

CASE No.
230

SOUTHERN DISTRICT

PARAJE DE SANCHEZ GRANT

JUANA BRIONES DE LUGO, ET AL

CLAIMANT

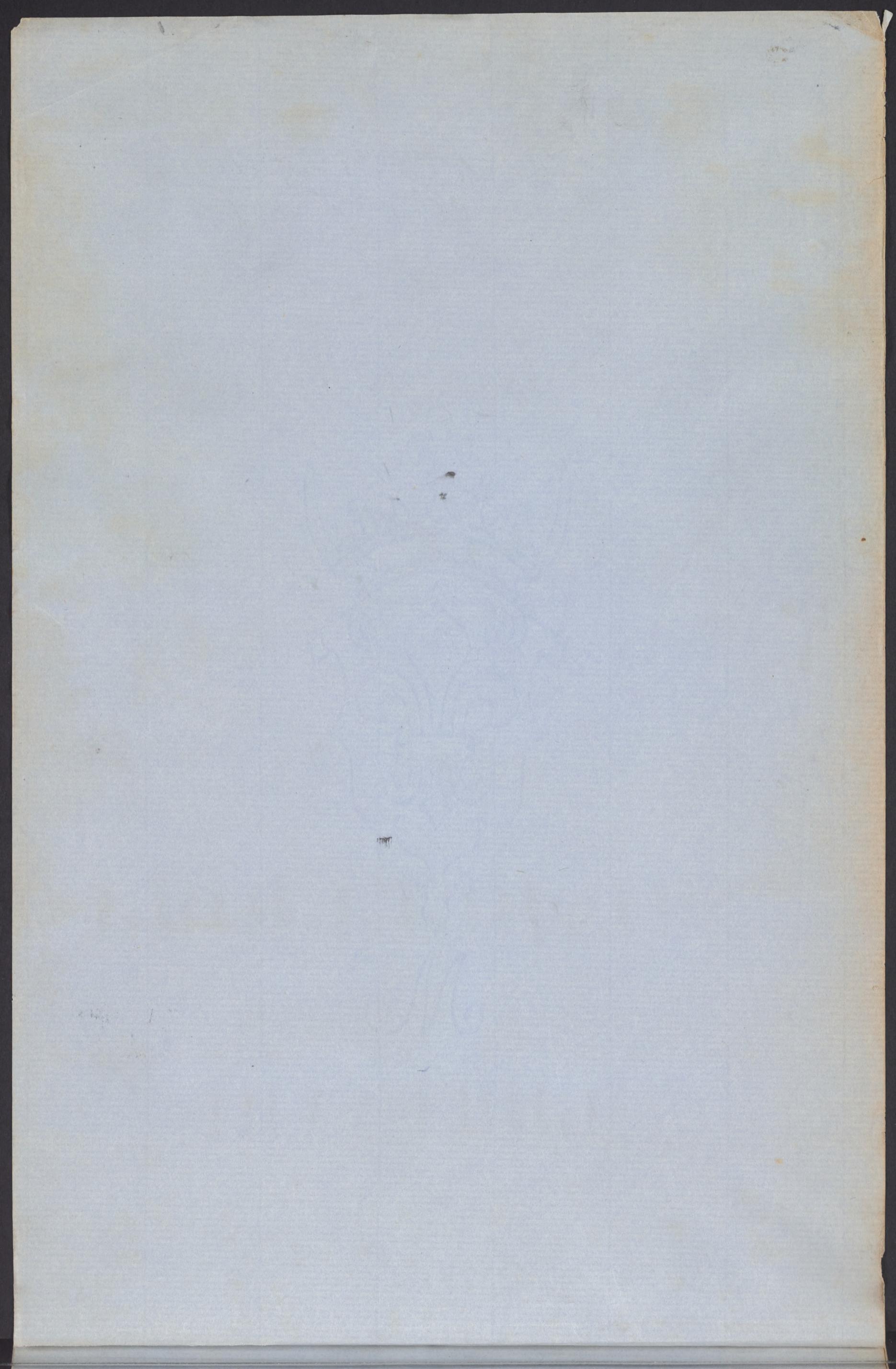
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NEW
82% COTTON FIBER
BROOK BOND
Manufactured

372

30

Mr
Mm



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. *537.*

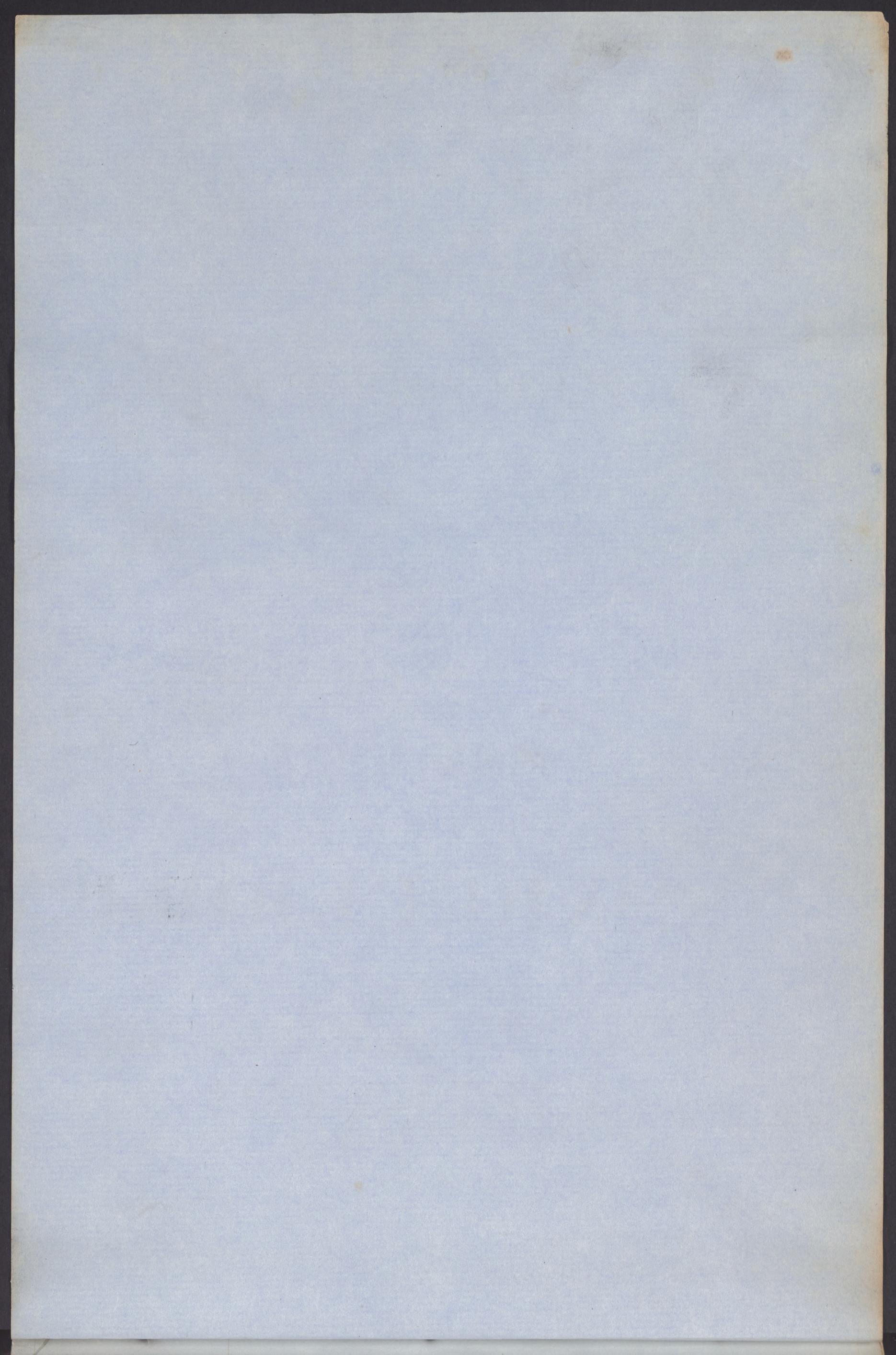
Juana Briones de Suyo, et al. CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Paraje de Sanchez.



