

CASE No.
206

SOUTHERN DISTRICT

SANTA RITA GRANT

FRANCISCO SOBERANES

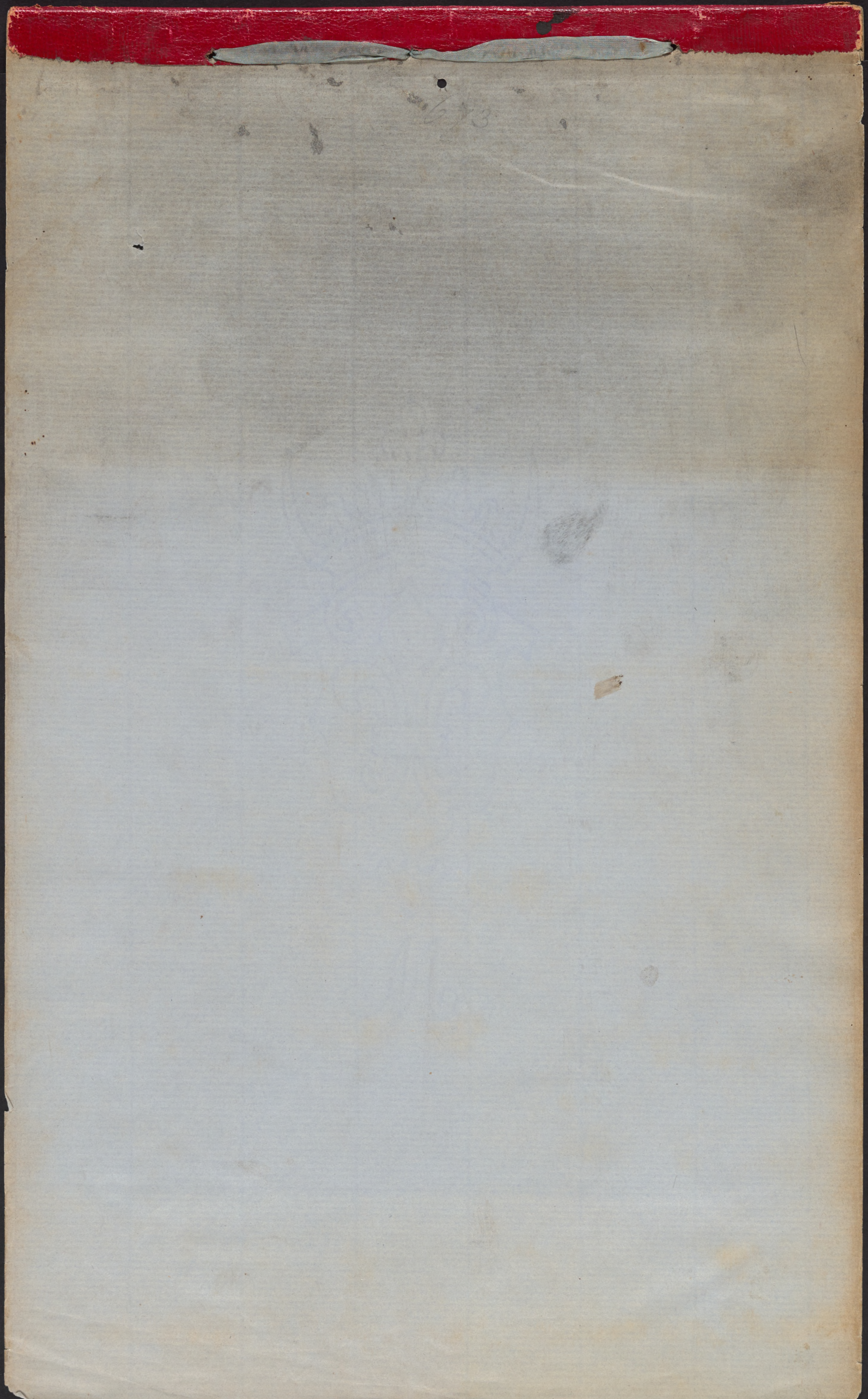
CLAIMANT

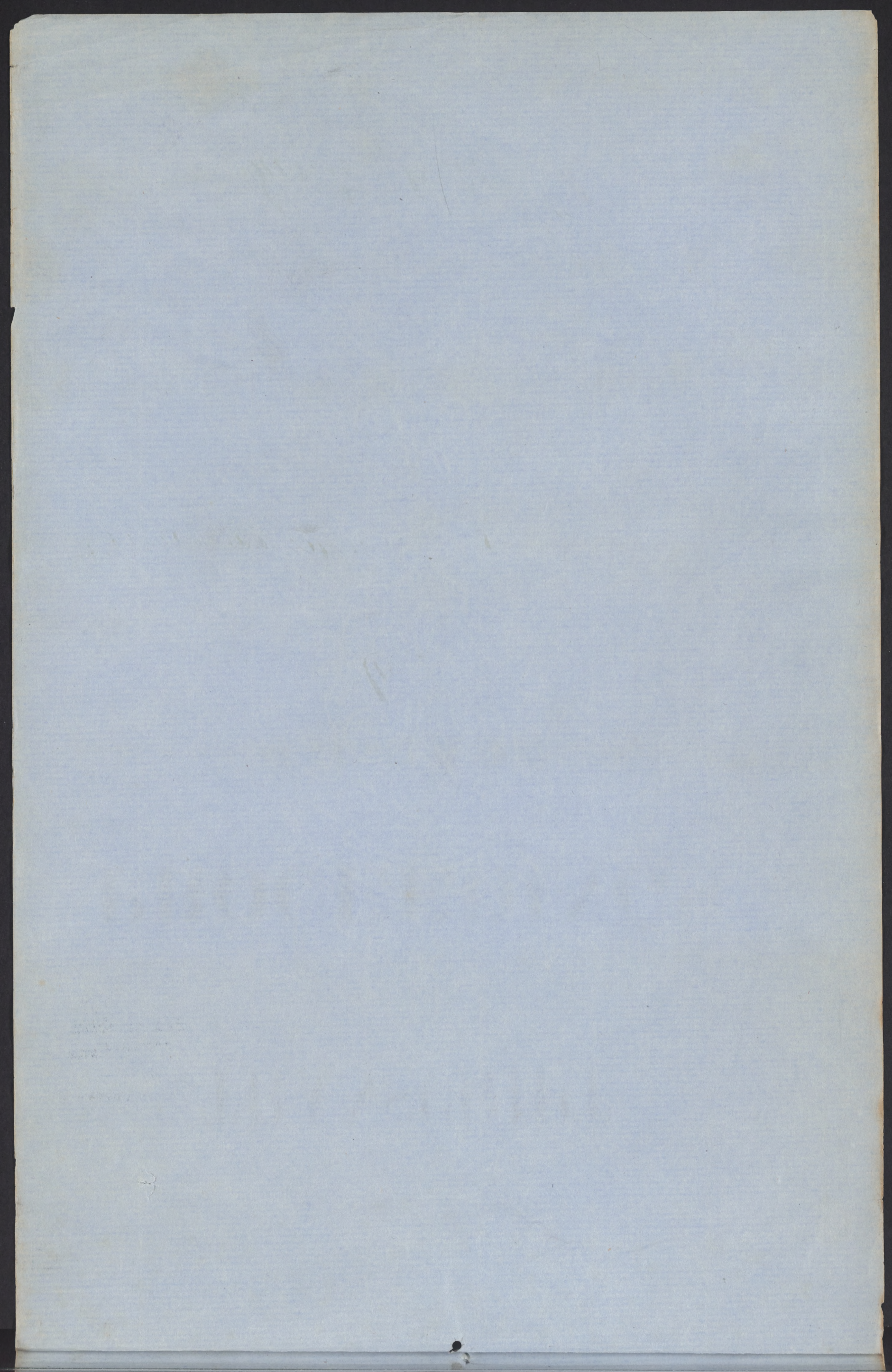
LAND CASE 206 SD pgs. 59

MAR 12 1963

STATE OF CALIFORNIA
SHERIFF DEPARTMENT
SANTA CRUZ COUNTY

WARRANT





TRANSCRIPT

206 SD

PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 673

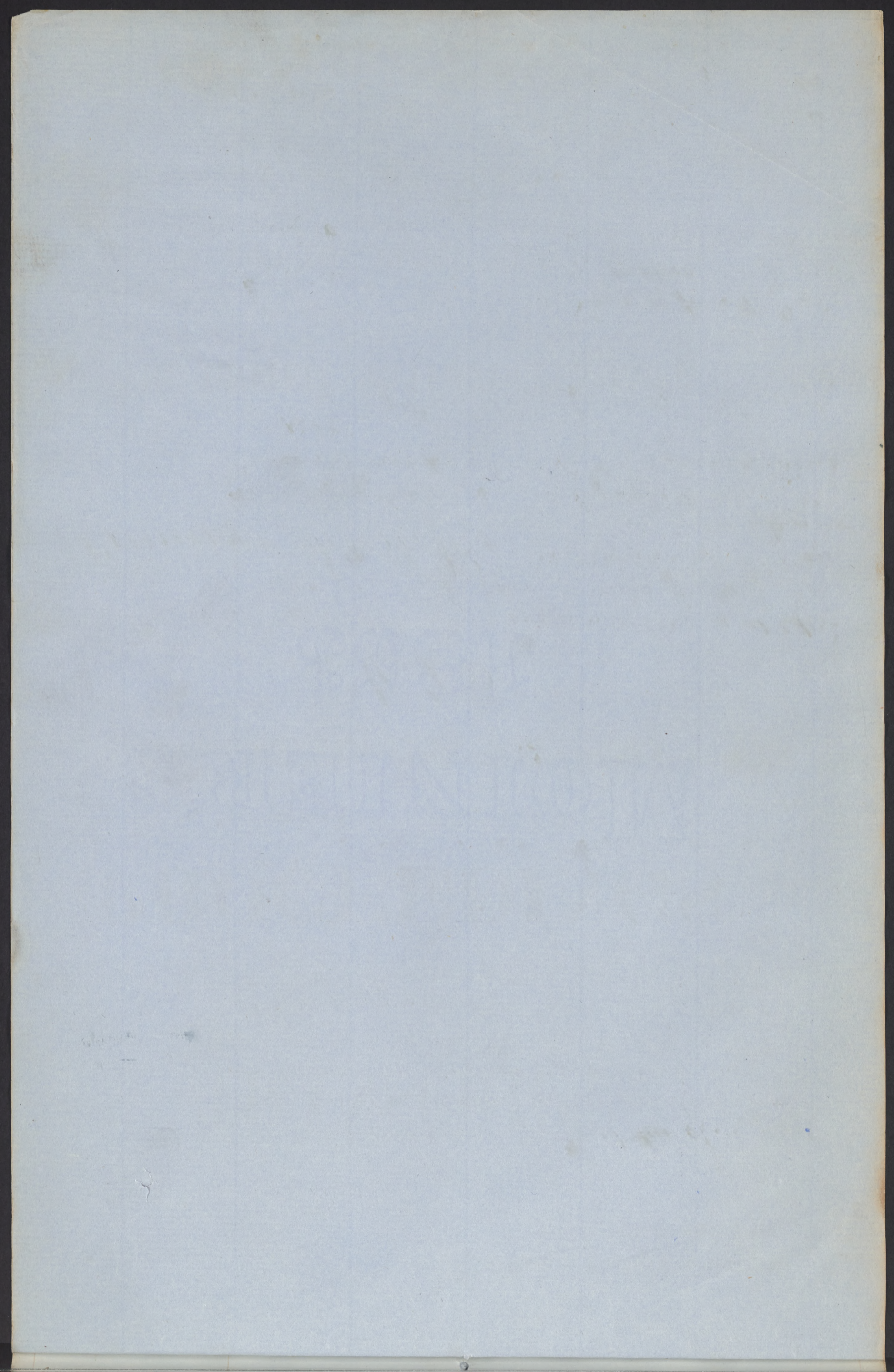
Francisco Sobranes CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Santa Rita"



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

The Petition of *Francisco Soberanes*,
~~~~~ for the Place named  
~~~~~ "*Santa Rita*,"  
was presented, and ordered to be filed and docketed with No. 673 and is as follows, to wit;

(Vide page *3* of this Transcript.)

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

San Francisco, August 31st 1853.
In Case no. 673, Francisco Soberanes for the place named "Santa Rita", the deposition of William A. Richardson, a witness in behalf of the claimant, taken before Commissioner Alphens Felch, with averment marked "No. 1. A. F.", annexed thereto was filed:

(Vide page 4 of this Transcript.)

San Francisco June 4 1854,
Case no. 673 on motion was ordered to be placed at the foot of the 1st Clap Cases on the Trial Docket.

San Francisco Aug. 17 1854.
Case no. 673 was submitted without argument.

San Francisco September 17 1854,
In the same case Commissioner S. B. Farwell
delivered the Opinion of the Board respecting the
claim:

(Vide page 9 of this Transcript.)
and the following order was made, to wit:
(Vide page 11 of this Transcript.)

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~~~~~



3  
To The U.S. Land Commission for  
the ascertaining and settling of Private  
Land Claims in California

The Petition of Francisco Soberanes  
