

CASE No.
215

SOUTHERN DISTRICT

RINCON DE SALINAS GRANT

RAFAEL ESTRADA
CLAIMANT

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 535.

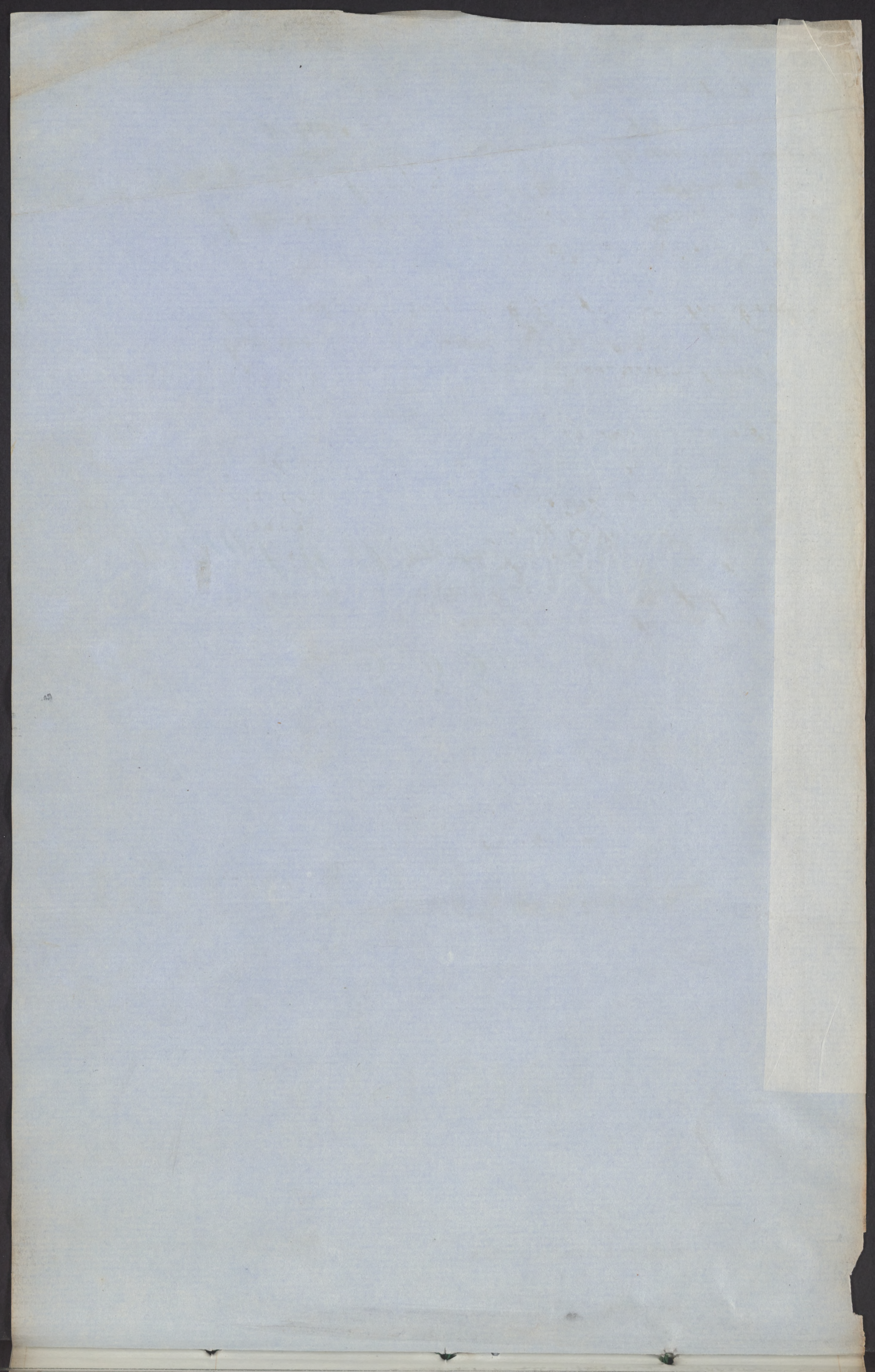
Rafael Estrada CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Rincon de las Salinas.



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *Twenty ninth day of January,*
Anno Domini One Thousand Eight Hundred and Fifty-~~Three~~, before
the Commissioners to ascertain and settle the Private Land Claims in
the State of California, sitting as a Board in the City of San
Francisco, in the State aforesaid, in the United States of America,
the following Proceedings were had, to wit;

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The Petition of *Rafael Estrada,*
for the Place named
"*Rincon de las Salinas,*"
was presented, and ordered to be filed and docketed with No. 535 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 January 29th 1853.
In case no. 535, Rafael Estrada for the place named
"*Rincon de las Salinas,*" the deposition of W^m E. P.
Mattrell, a witness in behalf of the claimant, taken
before Commissioner Harry S. Thornton, with document
marked "no. 1. H. S. T." annexed thereto, was filed:

(Vide page 5 of this Transcript.)

San Francisco, Sept. 23rd 1853.
Case no. 535, on motion of the counsel for the
claimant, was ordered to the foot of the Docket.

San Francisco Oct. 24th 1853.
In the same case the deposition of David Spence, a
witness in behalf of the claimant, taken before
Commissioner Alpheus Felch, with document marked
"*A. F. no. 1,*" annexed thereto, was filed:

(Vide page 5 of this Transcript.)

San Francisco Sept. 12th 1854.
 Case no. 535 was submitted without argument.

San Francisco Sept. 26th 1854.
 In the same case Commissioner R. Aug. Thompson
 delivered the opinion of the Board concerning
 the claim:

(Vide page 57 of this Transcript)

And the following order was made, to wit:

(Vide page 52 of this Transcript.)

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3. Petition

To the Honorable Commissioners to settle Private
Land Claims in California.

The petitioner

Ruful Estrada respectfully shoves: That on
the 2nd day of December A.D. 1833, Jose Figueroa
Governor of California, by virtue of authority in
him vested, granted to Cristina Delgado the tract
of Land called "Rancho de las Salinas" situate
in the present County of Monterey and containing
half a square League of Land, a little more or
less as shown by the grant and corresponding map
which Original title and judicial possession are
submitted herewith marked "A" and a translation
marked "B"

That on the 3rd day of March A.D. 1847 the said
Cristina Delgado sold and conveyed the said
tract of Land to the petitioner which Original
Deed of Sale is submitted herewith marked "C"
with a translation marked "D"

The petitioner further represents that the petitioner
and the party under whom he holds have been in
possession since the date of said grant, and that he now is
in the possession of said Land and knows of no
conflicting claim

That he relies for Confirmation of title upon the
Original papers submitted herewith, the records
and Minutes in the Archives of the former
Government and upon such other and further
evidence as he may be advised is necessary

Wherefore he prays the Commissioners to
confirm to him the said tract of Land

By his Attys
Sullivan Peachy & Billings

Filed in Office January 29. 1853

Geo. Fisher Secy

Recorded in Vol 1 of Petitions on page 506

Geo. Fisher Secy

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[Faint, illegible handwriting covering the majority of the page]

1852

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5-

Dep. of W & P
Hartwell

San Francisco June 29. 1853
On this day before Com^r H. J. Thornton came
Wm. E. P. Hartwell a witness in behalf of the
Claimant Rafael Estrada petition No. 535 and
was duly sworn his evidence being given English
In answer to questions propounded by the Claimant
Counsel the witness says

My name is Wm. E. P. Hartwell, my age is 55 years
and I reside in Monterey and have lived in
California 30 years

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I know the hand writing of Jose Figueroa, Augustin
U. Zambrano, David Spence, Jose Maria Maldo
nado, Juan Malena, Juan B. R. Lopez; their
signatures to the paper before me marked Exhibit
No. 1 was filed herewith as genuine

I know the Rancho called "Rancho de las Salinas"
it is situate in Monterey County. The grantee Criste
na Selgado has occupied it since the year 1834
or 1835, with a house and stock and remained
in possession thereof till her death and since by
Rafael Estrada

Wm. E. P. Hartwell

U. S. Law Agent present

Sworn to & subscribed before me

this 29th June 1853

Harry J. Thornton Com^r de

Filed in office January 29th. 1852

Seco. Fisher Secy

Recorded in Ev. B. Vol. 2 p. 516

Seco. Fisher Secy

Dep. of David
Spence

Office of the Board of Commissioners D. H. H.

This day before Com^r Alpheus Felch came David
Spence a witness in behalf Claimant Rafael Estrada
No. 535. who after being duly sworn deposed as
follows

Questions by Mr. Halleck Atty for Claimant

1st Question - What are your name age and place of
residence?

Answer - My name is David Spence, my age 53 years
and I reside at Monterey in California I have
lived in California twenty nine years

2^d Question - Examine the paper here presented to you
purporting to be the title and judicial possession
of the place called Rancho de las Salinas and
marked Exhibit No. 1 attached to the deposition

of Mr E P Starnell here before filed in this case and
State what you know about the papers constituting
the said Document.

Answer - In 1835 I gave judicial possession of said
Rancho as Alcalde, to Cristina Delgado. These
were the papers which were made out at the time
the possession was given by my Secretary and were
signed by me.

3rd Question - State what you know of the Occupation
of the Land described in this Act of Judicial
possession.

Answer - When I went to give the possession I found
Cristina Delgado living in a house which was
built on the place. There was also some land
cultivated by her and a few tame cattle on the
place - the number I did not know. She continued
to occupy and live on the place from that time until her
death, notwithstanding it had sometime before her death
been sold to Rafael Estrada. It was sold to him in 1847
and he moved onto the place immediately after the
purchase and continued to live there. She also lived
on the place in accordance with an agreement between
them. Estrada has built houses of his own on the
place has cattle upon it, and lives there now with
his family.

4th Question - Examine the paper now presented to you pur-
porting to be a deed of sale of said Rancho from
Cristina Delgado to Rafael Estrada hereto attached
marked "Exhibita No 1" with the initials A F and state
what you know of the Signatures there and of
its Execution.

Answer. My Signature appearing thereon is genuine
The Signatures of Jose M^e Estrada, Salvador Alonzo
Santiago Alonzo, J. S. Escamilla, Teodoro Gonzalez
and Ambrosio Gomez, also appearing thereon are the
true and genuine Signatures of those persons respec-
tively. I saw them sign their names on this paper
as they now appear there.

5th Question - Was the Nature of the Contents of this paper
Explained to Cristina Delgado and did she under-
stand it at the time of its Execution?

