

CASE No.
247

SOUTHERN DISTRICT

SAN FRANCISQUITO GRANT

JOSE ABREGO, ET AL

CLAIMANT

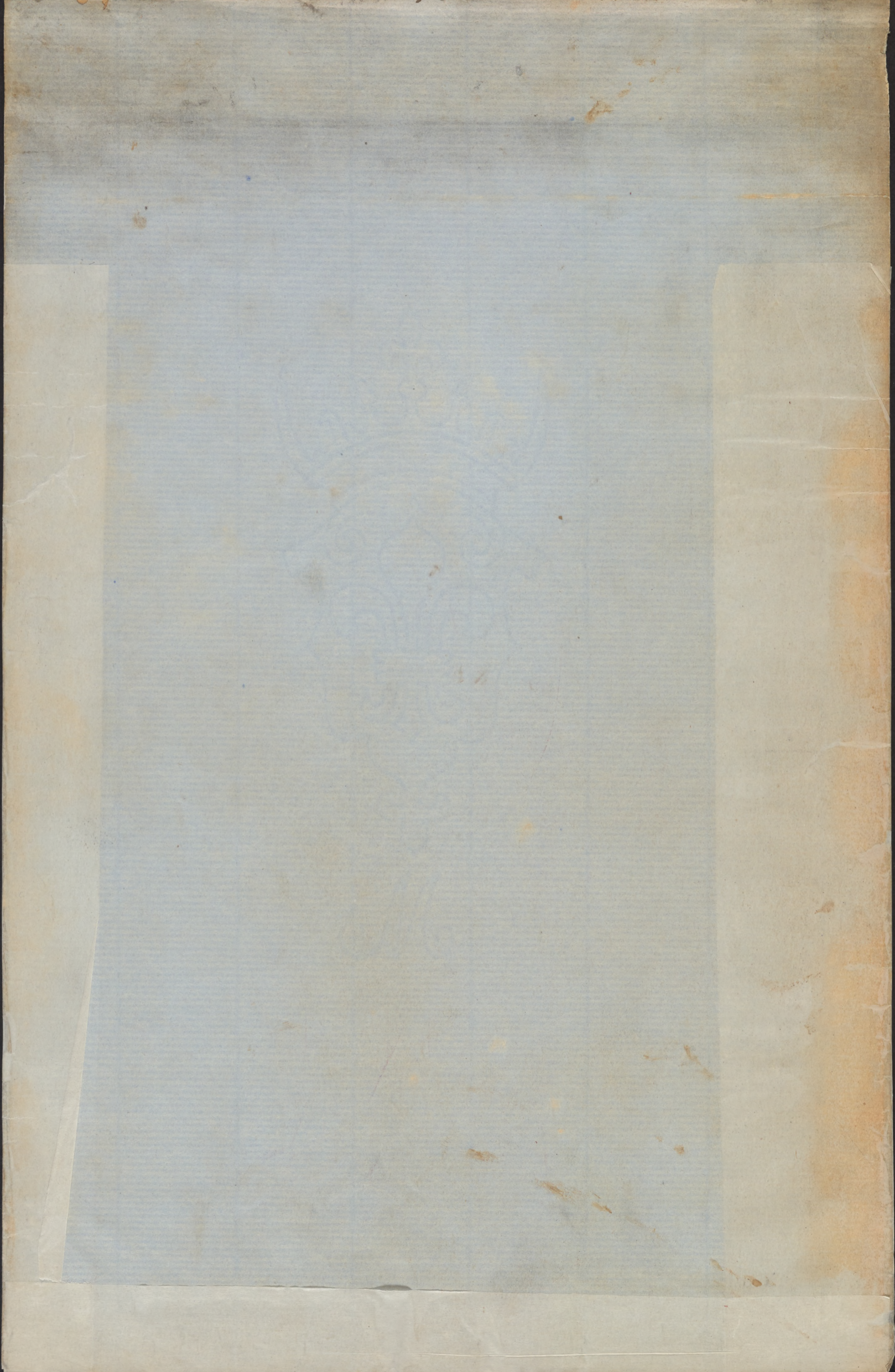
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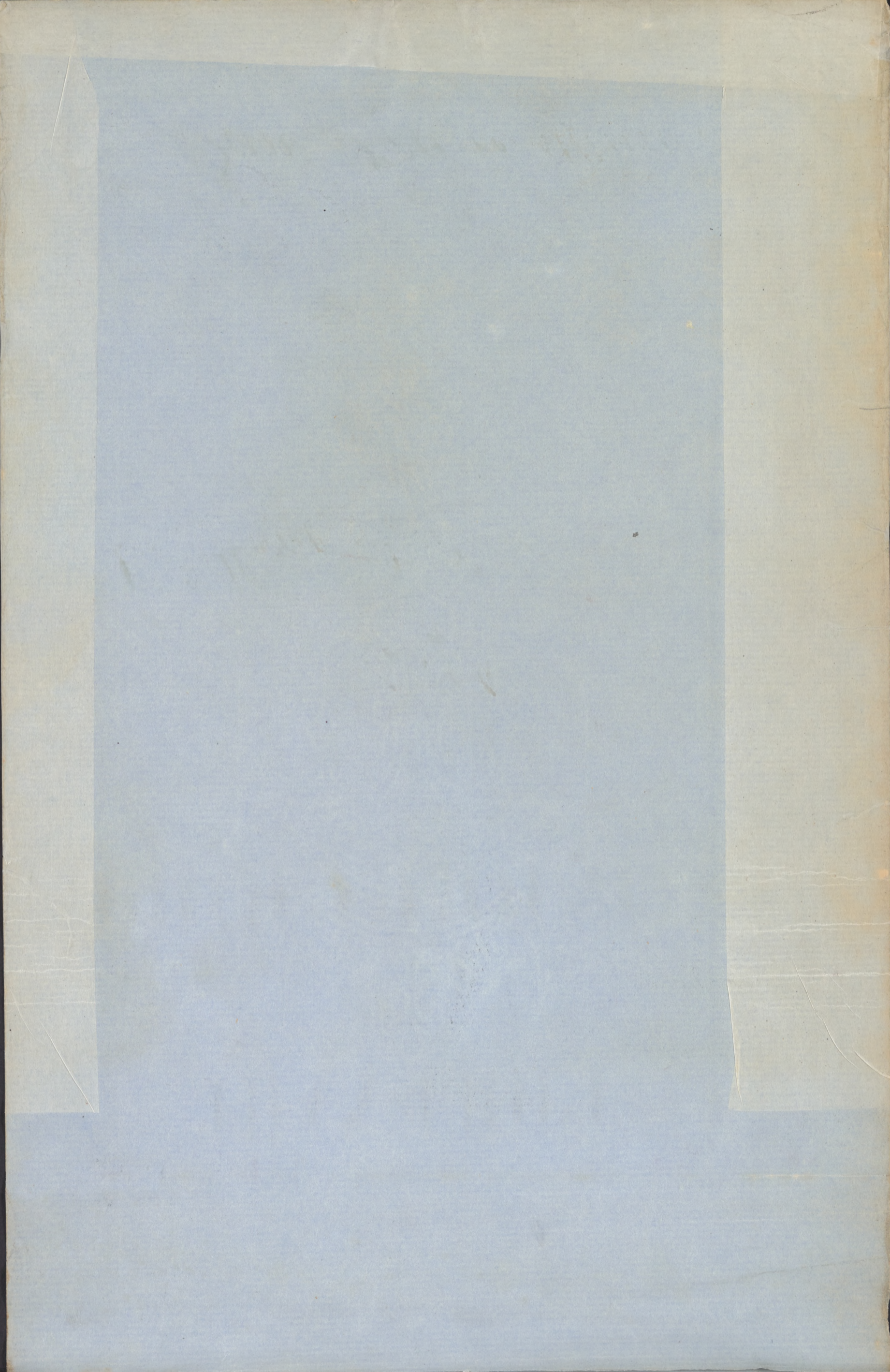
57

Land Case 247 SD

ALSO AVAILABLE ON MICROFILM

HOWARD
PERMALIFE





TRANSCRIPT

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OF THE

PROCEEDINGS

IN CASE

NO. 595

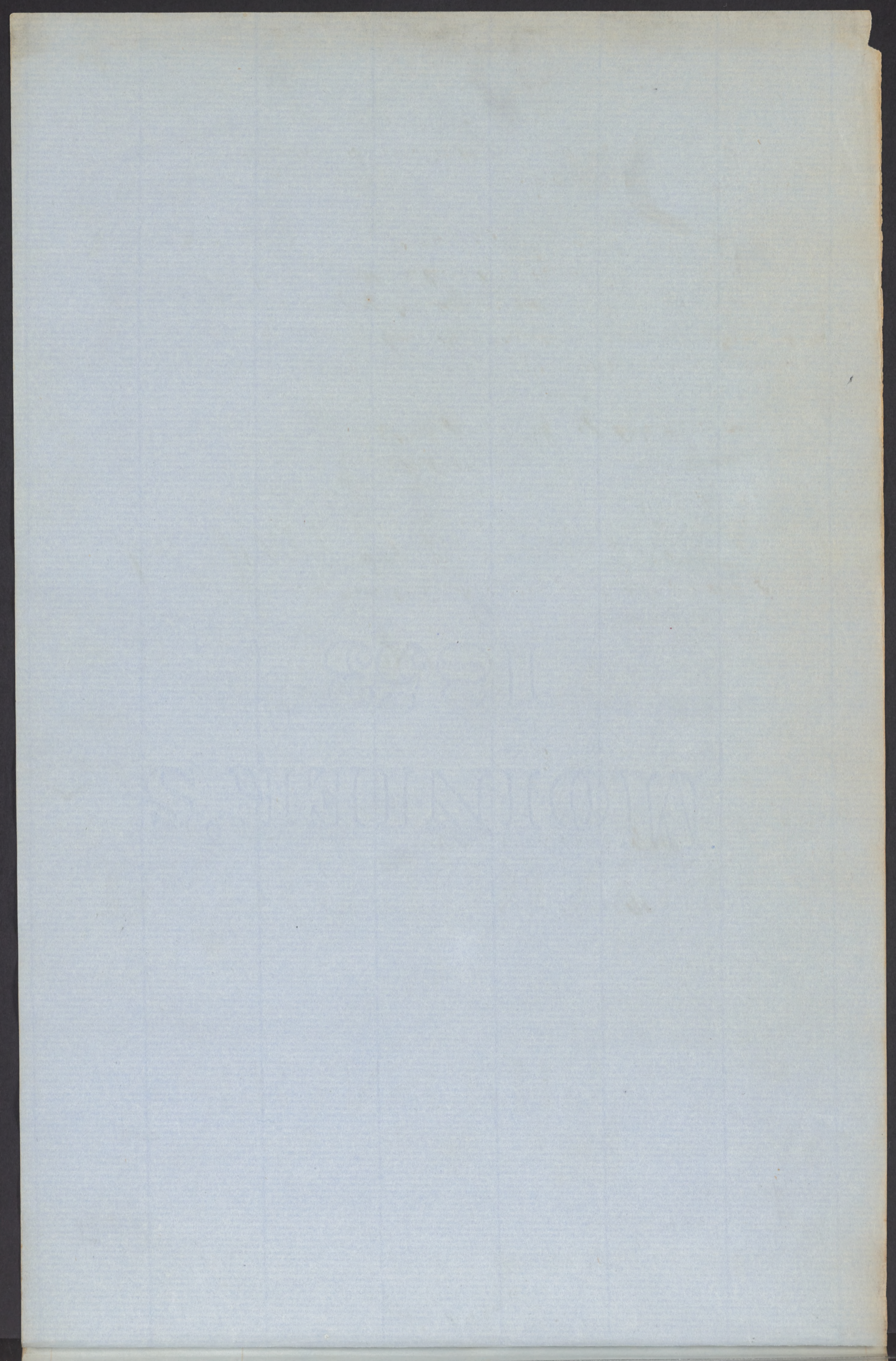
Jose Abrego, et al, CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"San Francisco"



