos un sitio de Ganado mayor q^{ue} p^{er} poseer este

13

87-1

Here follows Map

5. Juan B. Alvarado Gobernador Constitucional del Departam^{to}. de las Californias.

Por cuanto D^o Mariano Bonilla ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Huerhuer en estension de un sitio de ganado mayor bajo los limites que demuestra el diseño respectivo practicadas las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas à nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras obligandose à la aprobacion de la E. Junta Departamental y à las condiciones siguientes

1^a Podrá cercarlo sin perjudicar las travesias caminos, y servir de umbros lo disputar à libre y esclusivo am^{to}. destinandolo al uso ò cultivo q^u. mas le acomode. pero dentro de un año fabricara casa y estara habitada.

2^a Solicitara del juez respectivo que le de posesion juridica en virtud de este despacho por el cual se demarcaran los limites en cuyos limites pondra à mas de las mojoneras algunos arboles frutales ò olivales de alguna utilidad.

3^a El terreno de que se hace mencion es de un sitio de Ganado Mayor segun explica el diseño que corre agregado en el Expediente respectivo. El juez que diere la posesion lo hará à medida conforme à Ordenanza quedando el sobrante que resulte à la clacion para los usos convenientes.

4^a Si contuviere à estas condiciones perderà su derecho al terreno y será denunciabile por otro.

En consecuencia mando que teniendose por firme y valdero el presente titulo se tome razon de el en el libro à que corresponde y se entregue al Interesado para su resguardo y demas fines.

Dado en Monterey a nueve de mayo de mil ochocientos cuarenta y dos.

Yo el tercero Dos Reales: Habilitado provisionalmente, por la Aduana maritima del puerto

15-
de Monterey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y uno y mil ochocientos cuarenta y uno.
Alvarado Antonio Maria Oso

Rehabilitado por la misma, para el año de mil ochocientos cuarenta y Dos.
Alvarado. Antonio Maria Oso.

Individuos los requisitos prebenidos p. las leyes mas sin embargo de este Dictamen. V. E. resolvera la of. estime mas con beniente.

Protesto à V. E. con este motivo las seguridades de mi respeto.

Monterey Mayo 24 de 1842.

José R. Cotada.

Monterey 9 de Mayo de 1842.

Vista la peticion con que da principio este Expedt. el informe del prefecto del 1^{er} distrito con todo lo demas que se tubo presente y ver convis de conformidad con las leyes y reglamentos de la materia. declaro à D^o Mariano Bonilla dueño de un Sitio de Ganado mayor en el terreno nombrado el Huer huero. Libre el correspondt. despacho tomese razon en el Libro respectivo y dirijase este Expedt. à la C. Junta p^a su aprobacion. C. C. Excmo. Gov. Gobn: D^o Lucas B. Alvarado asi lo mando, decreto y firmo.

Angelos Mayo 21 de 1845.

Dado cuenta en Sesion de hoy con este Expedt. paso à la Comision de Terrenos Baldios.

Rico.

Agustin Olvera. S^{to}

Gov.

La Comision de Terrenos baldios ha visto y examinado con todo el detenim^{to} posible el Expediente formado sobre el terreno nombrado el quer guero concedido p. el Gobierno de Este Departamento al Gov D^o Mariano Bonilla en titulo esplicito con fha q. de Mayo de 1842 y aunque en el Decreto de concecion del mismo dia no aparece la firma del Gobernador se debe creer q. fue una falta involuntaria. of. en consecuencia de la comision queda subancada con la

11

196 SD
PAGE 15

legalidad de las diligencias practicadas y título respectivo, en tal virtud la comisión pone a la deliberación de V. E. la siguiente proposición: Se aprueba la conceción hecha en favor del Ciudadano Mariano Bonilla del paraje nombrado huerquero adjudicado en propiedad por el Gobierno de este Departamento en título legalmente librado con fecha 9 de Mayo de 1842. de entera conformidad con lo prevenido en la ley de 18 de Agosto de 1824 y el Art. 5º del reglamento de 21 de Noviembre de 1828.

Angeles Mayo 23. de 1845.
Ignacio del Valle y Narciso Botella.

10 Angeles Mayo 26 de 1845.
En sesión de este día se aprobó por la Honorable Asamblea la proposición del dictamen antecedente mandando se devuelva el presente expediente al Excmo Sr. Gobernador para los fines consiguientes.

Pío Pico - Presdt.

Agustín Olvera Secretario

Se libró al agraciado el comprobante respectivo.

Office of Surveyor General of the United States for California.

I, John C. Hays Surveyor General of the United States for the State of California and as such, having in my Office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, by Virtue of the power vested in me by Law, Do hereby Certify, that the ten preceding and hereunto annexed pages of tracing paper numbered from one to ten inclusive, exhibit a true and accurate copy of a certain Document now on file and forming a part of the said Archives in this Office.

In testimony whereof, I have hereunto signed my name officially and cause a my seal of Office to be affixed at the City of San Francisco, this tenth day of October 1853.

Seal

17

John C. Hayes.

U. S. Surveyor General for California

Filed in Office Janry 16.th 1854

Geo. Fisher Secy.

196 SD
PAGE 16

1st Expediente

Expediente moved by Don Manuel Bonilla in
petition to the Lances called "Huerhueso"
Year 1842 No. 282

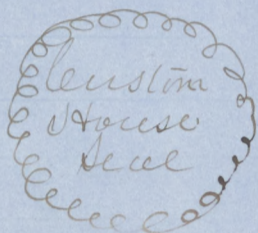
Stamp Three Two Reals

Provisionally authorized by the Maritime Customs House
of the Port of Monterey in the Department of the
Noble Finance for the years 1840 and 1841

Alvarado Antonio Maria Osio

Received by the same for the year 1841

Alvarado Antonio Maria Osio



196 SD

PAGE 17

Senor Prefect of the 1st Justice
Mariano Bonilla a native of the Capital of Mexico
before the justification of your Excellency with due
respectance in proper form says: that three years
ago he asked for the grant of the Land called
"Huerhueso" in conjunction with his father in law
Francisco Garcia who in the same instance asked
for another place called "Atiscadero" as there re-
sults some confusion in the boundaries of both pla-
ces, they being separated by a distance of two leagues
in order to avoid such confusion I ask of your
Excellency in conformity with the Report in my
interior petition to be so good again in this by form-
ing a separate Expediente in order that there may
come to me the corresponding title which by this
cause alone can be accomplished - The aforesaid
once Land of Huerhueso is shown in the map
which duly accompanies this and includes an
extent one square league - Whence I beg your
Excellency to be so good as to grant my petition
in order that thereby I may receive favor and
justice I swear &c.

Monterey April 16th 1842
Most Excellent Senor Governor of this Department
In conformity with the opinion of my predecessor
Don Jose Castro, that the lands asked for may
be granted to the party interested it appears to
the Prefecture under my charge also that it would
be just that your Excellency should grant to
Citizen Mariano Bonilla the land called "Huerhueso"
which contains one league a little more or less as
shown the requisites required by the Lances. But
without being embarrassed by this report, your

Excellency will determine what is most convenient
I protest to your Excellency with this my due respect
Monterey May 4th 1842

Jose A Estrucan

(Here follows copy of map and of formal letter
as translated in Doc. "13")

Monterey May 9 1842

Having seen the petition at the beginning of this
Expediente the report of the Prefect of the 1st District
with all else presented and proper to be seen in
conformity with the Laws and regulations on the
matter I declare Don Mariano Bonilla owner of one
square league in the Landa named "Searhuo" let
the Cares for any dispatch you take note in the
respective Book and direct this Expediente to the
Most Excellent Junta for its approbation. The
Most Excellent Sena Governor Don Juan B Alvarado
thus orders decree and signs.

Angeles May 31st 1845

In Session of this day took up this Expediente
and referred to the Committee on vacant lands
Pico.

Acquiesce Oleana Secy

Senā: The Committee on vacant Lands have seen
and examined with all possible care the Expedien-
te formed on the Land called the Searhuo granted
by the Governor of this Department to Senā Don Mari-
ano Bonilla by letter of piece on the 9th of May
1842 and although in the decree of that date there
is no signature of the Governor, it is believed that
this was only a voluntary omission which in the
opinion of the Committee does not affect the legality
of the proceedings and respective letter, and with this
view the Committee, placed at the deliberation of
y. Ex. the following proposition -

Approves the grant made in favor of Don
Mariano Bonilla of the place called Searhuo
acquired in ownership by the Government of this
Department by letter legally issued on the 9th day of
May 1842 in entire conformity with what is decreed
in the Law of August 18th 1824 and article
5th of the regulations of November 21st 1828

Angeles May 23rd 1845

Ygnacio del Valle Narciso Botello

Angeles May 26 1845: In Session of this day the
preceding report was approved by the honorable

196 SD
PAGE 18

896 76
183

Reading Report was approved by the Honorable

21

Assembly, decreeing the present Expediente to be returned to the Most Excellent Sr. Governor for the consequent ends

Pro Pico President

Augustin Olvera Secy

The respective certificate issued to the grantee

Filed in office Jan 16. 1854

Geo. Fisher Secy

196 SD
PAGE 19

2

181 20

Stamp Second & Eagle & Twelve Reales
 For the years One thousand and Eight hundred and thirty eight
 and One thousand Eight hundred and thirty nine

Good for

the years Good for the year One thousand Eight hundred
 1840 & 1841 and future

(Signed) Alvarado (Signed) Antonio Maria Osio

John B Alvarado Constitutional Governor of the Department
 of the Californias -

Whereas Don Mariano Bonilla for his own personal benefit
 and that of his family has asked for the place
 known by the name of "San Juan" in the State of
 Yucatan (One square league of grazing large
 cattle) according to the limits shown on the Spectral
 map, the proper measures and examinations having
 been previously made as required by the laws and regu-
 lations, using the faculties which are conferred upon
 me in the name of the Mexican Nation I have gran-
 ted to him the above mentioned land, declaring to
 him the ownership of it by these presents, subject how-
 ever to the approbation of the Most Excellent Depart-
 mental Junta and the following conditions to wit:
 1. He may enclose it without prejudice to the crops and
 roads and streets and enjoy it freely and exclusively
 making such use and cultivation of it as he may see
 fit, but within one year he shall build a house on
 it and inhabit it

2. He shall ask the Magistrate of the place to give
 him judicial possession of it in virtue of this Order
 by whom the boundaries shall be marked out, and
 he shall place in them besides the Land Marks some
 fruit trees, or forest trees of a useful character

3. The Land thus granted in donation is One square
 league (One square league for grazing large
 cattle) as set forth in the maps attached to the res-
 pective Expediente - The Magistrate who gives the posses-
 sion will have it measured according to the Ordinances
 leaving all that may remain over and above to the
 Nation for its common uses

4. If he shall contravene these conditions he shall
 lose his right to the land and it may be denounced
 by others

In consequence I Order that the present title be held
 as firm and valid that Note be taken of it on the
 proper Book and that it be given to the party interested

For his security and other purposes - Given in Monterey
 this Ninth of May One thousand Eight hundred and
 forty two Signed John B Alvarado
 (Signed) Manuel Jimeno Secretary

Note has been made of this Order in the book of entries
 of grants of vacant Lands page 12 (Signed Jimeno
 His Excellency the Governor has directed that this grant
 be noted at the Prefecture of the first district
 (Signed) Jimeno

Let the note be taken (Signed) Estrada
 Note of this Superior letter has been taken in the
 Secretary's office under my charge at folio 600, in
 the proper book (Signed) Jose Maria Castaneda
 Acting Secretary

Don Pio Lina Boegel of the Departmental Assembly
 and provisional Governor of the California:

Whereas Don Mariano Bonilla by both a Mexican law
 for his own benefit and that of his family wishes for
 an addition of Land in extent three Sitios de ganado
 mayor (three square leagues for grazing large cattle) to the
 Rancho which he now possesses by legal title known by
 the name of "San Bruno" by Santa Margarita La Estrella
 Comate, and San Jose, the proper measures and exam-
 inations having been previously made as required by
 the Laws and regulations, using the faculties which
 are conferred upon me in the name of the Mexican Nation
 I have granted to him the above mentioned Land
 declaring to him the ownership of it by these presents sub-
 ject however to the approval of the most Excellent Dep-
 artmental Senate and the following conditions to wit

1. He may enclose it without prejudice to the crops roads
 and Sincieros, and it freely and exclusively, making
 such use and cultivation of it as he may see fit
2. He shall ask the Magistrate of the place to give
 him judicial possession in virtue of this Order, to which
 intent the bounds shall be marked out and he
 shall place on them besides the Land marks some
 fruit or fruit-trees of a useful character
3. The Land thus granted in donation is three Sitios
 de ganado Mayor (three leagues for grazing large
 cattle) a little more or less as set forth in the map
 attached to the respective Expediente, and is
 expressed in the petition of the Applicant
4. If he shall contravene any of these conditions he
 shall lose his right to the Land and it may be announced
 by another

196 SD

PAGE 21

LUGS

51

191 SD

shall lose his right to the land and it may be announced

In consequence I read that the present title be held as firm and valid, that note be taken off in the proper Book and that it be given to the party mentioned for his security and other purposes given in the City of Los Angeles on this common paper there being none of the proper stamp - this 28th of March one thousand eight hundred and forty six

Signed Pio Pico

Filed in office March 22 1854

Geo. Fisher Secy

196 SD
PAGE 22

Section of June 10th 1846

X X X X X X X X X X

Approved the grant made to citizen of Mariano Bonilla for an augmentation of three square leagues of the place which he possesses called "Quintana" of San Luis Obispo according to title issued on the 28th of March of this year in conformity with the Law of August 18th 1824 and Article 5th of the Regulation of November 21st 1828

X X X X X X X X X X

Francisco Teodoro Pascante

Augustin Oberra
D.S.

Filed in office Feb. 25 - 1854

Geo Fisher
Secy

21

PRICE 5s

183

1846.

Expediente promovido por D^o J. Mariano Bonilla en pretension del aumento de tres sitios de Ganado mayor al parage que poseer nombrado el "Huachero."

1.

506.

196 SD
PAGE 23

Excmo Sr Gobernador

Angel de Tebreu Sr. José Mariano Bonilla mexicano de 1846. Pase al Sr. Nacimiento y vecinos del pueblo de San Antonio. Prefecto de la Isla de San Luis Obispo ante la partida de Santa notaria justificación de V. E. con Barbara, a fin de el debido respeto y como mas hay que proceda a tomar lugar digo: qd des de el año de todas los informes 1842 me fue adjudicado p^a qd sean necesarios el Sr. D. Juan B^{te} Alvarado y con el fin de qd sea el paraje llamado el Huero vuelva al Gobierno huero en estencion de un sitio

de ganado Mayor; pero desgraciadamente quiza p^a la esterilidad de los años qd hem pasado Pase al juez respectivo de se han ocaido todos los aguateros de este lugar qd contienen a fin de qd informe en la Estencion de mi propiedad si el terreno de que yo p^a tal circunstancia mis bienes semovientes se extienden pertenece a propia a mas distancia p^a las aguas daa particulari qd hay fuera de los límites de corporacion como un sitio y como puede acontecer lo asiente el inter qd algun otro ocupe esos parajes resado en la present qd hoy se hayan valdidos y sin te instancia. pertenecer a propiedad de particular ni corporacion, p^a lo a

V. E. se sirva concederme la estension de tres sitios agregados al que tengo concedido p^a qd siempre mis bienes se hayan en terreno de mi propiedad y no haya alguno p^a serior m^{te} a impedir su ocupacion cuando acaso aumentando otros bienes como tambien mi familia me sea inutil el solo sitio qd tengo continuando en el la falta de agua. El terreno qd menciono se haya al E. de este pueblo a distancia de seis leguas y el diseño qd acompaña manifiesta sus límites. p^a la qd en vista de ello y en virtud de lo espuesto a. V. E. suplico se sirva acceder a mi solicitud qd en ello recibire gracia y justicia qd. juro de

D. Luis Obispo En: 7 de 1846.
J. Mariano Bonilla

87-2

Here follows Map

Otro dijo q. la pacificacion de V. C. se surra admitir la presente en papel comun p. no haber del sello correspondiente.

En atencion al decreto marginal de 28 del corriente en q. se me ordena informe à cerca del terreno q. he solicitado en la antecedente instancia dijo q. dho terreno se haga valdido sin q. se le conozca q. tenga pretendiente alguno à mas del q. tiene concedido un sitio en el mismo parage y q. à la vez se haya interesado en esta instancia en tal virtud me parece q. este puede ser agraciado se la superioridad a lo erè conveniente.

196 SD
PAGE 25

San Luis Obispo Feb. 28 de 1846.
Jose de Jesus Pico

Atendiendo à lo q. asenta el interesado en la presente solicitud y siendo conforme con el informe q. antes de y teniendo dados esta Subprefectura p. personas imparciales q. en efecto es todo lo q. va indicado no hay embarazo p. q. al interesado el terreno q. solicita le sea concedido se V. C. le juzga conveniente.

San Luis Obispo Feb. 28 de 1846
Anast. Barillo.

Angeles Mayo 28 de 1846.
Vista la petition con que da principio este expediente el informe que corre estampado del subprefecto del partido de Sta. Barbara con todo lo demas que se tuvo presente y ver con oino de conformidad con lo dispuesto por la ley de 18 de Agosto de 1824 y reglamento de 21 de Noviembre de 1828 se declara al Ciudadano D. J. Mariano Bonilla dueño en propiedad del Paraje nombrado el Huer huer en el mismo partido.

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781

Librese le el titulo correspondiente al interesado en esteneron de tres sitios de ganado mayor poco mas ò menos y someta se esta con seccion à la aprobacion de la Exma Asamblea Departamental.

Pro Pico Gobernador de Las Californias por Ministerio de la ley asi lo mando decreto y forme.
Pico.

8 Pío Pico & C. Por cuanto Don J. Mariano Bonilla Mexicano por nacimiento ha pretendido para su beneficio personal y el de su familia el aumento de Terreno en la Estacion de tres sitios de ganado mayor al Rancho que actualmente poseè por justo título conocido con el nombre de Huerhuevo colindante el parage pretendido con el mismo huerhuevo, Sta Margarita, la Estrella Basnate y San José, practicadas previamente las diligencias y averiguaciones necesarias segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas à nombre de la Nacion Mexicana, he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letas sujetandose à la aprobacion de la Exma Junta Departamental y à las condiciones siguientes. 1ª Podrà cercarlo sin perjudicar las travencias, camino y servidumbres, lo disputar à libre y exclusiva mente destinandolo al uso ò cultivo que mas le acomode. 2ª Solicitarà del Jefe respectivo que le de posesion juridica en virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites pondrà à mas de las mojoneadas algunos arboles frutales ò olivos que de alguna utilidad.

3ª El terreno de que se hace donacion es de tres sitios de ganado mayor poco mas ò meno segun esplica el Diseño que corre en el Expediente respectivo y se expresa en la Solicitud del interesado. Si contraviniere à estas condiciones perderà su derecho al terreno y serà denunciabile por otro.

En consecuencia mandó que teniendose por firme y valdero este título se tome razon de el en el libro a que corresponde y se entregue al interesado por su resguardo y demas fines.