Answer. It was all Explained to her and she under-
stood it, and desired to have it drawn in that
manner and she executed it freely and voluntarily.
Question. Did Jesus Rojas sign this instrument at

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at her request in your presence as stated in the document
answer. He did

Questions by Mr Greenhow Associate Law Agent
1 Question. Say what you know of the alterations
the Certificate of Survey signed by yourself, which
appears on the Eleventh and twelfth pages of the
Exhibit No 1 above mentioned -

Answer. The first alteration on the Eleventh page
is a change from the letter ll in two places to the
letter O they are used for the word west and the
change was made to correct the spelling both me
aning the same point of the Compap. As to the second
alteration on the same page I do not recollect
about it and do not know why it was made

2^d Question State if you recollect the points and
causes in that Survey

Answer. I commenced the measurement a few hours
westward up the river above her house and
near the river bank, and ran about West South
West, passing the Salt Laguna, to a bank of sand
on the shore of the Bay. Then we took another
measurement, commencing in a corner near to the
mouth of the River (the Montuay or Salinas River)
and running up the river to the place of beginning.
These two lines and the shore of the Bay form the
boundaries of the land which is in a triangular
form. I do not recollect that we measured
along the shore -

3 Question. Did Cristina delgado leave any children
at the time of her death?

Answer. To the best of my knowledge she had none

Question by Mr Stalleck

Question. Do the boundaries in the Survey as you
have just described them correspond with the
present reading in the report of judicial papers
on us now altered

Answer. They do, to the best of my recollection, I have
little doubt, though I do not exactly recollect
that the alterations might have been made with my
knowledge

Subscribed and Sworn before me this 26th day of
October 1853
Alphons Felch Commissioner

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Filed in Office Oct. 27. 1853

Geo. Fisher
Secy

Recorded in Ev. B Vol. 3 p 305

Geo. Fisher
Secy

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1. Jurisdicción N.º 1.ª Año de
de Monterrey en 1833. m

Expediente

Dohe el Paraje nombrado el Rincon de las

"Salinas"

solicitado p^a su ocupacion y cultivo por

Cristina Delgado.

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2 Sello tercero Dos Reales.

Habilitado por provision almt. por la Comisaria su balterna interna del Puerto de Monterey de la Alta California para los años de mil ochocientos treinta y uno y ochocientos treinta y dos. Revalidado por la espedada Oficina para los años de 1833 y 1834.

Jose Rafael Gonzalez.

Dot. Jefe Superior politico

Monteney mayo 18 de 1833. De conformidad con las leyes de la materia informo el ayuntamiento de esta Capital si la interesada obtiene los requisitos necesarios para ser atendida en su solicitud p.º q.º de si el terreno que pretende esta comprendido en las 20 leguas limi ho peson o 10 literales que espresa la ley de 18 de agosto de 1824, si ha pertenecido o pertenece a propiedad particular con poblacion o pueblo o se conoce por Valdivia o que ha recaido y sostiene con la calidad del terreno es de regadio, temporal o de abrevadero con todo lo demas que sea necesario para ilustrar la materia.

Cristina Delgado, Vecina de este Puerto y Vicaria de San Felipe de la Mision del Carmelo ante V.º con el debido respeto p.º dice: que el año pasado de 1835 le dieron permiso los p.ºchos ministros de la Mision del Carmelo de que pudiese en el terreno de las Salinas el que la duplicante ha fomentado desde esa fecha; con una casa o Molino y siembras de Ganado de Ordina de 1824, si ha pertenecido hasta el numero de 50 cabeceras y una manada, con el que busca su subsistencia y la de algunos huérfanos que ha recaido y sostiene con sus trabajos a pesar de que es de avanzada edad p.º q.º si lo cupiere justo se lo en lo que sea necesario en propiedad con el fin de ilustrar la materia.

P.º J. Guerrero.
Agustin V. Zamorano
J.º

la parte de la Costa y el Rio de Monterey es de pan llevar, y de abrevadero en sus mayores temporadas no tiene mas de un ojo de agua que por uso se hace de el asi por su escasez como por tener la inmediacion del Rio en la cual esta fecundado de arboleda de Sauco y todo el

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X

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hace muy cerca de un sitio de ganado mayor.
a. V. D. pide y duplica de oír a darle el terreno
que solicita de lo que recibiría merced y por
no ser malicia.

Monterrey 18 de Mayo de 1833.

Cristina Delgado.

En sesión del día de hoy cuenta con este expediente
al Ayuntamiento de esta Capital y se mandó
pasar a la comisión especial de colonización
y terrenos baldíos.

Monterrey 18 de Mayo de 1833.

José María Maldonado. Secretario.

map. 9

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Here follows
Map

Rincon de las Salinas

Diseño

=

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p. 12.

"Rincon de las Salinas"

Rafael Estrada, Cmt

Monterey Co

1249-R.

Map of



5. Dello tercero Dos Reales:

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterrey para los años de mil ochocientos treinta y tres y mil ochocientos treinta y cuatro.

Figueroa José Rafael Gonzalez.

El Sr. Jefe Superior politico

El Ayuntamiento de esta Capital con el Objeto de dar à V. O. el informe que se escribió en su supremo decreto de 18 del proximo pasado Mayo Mando pasar la presente solicitud à una comision especial q. se nombra el acto quien presento el Dictamen que se mando agregar à este expediente y como su contenido es lo q. en el particular debe informarse esta corporacion lo Reproduce en todas sus partes a guisa de que el terreno que se solicita es de temporal y parte de abrevadero: que la interesada tiene algun ganadito menyo con q. se mantiene à parte de sus labores. Ten cumplimto del acuerdo habido en Sesion de hoy se devuelve este expediente con el correspondiente informe.

Monterrey 10 de Junio de 1833.

Marcelino Escobar

José Maria Maldonado Seno.

6. Dello tercero Dos Reales:

Habilitado provisionalmente por la Comisaria subalterna interina del puerto de Monterrey de la Alta California, para los años de mil ochocientos treinta y tres y ochocientos treinta y cuatro.

Revalidado por la espedada Oficina para los años de 1833 y 1834.

José Rafael Gonzalez.

El Ayuntamiento

La comision especial encargada de abrir dictamen sobre la solicitud que hace la Srta. Cristina Delgado con arreglo à lo prevenido en el superior decreto de 18 del proximo pasado hace las reflexiones de tener la interesada los requisitos prevenidos para ser atendida en su solicitud: Que el terreno que pretende no se haya

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en las veinte leguas limitofes y si en las diez
 litorales que espasa la ley de 18 de Agosto de
 1824. con la circunstancia que pertenece a los
 ejidos de esta municipalidad señalados
 por la Coena Diputacion segun se sabe en el
 año pasado de 1830 no obstante que no ha re-
 caido la superior aprobacion que la intere-
 sado ha hecho gastos de mayor tamaño para
 el fomento del espediente teneno en el que ha
 hecho casa, molino y continuamente lo bene-
 ficia y lo hace productivo con su personal ha
 leas de suerte: que si se fuera obligada a
 salir fuera del Dito que se menciona en
 duda supina en trastorno de grande mag-
 nitud y se perjudicaria una pobre viuda
 honrada y laboriosa con perjuicio de la po-
 blacion de esta capital por q. esta se provee
 con comodidad del fruto del trabajo de
 aquella: Por lo espuesto la exmision presento
 a la deliverancia de este D. Ayuntamiento
 la siguiente proposicion.

Puede concederse provisionalmt. el teneno
 que solicita la Doña Cristina Delgado en
 tanto q. la superior aprobacion de los
 ejidos del pueblo y aprobado que sea pagara
 el censo que le corresponde a los fondos de
 propios.

Puerto de Monterey Mayo 31 de 1833.
 José Anila Pedro del Castillo.

Monterey Junio 10 de 1833.

pase al Alcalde D. Marcelino Escobar ante
 quien la parte produciera una informacion
 de testigos quienes seran interrogados sobre
 D. Dello tercer Dos Reales: Habilitado provi-
 cionalmt. por la administracion de la Au-
 ranca Maritima de Monterey y para los
 años de mil ochocientos treinta y tres, y mil
 ochocientos treinta y cuatro.

Figueroa José Rafael Gonzalez
 los puntos siguientes:

Numero si es un que es indigena, o que mi-
 on pertenecio, y que tiempo lleva de estar se-
 para de. Segundo si tiene hijos si es de buena
 conducta si es cierto que ha fabricado casa

y tiene molino en el Rincon de las Palmas que
cántida del de terreno cultivado si tiene bienes
de campo conocidos y que numero. Tercero. Si
el terreno que pretende es la propiedad de al
gun particular, mision o pueblo; si es de Re
gadio, temporal o ahevaclero; y que esten en
tencha. Evacuadas las diligencias vuelva
el expediente para la resolucion que corres
ponda.

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Segueroa

Monterrey Junio 13 de 1833.

Notifiquese a lo interesado en esta instan
cia presente dos testigos que se han de exami
nar sobre los puntos que comprende el su
perior Decreto de 10 del corriente que antecede
(Dro 2 pesos) Asi yo el Alcalde Constitucional
lo decreté mandé y firmé por ante los testigos
de su asistencia que el ave.

uy
D. D. Deasa Marcelino Escobar Deasa
José Maria Maldonado Manuel Crespos.

q. En la fecha presente la Señora Cristina Delga
do, se le notifico el antecedente auto, y enten
dido. Dijo: lo oye y que presenta para testigos
a los ciudadanos José de Jesus Valle Jo
Ameon Castor y Ramon Amequita y no formo
por que dijo no saber lo hee yo el Alcalde con
los de asistencia.

M. Marcelino Escobar ff. José Maria Maldonado
Manuel Crespos. asse

En la fecha siendo presentes el Sr. José de Jesus
Valle testigo presentado por la parte interesada
da le se cito juramento en forma de derecho
por el cual ofrecio decir verdad en lo que su
piera y fuere preguntado y siendo lo por su
nombre, estado, Oficio, Edad patria y religion
dijo: llamase como queda dicho: que es cele
brado de Oficio labrador de treinta y cuatro
años, natural del pueblo de San José y
B. A. R.

Preg^{ta} Por el interrogatorio que se relaciona
en el antecedente superior decreto. Dijo:
a lo primero; que sabe es indigena D^{ca} Cristina
Delgado que pertenecia (segun sabe) a la
mision del Carmelo y que hace diez años

que la conoce y que desde ese tiempo ya esta
 ba separada de la Misión; y dijo.

- A lo segundo: Que hijos legítimos nos sabe que
 tenga pues los que le conoce son huérfanos
 que los ha criado: Que la conducta que
 tiene es notoriamente buena que es cierto que
 10. Dello tercero dos Reales: Habilitado por provisión
 alante: por la administración de la Aduana
 Maritima de Monterey, para los años de mil
 ochocientos treinta y tres y mil ochocientos
 treinta y cuatro.

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Verguera José Rafael Gonzalez
 tiene casa en las Salinas; mas no asegura
 que tenga molino por que no lo ha visto; en razón
 de que hace mucho tiempo que no va a San Fran-
 sco; que la cantidad de terreno que cultiva se-
 rá poco mas o menos quinientas Varas; que
 bienes de campo tiene en numero de cincuenta
 reses mas que menos y una manada de lleguas
 y caballos montanos. que el terreno que pretende
 no lo reconoce perteneciente a otro sino a los se-
 ñoríos de costa capital: que es de temporal
 y que tencha de estension tres cuartos de legua
 mas que menos que lo dicho es la verdad y
 cargo del juramento que tiene hecho en el que
 se aprimo y ratificó leida que le fue esta su
 declaración y la firmo con miyo y los de asis-
 tencia.

Escobar

José de Jesus Vallejo.

De asst.

De asst.

José Maria Maldonado # Manuel Gressias.
 En la fecha presente el Sr. Temeon Castro le recie-
 ri juramento en forma de derecho por el cual
 Ofrecio de circueidad en lo que supiere y fue
 preguntado y oíendolo por su nombre estado,
 edad, patria y religion Dijo: llamarse como
 dicho esta; que es casado de edad de cuarenta
 y nueve años natural de Santa Barbara
 y C. A. R.

- Pregado por los mismos terminos q. lo fue el
 primer testigo Dijo: A lo primero: Que es In-
 digena de la Misión del Carmelo a la que
 pertenecia hasta que tomo estado y se separo
 hace mas de treinta años y Dijo. A lo segundo

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que no le conoce hizo mas que dos o tres huertanos que lo eria como tales; que tiene muy buena conducta: que es cierto que ha fabricado dos casas en el Rincon de las Palmas y tiene molino: que la cantidad de terreno que cultiva sera cosa de dos cuartos o tres por mas o menos que le conoce viene de campo en cantidad de sesenta cavasa de ganado por mas o menos y una manada bastante grande y dija.