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
Anno Domini One Thousand Eight Hundred and Fifty= , 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 José Abrego et al. ~~~~~
~~~~~ for the Place named  
~~~~~ "San Francisquito," ~~~~~  
was presented, and ordered to be filed and docketed with No. 595 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 February 19 1853.
In case no. 595, José Abrego et al. for the place
named "San Francisquito," the deposition of W^{ro}
E. P. Hartnell, a witness in behalf of the claimants,
taken before Commissioner Melina Hall, with doc-
ument marked H. H. no. 1. annexed thereto, was filed.
(Vide page 4 of this Transcript.)

San Francisco, April 1 1853
In the same case the deposition of David Spence, a witness
in behalf of the claimants, taken before Commissioner
Henry J. Thornton, was filed.
(Vide page 5 of this Transcript.)

San Francisco, Sept. 28 1853.
Case no. 595, on motion of the Counsel for the claimants,
was ordered to the foot of the Docket.

San Francisco, November 16th 1853.

In the same case the deposition of James Meadows, a witness in behalf of the claimants, taken before Commissioner Alpheus Felch, was filed;

(Vide page 6 of this Transcript.)

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San Francisco December 1st 1853

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

(Vide page 4 of this Transcript.)

San Francisco June 12th 1854.

In the same case the deposition of Severo Gonzalez, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed;

(Vide page 9 of this Transcript.)

San Francisco Sept. 26th 1854.

Case no. 595, was submitted without argument.

San Francisco Oct. 19th 1854.

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

(Vide page 5 of this Transcript.)

And the following order was made, to wit:

(Vide page 6 of this Transcript.)

S.

Petition

To the Honorable Commissioners to Settle Private
Land Claims in California
The Petitioners Jose Abrego for himself andutton
Little for Garner Garner
Garner and Garner Minor heirs of William

K. Garner deceased respectfully show that on the
9th day of November A.D. 1835 Jose Castro Governor
of California by virtue of authority in him vested
granted to Doña Ceatutina Manzanilla de Romanos
the tract of land called San Francisco situated
in the present county of Monterey containing two
square leagues as described in the title papers and
comprising map which project was approved on
the 3rd day of December A.D. 1835 and the judi-
cial possession given on the 14th day of Decem-
ber A.D. 1835 that said Grantu sold and conveyed
said land to Francisco Soto on the 7th day of
March A.D. 1842 and that said Soto sold and
conveyed the said land to Maria Josefa Rodri-
guez on the 9th day of March A.D. 1842 and that
said Maria Josefa Rodriguez sold and conveyed
the said land to the late William K. Garner
on the 29th day of December A.D. 1842 all of which
is fully shown by the original papers submitted
hereunto marked A with a translation marked
B. The Petitioners also represent that the said
William K. Garner died in March A.D. 1849
intestate leaving an widow Francisca Brinton
and four children William Garner
Garner Garner and

Garner That the said Francisca Brinton on the
28th day of January A.D. 1853 sold and conveyed
to the Petitioner Abrego his interest being one eigh-
th part of the said land as is fully shown by
the original conveyance submitted hereunto
marked C That the aforesaid William Garner
son of the said William K. Garner being of legal
age on the 28th of January A.D. 1853 sold and con-
veyed to the Petitioner Abrego his interest being
one eighth part of said land as is
fully shown by the conveyance submitted hereunto
marked D thus making the said Abrego the owner
of one eighth part of the said land and his
the owners of three eighths parts of said
land and the Petitioners further represent that they

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and thousands whom they hold have been for some eight
- ten years and that they now are in the quiet and peace-
- full possession of the said tract of land and know
of no conflicting claim

That they rely for confirmation
of title upon the original papers submitted herewith
upon the records and papers in the Archives of the
former Government and upon such other and further
proofs as they may be advised are necessary
whence they pray the Com. missions to Temper in
to them the aforesaid tract of land

Their Attorneys

Halluk Peabody & Billings

Miner's Office February 17th 1853

Geo Fisher Secretary

Recuerd in Volume of Petitions on Pages 351, 352

Geo Fisher Secretary

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Deposition
of
Thomas Cole

Office of the Board of U.S. Land Commissioners &c
San Francisco December 11th 1853

On this day before Alphonse Felix Commissioner
came Thomas Cole a witness in behalf of the claim-
- ants Jose Abajo oral Petition No 395, who being
asked sworn as follows

Question by Mr Halluk attorney for Claimant
Question What are your name and age and place of
Residence

Answer My name is Thomas Cole my age is
- forty three years and reside at Monterey in Cal
ifornia

Question Do you know the Rancho called San Fran-
- cisco claimed by Jose Abajo and others of Don
N. Ganer deceased if you state what you know of
its occupation

Answer I know that Rancho I live on the land
adjoining it and have lived there six years I first
knew the Rancho San Francisco above mentioned
in the year 1835. It was then occupied by Don Estevan
Munras who had in the place about 1000 cattle
sheep and horses. He had also some of the land under
cultivation I should think thirty or forty acres of it.
He planted amygdala in it in 1837. He continued
to occupy it from that time until he sold to Francisco
Loto, Loto then occupied it some seven or eight months
with cattle and horses to my knowledge he sold to the

wife of Ricardo Juan a Frenchman They occupied it and had saw pits on it and saved timber There was cut timber the land and had cattle and horses there They sold it to Mr Gannon who is now dead I think Mr Gannon's name was William Robert Gannon He lived there on the place with his family for the time he bought until he died excepting a short time when he rented it to the Government of the United States to keep their animals there

During that time also he had cattle there He was killed by the Indians the next year after the Gold was discovered in California He was killed in the mining country

After his death Mr Milton Little his administrator took charge of the place Mr Little and his Abiji have made improvements on the place since the death of Gannon They have built a house on it and have cattle and horses and animals on it and have cultivated over one hundred acres of the land

3 Question Do you know the boundaries of this Rancho if you state in general terms the natural objects in these boundaries

Answer I know them The boundaries begin at the Timescalitas running from that place south to the boundaries of El Sur and El Sur Chiquito and from that place to the Sierra San Clemente from that place to the Piñon and from the Piñon to the Timescalitas The line from the Piñon to the Timescalitas is the boundary of the Rancho called Los Laureles

4 Question Are these boundaries well known

Answer They are by every one

5 Question How much land is there within these boundaries

Answer Not more than two leagues certainly

6 Question On what Point does your Rancho touch the San Francisco

Answer On the South west point of the San Francisco Rancho

Thomas Cole

Mr Graham Associate Law Agent was present at the taking of this Deposition but no formal or impugatory to the witness

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

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Filed in Office December 1st 1853
Geo Fisher Soutary
Mendocino Evidence B. Vol 3 Page 478
Geo Fisher Soutary

Deposition
of W. E. P.
Hartwell

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San Francisco July 17th 1853
On this day before Commissioner Nelson Hall came
William E. P. Hartwell a witness in behalf of the Pla-
-inants Jose Alajo et al Petition No 595, and was
- duly sworn his name being given in English
The U.S. Associate Law Agent was present

My name
is William E. P. Hartwell my age is fifty five years
I reside in Monterey and have lived in California
thirty years

From the bona fide testimony of Jose Castro Francisco del
Castello Regente Jose N. Estrada Tiwanos Gonzalez
Jose Maria Maldonado Caterina Moroz and
de Munras Daria Spud Esteban Munras Man-
-uel Castro Jamito Rodriguez Guillermo N. Garcia
Jose A. Chaves and Santiago Estrada their signa-
-ture to the papers before me on the 18th Nov 1853
- were signatories

Wm E. P. Hartwell
Sworn and Subscribed Before me
Nelson Hall
Commissioner

Filed in Office February 17th 1853
Geo Fisher Soutary
Mendocino Evidence B. Vol 2 Page 593
Geo Fisher Soutary

Deposition
of James
Meadows

Office of the Board of Commissioners &c
This day before Commissioner Alpheus Fitch came
James Meadows a witness in behalf of the Plaintiffs
Jose Alajo et al No 595, who after being duly sworn
deposed as follows

Question by Mr Hall wh attorney for the Plaintiffs
Question What are your name age and place of
Residence

Answer My name is James Meadows my age thirty
six years and I reside at Monterey County California
I have lived in California six teen years

Question Do you know the Name of San Francisco quite
if ye say what you know of its situation and occupation

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Answer I know that Rancho it is situated in the south
side of Colorado River in said Territory. I have
known it six ten years and live about three miles
from it when I first knew it six ten years ago the
Rancho was occupied by Don Estevan Murras, he had
abuse in it and had there also cattle and horses and
mules

I think there was about six hundred head of the
cattle and about one hundred of the horses and mules.
He had a large wheat field on the place and I
think there was a barley field

I know there was barley
raised there the next year I have known the Rancho
ever since that time Murras continued in this way
to occupy the place from that time till 1841 or 1842 I
think it was 1842

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Francisco Soto then ran it and im-
mediately sold it to the wife of the said Murras. They sold it to
Mr. Garner. These transfers were all within a very short
time I should think within a year according to my
best recollection Murras was on the place in 1842 and also
in 1843

In the winter of 1842, 1843 I found Mr
Garner living on the Rancho. He continued to occupy
the place from that time until his death. Some times
his family were in and sometimes at Monterey. The
Indians were troublesome and they were afraid at
times to remain there. Garner was killed by the
Indians in 1849 to the best of my recollection
3 musters I offer upon the family of said Garner
if you state their names

Answer I know the family he left and in whose
name is Francis called five children their names are
Jose Guillerme Guadalupe Ignacia Lotilda and
another who was called Cozote but I do not
know his true name.