Dado en la ciudad de los Angeles à veinte y de Marzo de 1846.

Angelos Mayo 8. de 1846.

Dado cuenta en Osesion de hoy con este expediente à la C. A. D. se mandó pasar à lo

comision de terrenos baldios.
Rio pico. Presdt.
E. D. Augustin Olvera.

196 SD
PAGE 27

La Comision de Terrenos baldios a examinado detenidamente el presente expediente relativo a la estencion de terrenos qd solicita el Ciudadano J. Mariano Bonilla en el parage qd pose del Huerquero, cuya ampliacion le fue concedido p: el sup: Gob: Dep: con arreglo a las leyes de la Materia en tal virtud pone a la Deliberacion de V. B. la sig: proposicion.

Se aprueba la concesion hecha al Ciudadano J. Mariano Bonilla la ampliacion de tres sitios de ganado mayor en el parage qd pose nombrado el Huerquero jurisdiccion de S. Luis Obispo, segun titulo librado con fha 28 de 10 Marzo de este año en conformidad con la ley de 18 de Agosto de 1824 y el Art: 5 del reglamento de 21 de Bre de 1828!

Salva de Com: en la ciudad de los Angeles.
Junio 2 de 1840. y

V. Arguello

Angeles Junio 10 de 1840.

En sesion de este dia aprobo la Excma A samblea Departamental la proposicion del Dictamen anterior.

Office of Surveyor General of the United States for California.
J. John C. Hays Surveyor General of the United States for the State of California and as such having in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California by virtue of the power vested in me by Law. Do hereby certify that the ten preceding and herunto annexed pages of tracing paper numbered from One to ten inclusive, exhibit a true and accurate copy of a document now on file and forming part of the said Archives in this office.



In Testimony whereof, I have
hereunto signed my Name Officially
and caused my seal of Office to be affixed
at the City of San Francisco, this Eighth
day of October 1853.

John C. Hays.

U. S. Surveyor General for California

Relieved in Office January 16th 1854

Geo. Fisher Secy

196 SD
PAGE 28

196 SD
PAGE 28

Sesion del dia 10 de Junio de 1846.

196 SD
PAGE 29

De apruebo la Conoccion hecha al Ciudadano D. Mariano Bonilla de la ampliacion de tres sitios de Ganado mayor en el parage q^o posee nombrado el Huerquero jurisdiccion de D^o Luis Obispo, segun titulo librado con fecha 28 de Marzo de este año en conformidad con la ley de 18 de Agosto de 1824 y el Artículo 5^o del Reglamento de 21 de Noviembre de 1828.

Gerenc. J. J. Guerrero Presdt.

Agustin Overa
D. O.

Office of Surveyor General of the United States
for California.

I, John C. Hays, Surveyor General of the United States for the State of California and as such, having in my Office and in my charge and Custody a portion of the Archives of the former Spanish and Mexican Territory, or Department of Upper California, by Virtue of the power vested in me by law, Do hereby Certify that the two preceding and hereunto annexed pages of tracing paper numbered from One to Two inclusive exhibit a true and accurate Copy of Extracts from a certain Unbound Book / loose Sheets, entitled: " 1846. Cuaderno de Sesiones de

la Exma Usamblea and purporting to be a Register of Depositions of the Departamental Assembly "said Book now being on file and forming part of the said Archives in this Office

196 SD
PAGE 30

In Testimony whereof I have hereunto signed my name Officially and caused my Seal of Office to be affixed at the City of San Francisco, this Nineteenth day of January A. D. 1854.

John C. Hayo

U. S. Surveyor General
for California

Filed in Office. Feby 25th 1854

Geo. Fisher Secy.

31
1854

2^a Expediente
37

1846 - Expediente moved by Don Mariano Bonilla
for an addition of three leagues to the which he
possesses called the Huachero No. 506

Most Excellent Sonn Governor
Jose Mariano Bonilla a Mexican by birth and citizen
of the Pueblo of San Luis Obispo before the well
known justification of your Excellency with due
respect in proper days.

That in the year 1842 there was granted to me by
Sonn Juan Bautista Alvarado the place called
the "Huachero" in extent one square league, but
unfortunately on account of the sterility of the past
years all the Springs and Arroyos (Creeks or ponds)
which are contained within the extent of my property
have dried up and from that circumstance my
stock have extended themselves to a greater distance
for the Springs outside of the limits of one league
and as it may happen some one else may occupy
these places which are now vacant and do not
pertain to the property of any private individual
or Corporation. I ask your Excellency to be so good as
grant me the extent of three leagues added to the one
I have granted, in order that my stock may have
occupy lands of my own property and that no one
hereafter may impede their occupation when perhaps
my stock and family increasing the single league
which I own will be useless on account of the contin-
ued want of water. The aforementioned land lies to
the East of this Pueblo at a distance of six leagues
and the map which I herewith accompany shows its
limits, so that in view of it and in notice of the pre-
sents I beg your Excellency to be so good as to grant
my petition by which I shall receive favor and
justice - I subscribe &c -

San Luis Obispo January 7th 1846

Mariano Bonilla

I add that the justification of your Excellency will
well be so good as to amend this on common paper there
being none of the corresponding stamps.

(Here follows copy of map)

(In the margin)

Angeles February 5th 1846

Put this to the Sonn Prefect of the Partida of Santa
Barbara in order that he may proceed to obtain all

the information necessary and having concluded let
this be returned to the Governor Pico

San Luis Obispo February 28. 1846

Pass this to the respective Judge of this place in order
that he may report whether the land of which mention
is made does not belong to the property of any private
person or Corporation as is represented by the party
interested in the present instance - Carrillo

In accordance with the marginal decree of the 28th
Instance in which I am ordered to report with respect
to the Land which is asked for in the foregoing
instance - I say that since Land is vacant and
without its being known that any one makes
petition to it except that one league in the same
place belongs to the party asking for it, wherefore
it appears to me that it may be granted if it
appears convenient to your Excellency

San Luis Obispo February 28. 1846

José de Jesús Pico

In accordance with the statements of the party interes-
ted in the present petition and in conformity with the
foregoing, and from the facts advanced by this Profe-
tor and from impartial persons that all indicated
is true, there appears no obstacle to granting the
petitioner the Land asked for, if your Excellency
think it convenient.

San Luis Obispo February 28th 1846

Andrés Carrillo

Angeles March 28th 1846

Having seen the petition at the beginning of this
Expediente, the report written on it of the Sub Pref-
ect of the Partido of Santa Barbara with all else
presented and proposed to be seen in conformity with
what is directed in the Law of August 18th 1824
and the regulation of 21st 1828. Licencio Marciano
Bonilla is declared owner in fee of the place called
"San Juan" in the same Partido. Let the correspon-
ding title be given to the party interested for three
leagues or extent a little more or less - and submit
this grant to the approbation of the Most Excellent
Departmental Assembly - Pico Pico Governor of the
Calle formed by virtue of the Law thus ordered
decreed and signed Pico Pico

(Here follows copy of the title the same as
translated in Document)

39

Angeles May 8th 1846

In Session of this day the Expediente was taken up and by the Most Excellent Departmental Assembly and ordered to be passed to the Committee on Reciente Land

Pio Pico Presidente

Agustin Obispo Secretary

Most Excellent Sir

The Committee on Reciente Lands has attentively examined the present Expediente relative to the extension of Land asked for by citizen of Mariano Bonillo in the place called "Huerfano" which Extension was granted him by the Superior Government of the Department according to the Laws on the Subject; Wherefore it places before the deliberation of V. E. (your Honorable body) the following proposition - Approves the grant made to Citizen Mariano Bonillo in extent three leagues in the place which bears the name of "Huerfano" in the Jurisdiction of San Luis Obispo, according to the title issued March 28th of this year in conformity with the Law of August 18th 1824 and the 5th Article of the regulations of November 21st 1828

Hall of the Committee in the City of Los Angeles June 2^o 1846

S Arguello

Angeles June 10th 1846

In this days Session the most Excellent Assembly approved the proposition of the foregoing Report

Filed in Office June 16. 1846

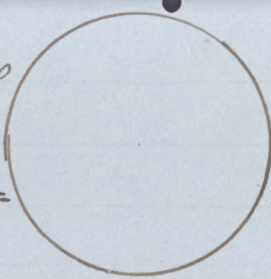
Geo. Fisher

Secy

196 SD
PAGE 33

BYGE 21
T81 20

Sello Segundo
Para los años de
yocho y ocho ci-



Doce Reales.
mil ochocientos treinta
y cinco y nueve

Valga para el año de mil ochocientos cuarenta
y dos.

Alvarado.

Antonio M^a Osio

Juan B. Alvarado Gobernador Consti-
tucional del Departamento de las Ca-
lifornias.

Por cuanto D^m Mariano Bo-
milla ha pretendido para su beneficio personal
y el de su familia el paraje conocido con el nom-
bre de Huerhueras, en estension de un sitio de
ganado mayor, bajo los limites que demuestran
el diseño respectivo: practicadas previamente las
diligencias y averiguaciones concernientes 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 terreno mencionado declarandole la propie-
dad de el por las presentes letras, sujetandose
a la aprobacion de la Excma Junta depar-
tamentaly a las condiciones siguientes.

1^a Podra cercarlo sin perjudicar las travesias
caminos y servidumbres; lo disputara libre y
exclusivamente destinandolo al uso o cultivo
que mas le acomode pero dentro de un año fabri-
cará casa y estará habitada.

2^a Solicitara del juez respectivo que le dé la
posesion juridica en virtud de este despacho
por el cual se demarcarán los linderos en cuyos
limites pondrá a mas de las mojoneas algunos
arboles frutales o silvestres de alguna utilidad

3^a El terreno de que se hace donacion es de un
sitio de ganado mayor segun explica el diseño
que corre agregado en el Expediente respectivo.
El juez que diere la posesion lo hará medir
conforme a Ordenanza que dando el sobrante
que resulte a la Nacion para los usos con-
vinentes.

4^a Si contraviniere a estas condiciones per-
derá su derecho al terreno y será denunciabile

por otra. En consecuencia mando que teniéndose por firme y valeroso el presente título se tome razon de el en el libro que corresponde y se entregue al interesado para su resguardo y demás fines. Dado en Monterey à nueve de Mayo de mil ochocientos cuarenta y dos.
Juan B. Alvarado.

196 SD
PAGE 35

Man. Jimeno Cerro.

Queda tomada razon de este Despacho en el Libro de asiento sobre adjudicaciones de terrenos baldíos a fojas 12.

Jimeno.
El Excmo S^o Gobernador ha dispuesto se tome razon de esta consecucion en la prefectura del 1^o Distrito.

Jimeno
Tomase Razon. Estada

Queda tomada razon de este sup^o Título en la Secretaria de mi cargo a fojas 61^a y 7^a frente del cuaderno respectivo.

Monterey junio 2^a de 1842

José Maria Castañares. Cerro int^o

Here follows Map

El of. subseñalado secretario del Gob. del Departamento de California: Certifica que el diseño of. se demuestra al frente de la planilla siguiente es igual al of. existe en el Expediente of. se haya en la Secretaria de mi Cargo en solicitud del terreno llamado el Huerhuero perteneciente à D. Mariano Bonilla.

Monterey Octubre 10 de 1845.

87-3

Manuel Jimeno.

Pio Pico Local Decano de la Asamblea Departamental y Gobernador provisional de las Californias.

Por cuanto Don. ^{Don} Mariano Bonilla Mecicano por nacimiento ha pretendido para su beneficio personal y el de su familia el aumento de terreno en la estension de tres sitios de ganado mayor al Rancho que actualmente posee por justo título conocido con el nombre de Huerhuero colindante al parage pretendido con el mismo Huerhuero, Santa Margarita, La Estrella, Camate y San José, practicadas previamente las diligencias y averiguaciones necesarias, segun lo dispuesto por leyes y Reglamentos: usando de las facultades que me son conferidas à nombre de la Nación Mexicana, he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose à la Aprobacion de la Càmara Junta Departamental y à las condiciones siguientes.

1.ª Podrá cercarlo sin perjudicar las travicias caminos y servidumbres lo disputara libre y esclusivamente destinandolo al uso ó cultivo que mas le acomode.

2.ª Solicitara del Juez respectivo of. le de posesion juridica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites pondra à mas de las mojoneras algunos arboles frutales ó silvestres de alguna utilidad.

3.ª El terreno de que se le hace donacion es de tres sitios de ganado mayor poco mas ó menos segun explica el diseño que corre en el Copia respectivo y se expresa en la solicitud del inter,

196 SD

PAGE 36

sado: 4^o Si con tal nriere à estas condiciones perderà su derecho al terreno y sera denunciabile por oho.

En consecuencia mando q^{ta} teniendose por firme y valedero este titulo se tome razon de el en libro à que corresponde y oente que al interesado para su resguardo y demas fines.

196 SD
PAGE 37

Dado en la Ciudad de los Angeles en este papel comun por falta del sellado respectivo à veinte ocho de Marzo de mil ochocientos cuarenta y seis.

Pi Pico.

En el pueblo de S. Luis Obispo à los seis dias del mes de el Nov^o del año de mil y ochocientos cuarenta y siete por ante mi Josc de Jesus Pico residente de este pueblo y los testigos de Asistencia con quienes actuo en la forma establecida p^{ta} falta de Escribano publico, fueron presentes D. Mariano Bonilla y D^o Francisco Branchi ambos vecinos del mismo pueblo y à quienes doy fee con oco y di go el primero q^{ta} por o y à nombre de sus herederos y sucesores y de quien de ellos hubiere titulo voy y fama en qualquiera manera da al oprimido en venta legal y enagenacion perpetua el terreno conocido con el nombre del Huer buero en estencion de cuatro oltos de ganacho mayor cuyos linderos son el Rancho de Sta Margarita p^{ta} el C. el de Sta Isabel por el C. J. y C. E. y la Lomeria del Caonate y D^o Jose p^{ta} el C. y C. E. y oho terreno es de la propiedad de D. Mariano Bonilla segun consta p^{ta} los documentos q^{ta} presento y doy fee haber visto y agregan à esta escritura de Mariano Bonilla q^{ta} esta libre de toda grabamen publico, perpetua, temporal especial, general, facito y espreso y como tal la entega p^{ta} q^{ta} D^o Francisco Branchi lo disprute, cambie, enagenē y disponga de el como de cosa propia adquirida con legitimo y justo titulo recibiendo D. Mariano Bonilla p^{ta} precio y valor del referido terreno doscientos cincuenta y cinco pesos de la clase q^{ta} se espresa en la Escritura q^{ta} aparte de esta se haga con tal fin y sobre no parecer de presente la

45-

Entrega renuncia las leyes de ella, las de su
 price y pago del acibo como en ella se contiene
 y desde hoy en adelante se despojera, desista
 quita y aparta del dominio y posesion, seño
 rio, titulo, recurso o otro cual esquier derecho q^d le
 compete al enunciado terreno, y lo renuncia
 y traspasa a D. Vicente Branchi p^o q^d dis-
 ponga de el como de cosa suya y le confiere po-
 der irrevocable, con libre, franca y general admini-
 stracion obligandose el Otorgante a q^d esta
 entrega le sea cierta segura y efectiva y na-
 die le inquietara ni mobera pleito alguno sobre
 su propiedad y posesion ni contra el terreno apore-
 era gravamen alguno y de la parte de terreno
 q^d se refiere de la propiedad de Bonilla p^o
 titulo dado p^o D. Pío Pico se ha e responsable
 a su entera legalizacion y autorizacion a Costa
 Sullas. Y a la validacion de todo lo referido
 obliga el Otorgante sus bienes presentes y futu-
 ros y con ellos se cometa al fuero y jurisdiccion
 de los seños jueces q^d de sus causas deban conocer
 como p^o sentencia definitiva consentida y pa-
 dada en autoridad de cosa juzgada y p^o tal
 la recibire. En cuyo testimonio asi lo otorgo y
 firmo con mi go y los de asistencia siendo testi-
 gos Instrumentales. D. Vicente Geliz y
 D. Nicolas Carpio vecinos del lugar de q^d yo el
 referido juez doy fe. Se extendio esta en papel
 comun p^o no haber de ningun sello.

J. de D. Pico # J. Marciano Bonilla.
 de Asistencia. Joaⁿ Estada de Asist^a
 Juan M. Pico.

Copia de su Original q^d exis-
 te en el protocolo de este juzgado y se saca hoy
 dia de su otorgamiento en papel comun p^o no
 haber sellado.

J. de D. Pico.

196 SD
 PAGE 38

Expediente formado en la prosecucion juridica
q. se dio à D. Francisco Branchi del Terreno
nombrado el

"Huerhuera"

Año de 1848.

196 SD
PAGE 39

En el pueblo de S. Luis Obp.º à los quince del
mes de Enero del año de mil ochocientos cua-
renta y Ocho, yo D. Mariano Bonilla Juez
del mismo con los de asistencia siendo pre-
sente D. Francisco Branchi le notifiqué de
comparencia p.º el día diez y siete en el Ran-
cho del "Huerhuera" con Objeto de darle prosecu-
cion juridica de dho Rancho como lo tenía obli-
gado y entendido dijo: lo Oye y era conforme
y firmo con miso y los de asistencia doy fe
D. Mariano Bonilla

De Asst.º

de Asst.º

Mercurial Garcia # Trifon Garcia

En el Rancho del Huerhuera à los Diez y siete
dias del mes de En.º de mil y ochocientos cua-
renta y ocho yo D. Mariano Bonilla juez del
pueblo de S. Luis Obp.º y su demarcacion los
de asistencia y siendo presente D. Francisco
Branchi con objeto de tomar posesion juridica
de dho Rancho p.º practicar las medidas
de el dispuse medir y medir un Cordel de
cincuenta U.º castellanos y para su constan-
cia lo asenté p.º diligencia q.º firme con los
de asistencia: Doy fe.

D. Mariano Bonilla

De Asst.º

de Asst.º

Mercurial Garcia # Trifon Garcia

En seguida en el mismo paraje día
mes y año, yo el referido juez p.º faltó un pe-
rito Agrimen.º con q.º hice de la medición del
terreno, tube à breu nombrar de los concurrentes
dos medidores Cordeleros y al efecto nombre
à D. Nicolas Carpio y à D. Pedro Venegas
quienes habiendo aceptado aparecieron bajo

juramento en forma, desempeñar fiel y legalmente su encargo según su saber y entender y p^o su constancia lo asente p^o diligencia q^o firmaron los nombrados conmigo y los de Asistencia. Doy fe.