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A lo tercero que sabe que el terreno que pretende la interceda no pertenece a ningun particular ni Mision y asi a los egidos de esta poblacion que es de temporal y tencha de cobencion tres cuartos de legua o mas de ella que lo dicho es la Verdad a cargo del juramento que tiene hecho en el que se afirma y ratifico leida que le fue esta declaracion y la firmo con migo el Alcalde y los de asistencia.

Cocobar. # Amador Castro.

De los

De los

Jose Maria Cocobar # Manuel Crespo
En la fha presente el C. Ramon Amezcuita le recibí juramento en forma de derecho por el cual opeio decir verdad en lo que supiere y fuere preguntado y siendo por su nombre, estado, Oficio edad, patria y religion. Dijo llamarse como queda dicho (Dello Terceiro Dos Reales. Habilitado provisionalmente por la Administracion de la Armada Maritima de Montevideo para los años de mil ochocientos treinta y tres y mil ochocientos treinta y cuatro.

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Seignora

Jose Rafael Gonzalez
que es casado, de Oficio labrador; de treinta y tres años natural del pueblo de S. Jose y C. A. R.

Por lo que por el mismo interrogatorio se lo fueron los dos anteriores testigos dija.

A lo primero que sabe que es Indigena de la Mision de S. Luis Obispo que despues fue casado con un Escofito de la Mision de S. Carlos; pero que no sabe si pertenece

à Mission alguna y que desde que la conoce
la ha visto separada de esta y dijo:

à lo segundo que no tiene hijos ningunos; q^d
lo q^d sabe es que eria cuato huerfanos q^d tiene
en su poder que es de muy buena conducta
Que tiene dos casas y un Molino en el paraje
que se le pregunta; que el terreno que cul-
tiva sera como de seiscientos varas y que
los bienes de campo que le conoce pochà sa-
poro mas ó menos sesenta ó setenta Reses y
veinte y cinco ó treinta leguas juntamente
con algunos caballos menores y dijo:

à lo tercero que el terreno que pretende la
interesada lo ha conocido el que hablo hace
tiempo por de la Mission del Carmelo; pero
que no sabe lo cierto: que es de temporal y que
su estension no puede decir por que no lo sabe
que lo dicho es la verdad à cargo del jura-
mento que tiene hecho en el of. de apromoy
ratifico leida que le fue esta ou de claracion
y no formo por no saberlo hice yo y los de as^{ta}

M. Escobar # Manuel Crespo. D. as^{ta}.
José Maria Maldonado. D. as^{ta}.

13. Monterey 13 de Junio de 1833.

Concluida la informacion que se mandó
en el superior decreto de 10 del corriente en
esta y en las dos ante cedentes folios de papel
del bello que corresponde devierase este
espedt. al D^o Jefe superior politico conforme
previene en el citado superior decreto. Asi yo
el Alcalde lo decreto mandé y firme con los
de asistencia.

J. Marcelino Escobar.
D. as^{ta}.

D. as^{ta}

José Maria Maldonado # Manuel Crespo
En siete folios utiles paso este expediente
al D^o Jefe superior politico y para const^a
lo puse por nota que rubrique.

R. Monterey Junio 13 de 1833.

Visto la peticion que da principio este espe-
diente el informe de la autoridad muni-
cipal de esta capital las exposiciones de
los testigos con todo lo demas que se tubo presente
y ver convido de conformidad con lo dispuesto

por las leyes y reglamentos de la materia se
declara a Cristina Delgado dueña en propiedad
del paraje conocido con el nombre de Rincon de
14) las Salinas colindante con la Costa Pello tercero
Dos Reales. Habilitado provisionalmente por la ad-
ministracion de la Aduana Maritima de Monte-
rey para los años de mil ochocientos treinta y tres
y mil ochocientos treinta y cuatro.

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Ligueroa José Rafael Gonzalez
de este puerto Rio de Monterey y el Charnical
y si resultare pertenecer a los ejidos de esta capi-
tal cuando se arreglan sus linderos se cometera
a pagar el canon que se le imponga sujetandose
a las demas condiciones que se estipularen
librese el despacho correspondiente. Tome
razon en el libro respectivo y dirijase este espe-
diente para la debida aprobacion a la Excmo
Diputacion Territorial en cuyo caso la inte-
resada a quien se le hara saber este decreto
presentara nuevamente su titulo para que se
le valide. El Sr Don José Ligueroa Gene-
ral de Brigada comandante General Inspe-
tor y Jefe Superior politico del territorio de la
Alta California asi lo mando, decreto y firmo
de que doy fee. Sro.

José Ligueroa # Agustin V. Zamorano
En 2 de Diciembre del mismo año habiendo
comparecido D. Juan Mallarin a nombre de
la interesada en esta secretaria se le hizo
saber el decreto de 19 de junio ult. que antecede
del Sr Jefe Supor. politico del Territorio e impo-
de el, dijo que lo Oye y de quedav conforme
lo firmo p. la debida constancia.

Agustin V. Zamorano # Juan Mallarin.
15) José Ligueroa General de Brigada de los
Estados Unidos Mexicanos, Comandante genl.
Inspe: y Jefe Superior politico del Territorio
de la Alta California.

por cuanto Cristina Delgado Mexicana N-
nacimiento y Viuda del Indigena Gaspar
ha pretendido p. su beneficio personal y el
de su familia el terreno conocido con el nom-
bre del Rincon de las Salinas; colindante con
la Costa de este puerto Rio de Monterey

y el Chamucal: practicadas previamente las diligencias y averiguaciones consiguientes según lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas en decreto de 13 de Junio último a nombre de la Nación Mexicana se venido en concederle el terreno mencionado declarando la propiedad de el p^o: las presentes letras; entendiéndose otra en posesión con entera conformidad a lo dispuesto p^o: las leyes y sin perjuicio del aprovechamiento común de esta municipalidad p^o: lo respectivo a pastos, aguas, leña maderera &c. y sujeta a pagar el canon que se le imponga si resultare pertenecer a los ejidos de esta Capital cuando se arreglen sus límites a reserva de la aprobación de la Excm^a Diputación Territorial y del supremo Gobierno y bajo las condiciones siguientes.

16 1^a Que se someterá a las que estableciere el Reglamento que se ha de formar p^o: la Distribución de Terrenos baldíos y q^o: entre tanto ni la agraciada ni sus herederos podrán dividir ni enajenar el q^o: se les adjudica; imponer censo, vinculo pianza, hipoteca ni otro gravamen aunque sea por causa piedadosa ni pasarlo a manos muertas.

2^a No podrá ser usado sin perjudicar las haciendas caminos y servicios de q^o: lo disputara libre y exclusivamente destinándolo al uso de cultivo que mas le acomode pero dentro de un año a lo mas fabricara casa y estera habitada.

3^a Cuando se le conforme la propiedad de el terreno licitara del juez respectivo q^o: le de posesión jurídica en virtud de este despacho p^o: el cual se demarcaran los linderos en cuyos límites pondrá a mas de las mojoneras algunos arboles frutales o silvestres de alguna utilidad.

4^a El terreno de que se le hace donación es de mediodio de ganado mayor poco mas o menos según esplica el diseño que corre en el Expediente; el juez que diere la posesión lo hará medir conforme a Ordenanza para

señalar los linderos quedando el Dobl^{te} q^d. resul-
ta à la Nacion p^a los usos convenientes.

1^{ta} Si contraviere à estas condiciones perde-
ra su derecho al Terreny será denunciabile p^a
otro.

En consecuencia mando q^d. surrien-
dole de título el presente y teniendose p^a. firme
y Validero se tome razon en el libro à que cor-
responde y se entregue à la intercoada p^a
su resq^{do}. y demás fines. Dado en Monterey,
à 2 de Dize. de 1833.

J. J. A. V. L. J.

18 Las Comisiones de Colonizacion y Tenenos Val-
dio à quienes se pasó el expediente en su forma
con p^a. boeo, por pretencion la Señora Cristina
Delgado hizo del parage nombrado el Rincon
de las Salinas lo ha examinado con la cir-
cumsp^{ec}cion que corresponde. Teniendo al
mismo tiempo presente la ley de 18 de Agosto de
1824, sus concordantes y las disposiciones Gene-
rales q^d. en 24 de Octubre de 1828 dictó el supre-
mo Gobierno de la Union p^a el mejor cumpli-
m^{to} de la primera. Del examen del exped^{te}.
se ha penetrado la comision de la Opinion
q^d. ya tenia de la escrupulosidad y tuvo en
que el D^o Jefe politico lo mando instruir de
uerte q^d. en su formacion se estaba alg^uo
requisito herensial ni de los practicado
por lo dicho concluye la comision ofe cien do
à la deliberacion de esta Ex^{ta} Diputacion
la siguiente proposicion.

1^o. Se aprueba la concesion hecha à la Señora
Cristina Delgado del parage nombrado el
Rincon de las Salinas concedido en 2 de Di-
ciembre de 1833. de entera conformidad con
lo prevenido en la ley de 18 de Agosto de 1824
y el Art^o 5^o del Reglamento de 21 de
Oct^{bre}. de 1828.

Monterey Mayo 10 de 1834.

José Y. Ortega Carlos Ant^o. Carrillo.

José A. Estacillo José Castro

19 Monterey 1^o de Mayo de 1834.

En sesion de este dia se apr^{ov} p^a la Ex^{ta}
Diputacion la proposicion del dictamen -

antecedente mandando se devuelva el expediente al Sr. Jefe sup. politico p. los fines consiguientes.

Jose Segueria # Juan B. Alvarado. Leet.

20

Dellos tercero Dos Reales:

Habilitado provisionalmt. por la Administracion de la Aduana Maritima de Monterrey para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco

Segueria Rafael Gonzales.
Monterrey Junio 26. de 1834.

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En Vista de la Aprobacion otorgada en 14 de Mayo ult. por la Coma Diputacion territorial: librese testimonio de ella y de este decreto a la parte de Señora Cristina Delgado en confirmacion del Tenens del Rincon de las Salinas que obtuvo en 13 de Junio de 1833. El Sr. D. Jose Segueria General de Brigada, Comandante General Inspector y Jefe Superior politico de la Alta California asi lo mando, decreto y firmo de que doy fe.
Jose Segueria # Agustin V. Zamorano
Sno.

21. Testimonio

Deapuebe la concesion echa a la Sra. Cristina Delgado del parage nombrado el Rincon de las Salinas concedido en 2 de Diciembre de 1833. de entera conformidad con lo prevenido en la ley de 18 de Agosto de 1824 y el articulo 5.º del reglamento de 21 de Nov. de 1828.

Monterrey 14 de Mayo de 1834. En Oesion de este dia se aprovo p. la Coma Diputacion la proposicion del dictamen antecedente al Sr. Jefe sup. politico p. los fines consiguientes

Jose Segueria Juan B. Alvarado. Sno
Monterrey 26 de junio de 1834. En Vista de la Aprobacion otorgada en 14 de Mayo ultimo p. la Coma Diputacion territorial: librese testimonio de ella y de este decreto a la parte de Sra. Cristina Delgado en confirmacion del Tenens del Rincon de las Salinas que obtuvo en 13 de junio de 1833. El Sr. D. Jose Segueria

Genl. de Brigada, Comandte. Gral Inspector
y Jefe sup^{te} politico de la Alta California asi lo
mando de cretoy fomo de of. doypes.