He died within the last year
and was from nine to twelve years of age at the
time of his death the other four above named are living
4 musters who has occupied the Rancho since
Garner's death

Answer Jose Abrego I understand that he bought
the ruins of the main and the oldest son in the
place. Martin Little has had charge of the other
part of it as the guardian of the ruins since Abrego

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has built a house on the same site he has occupied
it and has cultivated the land. The old house was
destroyed by fire last year the place was rented
in 1850 and 1851 for the horses belonging to the U.S.
Government

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5. Justin who lived in the house in the place when
Estevan Morras occupied the land

Answer when I first know the place a man called
Antonio Tapia Steward for said Morras lived
in it and after him Salvaan Morras a brother
of Estevan Morras lived there for a while in the
place fifteen years ago and was employed and paid
by said Estevan Morras

6. Justin Algren well acquainted with this
land and the surrounding ranchos and country
Answer I am

7. Justin Do you know the place called Las Encinas
- does it you know the situation in reference to the
Rancho in question

Answer I know them they are situated on the north
west side of the San Francisco Rancho they form
about many of the last mentioned Rancho. The ridge
of mountains forms about many on the south side of
said Rancho and divides it from Captain Cooper's
Rancho called El Sur

On the East the Rancho is
bounded by the Cañada of San Clemente and along
back of rocks, which is on the north side of the Cañada
There is a range of hills on the north side and at
one end is a Potosi and at the other end is
the Peak of rocks above mentioned. Las Encinas
forms one part of the boundary on the west side
and the line runs from there to the Cañada of
San Clemente

J. Meadows

I'm member associate San Agent
was present at the taking of this
Deposition but proposed in questions to the witness
Subscribed and sworn to before me this 12th
day of November 1853

Alphus Felix
Commissioner

Filed in Office November 14th 1853

Record in Vol 3 } Geo Fisher Secretary
Vol 3 Page 404 } Geo Fisher Secretary

Deposition
of
David Spence

San Francisco April 1st 1853

On this day before Commissioner Henry J. Thornton came
David Spence a witness on behalf of the claimants
Jose Arzaga et al Petition No 595 was duly
sworn his evidence being given in English
manuscript to wit as follows by himself for the claim-
ants the contents testified as follows

My name is
David Spence my age is nearly 55 years I reside
in Monterey and have lived in California
twenty one years

I know the Rancho called
San Francisco in the present county of San
Tara It was granted to Saturna Manzanilla de
Nobres in 1835 in the same year I gave the ju-
ridical possession as Alcalde of Monterey

It was
immediately occupied with stock and abuse and
a vineyard and fruit trees planted It has been
occupied ever since by the original grantee and
there holding under her Jose Arzaga and Gamus
kins are the present owners

D. Spence

Me S. Law Agent present

Sworn to and subscribed before me this 1st of
April 1853

Henry J. Thornton

Commissioner

Filed in Office April 1st 1853

Geo Fisher Secretary

Record in Volume B Column 2 Page 674

Geo Fisher Secretary

Deposition
of
Joaquin Gonzalez

United States of America
State of California ss

San Francisco June 10th 1854

This day personally came before Peter Lott Commissioner
- sworn for taking testimony to be used before the Board
of U.S. Land Commissioners Joaquin Gonzalez a
witness on behalf of the claimants in case No
595, on the docket of said Board wherein
Jose Arzaga et al are claimants and said witness
being duly sworn on oath deposed in Spanish
which was interpreted into English by the inter-
preter to said Board as follows to wit

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The U.S. Law Agent is present
 Question by Plaintiff Counsel
 Question What is your name age and residence
 answer My name is Todoros Gonzales my age 51
 years my residence Monterey County California
 Question Look at the Document Attached to
 the Deposition of William E.P. Hartman and filed
 in this case February 17th 1853 and state if you are
 acquainted with the handwriting of Jose Castro Fran-
 cisco del Castillo Mateo Jose N. Estada Jose Man-
 uel Maldonado Catalina Manzanelli de Munnas
 Jose J. Fernandez David Spence Todoros Gonzales
 Esteban Munnas Francisco Soto Manuel Castro
 Jacinto Rodriguez Guillermo R. Garner Jose Al-
 varo Santiago Estada if you have seen their
 - signatures and if their signatures whenever they appear
 in this document are genuine
 answer I know the signatures of Jose Castro Jose
 N. Estada Jose Maria Maldonado Catalina Man-
 zaneli de Munnas David Spence Esteban Munnas
 Jose J. Fernandez Francisco Soto Manuel Castro
 Jacinto Rodriguez Jose Alvaro Santiago Estada
 - have seen all these with and their signatures when-
 - ever they occur in this document are their genuine
 signatures and my own name Todoros Gonzales when-
 - ever it occurs in this document is my own genuine
 signature
 Question What do you know of the sale of the land
 in question by Catalina Munnas to Francisco Soto
 answer In 1847 Catalina Munnas gave to Esteban
 Munnas a power of attorney empowering him
 to exchange with Francisco Soto, to exchange this
 property for land of his called San Vicente the trade
 was made and Esteban Munnas gave either 400 or 500
 difference between the two
 Question Objected to by Law Agent as calling
 for secondary evidence P.L.
 Question Did Francisco Soto take possession
 of the Rancho which he thus purchased after the
 trade mentioned
 answer Yes he took possession of it
 Question Objected to by Law Agent as leading P.L.
 Question Look again at the same document before
 referred to on the 29th page thereof from the begin-
 - ning of said document and state if the publication of said

Recuerdo then from Francisco Soto to Doña Maria Josefa Rodriguez was made before you and the assisting witnesses whose names are therein signed

Answer It was made before me as Judge and interim

Question Answer the same question respecting the document beginning on 33 Page of said Paper

Answer This was also made before me when I became purchaser. The Vendor Maria Josefa Rodriguez a single attorney Ricardo Juan

Question State what you know of Ricardo Juan's authority to sell on that occasion of which you have made a Recital in that Instrument

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Answer Ricardo Juan and Doña Maria Josefa Rodriguez are both purchasers of the said land and the same circumstances and then before me

8th Question How you present when David Spina gave judicial possession of this Rancho to Doña Catalina Murras

Answer It was present the possession was given to Esteban the husband of Catalina

9th Question Do you recollect the starting point from which the measurement was then made

Answer They began a rapline called Tinas caltes on the west part of the Rancho that point is a high mountain well known and long known by that name

10th Question On what part of said Rancho is the line of the Cañada of San Clemente

Answer It is on the eastern part of the Rancho we measure from the starting point two hundred and two lines of fifty varas each to the said Cañada of San Clemente

11th Question Where is the mountain which is described in the Recital of judicial possession as sloping towards the Rancho called San

Answer His in a m thereby a m from the San
— can a San Clemente

Cross Examination by Me Geo Agent
Question When did you and Francisco go to take
possession of the Rancho As you state in your ans
— wer to 4th Question

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Answer It was in 1842 I think about 2 months
after he purchased he moved onto the place with
his family and took cattle and horses there