respectfully sheweth, that on the 2<sup>d</sup>  
of August 1841, he made and presented  
his petition in writing to the Governor  
of California, praying for a grant of  
a Tract of land known as Santa Rita

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That said Governor Juan B. Alvarado  
by Decree dated the 3<sup>d</sup> of September  
1841, declared Your Petitioner the  
lawful owner of said Land.

That the Documents above referred  
to are herewith submitted to the inspec-  
tion of Your Honorable Body.

And Your Petitioner further saith  
that said Land is situate in the present  
County of Monterey, is known by the name  
of "Santa Rita" contains eleven Spanish  
Square Leagues more or less, and is  
bounded as follows.

On the North by the "Arroyo de las  
Canas del Padre Arroyo" on the South  
by the "dos palas" on the east by the  
"San Joaquin" on the west by the Chamisal

And Your Petitioner further  
states, that he has always from the  
time of obtaining said Grant been  
in the quiet and peaceable possession  
of said Land, and is not aware of  
the existence of any title conflicting  
with or superior to his own.

He therefore claims to be the owner  
of said Land and prays that Your  
Honorable Body will confirm and validate  
his claim and title thereto.

Clark Taylor & Beck,  
Attys for Soberanes

Filed in Office March 1<sup>st</sup> 1853.  
Geo. Fisher Sec.

Office of the Commissioners of Land Claims in California  
San Francisco Aug 30<sup>th</sup> 1853,

This day before Com<sup>r</sup> Alphens Delch came William A. Richardson a witness in behalf of Claimant. Francisco Sobreres Case No 673 who after being duly sworn deposed as follows.

Question by Mr Clark Atty Gen  
Claimant.

1<sup>st</sup> Question, What is your name, age, and place of residence?