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;

The Petition of Juana Briones de Sugo et al: for the Place named

"Paraji de Sanchez"

was presented, and ordered to be filed and docketed with No. 537 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 29' 1853.

In Case No. 537, Juana Briones de Sugo, et al: for the place named "Paraji de Sanchez", the deposition of W^m C. P. Hartnell, a witness in behalf of the claimants, taken before Commissioner Harry J. Thornton, with document marked H. J. T. No. 1, annexed thereto was filed;

(Vide page 5 of this Transcript)

San Francisco September 23' 1853

Case no. 537 called; on motion of the Counsel for the claimants, ordered to the foot of the Docket.

San Francisco December 1' 1853.

In the same Case the deposition of Thomas Cole, a witness in behalf of the claimants, taken before Commissioner Alphens Felch, was filed;

(Vide page 5 of this Transcript.)

San Francisco Sept. 19th 1854.

On motion of the counsel for the claimants, case no. 537 was ordered to be placed at the foot of the 2^d class cases on the Trial Docket.

San Francisco October 17th 1854.

In the same case the counsel for the claimants filed the following Motion, to wit:

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(Vide page 2 of this Transcript.)

which having been considered was granted, and Ordered, That the case be revived in accordance with the said motion.

San Francisco October 20th 1854.

In the same case the deposition of Benito Diaz, a witness in behalf of the claimants, taken before Commissioner Peter Satt, was filed:

(Vide page 7 of this Transcript.)

San Francisco October 24th 1854.

In the same case the counsel for the claimants filed the following Motion, to wit:

(Vide page 23 of this Transcript.)

which motion was granted.

San Francisco Oct. 31st 1854.

Case no. 537 was submitted on Briefs and taken under advisement by the Board.

San Francisco Nov. 9th 1854.

In the same case Commissioner Phelps Felch delivered the Opinion of the Board affirming the claim;

(Vide page 28 of this Transcript.)

and the following order was made, to wit:

(Vide page 20 of this Transcript.)

S

To the Honorable Commissioners to Settle Private
Land claims in California

The petition of Juan de
Bri ones de Lugo and Cayetano Lugo Juan de
Mata Lugo, children of the late Francisco Lugo
deceased, respectfully represent:
That on the 8th day of June A.D. 1839 Juan P
Alvarado Governor of California, by virtue of auth
ority in him vested granted to the said Francisco
Lugo the tract of Land called Paraje de Sanchez
in the present County of Monterey containing
One and a half square Leagues, a little more or less
which Original title map, and judicial possession
are submitted herewith marked "A" with a
translation marked "B"

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That the said Francisco Lugo died intestate in
the year 18 — leaving the petitioners his widow
and legitimate children —

That the said Francisco Lugo and the petitioners
have been for more than thirteen years, and that
the petitioners now are in the quiet and peaceful
possession and Occupation of the said tract of
Land, and that they know of no conflicting
claim —

That they rely for confirmation of title
upon the Original papers submitted herewith
upon the Minutes and records in the Archives
of the former government and upon such other
and further proofs as they may be advised are
necessary

Wherefore they pray the Commissioners to
confirm to them the aforesaid tract of Land
By their Atlys

Halleck Peachy & Billings

Filed in Office July 29. 1853
Geo. Fisher Secy

Recorded in Vol 1 of Petitions on pages 507 &
508 —

Geo. Fisher Secy

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5 Deposition of W.E. Hartnell

San Francisco July 29. 1853

On this day before Comr H. J. Thorton came Wm. E. P. Hartnell a witness in behalf of the claimants Juan Pinos de Sigo et al petition No. 537 and was duly sworn his evidence being given in English

In answer to questions propounded by claimants Counsel the witness testifies as follows

My name is W. E. P. Hartnell my age 55 years - I have been in California 30 years

I am acquainted with the writing of Juan B Alvarado, Manuel Jimeno, Teodoro Gonzales Manuel Castro, Francisco Pico, Juan Malimon Feliciano Soleranes; their signatures to the document before me marked Exhibit No 1 herewith filed are genuine

I know the land described in these papers, it was occupied by Francisco Sigo about 1839 or 1840; he continued to occupy it till his death and since that time by his widow and children

W. E. P. Hartnell

U S Law Agent Present

Sworn to & subscribed before me 29th July 1853

Henry J Thorton Comr &c

Filed in Office July 29. 1854

Geo. Fisha Secy

Recorded in Ev B Vol 2 p 517.

Geo. Fisha Secy

Deposition of Thos. Cole x San Francisco Dec. 1. 1853.

Office of the Board of U.S. Land Commissioners to ascertain and settle private Land claims in the State of California. x Questions by Mr. Sullcock

On this day before Alpheus Selch Comr. for claimant

Came Thomas Cole age and place of residence?

a witness for claimant Juan Pinos de Sigo et al in California

petition 537 who being duly sworn deposed as follows

1st Question. What are your name

Ans. My name is Thomas Cole

My age forty three years and I reside at Monterey

2nd Question. Do you know the Rancho called Paraje de Sanchez claimed by the heirs of Francisco Sigo. If you know is it situated and what do you know of its Occupation?

and what do you know of its Occupation?