José Guzalez

Subscribed and sworn to before me on this 10
day of June A.D. 1854

Peter Lott
Commissioner

Filed in Office June 12th 1854

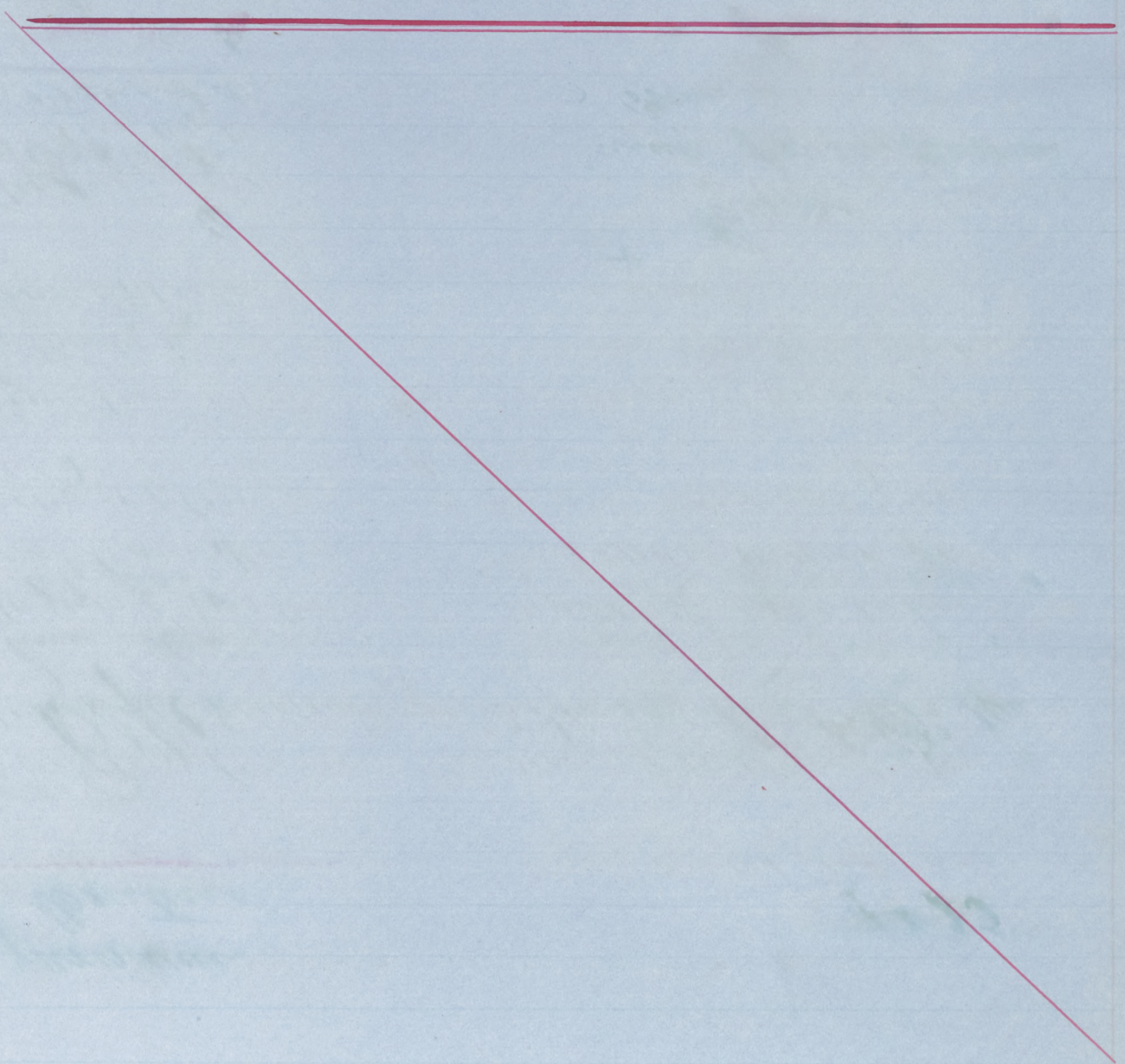
Geo Fisher

Secretary

Record in Land Office B. Volume 4 Page 367

Geo Fisher

Secretary



1. Jurisdicción de
Monterrey

1835

Copia
of
Expediente

Expediente promovido la S.^a D.^a Catalina Manganti de Murras en solicitud del pasaje nombrado San Francisquito.

69.

2.

Ello Terrenos Dos Reales.

Habilitado provisionalmente por la Administración de la Armada Maritima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro.

Angel Ramirez-

Al Jefe Sup. Político

Monterrey Ato. 26 de 1835.

Catalina Manganti

De conformidad con las leyes de la materia para el informe del Ayuntamiento de esta Capital si el interesado en esta instancia obtiene los requisitos ~~promovidos~~ que previene la ley de 18 de Agosto de 1824 si el terreno que pretende es de refe-

de Murras, Mexicana por nacimiento, y desde mi infancia vecina de esta Capital, con el debido respeto a V.S. digo: Que en 22 de Enero del año ultimo se me concedió el sitio nombrado la Laguna de Saca que tiene como una legua de superficie de abrevadero para cria de ganado mayor; y como este terreno por sus escasos puntos

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dis temporal ó abrisa no es suficiente para man-
dero si pertenece á la propiedad de
algun particular
Corporacion Mision
ó Pueblo. El S. D.
Jose Castro Primer
Vocal de la E. Dipu-
tacion Territorial y
Jefe Politico interin-
no así lo mandó de-
creto y firma de
que doy fe.

Jose Castro.

no es suficiente para man-
tener el corto numero de
setecientas cabezas de dicho
ganado que en el tengo, me
es preciso acudir á V. S. pi-
diendo que me conceda el
sito valdoso llamado San
Francisquito que se halla
en esta jurisdiccion y tiene
la estension y linderos que
señala el adjunto disegno,
que debidamente presentado,
para poder fomentar mi
ganado, sembrar y adqui-
rir el necesario sustento p.
mi numerosa familia, y

cuya estension lo mismo que el de la Laguna
Dica que poseo no alcanza ni aun á las
mitad de lo que permite la ley de diez y ocho
de Agosto de mil ochocientos veinte y cuatro
en su artículo doce.

En consecuencia Suplico á V. S. me con-
ceda en posesion y absoluta propiedad el es-
presado sitio de San Francisquito y que
mande se me libre el correspondiente título.

Es gracia que yo y mis hijos agru-
decimos siempre á la justificacion de V. S.
Puerto de Monterey 17 de Octubre de 1835.

Catarina Mangasanti de Murrás

Monterey Oct^o 28 de 1835.

En sesion de hoy pasó á la Comision
de Linderos Palacios.

D. V. E. S. P. M.

Jose Maria Maldonado

Maldonado, Frio-

(Here follows the map)

(map)

15
5.

Sello Terreno 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.
Castro. Angel Ramirez.

Y Ayuntamiento.

map 20
La Comision de Terrenos Reales á virtud de la solicitud que hace Madama Catalina Manganeli (de Murras) en pretension del paraje nombrado San Francisco de los Indios: que la interesada es Mexicana por nacimiento y tiene los requisitos prevenidos para ser atendida en su solicitud que el terreno que pretende está comprendido en las diez leguas litorales y no en las limitrofes que se pusa la ley de 18 de Agosto de 1824; que es de temporal y abrevadero y que pertenece á la Mision de San Carlos; pues que puesto concederse á la interesada en razon de creer la Comision no lo ocupa la referida Mision, en tal concepto sujeta á su deliberacion la proposicion siguiente:

Pueda concederse el terreno nombrado San Francisco que solicita Madama Catalina Manganeli de Murras si no lo ocupare la Mision de San Carlos.

Monterey Oct. 30 de 1835.

Jose Joaquin Carrillo
Miguel Abila -

Monterey Oct. 31 de 1835.

En sesion de hoy aprobó el Ayuntamiento el antecedente dictamen y la proposicion siguiente:

licion en que concluye y en tal virtud se
acorda pase el Expediente al Sr. Jefe Super-
rior Politico como resultado del informe que
se sirvio pedir a esta Corporacion.

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Don J. Spence
Jose Maria Malumado
Frio.

Monterey Noviembre 2 de 1835.

Pase al S. Comisionado de la Mision
de San Carlos quien informara si la dha.
Mision ocupara el terreno que se solicita.
Jose Castro.

S. Jefe Politico

Se han repartido a los Indigenas de
San Carlos los terrenos segun el repla-
mento, y se ha destinado a los bienes
de la Mision que estan a cargo del Ma-
yordomo, el paraje de San Jones: por lo
que ha quedado baldio el terreno que so-
licita la interesada, y puede concederse.

Monterey Noviembre 3 de 1835.

Jose Joaquin Gomez

Informe de Mayordomo de San Carlos
lo que le ocurra.

Jose Castro.

7.

Elle Trero Dos Reales.

Habilitado provisionalmente por la Admin-
istracion de la Armada Maritima de Mon-
terey de la Alta California para los años
de mil ochocientos treinta y cuatro y mil
ochocientos treinta y cinco.

Castro.

Angel Ramirez.

Por. Jefe Superior Político del Ter-
ritorio de S. José Castro.

En atención al oficio de V.S. fe-
cha 5 del corriente donde se me pide in-
formación sobre el sitio conocido con el nom-
bre de San Francisco y que dicho sitio ha-
yendo dividido de esta población p.^a
la Nación en cuya virtud puede adju-
dicarse á la interesado según muestra
el diseño que debidamente corre en este
Expediente pongo en conocimiento de V.S.
para su mayor determinación - es cuan-
to puedo decir sobre el particular,

Pueblo de San Carlos 5 del corriente
de 1835-

José Antonio Romero.

Monterey 7 de Noviembre de 1835.

Omitase la información de testigos
por estar ya recibida en el Expediente que
antecede de la Laguna Seca en omisión
por no creerse necesario.

Castro.

8. Monterey 7 de Noviembre de 1835.

Vista la petición con que da prin-
cipio este Expediente el infrante del J. A.
Ayuntamiento de este Capital el del Comi-
sionado y Mayorazgo de la Misión de S.
Carlos con todo lo demás que se tuvo pre-
sente y por creerse de conformidad con
los leyes y reglamentos de la materia se
declara á D. Catalina Manganti de
Munras dueña en propiedad del terreno
conocido con el nombre de San Francisco.

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quito dejando á salvo el dictamen de la E. Diputacion á quien se presentara el Expediente para su deliberacion y sustentandose á las condiciones que se estipularan - Librese el despacho correspondiente al interesado y tomese razon de él en el libro respectivo - El S. D. José Castro Primer Vocal de la E. Diputacion Territorial y Jefe Político del Territorio de la Alta California así lo mandó decretar y firmo de lo que doy fe.

Jose Castro.

J^{co} del Castillo

Reyente
Frio.

9.

Abon =
[Suo Teniente Don Ruelas.
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.
Castro. Angel Ramirez.]
= Tercey 1.º de Dic.^{ro} de 1835.

En sesion de este dia se dio cuenta con este Expediente á la Exma. Diputacion y se mandó pasar á la Comision de Terrenos Baldios.

Castro,

Presidente.

Exmo. Sr.

La Comision de Terrenos Baldios impuesta al Expediente que se mandó practicar por solicitud que hace D.^o Casta-

linda Manzanili del terreno nombrado San Francisquito no encontrando en él objecion alguna que hacer siendo en todo conforme á la ley de 18 de Agosto de 1824 y el art.º 9.º del Reglamento de Colonizacion por lo que la Comision teniendo á la vista los informes que anteceden pon en la deliberacion de V. C. la siguiente proposicion:

Se aprueba la concesion hecha á D.ª Catalina Manzanili del Terreno nombrado San Francisquito concedido el 7 de Noviembre de 1833, sujetandose á las condiciones que se estipularon.

Mont.º 3 de Set. de 1833.

Salvio Pacheco.

11. Monterey Diciembre 3 de 1833.

En sesion de este dia aprobó la Exma. Diputacion la proposicion del dictamen antecedente disponiendo se devuelva el Expediente al Sr. Jefe Político para los fines consiguientes -

Castro

Presidente.

Juan B. Alvarado
Diput.º Secret.º

Monterey Diciembre 4 de 1833.

En vista de la aprobacion otorgada por la E. Diputacion el dia de ayer tres de Diciembre librasse testimonio de ello y de este decreto á la parte de D.ª Catalina Manzanili de Puerrias en confirmacion á la concesion del terreno cono-

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cias con el nombre de S. Francisco que obtuvo en lista de Avientos del presente año. El S. D. Jose Castro Jefe Politico intrinseco del Territorio de la Alta California así lo mandó decretó y firmó de lo que doy fe.

Jose Castro.
Jefe del Castillo Regente
Srio.