J. María Bonilla
Nicolas Barpio + Pedro Venegas.

De Aso^a. Mercurial Garcia Aso^a
Trifon Garcia

En continencia en el mismo lugar día mes y año yo el juez con los de Asistencia; para comensar la medición del mencionado Rancho dispuse que los medidores cordeleros tomados en el Bordenal p^o sus estremos en la parte q^o estaba señalado las cincuenta l^o que se tenían medidas; y desde un lugar q^o se nombra La Laguna del Indio tirando al N. se comenzo a medir p^o la Lomeria pasando p^o el estremo de la Cañada de Tequisquite h^ota la Loma alta nombrada de D. Pablo se contaron ciento y treinta Cordeles: se señalo aquel punto y quedo de Lindero con terrenos de D. Mig^l p^o la parte de Sta Isabel. de allí se continuo midiendo p^o toda la Loma Alta y siguiendo al E h^ota otro lugar q^o se marco y se determino lindero con las mismas tierras de D^o Miguel por la parte de la Estrella y se contaron trescientos cordeles. se siguió la medición de allí tirando el Bordenal al O^o y p^o la Lomeria y Cañada de la Agua de las Godornices; se midieron ciento veinticinco Cordeles h^ota otro lugar en las Lomas montosas q^o se señalo y quedo p^o lindero con las terrenos q^o llaman D^o José y Casonate; y siguiendo las medidas tirando el cordel al O. E por terrenos quebrado y montoso h^ota el lugar en donde se comenzo de medición trescientos cincuenta cordeles; y habiendo tambien marcado aquel lugar y determinado lindero por la parte de D^o José y St^a Margarita quedando concluidas las medidas y determinados los terminos y lindes del terreno en presencia de todas los concurrentes dije a D. Franc^o Branchi en virtud de mis facultades doy a V. posesion del terreno q^o se ha medido

y respondiendo q^d la toma de, mande q^d hiciere alguna demostracion del Dominio y señorio q^d adquiria y el manifestando ser el dueño absoluto de aquel terreno y tener dominio util y directo y como tal la propiedad del etno avanco Erbas y tiro piedras sin q^d hubiere oposicion de alguno con lo q^d se concluyo el Acto pidiendo D. Franco Branchi q^d se le entregasen estas diligencias originales p^a su resguardo y lo asentó p^a diligencia q^d p^ame con los de Asistencia: doy fee.

J. Mariano Bonilla

De Aso^a Mercurial Garcia # De Aso^a Trifon Garcia
 D^o Luis Obf. En: 19 de 1846.

Entreguese estas diligencias Originales à D. Franco Branchi p^a su resguardo y Testimonio de adquisicion de propiedad.

Bonilla.

En la misma p^a anterior se entregaron estas diligencias à D^o Franco Branchi en f^o util.

J. Mariano Bonilla

Filed in Office Dept^o of the 1852

Geo. Fisher Clerk

196 SD

PAGE 41

45

181

B

Stamp Second Seal Twelve Reales
For the years One thousand and eight hundred
and thirty eight and One thousand Eight hundred
and thirty nine

Good for
the years
1840 & 1841

Good for the year One thousand Eight
hundred and and forty two
(Signed) Alvarado (Signed) Antonio Maria Osio

John B Alvarado Constitutional Governor of the
Department of the Yucatan

Whereas Don Mariano
Bonilla for his own personal benefit and that of his
family, has asked for the place known by the
name of San Juan, in the site de ganado
Maya (One square league for grazing large cattle)
according to the limits shown by on the respective map:
the proper measures and examinations having been
previously made as required by the Laws and regu-
lations; using the faculties which are conferred upon
me in the name of the Mexican Nation I have gran-
ted to him the above mentioned Land, declaring to
him the ownership of it by these presents: Subject
however to the approbation of the Most Excellent
Departmental Junta and the following conditions

1. He may enclose it without prejudice to the crop
roads, roads and servitudes, and enjoy it freely
and exclusively making such use and cultivation of
it as he may see fit, but within one year he shall
build a house and inhabit it.

2. He shall ask the Magistrate of the place to give
him judicial possession of it, in virtue of this Order
by whom the boundaries shall be marked out, and
he shall place in them besides the Land Marks some
fruit or forest trees of a useful character

3. The Land thus granted in donation is one sitio de
ganado Maya (One square league for grazing large
cattle) as set forth in the map attached to the res-
pective Expediente.

The Magistrate who gives the possession well have it
measured according to the Ordinances, leaving all
that may remain over and above to the Nation for

196 SD

PAGE 42

its convenience uses.

4th. If he shall contravene these conditions he shall lose his right to the Land and it may be denounced by another. In consequence I order that the present title be held as firm and valid, that note be taken of it in the proper books, and that it be given to the party interested for his security and other purposes Given at Monterey this ninth day of May One thousand eight hundred and forty two.

(Signed) John B. Alvarado

(Signed) Manuel Jimeno

Secretary

Note has been made of this Order in the book of entries of grants of vacant Lands page 12

(Signed) Jimeno

His Excellency the Governor has directed that this grant be noted at the Prefecture of the Just Justice

(Signed) Jimeno

Let the note be taken

(Signed) Estrada

Note of this Superior title has been taken in the Secretary's Office under my charge at folio 6, over, in the proper books.

(Signed) Jose Maria Castaneda

Acting Secretary.

Pio Pico Senior Vocal of the Departmental Assembly and provisional Governor of the California. Whereas Don Manuel Ballester by birth a Mexican has for his own benefit and that of his family asked for an addition of land, or extent three sitios de ganado Mayor (three square leagues for grazing large Cattle) to the Rancho which he now possesses by legal title, known by the name of San Juan the place asked for being bounded by the same Rancho by Santa Margarita, La Estrella, Comate and San José; the proper measures and examinations having been previously made as required by the Laws and regulations; using the faculties which are conferred on me; in the name of the Mexican Nation I have granted to him the above mentioned Land, declaring to him the Ownership of it by these presents, subject however to the approbation of the most Excellent Departmental Junta and to the following conditions, to wit.

1. He may enclose it without prejudice to the crops woods and Arboledas, and enjoy it freely and exercise freely, making such use or cultivation of it as he may see fit.

2^o He shall ask the Magistrate of the place to give him judicial possession in virtue of this Order, to which intine the bounds shall be marked out and he shall place in them besides the land marks some fruit or fruit trees of a useful character

3^o The Land thus granted in donation is three sitios de ganado Mayor (three leagues for grazing large Cattle) a little more or less, as set forth in the map attached to the respected Expediente and as is expressed in the petition of the Applicant.

4. If he shall contravene any of these Conditions he shall lose his right to the Land and it may be denounced by another.

In consequence I Order that the present title be held as firm and valid, that note be taken of it in the proper Book, and that it be given to the party interested his his security and other purposes.

Given in the City of Los Angeles on this Common paper there being none of the proper Stamps
this 28th day of March One thousand Eight hundred and forty six
(Signed) Pico

In the Pueblo of San Juan Obispo this sixth day of November of the year One thousand Eight hundred and forty seven before me José de Jesús Pico Jefe Provisional (Suplente) Magistrate of this Pueblo and the assisting Witnesses with whom I act in accordance with the Established form, there being no Notary Public, appeared Don Mariano Bonell and Francisco Branch both residents of the same Pueblo and both of whom I certify are known to me; and the former declares that for himself and in the name of his heirs and successors and of whomsoever of them may hereafter take interest or claim in any manner, he gives to the second in legal sale and perpetual alienation, the Land known by the name of San Juan in extent four sitios de ganado Mayor which is bounded by the Rancho

of Santa Margareta on the South, by that of Santa Isabel on the North West, by the Hills of the Estrella on the North & North East, and by the Hills of Comate and San José on the East and South East; and said Land being the property of Don Mariano Bonilla as shown by documents presented by him which I certify that I have seen and which are attached to this writing, Bonilla declaring that it is free from all incumbrances, whether public, papistical, temporal, special general, tacite or expresse, and as such he transfers it to Don Francisco Branch, in order that he may enjoy, exchange, alienate and dispose of it as his own acquired by lawfull and just title Don Mariano Bonilla having received as the price and value of said Land two hundred and fifty five Cattle of the Chap Expresse in the separate agreement which was entered into between the parties for this purpose, and as the payment is not made in presence, he renounces the benefit of the laws respecting it and those respecting the proof of the payment and receipt, as he is satisfied with such payment, and from now henceforth, he releases desires relinques and withdraws from the dominion, possession, ownership, title, recourse, or other right of whatsoever nature, which he may have to the aforesaid Land and renounces and transfers it to Don Francisco Branch so that he may dispose of it as his own property, and he gives on him (Branch) irrevocable power, with full, full, and general administration, with the authority that the Comeyanes shall be certain, secure, and perfect and that no one shall molest him, or bring suit against his ownership and possession, and that there shall appear against the Land no incumbrance and with respect to that part of the Land referred to as the property of Bonilla by title granted by Don Pedro he makes himself responsible for the complete legality and authorization of the grant to him at his own cost and for the entire validity of the whole he (Bonilla) gives all his property in present possession and which he may in future acquire, and with the property he submits to the judgment and jurisdiction of the Magistrates having Cognizance of such cases, as to

magistrados having cognizance of such cases, as to

53

a definitive treaty judgment, consented to and passed with the authority of his jurisdiction, and as such received. In testimony of which he delivered and signed this with me, and with the assisting Utenepes, the Utenepes to this instrument being Don Vicente Felix and Don Nicolas Campio inhabitants of the place, of which fact I the aforesaid Magistrate certify. This is written on common paper there being none stamped.

(Signed) I de L Pico
(Signed) J Mariano Bonilla

Assisting Utenepes (Signed) Joaquin Estrada
(Signed) Juan M Pico

Copy of the Original which exists in the protocol of this Office and which is truly copied thus the day of its execution on common paper, there being none stamped.

(Signed) I de L Pico

In the Pueblo of San Luis Obispo this fifteenth day of January One thousand Eight hundred and forty Eight J Mariano Bonilla Magistrate of the same place with the assisting Utenepes, there being present Don Francisco Branch I notified him to appear on the 17th instane at the Rancho of Suerbeas for the purpose of giving him judicial possession of said Rancho, and of measuring the Land as had been solicited, and the notice being understood he said he heard and consented, and signed with me and the assisting Utenepes; I certify.

(Signed) J Mariano Bonilla
Assisting Utenepes (Signed) Manuel Garcia
(Signed) Juan Garcia

In the Rancho of Suerbeas the seventeenth day of January One thousand Eight hundred and forty Eight J Mariano Bonilla Magistrate of the Pueblo of San Luis Obispo, and of its demarcation, with the assisting Utenepes Don Francisco Branch being present for the purpose of taking judicial possession of said Rancho; in order to make the measurement of it, I proceeded to measure and measured a plot of fifty Spanish Varas, and in testimony of this I made note of it, which I signed with the assisting Utenepes - I certify (Signed) J Mariano Bonilla

Assisting Utenepes
(Signed) Manuel Garcia
(Signed) Juan Garcia

196 SD
PAGE 46

196 SD
PAGE 47

In continuation at the same place, day, month and year, I the aforementioned Magistrate there being no professional Surveyors to make the measurement of the Land, I decided to appoint from the persons present two measuring rope men and accordingly appointed Don Nicolas Lopez and Don Pedro Venegas, who having accepted, promised under the required oath to perform faithfully and legally their duties according to the best of their knowledge and understanding, on testimony of which I made note of it which I signed with the persons so appointed and the assisting witnesses: I certify (Signed) J. Mariano Bonilla (Signed) Marcela Gurcia (Signed) Nicolas Lopez (Signed) Juan Garcia (Signed) Pedro Venegas

In continuation in the same place, day, month and year, I the Magistrate with the assisting witness in order to commence the measurement of the said Rancho directed the rope bearers to take the rope by its extremities, where were marked the fifty varas which had been measured, and from the place "Laguna del Indio" and stretching it to the north to begin to measure towards the hills; passing by the extremity of the "Canada del Tequisquite" to the high hill called Don David, distance one hundred and thirty Caudales, which point was marked and formed the boundary with the Lands of San Miguel on the Side of Santa Isabel, whence the measurement was continued along the high hills and towards the East to another place which was marked and formed the boundary with the same Lands of San Miguel on the Side of the Estrella, and in length three hundred Caudales. The measurement was continued thence drawing the Caudal to the South West and by the hills and "Canada del agua" of the headwaters, one hundred and twenty five Caudales to another place in the wooded hills which was marked and formed the boundary with the Lands called San Jose and Comate; and continuing the measurement, drawing the Caudal to the West through broken and wooded grounds, to the starting point three hundred and fifty Caudales; and having also marked that point and fixed the boundary, on the Side of San Jose and Santa Margarita thus completing

the measurements and fixing the meters and bounds of the same in accordance with the provisions of the

3-5-

marked that point and fixed the boundary, on the
 side of San Jose and Santa Margueta. This completed
 the measurements and fixing the metes and bounds
 of the Land, in presence of all the bystanders I gave
 to Don Francisco, in virtue of my faculties I give
 to you possession of the Land which has been meas-
 ured, and answering that he received it, I ordered
 that he should make some demonstration of the
 Dominion and Ownership which he acquired, and he
 showing himself to be the absolute Owner of said
 Land and to hold the Dominion useful & direct,
 and as such the Ownership of said Land pulled up
 grass and three stones, without any one opposing
 with which the ceremony was concluded
 Don Francisco Branch asking that these Original presents
 be given to him for his Security, which I note of and
 signed with the assisting witnesses - I certify

(Signed) I Mariano Bonilla

Assisting Witnesses

(Signed) Marcenel Garcia

(Signed) Fiejon Garcia

San Luis Obispo January 19. 1848

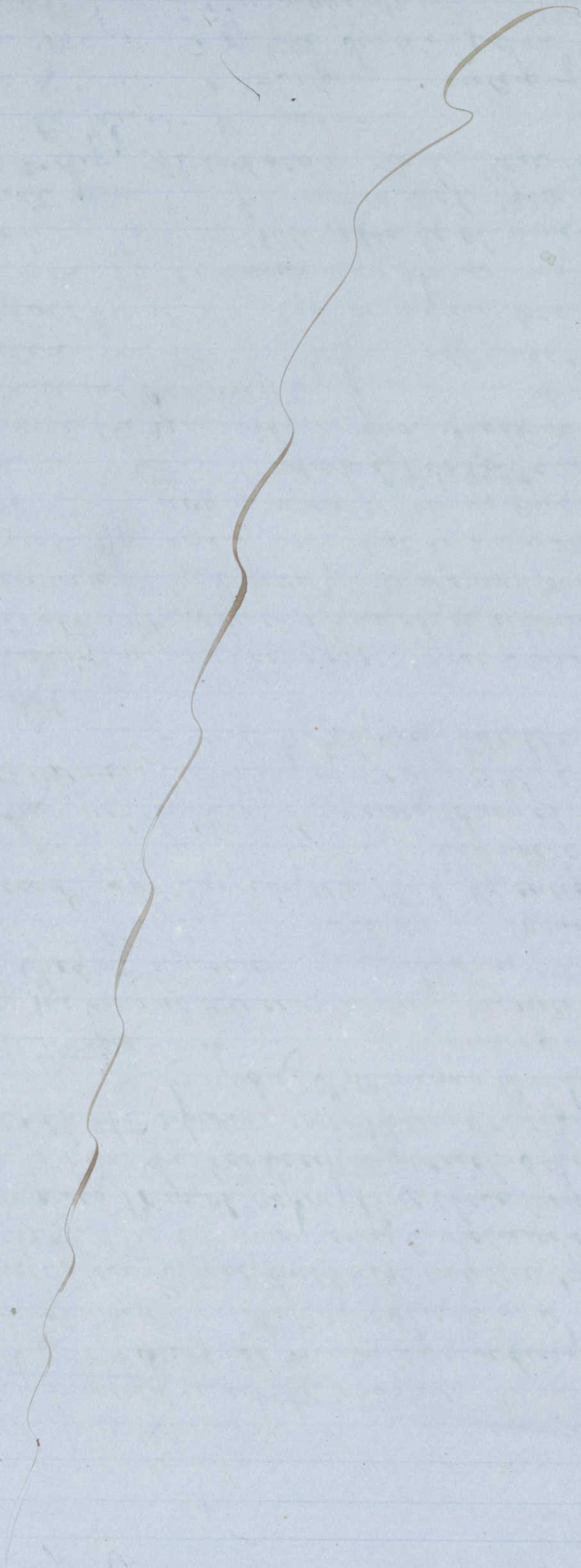
Let these Original
 papers be given to Don Francisco Branch for his
 Security and as testimony of acquisition of Ownership
 (Signed) Bonilla

On the same date as the above these papers are
 given to Don Francisco Branch in three folios
 (Signed) I Mariano Bonilla

Filed in Office March 2^o. 1852

Geo. Fisher Secy

196 SD
PAGE 48



181 18

307

Opinion of Board
by Comd. R. Aug.
Thompson

Francisco Branch }
vs } Huerfano
The United States }

This is a claim for four square leagues of Land situated in the County of San Luis Obispo and purports to be founded on two grants made to Mariano Bonilla.

The first for one square league by Governor Alvarado on the 9th of May 1842, and approved by the Departmental Assembly on the 26th of May 1845. And the second for three square leagues in extension of the foregoing, made by Governor Pio Pico on the 28th of March 1846 and approved by the Assembly on the 10th of June following. The present claimant derives his title by virtue of a deed of conveyance from Saice Bonilla to him of all the Land covered by both grants, duly executed before Jose de Jesus Pico provincial justice of the Pueblo of San Luis Obispo on the 6th day of November 1847. The original grants to Bonilla and the certified copy of conveyance from him to the claimant are filed in the case and their genuineness duly proved and authenticated.

The evidence shows that the grantee was in possession of the Land embraced within the first grant from the year 1839 a period several years anterior to its date. That he had on it a house which was occupied by his servants, corals and stocks of cattle sheep and horses, and that he had also two fields of about two hundred varas square in cultivation. That he continued so to occupy the Land until the year 1844 during which an incursion of the Indians occurred by whom three of his servants were killed and the rest driven off and the house and corals burnt. In 1845 he again occupied the Ranch, rebuilt the house and corals and replaced the stock in the year 1846. After he obtained the second grant from Pio Pico in March 1846 he continued to occupy the whole until he sold it in Nov 1847 to the present claimant.

A record of judicial possession executed by Mariano Bonilla Magistrate of the Pueblo of San Luis Obispo to the present claimant on the 17th January 1848 is also put in evidence and its genuineness

196 SD
PAGE 49

established by competent testimony
The question as to the legal effect of a document
of this description executed after the occupation
of the country by the United States and prior to the
ratification of the treaty by which the rights of
Mexico were transferred to the latter power has
not yet been decided by the Court, nor is it neces-
sary to do so in the present instance.

The deposition of the Officer by whom the Judicial
possession was given has been taken and filed in
the case. He swears that the act was performed by
him and that the document filed is a true record
of the proceedings.

In this aspect it may clearly be
admitted as evidence in the nature of a private
Survey to prove the existence and location of the
boundaries as called for in the grant, and delineated
on the map, and the quantity of land embraced
by them—

This record purports to give the judicial
possession to all the land included in both grants
and appears to be in accordance with the bounda-
ries described in them, and the quantity is shown
to be within a small fraction of the amount which
they call for.

With the aid of the maps contained in the Expedientes
we think a Surveyor would find little or no difficul-
ty in ascertaining and establishing the limits
of the land according to the cases of the grants.