11
Answer, I know the Rancho. It is situated in Monterey County
near the Mission of Salinas about two leagues from it
towards Monterey. I have known it since 1838, or 1839,
I was then occupied by Francisco Diego who lived on it
with his wife and family, and was stocked with cattle
sheep and horses. He had an adobe house on it in
June or July 1838 or 1839. I am not certain which year
he lived there four or five years from that time;
then he and his wife removed from it, and his son
continued to live there with his family and has continued
until this time.

After the death of Francisco Diego, his widow returned to
the place and lived there until her death which
occurred a very short time ago.

Thomas Cole

Mr Greenham associate Law Agent was present at the
taking of this deposition but pronounced no questions
to the witness.

Subscribed and sworn to before me this first day
of December 1853

Alphus Felch Commissioner

Filed in Office Dec. 1. 1853

Geo. Fisher Secy

Recorded in Ev. B Vol 3 p 477

Geo. Fisher Secy

7 Deposition of Benito Diaz

United States of America
State of California

San Francisco Oct. 19. 1854

This day came before me Peter Lott Commissioner for taking Testimony to be used before the Board of U. S. Land Commissioners in said State, Benito Diaz a witness in behalf of the Claimants Juana Briones de Lego et al. in Case No. 537 on the docket of said Board, and said witness being duly sworn deposed in Spanish which is interpreted by the interpreter of said Board as follows

The U. S. Associate Law Agent is present

Questions by Capt. Hallett for Claimants

Question. What is your name age and residence.

Answer. My name Benito Diaz my age 40 years, my residence Monterey California

Q. Question. Did you know Francisco Lego and his wife Juana Briones de Lego, if you are they living, if they are dead what died they did and what children did they leave naming them

Answer. I know said Francisco Lego and his said wife; they are both dead. Francisco died some seven or eight years since and Juana Briones about 2 years since. They left 6 or 7 children. I do not know all their names one is named Cayetano, two are named Francisco and one Joseph. I believe one is called Beaudelape. I do not know the others.

Sworn Examined by the U. S. Associate Law Agent

Question. What means have you of knowing the names of the children?

Answer. I have often been at the house and have been intimately acquainted with Cayetano.

Benito Diaz

Subscribed and sworn to before me on this 19th day of October 19th 1854

Peter Lott Commr. 40

Filed in Office Oct 20th. 1854

Geo. Fisher Secy

Recorded in Ev B Vol 5 p 504

Geo. Fisher Secy

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9

"A"

Año de 1840

Exhibito No 1
attached to deposition
of M. E. P. Axtell,

Expediente promovido por el C. Fran^{co}
Lugo en pretension del terreno llamado

Paraje
de
Sanchez

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Monterey

Habilitado provisionalmente por la Aduana Marítima
de Monterrey para los años de 1839 y 1840

Alvarado

Antonio Mº Osio

Juan B. Alvarado Gobernador interino
del Departamento de las Californias.

Por cuanto el C.º Sr. Don Juan B. Alvarado ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Paraje de Sanchez, situado entre con el Rancho de D.º Juan Malamu con el Establecimiento de la Salidad, con el Rio de Monterrey, y la Sierra; practicadas previamente las diligencias y averiguaciones correspondientes, segun lo dispuesto por las leyes y reglamentos, usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el mencionado terreno, dandole la propiedad de el por las presentes letras sujetandose a la aprobacion de la Exma Junta Departamental y a las condiciones siguientes:

- 1ª - Podrá cercarlo sin perjudicar los caminos Carreteros y servidumbres; lo disputara libre y esclusivamente destinandole al uso o cultivo que mas le acomode, pero dentro de un año fabricara casa y estara habitada.

2ª - Solicitara del juez respectivo que le dé posesion juridica en virtud de este despacho por el cual se demarcaran los lindes en cuyos limites pondra a mano de las vagoneras algunos arboles frutales o siberbos de alguna utilidad.

3ª - El terreno de que se hace mencion es de un sitio y medidas de ganado mayor segun explica el diccionario que corre en el expediente. El juez que diere la posesion lo hara medir conforme a ordenanza quedando el sobrante que resulte a la Nacion para los usos comunales.

4ª - Si contraviniera a estas condiciones perdera su derecho al terreno y sera denunciable por otro.

11
En consecuencia mando que teniendo por
firme y valido este titulo se tome razon
de el en el libro a que corresponde, y se
entregue al interesado para sus resguardos
y demas fines Dado en Monterrey a
ocho de junio de mil ochocientos treinta
y nueve

Juan B. Alvarado

map 13

Man^l. Jimeno
Sr^o del Despacho

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Queda tomada razon de este despa-
cho en el Libro de acientos de titulos so-
bre adjudicacion de terrenos a f.^o 8
Jimeno

El Exmo Sr. Gobernador ha dispu-
sto se tome razon de este titulo en la
Prefectura del primer Distrito
Jimeno

(Here follow map)

Sello Cuarto (Seal) Una Cuartilla
Para los años de mil ochocientos
y mil ochocientos Cuarenta y uno

Revalidado para los años de 1842 y 1843
Alvarado Antonio M^o Osio

Sello Tercero (Seal) Dos Reales
Para los años de mil ochocientos
y mil ochocientos Cuarenta y uno

Revalidado para los años de 1842 y 1843
Alvarado

Sr. Juez de Paz Suplente
El Sr. Tran^o Dugo, vecino de este De-
partam^{to} ante V. con el debido respeto hace presente

Que habiendo atendido del Sup.^o Gobierno el terreno conocido con el nombre de Paraje de Sanchez, como consta p.^o el título es debido a mi favor con fha ocho de junio de mil ochocientos treinta y nueve, y fallandome delante la posesion jurídica para contarlo con propiedad en todas los requisitos legales, he de merecer de la verdad de vide Silva danna, dignandose señalarme el dia que tenga a bien dignar-

P.^o Tanto - A. V. suplico en dida- mente provea en mi solicitud a favor, de lo que escribire merces y gracia de lo que fuere cuando lo necesari acaudera a lo debido

Montney Abre 15 de 1842

Franc^o Lugo

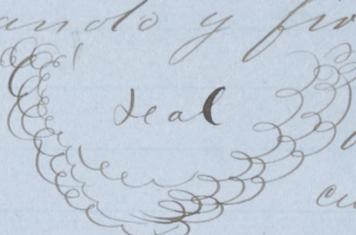
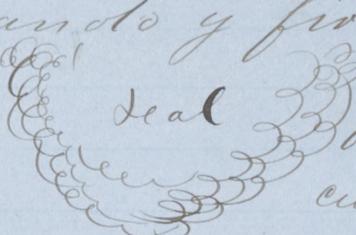
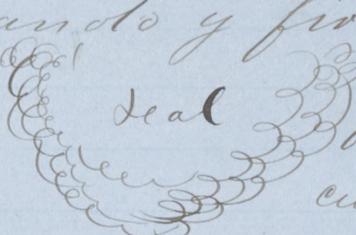
Montney 15 de Abre de 1842