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

I John C. Neays Surveyor General of the United States for the State of California and as such having in my office & in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California by virtue of the power vested in me by law do hereby certify that the two preceding and herewith annexed pages of tracing paper numbered from one to two inclusive exhibit a true and accurate copy of a certain document now on file and forming part of the said Archives in this office.

In testimony whereof I have herewith signed my name officially and caused my seal of office to be affixed at the City of San Francisco this ~~seventh~~ day of December A.D. 1853.

John C. Neays, Sur Genl (U.S.) for Cal.

Filed in Office Sept. 15, 1854, Geo. Fisher, Reg.

Translation of Expediente

Jurisdiction of Monterey 1835
Expediente moved by Señora Doña Catalina Manzanilla de Cumeros asking for the place named San Francisco

No 69

Stamp Nueva San Real

Provisionally authorized by the administration of the Monterey Custom House of Monterey in Upper California for the years 1834 and 1835

Castro Angel Ramirez

Señor Superior Political Chief

Monterey October Catalina Manzanilla de Cumeros
26th 1835 In comparison a Mexican by birth and
familiarity with the laws on the matter this Capitol with our respect
pass this for your before your Excellency says that
to the Ayuntamiento of the 22nd of January of last
of this Capital if the year there was granted to me
party interested in the place called La Laguna Seca
this instance has which contains almost a duplicate
the requisites specified in the Law of August 18th 1824
in the Law of August 18th 1824 If the land asked for is payable
is not sufficient to support the dependent in the sea
small number of oxen or
for pasture land dead head of said cattle which
if it belongs to the party of any individual I come to you asking that you
at Carrizton will grant to me the vacant
place called San Francisco which lies in this jurisdiction
and has the extent and some
dairy which are reached out
with the annexed map which I
political Chief and hereby present in order that I
intend this ground may increase my cattle and
demand and require of and acquire the necessary paper
which I certify for my numerous family
Jose Castro which extends together with those
of La Laguna Seca which you

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have will not amount to even the half of what is per-
mitted by the Law of August 18, 1824 in article 12
wherefore I pray your Excellency to grant me in poss-
ession and full absolute the said place of San Fran-
cisco and to have the corresponding title to be
issued to me It is a favor for which I receive my children

will always be grateful to the justifications of your
excellency

Port of Monterey October 17th 1835

Catalina Manzanilla de Mestas
Monterey October 28th 1835 Resolutions of this day
passed to the Committee on vacant lands

David Spence Jose Maria Valderrado

(Here follows the mass)

Illustrations Ayuntamiento

The Committee on vacant lands with respect
to the petition of Madama Catalina Manzanilla
for the place called San Francisco says the
petitioner is a Mexican by birth and has the requi-
sitos to entitle her to be admitted to her petition
that the land asked for is within the whitened
leagues but not within the boundary leagues
mentioned in the Law of August 18. 1824 that it
is dependent on the seasons and pasture land
and that it pertains to the mission of San Carlos
but may be granted to the petitioner as the Com-
mittee believes it is not occupied by said mission
and therefore submits for your approbation
the following proposition

The land called San Fran-
cisco which Madama Catalina Manzanilla
de Mestas petitions for may be granted if
the mission of San Carlos does not occupy
it Monterey October 30th 1835

Jose Joaquin Gomez Marquez Anita
Monterey October 30 1835

Resolutions of this day the Ayuntamiento
into approved the foregoing report and concluding
proposition and consequently orders the Expediente
to be passed to the Sr. Superior Political Chief
asking concluded the report which be asked
of this Corporation David Spence

Jose Maria Valderrado Secretary
Monterey November 2. 1835

Passed to the Sr. Commissioner of the Mis-
sion of San Carlos who will report if that mission
occupies the land asked for Jose Castro

Sr. Political Chief Lands have been
divided among the Indians of San Carlos accu-
ding to the Regulation and the place of San Joaquin
has been assigned to the stock of the Mission

in charge of the Mayor Domo consequently the
land asked for by the petition is vacant and may be
granted

Montezy November 3rd 1835 J. Joaquin Gomez
Let the Mayor Domo of San Carlos report what oc-
curs to him
Jose Castron
Senior Superior Potitua Chief of the Territory Citizen
Don Jose Castron

Reply to your official of the 5th inst concerning
information about the place called San Francis-
quito Superior than said place belongs to no individ-
ual of this population and therefore may be granted
to the party asking for it in this Expediente
which I submit to the knowledge of your Excel-
lency This is what I have to report in the matter
Publico of San Carlos 5th of the Present 1835

Jose Antonio Romero
Montezy November 7th 1835
Let the examination of witnesses be omitted as
it has already been made in the preceding Espe-
diente of La Laguna Seca and is not necessary
Castron

Montezy November 7th 1835
Having seen the pe-
tition at the beginning of this Expediente the report
of the Illustrissimos Ayuntamiento of this Capital
of the Commission and Mayor Domo of the
Mission of San Carlos and all the present and
proprio be seen in conformity with the laws
and regulations in the matter Doria Leontina
Manzanilla de Reynas is called and named in
fu of the land known by the name of San Fran-
cisco I refer to the decision of the Most
Excellent Deputacion to whom this Expediente
will be presented for its deliberation and sub-
mit to the conditions which may be stipulated

Let the com-
pounding patent issue and send it in the es-
pective book Senior Don Jose Castron first vocal
of the Most Excellent Provincial Deputacion and
Potitua Chief of the Territory of Upper California
thus named and designated of which testify
Jose Castron
Francisco del Castron Regente
Territorio

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Montuay December 1st 1835

In session of this day this Expediente was sub-
mitted and passed to the Committee on vacant lands
Castro

Exmo Señor

Presidente

The Committee on vacant lands
charged with the Expediente on the Petition of Doña
Catalina Manzanili for the land called San Fran-
-cisco find objection but all being in conformity
with the Law of August 18th 1824 and
article 5th of the Regulation of Colonization
wherefore the Committee in view of the preceding
reports submits to the adhibition of your Excellency
the following proposition

Approve the grant to
Doña Catalina Manzanili of the land called
San Francisco made November 7th 1835
and subject to the conditions stipulated

Montuay December 3rd 1835

Salvo Paeles

Montuay December 3rd 1835

In session of this day the most Excellent Depu-
tation approved the proposition of the preceding report
directing the Expediente to be returned to the Señor
Político Chief for the consequences

Castro Presidente

Juan Bautista Alvarado
Deputy Secretary

Montuay December 14th 1835

In view of the app-
robation passed by the most Excellent Deputacion
yesterday December 3rd let testimony of it be
issued and of this Decree to the party interested
Doña Catalina Manzanili de Mestas in
confirmation of the grant of the land known by
the name of San Francisco which she obtained
the 7th of November of the present year

Señor Don

Jose Castro Político Chief an interim of
the Territory of Upper California thus is au-
-thorized and signed of which I certify

Jose Castro

Francisco del Castillo Regente Secretary

Valencia in Office September 15th 1854

Geo Fisher Secretary

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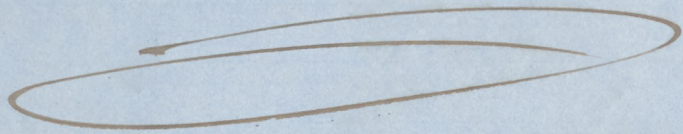
25-

Monterey

1835

Concecion y Poescion del Rancho
chombrado

Primisima Concepcion
@ San Francisco @ Madama Catalina
Manzanelli de Muma el dia Catorce de
Diciembre de mil ochocientos treinta y
cinco.



A.

H. H. M. A.
Annexed to
the deposition
Wm E. M.
Hutchell

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1 Dello primero seis pesos.

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

Veigueroa

A. Ramirez

José Castro primer vocal de la C. Diputacion Territorial i Jefe politico interino del Territorio de la Alta California.

Por cuanto D. Catalina Manzanelli de Munras ha pretendido p.^a su beneficio personal y el de su familia el terreno conocido con el nombre de D. Teracisquito practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto p. leyes y reglamentos usando de las facultades que me son conferidas en decreto de este dia y a nombre de la Nacion Mexicana, he venido en concederle el terreno mencionado, declarandole la propiedad de el por las presentes letras a reserva de la aprobacion de la C. Diputacion y bajo las condiciones siguientes.

1.^a Que se sometera a las of. estableciere el reglamento que se le ha de formar p.^a la Distribucion de Terrenos Baldios i que en tanto ni la agraciada ni sus herederos podran dividir ni enagenar el que se les adjudica, imponer senos ni enulo hipoteca ni fianza a ning.^a sea por causa piadosa ni pasarlo a manos muertas

Deos 20/0.

2.^a No ha de cercarlo ni perjudicar las travecias caminos y servidumbre; lo disputara libre y exclusivamente destinandolo al uso i cultivo que mas le acomode, pero dentro de un año a lo mas fabricara casa y estara habitada.

3.^a Quando se le confirme la propiedad obligara del juez respectivo que le de la posesion judicial en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites ponga a mas de las mojoneras algunos arboles frutales o silvestres de alguna utilidad

4.^a El terreno de que se ha el donacion es de dos sitios de ganado mayor segun explica el disenõ que corre en el Espid. P.^o El juez que

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dere la posesion. lo hera meda conforme à
Ordenanza p^a deñalar los linderos quedando
el sobrante q^d resulte à favor de la Nacion p^a
los usos convenientes.

Si continiere à estas condiciones perdiera
su derecho al terreno y era denunciabile por
otro.

En consecuencia mando q^d enviendole
de titulo el presente y teniendose por firme y
valeadero se tome razon de el en el libro q^d cor-
responde y se le entregue à la intere cada p^a
su resguardo y demas fines.

map. 21

Dado en Monterrey à nueve de Noviembre de
1835.

Josè Castro

Jefe del Castillo Negro de Queró.

Pro 10 f. Queda tomada razon de este Despacho en el
Libro de Titulos à fojas ochenta i cuatro y seña-
lado con el numero Ochenta y dos q^d obra en el
secretaria de mi cargo. Monterrey, el Diez y de
1835. Castillo

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(Here follows
Map.)

5 Dello Tercero Dos Reales:

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterrey de la Alta California.

Castro Angel Ramirez
Testimonio

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Proposicion de } De aprueva la concesion hecha
La Comision } a D^a Catalina Manzanelli
de Minnas del terreno nombra
do. S. Franciscoquito concedido en siete de No-
viembre de mil ochocientos treinta y cinco suje-
tandose a las condiciones que se estipularon
Monterrey tres de Diciembre de mil ochocientos
y treinta y cinco.