Answer, My name is

Deposition William A. Richardson, my age fifty eight years, and I reside in Sausalito in Marin County and State of California. I have lived thirty-one years in California.

Wm A. Richardson

2<sup>nd</sup> Question. Look on the paper now here presented, to you marked "Exhibit No 1" with the initials "A F" and annexed to this deposition and state what you know about the genuiness of the document and the signatures thereto.

Answer. The document is genuine, the signatures of Juan B. Alvarado, Governon is genuine. I have often seen him write. I know the rubric of Francisco Sobreres, having often seen it made by him when signing his name, and believe that appearing on the paper presented to have been made by him. I think the map which is a part of said document was made by a Frenchman called Cambuston, who lived in Monterey, and frequently made maps & plans. I have seen him write and believe the writing on this map to be his.

Wm A. Richardson

Filed in Office of the C. L. C. at the taking of this deposition but declined to ask the witness any questions, subscribed and sworn to before me at San Francisco, this 30<sup>th</sup> day of Aug 1853,  
Alphens Delch Com<sup>r</sup>

(See an L.C.C. follows)

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5-

Titulo del parage del Sanjon de Sta. Rita  
Fa en favor de D<sup>no</sup> Xerme. Noveranes.

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PAGE

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1  
Dello Tercero Dos Reales: Habilitado provision-  
almente por la Aduana maritima del puerto de Mon-  
terrey, en el Departamento de las Californias para  
los años de mil ochocientos cuarenta y mil ochocientos  
cuarenta y uno  
Amiens Antonio Maria Osio

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(Seal) Como Vor Gobernador.  
El Ciudadano Excmo. Soberano  
Monterrey Sep: y natural de este departamento y  
de 1841. Vista la súplica de esta demarcacion ante  
presente solicitud al G. con mas haya lugar en dho:  
los informes y demas con el debido respeto hace presente  
documentos que se que de segundo de dho de esclusi-  
acompañan conee vamente a la Agricultura y cria-  
do en propiedad de ganados dando asi fomento  
Duplicante onze a los que con algunos sacrificios  
sitios de ganado ha. aelquerido, ocurre a la aere  
mayor en el terreno ditada autoridad de V. S. dho  
que expresa en este puesto siempre en la proteccion  
instancia y esta de los habitantes de este pais pa-  
demarcado en el que en concideracion al beneficio  
diceño. En tal vir que las leyes de colonizacion y  
tud el intereso de varias ordenes supremas propo-  
en este decreto que cionan a los Ciudadanos Meji-  
le servira de titulo canoso de ditba concederle en pro-  
podra tomar posesion de el parage conocido con  
cion conforme le el Nombre de Canyon de Santa  
convenja. Asi yo Rita situado en este Distrito en  
Juan B. Alvarado estencion de onze sitios de gana-  
Gob: constitucional de mayor y coincidente p: el Vor  
del departamento te con el Arroyo de los baños del  
de ambas Califor padre Arroyo por el Sur con los do-  
meio lo mande de palos por el Este con el Rio de San-  
crete y firme Joaquin y por el Oeste con el Cha-  
Juan B. Alvarado mi ojal del Llano como expresa  
el diceño que acompaña cuyo tere-  
no acredita de halla baldio. P. Tanto a G. respe-  
tivamente súplicas de digne de cretar como pide  
poder poseer en propiedad dho terreno de lo cual  
recibira gracia y justicia que pira V.

Monterrey Agosto 27 de 1841.

Excmo. Soberano

Filed in Office March 1<sup>st</sup> 1853. Geo: Fisher Secy

7  
Title to the Location of El Rancho de Santa Rita in favor of Don Juan<sup>co</sup> Soberanes.

Excellent Sir Governor!

The Citizen Francisco Soberanes, a native of this Department and resident of this Demarcation, as best may be consistent with Law and with due respect, represents before you; That being desirous to devote myself exclusively to agriculture and breed of Cattle so as to improve what I with some exertions have acquired, I apply to the distinguished authority of Your Excellency, who always are disposed to protect the inhabitants of this Country, that in consideration of the benefits which the colonization laws and several other supreme orders offer Mexican Citizens, you will be pleased to grant me the ownership of the location known by the name of Rancho de Santa Rita, situate in this District, being in extent eleven square leagues (sitios de ganado mayor) and bounded at North on the Arroyo de las Canoas del Padre Arroyo, at South on the two stakes (palos) at east on the river San Joaquin, and at west on the Chamisal del Llano, as expressed in the plan I accompany, which land is asserted to be vacant.

Therefore I respectfully pray Your Excellency to be pleased to decree as asked for, so that I can be enabled to possess said land in ownership, whereby I shall receive favor and justice I swear &c.

Monterey August 25<sup>th</sup> 1841,  
Francisco Soberanes

(In the margin) In view of the present solicitation, the reports and other

Translation

Expediente

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8  
documents accompanying it, I grant the Petitioner in ownership eleven square leagues (sitios de ganado mayor) on the tract of land expressed in this instance and marked out in the plan. In virtue hereof and this decree serving the interested party as a title, he may take possession as it best may suit him.

Thus did I Juan B. Alvarado, Governor Constitutional of the Department of both Californias, order decree and sign it.

Juan B. Alvarado

(Plan)

Filed in Office Oct 10. 1853.  
Gen. Fisher Sec

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BYCE  
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No 673, Francisco Soberanes }  
The United States }  
}

Claim for a grant of  
Land containing eleven  
square Leagues Called Yanzon de Santa Rita

Opinion

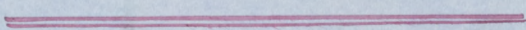
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The Claimant in this case asks for a confirmation of a grant to the above named premises, and has presented in evidence the original petition of the said Soberanes to Governor Juan B. Alvarado, bearing date 27<sup>th</sup> day of July 1841. Also a grant from the said Alvarado executed on the 7<sup>th</sup> day of September 1841, purporting to grant the said premises, and the genuineness of the signatures of the said Alvarado and the said Soberanes being established by the testimony of William A. Richardson,

No proofs whatever have been offered, going to establish the fact that the Claimant has taken any farther steps to perfect his title than above stated.

We are therefore of the Opinion that the said claim should be rejected and a decree entered accordingly.  
Rejected.

Filed in Office Sept 19, 1854,  
Geo. Fisher Sec.



No. 673.

Francisco Soberanes  
vs  
The United States

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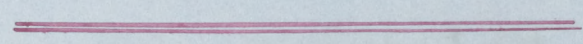
In this Case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the said Petitioner is not valid, and it is therefore Decreed that his application for a confirmation thereof be denied.

Decree

Alphens Felch  
R. Aug Thompson  
S. B. Farwell,  
Commissioners

Filed in Office Sept 19, 1854,  
Geo. Fisher Sec.