Por presentado y admitido procedase p.^o mi el presente juez de Paz a la mediacion simulam^{to} de leuders. y posesion judicial que solicita el interesado en esta instancia; señalandose para ejecutarlo el dia 17 del presente mes para lo que se citaran en bolitos de conformidad a los Colegiantes. Asi yo el Juez de Paz Constitucional suplente lo deciente mande y firme con los de asistencia

as^a Todoro Gonzalez as^a
Man^l Castro Franc^o Rico

En la misma fha presente el Sr. Franc^o Lugo se le justifico el auto que antecede y entendido dijo: lo oye y que se da p.^o citado firmando conmigo y los de as^a

as^a Todoro Gonzalez
Manuel Castro Franc^o Rico

En la misma fha se libraron los bolitos que se mandan en el auto anterior y para constancia lo anoto y fir-
Sello Tercero  Dos Reales
Para los años de mil  Diez ochocientos cuarenta
y mil ochocientos  cuarenta y uno

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Revalidado para los años de 1842 y 1843
Avarado

as^a Manuel Castro
as^a Teodoro Gonzalez
as^a Juan^{co} Rico

Rancho del Paraje de Sanchez 17 de
Abre de 1842. Presentes los Causidantes
Dⁿ Juan Malarin y el encargado de la
Mision de la Zedada Dⁿ Feliciano Sobr-
ranes nombre p^r medidores a los C. C.
Gabino Cerafino y Ygnacio Gonzalez los
que procederan a la medicion dha suca-
lam^{te} de linderos y posesion del C. Juan^{co}
Lugo, quienes previa la aceptacion y ju-
ram^{to} procederan al desempeño de su en-
cargos. Asi yo el juez de Paz Consti-
cional suplente de esta demas-

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Sello Cuanto (Seal) Una Cuartilla
Para los años de mil ochocientos
y mil ochocientos cuarenta y uno

Revalidado para los años de 1842 y 1843
Estrada Antonio M^o Osio

Con lo decrte mande y firmé con
la de asistencia.

as^a Manuel Castro
as^a Teodoro Gonzalez
as^a Juan^{co} Rico

En la misma fha presentes los C. C.
Ygnacio Gonzalez y Guisno Cerafino se
les notifico el auto de su nombramiento
y de el intimados dijeron lo oyen que acep-
taban y aceptaron jurando p^r Dios nues-
tro Sr. y la señal de la Cruz conforme
a su lial saber y entender desempeñarle
sin hacer fraude alguno. Contra nin-
guna persona firmando conmigo y la de Const^a

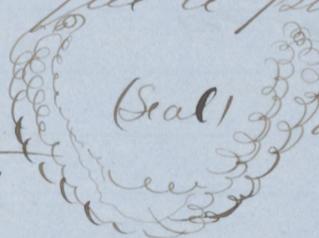
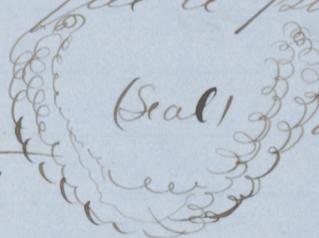
as^a Manuel Castro
as^a Teodoro Gonzalez
as^a Juan^{co} Rico

Yncontinente yo el referido Alcalde man-
de traer el Cordel con que se habian de me-
dir las tierras y los esquadros medidores
lo tomaron y ante mi con una vara de

medir usual Mexicana midieron. Cien-
Cuenta varas para hacer la medicion del
terreno, y lo firme con los de asistencia de
doy fe

as^a Todoru Guzulez as^a.
Manuel Castro Fran^{co} Rico

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En el mismo parage dia mes y año
siendo las nueve del dia yo el presente
juez de Paz Constitucional suplente
de esta jurisdiccion mande a los me-
didores nombrados se dispusieron para
la medicion de tierras que se le habia de
hacer al Sr. Fran^{co} Sugo, y puestos
en el Arroyo lindero de D. Juan Ma-
larin E.S.E. se midieron doscientos doce
Cordales de a cincuenta v^{as} de largo; y
se advierte que esta medida llego hasta
el lindero de la Mision de la Libertad (los
barranquitos) y desde la orilla del Rio N.
hasta la orilla de la Sierra S se midie-
ron cuarenta y dos Cordales, siendo igual
en el otro extremo a lo largo del terreno
en medida al primer, asi como el de
el ancho a la ultima medida. En cuyas
mediciones mande se formaran las
mojoneras correspondientes que señalan
los linderos que le pertenecen a dho
Sello Cuarto  Una Cuartilla
Para los años de mil  ochocientos cuarenta
y mil ochocientos cuarenta y uno

Revalidado para los años de 1842 y 1843
Entrada Antonio M^o Osio
Sugo.

El terreno medido corres-
ponde a sitio y poco mas de ganado ma-
yos, y lo firmaron con mi go, el interinado
los edindantes y los testigos de asist^a.

Todoru Guzulez as^a.
as^a Manuel Castro Fran^{co} Rico
Juan Malarin Peliciano Sobranes

15-

En el rancho del Paraje de Sanchez a los diez y siete dias del mes de Febre de mil ochocientos cuarenta y dos, yo juez de Paz suplente de Monterrey

Sello Tercero Dos Reales

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

Ximmo

Antonio Maria Osio



Revalidado por los años de 1842 y 1843 Estrada Castañares

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Y su jurisdiccion despues de practicadas las medidas del mencionado rancho, por lo que resulto mas de un sitio de ganado mayor, y presentes los Colindantes D. Juan Malara y D. Feliciano Soberanes como Encargado de la Mision de la Fielidad, siendo estos conformes con los demas autos, mande que entrase en posesion del nominado rancho el Sr. Juan. Luego bajo de las medidas citadas y formalidades acostumbradas en estos casos lo que verifico inmediatamente arrancando juras, y haciendo demostraciones como dueño del terreno de que se le ha dado juridica posesion, cuya validacion la autorizo firmando con los Colindantes interesado y de asistencia.

Prodoro Guzalez

Feliciano Soberanes
as?

Juan Malara
as?

Manuel Castro

Juan Rico

Monterrey 19 de Febre de 1842

Tomada razon en el libro de posesiones y devolvase este expediente original al interesado para los fines que mas le convenga, asi yo el juez de Paz Constitucional Sr. Prodoro Guzalez lo decrete mande.