Valvioso Pacheco.

Aprobacion de } Monterrey Diciembre tres de mil
la Comision } la Comision } ocho cientos treinta y cinco.
putacion } En sesion de este dia aprorro la

C. Diputacion la proposicion
del dictamen antecedente disponiendo se
devuelva el Expediente al O. Jefe politico
pa los fines consiguientes.

Castro precedente. #

Juan B. Alvarado. Diput. secretario
Decreto de confir- } Monterrey Diciembre cuatro
macion del O. J. } de mil ochocientos treinta y
politico. } cinco. En vista de la aprova-
cion otorgada por la C. Diputacion el dia de
ayer tres de Diciembre. librese testimonio de ella
y de este decreto a la parte de D^a Catalina
Manzanelli de Minnas en confirmacion a
la concesion del terreno concebido con el nom-
bre de S. Franciscoquito que obtuvo en siete de
Noviembre del presente año. El O. J. Jose Bas-
to Jefe politico interino del territorio de la Alta
California asi lo mando decreto y firmo de
lo que doy fe. Jose Castro.

Exco del Castillo Negro. Veru.

Concuerdas a la letra con su Original que
queda archivado en esta secretaria del
Gobierno politico de mi cargo en el legajo de
expedientes sobre terrenos aprobados por la Com-
Diputacion al que me remito.

Monterrey Diciembre cuatro de mil ochocientos

D^{to} 2/p^o

cientos treinta y cinco

Del Castillo Negro.

Y Dello tercero Dos Reales:

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterrey de la Alta California, para los años de mil ocho cientos treinta y cuatro y mil ochocientos cuarenta y cinco.

Castro. Angel Ramirez
Revalidado para el bienio de 1836 y 1837
Gutiérrez C. Ramirez

Derechos. En el puerto de Monterrey de la Alta California a los catorce dias del mes de Diciembre de mil ochocientos treinta y cinco, ante mi el Ciudadano David Openes Alcalde constitucional de primera Nominacion y por ante los testigos de Asistencia con quienes actuo en la forma establecida parecio de presente D^a Catalina Manganeli de Muma y digo; que por hallarse con todos sus hijos enfermos de Costipado y otras enfermedades de las que actualmente estan padeciendo en este pueblo; y hallarse ella enferma de las mismas causas como es justificante y verse por este incidente impedida para poder salir a tomar posesion juridica del paraje nombrado de San Franciscoquito de esta jurisdiccion de Monterrey que el Sr Jefe politico con fecha nueve de Noviembre tuvo a bien concederle y aprovi la Excepcionina Diputacion con fecha tres del que digo; Otorgay confiere todo su poder cumplido especial y tan bastante como es necesario, a su Esposo Estevan Muma para que en su nombre y representacion haga cuanto recursos se ofrecan y legalmente correspondan bajo las leyes y disposiciones y demas Reglas constituidas segun convenga para que tome.

la posesion juridica del mencionado sitio En cuyo testimonio asi lo otorgo y firmo en este Registro siendo los instrumentales los señores José Amest, José Iglesia (Dello tercero Dos Reales: Habilitado provisionalmente por la Administracion de la Aduana Maritima

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de Monterrey de la Alta California, para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro Angel Ramirez
Revalidado para el brenio de 1836 y 1837.

Gutierrez A. Ramirez
y Teodoro Gonzalez: Monterrey Diciembre catorce de mil ochocientos treinta y cinco.

David C. Spence

Catalina Manzanelli de Murras.

De asistencia. José María Maldonado.

De asistencia. Eugenio Montenegro.

De saca de su Registro hoy diez y seis de Enero de mil ochocientos treinta y seis, en esta y en la antecedente foja de papel del sello q. corresponde y a pidiendo de la interesada, cuya validacion la autorizo firmando con testigos de asistencia segun derecho.

José R. Estada

De assist^o

De ass^o

José María Maldonado # Teodoro Gonzalez
10 Dello tercero Dos Reales:

Habilitado provisionalmente por la Administracion de la Armada Maritima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Castro.

Angel Ramirez

Catalani Manzanelli de Murras ante U. S. hace presente que habiendo obtenido la propiedad del terreno conocido con el nombre de Sr. Remedioquito y siendo requisito necesario tomar la posesion del mencionado terreno y por no poderlo efectuar por las enfermedades de mi hijo y mia; A. U. S. suplico la de en mi nombre a mi apoderado Estevan Murras en lo que recibire gracia y justicia.

Monterrey Diciembre once de mil ochocientos treinta y cinco.

Catalani Manzanelli de Murras.

Monterrey 12 de Dic. de 1839

por presentado y admitido procedase por mi el presente Alcalde a la medicion señalamiento y linderos y posesion judicial,

q. solicita la intere cada en esta instancia señalandose para efectuarlo el dia Quince del presente mes para lo que se le hara saber a D. Estevan Murras para que como apoderado nombrado por la parte que solicita se tenga por citada. Asi yo el Alcalde N. de esta municipalidad lo decreté mandé y firmé. con los de

J. Asso: David E. Spence.
Derechos 24, De asso: José Maria Maldonado
p. 2.º } Murras, Teodoro Gonzales.

En la fha de le notifico el auto antecedente a D. Estevan Murras y de el entendido dijo lo oyo y q. se da por citada firmando conmigo y los de Asso.

M. De asso: Spence. Estevan Murras José Maria Maldonado # Teodoro Gonzales. Asso.

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En el Rancho de la Purisima Concepcion a D. Franciscoquito a los catorce dias del mes de Diciembre de mil ocho cientos treinta y cinco en cumplimiento del auto que antecede presente D. Estevan Murras nombre yo el presente pues por mi dictoreo a los ciudadanos Teodoro Moreno y Juan Rosales quienes previa aceptacion y juramento procederom al desempeño de lo tercero Dos Reales: Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco.

Castro: Angel Ramirez.
de su encargo. Asi yo el referido Alcalde lo determine y firmé con los de asistencia
M. De asso: Spence De asso

José Maria Maldonado # Teodoro Gonzales.
En la misma fecha y en el expresado Rancho se les notifico a los ciudadanos Teodoro Moreno y Juan Rosales el auto de su nombramiento y dijeron que aceptaban y aceptaron dicho encargo y juraron N. Dios nuestro D.º y la señal de la Cruz de usarlo fiel y legalmente a todo su leal saber y entender sin fraude contra persona alguna y no porinaron por que dijeron no saber

M. lo hi hize yo con los de asso: Spence
José M. Maldonado: Asso. # Teodoro Gonzalez. Asso.

Incontinente yo el referido Alcalde mandé traer
à mi presencia el Cordel con que se hein de me-
-dir las tierras y q. los medidores lo midan de
M cincuenta varas y lo firmé con los de Aso^o
De aso^o Opence De aso^o

Jose Maria Maldonado # Teodoro Gonzalez
Incontinente yo el Referido Alcalde mandé q.
los espresados medidores midieran y midieron
ante mi un Cordel de mecate de à cincuenta
R. varas y p. constancia lo rubrique.

En el mismo parage dia, mes y año siendo las diez
del dia yo el presente Alcalde mandé à los mi-
-didores nombrados se dispongan para la medi-
-da de tierras que se le hein de hacer à D^o
Estevan Munras como apoderado de D^o Ba-
-talina Manzaneli y puestos en el punto donde

los tres maocalitos se comenzo la mi-
-dida tendiendo el Cordel para el Sur Este hasta
la Sierra de la Cañada de S. Clemente y huvo
doscientos Cordeles de a cincuenta varas
y desde (Dello tercero Dos Reales. Habilitado
provisional m^o por la Administracion de la
Aduana Maritima de Monterey de la Alta
California, para los años de mil ochoscientos
veinte y cuatro y mil ochoscientos treinta y cinco
Castro Angel Ramirez

La Sierra que cae para el Rancho llamado don
hasta la Sierra Alta que cae para los Laure-
les se midieron cien cordeles; en cuyas condi-
-ciones mandé se formaron las mojoneras
correspondientes que señalen los linderos
que le pertenecen. El terreno medido correspon-
-de à dos sitios de ganado mayor, y lo firmo con-
-migo el interesado y los testigos de Aso^o.

L.

Don C. Opence.

De aso^o Estevan Munras. De aso^o
Jose Maria Maldonado # Teodoro Gonzalez.
En el Rancho de la purisima Concepcion (a)
D^o Francisquito à los trece dias del mes de
Diciembre de mil ochoscientos treinta y cinco
yo el Alcalde Constitucional de primera elec-
-cion Luis C. Opence despues de prac-
-ticadas las medidas del mencionado Rancho
por las que resulto tener dos sitios de ganado.

33

mayor con lo demas que consta de autos, mande que entrase D. Estevan Munras como apoderado de la D^{ca} Manzanelli en pacifica posesion del nominado Rancho vajo las medidas citadas y formalidad de costumbres en caso semejantes, lo que verifico en el acto arrendando yerbas y hacienda demostraciones como dueño del terreno de q^{da} se le ha dado posesion, cuya validacion la autorizo y firmo con el intere sacado y testigo de los^{as}

J

Don E. Spence

De aso^{as} Estevan Munras. De aso^{as} José Maria Maldonado # Teodoro Gonzalez. Monterrey Diel. 19. de. 1839.

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Tomose razon en el libro de posesiones y devuolva de este Expediente Original al apoderado de la D^{ca} Manzanelli Don Estevan Munras para que le sirva de titulo. Asi yo el Alcalde primero constitucional de la demarcacion de esta municipalidad asi
16 Del tercero Dos Reales: Habilitado provisionalmente por la administracion de la Aduana Maritima de Monterrey de la Alta California para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Figueroa A. Ramirez.)

J

lo decreto mande, y firme con los de aso^{as}. De aso^{as} Don E. Spence De aso^{as} José Maria Maldonado # Teodoro Gonzalez.

En la misma fha se tomo razon de este titulo en la f. 6. V^{ta} del libro respectivo y para constancia lo rubrique.

R.

14. Del 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 mil ochocientos cuarenta y uno.

Jimeno # Antonio Ma^o Qois.

Seal

Rehabilitado por la misma, para el año de mil ochocientos cuarenta y dos Alvarado # Antonio Mario Qois.