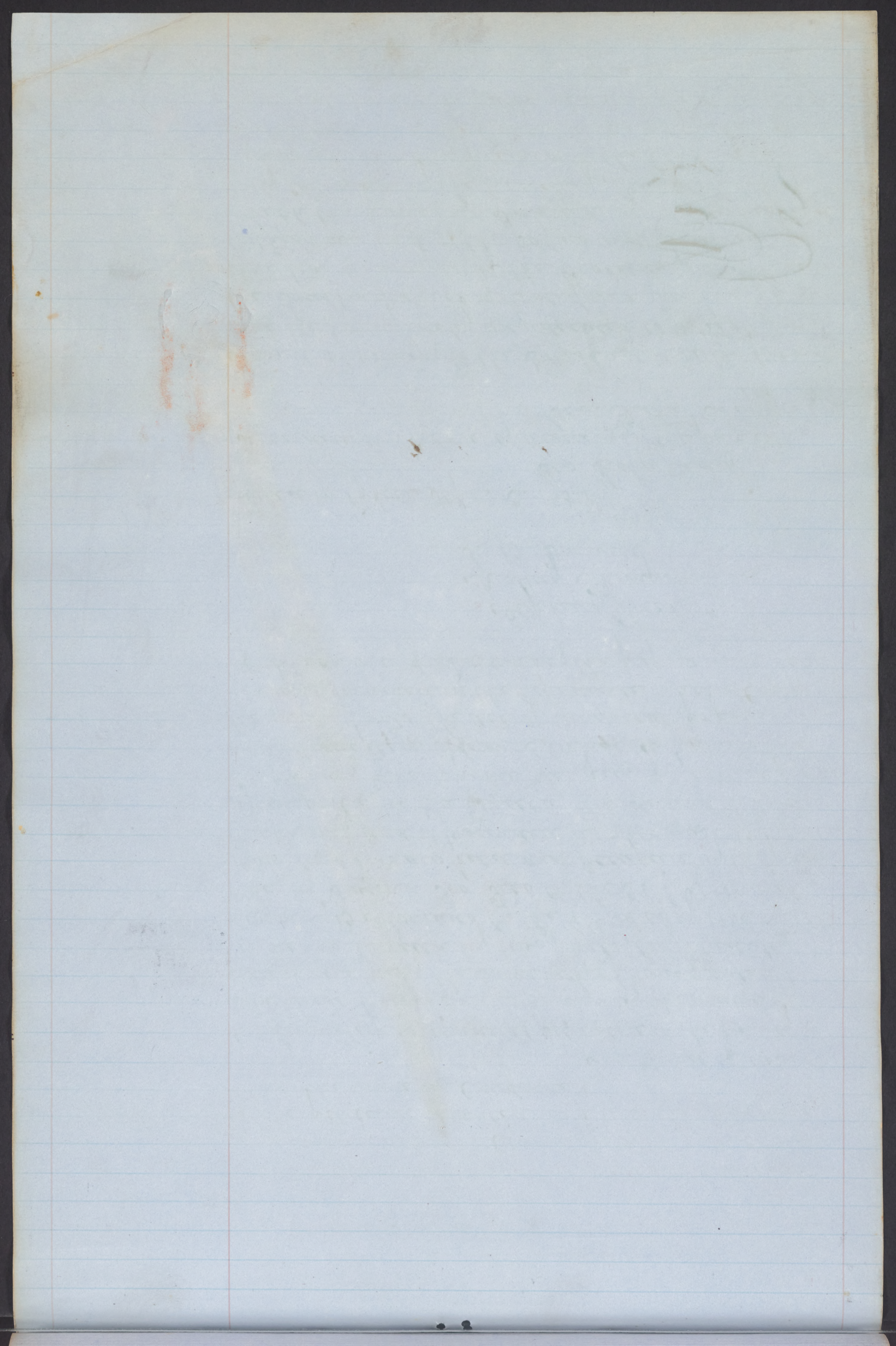
From a review of the whole testimony, we think
the petitioner has shown himself entitled to a
confirmation, and a decree will be entered
accordingly—

Filed in Office Sept. 12, 1854

Geo. Fisher Secy

Recorded in Record of decisions Vol 2 page 209

Geo. Fisher Secy



Office of the Board of Commissioners,

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

196 SD
PAGE 52

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 *Fifty nine* — pages, numbered from
1 to *59*, 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. *87* on the Docket of the said Board,
in *San Francisco* Branch is —

Claimant against the United States, for the place known by
name of "*Fourmours*" —

In Testimony Whereof, I herewith set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Thirty first — day of *January*
A. D. *1855*, and of the Independence of the
United States of America the seventy-*ninth*.

Geo. Fisher

196

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

No 196.

The United States,

vs. 196

Francisco Branch.

"Auerhuero."

Transcript of the Record
from the
Board of U.S. Land Commissioners
in case No 87.

Filed February 5th 1855.

J. C. Carr.
clerk.

196

196 SD

196 SD
PAGE 53

Transcript
of the
Proceedings
in Case No 87

Francisco Branch Claimant

vs

The United States, Defendant.

For the Place named

"Auerhuero"

Office of the Board of Commissioners
To ascertain and settle the Private Land Claims
in the State of California

196 SD
PAGE 54

It is remembered that on this Second day of March
Anno Domini One Thousand Eight Hundred and Fifty
two, before the Commissioners to ascertain and settle
the Private Land Claims in the State of California,
sitting as a Board in the City of San Francisco, in
the State aforesaid in the United States of America,
the following Proceedings were had, to wit;

The Petition of Francisco Branch
"Huerhuero" for the Place named
was presented, and ordered to be filed and docketed
with No. 87 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

Los Angeles Sept. 9th 1852
In case No 87 Francisco Branch for the place
named "Huerhuero" the deposition of Pablo de la
Quena, a witness in behalf of the claimant taken
before Commissioner Harry J Thornton, was
filed

(Vide page of this Transcript)

Los Angeles Oct. 8th 1852
In the same Case the deposition of William
R. Hutton a witness in behalf of the claimant

taken before Commissioner James Wilson, was
filed;

(Vide page 5 of this Transcript)

196 SD
PAGE 55

San Francisco Aug. 24th 1853
Case No 89 called, and ordered to be placed at
the foot of the Docket.

1

196 SD
PAGE 56

San Francisco December 31st 1853
In the Land Case the deposition of Juan M.
Bonilla, a witness in behalf of the Claimant taken
before Commissioner Thompson (Campbell) was filed

(Vide page 6 of this Transcript)

San Francisco May 2^d 1854
Case no. 87 was called, submitted on briefs
and taken under advisement by the Board

San Francisco Sept. 12th 1854
In the same case R. Aug Thompson delivered
the opinion of the Board confirming the claim;

(Vide page 57 of this Transcript)

In the same case the following order was
made, to wit;

(Vide page 59 of this Transcript)

3

To the Honorable Commissioners to settle Private Land Claims in California

Petition

196 SD
PAGE 57

The petition of Francisco Branch respectfully shows that on the ninth day of May A.D. one thousand eight hundred and forty two Juan B. Alvarado Governor of California by virtue of the authority of his office, granted to Mariano Bonillo the tract of land known by the name of "Huerhuero" situate in the now County of San Luis Obispo containing one square league as described in the grant and shown in the Map which accompanied it that on the 28th day of March A.D. one thousand eight hundred and forty six Pío Pico Governor of California by virtue of the authority of his office granted to the said Mariano Bonillo an Extension of three square leagues to the aforesaid tract of "Huerhuero" with boundaries fully described in the grant itself

That on the sixth day of November A.D. one thousand eight hundred and forty seven the said Mariano Bonillo conveyed the aforesaid land to him the said Branch. That on the 18th day of January A.D. one thousand eight hundred and Eight, the said tract of Land was surveyed and the judicial possession given to the petitioner in due form of Deed Copies of which grant Map Extension conveyance and act of Survey judicial possession are hereto annexed marked A with translations marked, B

That the said tract was occupied by the said Bonillo at the time of said grants and has been since - and that was since the giving of the aforesaid conveyance judicial possession, the Petitioner has occupied and does now occupy fully peacefully and quietly the aforesaid land.

That the said Bonillo during his ownership and the petitioner since his ownership has done and performed all the requirements of the said grants necessary to make the full

3

perfect and absolute

That the land has not been surveyed by the Surveyor general of the United States but that it was surveyed under the direction of the proper authority at the time of giving judicial possession and that its limits are defined and well known

196 SD
PAGE 58

That he knows of no interfering claim the petitioner relies for Confirmation of title upon the original papers Copies of which are hereto annexed upon the documents and Minutes concerning the same

4

in the archives now in the possession of the Surveyor
General and such other proofs as he may be advised
are necessary

Wherefore he prays the Commissioners to
confirm the said grants to the petitioners

By his Attorneys
Wallis Peckay & Billings

Filed in office March 2d 1852

Geo Fisher
Secy

196 SD
PAGE 59

5

No 87
Deposition of
Wm R. Hutton

Office of the U. S. Land Commissioners

Los Angeles Oct 8th 1852

On this day before James Wilson one of the Commissioners for ascertaining and settling private Land claims in California came William R. Hutton a witness produced in behalf of the Claimant Francisco Branch whose petition is no 87 on the docket of the Board and was duly sworn his evidence being in English.

196 SD
PAGE 60

The Land Agent of the United States by J. Greenhow Esq was present and did not object. Question What is your name age & place of residence Ans My name is William R. Hutton My age 24 years and I have resided in California since April 1847

2 Question Say what you know about the occupation of the Rancho of "Wuerhuero" claimed by Francisco Branch.

Ans I know the Rancho of Wuerhuero it is situated in the County San Luis Obispo; in 1851 was County Surveyor of that County, surveyed this Ranch for the Claimant who at that time occupied this land with cattle and horses; there was the ruins of an old house on the Rancho and the Claimant was building a new one, he had at that time between four and five hundred head of cattle and horses on the Rancho and servants being there and taking of his stock. The said Rancho is from 25 to 30 miles from the Sea Coast. William R. Hutton Oct. 8th 1852

Subscribed & Sworn to before me

James Wilson Comr.

Deposition of
Pablo de la Guerra

Office of the California Land Commissioners

Los Angeles Sept 9th 1852

On this ^{day} before Harry Thornton one of the Commissioners to ascertain and settle private Land claims in California came Pablo de la Guerra a witness produced in behalf of the Claimant Francisco Branch, whose petition is no 87 on the docket of the Board and was duly sworn his evidence being given in English (The Land Agent of the United States present)

1 Question What is your name, age, and place of residence Answer My name is Pablo de la Guerra. My age about 32 years since

5

Case of *Wm. G. Brown in Public of Ca*

I reside in Santa Barbara and am a native of California -

In Question - Examine the Documents Marked *no. 6*

and

196 SD
PAGE 61

6

attached to this deposition and say if you know the signatures

Ans. I am well acquainted with the signatures of Juan B. Alvarado, Manuel Jimeno, Jose R. Estrada, Jose Maria Castaneras, P. Pico, and J. Mariana Bonilla their signatures to these documents genuine and the documents to the best of my belief are genuine W. J. Sargent present Pablo de la Guerra sworn to and subscribed before me this 9th day of September 1852 - Harry J. Thornton Com-
filed in office Sept. 9th 1852

George Fisher Secy.

Office of the Board of N. S. Land Commissioners
San Francisco Dec 31 1853

Deposition of
Mariano Bonilla

This day before Commissioner Chapman Campbell came J. Mariana a witness in behalf of the Claimants Francisco Branch Petition No. 87 and being sworn his evidence being given in Spanish was interpreted by the Secretary as follows

1 Quest. What is your name, age, and place of residence
Ans. My name is Mariano, I am forty seven years of age and I reside in the County of San Luis Obispo I gave my name is Mariano because I am generally known by that name.

2 Quest. Are you acquainted with the Rancho called "Nueve Cueros"

Ans. I am acquainted with it

3 Quest. Where is said Rancho situated?

Ans. It is situated to the North East of San Luis and about five or seven leagues from that place

4 Quest. Do you know to whom the land was first granted

Ans. It was granted to me.

5 Quest. When and by whom

Ans. It was granted to me in 1842 by Gov. Alvarado

6 Quest. Did you ever occupy the Rancho if so, state when & how?

196 SD
PAGE 62

6

Ans. I have occupied since 1839 with animals
I built a house & Corral

7 Question. What year did you build a house in

Ans. I built the House in the month of May in 1840

8 Quest. How Many Cattle, horses, and Sheep
did you have on the Ranch.

Ans. I had five hundred Sheep two hundred
Cattle amongst broken and unbroken I had about
One hundred twenty

196 SD
PAGE 63

9 Quest. Did you or not live on this Land in 1842
Ans. I did not live there with my family in that year
but visited there and had servants on the place

10 Quest. How much land did you cultivate on this
Rancho

Ans. I had two lots about two hundred Jaras Square
each more or less

196 SD
PAGE 64

11 Quest. What took place on said Rancho in year 1844
in regard to your Occupation

Ans. I left said place in the year 1844 on account
of the Hostility of the Indians; they having killed three
of my Servants

12 Quest. Did they carry off any of your Stock
Ans. After that time some of my horses and
cattle were missing, but I do not know
whether the Indians took them or not They burned
my house and Corral

13 Quest. Did you reoccupy said place and
rebuild the House?

Ans. In the year 1845 I built a smaller Corral
and in the year 1846 I took Stock on it

14 Quest. Were you troubled after your second
Occupation by the Indians?

Ans. I was troubled by them in 1847 and they
killed a brother of mine

15 Quest. Have you sold this land, if so when and
to whom?

Ans. I have sold it to Don Francisco Branch in
the year 1847

16 Quest. How large was the first grant made to you
Ans. The first grant made by Alvarado was for one
square league

17 Quest. Did you ever receive a grant for an Augment
ation to your first grant, if so, state when by whom
and the quantity.

Ans. In 1846 I received a grant in Augmentation of
the first for three leagues

7.
18 Quest Was this Augmentation included in your Sale
to Branch

Ans. It was included in that Sale

19 Quest State all you know of the Occupation by
Branch of the Land

Ans Immediately after I made the transfer to him under
the Sale he built a house made a Corral and he stocked
it with Cattle Hogs and necessary horses for herding
the Cattle and he continued this to occupy it from
that time to the present.

196 SD
PAGE 65

20 Quest What Number of Stock has he had on the place at any time within the last two years?

Ans He took at one time within the last two years three hundred head of Cattle, at another time he took there some more but I dont know how many.

P 196 SD
PAGE 66

21 Quest. Examine the papers marked not annexed to the Deposition of Pablo de la Guerra and filed in this case and say whether or not you recognize it as the official sale made by you to Branch

Ans. I recognize said paper now shown (as being a true and correct copy taken from the Protocol at the time it was made by me, and the signature thereto attached is the genuine signature of the Justice before whom it was made

22 Q Are you acquainted with the boundaries of the first grant made to you by Governor Alvarado and if so please describe them -

Answer I do know them on the North it was bounded by the range of hills of Don David on the East by a continuation of the same range of hills on the South by the same hills, and the same on the West the extent of land embraced in these boundaries is one square league

23 Quest What are the boundaries of the augmentation granted to you by Do Pico

Ans. on the North it is bounded by the range of hills called Don David, on the East by a Cañada called Agua de las Volcanes which divides it from a place in the Mountains called San José Plomate on the South by the hills contiguous to Don Margarto and on the West by the same range of hills contiguous to Don Ysabel. The hills of David also separate it from the Rancho of Estrell

24 Quest Are the points mentioned by you well known objects in that neighbourhood?

8

Ans. The place called San Isabel and the place
called San Jose y Cometa are well known
the other places are not

25. Quest. How much land does the Ayuntamiento
embrace

Ans. It embraces three square leagues

26. Quest. Did you ever hold the office of Alcalde
in San Luis Obispo.

196 SD
PAGE 67

9
Ans. Yes almost constantly since the year 1841
27 Quest. As such Alcalde did you ever give the
Judicial possession of this Ranch

Ans. I did

28 Quest. Examine the papers marked as before
as filed in this case with the Deposition
of Pablo de la Guerra and state whether it is the
Original record of said Judicial possession and
whether the signatures are all genuine

Ans. I have examined the said papers and recognize
it to be the Original record of said Judicial
possession and the signatures thereto attached
are genuine

(Questions by Mr. Grunhow)

1 Quest. Is there any Law or custom in
Mexico authorizing an Alcalde or Judge
to give Judicial possession to himself
of Lands granted to him

Ans. There is no such Law

Examined by Plaintiff's Counsel

1 Quest. Why was the Judicial possession not given
while you owned the lands

Ans. It was not given, because there was no Judge who
could give it

I Mar^o Potella

Notary subscribed
before me this 31st day of
December 1853

Thompson Campbell
Com^o

Filed in office Dec. 31. 1853

George Fisher Secy.

//
Expediente promovido por D.^o Mariano
Benilla en pretension del Terreno

196 SD
PAGE 69

Nombrado el

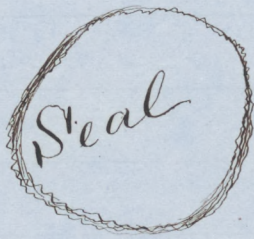
"Ayerbuego"

Año de 1842

282.

2 Sello Yucero Dos Reales. Habilitado por el Poder Judicial
 por la aduana Maritima del Puerto de
 Monterrey en el Departamento de las Californias
 para los años de Mil ochocientos Cuarenta y
 Mil ochocientos cuarenta y una
 Alvarado Antonio Maria Osio

196 SD
 PAGE 70



Habilitado por la Misma, para el
 año de Mil ochocientos Cuarenta y
 Dos:

Alvarado Antonio Maria Osio

S.^o Prefecto del 1.^o Distrito
 Mariano Bonilla Natural de la Capital de Me-
 jico ante la vstria justificacion de V. S. con el
 debido respeto y como mas puzga lugar dije q^l ha-
 ces años, solicite la concesion de un Terrano
 nombrado el Huertuero en union de mi Cuñado
 Yrison Garcia q^l en la Misma instancia pedia
 otro sitio llamado "Atascadera" p^o resultar á hora
 alguna confucion en los limites de ambos sitios
 q^l los separa un espacio de dos leguas p^o evitar
 dho confucion pido á V. S. q^l conforme á el infor-
 me q^l se dio en mi anterior instancia se sirva
 esta vez repetirlo, en esta p^a q^l firmando un
 3 pudente separado de mi espida el titulo corres-
 pond^o q^l solo este pasa puede dilitar lo.

El mencionado terreno del Huertuero se mani-
 fiesta en el disen^o q^l debidam^o acompa^o y
 en su estencion comprehende un sitio de ganado
 Mayor. Por tanto a. V. S. Suplica se sirva acceder
 á mi solicitud q^l en ella recurre gracia
 y justicia. y puros V. S.

Monterrey ab. 16 de 1842.