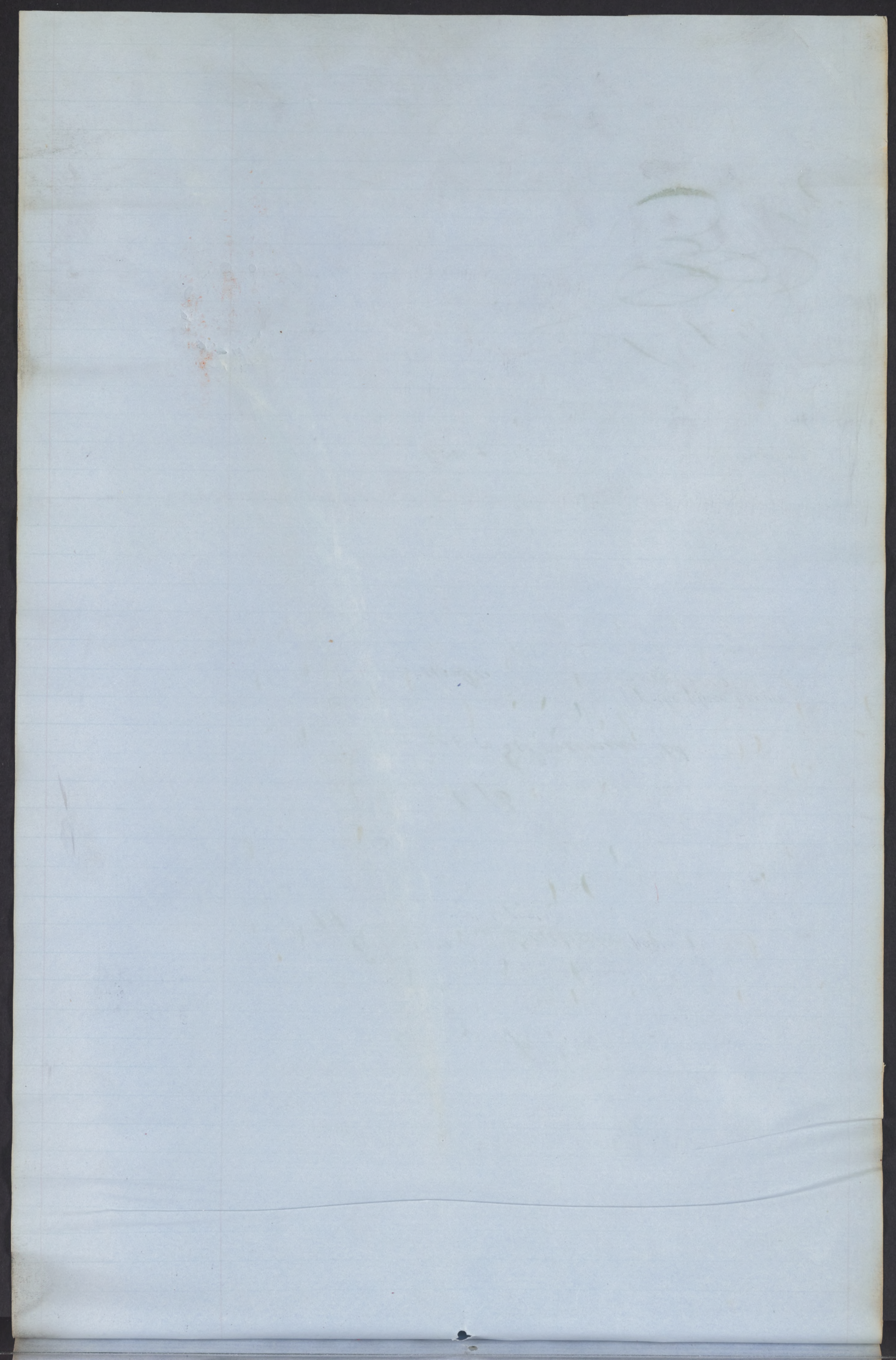
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And it appearing to the satisfaction of this Board that Pat. Land hereby adjudicated is situated in the Southern District of California it is hereby Ordered, that two Transcripts of the proceedings and of the decisions in this case and of the papers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



Office of the Board of Commissioners,

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

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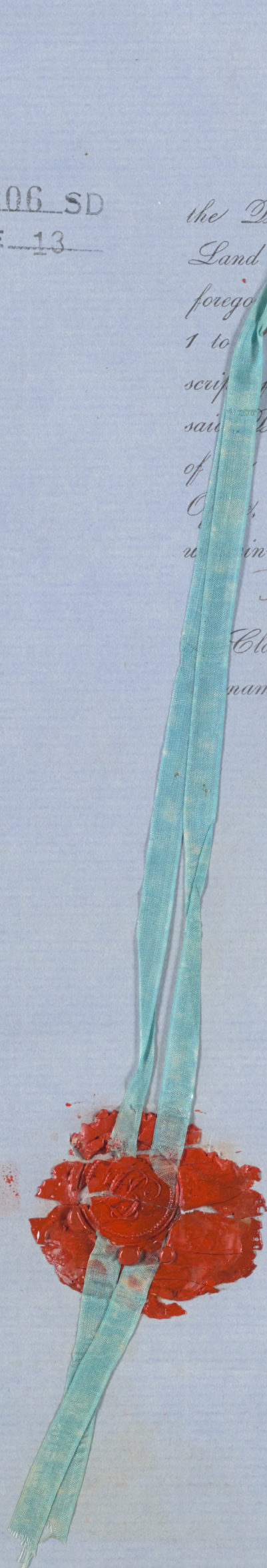
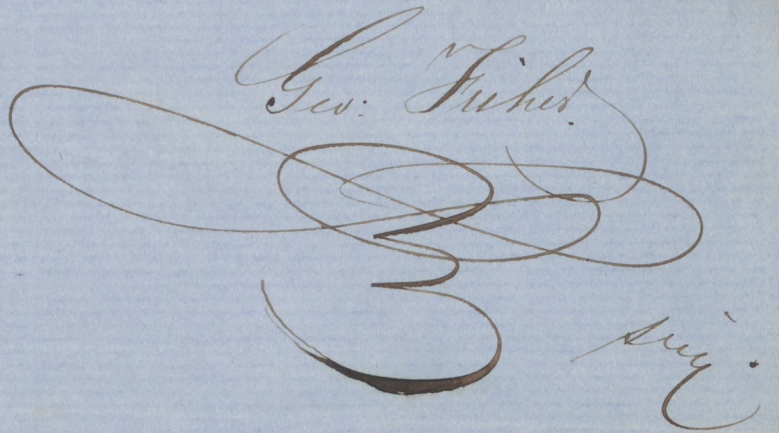
I *George Fisher* — Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Eleven* — pages, numbered from  
1 to *11*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of 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. *673* on the Docket of the said Board,  
as in

*Francisco Soberanes* is —

Claimant against the United States, for the place known by  
name of *Santa Rita*

In Testimony Whereof, I heretunto 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*



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

No. 206.

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THE UNITED STATES,

vs.

*Benjamin  
Rita.*

THE RECORD

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*100-1000*



No. 206. Francisco Sobron

Appellant

vs.

The United States

Appellee.

In the United States  
District Court for  
the Southern Dis-

trict of California.

Hon. Isaac S. B. Ogden, pre-  
siding judge.

The said Francisco Sobron,  
the appellant in the above entitled  
case, by attorney moves the said Court for  
leave to take further testimony in this suit,  
now on appeal from the Board of U.S. Land  
Commissioners to ascertain certain public  
land claims in the State of California,  
said case being no. 673. on the docket of  
said Commission — the said evidence to be  
used on the trial of said appeal.

D. S. Gregory  
Attorney for Appellant.

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N<sup>o</sup> 206

Filed April 23<sup>d</sup> 1855.

J. E. Fen.  
clerk

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Case No 673

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

Francisco Herrera

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app<sup>lt</sup>  
"

vs

The United States

app<sup>lee</sup>  
"

claim for "Santa Rita"

Sir!

Please take notice that the claim-  
-ant in the above case will prosecute the  
appeal therein.

San Francisco  
May 9<sup>th</sup> 1855

Yours respectfully  
Charles Taylor & Beeth  
Attys for claimant.

No 206.