Jose Legueroa - A. U. Zamorano Sr.
Concuenda a la leta con su Original del cual
hize sacar el presente testimonio p^a resguardo
de la parte interocada en Monterey a 26 de
Junio de 1854. siendo testigos los elidados
Bernardo Navarete y Bonif^{eo} de Madariaga
de esta vecinda d^o.

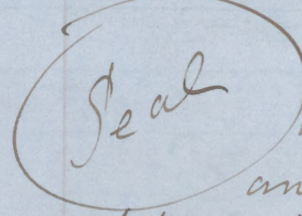
En testimonio de Verdad
Agustin U. Zamorano. Sr.

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Office of Surveyor General of the United
States for California.

J. John C. Hay, Surveyor General of the Uni-
ted 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 De-
partment of Upper California by virtue of the
power vested in me by law, do hereby certify
that the twenty one preceding and hereunto
annexed pages of haeing paper, numbered from
one to twenty one inclusive, exhibit a true
and accurate copy of an Expediente now on
file and forming a part of the said Archives
in this Office.

In testimony whereof I have here-
unto signed my name Officially,
and caused my seal of Office to be
affixed, at the City of San Francisco this se-
venth day of October 1853



John C. Hay,
U. S. Surveyor General for California

Filed in Office Janry 16th 1854

Geo. Leisher Deery,

Stamp Third Two RealesTranslation of
EspedienteProvisionally authorized by the Subaltern Comisaria at
interim of the Port of Monterey of Alta California for
the Years 1831 & 2Reauthorized by the same Office for 1833 & 1834
Victoria José Rafael Gomez

Sra. Sulpicia Potenciana Chief:

Christina Delgado resident of this Port and widow of
Gaspar, Neophyte of the Mission of Carmelo before
your Excellency with due respect appears and represents;
That in the past year of 1825 the Fathers of the Mission
of Carmelo gave her permission to settle in the "Rincón
de las Salinas" which the petitioner has held since
that date with a house, a mill and swamps, which
behave to the number of 50 head, a brace of mares
with a pack, supporting herself and a number of
Orphans who have been confided to her, and whom
she supports with her labor not withstanding her
advanced age. Wherefore if your Excellency consider
it just, she asks that it be granted to her in ownership
according to the map which she presents, as she has
improved it for a time of near 8 years. The land is
included in a cana (Rinconada) which a part of
the Coast and Monterey River forms; it is for culture,
and for watering cattle in its greatest extent has but one
Spring of water which is little used on account of
the nearness of the river, in which there is a thicket of
Willows, and in all there is very near one square
league for large cattle.

Wherefore she begs that your Excellency may be so
good as to give her the Land which she solicits
by which she will receive favor, and she swears
it is not from malice

Monterey May 18th 1833. Christina Delgado

Monterey May 18th 1833

In Conformity with the Laws on the matter let the
Ayuntamiento of this Capital, report if the party interest
has the proper requisites to entitle her to be attended to
in her petition, if the Land which she asks for is
comprehended within the 20 broad leagues or the
10 settled leagues expressed in the Law of August
18th 1824. If her petition or pertains to the property
of any private person, Corporation, or pueblo or is recog-
nized as vacant, if the quantity of the Land is irigable

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will undoubtedly suffer loss of great magnitude, and
 injury result to a poor widow respected and industrious
 and in consequence the population of this Capital
 who are supplied from the products of her
 industry, Wherefore the Committee submits to the
 deliberation of this Ilustre Ayuntamiento the
 following proposition -

"There may be provisionally granted the Sum which
 Señora Cristina Delgado asks for, provided she
 gets the Superior Approbation respecting the Commons
 of the Pueblo, and provided she will pay the corresponding
 fees for municipal funds"

Port of Monterey May 31st 1833

José María

Pedro del Castillo

Monterey June 10th 1833

Pass this to the Alcalde Don Marcelino Escobar
 before whom the party will produce information of
 Ultrances who will be interrogated on the following
 points -

1st. If they know if she is an Indian woman, to what
 Mission she belongs; and how long she has been
 separated from it

2nd. If she has children; if she is of good conduct
 if it is true that she has built a house and has
 a well on the "Finca de las Salinas"; what
 quantity of Land she has cultivated; if she has
 stock, and what number?

3rd. If the Sum she asks for is the property of any
 private person, Mexican, or Pueblo; if it is irregularly
 dependent on the Seasons or pasture Land; and
 what extent it has. Having finished these Exam-
 inations return the Expediente for the corresponding
 resolution

Figueroa

Monterey June 13th 1833

Let notice be given to the party interested in this present
 proceeding, the Ultrances which are to be examined
 on the points comprehended in the preceding Superior
 Decree of the 10th instant. Thus I the Constitutional
 Alcalde decree read and sign with the Ultrances
 of my assistance who certify

Ultr. Ultrances

Marcelino Escobar

José María Madonado Ultr. Ultr. Manuel Crespo

On this present day Señora Cristina Delgado was noti-
 fied of the preceding Decree and she understood it and

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fees 42

Since; That she heard it, and presented for witnesses
 Citizens Jose de Jesus Vallejo, Simeon Casto and
 Ramon Ameguita and she did not sign as the
 Saca she did not know how; but I signed with
 my assisting witnesses - Marcelino Escobar
 Ass. Wit. Jose Maria Maldonado. Ass. Wit. Manuel Crespo
 On the same day being present Citizen Jose de Jesus
 Vallejo presented as a witness on the part of the
 party interested, and being sworn in due form, by
 which he promised to tell the truth of what he
 knew and was asked; and being asked his name
 state, Occupation age Country and religion answer
 all these his name was as above, was unmarried
 by profession a farmer, 34 years of age a native
 of the Pueblo of San Jose and a Roman Catholic
 Catholic. In answer to the interrogatories in the
 preceding decree, he said;

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To the first; That he knew the Nature Senora Cris-
 tina Delgado; that she belongs to the Mission of
 Carmelo; that he has known her for 10 years, and
 during all that time she has been separated from
 Juan Musson.

To the second: That he does not know that she has
 any legitimate children; but he knows that there
 are two Orphans which she has brought up, that
 her conduct is notoriously good; is certain that she
 has a house in "Las Salinas" but does not know
 that she has a mill, as he has never seen it,
 not having been to her Rancho for some time -
 that the quantity of Land she cultivates is more
 or less five hundred Varas; that she has stock
 to the number of fifty Cows, a band of mares
 and some horses; that the Land she asks for
 belongs to no one unless it be to the Commons of
 this Capital, that it is dependent on the seasons
 and is in extent 3/4 of a league more or less; that
 what he has said is the truth under the Oath
 which he has taken, and ratifies this declaration
 being read to him and signs with me and the
 assisting witnesses - Jose de Jesus Vallejo

Escobar - assisting witness Jose Maria Maldonado
 assisting witness Manuel Crespo

On the same day Citizen Simeon Casto took the
 Oath in due form by which he promised to tell
 the truth in what he knew and was asked and

being asked his name age State Country Religion
 Sacer; his name was as Above, was married
 was 49 years old, a Native of Santa Barbara
 and a Roman Apostolic Catholic
 Being questioned on the same terms as the first witness
 he answered

To the first question; That she is a Native of the
 Mission of Carmelo, to which she belonged until she
 was separated from it which was more or less than
 30 years ago

To the second; That he does not know that she has
 any children, only two or three Orphans who she
 has adopted as such, that her conduct is very good;
 That it is true that she has built two houses in
 the "Rancho de las Sulinas", and has a mill; that
 the land she cultivates is two or three Sueltas or
 a little more; that he knows she has stock to
 the amount of 60 head of Cattle more or less &
 quite a large band of Mares

To the third, That he knows the land she has asked
 for; that it belongs to no individual or Mission,
 but is of the Commons of this Town; that it is
 dependant on the Seashore and has an extent of
 $\frac{3}{4}$ a league or about that; that what he has
 said is the truth under the Oath he has taken
 and it being read affirms and ratifies it as
 his declaration and he signed it with me the
 Alcalde and the Assisting Witnesses
 Escobar Simon Castro

Ass. Alc. Jose Maria Maldonado. Ass. Alc. Manuel Caspo
 On the same date Citizen Ramon Amosquin took
 Oath in due form by which he promised to tell
 the truth in what he knew, and was asked
 and being asked his name, State, age Occupation
 Country and Religion answered; that his name
 was as Above was married, by Occupation a
 farmer 33 years of age; a Native of the Pueblo
 of San Jose, and a Roman Apostolic Catholic
 To the same interrogatories as proposed to the two
 preceding Witnesses he answered

To the first; That he knew she was a Native of
 the Mission of San Luis Obispo; that she was
 afterwards married to a Neophyte of the Mission
 of San Carlos; that he did not know if she ever belong-
 ed to any Mission, as since he had known her

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She was separated from it -
To the second; That she had no children; that
he knew that she had brought up 4 orphans
whom she had; that she was of very good con-
duct; that she had two houses and a mill
in the place mentioned; that the land she cultivated
was about two varas; that the stock
which she was known to own was a little more
or less sixty or seventy head of cattle some 25
or 30 mares and some tame horses

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To the third - That the land she asked for had
been spoken of as belonging to the Mexican of
Carmelo but he did not know if it was true
that it was land depending on the seasons and
he could not say what its extent was, as
he did not know; that what he had said
was true under the oath he had taken, and
affirmed and ratified it as read to him as
his declaration; and did not sign as he did not
know how but I signed it with my witnesses
Eseoban

Ass. Ulic. ^{Manu} Jose Maldonado Ass. Ulic. Manuel Crespo
Monterey June 13th. 1833 -

Being conceded the examination ordered in the
Supreme Decree of the 10th. Instance, on this, and
the preceding leaves of paper with the correspon-
ding stamp, let this Expediente be returned to
the Supreme Political Chief conformably to what
is directed in said Supreme Decree

Thus I the Ulic. Decree ordered and signed
with my assisting witnesses
Marcelino Esoban

Ass. Ulic. Jose Maria Maldonado. Ass. Ulic. Manuel Crespo
In seven leaves I pass this Expediente to the Supreme
Political Chief, and to this note I put my advice
Monterey June 13th 1833

Having seen the petition at the beginning of this
Expediente, the report of the Municipal Secretary
of the Capital, the positions of the witnesses, and all
else presented and proper to be seen, in conformity with
what has been directed by the Laws and regula-
tions on the matter Cristiano delgado is declared
owner in fee of the place known by the name of
"Rancho de las Sulfuras" bounded by the Coast of
this Port, the Monterey River and the Chamisal

And if it results that it pertains to the Commons of this Capital, she will be obliged to pay the fee which may be imposed; Subjecting herself to the other Conditions which may be stipulated. See the Corresponding despatch above, take note of it in the respective Book and direct this Expediente for the due approbation to the Most Excellent Jurisdictional Deputation, in which Case the party interested, to whom notice of this decree will be given, will present again his title to have it revalidated.