En el Puerto de Monterrey a los veinte y tres dias del mes de Feb^{ro}: de mil ochocientos cuarenta y dos parecio de presente ante mi José. L. Hernandez

juiz de 1^a instancia de este Distrito actuando por receptoria à falta de Escribano publico la Señora Doña Catalina Manzaneli de Murras y dijo: que otorga y confiere todo su poder amplio, cumplido especial, general y tan bastante como necesario à su Esposo D. Estevan Murras para que libremente pueda disponer del Rancho D. Francisquito que consta en este expediente ya sea enagenandolo perpetuamente ò temporal conforme le acomode, pues para ello le da este poder sin limitacion alguna. En cuyo testimonio asi lo otorgo y firmo siendo los instrumentales los Sr̄s D. José Amesti. D. David Spencey y D. Teodoro Gonzalez José J. Hernandez #

Catalina Manzaneli de Murras.

18 Por las facultades que me concede la interesada en estos documentos Doña Catalina Manzaneli de Murras sido el mencionado sitio de D^o Francisquito al Ciudad. Francis Voto.
Monterey Marzo 7 de 1842.

Esteban Murras

Conste por cote que yo Francisco Voto remeio y ha pasado los D^{os} y acciones que he adquirido por los documentos que anteceden en el Rancho de Don. Francisquito, à Doña Maria Josefa Rodriguez por la cantidad de mil pesos de of. me doy por recibido, segun consta de la Escritura publica de Venta que al efecto otorgue à favor de la Señora expresada lo que para que conste lo firmo en Monterey à 9 de Marzo de 1842.

Francisco Voto.

The foregoing document comprising the Sheets of Writing numbered from 1 to 18, both inclusive were received for Record 2 of the January 1853 at 11. A. M. and are recorded in Book "C" of Deeds of Grants on pages 40 to 48 both inclusive.

W. O. Johnson

County Recorder

Monterey Cal^a

Juzgado de Paz } año de 1842.
de Monterey }

Escritura Pública de
Venta del Rancho de

San Franciscoquito.

otorgado por el C^{no} Francisco Loto
à favor de Doña
María Josefa Rodriguez

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19 Dello 1.º seis pesos: Habilitado provincialmt. por la Aduana marítima de Monterey para los años de 1899 y 1810.

Alvarado Antonio M.º Cois.

Valga para los años de 1842.

Alvarado # Antonio Maria Cois.

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Seal En el puerto de Monterey del Departamento de las Californias, à las nueve dias del mes de Marzo de mil ochocientos cuarenta y dos, ante mi Teodoro Gonzalez Juez de Paz y Jefe del Jefe Constitucional de esta jurisdiccion en funcion por ausencia del propietario y ante los testigos de asistencia con quienes actuo en la forma establecida por falta de Escribenos publicos à mas de los instrumentales se que al fin se ha ra mención parecio de presente el Ciudadano Francisco Poto vecino de esta demarcacion mayor de veinte y cinco años cuya persona doy fe conosco y digo: que por mi y à nombre de sus hijos herederos y sucesores y de quien de ellos hubiere titulo Rojo y causa en cualquier manera vendida y da en Venta solemnemente, nacional y publica y enagenacion perpetua por puro de heredad para siempre y a mas, à Doña Maria Josefa Rodriguez de esta misma vecindad en su persona tambien doy fe conosco quien presento poder bastante de su padre para parecer en juicio y celebrar toda clase de contratos, un Rancho titulado San Franciscoquito que le pertenece en propiedad por compra que de el hizo à Don Estevan Murray segun la Escritura publica que presento y demas documentos que corren unidos à este instrumento colindando con el conocido por Laureles con el del Don Chiquito y con el de Don Juan Cooper, con una finca urbana de dos piezas utiles paredes de Madera techada de tabamamile y con puzo de tablas abajo comprendiendose en esta Venta una Manada de treinta Yeguas de liente que tambien le pertenecen al Otorgante y que de juntamente; y declaro no tenerlo vendido enagenado ni empeñado, y que esta libre de todo gravamen publico perpetuo temporal especial general, tacito y expreso; y como tal se lo vende

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con todas las acciones que ha tenido y le piete
 necen según otro, en el precio y cantidad de mil
 pesos en atto cientos cincuenta en plata y el
 resto en efectos à precios corrientes cuyas can-
 tidades ha por recibido el Otorgante, y sobre
 no parecer de presente la entrega renuncia las
 leyes de ella las de su prueba y pago del recibo es
 mo de ello se contiene, así mismo de el ara que
 tiene por justo precio y verdadera valor del
 expresado Rancho finca y manada la referida
 cantidad que no vale mas y si mas valer pu-
 diera del exceso en mucha o poca suma hace
 à favor de la compradora de sus herederos
 y sucesores gracia y donacion pura perfecta
 è irrevocable que en Dño se llama inter vivos
 con insinuacion y demas formas legales, re-
 nunciando la Ley 2.^a tit. 4.^o lib. 5.^o de la
 Recopilacion y las demas que hablan de lo que
 son en mas o menos de la mitad del justo
 precio y los cuatro años que pedia para pedir
 su rescion o suplemento los que da por
 pasados y desde hoy en adelante se desempa-
 deran y desprenden para siempre del dominio
 posesion, titulo voz, recurso u otro qual esqui-
 era Dño que le compete al onuncia de Ran-
 cho, casa y manada y lo renuncia y traspa-
 sa à la compradora para que disponga de el como
 de cosa propia y le confiere poder irrevocable
 amplio bastante y valdero con libre franquea
 y general administracion para que de su au-
 toridad aprenda la tenencia y posesion que le
 galmente le toque obligandose el otorgante
 à que esta venta le sera cierta segura y efe-
 ctiva à la compradora y que nada le ni movere
 pleito, en su propiedad o posesion ni contra
 el Rancho finca y manada aparecera grava-
 men alguno y si resultare saldria à su defen-
 ga hasta de por le en quieta y pacifica posesion
 y de no con equivo lo restituyera la cantidad
 que ha desembolado con los mejores utilicos
 que tenga el Rancho finca, y manada y todas
 los costos perjuicio, y menoscabos que se le si-
 gueren. En la Observancia de lo referido obli-
 ga el Otorgante sus bienes presentes y futuros

y con ellos se somete al fuero y jurisdiccion de los señores Jueces en sus causas competentes para que à su cumplimiento lo compelen y apremien como por sentencia definitiva consentida y pasada en autoridad de cosa juzgada que por tal la reputa, renunciando las leyes que en el caso le favorezcan y la general del dño en toda forma. En cuyo testimonio así lo otorgo y firmo haciendo lo por la Compradora su apoderado Ricardo Juan y siendo los instrumentales: Don Valencio Terrano Don José Maria Castañares y Don Benito Diaz presentes y vecinos de que doy fe. Teodoro Gonzalez # Francisco Doto # Ricardo Juan # De assist^a Manuel Castro de assist^a Jacinto Rodriguez.

Es copia sacada fielmente de su Original el día de su otorgamiento siendo testigos de verla copiar y conservar el C^{no} José Abrego. Va en dos folios útiles de un pliego de papel ~~del sello~~ primero quedando protocolado dicho Original en papel del sello segundo lo que yo el referido juez certifico firmando con los testigos de asistencia.

Deasa^a Teodoro Gonzalez Deasa^a Manuel Castro # Jacinto Rodriguez.
Sello primero seis pesos: Habilitado provincialmt. por la Aduana marítima de Monterrey para los años de 1872 y 1873.
Alvarado # Antonio M^a Coio.

Seab En el puerto de Monterrey à los veinte y siete días del mes de Diciembre de mil ochocientos cuarenta y dos. Ante mí Teodoro Gonzalez juez de paz Constitucional de esta jurisdiccion, actuando por reseptoria à falta de Escribano publico parecio de presente Mr. Ricardo Juan con poder bastante en cuanto en derecho se requiriere de Doña Josefa Rodriguez culla persona doy fe conosco y digo. Que à nombre de su poder ante y al de sus herederos y sucesores y de quien de ellos hubiere voz y fama en qual quierá manera vende y da en venta pública y enagenacion perpetua por juro de heredad y para siempre jamas à D^o Guillermo R. Garner de esta vecindad que tambien doy,

se conoce un Rancho titulado Don Jeronimo qui-
 to compuesto de dos sitios de ganado mayor que
 le tocan y pertenecen en propiedad por compra que
 de el hizo su poderante al Ciudadano Jeronimo
 Poto segun consta de la Escritura publica que
 otorgaron, cullas testimonio presento juntamente
 con los titulos de concecion que conuenidos
 a este instrumento incluyendose en el Rancho
 una Casa de Madera, Corrales, aseriaderos
 Arboles frutales y cuanto en el existe conrotundo
 y se halla establecido con todo lo azeas de pen-
 diente y perteneciente que declara el Vendedor
 no tenerlo vendido enagenado ni empeñado y
 que esta libre de todo gravamen publico por pe-
 tuo, temporal, especial general tacito o expreso
 y como tal lo vende a dho Don Garner en precio
 y cantidad de dos mil pesos que ha recibido a su
 satisfaccion y sobre no parecer de presente la
 entrega renuncia las leyes de ella las de su pue-
 blo y pago del recibo como en ellas se contiene:
 asi mismo declara que tiene por justo precio
 y verde de su valor de dicha compra la expresada
 cantidad, que no vale mas y si mas valor pudiere
 del exses en mucha o poca suma hace a favor
 del comprador gracia y donacion pura por pe-
 tua irrevocable que en derecho se llama in-
 ter vivos con inominacion y de mas formas
 legales, renunciando la ley 4^a de Ley 1^a Libro 5^o
 de la recopilacion y deprehendiendose para sien-
 pre del dominio, posesion, titulo recuzo y otro
 cualesquiera derecho que le compete al enuncia-
 do rancho, los que tras pasa al comprador confi-
 riendole poder irrevocable para que de su au-
 toridad aprenda la tenencia y posesion que le
 toca obligandose el Otorgante a que esta venta
 le sera cierta segura y efectiva al comprador
 y nadie lo inquietara ni molera a pleito en su pro-
 piedad ni contra el Rancho a paresera gravamen
 alguno y si resultare o alchra a su defenya ha-
 dejarlo en pacifica posesion y de no conseguirlo
 le devolvera la Cantidad que ha recibido con
 las mejores que tenga y todos los costos perju-
 cios y menoscabos que se le oquieren.
 Ya la observancia de lo referido obliga sus

traves presentes y futuros y los de sus poderantes
y con ellos se somete al fuero y jurisdiccion de los
C. D. jueces que de sus causas pue dan y deban
conocer para que a su cumplimiento la compelan
y apremien como por sentencia definitiva, consen-
tida y pasada en autoridad de cosa juzgada que
por tal la reputo, en cullo testimonio asi lo otorgue
y firme siendo los instrumentales. D^o Florencio
Serrano, Benito Dias # y Jose M^a Campina
de quienes doy fe.