J. Mar^o Bonilla

Al Sr. Gob. de este Departam^o
 En atencion á q^l mi antefesor D.^o Jose Castro

12

1967 SD
PAGE 71

Quino podrá concederse al interesado el terreno q^l
pretendia, la p^{ra} de mi cargo es de paracer de asi
lo creyeré de justicia V. C. le conceda al Ciudadano
Marⁿ Bonilla el porrenonome grado el "Neuerhuero" q^l
Contiene poco mas o me nos un sitio de Ganado Mayor. q^l
p^o p^oser este

71

13

87-1

Here follows map

5 Juan Balbastro Gobernador Constitucional del
Departament de las Californias.

Por cuanto Don Mariano Bonilla ha pretendido para
su beneficio personal y el de su familia el parage
conocido con el nombre de Huehucuro en estension de
un sitio de ganado Mayor bajo los límites que demuestran
el diseño respectivo practicadas las diligencias y
queriquaciones 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 terreno mencionado declarandole la propiedad
de el por las presentes Letras sujetandose a la
aprobacion de la E. Junta Departamental y a las condi-
ciones siguientes 1ª Para cercarlo sin perjuicio de las
traviesas Caminos, y servidumbres lo disputara libre
y exclusivamente destinandolo al uso o cultivo qe mas le acom-
ode pero dentro de un año fabricara Casa y estore habilitada

2ª Solicitara del juez respectivo
que le de posesion juridica en virtud de este despacho por
el cual se demarcaran los linderos en cuyos límites
pondra a mas de las mayeneras algunos arboles frutales
o silvestres de alguna utilidad.

3ª El terreno de que se hace mención es de un
sitio de Ganado Mayor segun explica el diseño que
come agregado en el Expediente respectivo. El que
dieren la posesion lo hara valer conforme a
Ordenanza quedando el sobrante que resulte a la Nacion
para los usos convenientes

4ª Si contrariare a estas condiciones perdiera
su derecho al terreno y sera denunciabile

Otro

En consecuencia mando que te mienose
por farru y baladero 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

7 Dado en Monteray nueve de
Mayo del tercio Dos Reales; Habilitado

147

provisionalmente, la aduana Maritima del Puerto.

1967 SD
PAGE 73

de Monterey en el Departamento de las Californias para los
años de mil ochocientos cuarenta y mil ochocientos cuarenta
y uno

Alvarado

Antonio Maria Osio



Rehabilitado por la misma, para el
año de mil ochocientos cuarenta y
Dos.

196 SD
PAGE 74

Alvarado.

Antonio Maria Osio

Individo los requestos presentados por las leyes
Mas sin embargo de este Dictamen. V. E. resolvera en
q' estime Mas conveniente.

Protesto á V. E. con este motivo las seguridades
mi respeto.

Monterey Mayo 21 de 1842

Jose R. Estrada.

Monterey y de Mayo de 1842

Vista la peticion con que da principio este Expedite el
informe del prefecto del 1^{er} distrito con todas las demas
que se tubo presente y por convenio de conformidad
con las leyes y reglamentos de la materia declaro á
Don Mariano Bonilla dueño de un Sitio de ganado
Mayor en el terreno nombrado el Huercuero. Queda el
correspondiente despacho tomese razon en el libro respectivo
y dirigase este Expedite á la E. Junta p. su
aprobacion. E. L. Excmo. Sr. Gobernador: Don Juan
B. Alvarado así mando, de creto y firmo.

Angelus Mayo 21 de 1845.

Dado cuenta en sesion de hoy con este Expedite
paso á la Comision de Terrenos Baldios.

Fico

Agustin Rivera Osio

Señ

La Comision de Terrenos Baldios ha visto
y examinado con todo el det. detenimiento posible el
Expediente formado sobre el terreno nombrado el
huercuero concedido por el Gobierno de Este Departamento

15

196 SD
PAGE 75

Al Sr. Don Mariano Bonilla en título espaldado
con fecha 9. de Mayo de 1842 ya que en el Decreto
de Concepcion del mismo dia no aparece la firma
del Gobernador si debiere q. fue una falta involun-
taria. q. en consecuencia de la comision queda
Subscrita con la

Legalidad de las diligencias practicadas y titulo respectivo en tal virtud la Comision p[er]o a la deliv[er]acion de H. C. la siguiente proposicion. Se aprueba la consecucion hecha en favor del Ciudadano Mariano Bonilla del Juerga Bombardo buerquero adjudicado en propiedad por el Gobierno de este Departam[en]to en titulo legalm[en]te librado con fecha 9 de Mayo de 1842, de entera conformidad con lo prevenido en la ley de 18 de agosto de 1824 y el articulo 5º del reglamento de 21 de Noviembre de 1828

196 SD
PAGE 76

Angelos Mayo 23 de 1845
Ignacio del Valle // Narciso Botella

10 Angelos Mayo 26 de 1845
En sesion de este dia se aprobo por la Honorable Asamblea la proposicion del Dictamen antecedente mandando se devuelva el presente expediente al Excmo. Sr. Gobernador para los fines consiguientes
Sin Pico Preside

Augustin Olvera Srío
El libro algraciado el Comprobante respectiva

Office of Surveyor General of the United States for the State of California and as such, having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Perstorger Department of Upper California by virtue of the power vested in me by law, Do hereby Certify, that ten preceding and herunto annexed pages of tracing paper numbered from one to ten inclusive, exhibit a true and accurate copy of a certain Document now on file and forming a part of the said Archives in this office



In testimony whereof, I have hereunto signed my name officially and caused my seal of office to be affixed at the City of San Francisco this tenth day of October 1853.

17

John C. Wags.

U. S. Surveyor General for California

Filed in Office January 16th 1854

George Fisher Secy.

196 SD
PAGE 77

18

1st Expediente

Expediente Moved by Don Manuel Ponilla in
petition to the Lands Called "Juerhuero"

Year 1842 No 282

196 SD
PAGE 78

Stamp Third Two Reals

Provisionally authorized by the Maritime Custom House
of Port of Monterey in the Department of the California
for the years 1840 and 1841

Alvarado

Antonio Maria Oseo

Received by the same for the year 1841

Antonio Maria Oseo

Alvarado

Senor Prefect of the first District
Mariano Bonilla a native of the Capital of Mexico
before the jurisdiction of your Excellency with due
respect and in proper form says: that three years ago
he asked for the grant of the Land Called
"Juerhuero" in conjunction with his father in law
"Jusep Garcia" who in the same instance asked for an
other place "Atascadero" as there results some
confusion in the boundaries of both places, there
being separated by a distance of two leagues in order
to avoid such confusion I ask of your Excellency
in conformity with the report in entire petition
to be so good a gain in this by forming a separate Expediente
in order that there may issue to me the corresponding
title which by this course alone can be accomplished. The
aforementioned Land of "Juerhuero" is shown in the map
which duly accompanies this and includes an extent one
square league therefore by your Excellency to be so good
as to grant my petition in order that thereby I may
receive favor and Justice Amos &c

Monterey April 16th 1842 J. Mariano Bonilla
Most Excellent Senor Gobernador of this Department
In conformity with the opinion of my predecessor Don Jose
Castro that the lands asked for may be granted to the
party interested it appears to the Prefectura under my



19

Charge also that it would be just that your Excellency
Should grant to Citizen Mariano Bonilla the land
Called "Aurkuro" which contains one league little more
or less as said possesses the requisite required by the Laws,
But without being embarrassed by this report. your

* 196 SD
PAGE 79

20

Excellency will determine what is most convenient
I protest to your Excellency with this my due respect.
Monterey May 4th 1842
Jose R Estrada

(Here follows Copy of Map and of formal title
as translated on Doc "B")

196 SD
PAGE 80

Monterey May 4th 1842

Having seen the petition at the beginning of this
Expediente the report of the Prefect of the 1st Section
with all else presented and proper to be seen in
conformity with the Laws and regulations on
the matter I declare Don Mariano Bonilla owner of
one square league in land named "Auerhuero" let the
corresponding despatch if you take note in the
respective Book and direct this Expediente to
the Most Excellent Junta for its approbation the
Most Excellent Senior Governor Don Man. B.
Alvarado thus ordered decreed and signed

Angeles May 21st 1845

In Session of this day took up this Expediente
and passed it to the Committee on Vacant Lands

Pico

Augustine Arera Flech

Senior; The Committee on Vacant Lands have
seen and examined with all possible care
the Expediente formed on the land called the
"Auerhuero" granted by the Governor of Department
to Senior Don Mariano Bonilla by title issued
on the 4th of May 1842 and although in the decree
of that date there is no signature of the Governor,
it is believed that this was only a voluntary
omission which in the opinion of the Committee
does not affect the legality of the proceedings and
respective title, and with this view the Committee,
placed at the deliberation of y. C. the
following proposition—

Approved the grant made in favor of Citizen
Mariano Bonilla of the place called "Auerhuero"

Is

adjudicated in ownership by the Government of the
Department by title legally issued on the 9th day
of May 1842 in entire conformity with what is
stipulated in the Law of August 18th 1824 and article
5th of the regulations of November 21st 1828

196. SD
PAGE 81

Angeles May 23^d 1845

Ofnicio del Valle Narciso Botella
Angeles May 26 1845: In session of this day the
preceding report was approved by the Honorable

21

Assembly decreeing the present Expediente
to be returned to the Most Excellent
Senior Governos for the consequent ends

196 SD
PAGE 82

Diego Pico President
Augustin Olvera Secy.

The respective Certificate issued to the grantee

Filed in office Jan. 16 1845

Geo Fisher Secy.

Hamp Second Page Twelve Reals
 For the years on then ~~and~~ and Eight hundred thirty
 Eight and one thousand Eight hundred and thirty Nine

Good for

the years

1840 & 1841

Good for the year one thousand Eight hundred
 and forty two

196

SD

PAGE

83

(Signed) Alvarado (Signed) Antonio Maria Des
 Ahn O. Alvarado Constitutional Governor of the Depart
 ment of the Californias

Whereas Don Mariano Bonilla for his own personal
 benefit and that of his family, he asked for the place
 known by the name of "Huerfano" in extent
 one sitio de ganado Mayor (One square league of grazing
 large cattle) according to the limits shown on the
 Specter Map, the proper measures and examinations
 having been previously made as required by the laws
 and regulations, using the faculties which are confined
 upon me in the name of the Mexican Nation, I have
 granted to him the above mentioned land, declaring
 to him the ownership of it by these presents, Subject
 however to the approbation of the Most Excellent Depart
 mental Council and the following conditions to wit

1 He may Enclose without prejudice to the crop roads
 roads and servitudes and enjoy it freely and Exclusively
 Making such use and Cultivation of it as he may see fit,
 but within one year he shall build a house on
 it and inhabit it

2 He shall ask the Magistrate of the place to give him
 judicial possession of it in virtue of this order
 by whom the boundaries shall be marked out and
 he shall place in them besides the land marks some
 fruit trees, or fruit of a useful character

3 The land thus granted in donation is one sitio de
 ganado Mayor (One square league for grazing large
 cattle) as set forth in the maps attached to the
 respective Expediente. The Magistrate who gives the
 possession will have it measured according to the order.

23

and leaving all that may remain over and above
to the patient for its convenient uses

4 If he shall contravene the conditions he shall lose
his right to the lands and it may be denounced
by others

In consequence I order that the present title be
held as firm and valid that note be taken of it in
the proper Book and that it be given to the party
interested

196 SD
PAGE 84

for his security and other purposes - Given in
 Monterey this Ninth of May one thousand Eight
 hundred and forty two (Signed) John B. Alvarado
 (Signed) Manuel Jimeno Secretary

Note has been made of this order in the Book of
 entries of grants of vacant Lands page 12 (Signed) Jimeno
 His Excellency the Governor has directed that this
 grant be noted at the Prefecture of the first district

196 SD
 PAGE 85

(Signed) Jimeno
 Let the note be taken (Signed) Estrada
 Note of this Superior title has been taken in the
 Secretarys office under my charge at folio 6 over
 in the proper Book (Signed) Jose Maria Castaneda
 Acting Secretary

Sir Pico, Senior Vocal of the Departmental
 Assembly and Provisional Governor of California;
 Whereas Don Mariano Bonilla by birth a Mexican
 has for his own benefit and that of his family
 asked for an addition of Land in extent three Sillas
 de ganado Mayor) three square Leagues for grazing
 large Cattle) to the rancho which he now possesses
 by legal title known by the name of "San Antonio"
 City Santa Margarita La Estrella Comata and San Jose,
 the proper Measures and Examination having been
 previously made as required by the Laws and regulations
 using the faculties which are conferred upon me in the
 Name of the Mexican Nation I have granted to him
 the above mentioned Land declaring to him the ownership
 of it by this present Subject. In witness to the approval
 of the most excellent Departmental Junta and
 the following conditions to wit

- 1 He may Enclave it without prejudice to the Crops, roads
 and frontages, and it fully and Exclusively, Making
 such use and Cultivation of it as he may see fit
- 2^d He shall ask the Magistrate of the place to give him
 judicial possession in virtue of this order, to which
 extent the boundaries shall be marked out, and he

24

shall place in them besides the Land Marks
some fruit or forest trees of a useful character
3^d The Land thus granted in donation is three sitios
de ganado Mayor three leagues for grazing large Cattle
& little more or less as set forth in the Map
attached to the respective Esposite, and as
expressed in the petition of the Applicant
4th If he shall contravene any of these Conditions
he shall lose his right to the Land if May be demo-
nstrated by any other

196 SD
PAGE 86

25

In Consequence I order that the present title be held
as firm and valid, that note be taken of it in the
proper Book and that it be given to the party interested
for his Security and other purposes

Given in the City of Los Angeles on this Common Paper
there being none of the proper Stamp - this
28th of March One thousand Eight hundred and
forty six

Agueda Sis Tico

Filed in office March 24 1854
Geo Fisher Secy.

Session of June 10th 1846

X X X X X X X X X X

Approved the grant made to Citizen J
Marciano Bonilla for an Augmentation of three
square leagues of the place which he proposes
called "Auerhuero" of San Luis Obispo according
to title given on the 28th of March of this year
in Conformity with the Laws of August 18th
1824 and Article 5th of the Regulation of November
21st 1828

X X X X X X X X X X

Francisco Tequerora President

Augustine Overa D.S.

Filed in office Feb. 25 1854

Geo Fisher
Secy.

196 SD
PAGE 87

27

1846

Expediente promovido por D^{no} J. Mariano
Bonilla en pretension del aumento de Tres Sitos de
Ganado Mayor al parage que poses nombrado el
"Hilerhuero."

196 SD
PAGE 88

506

2

Excmo Sr Gobernador

Angelos febrero 5. Jose Mariano Bonilla Mexicano
de 1846. Pase al p^{re}stacionamiento y vicino del pue-
So^r Sub. Prefecto del blo de S Luis Obispo ante la
partido de Santa Mataria justificacion de V. E. con
Barbara, a fin de d^e debido respeto y como mas haya
que proceda a tomar lugar digo: q^e des de el año de
todas los informes q^e 1842. Me fue adjudicado p^{er}
Sean necesarios y el Sr D Juan B^{te} Alvarado el
conducho q^e sea buena parage llamado el Huertucero en
al Gobierno Estencion de un sitio de ganada

196 SD
PAGE 89

Pico

San Luis Obispo -

Feb - 28 de 1846.

Pase al p^{re}stacionamiento

de este lugar

a fin de q^e informe

si el terreno de que

se hace mencion

pertenece a propie

dad particular

o a corporacion

como parages q^e hoy se hayan baldios y

lo asien to el inter sin pertenecer a propiedad de par

resado en la presente titular in corporacion, pido a

instancia

Carillo.

que tengo concedido p^{er} q^e siempre mis bienes
se hayan en terrenos de mi propiedad y no vaya
alguno posteriorm^{te} a impedir su ocupacion
quando acaso aumentara otros bienes como
tambien mi familia me sea inutil el solo sitio q^e
tengo continuando en el la falta de agua. El terre
no q^e menciona se haya al E. de este pueblo a
distancia de seis leguas y el diseno q^e acompaña
manifiesta sus limites. p^{er} la q^e en vista de ello se
en virtud de lo espuesto A. V. E. suplico se

do Mayor; pero desgraciadamente
quiza p^{er} la esterilidad de los años
q^e han pasado se han secado todos
los aguas y la q^e contenian
en la Estencion de mi propiedad
y q^e por tal circunstancia mis bienes
se movientes se extienden a mas
distancia p^{er} las aguas q^e hay fuera
de los limites de un sitio y como fue
de conteca q^e algun otro ocupe esos
parages q^e hoy se hayan baldios y
sin pertenecer a propiedad de par

V. E. se sirva concederme la es-
tencion de tres sitios agregados al
que tengo concedido p^{er} q^e siempre mis bienes
se hayan en terrenos de mi propiedad y no vaya
alguno posteriorm^{te} a impedir su ocupacion
quando acaso aumentara otros bienes como
tambien mi familia me sea inutil el solo sitio q^e
tengo continuando en el la falta de agua. El terre
no q^e menciona se haya al E. de este pueblo a
distancia de seis leguas y el diseno q^e acompaña
manifiesta sus limites. p^{er} la q^e en vista de ello se
en virtud de lo espuesto A. V. E. suplico se

28

Sorra acceda à mi Solicitoria g^e. en ello
recibire gracia y Justicia g^e juro &c

S. Luis Obis. Cañ. 7 de 1846
J. Mariano Bonella

196 SD
PAGE 90

29

87-2

Here follows Map

Otro digo q^e la pacificación de V. D. se serva admitir la presente en papel común p^r no haber del Sello correspondiente.

En atención al decreto Marcial de 28 del Corriente en q^e se me ordena informe á cerca del terreno q^e he solicitado en la antecedente instancia digo q^e el dho terreno si haya valdío sin q^e se la conozca q^e tenga pretendiente alguno á Mas del q^e tiene Concedido un Sitio en el mismo Paraje y q^e á la Vez se haya interesado en esta instancia en tal virtud me parece q^e este puede ser agraciado de la Superioridad lo creí conveniente.

San Luis Obispo Febr 28 de 1846
Jose Jesus Pico.

Atendiendo á lo q^e asenta el interesado en la presente Solicitud y siendo conforme con el informe q^e entesede y temiendo dados esta Sub prefectura p^r personas imparciales q^e en efecto es todo lo q^e ha marcado no hay embarazo pa q^e al interesado el terreno q^e solicita le sea concedido de V. D. lo juzga conveniente.

San Luis Obispo Febr 28 de 1846
Anaota Carrillo

Angelis Mayo 28 de 1846

Vista la peticion con que da principio este expediente el informe que corre estampado del Sub prefecto del Partido de Sta. Barbara con todo lo demas que se tuvo presente y ver con arno de conformidad con lo dispuesto por la ley de 18 de agosto de 1824 y regulamento de 21 de noviembre de 1828 se declara al Sr. D. D. Mariano Bonilla dueño en propiedad del Terraje nombrado el Huertucero en el mismo Partido.

Sevase le el titulo correspondiente al

30

interesado en estension de tres sitios de
ganado Mayor poco Mas o Menos y sometase
esta Con Secion a la aprobacion de la Exima
Asamblea Departamental

Pio Pico Gobernador de Las Californias por
Ministerio de la ley asi lo Mando decrete
y forme Pico.