Don Jose Figueira General of Niagua, Comandant General, Inspector, and Superior Political Chief of the Territory of Alta California, thus Ordered Decreed and Signed of which I certify

Jose Figueira

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Augustin V Zamorano Secretary -

On the 2nd day of December of the same year having appeared Don Juan Malarin in the name of the party interested in this Secretary's Office, and being notified of the preceding Decree of the 13th of June last by the Srn Superior Political Chief of the Territory and Inspector of the office, he said he heard it and agreed to it and in testimony signed it Juan Malarin

Augustin V Zamorano (Here follows copy of title the same as translated in Document "B")

The Committees on Colonization and vacant lands to whom was referred the Expediente formed on the petition of Senora Cristina Delgado for the place called "El Rancho de Las Salinas, have examined it with due Circumspection having at the same time before them the Law of August 18th 1824, its Consequences and the General Dispositions made by the Supreme Government of the Viceroy on the 21st of November 1828, for the due fulfillment of the former, and from an Examination of the Expediente, the Committee are penetrated with the Opinion which they have, that the Srn Political Chief has Ordered it all in compliance with respectfulness & tact; so that neither in its formation nor proceedings is any essential requisite wanting - Wherefore the Committee conclude the matter of referring to the deliberation of the Most Excellent Deputation the following proposition

1st. Approved the grant made to Senora Cristina

Delgado of the place called "El Rincon de las Salinas" on the 2^d day of December 1833 in entire conformity with the Law of August 18th 1824 and Article 5th of the Regulation of November 21st 1828.

Monterey May 10th 1834

Jose I Ortega

Carlos Antonio Carrillo

Jose A Carrillo

Jose Castillo

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Monterey June 16th 1834

In view of the approbation passed on the 17th of May last by the Most Excellent Jurisdictional Deputation; the testimony of a land of this land be issued to Senora Cristina Delgado in Confirmation of the Land of "Rincon de las Salinas" which she obtained on the 13th of June 1833 Senor Don Jose Figueroa, General of Brigade Commandant General, Inspector and Superior Political Chief of Alta California, thus read and signed of which I certify

Jose Figueroa

Augustin U Lameran

Secretary

(The following copy of Testimonio or Certificate of approval, the same as filed in Document "A" and translated in Document "B")

Filed in office June 16th 1854

Geo. Fisher Secy

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Monterrey

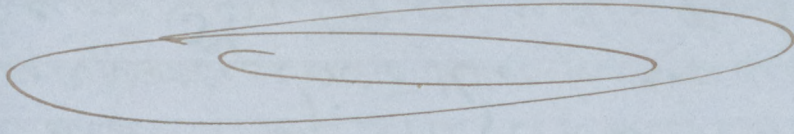
1835.

Consecucion y Posesion del Rancho
de S. Lorenzo (a) Las "Salinas" a la
Señora Cristina Delgado el
Dia 10 de Agosto del año arriba citado

...Not annexed to
definition of W.S.P.
Hartnell

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Sello segundo Dose Reales: Habilitado provincialmente por la Administracion de la Aduana Maritima de Monterey para los años de mil ochocientos treinta y dos y mil ochocientos treinta y tres.

Terqueroa

Rafael Gonzalez

José Terqueroa General de Brigada de los Estados Unidos Mexicanos, comandante general Inspector y Jefe superior político del Territorio de la Alta California.

Potucanto Cristina.

Delgado Mexicano por nacimiento y Ciudad del Indígena Gaspar ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre del Rincon de las Salinas: colindante con la Costa de este Puerto Rio de Monterey y el Chamisal; practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos; usando de las facultades que me son conferidas en decreto de trece de junio ultimo à nombre de la Etacion Mexicana he venido en concederle el terreno mencionado, declarándole la propiedad de él por las presentes letras; entendiéndose dicha concecion con entera conformidad à lo dispuesto por las leyes y sin perjuicio del aprovechamiento comun de esta municipalidad por lo respectivo à pastos, aguas leñas maderas &c. y sujeta à pagar el canon que se le imponga; el resultare pertenecer à los ejidos de esta Capital cuando se arreglen sus limites, a reserva de la aprobacion ó desaprobacion de la Excmo. Diputacion Territorial y del Supremo Gobierno y bajo las condiciones siguientes.

1.ª Que se sometera à las que estableciere el Reglamento que se ha de formar para la distribucion de Terrenos Baldios y que entre tanto ni la agraciada ni sus herederos podran dividir ni enagenar el que se les adjudica: ni poner censo, vinculo, fianza hipoteca, ni otro gravamen aunque sea por causa padrosa ni pasarlo à manos muertas.

2.ª Podra cercarlo sin perjudicar las travesa

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Se aprueba la Concesion hecha à la Señora Cristina Delgado del paraje nombrado el Rincon de las Salinas concebido en dos de Diciembre de mil ochocientos treinta y tres de entera conformidad con lo prebenido en la ley de diez y ocho de Agosto de mil ochocientos veinte y cuatro y cuarto quinto del Reglamento de veinte y uno de Noviembre de mil ochocientos veinte y ochos.

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Monterrey diez y siete de Mayo de mil ochocientos treinta y cuatro. En Ocion de este dia se aprovo p. la Excelentissima Diputacion la proposicion del Dictamen antecedente mandandose de devuelva el expediente al Señor Jefe Superior Politico para los fincosiguientes. Secretario José Figueroa # Juan Bautista Alvarado Monterrey Junio veinte y seis de mil ochocientos treinta y cuatro.

En vista de la aprovacion otorgada en diez y siete de Mayo ultimo por la Excelentissima Diputacion Territorial: librese testimonio de ella y de este Decreto à la parte de Señora Cristina Delgado en confirmacion del Terreno del Rincon de las Salinas que obtuvo en fecho de junio de mil ochocientos treinta y tres.

El señor D. José Figueroa General de Brigada Comandante General Inspector y Jefe Superior de la Alta California así lo mandò decreto y firmo doy fee.

José Figueroa Agustín Q. Zamorano Sr.
Concuerda à la letra con su Original del cual luzi sacar el presente Testimonio para resguardar de la parte interesada en Monterey à treinta y seis de Junio de mil ochocientos treinta y cuatro siendo testigos los ciudadanos Bernardo Cavarete y Bonifacio de Maclariaga de esta vecindad.

En Testimonio de Verdad
José Figueroa # Agustín Q. Zamorano Sr.
Jefe Terceiro Dos Reales: Habilitado provisional m. p. por la Comisaria subalterna interina del puerto de Monterey de la Alta California para los años de mil ochocientos treinta y uno y mil ochocientos treinta y dos.

Victoria

J. J. Gomez

Jor Alcalde Constitucional

Dios incluso el Sr. Cristina Delgado viuda y que ena
 papel 21. p. 22. de este pueblo ante V. dice. Que
 havendo obtenido la consecucion propia del terreno
 conocido con el nombre del Rincon de las Palmas
 Ocurre ante V. para que se sirva darle la posesion
 juridica conforme esta prevenido en el Art. 2.
 21.º del titulo de dicho terreno que se le espidio
 en dos de Diciembre de 1833. que devidamente
 acompaña e igualmente la confirmacion respec
 tiva p.ª q. todo obré los efectos deseados. P. O.
 A. V. suplico se sirva ponerla en la posesion q.
 solicita de lo que recibira merced y justicia.

Monterey 12 de Junio de 1835

Cristina Delgado.

Monterey Junio 12 de 1835.

por presentado y admitido proceda de p. mi el
 presente Alcalde, a la midicion señalamiento
 de linderos y posesion judicial q. solicita la in
 teresada en esta instancia, señalandose para
 ejecutarlo el dia 10 de Agosto del presente año pa
 lo que se citaran con boleto de comparendo a los
 colindantes. Asi yo el Alcalde 1.º Constitucional

y

lo decreté mandé y firme. con los de aso

De aso De aso De aso

José Maria Maldonado # Juan Malarin.

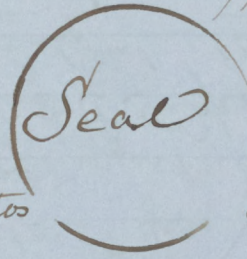
En la pta presente la Sr. Cristina Delgado se le
 notificó el auto que antecede y entendida dijo: lo
 oye y q. se da por citada, no formando por no aver
 lo hee yo con los de aso

M.

Aso Spence

De aso

José Maria Maldonado # Juan Malarin

Lello Torero  Dos Reales
 para los años de mil ochocientos Veinte
 y seis y Ocho cientos veinte y siete.

En la misma pta se libraron las Boletas q. se man
 dan en el anterior auto y para constancia lo anoto
 y rubrico.

En el Rancho de S. Lorenzo a) Palmas a los diez
 dias del mes de agosto de mil ochocientos treinta

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y curio. en cumplimiento del Auto de 12 de junio
ultimo y presente D. Juan Cooper colindante de
este Rancho y citado para la medicion señalada
miento de linderos y posesion nombre por medido
res à los cuidad. José Manuel Boronda y
Vicente Martinez quienes previa la aceptacion
y juramto. procederan al desempeño de su encargo
Asiyo el Alcalde 1.º Constitucional de Monterey
lo decreté, mandé y firmé con los de asist^a

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De ass. D. Bart. Spence De ass.

José Maria Maldonado # Juan Malvarin
En la misma fha se le notifico el auto antecedente
al colindante D. Juan Cooper y de el entendido
dijo lo Oyo y lo firmo con miso y los de asistencia
M Spence # Juan B. R. Cooper

En la fha y en el expresado Rancho se le noti
ficó à los C. C. José Manuel Boronda y Vicente
Martinez el auto de su nombamto. y de serow qd.
aceptaban y aceptaron dho encargo y juraron
p. Dios Nro señor y la señal de la Cruz de
usarlo fiel y legalmente à todo su leal saber y en
tender sin fraude contra persona alguna y no
formaron p. no o aver lo hice yo y los de asistencia
M. Spence

De ass. De ass.
José Maria Maldonado # Juan Malvarin.
Incontinenti yo el referido Alcalde mandé
traer à mi presencia el cordel con que se han
de medir las tierras. y qd. los medidores lo midan
de cincuenta V.º y lo firmo con los de Ass.
M. Spence

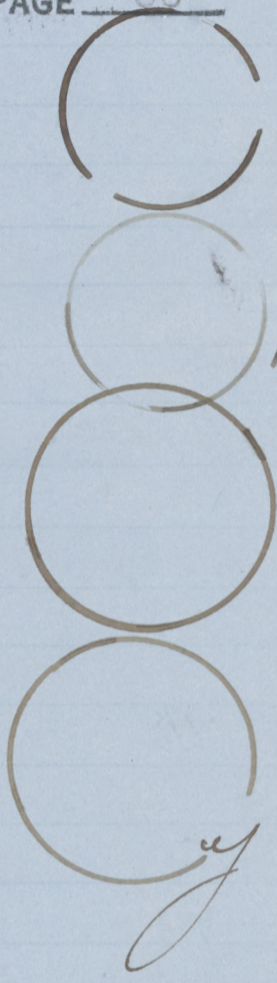
De ass. De ass.
José Maria Maldonado # Juan Malvarin
Inmediatamente en presencia de mi el referido
fuez, los expresados medidores tomaron un cordel
de mecate y con vara de medir usual mexicana
midieron cincuenta varas para hacer la medi
da y para constancia lo rubricó.
R

En el mismo parage dia mes y año siendo los diez
del dia yo el presente Alcalde 1.º constitucional
mandé à los medidores nombrados se dispongan

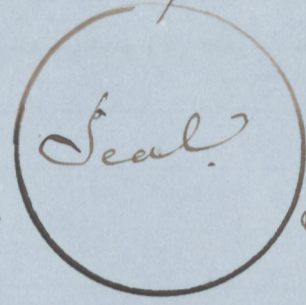
37

para la medida de tierras que se le ha de hacer a la Señora Cristina Delgado y puesto en la casa del Rancho se comenzo la medida tendiendose el Cordel O. S. C. hasta el mejano que se halla junto a la Laguna pequeña de Salina y resultaron noventa y seis Cordeles de a cincuenta D^o que hacen la Cantidad de cuatro mil ochocientas varas de Largo. Se volvio a comenzar la medida desde la Quilla del Rio en el Rincon hasta el completo de cuatro mil cuatro

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Dello Tercero.
para los años de
y seis y ocho cientos



Dos Reales.
mil ochocientos veinte
veinte y siete

cientas varas p^a el rumbo de S. S. E. en cuyas medidas mande se formaran las mojoneras correspondientes q^e señalen los linderos q^e le pertenecen. El terreno medido corresponde a medio sitio de ganado mayor poco mas o menos y lo firmaron con mi go el edulicante y los testigos de assist^a no haciendole la interesada por no saber.