Sello Tercero Dos Reales

Habilitado provisionalmente por la Aduana ma-
ritima del puerto de Monterey, en el Departamento
de las Californias, para los años de mil ochocien-
tos cuarenta y mil ochocientos cuarenta y uno
Firmado Antonio Maria Oro



Realidad para los años de 1842 y 1843
Entrada Costaneras

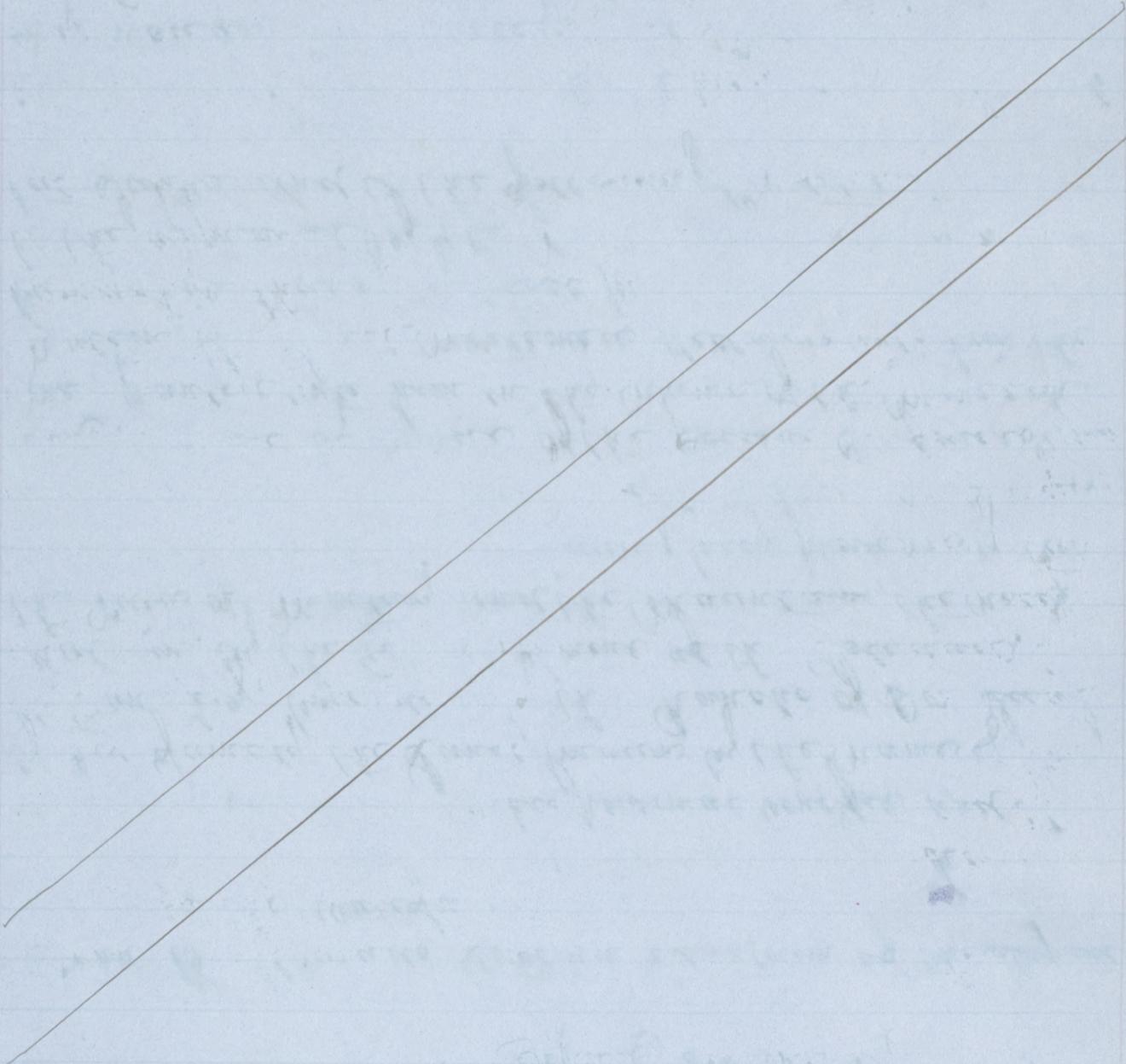
y firme con los de asistencia
Rodrigo Gonzalez

San Francisco

Manuel Castro

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Filed in Office
July 27 1853
Geo. Fisher
Secy.



Translation of
Title & paper in

B

Seal of the Juste Blap Six Dollars
Authorized provisionally by the Maritime Custom house
of Monterey for the years 1839 and 1840
(Signed) Alvarado (Signed) Antonio Ma Orio

John B Alvarado Governor ad interim of the Depart-
ment of the Californias

Whereas Citizen Francisco
Lugo has solicited for his personal benefit and that
of his family the Land known by the name of Paraje
de Sanchez, bounded by the Rancho of Don Juan
Melanin, by the Establishment of the Soledad, by
the view of Montay and the Mountains, the necessary
steps and investigations, having been previously taken
and made in conformity with laws and regula-
tions, I have by virtue of the powers conferred upon
me, granted unto him in the name of the Mexican
Nation the Land mentioned, declaring unto him the
Ownership thereof by these present letters sealed
to the approval of the Most Excellent Departmen-
tal Junta and to the following Conditions

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1st He may fence it in without prejudice to the crop
ing roads and privileges; he shall enjoy it freely
and exclusively, destining it to the use or cultivation
which may best suit him; but within one year he
shall build a house and it must be inhabited

2nd He shall request the respectable Justico to give him
judicial possession in virtue of this Title, said
Magistrate shall designate the boundaries at the
limits whereof he shall beset placing the Land
marks, plant some fruit trees or weed ones of some
utility

3rd The Land whereof mention is made consists of
one and a half square leagues (Sitios de ganados
mayn) as appears by the plan which accompanies
the expediente - The Justice who gives possession shall
cause it to be measured according to Law, leaving
the Surplus which may result to the Nation for
the necessary uses -

4th If he transgress these conditions he shall forfeit
his right to the Land and it may be alienated

18

by another.
Consequently Command that holding this title to
be firm and valid, a recall thereof be made in the
Corresponding Book and this delivered to the party
interested for his security and faith thus
Given in Monterey on the Eighth of June Eighteen
hundred and thirty nine

(Signed) Juan B. Alvarado
(Signed) Manuel Jimeno
Gov. Secretary

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A Recall of this title has been made in the Books
of Entries respecting the adjudication of lands at
Holis &

Signed Jimeno

His Excellency the Governor Commanded a recall of
this Title to be made in the Office of the Prefect
of the First District