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

Francisco Serrano  
app<sup>t</sup><sub>ty</sub>

vs

The United States  
app<sup>t</sup><sub>ty</sub>

Claim for Santa Rita  
Jura may 22, 1858. G. E. Carr  
Clerk

Roll of Appeal

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Charles Taylor & Beeth  
Attys for claimant.



In the District Court of the United States, for the Southern  
District of California. On Appeal from the Board of  
U. S. Land Commissioners

United States  
vs  
Francisco Solmanes

} Claim for "Sanjon de Santa Rita"

In the case of said Court.

Mexico

Wartman are hereby substituted as the sole Attorneys  
of the Claimant in the above entitled case. January  
2<sup>nd</sup> 1857.

Man/ Castro  
Per Fran<sup>co</sup>. Severnes

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No 206

In U.S. District Court

Southern District

----- " -----

United States

"

Francisco Solerans

----- " -----

Ulcium Juan Sanjón de Santa Rita

----- " -----

Substitution of Attorneys

-----

Filed this 5<sup>th</sup> February  
1857

Clerk of Court  
J. McQuinn  
Clerk

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U. S. District Court  
<sup>Southern</sup>  
~~Northern~~ District of Cal<sup>a</sup>

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Case No. 206

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The United States

vs

Francisco Soberanes

---

Deposition of Juan B. Al-  
varado, a witness on behalf  
of the Claimant. -

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Filed this 3<sup>d</sup> February  
1857  
Clerk  
J. M. Coleman  
sep

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In the United States District Court, for the Eastern District  
of California.

On Appeal from the decision of the Board

206 <sup>Q</sup> <sub>SD</sub>

U.S. Land Commission.

PAGE 21

The United States

"

Francisco Edmunds

Claim for "Sanjon de Santa Rita"

It is stipulated and agreed between the  
undersigned that the claimant in the above entitled cause, may  
be <sup>as reside in the Northern Dist of California</sup> proceed to take the depositions of such witnesses ~~as may be~~  
~~any to establish his claim in said cause~~, at any time it  
may be convenient ~~for him~~, before proper authority, in the  
City of San Francisco, State of California, provided claimant noti-  
fies the U.S. District Attorney for the Northern District of Cali-  
fornia <sup>names of the witnesses & the</sup> ~~of the~~ time and place of the taking of such depositions,  
<sup>at least two days before the taking of the same; &</sup>  
~~and~~ that the same may be read on the trial of this cause  
subject however to all <sup>legal</sup> objections ~~or to the competency of~~  
~~the party thus made~~, not waived by this stipulation.

San Francisco, November 20, 1886,

J. D. M.  
at atty.

Stow & Hartman

Atty for Claimant

I consent to take the depositions in the  
within case

Nov 25. 1858.

And standing

at his City

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

-----"  
The United States

"  
Francisco Edmunds

for "Santa Rita"

-----"  
Stipulation for taking  
testimony

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

On Appeal from the decision of the Board  
of U.S. Land Commissioners.

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The United States  
" "  
Francisco Solmanes

} Claim for "Sanjon de Santa Rita"

To William Blanding Esq, U.S. District  
Attorney for the Northern District of California.

Sir,

You will  
take notice that the depositions of certain witnesses, <sup>to wit John B. Alvarado</sup> being  
in the aforesaid Northern District, to be used on the trial  
of the Appeal in the aforesaid Southern District, will be  
taken before George Ben Johnston by a Commissioner  
of the United States, at his office on the 12<sup>th</sup> inst, between  
the hours of 10 A.M. and 4 P.M. of said day, and  
the taking of said depositions to be continued from  
day to day between the hours aforesaid until finished  
Dec 9, 1856.

Edwin A. Hartman  
Atty, for Appellants

December 9, 1856. I acknowledge service of the above  
notice.

Wm Blanding  
Dist Atty

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

-----  
The United States

Francisco Solares

-----  
Notary

UNITED STATES DISTRICT COURT,  
<sup>Southern</sup>  
~~Northern~~ District of California.

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San Francisco, Dec 12<sup>th</sup> 1856

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ON this day, before *Geo. P. Johnstone* a  
Commissioner of the United States for the ~~Northern~~ District of California, duly  
authorized to administer oaths, &c., &c., came *Juan B. Alva-*  
*rado* a witness produced on behalf of the  
*Claimant (Francisco Siveranes)*  
in Case No. , being an appeal from the Board of Commissioners to ascer-  
tain and settle the Private Land Claims in the State of California, in Case  
No. *673*, on the Docket of the said Board of Commissioners, and was duly  
sworn and testified as follows — ~~his evidence being interpreted by~~  
~~a sworn interpreter~~

PRESENT:

*The U.S. Dist Atty for the Northern District of Cal<sup>as</sup>*  
*on behalf of the U.S. — and Sloan & Hartman, on*  
*behalf of the Claimant*

QUESTIONS BY *Sloan & Hartman*

on behalf of the Claimant.

Direct Examination.

Ques. 1. — "What is your name, age, and place of residence?"

Ans. 1. — "My name is Juan B. Alvarado, I am forty  
seven years of age, — and I reside in Contra Costa  
County Cal<sup>as</sup>."

Ques. 2. "In what official capacity, did you serve,  
in the State of California, while it was yet  
under the dominion of the Mexican Government?"

Ans. 2. — "In different capacities especially as Gover-  
nor of the Californias from the year 1839 to  
1842."

Ques. 3. — "State if, as Governor during the year afore-  
said, you made grants of the public do-  
main, under the Mexican laws for that purpose?"

Ans. 3. "I did, make such grants."



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Ques. 4. What were the steps necessary to be taken under the laws of Mexico, to acquire a perfect grant or "título"?

Ans. 4. - It required first a petition from the person seeking the land, addressed to the Governor; if the Governor desired further information, than the facts set forth in the petition, he referred the petition to some of the local authorities, near the land petitioned for, for such further information; if however the Governor did not deem it necessary to have further information, he made no such reference; but proceeded to make the grant in the usual manner: - usually after the grant was made it was registered in the Book of Titles in the Secretary's office (the Secretary of the Governor) - but in some few cases the parties were satisfied with their titles without such registration."

Ques. 5. - Look upon the document now shown you marked "Exhibit A. G. P. 3" and make part of this deposition and state, whether you have ever seen the original of the same?"

Ans. 5. - I have seen the original, of which this document, is a correct copy. -

Ques. 6. - "Who signed and executed the original?"

Ans. 6. - "The petition is signed by Francisco Soleranes, and the decree was signed by myself, as Governor."

Ques. 7. - "State why in this case, you did not refer the petition to some of the local authorities for further information?"

Ans. 7. - "Because, I was satisfied myself, that the land petitioned for, was vacant land."

Ques. 8. - "State whether the decree in this

case, made upon the margin of the petition, was intended for a provisional decree, or a definitive decree?"

Ans. 8. - "I intended the decrees for a definitive decree."

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Ques. 9. "State if you now remember, of having made any other definitive decrees for lands, without referring the petition for information, during the time you were Governor, as aforesaid?"

Ans. 9. - "I did make a decree in the Sutter case (New Helvetia) and in some other cases, without referring the petition for information; - the object in doing so, was to cause the lands to be rapidly settled, in order to protect the country against the Indians."

Ques. 10. - "Are you acquainted with the country, in which the land is situated in this case?"

Ans. 10. - "I know where the land is but have never been on it."

Ques. 11. - "State what was the situation of the country about the years 1840, 41, & 42, in regard to Indian difficulties and depredations?"

Ans. 11. - "The country during that period, was infested on all sides, with hostile Indians - who were fighting and committing

all sorts of deprivations."