David Spence

De ass^a

De ass^a

Jose Maria Maldonado // Juan Malvarin
En el Rancho de S. Lorenzo (a) Salinas a los diez dias del mes de Agosto de mil ochocientos treinta y cinco. Yo el Alcalde 1^o Constitucional de Monterey C. David C. Spence despues de practicadas las medidas del mencionado Rancho por las que resulto tener medio sitio de ganado mayor poco mas o menos y presente el edulicante C. Juan Cooper, siendo conforme con lo demas que consta de auto; mande q^e entrase la Señora Cristina Delgado en pacifica posesion del nominado Rancho vago las medidas citadas y formalidades acostumbradas en casos semejantes; lo que verifiquen en el momento arrancando yervas y haciendo demostraciones Dello Tercero Dos Reales: Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Higueroa

A. Ramirez.

como dueña del terreno q. se le ha dado posesion
cuya validacion la autorizo y firmo en el ante o thro
Rancho y en el Dia citado con el colindante y tes-
tigos de Assist.^{os}

J

De ass^{os}

Don C. Spence.

Juan B. R. Cooper

De Ass^{os}

Jose Maria Maldonado. Juan Malarin.

Monterrey Agosto 13. de 1839.

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Tomese razon en el libro de posesiones y devuelvase
este Expediente Original a la intercedida para q.
le sirva de titulo. Asi yo el Alcalde lo decreto, man-
de y firmè con los de Assist.^{os}

Don C. Spence

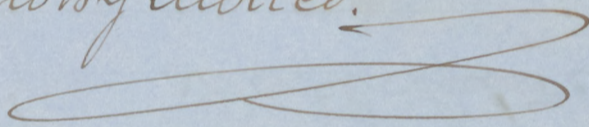
De ass^{os}

De ass^{os}

Jose Maria Maldonado # Juan Malarin.

En la misma fase se tomò razon en la foja 1 del
Libro respectivo y se devolvio el expediente original
a la Señora Christina Delgado en 4 fojas utiles
en cumplimiento del antecedente auto y para constan-
cia lo anoto y rubico.

Rb.



Filed in Office Jan'y 29th 1853

Geo. Fisher Geary



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Translation of Seal of the Second Class Troche Peals
Title & paper from *Antiquaria* provisionally by the Collector of the Maritime
Custom House of Monterey for the years one
thousand eight hundred and thirty two and one
thousand eight hundred and thirty three.

José Figueroa Brigadier General of the United
Mexican States Commandant Inspector and
Supreme Political Chief (Governor) of Upper
California -

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Whereas Cristina Delgado a Native of the Mexican
Republic and widow of the Mexican Gaspar, has
solicited for her personal benefit and that of her family
the land known by the name of "Rancho de las
Salinas", bounded by the bay and the river Monterey
and the Charmsal; the requisite proceedings and
investigations having been previously made in con-
formity with laws and regulations. I have in vir-
tue of the powers conferred upon me by a decree
of the 30th of last June in the name of the Mexi-
can Nation granted the said land unto her the
ownership thereof by these present letters; it being
understood that said grant is made in entire
conformity with the requisites of the laws and
without impeding to this Municipality the use of
grape water wood &c. and subject to pay the Canon
of the land situated within the limits of the
Town, and to the approval or disapproval of the
Most Excellent Judicial Department of the
Supreme Government and on the following conditions
1st That she submit to those which may be established
by the regulations to be made respecting the distribu-
tion of vacant lands; and that in the mean time
neither the grantee nor her heirs shall divide nor
alienate the land granted to her impose ground
rent (censos) entail (vinculo) reversion (reversión) mort-
gage or any other incumbrance although it may be
for pious purposes nor transfer it to mortmain
2^d She may enclose it without prejudice to the crops
and vines and privileges she shall enjoy it freely
and exclusively destining it to the use and culti-
vation which may suit her, but within one
year at furthest she shall build a house to
be inhabited
3 When the ownership is confirmed to her she shall

Select the the respective Magistrate to give her jurisdiction
 real possession in virtue of this Title and said
 Magistrate shall designate the boundaries on the
 limits whereof she shall, besides the land marks
 place some fruit trees and wild ones of some utility.

4th. The Land whereof donation is made to her consists
 of half (Sitio de Ganado Mayor) a little more or
 less as appears by the plot annexed to the proceedings
 The Magistrate who gives possession shall cause it
 to be measured according to Law in order to
 designate the boundaries and the surplus which
 may result shall remain for the Mexican Nation
 for the necessary uses.

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5th. If she transgresses these conditions she shall lose
 her right to the Land and it may be denounced
 by another.

Consequently Command that this present Survey
 be as a title and being held to be firm and
 valid be recorded in the corresponding book and
 delivered to the party interested for her safety and
 security. Given in Monterey the second
 of December A.D. Eighteen hundred and thirty three
 (Signed) Jose Figueroa
 (Signed) Gregorio Zamorano Secretary

A Record of this title has been made in the book
 of Entries of titles upon the adjudication of Lands
 at Folio Nineteenth. No Seventeenth which is kept
 in the Secretary's Office under my Charge
 Monterey December second Eighteen hundred and
 thirty three —

Signed Zamorano

Seal of the third class Two Reals
 Authorized provisionally by the Collecta of the
 Custom House of Monterey for the years Eighteen
 hundred and thirty four and Eighteen hundred
 and thirty five -
 (Seg) Figueroa (Seg) Rafael Gonzales

The grant made to Cristina Delgado of the
 Land called "Ricon de las Salinas" granted
 on the second of December Eighteen hundred and
 thirty three, in entire conformity with the Law
 of Eighteenth of August Eighteen hundred and twenty
 four and with the fifth article of the Regulation of
 twenty first of November Eighteen hundred and
 twenty eight is approved -

Monterey Sixteenth of May Eighteen hundred and
 thirty four - In the Session of today the most
 Excellent Deputacion approved the proposal which
 closes the preceding Opinion of the Committee
 and it was resolved that this Expediente may
 be returned in order to be concluded to the Sup
 erior Potestad Chief (Signed) Jose Figueroa

(Signed) Juan Bautista Alvarado (Secretary)
 Monterey twenty sixth of June Eighteen hundred
 and thirty four: In view of the approval granted
 on the sixteenth of last May by the most
 Excellent Territorial Deputacion: Let a testimony
 thereof and of this decree be given to the party
 of Cristina Delgado in confirmation of the grant
 of the Land called "Ricon de las Salinas" which
 she obtained on the thirteenth of June Eighteen hundred
 and thirty three - Don Jose Figueroa Superior Potestad
 Chief of Upper California did thus decree command
 and sign whereof I give testimony - Jose Figueroa
 Augustin Zamorano Secretary

The foregoing is a literal copy of the original
 from which I made the present copy to be taken
 for safety of the party interested in Monterey the
 twenty sixth of June A. D. Eighteen hundred and
 thirty four by Citizens Benigno de Navarrete
 Bonifacio de Madrazo of the Neighborhood
 in testimony of which
 Signed Jose Figueroa

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Skull of the third class. Two skulls

Seal of the third Clap Two Feats
 Authorized provisionally by the "Comisario" of the
 Port of Monterey Upper California for the years
 Eighteen hundred and thirty one and Eighteen hun
 dred and thirty Two

"Victoria" J. J. Gomez
 To the Alcalde of Monterey

"Feas with the
 papa #21-2 vls)

Cristina Delgado a widow and a neighbour of
 of this Town Says, That having obtained the prop
 er grant of the Land known by the name of "Rancho
 ad las Salinas" she requests that you would be
 pleased to give her the desired possession thereof in
 Confirmation with the requirements of the 4th article
 of the title to said Land, which was given on the
 second of December 1833 and which is duly accomp
 anied, together with the respective approval, in order
 that the whole may produce the desired effect
 Therefore I request that you would be pleased to give
 me the possession which I solicit, whereby I shall
 receive favor and Justice -

Monterey 12th of June 1835 -

(Signed) Cristina Delgado

Monterey 12th of June 1835 - Considered as presented
 and admitted, and the present Judge will proceed
 to the measurement, designation of boundaries and
 the desired possession solicited by the party interested
 in this petition fixing as the day for putting it into
 Execution the tenth day of August of the present
 year in order of which the Neighboring Land
 holders shall be summoned. Thus I the 1st Consti
 tutional Alcalde do hereby Command and sign
 with the assisting Alcaldes (Signed) David Spence
 Ass. Alc. Jose Maria Maldonado. Ass. Alc. Juan Malerin

In this date Cristina Delgado being present, was
 notified of the foregoing decree, and having understood
 it said that she heard it, and considered herself
 as summoned, and she did not sign because she
 did not know how to do it, and I sign it with
 the assisting Alcaldes (Signed) Spence
 Ass. Alc. Jose Maria Maldonado. Ass. Alc. Juan Malerin
 On the same date the Summons ordered of the forego
 ing decree were dispatched and in testimony whereof
 I note it down and sign with my scroll
 (Scroll)

In the Rancho of San Lorenzo (Salinas) on the tenth of August, Eighteen hundred and thirty five in fulfillment of the decree of the 12th of last June, being present D Juan Cooper a neighboring Landholder and Summoned to witness the measurement designation of boundaries and possession: I appointed as measurers Citizens Jose Manuel Boronca and Vicente Martinez, who after accepting the appointment and taking Oath will proceed to comply with their Commission. Thus I the 1st Constitutional Alcalde of Monterey did decree Command and sign with the assisting Alcaldes

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(Signed) David Spence
Ass. Alc. Jose Maria Maldonado Ass. Alc. Juan Malarin
On the same date the foregoing decree was notified to Sr. J. B. Cooper who having understood it said that he heard it and signed it with me and the assisting Alcaldes (Signed) Spence.
Signed Juan B Cooper, Ass. Alc. Jose Maria Maldonado Ass. Alc. Juan Malarin

On the same date and in the said Rancho the foregoing decree of appointment of measurers was notified to Citizens Jose Manuel Boronca and Vicente Martinez who having understood it said that they accepted it and did accept it and swore by the Lord our God and the sign of the Cross that they would exercise the functions of said appointment faithfully and legally to the best of their knowledge and ability, without fraud to whom as any person and they did not sign because they said that they did not write and I signed with the assisting Alcaldes
(Signed) Spence

Ass. Alc. Jose Maria Maldonado Ass. Alc. Juan Malarin
At the same moment I the said Alcalde ordered the Cord which with the Land was to be measured to be brought into my presence, and that the measurers should make it of the length of fifty varas and I signed with the assisting Alcaldes
Signed Spence