196 SD
PAGE 92

8 Dijo Pico de Torcuato Don J. Mariano Bonilla Mexicano por nacimiento ha pretendido para su beneficio personal y el de su familia el aumento de terreno en la Estension de otros sitios de ganado Mayor al Rancho q^e actualmente posee por justo titulo conocido con el nombre de "Huerhuero" Colindante el Paraje pretendido con el mismo huerhuero, Sta. Margarita, la Estrella Casmale y San Jose, practicadas previamente las diligencias y averiguaciones necesarias segun es dispuesto por Leyes y reglamentos usando de las facultades q^e me son conferidas a nombre de la Nacion Mexicana, he venido en conceder el terreno mencionado declarandole la propiedad del por las presentes Letras sujetandose a la aprobacion de la Exma Junta Departamental y a las condiciones siguientes. 1^a Para concarlo sin perjudicar las Ervacias, Caminos y Servidumbres, lo disfrutara a libre y exclusiva mente destinandolo al uso a Cultivo q^e mas le acomode. 2^a Solicitara del juez respectivo q^e le de posesion juridica in Virtud de este Despacho por el cual se demarcaran los linderos en cuyos limites pondra a mas de las Proposeras algunos Arboles frutales o silvestres de alguna utilidad. 3^a El terreno de que se hace donacion es de tres sitios de Ganado Mayor poco mas o me nos segun se explica el Diseno q^e corre en el Espediente respectivo y se expresa en la Solicitud del interesado. Si contravinere a estas condiciones perdera a su derecho al terreno y sera a denunciabile por otro.

En consecuencia mando q^e teniendose por firme y validero este titulo se tornara a dar en el libro a que corresponde y se entregue al interesado p^a su resguardo y amas finis

Dado en la Ciudad
de Mexy de

de Los Angeles a veinte y
1846.

31

Angels Mayo 8. de 1846.

Dado cuenta en sesion de hoy con este espe-
cimente a la E. A. D. se ando pasar a la

196 SD
PAGE 94

Comision de Terranos Baldios.

Pio Pico Prudat.

Augustin Obera.

E. J.

La Comision de Terranos Baldios a examinado detenidamente el presente expediente relativo a la estencion de terrenos q^e solicita el Ciudadano J. Mariano Bonilla en el paraje q^e posee del Huerguero, cuya ampliacion le fue concedida por el Sup^r Gob^o Dep^o con arreglo a las leyes de la materia en tal virtud pone a la Deliberacion de V. E. la sig^{te} proposicion.

Se aprouba la concesion hecha al Ciudadano J. Mariano Bonilla la ampliacion de tres sitios de ganados Mayos en el paraje q^e posee nombrado el Huerguero jurisdiccion de J. Luis Obispo, segun titulo librado con fecha de 10
10 Mayo de este año en conformidad con la ley de 18 de Agosto de 1824 y el art^o 5 del reglamento de 21 de Fe^o de 1828

Yala de Com^o en la Ciudad de los Angeles.

Junio 2 de 1840.

J. Arguello

Angeles Junio 10 de 1846.

En sesion de este dia aprobo la Junta a Seambla Deparlamantal la proposicion del Dictamen anterior:

Office of Surveyor General of the United States for California
J. John C. Hayes Surveyor General of the United States for the State of California and as such having in my charge and custody a portion of the Archives of the former Spanish Mission Territory or Department of Upper California by virtue of the power invested in me by Law Do hereby certify that the ten preceding and herunto annexed pages of tracing paper numbered from one to ten inclusive exhibit a true and accurate copy

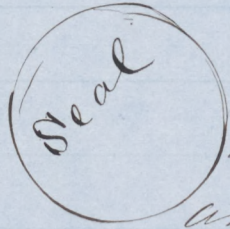
39

of a document now on file and forming part of the said
Archives in this office.

39

196 SD
PAGE 96

39



In testimony whereof, I have
herewith signed my name Officially
and caused my Seal of Office to be affixed
at the City of San Francisco, this Eight
day of October 1853.

196 SD
PAGE 97

John C. Hays
U.S. Attorney General for California
Filed in office Janry. 16th 1854.

George Fisher Secy.

196 SD

PAGE 98

Se aprueba la Concesion hecha al Cuida
 Dano J. Mariano Bonilla de la Ampliacion
 de tres sitios de ganado Mayor en el parage
 q^e prosee nombrado el Huertano Jurisdiccion
 de S^{ra} Luis Obispo, segun titulo librado con
 fecha 28 de Marzo de este año en conformidad con
 la ley de 14 de agosto de 1824 y el articulo 30
 del Reglamento de 21 de Noviembre de 1828.

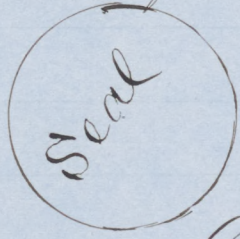
Franc. Figueroa Presd^{te}

Agustin Alseray
 D. S.

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

I John W. King, Surveyor General
 of the United States for the State of California
 and as such, having in my office and in my charge and custody
 a portion of the archives of the former Spanish and Mexican Territory
 or Department of Upper California, by virtue of the power vested in me by
 law. Do hereby Certify that the two preceding and herunto
 annexed pages of tracing paper numbered from one to two inclusive
 exhibit a true and accurate copy of extracts from a certain
 unto and Book loose sheets, entitled "1846 Cuaderno
 de sesiones de

la Exma. esamblea and purporting to be a
Register of Deputies of the Departamental assembly
Said Book now being on file and forming
part of the Said Archives in this office



In Testimony whereof I have
herunto signed my name officially
and caused my seal of office to be
affixed at the City of San Francisco this
Nineteenth day January A.D. 1854

John C. Hays

U. S. Surveyor General
for California

Filed in office February 25th 1854.

Geo. Fisher Secy.

2a Expediente
37

1846- Expediente Moved by Don Mariano Bonilla
for an addition of three leagues to the which he
propose called the Huerturo No 506

196 SD
PAGE 100

Most Excellent Senor Gobernador
Jose Mariano Bonilla a Mexican by birth and
citizen of the Pueblo of San Luis Obispo before the well
known justifications of your Excellency with due
respect in proper say
That in the year 1842 there was granted to my
Senor Juan Bonilla Alvarado the place called
the "Huerturo" in extent one square league, but
unfortunately on account of the sterility of the soil
from all the Springs and Liguinas (Lakes or Ponds)
which are contained within the extent of my
property have dried up and from that Circumstance
my stock have extended themselves to a greater distance
for the Springs outside of limits of one league and as may
happen from one time my occupy these places which
are now vacant and do not pertain to the property
of private individual & Caporaleng East, your
Excellency to be so good as grant me the extent
of three leagues added to the one I have granted,
in order that my stock may forever occupy
Land of my own property and that no one
hereafter may ever occupy all in when perhaps
my stock and a family increasing the single league
which I own will be useful on account of the Center
and want of water. The aforementioned Land
lies to the east of this Pueblo at a distance of ten
leagues and the Map which I herewith accompany
shows its limits, so that in view of it and in
virtue of the foregoing I beg your Excellency to be so
good as to grant my Petition by which I shall receive
favor and Justice - I swear &c

San Luis Obispo January 7th 1846
J Mariano Bonilla

39

I add that the justification of your Excellency
will be all to good as to admit this on common
paper there being none of the
Corresponding Stamps

(Here follows Copy of Maps)
(In the margin)

Angels February 5th 1846

Put this to the Senor Prefect of the Pastoral of Santa
Barbara in order that he may proceed to obtain all

196 SD

PAGE 101

the information necessary and having concluded
let this be returned to the Governor Pico
San Luis Obispo February 28 1846

Top this to the respected Judge of this place in order
that he may report whether the land of which
mention is made does not belong to the property of any
private person or Corporation as is represented by the
party interested in the present instance - Curullo
In accordance with the Marginal Decree of the 28th
Instance and I am ordered to report with respect
to the land which is asked for in the foregoing
instance I say that said lands is vacant and
without its being known that any one makes pretension
to it except that one league in the same place belongs to
the party asking for it wherefore it appears
to me to me that it may be granted if it
appears convenient to your Excellency

San Luis Obispo February 28. 1846

Jose de Jesus Pico

In accordance with the statements of the party interes-
ted in the present petition and conformable with the
foregoing and from the facts derived by this Prefe-
tura from impartial persons that all entailed
is true, there appears no obstacle to granting the
petitioner the land asked for, if your Excellency
think it convenient

San Luis Obispo February 28th 1846

Anastacia Curullo

Angels March 28th 1846

Having seen the petition at the beginning of this
expediente, the report written on it of the Sub. Org.
of the Partido of Santa Barbara with all else
presented and proper to be seen in conformity
with what is directed in the Laws of August 18th
1824 and the regulation of 21st 1828 & Citizen Mariano
Ponilla is declared owner in fee of the place called
"Huerfuro" in the same Partido. Let the corresponding

38

title be given to the party interested for three
leagues in extent a little more or less and submit
this rent to the approbation of the Most Excellent Department
of assembly - Pio Pico Governour of the
California by virtue of the Law thus ordered
Decreed and signed Pio Pico

196 SD
PAGE 103

(Here follows copy of the title the same as
translated in Document)

39

Angeles May 8th 1846

In Session of this day the Expediente was taken up by the Most Excellent Departmental Assembly and ordered to be papered to the Committee on Vacant Land

Do Do Do Do
Sin Sico President

Augustin Olvera Secretary

196 SD
PAGE 104

Most Excellent Senor

The Committee on Vacant Lands has attentively examined the present Expediente relative to the extension of Land asked for by Citizen Mariano Bonilla in the place called "Huerfueros" which extension was granted him by the Superior government of the Department according to the Laws on the subject; Wherefore it places before the deliberation of Y. E. (Your Honourable body) the following proposition - approved the grant made to Citizen Mariano Bonilla in extent three leagues in the place which bears the name of "Huerfueros" in the Jurisdiction of San Luis Obispo, according to the title issued March 25th of this year in conformity with the Law of August 18th 1824 and the 5th Article of the regulations of November 21st 1828

Attest of the Committee in the City of Los Angeles
June 2nd 1846

J Arguello

Angeles June 10th 1846

In this day Session the Most Excellent Assembly approved the proposition of the foregoing report of

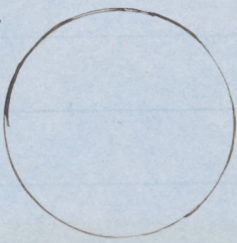
Filed in Office June 16. 1846

Geo Fisher
Secy.

40

41

Sello Segundo
Para los años de
ocho y ocho ci =



Doce Reales
mil ochocientos treinta en los
treinta y nueve

Valga para el año de mil ochocientos cuarenta
y dos.

Alvarado.

Antonio Ma Osio

196 SD
PAGE 105

Juan P. Alvarado Gobernador Consti-
tucional del Departamento de las Ca-
lifornias.

Por cuanto D^{no} Mariano Po-
rrela ha pretendido para su beneficio personal
y el de su familia el poraje conocido con el nom-
bre de Huachuca, en atención de un sitio de ganado
Mayor, cuyo los límites que de muestra el diseño
respectivo, practicadas previamente entre las diligencias
y averiguaciones consiguientes seg.^{da} lo dispuesto
por leyes y reglamentos, usando de las facultades
que me son conferidas a nombre de la Nación
Mexicana, he venido en concederle el terreno p^{re-}ci-
ado declarándole la propiedad de él por los
presentes letras; sujetándose a la aprobación de la
Excm^a Junta departamental y a las condiciones
siguientes. 1^a Podrá cercarlo sin ser juzgado los
trazas comunes y servidumbres, lo disfrutará libre
y exclusivamente destinándolo al uso o cultivo que
mas le acomode pero dentro de un año fabricará
casa y estará habitada.

2^a Solicitara del juez respectivo que le diere la
protección jurídica en virtud de este despacho por
el cual se demarcarán los linderos en cuyos límites
pondrá a mas de las moyoneras algunos árboles
frutales o silvestres de alguna utilidad

3^a El terreno de que se hace donación es de un
sitio de ganado Mayor según explica el diseño
que corre agregada en el Expediente respectivo El

41

Juz que tiene la posesion lo hará medir conform
à Ordenanza que dando el Sobranhe que resulte à la
Nacion para los usos con vivientes

4.ª Si contravinere à estas condiciones pa
dera à su derecho al terreno y ser à denunciabile.

196 SD

PAGE 106

por otra. A

En consecuencia mando que tomándose por firme y baledero el presente título se tome razón de el libro que corresponde y se entregue al interesado para su resguardo y demás fines. Dado en Monterrey a nueve de Mayo de mil ochocientos Cuarenta y dos.

196 SD
PAGE 107

Juan B Alvarado.

Manl Ferrero Seco.

Queda tomada razón de este Despacho en el Libro de asientos sobre adjudicaciones de terrenos Baldíos @ fojas 12.

Simien.

El Exmo Sr Gobernador ha dispuesto se tome razón de esta concecion en la prefectura del 1º Distrito

Simien

Tomese Razón.

Estroada

Queda tomada razón de este sup^o título en la Secretaria de mi cargo a fojas 67^a y 68^a y frente Cuaderno respectivos.

Monterrey Junio 4 de 1842

José Maria Castañares, Seco inf^o

Mapo

More follows

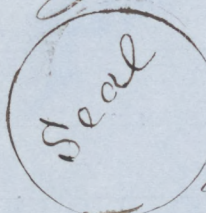
El q^{te} suscribe Secretario del G^o del Departamento de California, certifica que el diseño q^{te} se demuestra al frente de la familia de garantía es igual q^{te} existe en el Expediente q^{te} se haya en la Secretaría de mi cargo en solicitud del terreno llamado el Huertano perteneciente a D. Mariano Bonilla

Manterey Octubre 10 de 1845.

Man. J. Ameno

Pío Pico Vocal Decano de la Asamblea Departamental y Gobernador Provincial de la California

Por cuanto Don. ^{Don. J. Mari} Mari

 ans Bonilla Prefecto por nacimiento ha pretendido para su beneficio personal y el de su familia el aumento de terreno en la estension de tres sitios de ganado Mayor al Rancho que actualmente posee por justo título conocido con el nombre de Huertano Colondante al porage pretendidas con el mismo Huertano, Santa Margarita, ya lo viamente las diligencias y averiguaciones necesarias, segun lo dispuesto por leyes y Reglamentos: usamos de las facultades que me son conferidas a nombre de la Nacion Mexicana, sumidos en concederle el terreno mencionado declarandole la propiedad de el porcion de la Ex^{ta} Junta Departamental y en las condiciones siguientes.

1^a Podrá cercarlo sin por juicio las travesías Caminos y serriumbres lo dispuntara libre y esclusivamente destinado al uso de cuntra que mas le acomode.

2^a Solicitara del Juez respectivo q^{te} le de posesion Juridica en Virtud de este despacho por el cual se demarcaran los linderos en cuyos limites podra a mas de las mojoneas algunos arboles frutales o silvestres de algunos utilidad.

3^a El terreno de que se le hace donacion es de tres sitios de ganado Mayor pero mas o menos segun explica el

43

Diseño que corre en el Espate respectivo y se
apresenta en la solicitud del inte-

196 SD
PAGE 109

= Dado 4^a Si Contrabiniere à estas Condiciones perderà
à su derecho al terreno y sera denunciabile por otro

En consecuencia mando q^e terminense
por firme y validero este titulo si tome razon de el
en libro à que corresponde y se entere que al interesado
para su resguardo y demas fines

Dado en la Ciudad de los Angeles en este Populo
Comun por falta del sellado respectivo à Vinte ochos de
Marzo de mil ochos eientos cuarenta y seis

Pio Pico

En el pueblo de S. Luis Obispo à los seis dias del
Mes de Abril del año de mil ochos eientos cuaren-
ta y siete por ante mi Jose de Jesus Pico residente
de este pueblo y los testigos de asistencia con
que en su acta en la forma establecida y falta
de Escribanos publicos, fueron presentados D^o Mariano
Bonilla y D^o Francisco Branch ambos vecinos
de Misam pueblo y à quienes doy fe conosco y
digo el primero q^e por si y à nombre de sus
henderos y sucesores y de quien de ellos hubieren
titulo hoy y fama en qualquiera manera da el
segundo en venta legal y en a generacion perpetua
el terreno conocido con el nombre del Heredero
en estension de quatro sitios de ganado Mayor
cuyos linderos son el Rancho de Sta Margarita
por el S. el de Sta Isabel por el N. O. y N. E.
y la Lomeria del Casnate y por Jose p^o el E.
y S. E. y otro terreno es de la propiedad de D.
Mariano Bonilla segun con sta p^o los docu-
mentos q^e presente y doy fe h aboristos
y se agregan à esta escritura de Mariano Bonilla
q^e esta libre de toda grabamen publico, perpe-
tua, temporal especial, general, tacito y espresado
y como tal la entrega pa q^e D^o Francisco Branch
lo disfrute, cuembre, enajene y disponga de el
como de cosa propia adquirido con le justitia

44

y justo título recobren D. Mariano Pomilla
por precio y valor del referido terreno doscientos
cinuenta y cinco pesos de la clase que se
expresa en la Escritura que aparta de este se haga
con tal fin y sobre no paracer de presente
la

196 SD
PAGE 111

Entrega renuncia las leyes, de ella, los de sus
 privilegios y fueros como en ellos se contiene
 y desde hoy en adelante se desapollera, desiste
 quita y se aparta del dominio y posesion,
 sin sin, titulo recurso o otro cuales quier derechos.
 computa al enunciado terreno, y lo renuncia y
 traspose a D. Graciano Branchi ya qe des-
 ponga de el como de cosa suya y le confiere po-
 der irrevocable, con libre, franca y general
 administracion obligandose el otorgante a qe esta
 entrega le sera cierta segura y efectiva y nadie
 le inquietara o ni moviera pleito alguno sobre su
 propiedad y posesion ni contra el terreno
 opase cosa gravamen alguno qe de la parte de
 terreno qe se refiere de la propiedad de Don
 P. titulo dado por D. Pio Pico y hace
 responsable a su entera legalizacion y
 autorizacion a Costa Rica. Y a la validacion
 de todo lo referido obliga el otorgante sus bienes
 presentes y futuros y con ellos se someta al juicio
 y jurisdiccion de los señores jueces qe de sus causas
 aban conocee como p. sentencia definitiva con
 sentida y pasada en autoridad de cosa
 juzgada y p. tal la recibe. En cuyo testimonio
 asi lo otorgo y firmo con miyo y los de asistencia
 señores Justos Instrumentales D. Vicente Peliz y
 D. Nicolas Carrizo vecinos del lugar de q. y del
 referido juez doy fee. Fe y tenor, esta en papel
 comun p. no haber de ningun sello.
 Yo D. Pio Pico y D. Mariano Bonilla,
 de asistencia, Yo agr. Estrada de asistencia
 Juan M. Pico

Yo copia de su original qe
 existe en el portafolio de este juzgado y se da hoy
 dia de su otorgamiento en papel comun p. no haber
 sellado

J. de J. Pico.

Expediente formado en la posesion juridica qe
se dio à D. France Branchi del Terrero
Nombrado el

"Auerhuero"

Año de 1848.

En el pueblo de S. Luis Obispo à los quince del mes de Enero de año de
mil ochocientos cuarenta y ocho, yo D. Mariano Bonilla a juez del mismo
con los de asistencia, siendo presente D. France Branchi le
notifiqué de comparencia por el día diez y siete en el Rancho
del "Auerhuero" con objeto de darle posesion juridica de
elto Rancho como lo toma solicitada y entendido desp: lo
oye y era conforme y firmo con mis plos de asistencia
Doy fei J. Mariano Bonilla

De assa

de assa

Mercurial Garcia // Trifon Garcia.