Ques. 12. - "State if, in your opinion, it was either  
safer, or expedient, in the Years 1841 and  
1842 and up to July 1846 to occupy  
a grant of land, lying on the San  
Craquin River, in consequence of the  
Indian difficulties and deprivations  
aforesaid?"

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Ans. 12. "It was not safe or possible on that  
account to occupy land there — during  
the period aforesaid."

Sworn to & subscribed by Juan B. Alvarado  
before me this 12<sup>th</sup>  
day of December 1856.

Geo. Pen. Johnston  
U.S. Commissioner

Mon: \$3.<sup>00</sup> paid by Claimant's Atty to  
Juan B. Alvarado, for witness fees.

W. D. Jones  
U.S. Commissioner  
Dist of Cal.

United States of America

Northern District of California,

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I George Ben Johnston a Commissioner of the United States for the District of California, do hereby certify that on the 12<sup>th</sup> day of December A.D. 1856 personally came before me the respondent Juan B. Alvarado a witness produced on behalf of the Claimant, and the said witness being by me first duly sworn to speak the whole truth the whole truth and nothing but the truth, I proceeded to reduce to writing the foregoing deposition, which when completed I carefully read to the said witness, and which was corrected by him in any particulars he desired, and was then subscribed by him.

I further certify that there was present at the taking of the same Isaac Hartman Attorney of claimant, and William Blandings Esq. U. S. District Attorney for the Northern District of California. And that the same was taken in presence of the stipulation and notice hereto attached, and at the time and place and between the parties mentioned in said notice.

Given under my hand and seal this 12<sup>th</sup> day of December A.D. 1856.

Geo. Ben. Johnston Esq.  
U. S. Commissioner Dist. of Cal.

Almonado

PAGE

Filed this 10th February  
1852  
C. S. S. Clerk  
J. M. Coleman  
S. D.

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*[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]*

In the District Court of the United States, for the  
Northern District of California.

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

U. S. 206 SD

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Francisco Solares

} Claim for "Sanjon de Santa Rita"

Depositions of witnesses residing  
in the Northern District of California, will be taken  
for claimant before George Bee Johnston U.S. Com-  
missioner, at his office in the City of San Francis-  
co on the 30<sup>th</sup> inst, between the hours of 11 o'clock  
A.M. and 4 o'clock P.M. of said day, and the ta-  
king of the depositions aforesaid will be continued  
from day to day between the hours aforesaid until  
finished. July 25, 1857.

To William Blanding Esq  
U.S. District Attorney  
for the Northern District  
California.

Slown & Westman  
Attys for Claimant

July 25, 1857. I acknowledge service of the aforesaid  
notice.

Wm Blanding  
Dist Atty

UNITED STATES DISTRICT COURT,  
~~Northern~~ <sup>Southern</sup> District of California.

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PAGE 32

The United States }  
vs }  
Francisco Soberanes }  
San Francisco, Jan 30<sup>th</sup> 1857.

ON this day, before me, Geo. P. Johnston a  
Commissioner of the United States for the ~~Northern~~ District of California, duly  
authorized to administer oaths, &c., &c., came Vincente Perfecto  
Samoy a witness produced on behalf of the  
Claimant

in Case No. , being an appeal from the Board of Commissioners to ascer-  
tain and settle the Private Land Claims in the State of California, in Case  
No. 673 on the Docket of the said Board of Commissioners, and was duly  
sworn and testified as follows — his evidence being interpreted by  
J. H. Blood a sworn interpreter

PRESENT: Wm Blanding Esq U.S. Dist Atty N.D. California  
on behalf of the United States, by request of P. Ord Esq U.S.  
Dist Atty of the Southern District of Cal., and Sloan &  
Hartman, on behalf of the Claimant.

QUESTIONS BY Sloan & Hartman,

Attys, on behalf of Claimant, —

Ques. 1. — "What is your name, age, and place of res-  
idence?"

Ans. 1. — "My name is Vincente Perfecto Samoy, I am  
thirty four years of age, and I reside in San  
Francisco."

Ques. 2. — "Are you acquainted with Francisco So-  
beranes the Claimant in this case?"

Ans. 2. — "I know him very well."

Ques. 3. — "Do you know the lands claimed in  
this cause, ~~to wit~~ to wit, the ~~San Juan~~ San-  
jon de Santa Rita?"

Ans. 3. "I do."

Ques. 4. "On what river is it situated?"

Ans. 4. "On the San Joaquin River."

Ques. 5. "State what you know of a grant of the same having been made, to Claimant and what you know of the occupation of the same by Claimant, if you are acquainted with the boundaries, if so state them, and answer this question fully, in all respects?"

Ans. 5. The title to this land, was issued to Claimant, by Juan B. Alvarado, former Governor of the Department of the Californias; I know this by having made application for a grant of the same Ranch to myself, when I was shown the titles, and afterwards the Ranch of "Panoche Grande" was granted, to me; Soberanes, the Claimant, on his way to occupy the Ranch stopped with two or three servants, and some horses for some provisions at my place, I was then living with my father at Los Angeles; and afterwards Soberanes went on to the Ranch "Sanjon de Santa Rita" remaining there but a short time, when he was driven off by the Indians, - this was about the year 1843 or 1844; - the Ranch "Sanjon de Santa Rita" is bounded on the North by the "Banos del Padre Arroyo" on the South by the "Dos Palos", on the East by the River "San Joaquin", and on the West by the "Chamisal" of Pacheco's land."

Ques. 6. "Were you acquainted with the political



United States of America

Northern District of California.

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I George Ben Johnston a Commissioner of the United States for the District of California, do hereby certify that on the 30<sup>th</sup> day of January A.D. 1857 personally appeared before me the agencina Vicente Perfecto Gomez a witness, produced on behalf of the claimant and the said witness being by me first duly sworn to speak the truth the whole truth and nothing but the truth. I proceeded to reduce to writing the foregoing deposition, which when completed I carefully read to the said witness, and which was corrected by him in any particulars he desired and was then subscribed by him.

I further certify that there was present at the taking of the same Isaac Martin Attorney of claimant, and William Blanding Esq U.S. District Attorney for the Northern District of California. And that the same taken in pursuance of the stipulation attached to the deposition of Juan B. Alvarado in this case and the notice hereto attached, and at the time and place, and between the parties mentioned in said notice.

Given under my hand and seal this 30<sup>th</sup> day of January A.D. 1857.

Geo. Ben Johnston Esq  
U.S. Commissioner Dist of Cal

condition of the country, with regard to Indian disturbances, in the neighborhood of this claim, between the Years 1841 and 1846?"

Ans. 6. - I am acquainted with <sup>the</sup> political condition of the country at that time; the government was always at war with the Indians during that period, and they ravaged all that stretch of country, up to Monterey the capital. -

Ques. 7. State if, in your opinion, it was possible for the Claimant, safely to occupy, improve and cultivate, the land granted in this case, during or between the years above mentioned? -

Ans. 7. - He never could have occupied it with security during that time, on account of the Indians. -

Mormi. (The witness was put upon his "voir dire", and testified, that he had no interest, in the land, in controversy. -)

Oral Examination waived by U.S. Atty on behalf of the United States.

Examined & subscribed,

before me this 30<sup>th</sup> day

of January, A.D. 1857.

Geo. P. Johnston  
U.S. Commissioner

Vicente J. J. Gomez

Solunans

1844

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W. S. J. (unclear)

1844

U.S. District Court  
Southern District of Cala

Case No. 206

The United States  
vs  
Francisco Soberanes

Deposition of Vincente  
Perfecto Gomez, a witness  
produced on behalf of  
the Claimant.