Ass. Alc. Jose Maria Maldonado Ass. Alc. Juan Malarin
Immediately in the presence of me the said Alcalde, the said measurers took a horned Cord, and with a Common Mexican Urena wool measured off fifty

was to make the measurement with in testimony
Where of I affixe my Seel (Seel)

On the same place day month and year being at
10 O'clock in the Morning I the present 1st (Justice
tonal Alcalde Comandante the appointed measu-
res to go ready to measure the Land panted to
Cristina Delgado, and placing them selves
in the house of the Rancho the measurement was
Commenced going N. S. W. towards the Mesquite
near the small Salt Lake to where ninety six
Cavas of fifty varas were counted or four thousand
and eight hundred varas then beginning on the
banks of the river in the River, going S. E. for
threescore and four hundred varas were counted
at which points I ordered the corresponding Land
marks to be formed. The Land measured is of
half (Sitio de Ganado Maya) little more or less
and signed it with me the neighboring Land
Owner and the testifying Witnesses, not doing it
the party interested be cause she cannot write
(Signed) David Spence

(Ass. Wit.) Jose Maria Maldonado

(Ass. Wit.) Juan Malan

On the Rancho of San Lorenzo (Salinas) on the
tenth day of August Eighteen hundred and thirty
five, I the 1st Alcalde of Monterey to David
E. Spence after the measurement of the said
farm, which gave a result of half (Sitio de
ganado Maya) little more or less, and being
present the owner of the immediate adjoining
Rancho C. S. B. Cooper, and agreeing with all
that appears in the proceedings I commanded
that Cristina Delgado should enter into pacific
possession of said Rancho according to the
aforesaid measurement and the formalities est-
ablished in the like cases which she put into execu-
tion immediately, taking up grass and making
demonstrations as owner of the Land whereof the
possession has been given to her, the validity of
which I authorize and sign with the owner of
the adjoining farm and the testifying witnesses
(Signed) David Spence = Juan B Cooper
(Ass. Wit.) Jose Maria Maldonado
(Ass. Wit.) Juan Malan

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Monterey 13th of August 1835

Let a record be made in the Book of possessions and let this Original Expediente be returned to the party interested in Order that it may serve her for a title. Thus I the Alcalde do decree Command and sign with the assisting Witnesses

(Signed) Law. Spence

(Ass. Alt.) Jose Maria Maldonado

(Ass. Alt.) Juan Malain

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On the same date a record was made in the 1st folio of the book ordered in the foregoing decree; and this Original Expediente was returned to Cristobal Delgado consisting of 7 useful folios in testimony whereof I note it down and sign with my scroll

(Signed) with Alcalde's scroll

Filed in Office June 29-1853

Geo. Fisher Secy

47 C.

Monterrey Marzo 8 de 1844.

Deed from C. Digo y Bristina Delgado of. por vi y a nombre de
Delgado to C. sus hijos, herederos y sucesores (que no los tiene
hada.

Exhibit No 1
a. Pl. unmesd.
to Depo: of David
Spence.

Oct. 24. 1853.

en cualquiera manera, vende y da en venta
a. Pl. unmesd. eional y publica enajenacion perpetua por
to Depo: of David por de heredad y p^a siempre jamas a Dⁿ
Spence. Rafael Estada, de esta vesindad de Monterrey
un Rancho titulado Rancho de las Dalinas of.
le pertenece en propiedad p^a concecion que de
el le hizo el Gobierno de este departamento
segun consta del titulo original que le en
hego comprendiendo de la casa, que alli se
halla y declaro no tenerlo vendido, enajena
do ni empeñado; y que esta libe de todo gra
vamen publico perpetuo temporal especial
taento o espreso. Como tal se vende en pre
cio de cantidad de doscientos pesos recibiendo
estos en partidas parciales y sobre no parecer
la entrega de presente renuncia las Leyes de
ella la de su prueba y pago del recibo como
en ello se contiene a mas de obliga Dr. Ra
fael Estada a cuidar sus pocos bienes y
que dicha D^{na} Bristina, permanezca en su
casa y rancho mientras viva y que no la moleste
antes bien la acompañe y asi mismo declara
of. tiene por justo precio y verdadero valor
de dicho Rancho y casa y si mas valer
pudiere del exceso en mucha o poca suma
hase a favor del comprador, de sus herederos
y sucesores gracia y donacion, justo perfecto
e irrevocable que en derecho se llama inter
viva con innovacion y demas primicias
legales renunciando la ley cuarto titulo
siete libro quinto de la recopilacion y los
demas of. hablan en mas o menos de la
mitad del justo precio y los cuatro años of.
prefija para su rescision, o suplem^t. los of.
de su pasado; y desde hoy en adelante
se desprende para siempre del Dominio
posesion, titulo recurso a otro qualquiera
era derecho que le competia al enajenado
rancho y casa, y lo renuncia y traspaso
en el comprador para que despanga de

X

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ellos como de cosa propia obligando se la otorgante a que esta venta le sea cierta segura y efectiva y nadie le inquietara ni le movera pleito en su propiedad o posesion ni contra el Rancho; y su casa aparecra grabamen alguno, y si le inquietare saldra a su defenza, hasta dejar al comprador en quietud y pacifica posesion.

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Y la observancia de lo referido se obliga la otorgante sometiendo al fuero y jurisdiccion de los Tres Jueses q. sus causas pueden conocer, conforme a derecho p. que a su cumplimiento la compelan y como por sentencia definitiva consentida y pasada en autoridad de cosa juzgada y por tal reputa; renunciando todos las leyes que en el caso le favorecan, y lo general del Dcho en forma.

En cuyo cumplimiento asi lo otorgo el comprador y vendedor firmados con los testigos siguientes, D^o David Spence D^o Santiago Watson Muma, D^o Teodoro Gonzales, D^o Joaquin Escamilla, Ambrosio Gomez, D^o Mariano Estada que presente estaban y aruego de Sr^a Cristina Delgado y por no saber firmar lo hizo Jesus Rojas

Como testigo	Como testigo
Jose M ^o Estada	Santiago Watson
Como testigo	Como testigo
Salvador Muma	Teodoro Gonzales
Como testigo	Como testigo
David Spence	Ambrosio Gomez

Wileam Office Dany 29th
1853.
Geo. Fisher Deery

Monterey March 3rd 1847

Cristina Velgado doth say that in her own name and in the name of her children heirs and successors (None of which she has) and in the name of whomsoever through them may in any manner acquire title, voice and fame she does and gives in National and public Sale and perpetual Alienation by right of contractance and force and ven, unto Don. Rafael Estrada a citizen of Monterey, a Rancho called "Rancho de las Salinas" the Ownership of which belongs to her by virtue of a grant thereof made to her by the Government of this Department as appears by the Original title which she has delivered to him, comprising the house situated thereon, and she declares that the same is neither sold alienated nor mortgaged and that it is free from all incumbrance, public, papeteal temporal taxes or Expens: and that as such she sells the same to him for the price & consideration of two hundred dollars, to be delivered in partial payments, and as the delivery does not appear at the moment, she renounces the Sales respecting the same, the Law of its proof and payment of the receipt as expressed therein; besides which Don Rafael Estrada binds himself to take care of her small property and that said Senora Cristina shall remain in her house and Rancho as long as she may live, and that he will not molest her, but on the contrary that he will accompany her; and at the same time she declares that she consents this to be the just price and true value of said Rancho and house, and that if it should be worth more, of the price whether a large or small amount she makes in favor of the purchaser his heirs and successors a present and donation just perfect and irrevocable which is ⁱⁿ Law is called intra vivos, with the exhibition of documents (insinuacion) and other legal securities, renouncing law the fourth title seventh, book the fifth of the "Recopilacion" and the other laws respecting more or less than the half of the just price, and the four years separate law for its revision or Supplemente, which she consents as just; and henceforth she renounces forever the Common law papeteal title, appeal or any

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other right which she may have to the said Rancho and house; and she resigns and transfers the same to the purchaser in order that he may dispose of the same as of a thing belonging to him, the seller binding herself that this sale shall be certain, true and effect to him and that no one shall molest him nor enter suit against him for his ownership or possession nor against the Rancho and house shall any burden appear, and that if he should be molested she will step forth in his defence until leaving the purchaser in quiet and peaceable possession.

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And for the fulfillment of these stipulations the seller binds herself, submitting to the authority and jurisdiction of the Magistrates who may have to take cognizance of the affairs according to Law in order that they may to the fulfillment thereof compel & (Obligé) her as by a definitive sentence agreed to and rendered on the authority of a thing adjudicated, for as such she consents; renouncing in form all the laws which may favor her and the general one of right.

In fulfillment whereof the buyer and seller did thus stipulate, signing with the following witnesses Don Manuel Spence Don Santiago Melton Don Salvador Munras Don Teodoro Gonzalez Don Joaquin Escamilla, Ambrosio Gomez Don Mariano Estrada who were present and at request of Senora Christina Delgado who could not write, I did so
(Signed) Jesus Rosas

As Witness - (Signed) Jose M Estrada (Signed) Santiago Melton (Signed) Salvador Munras (Signed) J. S. Escamilla (Signed) M Spence (Signed) Teodoro Gonzalez (Signed) Ambrosio Gomez

The undersigned do hereby certify the foregoing to be a true & faithful translation of the Original Bill of Sale
Montevideo 14th January 1853

M. E. P. Hartnell
State Translator

Filed in Office Jan'y 29. 1853
Geo. Fisher Secy

57 No. 535
Opinion

Rafael Estada }
vs } Rencón de las Salinas
The United States }

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The claimant in this case has
filed in support of his title an Original grant from
Governor Figueroa to Cristina Delgado, dated Decem-
ber 2^a 1833 for the place called Rencón de las
Salinas to the extent of half a square league, and
a conveyance from said grantee to the claimant
dated March 2^a 1847 by which the title of said
grantee was transferred to him, reserving to himself
a right to occupy and enjoy the premises during the
term of his natural life. The genuineness and authen-
ticity of these documents and the death of the origi-
nal grantee are duly proven by competent testimony.
Judicial possession of the premises was given by
the Constitutional Alcalde of Montañá on the 12th
of June 1835, as appears by the Original testimonial
of the Act which is filed & proved in the case.
This record shows that the quantity of land
embraced within the boundaries approximately very
nearly to that given in the title.

It is further ^{shown} by the Expediente and Oral testimony
that the grantee occupied the land several years
before the grant was made, that she had on it
two houses and a mill and a large plot of
cultivation, that she continued to occupy it until
her death; since which time, it has been in the
exclusive occupation of the present claimant.

The boundaries of the land are described in the
grant and act of judicial possession and de-
scribed on the map to which reference is made
in the grant with sufficient certainty to prevent
any difficulty in its identity and location.

The claimant has shown himself entitled to
confirmation and a decree will be accordingly
entered.

Filed in Office Sept 27. 1854

Geo. Fisher Secy

Rafael Estrada
vs
The United States

Rancon de las Salinas

Decree

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 present County of Monterey as is known by the name of "Rancon de las Salinas" being the same which was granted to Cristina Delgado by Gov. Figueroa on the 2nd of December 1833 and now occupied by the present claimant and is bounded as follows Beginning at a point on the Bank of the "Rio de Monterey" a few hundred varas above the house of the said grantee and running West by Sec. 4900 varas towards the Pequeno River near the small Salt Lake to a point on the shore of the bay, thence along the bay shore to the mouth of the River of Monterey, thence along the bank of said River to the point of beginning, containing one half of a square league. In a more particular description reference to be had to the Original grant, record of purchase papers and map contained in the Especie all of which are on file in the case.