Signed Jimeno

Seal of the third class of Two Acres
for the years Eighteen hundred and forty and
Eighteen hundred and forty one

Made valid for the years 1842 and 1843
(Signed) Alvarado

Don Acting Justice of the Peace:
Citizen Francisco Leeg a resident of this Department
before you with due respect make known that having
obtained from the Superior Government the Land
known by the name of Paraje de Sanchez as
appears by the title granted in my favor on the date
of the Eighth of June Eighteen hundred and thirty nine
and nothing but the judicial possession being
wanting to perfect the Ownership with the legal
requisites, I request of your goodness that you would
be pleased to give it to me the day that you may
please to appoint. I therefore humbly request that
you will be pleased to decree favorably my petition
whenever I shall receive a great favor seeing
that which is necessary

Monterey November 15th 1843
(Signed) Francisco Leeg

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Monterey 15th. November 1848
 Considered as presented and admitted, let me the
 present Justice of the Peace proceed to the measure
 ment, designation of boundaries and judicial papers
 in asked for by the party interested in this memorial
 giving full the execution thereof the 17th day of the
 present month in Order to which the neighboring
 Land holders shall be summoned -
 Thus I the acting Constitutional Justice of the Peace
 did decree Command and Sign with the assisting
 Ulitnesps
 (Signed) Teodoro Gonzalez
 Asst. Ulit. Manuel Castro Asst. Ulit. Francisco Rico

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On the same date, Citizen Francisco Lego being pres
 ent the foregoing decree was notified to him which
 having understood, he said that he heard it and
 considered himself cited, signing with me and the
 assisting Ulitnesps (Signed) Teodoro Gonzalez
 Asst. Ulit. Manuel Castro Asst. Ulit. Francisco Rico

On the same date the Summons ordered in the
 foregoing decree were issued, in Ulitnesps whereof
 I wrote down and sign
 (Signed) Teodoro Gonzalez
 Asst. Ulitnesps Manuel Castro. Asst. Ulit. Francisco Rico

Rancho of the Paray de Sanchez 17th November 1848
 The neighboring Land holders Don Juan Malvar and
 Don Teleciano Sobranes in charge of the Division of the
 Soledad, being present, I appointed as measurers Citizens
 Gabano Serrafino and Ygnacio Gonzalez who will proceed
 to said measurement, designation of boundaries and
 possession of Citizen Francisco Lego, who after accep
 ting and taking Oath will proceed to comply with
 this Commission, Thus I the acting Constitutional
 Justice of the Peace of this jurisdiction did decree
 Command and Sign ^{with} the assisting Ulitnesps
 Asst. Ulitnesps. (Signed) Teodoro Gonzalez
 Manuel Castro. (Signed) Francisco Rico

On the same date Citizens Ygnacio Gonzalez and
 Gabano Serrafino being present, the decree of their
 appointment was notified to them who having
 understood it said that they heard it, accepted

and did accept swearing by God our Lord and the
Sign of the Cross, to fulfill their Commission to the
best of their knowledge and understanding without
fear or favour against any person, signing with me and
the assisting witnesses.

Assisting Witnesses (Signed) Teodoro Gonzales
(Signed) Manuel Castro (Signed) Francisco Rico

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Immediately afterwards, I the said Alcalde comm-
anded the Corda where with the Land used to be meas-
ured, to be brought, and the said measurers took
it and in my presence marked off fifty varas
with a common Mexican vara measuring rod, to
make the measurement of the land with, and I
signed with the assisting witnesses whereby I
give testimony (Signed) Teodoro Gonzales
Assisting Witnesses
(Signed) Manuel Castro (Signed) Francisco Rico

On the same spot day month and year, it being
nine o'clock in the day, I the said Acting Consti-
tutional Justice of the Peace of this Jurisdiction
commanded the measurers appointed to get ready
for the measurement of the Land to be made
for Citizen Francisco Sugo; and placing them
down at the creek, the boundary of Don Juan
Malarin E. S. B. they measured two hundred and
twelve varas of fifty varas in length each; it
being understood that this measurement reach-
ed to the boundaries of the Mission of the Sole
dad (Las Barranquetas) and from the Banks of
the River to the Edge of the Mountains from
North to South they measured forty two varas
the length of the Land at the other extreme
being equal to the first measurement and the
breadth of the same to the last measurement
At which measurements I ordered the correspond-
ing Land marks to be formed, to designate the
boundaries which belong to said ^{same} Sugo

The Land measured contains a little
more than one square league (Siete y poco mas
de ganados Mayas) and the party interested, the
Land holder and assisting witnesses signed with
me (Signed) Teodoro Gonzales

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Assisting Uetnefs (Signed) Manuel Castro (Signed) Francisco Rico
 (Signed) Juan Malvarin (Signed) Feliciano Soberanes

In the Rancho of the Paraje de Sanchez on the
 Seventeenth day of the Month of November One
 thousand eight hundred and forty two, I the acting
 Justice of the Peace of Monterey and its jurisdiction
 after having effected the measurement of the said
 Rancho, which from there resulted more than one sitio
 de ganado Mayor, and the neighboring land holders
 Don Juan Malvarin and Don Feliciano Soberanes (as
 the person in charge of the Mission of the Soledad)
 being present and satisfied with the whole proce-
 dings, I commanded Citizen Francisco Rico to enter
 into possession of the said Rancho agreeable to the
 said measurements and customary formalities in
 such cases, which he immediately did, by pulling
 up grass and making demonstrations as the owner of
 the land whereof a real cession has been
 given to him, the validity of which I authorize
 signing with the land owners, the party interested
 and the assisting Uetnefs

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(Signed) Teodoro Gonzalez
 (Signed) Feliciano Soberanes (Signed) Juan Malvarin
 Uetnefs. Manuel Castro (Signed) Francisco Rico

Monterey 19th November 1842
 Let a record be made in the Book of possessions
 and this Original Expediente be delivered to the party
 interested for the ends which may best serve him
 Thus I the Constitutional Justice of the Peace
 Citizen Teodoro Gonzalez, do decree command and
 sign with the assisting Uetnefs

(Signed) Teodoro Gonzalez
 (Signed) Francisco Rico (Signed) Manuel Castro

I the undersigned do hereby certify the foregoing to
 be a true and faithful translation of the original
 title and act of possession in the hands of Señora
 Juana Briones widow of the late Francisco Rico
 Monterey 22^o October 1853 - W. Co. P. Hartnell
 State Translator

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

23

No. 537

Motion to revise

In the claim of Juana Briones de Lugo et al
for "El Paraje de Sanchez"

Moved that the claim of Juana Briones de Lugo
one of the claimants in this case, be revised in the
name of the heirs of Juana Briones de Lugo
deceased