Filed this 10th February  
1837

C. Sims Clerk  
J. M. Coleman  
S. P.

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San Francisco, Feb 3, 1857

W Sims Esq,

Clk U.S. District Court S.D. Cal<sup>a</sup>;

Dear <sup>Si.</sup> Sir, Enclosed you will find depositions which you will please file in the respective cases. You will also find enclosed true certificates which you will please attach to the depositions of Isaac B. Alameda in the same cases, heretofore transmitted to you

Yours truly

Geo. W. Johnston

U.S. Commissioner

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Frida 10th February  
1857  
C. S. S. C. R.  
J. W. Coleman  
S. P.

206 SD



No 206

In U.S. District Court & District

~~~~~"~~~~~

Francisco Edmunds

vs

U.S.

~~~~~"~~~~~

Petition for Release

~~~~~"~~~~~

Filed this 10th February
1857

Clerk
J. M. Coleman
sep

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Slaves & Heirs thereof
vs Claimants

United States of America, } SS.
SOUTHERN DISTRICT OF CALIFORNIA.

THE PRESIDENT OF THE UNITED STATES,

TO

P. Cord M. S. Petty

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TAKE NOTICE, That a Petition, a copy of which is herewith served upon you, has been filed against ~~you, and each of you,~~ ^{*The United States*} in the District Court of the United States, in and for the Southern District of California, on the *10th* day of *February* in the year of our Lord, one thousand eight hundred and fifty-*seven*, at the City and County of Los Angeles, in said District, by

GREETING :

*Francisco Soberanus praying
said Court to ~~revoke~~ ^{renew} the decision of the Board
of Land Commissioners of the 19th September
1854 rejecting his claim to ~~the~~ ^{the} same leagues
of land in the Southern District of Calif^a.*

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.

In witness whereof, I have hereunto set my hand, and affixed the Seal of the said Court, this *10th* day of *February*, in the year of our Lord, one thousand eight hundred and fifty-*seven*, at Los Angeles aforesaid.

C. Sims Clerk.
J. H. Coleman



Marchals Court

Copying summons to
bring same
Petition
J. C. Co

No 206

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF CALIFORNIA,
U. S. DISTRICT COURT.

Francis Sherman
attorney

vs
The United States

Return this 12th Feb 1857
Adams copy
J. A. Coleman

SUMMONS.

206 SD

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I served this Summons, along with the proper copy of the Petition, upon
W. S. Army by delivering to him personally a true
Copy of same
at *Los Angeles*, in the Southern District of California, on
the *12th* day of *February*, A. D. 185 *6*.

Sworn to and subscribed before me, this
12th February 1857

John
J. A. Coleman
Clerk.

Edward Hunt
U. S. Marshal.

Jr. W. Goodman
Deputy

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

Francisco Soberanes,)
Appellant N. 206.

vs.)
The United States)
Appellee)
Cases N. 600.

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The answer of P. O. Attorney of the
United States for the Southern District of
California, for and in behalf of the
United States, to the petition for review
of said Appellant, denies generally
the allegations in said petition, and
the validity of the alleged title of the
claimant - And prays that the
Court will affirm the decision of the
Board of Land Commissioners, and
decree the said alleged title to be
invalid. And general relief.

P. O.
District Attorney, U.S.

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Assessors of N.S. My

Feb 12th February 1857
C. S. S. C. C.
of St. Coleman
Dep

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

Francisco Solares

Appellant

Case No 206

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PAGE 45

vs

The United States

Appellee

"Sanjon de Santa Rita"

Transcript No 673

Item

This cause coming on to be heard on appeal
from the decision of the United States Board
of Land Commissioners to ascertain and settle
the private land claims in the State of Califor-
nia under an act of Congress approved March
3^d. 1851 on a Transcript of the decision and
proceedings of said Board, and the papers
and evidence upon which said decision was
founded, and the other evidence adduced
by the appellant before this Court, and it
appearing to the Court that said Transcript
and the notice of appeal have been duly
filed according to law, and counsel for the
respective parties having been heard.

It is ordered
adjudged and decreed, that the decision of

said Board of Land Commissioners, he and
the same is hereby reversed, and that the
claim of Appellant is good and valid and
the same is hereby confirmed to him as fol-
-lows, ~~from~~ ^{thence} leagues of land situate in the present
County of ~~San Joaquin~~ State of California, and here-
-after as follows, on the north by the "Rancho
del Padre Arroyo", on the south by the "Las
Palms" on the east by the River "San Joaquin"
and on the west by the "Blissfield" ^{del Llano} of ~~Blissfield~~
land, and which said tract is known by the
name of "Sanjon de Santa Rita" Provided the
land within the boundaries aforesaid contain
thence square leagues of land and no more,
and provided that if a less quantity be
contained within the limits aforesaid that
then confirmation be made to such less quan-
-tity and no more, according to the calls of
the grant in this case, and reference being had
to the map in the transcript, and the evidence
on file in the case for a full description.

James M. Ogden
U. S. District Judge
for the S. Dist. of Cal.

No 206

U. S. District Court
Southern Dist of Cal^y

Francisco Solimanis
vs
Appellants

The United States
Appellants

vs
Deems

Filed July 9th 1884
Chas
Clerk

Recorded on Page 226
"

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District Court of the
United States Southern
District of California

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The United States) In D.C. No 206
) Santa Rita
) L.C. No 673
at
Francisco Tolerares

Now comes J. P. Mitchell
U.S. Dist. Atty and moves the
Court for leave to appeal
the above named case

J. P. Mitchell
U.S. Dist. Atty

Upon reading of the above
motion, It is ordered by the
Court that appeal in the
above case is hereby granted

NO 206

The United States
of
Francisco Sobrance

Petition and order
of appeal

Filed in office this
the 14th Sept 1859

Spencer

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

Francisco Edwards

No 206

Appellant

vs

Benjamin de Santa Rita

The United States

Appellee

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On motion of J Hartman Attorney of the
Appellant, and on presenting to the Court