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Alpheus Selch
R. Aug. Thompson
S. B. Farnell

Commissioners

Filed in Office Sept. 27. 1854

Geo. Ashworth

And it appearing to the satisfaction of this Board that the Land hereby adjudicated is situated in the Southern District of California, it is hereby ordered that two transcripts of the proceedings and the decision in this case, and of the papers and evidence upon which the same are founded be made out and duly certified by the Secretary one of which transcripts shall be filed with the Clerk of the United States District Court for the Southern Judicial 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
following *Fifty two* pages, numbered from
1 to *52*, 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. *535* on the Docket of the said Board,
wherein *Rafael Estrada* is

the Claimant against the United States, for the place known by
the name of *Rincón de las Salinas*

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

G. Fisher
Geo. Fisher



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

No. *215* *Dock*

THE UNITED STATES,
215
vs.

Rafael Estrada
"Rincon"
"de las Salinas."

TRANSCRIPT OF THE RECORD
FROM THE **215**
BOARD OF U. S. LAND COMMISSIONERS.
In Case No. *5-35*

Filed, *April 10th* 1855.

G. C. Carr
clk.

215

No. 5-35

Office of the Attorney General of the United States,

Washington, 7th April 1855.

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Rafael Estrada

vs.

The United States.

535.

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 10th day of February 1855, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 215.

U. S. District Court
Southern Dist of Cal.

The United States
vs
Rafael Estrada

Notice of Appeal
in Case no. 535.

Filed July 25 1853.
C. C. Carr
By A. H. Clark
Deputy

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

The United States, appellants }
vs. } Answer of appellee.
Rafael Estrada, appellee }

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Rafael Estrada, appellee, appears by his
Attorneys and for answer to the petition of the
United States, filed herein, says:

That his title to the land called "Rincón
de las Salinas" as set forth and described in
his petition to the Board of Commissioners
and in the documentary and other evidence
filed in this case is a good and valid
title. The land claimed is situated in the
Southern District of California.

Wherefore he prays this Honorable Court
to affirm the decision of the Board of
Commissioners and to decree his title to
be valid.

Hulluk Peachy & Billings,
Atty's for appellee.

Marshall vs Fox & Brown

\$3,000

Served this answer on P^{sd} W^d Atty by delivering to him
a copy of the same at his office this Dec 5th 1855

Edward Hunter

W^d Marshal

No 215

The Mutual States, appellants

vs

Rafael Shuda, appellee

Sumner of Appellate

Filed Oct 20th 1855

D. B. Law Clerk

By W^d Marshal

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W^d Marshal
Sealby & Robinson
Attys for appellee

That on or about the 10th day of April A.D. 1855
the said Commissioners filed or caused to be
filed in the office of the clerk of this Honorable
court a duly certified transcript of their proceedings
with the evidence and decision in said cause.
That the land claimed lies in the southern
district of California and within the jurisdiction
of this Honorable court.

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^{the allegations contained in said petition to said Commissioners.}
And this petitioner denies generally ~~that~~ ^{the}
said claimant has any valid right or title
to said land, claimed as aforesaid.

Wherefore the said petitioner prays that
the said Rafael Estrada, or his Attorney, may
be served with a copy of this petition, and that
after due proceedings had, the said decision
of the said Commissioners may be reviewed,
reversed & set aside, and that this Honorable
court will decree the said claim or title
to be invalid, with costs and general relief.

P. O. W.

Attorney of the United
States for the Southern Dist. of Cal.

No 215

~~The United States~~

~~vs~~

Rafael Estrada

^{adv.}
The United States.

Petition of the States

for Review

Filed Oct 20th 1855

C. C. Can. clk.

By J. W. Ross dep.

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P. Ord. U.S. Atty

The United States appellants vs Rafael Estrada appellee.

The Transcript, No 535, in this case contains

II Petition to Commissioners p 3.

III Deposition of W. E. P. Hartwell p 5.

proves signatures to grant, juridical possession and approval: That Cristina Delgado occupied this land with a house and stocks from 1834 or 5 till her death, since then the claimant, Rafael Estrada has occupied it.

III Deposition of D. Spence. pp 567.

gave the juridical possession of this land in 1835; Cristina Delgado then had a house on it, some tame cattle, and had some of the land in cultivation. In 1847 and before her death, she sold it to Rafael Estrada but continued to live on it till she died. Proves deed of Transfer to Estrada. Since that time Estrada has built another house on the land, has cattle on it and lives there with his family.

IV Espediente from office of Surveyor Genl. pp 9 to 22.

contains petition, map, reports of local authorities, decree of concession, copy of grant, and approval. It also shows that the grantee, Cristina Delgado, was in the possession and occupation of the land prior to the grant.

V Translation of Espediente pp 23 to 30

VI Original grant, approval & juridical possession pp 31 to 38. Genuine proved by Hartwell & Spence.

VII Translation of grant, approval & juridical possession pp 39 to 46.

VIII Deed of Transfer from Delgado to Estrada. pp 47 & 48.
This transfer is proved by Spence.

- IX Translation of deed of conveyance p/p 49 & 50.
- X Opinion of Commissioners p. 51
- Decree of confirmation p. 52.

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Proceedings in N.Y. Dist Court

- 1st Transcript filed April 10th 1855
- 2^d Notice of appeal filed July 2^d 1855
- 3^d Petition for Review " Oct 20th 1855
- 4th Answer " Oct 20. 1855

The grant & map make the boundaries perfectly clear - being the Sea - the Monterey River & the Channel - Hence your Judicial Possession - his testimony & the record of Judicial Possession shows the land could be the same as called for by grant & map - only a little less

No 215.
The United States, Appellants
vs
Rafael Estrada, appellee

Index of case

Filed Jan'y 4th 1856.

G. E. Farr
clerk

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Hall & Peckham & Bellings
Attys for appellee

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

Los Angeles,.....December Term, 1855.

Rafael Estrada

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PAGE 64 APPELLEE,

VS.

UNITED STATES,
APPELLANT.

No. *215*,

(No. *535*, 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 *7th* day of *January* A. D. 1856.

P. Ord
ditto

No. 215.

W.S. Dubfont
Judge Dubfont of California

Rafael Estrada
appellee
vs
The United States
appellant

Successful Appeal J.C.

Filed with my clerk
C.E. Low clerk
by O'Morgan Deputy

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United States District Court,
Southern District of California

Rafael Estrada
appellee

December Term 1855

vs
The United States
Appellant

No. 215

Transcript from Land
Commission No 535

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This cause coming on to be heard on an appeal from the decision of the Commissioners to ascertain & settle the private land claims of the State of California. Under the act of Congress Approved March 3^d 1851. Upon the Transcript of the proceedings ^{and decision} and the papers and evidence on which said decision was founded and on additional testimony taken in this Court. And it appearing that said Transcript has been duly filed according to law. And Counsel for the respective parties having been heard. The Court doth adjudge and Decree that the Decision of the Commissioners be affirmed. and that the Claim of the said Rafael Estrada is good and valid and the same is hereby confirmed to him to the extent of one half of one square league of land and no more within the boundaries described in the grant and map to which the grant refers. Reference being had to the act of judicial possession in locating the same. Provided that if the quantity contained within said boundaries be less than said quantity of one half of one square league. then confirmation is hereby made of said less quantity

James S. P. Ogden
U. S. Dist. Judge

No 215

U.S. Dist Court
South Dist of Cal

Rafael Estrada
appellant
vs.

The United States
appellants

Decree

Rec'd 25th Nov 1854 page 62

Filed March 3 1856.

C. E. Can
clk

by *Mingun* Deputy

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California Land Claims
Attorney General's Office
4 October, 1858

Sir:

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In the case of the
claim of Rafael Estrada,
conferred to the claimant
by the Commission, (Case
no. five Hundred and thirty
five (535), and also con-
ferred an appeal by
the District Court, appeal
in the Supreme Court
will not be prosecuted
by the United States

Respectfully

P. Prolog

Cooking

W. S. Attorney

W

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Rafael Estrada

533

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Re No 4 1836

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

Amos S. King, Judge.

December Term 1830

The United States

Appellants

Rafael Estrada

Appellee

Book No 215

Transcript from the Board of Land Commissioners No. 535

In pursuance of a letter from the Attorney General
of the United States, herewith annexed, giving notice
that in the above cause the appeal in the Supreme
Court will not be prosecuted by the United States;
it is hereby stipulated and agreed by and between
the parties, that the order granting an appeal to
the Supreme Court heretofore made in the above
cause be vacated, and that the record of the
Court heretofore rendered in this cause may by
order of the Court be made final

J. P. Dittall,

Walter Beachy Billing,
Attys of appellee.

U.S. Dist Court
South Dist Cal^a

No 215

The United States
Appellant

^{vs}
Rafael Estada
Appellee

Stipulation
to vacate order of
Appeal to Supreme Court

Filed this 5th February
1857
Wm Calk
for J. W. Coleman
Att^y

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

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Now Isaac S. K. Ogden, Judge, E.

December Term 1855

The United States

Appellant

vs
Rafael Estrada

Appellee

ocket No 215

Transcript from Record of Land Commissioners No 535

The Attorney General of the United States having given Notice that the appeal to the Supreme Court from the decision of this Court in the above entitled Cause will not be prosecuted by the United States. And a Stipulation having been entered into by the United States District Attorney and the Attorneys of the Claimant that the order granting an appeal to the Supreme Court heretofore made in this Cause be vacated and that the decree of this Court heretofore rendered in this Cause may by order of the Court be made final, it is

Ordered, adjudged and decreed. That the

U. S. Dist Court
South & Dist Calif
No 245

The United States
Appellants
vs
Rafael Carbado
Appellee

Order
Vacating Appeal

Filed Feb 27th 1887
C. W. Jones
Clerk

Order granting an Appeal to the Supreme Court here-
tofore made in this cause be and the same is
hereby vacated, and that the claimants have leave
to proceed under the decree of this Court heretofore
rendered in this cause as under a final decree
Mansell C. Quinn
U. S. Dist Judge

The United States, appellants }
vs }
Nafrel Estrada, appellee }

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The claim in this case is based upon a grant from Governor Figueroa to one Cristina Delgado, dated 2nd Dec A.D. 1833— and approved by the Departmental Assembly on the 27 May 1834—

The grant purports to be for a tract of land of one half a square league in extent, by the name of Rancho de las Salinas, the grant describes the land as being bounded by the Sea, the River of Monterey and the Chemical as shown by the map.—

The map is quite definite showing the ~~boundaries~~ boundaries called for in the grant very distinctly, it would be ~~impossible~~ impossible for a surveyor with the map and cubs in the grant to fail, to mistake the land intended to be granted, it is in almost in a triangular form, the River of Monterey and the Chemical forming the two sides and the sea shore the base; Irregular was given of the land which accords.

almost exactly with the boundary
as laid down in the map, the
courses perhaps do not exactly
agree with those shown by the map -
but if there is a difference it is against
the claimant. ~~The fact evidence~~
~~shows~~ the testimony in the case
shows a compliance with all
the conditions of the grant. ~~and~~
~~the claimant is therefore entitled~~
The claimant alleges title in him-
self derived from the original grant
by virtue of a deed of conveyance
from her to him duly executed
and authenticated and filed in
the case.

The claimant is therefore
entitled to a confirmation of
his claim and a decree will
be entered accordingly.