En el Rancho del Auerhuero à los diez y siete dias del
mes de En: de mil ochocientos cuarenta y ocho yo
J. Mariano Bonilla juez del pueblo de S. Luis Obispo y su
demarcacion con los de asistencia y siendo presente D.
France Branchi con objeto de tomar posesion
juridica de elto Rancho para practicar las medidas
de el dispuse medir y medir un Cordel de cincuenta
V. Castellanas y para su constancia lo asenté fi-
deligencia qe firmo con los de asistencia: Doy fei
J. Mariano Bonilla

De assista

de assa

Mercurial Garcia // Trifon Garcia

En seguida en el mismo parage dia mes y año, yo el
referido juez p: factar un punto de terreno, se qe
hiciere la midicion del terreno, tube à bien nombrar
de los concurrentes dos medidores los deleros y al
efecto nombre a D. Nicolas Carpio y à D. Pedro
Penas quienes habiendo aceptado apearon bajo

juramento en forma, desempeñar fiel y legal
mente su encargo segun su saber y entender
y p^o en Constancia lo asiente por diligencia
q^e firmaron los nombrados con sus propios
asistencia: Doy fe

J. Maria Bonilla

Nicolas Carpio + Pedro Venegas

De Ass^a

Ass^a

Mercurial Garcia Grifon Garcia

En Continente en el mismo lugar dia mes
y año go el juez con los de asistencia, para
comensar la Medidicion del Mencionado
Rancho dispuso que los Medidores Cordeleros
tomasen el Cordel p^o sus extremos en la
parte q^e estaban señalados las cincuenta
V^{as} que se tenían medidas, y desde un
lugar q^e se nombra La Laguna del
Indio tirando al N. se Comenzó a medir p^o
la gomaria pasando p^o el extremo de la
Cañada de Seguisquite hta la Goma alta
nombrada de D.ablo se contaron ciento y
hinta Cordeleros: se señalo aquel punto y
quedo de Lindero con terrenos de S. Mig^l
p^o la parte de Sta Isabel de alli se continuo
midiendo p^o toda la Loma alta y siguiendo
al Ehta otro lugar q^e se marca y se determino
lindero con las mismas tierras de S^o Miguel p^o
la parte de la Estrella y se contaron trescientos cordeleros,
se siguió la Medidicion de allí tirando el Cordel al S. y
p^o la gomaria y Cañada de la agua de las Gordomices,
se midieron ciento veinticinco Cordeleros hta otro lugar
en las Gomas Montosas q^e se señalo y quedo p^o Lindero
con las terrenos q^e llaman S^o Jose y Casnate, y siguiendo
las medidas tirando el Cordel al O. E. por terreno que
llaman y Montas hta el lugar en don de se Comenzó
se midieron trescientos cincuenta Cordeleros, y habiendo
tambien Marcado aquel lugar y determinado Lindero

47

por la parte de Sr. Jose y Sta. Margarita
quedando con Cluidas las Medidas y deter-
minados los terminos y lindes del terreno en
presencia de todos los concurrentes de què à
D. Franc. Branchi en Virtud de mis facultades
doy à V. posecion del terreno q. se ha
Medido

196 SD
PAGE 115

respondiendo q- la toma de Mundi q-
 hiciese al guna demostracion del Domingo y demas
 q- adquiria el Manifestando ser el dueño absoluto
 de aquel terreno y tener dominio útil y directo y
 como tal la propiedad del otro ardenso
 Terbas y tiro piedras sin q- hubiere oposicion
 de algun con lo q- se concluyo el Acto pidiendo
 D. Frances Branchi q- se le entregue estas
 diligencias originales p^a su resguardo y lo asento
 p^a diligencia q- forme con lo de asistencia:
 Hoy fu.

J. Mariano Bonilla

De ass^a

De ass^a

Mercurial Garcia # Trufon Garcia

Sr Luis Obispo. Eno. 19 de 1846

Entregase estas diligencias originales a D.
 Frances Branchi p^a su resguardo y testimonio
 de adquisicion de propiedad.

Bonilla

En la misma fte anterior se entregaron
 estas diligencias a D^o Frances Branchi
 en f^o útiles

J. Mariano Bonilla

Filed in Office Sept. 9th 1852

George Fisher
 Secy.

B Stamp Second (Seal) Twelve Reals
 For the years on the said Eight hundred
 and thirty Eight and one thousand Eight hundred
 and thirty nine

(Seal) good for
 the years 1840 & 1841 good for the year one thousand Eight
 hundred and one and forty two
 (Signed) Alvarado (Signed) Antonio Maria Osio

196 SD
 PAGE 117

John Balvarado Constitutional Governor of the
 Department of the Californias

Whereas Don Mariano
 Bonilla for his own personal benefit and
 that of his family has asked for the place known
 by the name of Huertacuero, en extent one Sello de
 ganado Mayor (One square league for grazing large
 cattle) according to limits shown by the respec-
 tive Map the proper Measures and Examinations
 having been previously made as required by
 the Laws and regulations; using the faculties
 which are conferred upon me in the name of the
 Mexican Nation I have granted to him the above
 mentioned Land declaring to him the ownership of it
 by these presents; Subject however to the approbation
 of the Most excellent Departmental Junta and
 the following conditions

1st He may enclose it without prejudice to the Crops
 roads, roads and servitudes and enjoy it free
 and exclusively making such use and cultivation of
 it as he may see fit; but within one year he
 shall build a house and inhabit it

2^d He shall ask the Magistrate of the place to give
 him juridical possession of it, in virtue of this order
 by whom the boundaries shall be marked out, and
 he shall place in them besides the Land Marks some
 fruit or forest trees of a useful character

49

3^d The Land thus granted in Donation is one *Seto*
degunado Mayor (One Square league for grazing large Cattle)
as set forth in the Map attached to the respective
Espediente.

The Magistrate who gives the possession will have
it measured according to the Ordinance, leaving
all that may remain over and above to the *Nacion* for

196 SD
PAGE 118

196 SD
PAGE 119

its convenient uses,
4th If he shall contravene these conditions he shall
lose his right to the land and it may be denounced
by another. In consequence I order that the present title
be had as firm and valid that note be taken of it in the
proper book, and that it be given to the party interested
for his security and other purposes given at Monterey
this ninth day of May one thousand Eight hundred
and forty two (Signed) John B. Alvarado
(Signed) Manuel Jimeno

Secretary

Note has been made of this order in the Book of
entries of grants of vacant lands page 12
(Signed) Jimeno

Let the note be taken

(Signed) Estrada

Note of this superior title has been taken in the
Secretary's office under my charge at folio C. over,
in the proper book

(Signed) Jose Maria Castaneda

Acting Secretary

Pio Pico Senior Vocal of the Departmental assembly
and Provisional Governor of the Californias.

Whereas Don Manuel Bonilla by birth a Mexican
has for his own benefit and that of his family
asked for an addition of land, in extent three sections
de ganado mayor three square leagues for grazing
large cattle) to the Rancho which he now possesses
by legal title, known by the name of Huertadero
the place asked for being bounded by the same
Huertadero by Santa Margarita La Estrada Comala
and San Jose; the proper measures and examinations
having been previously made as required by the laws
and regulations. Using the faculties which are conferred
on me in the name of the Mexican Nation, I have
granted to him the above mentioned land declaring him the owner of it by
these presents subject however to the approbation of the most Excellent Departmental
Junta and to the following conditions, to wit:

1st He may enclose it without prejudice to the crops roads and Suetudes and enjoy it freely and exclusively, making such use or cultivation of it as he may see fit

2^d He shall ask the Magistrate of the place to give him Judicial possession in virtue of this order, to which on the land bound shall be marked out and he shall place in them besides the land marks some fruit or forest trees of a useful Character

3^d The land thus granted in donation is three sitios de ganado Mayor (three leagues for grazing large Cattle) a little more or less, as set forth in the Map attached to the respective Expediente and as is expressed in the petition of the applicant.

4th If he shall contravene any of these Conditions he shall lose his right to the land and it may be denounced by another

In consequence I order that the present title be held as firm and valid, that note be taken of it in the proper Book, and that it be given to the party interested as his security and other purposes

Given in the City of Los Angeles on this Common Paper there being none of the proper Stamp

this 28th day of March one thousand Eight hundred and forty six (Signed) Pico

In the Pueblo of San Luis Obispo this 2nd day of November of the year one thousand Eight hundred and forty seven before Me Jose de Jesus Pico provisional (Interim) Magistrate of this Pueblo and the assisting Witnesses with whom I act in accordance with the Established form, there being No Notary Public, appeared Don Mariano Bonilla and Francisco Branch both residents of the same Pueblo and both of whom I certify are known to Me, and the former declares that for himself and in the name of his heirs and Successors and of whomsoever of them may have title interest or claim in any manner, he gives to the second in legal sale and perpetual alienation, the land known by the name of Huachuero consisting four sitios de ganado Mayor which is bounded by the Rancho of Santa Margarita.

on the South, by that that of Santa Isabel on
 the North West, by the Hills of the Estrella on the
 North & North East, and by the Hills of Camote
 and San Jose on the East and South East, and
 said Land being the property of Don Mariano
 Bonilla as shown by documents presented by him
 & which I certify that I have seen and which are
 attached to this writing. Bonilla declaring that it is
 free from all encumbrances whether public
 perpetual, temporal special general, tacit or
 Expresses, and as such he transfers it to Don Francisco
 Branch, in order that he may enjoy, Exchange,
 alienate and dispose of it as his own acquired by
 lawful and proper title. Don Mariano Bonilla
 having received as the price and Value of said
 Land two hundred and fifty five Cattle of the kind
 expressed in the separate agreement which was entered
 into between the parties for this purpose, and as the
 payment is not made in presence he renounces the benefit
 of the laws respecting it and those respecting the proof of
 the payment and receipt, as he is satisfied with such
 payment and from now henceforth, he releases, dis-
 reties and withdraws from the dominion, possession
 ownership, title, recourse, or other right of whatever
 nature, which he may have to the aforementioned
 Land and renounces and transfers it to Don Francis-
 co Branch so that he may dispose of it as his own
 property, and he confers on him (Branch) irrevocable
 power, with free full, and general administration, with
 the warranty that the conveyance shall be certain secure
 and perfect and that no one shall molest him or
 bring suit against his ownership and possession, and
 that there shall appear against the Land no
 encumbrance and with respect to that part of the
 Land referred to the property of Bonilla by title
 granted by Don Pio Pico he makes himself
 responsible for the complete legality and

196. SD
PAGE 122

authorization of the grant to him at his own
Cost - and for the entire Validity of the whole
he (Bonilla) binds all his property in present
possession and which he may in future
acquire, and with the property he submits to the
Judgment and Jurisdiction of the Magistrate having
Cognizance of such cases, as to

196 SD
PAGE 123

a definitive treaty judgment, consented to and signed
with the authority of res judicata, and as such received
in testimony of which he delivered and signed this
with me, and with the assisting witnesses, the
witnesses to this instrument being Don Vicente Felix
and Don Nicolas Curpio inhabitants of the place,
of which fact I the aforesaid Magistrate certify
This is written on common paper then being none
stamped

(Signed) J de J Pico

(Signed) J. Mariano Bonilla

Assisting Witnesses (Signed) Joaquin Estrada

(Signed) Juan M Price

Copy of the original which exists in the protocol
of this office and which is truly copied this the
day of its Execution on common paper, then
being none stamped

(Signed) J de J Pico

In the Pueblo of San Luis Obispo this fifteenth
day of January one thousand eight hundred and
forty eight I J Mariano Bonilla Magistrate of
the same place with the assisting witnesses then
being present Don Francisco Branch notified
him to appear on the 17th instant at the Rancho
of Auerhues for the purpose of giving him judicial
possession of said Rancho and of measuring the same
as had been solicited, and the notice being
understood he said he heard and consented
and signed with me and the assisting witnesses:

I certify

(Signed) Mariano Bonilla

Assisting Witnesses (Signed) Marcurial Garcia

(Signed) Leon Garcia

In the Rancho of Auerhues the seventeenth day of
January one thousand eight hundred and forty eight
I J Mariano Bonilla Magistrate of the Pueblo of
San Luis Obispo, and of its demarcation, with
the assisting witnesses Don Francisco Branch

being present for the purpose of taking
 judicial possession of said Rancho, in order
 to make the Measurement of it, I proceed to
 Measure and Measure a rope of fifty
 Spanish Varas, and in testimony of this I make
 note of it, which I signed with the assisting
 Witnesses - I certify (Signed) I Mariano Borilla
 Assisting Witnesses
 (Signed) Mercurial Garcia
 (Signed) Gifon Garcia

196 SD

PAGE 124

In continuation at the same place, day, month, and year, I the aforementioned Magistrate there being no professional Surveyors to make the measurement of the Land, I decided to appoint from the persons present two Measuring rope Men, and accordingly appointed Don Nicolas Carpio and Don Pedro Venegas, who having accepted, promised under the required oath to perform faithfully and legally their duties according to the best of their knowledge and understanding, in testimony of which I made note of it which I signed with the persons so appointed and the assisting witnesses I certify (Signed) Mariano Bonilla (Signed) Pascual Garcia (Signed) Nicolas Carpio (Signed) Gregorio Garcia (Signed) Pedro Venegas

In continuation in the same place, day, month, and year, I the Magistrate with the assisting witnesses in order to commence the measurement of the said Rancho directed the rope bearers to take the rope by its extremities where were marked the fifty varas which had been measured, and from the place "Sajona del Indio" and stretching it to the north to begin to measure bounds the hills; passing by the extremity of the "Canada del Yeguesquite" to the high hill called Don David, distant one hundred and thirty cables, which point was marked and formed the boundaries with the lands of San Miguel on the side of Santa Isabella, where the measurement was continued along the high hill and turned to the east to another place which was marked and formed the boundary with the same lands of San Miguel on the side of the Estrella, and in length three hundred cables. The measurement was continued there drawing the the cable to the south west and by the hills and "Canada del agua" of the cordones, one hundred

196 SD
PAGE 126

and twenty five Caudes to another place in the wooded hills which was marked and formed the boundaries with the lands called San Jose and Comote; and continuing the measurement, drawing the Cordel to the West through broken and wooded grounds, to the starting point three hundred and fifty Caudes; and having also marked that point and fixed the boundary on the side of San Jose and Santa Margarita thus completing

the Measurements and fixing the Metes and
 bounds of the Land, in presence of all the eye standers I
 said to Don Francisco, in virtue of my faculties I give
 to you possession of the Land which has been measured,
 and answering that he received it, I ordered that he
 should make some demonstration of the dominion and
 ownership which he required, and he showing
 himself to be the absolute owner of said land
 and to hold the dominion useful & direct and
 as such the ownership of said land pulled
 up grass and three stones without any opposi-
 ing what the ceremony was concluded

Don Francisco Branch asking that these original presents
 be given to him for his security, which I note of and
 signed with the apostating witnesses. I certify,

(Signed) Mariano Bonilla

apostating witnesses

(Signed) Manuel Garcia

(Signed) Trigon Garcia

San Luis Obispo January 13. 1848

Let these original
 papers be given to Don Francisco Branch for
 his security and as testimony of acquisition of ownership

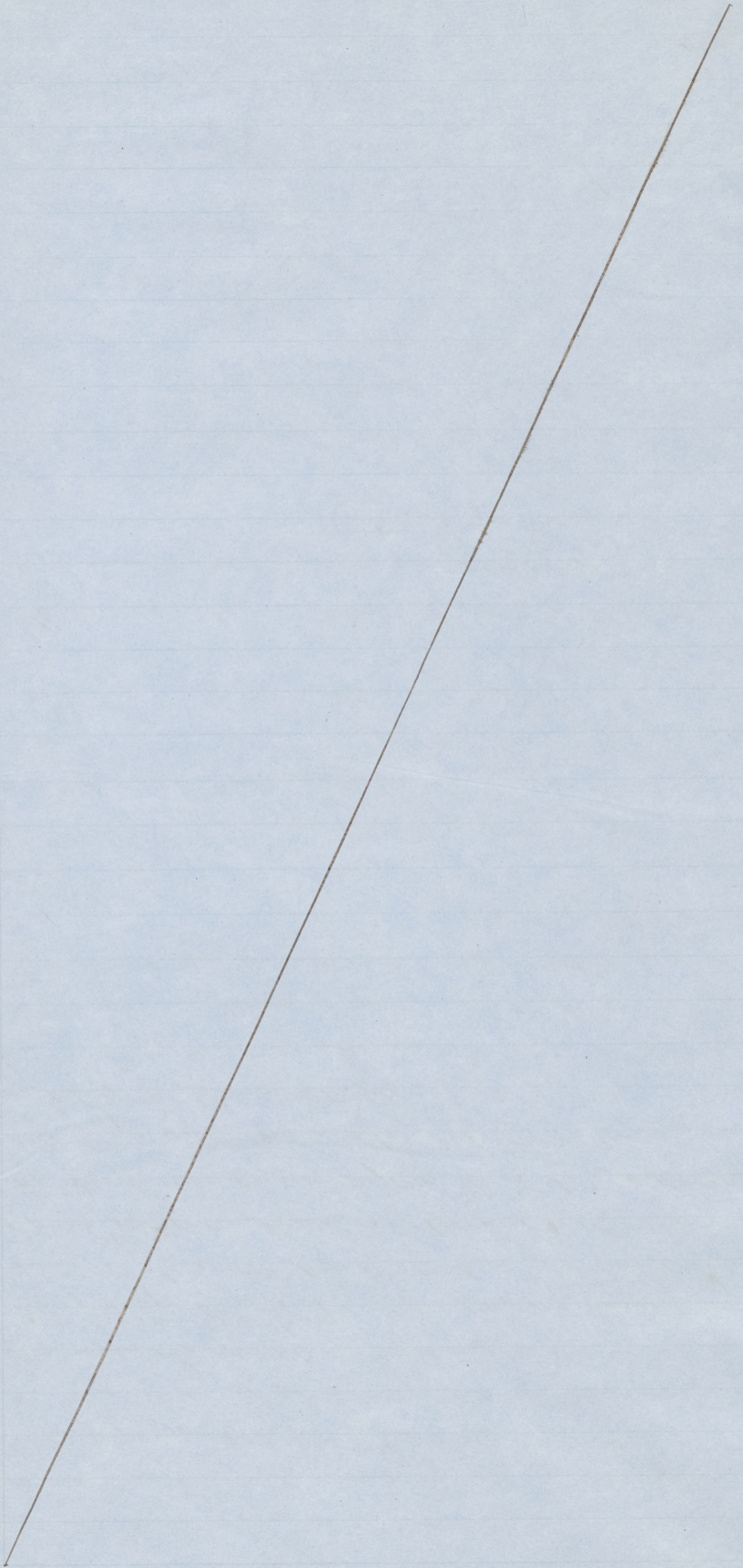
(Signed) Bonilla

On the same date as the above these papers are
 given to Don Francisco Branch in three folios

(Signed) Mariano Bonilla

Filed in office March 24. 1852.