the mandate of the Supreme Court of the
United States, dismissing the appeal in this
case from this Court to the ^{second} Supreme Court
of and remanding the case to this Court
for further proceedings, it is ordered that
said mandate be filed in this Court, and
it is further ordered and adjudged that
said Appellant have leave to proceed under
the decree of this Court heretofore rendered
in this case as under a final decree.

Thus

done in open Court this 1st day of Novem-
ber A.D. 1860.

Charles K. Ogden

U. S. District Judge

John S. Davis of Cal

No 206

Francisco Solimanis

Ats

The United States

Order for filing man-
data, and marking
them final

Filed this 1st
Nov 1860

C. Jones
clerk

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Markman for Appeal

UNITED STATES OF AMERICA, SS.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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

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greeting:

Whereas, lately, in the District Court of the United States, for the Southern District
of California before you, _____ in a cause
between Francisco Loberanes, appellant and the
United States, appellees, wherein a decree
was rendered in favor of the said appellant
whereupon the said appellees prayed an
appeal which was duly allowed by the said
District Court to remove the said cause to
the Supreme Court of the United States —

UNITED STATES OF AMERICA

THE PRESIDENT OF THE UNITED STATES OF AMERICA

as by the inspection of the ~~transcript of the record~~ *Certificate of the Clerk of said Court under the seal* of the said *District Court*, which was brought into the Supreme Court of the United States, by virtue of _____

agreeably to the act of Congress, and the rules of the said *Supreme Court* _____ in such case made and provided, fully and at large appears.

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And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *fifty nine* the said cause came on to be heard before the said Supreme Court, ~~on the said transcript of the record, and was argued by counsel.~~ ~~On consideration whereof,~~ and it appearing that the appellants have failed to have this cause filed and docketed in conformity to the rules of this Court, it is now here ordered, adjudged and decreed by this court that this appeal, from the District Court of the United States for the Southern District of California, be and the same is hereby docketed and dismissed, and that this cause be and the same is hereby remanded to the said District Court.

26 March.

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

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

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

COSTS OF _____
Clerk.....\$ _____
Attorney...\$ _____
\$ _____

Paid by

Wm. H. Carroll
Clerk of the Supreme Court of the United States.

No. 354, December Term, 1859

MANDATE
SUPREME COURT UNITED STATES.

No 206

U. States vs Oberauer.

Given this 1st Nov 1860

Johns etc

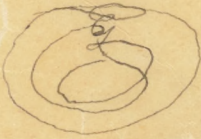
Mr Hartnell

7.50

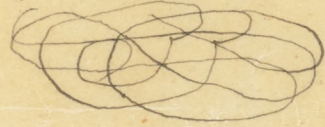
SELLO TERCERO DOS REALES.

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

Ximeno



Antonio Maria Osio.

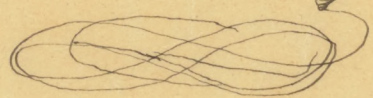


Exmo Sr Gobernador

El Ciudadano Tran. Soberanes natural de este Departamento y vecino de esta demarcacion ante V. E. Como Monterrey Sep. 7 de 1841 mas haya lugar en otro. con el debido respeto hace presente: que desean


Justo la presendo dedicarse esclusivamente a la agricultura y cria de ganados de los informes y de los asi fomento a los que con algunos sacrificios ha adquirido, con mas documentos que se acompañan re a la acreditada autoridad de concedo en propio dad al Suplican V. E. despuesta siempre en la pro- to onre setos de fecion de los habitantes de este ganado mayor en pais para que en consideracion el terreno que ex- presa en esta ins. al veneficio que las leyes de colv- tacion y esta de vidacion y varias ordenes Supre- marcado en el deccer. En tal mas proporcionar a las Ciudadas virtud el inter- nos Mexicanos se surba conceder sado en este decreto que le servira de le en propiedad el paraje como lita to podra to- rido con el nombre de Sargon de mar posesion Santa Rita Situada en este Dis- conforme le con venga. Asi yo trito en estencion de once Sitios Juan B Alva de ganado mayor y colindando p^r rade gob or el Norte con el arroyo de los banos =

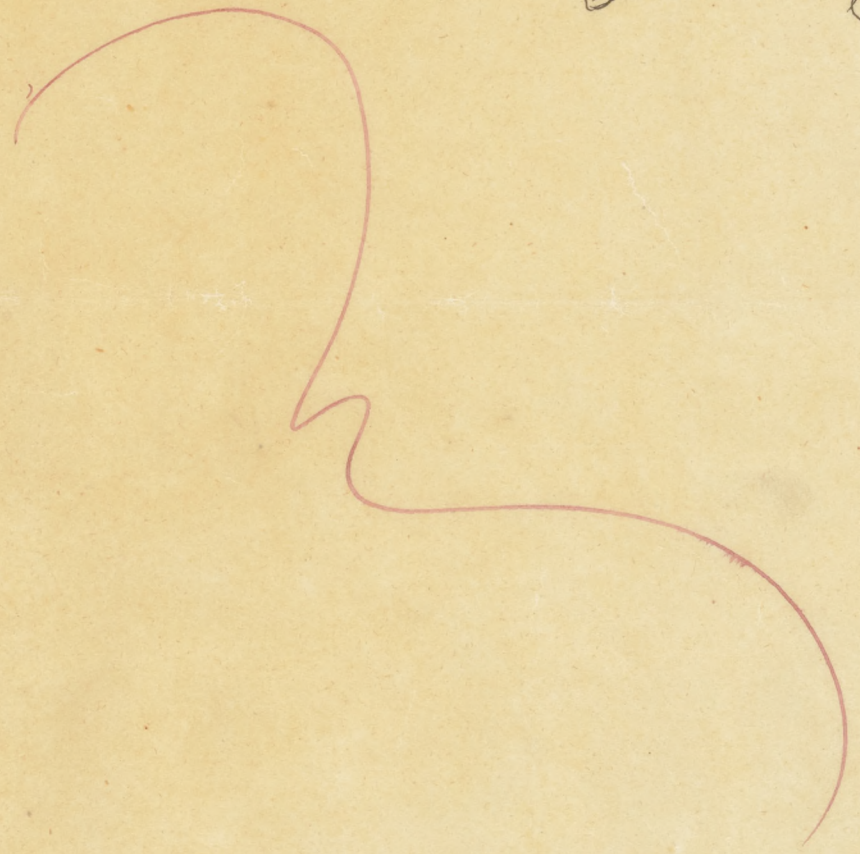
Constitucional del Padre Arroyo por el Sur con los
 del Departa dos palos por el este con el Rio de
 miento de am San Joaquin y por el
 bas Californias Oeste con el Chamisal
 lo mande de del Llano como espresa
 crete y firmé el diseño que acompaña en-
 Juan B. Alvarado yo terreno acredita se halla baldio



P. Tanto a V.E. respetuosamente suplico
 ca se digne decretar como pide p.
 poder poseer en propiedad dho ter-
 reno de lo cual recibirá gracia y
 justicia que jura S^a

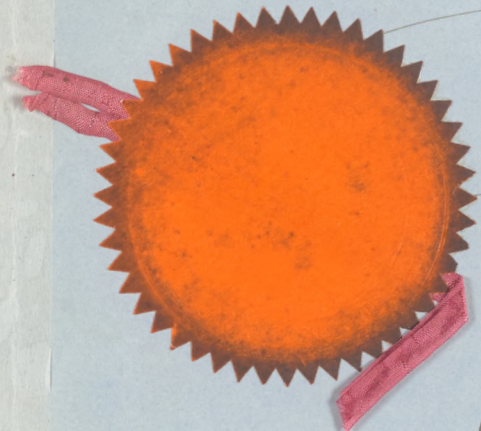
Monterrey Agosto 27 de 1841

Juan^{co} Soberanes




Office of the 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 on file in my office, and in my charge and custody the Records and papers, of the late Board of United States Commissioners to ascertain and settle the private land claims in California, by virtue of the power vested in me by law, Do Hereby Certify, that the three preceding, and hereunto annexed pages of tracing paper, numbered from one to three inclusive, exhibit a true and accurate copy of a document on file in Case No. 673 on the desk of said Commission ordered "Exhibit No. 1 A. F. - No. 673. U. S. Land Commission. Francisco Soleranes. Expediente Filed in Office March 1 1853, per Fisher say. Exhibit No. 1 A. F. annexed to the Deposition of Mr. A. Richardson in Fisher say



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 10th day of Dec. 1856

John C. Hays

U. S. Surveyor General for California.

Extract from the 2nd Section of the Act of Congress "providing for the Survey of Public Lands in California, and for other purposes," Approved, March 3d, 1855.

"The Secretary of the Interior is hereby authorized to cause an official Seal to be prepared for the Office of the said Surveyor General, [California] and any copy or extract from the plats, field notes and other records and documents on file in his office, when attested as such by the said Seal and the signature of the Surveyor General, shall, in all judicial matters, have the same force and effect as the original."

Exhibit A.

G.P. 3



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673 B4

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