Halleck Peachy & Billings
Attys for Claimants

Filed in office Oct. 17. 1854

Geo Fishu Beay

Recorded in Journal Vol 4 page 173

Geo. Fishu Beay

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PAGE 21

No. 537

Motion to amend

In claim of widow and children of Francisco
Lugo to "El Paraje de Sanchez"

It having been shown in evidence that Juana
Briones de Lugo has died since the filing of
the petition in this case it is therefore

Moved that the original petition be amended
so as to read "Leopoldo Lugo, Juan de Maria
Lugo, Francisco Lugo, Josefa Lugo and
Francisco Lugo for themselves and their coheirs
children of Francisco Lugo and Juana Briones
de Lugo deceased"

Halleck Peachy & Billings
Attys for Claimants

Filed in Office Oct. 24. 1854

Geo. Fishu

Beay

Recorded in Journal Vol 4 page 89

Geo. Fishu Beay

24

25

Cayetano Lugo & al }
 vs } For the place called Paraji de
 The United States } Sanchez in Monterey County
 Containing One and a half square
 Leagues of Land.

This petition was originally filed in the name of Juana Breones de Lugo the widow of Francisco Lugo then deceased and Cayetano and Juan de Mateo Lugo, their children. Subsequently the death of the widow having been suggested, the proceedings were continued in the name of the children of said Francisco and Juana, then heirs at Law who are the present claimants claiming title by inheritance from them. Francisco Lugo died some eight years since and his widow quite recently.

Opinion

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The claimants have given in evidence a grant issued to them by Governor Juan B Alvarado dated June 8. 1837 under which judicial possession was given to the grantee. November 17. 1842. The proof is ample to show that the grantee built a house on the place as early as July 1837 and resided in it with his family. The place continued to be the home of the grantee and subsequently of his children until the presentation of the claim to the Commission

A decree will be entered confirming the title to Cayetano Lugo and the other children heirs at Law of said Francisco Lugo and his wife both deceased.

Confirmed

Filed in office Nov. 7. 1854

Geo. Fisher Secy

Recorded in Record of decisions Vol 2 p. 369

Geo. Fisher Secy

Decree

Cayetano Lugo & al }
 vs }
 The United States }

In this case on hearing the proofs and allegations it is adjudged by the Commission the claim of the said petitioners is valid and the same is therefore confirmed to the said

Cayetano Lopez and the other children of Francisco Lopez and Juana Briones de Lopez his wife both deceased.

The same of which confirmation is hereby made, is the same which was occupied by said Francisco Lopez in his life time, situated in Monterey County and known by the name of "Paraje de Sanchez" and is bounded and described as follows; to wit: Beginning at the Arroyo the boundary the boundary of Don Juan Malerin and running thence along the same East South East, ten thousand six hundred varas to the boundaries of the Mission of the Soledad (Los Barranquitos); thence South from the Bank of the River, two thousand one hundred varas to the Edge of the Mountains; thence Westwardly parallel to the first mentioned line ten thousand six hundred varas and thence North two thousand one hundred varas to the place of beginning; containing a little more than one square league of Land; being the same which was assigned to Francisco Lopez under a grant to him as appears by the testimonial of said measurement on file in this case

Alpheus Felch
A. A. Thompson
S. B. Farnell

Confirmation

Filed in office Nov. 7. 1854 Geo. Fisher Secy
Recorded in Record of depositions Vol. 2. page 370
Geo. Fisher Secy

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

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

I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Twenty six* pages, numbered from
1 to *26*, 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. *537* on the Docket of the said Board,
wherein *Juan Briones de Sengo, et al,*
are
the Claimant against the United States, for the place known by
the name of *Paraje de Sanchez.*

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PAGE 24

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

Geo. Fisher
Geo. Fisher



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

No. ~~230~~ **230**

THE UNITED STATES,

vs.

*Francis Briones de Lugo,
et al — "Paraje de Sanchez"*

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TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *537*

Filed, *June 6th* 185*7*

*J. C. Lawrence
Clerk.*

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N 537



Office of the Attorney General of the United States,

230 SD

PAGE 25

Washington, 29 June 1855.

537 "Paraje de Sanchez".
Juana Brinos de Luys et al
Claimants.

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 14 day of June 1855, the appeal in the district court of the United States for the ~~Southern~~ district of California will be prosecuted by the United States.

Cluding

Attorney General.

C.S.

No. 230.

W. S. District Court
Southern Dist. of Cal^a

United States

v

Juan Briones de Lugo et al;

Notice of Appeal in
Case No. 537.

Filed Oct 4th 1855

J. C. Jan.
Clerk.

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

The United States, appellants

vs

J. B. de Sugo et al, appellees

Answer of appellees

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Cayetano Sugo, Juan de Mata Sugo,
Francisco Sugo, Josefa Sugo & Francisco Sugo,
children and heirs at law of Francisco Sugo
and Juana Buena de Sugo, both deceased,
appellees, appear by their attorneys, and for
answer to the petition of the United States
filed herein, say:

That their title to the land called
"El Paraje de Sanchez" as set forth and de-
scribed in their petition to the Board of
Commissioners and in ~~and~~ the documentary
and other evidence filed in this case,
is a good and valid title.
The land claimed is situate in the Southern
District of California.

And they pray this Honorable Court
to affirm the decision of the Board of Com-
missioners and to decree their claim to
be valid.

Halleck, Pinsky & Billings
Attys for Appellees.

No 230

The U.S. appellants

vs.

J. B. de Lugo et al
appellees

Answer of appellees

Filed Oct 12th 1850.

f. e. san.
clerk

230 SD

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Hall & Co
attys for appellees

No 230

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

Hon Isaac S. T. Ogier Judge

The United States, appellants } N^o 230.

vs.

J. B. de Lugo et al appellees }

Transcript No 537.