Geo Fisher Secy.



57

Opening of Board
by Comr. R. Aug.
Thompson

Francisco Branch }
 } Huertuero
 } vs
The United States }

196 SD
PAGE 128

This is a claim for four square leagues of Land
situated in the County San Luis Obispo and
purports to be founded on two grants made to
Mariano Bonilla

The first for one square league
by Governor Alvarado on the 9th of May 1843, and
approved by the Departmental Assembly on the 26th
of May 1845 and the second for three square leagues
in extension of the foregoing, made by Governor
Pio Pico on the 28th of March 1846 and approved
by the Assembly on the 10th of June following.

The present claimer acquires his title by virtue
of a deed of conveyance from said Bonilla
to him of all the Land covered by both grants,
duly executed before Jose de Jesus Pico provisional
Justice of the Pueblo of San Luis Obispo on the 6th day
of November 1847 the original grants to Bonilla and
the certified copy of conveyance from him to the
claimant and filed in the case and their genuineness
duly proven and authenticated

The evidence shows that the
grantee was in possession of the Land embraced
within the first grant from the year 1839 a period
several years anterior to its date. That he had on it
a house which was occupied by his servants, Corral
and stock of Cattle Sheep and horses, and that he
had also two fields of about two hundred varas
square in cultivation in that he continued to
occupy the Land until the year 1844 during which
an incursion of the Indians occurred by whom three of
his servants were killed and the rest driven
off and the house and corrals burned. In 1845
he again occupied the Ranch, rebuilt the house

5 m

and corrals and replaced the stock in the year 1844, after he obtained the second grant from Rio Pico in March 1846 he continued to occupy the whole until he sold it in Nov 1847 to the present claimant

196 SD
PAGE 129

A record of judicial possession in execution by J. Mariano Bonilla Magistrate of the Pueblo of San Luis Obispo to the present claimant on the 17th January 1848 is also put in evidence and its genuineness

established by competent testimony
The question as to the legal effect of a document
of this description executed after the occupation
of the County of the United States and prior to
the ratification of the treaty by which the rights
of Mexico were transferred to the latter power has
not yet been decided by the laws of this
it is necessary to do so in the present instance

The deposition of the officer by whom the
juridical possession was given has been taken
and filed in the case. He proves that the act was
performed by him and that the document filed is a
true record of the proceedings

In this aspect it may clearly be
admitted as evidence in the nature of a private
survey to prove the existence and location of the
boundaries as called for in the grant and
delimited on the map and the quantity of land embraced
by them

This record purports to give the juridical
possession to all the land included in both grants
and appears to be in accordance with the bounda-
ries described in them, and the quantity is shown
to be within a small fraction of the amount
which they call for

With the aid of the maps contained in the
Espediente we think a surveyor would find little or no
difficulty in ascertaining and establishing the limits of the
land according to the cans of the grants

From a view of the whole testimony we think the
petitioner has shown himself entitled to a confirmation,
and a decree will be entered accordingly

Filed in Office Sept. 12 1854

Geo Fisher Secy.

Recorded in Record of decisions Vol. 2 page 209

Geo Fisher Secy.

59
Decree

Francisco Branch }
vs } Huertuero
United States } 3

196 SD
PAGE 131

In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the petitioner is valid and it is therefore decreed that the same be confirmed

The land of which confirmation is made is situated in the County of San Luis Obispo and is known by the name of Huertuero being the same which was granted to Mariano Bonilla by two grants, one made by Governor B. Alvarado on the 9th of May 1842 and the other by Governor P. Pico on the 28th of March 1846, and is now held and occupied by the present claimant; and is bounded as follows by Santa Margarita, by La Estrella Comate and San Jose containing four square leagues, for a more particular description in reference must be had to the original grants, the act of Jurisdictional possession and maps contained in the Expediente traces copies of which are filed among the papers in the case

Alphus Fish
R. Aug Thompson
S. B. Farwell
Commissions

Filed in office Sept. 12. 1854

Geo Fisher Secy

Recorded in Record of decisions Vol 2 page 211

Geo. Fisher Secy

And it appearing to the satisfaction of the 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 decisions in this case and of the papers and Evidence upon which the same are founded be made out and duly attested by the Secretary, one of which transcripts shall be filed with the clerk of the District Court of the

59

United States for the Southern Judicial District
of California and the other transmitted to the
Attorney General of the United States.

196. SD
PAGE 132

Office of the Board of Commissioners
To ascertain and settle the Private Land Claims
in the State of California

196 SD
PAGE 133

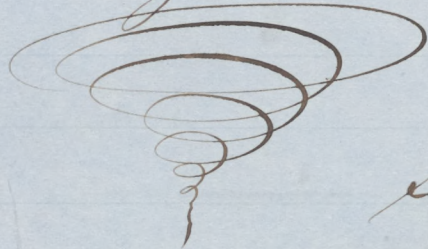
J. George Fisher — Secretary to
the Board of Commissioners to ascertain and settle
the Private Land Claims in the State of California, do
hereby certify the foregoing Fifty Nine — pages numbered
from 1 to 59, both inclusive, to contain a true correct
and full Transcript of the Record of the Proceedings
of the Decisions of the Said Board, of the Documen-
-tary Evidence and of the Testimony of the
Witnesses upon which the same is founded,
on file in this Office, in Case No 87 on the Docket of the
Said Board, wherein

San Francisco Branch is —

the Claimant against the United States, for the place
known by the name of "Sturbers"

In Testimony Whereof, hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Thirty first — day of January
A. D. 1855, and of the Independance of the
United States of America the seventy — ninth

George Fisher



Secy.

Washington, 7th April 1855.

Francisco Branch }
vs. } 87.
The United States. }

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 27th day of January 1855, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cantling

Attorney General.

no. 196.

U. S. District Court
Southern Dist of Cal "

The United States
" "
Francisco Branch.

Notice of Appeal
in case no 87.

Filed July 2 1855.
C. C. Lean,
Clerk
By A. H. Clark
Deputy.

196 SD
PAGE 135



Francisco Branch, App.
ad
The United States, App.

Docket No. 196.

Transcript No. 87.

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

The Petition of **Pacificus Ord**, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 2nd day of March A. D. 1852; Francisco Branch

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called Muerhuero situated in the County of San Luis Obispo State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 12th day of September A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 5th day of February A. D. 1855, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 87; reference to which it is prayed may be had and made part of this petition.

That on or about the 27th day of January A. D. 1855, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit:
on ^{retraced} the 2nd day of July A. D. 1855, the said
Attorney-General of the United States filed, or caused to be filed, in
behalf of the United States, a notice with the Clerk of said District
Court of the United States, that the appeal in said cause from the said
decision of the said Commissioners, in the District Court of the United
States for the Southern District of California, would be prosecuted by the
United States. Your petitioner further represents, that the land claimed,
as aforesaid, is situate in the Southern District of California, and within
the jurisdiction of this Honorable Court. Your petitioner further represents
and insists, that the said claim is invalid; and the said decision of said
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for
many errors and imperfections of law and evidence, apparent in said certified
transcript of the proceedings and decisions of said Commissioners in said
cause, filed and appealed from as aforesaid. And your petitioner denies all
and singular, each and every allegation in the said petition of said claimant,
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimant has any valid right or title to said land claimed
as aforesaid, or any part thereof.

196 SD

PAGE 137

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

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

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

196 SD
PAGE 138

P. Ord

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

No 196.

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

Francisco Branch,
appe.

vs.

The United States, Appt.

Petition for Review.

Filed Nov. 8. 1838.

196 SD

PAGE 139

P. Ord. U.S. Ct.

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

TO

The President of the United States,

San Francisco Branch

196 SD
PAGE 140

GREETING :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against you, ~~and each of you~~, in the District Court of the United States, in and for the Southern District of California, on the 8th day of November in the year of our Lord one thousand eight hundred and fifty-five at the City and County of Los Angeles, in said District, by

*J. Ord, U.S. Atty, praying
the Court to review the decision of the U.S.
Land Commissioners confirming your claim
to the Ranches Called "Ayer Negro" on or about
the 12th day of Sept. 1854, which was appealed
to this Court by the United States Atty Gen, on the
2^d of July 1855.*

and that you, ~~and each of you~~, are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said petition, or ~~that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs.~~ *the plaintiffs will apply*

to the Court for the relief demanded therein.
IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this ninth day of November in the year of our Lord one thousand eight hundred and fifty-five at Los Angeles aforesaid.

J. E. Fair
Clerk.

No 196.

United States of America,

Southern District of California,

U. S. DISTRICT COURT.

Francisco Brant
appell.

No 196 SD ^{207.}

PAGE 141

The United States
appell.

SUMMONS.

Proc. No. 9 to 1853-

Lawrence Brant

U. S. Marshal

Served Dec. 1/85

per J. W. ...

I served this summons along with the proper copy of the petition upon *Francisco Brant*
by delivering to him personally a true
copy of the original summons.

at his Residence, San Luis Obispo Co., in the Southern District of California on
the first day of December A. D. 1853.

Sworn to and subscribed before me, this 1st day of Dec. 1853.
J. W. ... Clerk.

E. Hunter
U. S. Marshal.

Per Geo. A. Hayes
Dep^t

In the Dist. Court of the U. S.
for the South. Dist. of Cal.

196 SD
PAGE 142

Francisco Branch. Appellee

vs

The United States. Appellant

} Docket No 196

On motion of Counsel for Appellee - Ordered
that either party, on due notice to the other,
have leave to introduce additional testimony
in this case

Dec. 10th 1855

No 196
U. S. Dist Court
South. Dist of Cal
Francisco Branch. Appella
ads.
The United States. Appellans

Order
to take Testimony.

Filed Dec 10th 55.

C. S. Fair
Clerk.

196 SD
PAGE 143

In the District Court of the United States
for the Southern District of California
City & County of Los Angeles.

196 SD

PAGE 144

Francisco Branch - Appellee

vs.

The United States - Appellant

} Docket No. 196

Francisco Branch, the Appellee in this case,
for answer to the Petition of the Appellant in
this case, avers that he, the Appellee, has
a good and valid title to the lands known
as "Auerhuers" and more particularly de-
scribed in said Petition.

The Appellee therefore prays that the
Decree of the Board of Land Commissioners
referred to in said Petition, confirming
the Appellee's title to said lands may
be affirmed by this Honourable Court
and that the Appellee's title thereto may
be decreed to be valid.

A. F. Winckman
Attorney for Appellee.

No 196

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

Marshals Cost

Serving. Answer of J.

Francisco Branch
Appellee

vs

The United States. Appln.

Answer to
Petition for Review.

Filed Dec 10th 1855

C. E. Barr
Clerk

196 SD
PAGE 145

A. F. Wanchman
Atty. for Appellee

I have served this Answer upon
P. Ord U. S. Atty by delivering to
him a true copy of the same
at Los Angeles in the Southern Dist
of California this 11th of December 1855

Edward Hunter
U. S. Marshal
J. M. S. Goodman
Deputy

Sworn to and Subscribed
before me this 12th of
Dec. 1855. J. E. Barr
Clerk

California Land Claims,

Attorney General's Office

25 September 1851,

196 SD
PAGE 146

Sir:

In the case of the claim of Francisco
Branch, confirmed to the claimant by the
Commissioners, case no. eighty-seven (87), and also
confirmed on appeal by the District Court, appeal
in the Supreme Court will not be prosecuted
by the United States.

I am

Respectfully

Anthony

Pacificus Ord Esq.

U. S. Atty for the

Southern Dist. appeal.

W

196.

Francisco Branch

87

Filed 24th February 1857

C. Sims & Co
J. M. Coleman
Depts

196 SD
PAGE 147

Rec'd Oct 24 1836
No 4th

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

196 SD
PAGE 148

Francisco Branch }
vs appellee } Case No 196
the United States }
appellant } Transcript No 87

In pursuance of a letter from the Atty
General of the United States hereto annexed
giving notice that in the above cause
the appeal will not be further prosecuted
by the United States, It is hereby stipulated
and agreed by and between the parties
that the decree of this Court heretofore
rendered in this cause may by order
of the Court be made final

P. O. H. Dist Atty.

Ruehard & Hinckman
Attys for Claimant

Care No 196

Huerfueria

Transcript No 87

Francisco Branch
in
the United States

Stipulation P Order
to dismiss

Filed 24th Feb'y 1857
Alvin C. H.
J. H. Coleman
(Dep)

196 SD
PAGE 149

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

Los Angeles, December Term, 1855.

196 SD

PAGE 150

Sanisco Branch

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

No. 196.
(No. 87. of Transcript.)
On Appeal from the United States Land Commission.

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

ORDERED by the Court, that an appeal be granted the United States, to the Supreme Court of the United States, from the judgment of this Court against the said United States in the above entitled cause, rendered on or about the 31st day of December A. D. 1855.

P. Ord
ditto

No. 196.

W. D. Hunt
South Dakota California

Francisco Ranch

advs
The United States
appellants

Worcester Appeal Co.

Filed March 14, 1880
C. E. Hunt cler
by Morgan Deffy

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

Francisco Pranch
Appellee

Page 195

^{vs,}
The United States
Appellant

Manuscript Dep.

Murphy

This cause coming on to be heard on appeal from the final
decision of the United States Board of Land Commissioners to
ascertain and settle Private Land Claims in the State of
California on a Manuscript of the proceedings and decision
of said Board and on the Papers and evidence on which
said decision was founded and it appearing that said
Manuscript and said Notice of appeal were duly filed
and Counsel for the respective Parties having been heard

It is ordered adjudged and Decreed that said de-
cision of said Commissioners for firming the validity of this
Grant be and is hereby affirmed and that the claim of the
Appellee is a good and valid one to the extent of four square
leagues of land contained within the exterior limits called
for in the maps and accompanying maps and no more

The land whereof Confirmation is hereby made is situate
in the County of San Luis Obispo, and consists of one square
league as shown by the map referred to in the Grant by Governor
Alvarado of date of May 9th A.D. 1842. And also a
further quantity of three square leagues in augmentation
thereof granted by Governor Pico's by Act of Grant of date
the 28th of March A.D. 1846 and bounded by the aforesaid
one square league (which is known by the name of Herberon) Santa
Margarita "La Estrella" "Lamati" and "San Jose", reference
being had to the maps contained in the Expediente for

Further description.

Provided that if said described tract of land contains a less quantity than the said four leagues, then confirmation is adjudged and decreed as to said less quantity. Done and signed in open Court this 14th day of March A D 1858

James H. Ogier
U S Dist Judge

No 796

Wenburn

U S Dist Court

South West California

James H. Ogier

Appellant

vs

The United States

Appellant

Recd

Filed this 18th day of March 1858

196 SD

153

PAGE

Le Lewis Clark
J. H. Coleman
Clerk

Recorded on Page 263

The United States, appellants
 vs
 Francisco Branch, appellee.

The claim in this case is based upon two grants. ^{The first} for one square league of land, granted by Governor Alvarado to Mariano Bonilla, and bearing date of the 9th May 1842, and approved by the departmental assembly 26th May 1845. The second is for three leagues of land in extension of the first grant, and was made by Governor Pico to the said Bonilla, on the 28th May 1846, and approved by the departmental assembly on the 10th of June of the same year.

~~The first grant describes the grant by~~ ~~Alvarado~~ ~~and~~ ~~describes as one~~ ~~square~~ ~~league~~ ~~in~~ ~~extent,~~ ~~and~~ ~~refers~~ ~~to~~ ~~the~~ ~~map~~ ~~which~~ ~~accompanies~~ ~~the~~ ~~expediente,~~ ~~for~~ ~~a~~ ~~description~~ ~~of~~ ~~the~~ ~~premises,~~ ~~the~~ ~~map,~~ ~~with~~ ~~the~~ ~~explanations~~ ~~thereon,~~ ~~upon~~ ~~it,~~ ~~is~~ ~~sufficiently~~ ~~definite~~ ~~to~~ ~~enable~~ ~~us~~ ~~to~~ ~~identify~~ ~~the~~ ~~land,~~ ~~within~~ ~~the~~ ~~extent~~ ~~limits~~ ~~of~~ ~~which~~ ~~the~~ ~~quantity~~ ~~granted~~ ~~seems~~ ~~to~~ ~~be~~ ~~located~~ - The second grant is an augmentation of the first, and describes the land as adjoining the first tract granted and bounded by Santa Margarita, La Estrella, Camate and San Jose - as shown by the accompanying map - The map, which is offered in evidence is quite as definite as that of the first tract granted, the boundaries called for are all distinctly marked and there can not be

any difficulty in ascertaining from the
extreme bounds of the ~~land~~ true nature
which the grantee granted was to be loca-
ted — The present claim denies his title
proprietor of an deed of conveyance from
the original grantee, ~~the deed genuine~~
~~and authenticity of the deed to prove.~~
The genuineness and authenticity of which
is proven.

The other objections raised to the
validity of this claim have all been
repeatedly considered and overruled
by this Court, the claim ^{will} therefore
be confirmed to the extent of four
square leagues within the extreme
limits called in the grant and as
shown on map, and a decree will
be entered accordingly affirming the
decision of the Committee and con-
firming the claim

196.

The United States

vs

Francisco Branch

Opinion

Confirming

196 SD

PAGE 155

U.S. Dist Court
 Southern Dist of California
 County of Los Angeles.

196 SD

PAGE 156

Francisco Branch, Appellee

vs.

The United States, Appellant

No. 196

Index of Transcript.

| | | |
|-----------|---|---------------------|
| Pages 3.4 | Claimant's Pet. to Court. | |
| " 5 | Dep. of W. R. Hutton proving occupation since 1851 | |
| " 5 | " " Pablo Delalmeira proving signatures to 1st & 2nd Grants, Rec. of Jud. Poss. & mesne con. | |
| " 6.9 | " " J. Mariano Bonilla, (original Grantee) proving situation and boundaries of Rancho, occupation and why possession was not given till 1848. | |
| " 11.17 | Certified Expediente of 1st Grant (from the Archives), containing Pet. Grant, Map & Approval of Dep. | |
| " 19.21 | Translation of 1st Expediente (except the Grant) | |
| " 23.24 | " " " " 1st Grant. | |
| " 25 | " " Extracts from Minutes of Assembly, approving 2nd Grant. The Spanish of the Original is found on p. 35 of Transcript. | |
| " 27.34 | Expedite. of 2nd Grant, containing Pet. Map. Grant & App. (From Archives) | |
| " 37.39 | Translation of 2nd Expedite. except the Grant, for trans. of which see page xxx xxx 50 of Transcript | |
| " 41 | 1st Grant & Map | } Filed by claimant |
| " 43 | 2nd " | |
| " 44 | Mesne conveyance | |
| " 46.48 | Rec. of Jud. Poss. | |
| " 49.55 | Translation of the Doc's. filed by Claimant viz 1st. & 2nd. Grants, Mesne conveyance & Rec. of Jud. Poss. | |
| " 57.58 | Opinion of Board of Court. confirming 4 leagues | |
| " 59 | Decree " " " " " " " " " " | |

No 196
U. S. Dist Court
South. Dist of Cal
County of Los Angeles

Francisco Branch
all Appraisals
The United States
Apprs.

Index of Transcripts

196 SD
PAGE 157