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The petition of Pacificus Ord, Attorney
of the United States for the Southern District
of California, for and in behalf of the United
States, respectfully represents: That on or
about the 29th day of January A D 1853, Juana
Biones de Lugo, ^{alleged} widow, and Coyetano
Lugo, Juan de Mata Lugo, alleged
children of Francisco Lugo, deceased, petitioned the
United States Land commissioners for the State
of California, claiming one & a half ^{a little more or less,} square leagues of land,
called "Paraje de Sanchez", situate in the County
of Monterey, State of California; which said
petition was ^{upon suggesting the death of Juana Biones de Lugo} afterwards, to wit, on or about

the 24th day of October A D 1854 amended
Coyetano Lugo, Juan de Mata Lugo, Francisco Lugo, Josefa Lugo, & Francisco Lugo, for
in the name of the children ~~and heirs of~~
themselves and their co-heirs, children of Francisco Lugo, & Juana Biones de Lugo, deceased;
~~of said Francisco Lugo and Juana~~

~~Biones de Lugo, both deceased;~~ That on or about
the 7th day of November A D 1854 the said commissioners
confirmed the said claim. That thereafter,
to wit, on or about the 14th day of June A D 1855
the Honorable Caleb Cushing, Attorney General

of the United States received a duly certified transcript of the proceedings, with the evidence and decision of the said commissioners in said cause. That thereafter, to wit, on or about the 4th day of October A.D. 1855 the said Attorney General of the United States, filed or caused to be filed with the Clerk of this Honorable Court a notice of the intention of the United States to prosecute the appeal in said cause; That on or about the 5th day of ~~October~~^{June} 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 court; And this petitioner denies generally that the said claimants have any valid ~~right~~ or title to the said land.

Wherefore the said petitioner prays that Coyetano Lugo, Juan de Mata Lugo, Francisco Lugo, Josefa Lugo and Francisco Lugo, the alleged children ~~and heirs at law~~ of said Francisco Lugo, and Juana Briones de Lugo alleged to be deceased, or their Attorneys may be served with a copy of this petition; and that after due proceedings had, the said decision of the said commissioners may be

reversed, reversed and set aside, and
that this Honorable Court will decree
the said claim or title to be invalid.
with costs and general relief.

230 50

PAGE 31

J. P. M.

Atty of the U.S. for the
Southern District of Cal.

No 230

J. B. de Lugo et al
vs
The United States

Petition of the U. States
for Review

Filed Oct 12th 1835
J. E. Lee
Clerk

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P. Ord. U. S. Atty.

In the U. States District Court for
the Southern District of California,
Special Term Sept 1853,
Los Angeles,

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PAGE 33

Francis Bruns de Lugo et al. App^{es}

vs.

The United States. App^t } N^o 230.
(Transcript N^o 537)

On motion of J^osa attorney of the
United States for the Southern
District of California, it is 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
United States, in the above entitled
cause, rendered on or about the 16th
day of October A D 1853.

J. Ord

Respectfully

No 230.

U. S. District Court
Southth Dist. of California

The United States Appellant

vs.

Juan Pinos de Sugo. et al
Appellees.

Order of Appeal to Supreme
Court on Motion of P. Ord.
N. S. atty: —

~~230 SD~~

PAGE ~~34~~

Filed Oct 10 by 18 1855

O. E. Can Clerk

By J. W. Pinnock

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

Hon. Isaac S. New, Judge,

Number Term 1856

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PAGE 35

The United States

Appellants

Juan P. ³³ Lopez et al

Appellees

ocket No 230

Manuscript from the Board of Land Commissioners No 534

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 Attorney of the Claimants 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 Cal.

No 230

The United States
Appellant
vs
Juan Ramos delgado et al
Appellees

Order
Vacating Appeal

Filed Feb 5th 1857
Jms
AdR

230 SD

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Order granting an appeal to the Supreme Court,
heretofore 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
Dated at San Francisco
this 5th day of February 1857
H S DeWitt Judge

California Land Claims.

Attorney General's Office

1 October 1856,

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PAGE 37

Sm: In the case of the claim of Juan Prio-
nes de Sugo et al: confirmed to the Claimants by
the Commissions, case no. five hundred and thirty-
seven (537), and also confirmed on appeal by the
District Court, appeal in the Supreme Court will
not be prosecuted by the United States.

I am

Respectfully
Obedient

J. C. Orin Esq.
U. S. Attorney
Los Angeles.

VV

230.

Juan Briones de Sugo et al.

537

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Recd Nov 4 1856

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

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Hon Isaac S. Keyes Judge

December Term 1855

The United States

Appellants

J. D. S. et al

Appellees

Roller No 230

Transcript from the Board of Land Commissioners No 534

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 decree of the Court here to fore
rendered in this Cause may by order of the Court be made
Final

P. M. Divally
Walter Beech & Billing
Attys of Appellees

U.S. Dist Court
South Dist Cal
No 230.

The United States
Appellant

^{vs}
J. B. Luyochal
Appellee

Supplication
to vacate order of
Appeal to Supreme Court

Filed this 5th February
1857
C. S. Clark
J. M. Coleman
clerk

230 SD
PAGE 40

The United States, appellants vs J. B. de Lugo et al

230 SD

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The transcript contains

I Petition to commissioners p 3.

II Amended petition, and renewal of Juana's claim in name of her heirs p 23.

III. Deposition of W. E. P. Hartwell proving signatures to title and judicial possession, and the occupation of the land by grantee, and his widow & children since 1839 or 40 p 5.

IV. Deposition of Thos Cole. pp 5 & 6.

Proves that grantee had the land stocked with cattle, sheep & horses and lived on it in an Adobe house in June or July 1838 or 1839. After his death his widow & son lived on it. His widow died a short time ago; his son & family live there now.

V. Deposition of B. Dias p 7.

Proves death of grantee & his wife and names of five of the heirs; don't know the names of the others.

VI. Expediente of judicial possession pp 9 to 16.

VII. Translation of foregoing pp 17 to 21.

This expediente of possession contains original title, map, and proceedings of measurements & possession.

The grant defines boundaries and defines quantity, & the proceedings of possession give length of each line; the substance of this is embodied in the decree.

VIII. Opinion of commissioners p 25

IX Decree of confirmation pp 25 & 26

Proceedings in U.S. Dist court

- 1st Transcript filed June 6th 1855
- 2^d Notice of appeal " Oct 4th 1855
- 3^d Petition for Review " Oct 12th 1855
- 4 Answer. Oct 12th 1855

No 230

The U.S. appellants

vs.

J. B. de Sany et al
appellees.

Index of case

The heirs

The United States appellant

The Heirs of Francisco Leyo. appellees

230 3D

PAGE 43

The original petition in this case was filed in the name of the Widow and Children of Francisco Leyo the original alleged grantee, the widow's death was afterwards suggested by the Commission & the Cause was continued in the name of the heirs Children of the said Francisco & the said Juana Pinos de Leyo.

The claim is based upon a grant from the Governor Alvarado to Francisco Leyo the father of the present claimants

The original grant is offered in evidence and proven to be genuine

Judicial possession of the land was given, and occupation is proven.

The grant is for one and a half square leagues; the description of the land given in the grant aided by the judicial possession given is sufficiently definite to show the particular tract granted and to enable a survey to locate it.

The claimant is therefore entitled to a confirmation and a decree will be entered affirming the decision of the Commission

No 230

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[Main body of handwritten text in a cursive script, covering most of the page]