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Teodoro Gonzales
Guillermo R. Jarner # Ricardo Duran.

Asa
Manuel Castro # Jose A. Chaves.

Escopia sacada fielmente de su Original el
dia de su deparamiento siendo testigos de verda
copiar y consertar el C^{no} Jose M^a Santa M^a
Va en dos folios utiles de un pliego de papel del
sello numero quedando protocolado dicho Ori-
ginal en papel del sello segundo lo que yo el
referido juez certifico firmando lo con los testigo
de asistencia.

Teodoro Gonzales

Asa
Jose A. Chaves. Santiago Estacada

The within document comprising the sheets
of writing numbered from 19 to 26 pages were
received for Record 29th January 1853 at
11. A. M and are recorded in Book A Con-
veyances on pages 246 to 450 both inclusive

W. D. Johnson

C^o Recorder

Monty C.

Filed in Office Feby 19th 1853.

Geo: Zeisler Clerk

H. Grantatum
of Papey

Stamp First Six Dollars

Provisionally authorized by the administration of the Mexican Custom House of Monterey of Upper California for two years one thousand eight hundred and thirty four and eight hundred and thirty five.

B.

Figueras A. Ramirez
Jose Basteros vocal of the Most Excellent Territorial Deputation and Civil Chief and interim of the Territory of Upper California

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Whose Donna Catalina Manzanelli de Munras has for her own personal benefit and that of her family asked for the land known by the name of San Francisco quite the proper measures and examinations being previously made as required by laws and regulations using the sums which are imposed on me in the name of the Mexican Nation have granted her the aforesaid land declaring that the ownership of it by these presents subject to the approval of the Most Excellent Deputation and under the following conditions.

1st That she will submit to those which may be established by the regulation which is to be formed for the distribution of vacant lands and that in the meantime neither the granted nor her heirs shall divide or alienate that which is granted to her subject to any tax, entail or pledge even for pious purposes nor convey in any manner.

2d She may enclose it without prejudice to the crossings roads and limits she will enjoy it fully and exclusively making such use and cultivation as may best suit her but within one year as far as she shall build above and it shall be inhabited.

3rd When the ownership is confirmed to her she will request the proper Magistrate to give her judicial possession in virtue of this Patent by whom the boundaries will be marked out in the limits of which she will place besides the bounds some fence or posts trees of some utility.

4th The land of which donation is made is two square leagues as shown by the map which goes in the Españito. The Magistrate who may give the possession will cause it to be measured in conformity with the ordinance in order to mark out the boundaries leaving the surplus which may result in favor of

June 20.

the nation's profits convenient was
5th If he contravenes these conditions he will lose
his right to the land and it will be demarcated by
another person

In consequence I declare that this present serving him
for a title and being held as firm and valid note
be made of it in the corresponding book and it
be delivered to the person interested for his security
and other purposes

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Given in Monterey on the 9th of November 1835

Signed Jose Castro

Signed Francisco de Castilla Regente Sinteray

Note has been made of this patent in the book of titles
on leaf 84 and marked with the number 82 which
exists in the office in my charge

Fees of 10.

Monterey November 9th 1835

Signed Castilla

Stamp Three Duros Reals

Provisionally authorized by the administration of the
Maritime Customs House of Monterey of Upper California
for the years 1834 and 1835

Castro

Angel Ramirez

proposition of the Committee Certificate
Approved the grant made to Dona Catalina
Manzanelli de Murras of the land named San
Francisco on the 7th of November 1835 subject
to the conditions which may be stipulated Monterey
December 3rd 1835.

Salvo Pachuco

Approval of the Most Excellent Deputation
Monterey December 3rd 1835. In session of this day
the Most Excellent Assembly approved the proposi-
-tion of the foregoing report directing the Expediente
to be returned to the Political Chief for the common
- use purposes

Castro President

Juan B Alvarado Deputy Secretary

Decree of confirmation by H. C. the Political Chief
Monterey December 4th 1835 In view of the approval
given yesterday the 3rd of December by the Most
Excellent Deputation let a certified copy of it and
of this decree be issued to the party Dona Catalina
Manzanelli de Murras in confirmation of the
grant of the land known by the name of San Fran-
-cisco which she obtained on the 7th of November
of the present year

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Señor Don Jose Casto Political Chief ad interim of
the Territory of Upper California thus read and read
and signed it to which I certify Jose Casto

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Francisco del Castillo Regente Supt
It agrees to the letter with its original which I saw and
is on file in this office of the Supt of the Political Gov
in number in my charge in the bundle of Esposiciones
of land approved by the most Excellent Deputation
to which refer December 14th 1835.

Francisco del Castillo Regente
Stamp Two Reales

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Provisionally authorized by the administration of the
Mantime Custom House of Monterey of Upper California
for the years 1834 and 1835

Casto Angel Ramirez
Revoked for the two years 1836 and 1837

Gustave
In the Port of Monterey of Upper California on the 14th
day of the month of December one thousand eight
hundred and thirty five before me citizen and
Spain Constitutional Alcalde of the said Port and
before the witnesses of assistance with whom I am
established from this appeared Doña Catalina Manzanilla
Widow of Juan Manuel and said that both herself and
her children being sick with colas and other diseases
is of them which are at present general with us
she herself being so sick as to excuse her and being
by this accident deprived from going to take
possession of the place named San Fran-
cisco of this jurisdiction of Monterey which His
Excellency the Political Chief through her power to grant
on the 9th November and the most Excellent Depu-
tation approved with the said instance the grants and
confer all her power full specific and sufficient
to her husband Esteban Manzanilla that in her
name and representation he may do whatever
may be necessary and legal according to limits of
the laws and dispositions and other orders
constituted as may be proper that he may take the
possession of the aforesaid place in testi-
mony of which she subscribed and signed it in this reg-
ister the witnesses to this instrument being Don Jose
Amate yre Iglesias and Don Juan Gonzalez
Monterey December 14th 1835 David Spencer
Catalina Manzanilla de Manzanilla witness

Pages 10 seals

Jose Maria Maldonado Eugenio Montoya & Co
Copied from its Register this 16th day of June 1836
on this and the foregoing leaf of paper of the corresponding
stamp and at the request of the person mentioned the
validity of which I authenticate signing with my assis-
ting witnesses according to Law Jose N. Estrada
assisting witnesses

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Jose Maria Maldonado Pedro Gonzalez
Catalina Manzanelli Munras before Don Honor
represents that having obtained the ownership of the
land from the owner of San Francisco
and it being a nuisance separate to take the posses-
sion of the aforesaid land and not being able to do
soon account of the sickness of my children and my
self I pray your Honor to give it in my request to my
attorney in fact Estevan Munras in which I will
receive fair and justice

Montevideo December 11th 1835 Catalina Mdl Munras
Montevideo December 12th 1835

Presented and admitted
The present Alcalde will proceed to the measurement
designated of bonanzas and judicial possession
solicited by the person mentioned in this Petition nam-
ing further to perform the 14th day of the present month
for which Don Estevan Munras will be notified
that as the attorney in fact appointed by the party soli-
citing he may consider himself summoned and the
1st Alcalde of this Municipality thus according
and signed in with three of assistance
assisting witnesses David Spence

Fus 24.2 males

Jose Maria Maldonado Pedro Gonzalez
On the same date the foregoing act was made known
to Don Estevan Munras and having understood
it he acknowledged noted and signed in with
me and three of assistance Spence
assisting witnesses Estevan Munras

Jose Maria Maldonado Pedro Gonzalez
In the Ranch of La Purisima located in the
San Francisco on the 14th day of the month of Decem-
ber one thousand eight hundred and twenty five in
compliance with the foregoing act present Don Estevan
Munras the present Magistrate appointed for
measuring citizens Pedro Munras and Juan
Rosales who after the acceptance and oath will
proceed to the discharge of their office the aforesaid

Alcaldes thus determined and signed with three of assistance

Spence

Assisting witnesses

Jose Maria Maldonado Teodoro Gonzalez

On the same date and in the aforesaid Ranchos they signed Teodoro Herrera and Juan Rosales were witnesses of the act of their appointment and they said that they accepted and they did accept said office and made oath by God our Lord and the sign of the cross to use it faithfully and legally to the best of their knowledge and understanding without fraud against any person and they did not sign because they said that they did not know how to do so and therefore of my assistance

Assisting witnesses

Spence

Jose Maria Maldonado Teodoro Gonzalez

Immediately the said Alcaldes ordered the work with which the land is to be measured to be brought into my presence and the measure was made off on it fifty varas and I signed it with three of assistance

Spence

assisting witnesses J. M. Maldonado Teodoro Gonzalez

Immediately the aforesaid Alcaldes ordered that the measure be measured and they measured a cord of rope of fifty varas before me and in testimony I signed in rubric

(A Rubric)

In the same place day month and year at 10 o'clock the present Alcaldes and these appointed witnesses went to prepare for the measurement of land which have to be made to Don Esteban Munoz attending in fact of the Señora Doña Catalina Manzanilla and placed in the place where are the tenas called the measure was commenced drawing the cord due South East to the Sierra of the Cañada de San Clemente ten Hermanas ends off fifty varas and from the Sierra which goes down to the Rancho called Sur to the high Sierra which goes down to Las Laureles one Hermana ends same measure in which measurements I made the corresponding corners to be formed which should designate the boundaries putting to it the land measure consists of two square leagues and the person entrusted signed with me and the assisting witnesses David Spence Esteban Munoz assisting witnesses Jose Maria Maldonado Teodoro Gonzalez

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In the land of La Pansina Con ap oim alias San
Poco quinto, on the 14th day of the month of December
1835, the Constitutional Alcalde of the Election City of
Don E. Spine after executing the measurements
of the aforesaid Rancho by which it results to contain
two square leagues, with all other things which appear
from the cets Indica that Don Estevan Murras
attorney in fact for the Señora Manzanilla
the lawful possessor of the said Rancho under the
measurements signed to and the for quantities existing
in similar cases which he did by pulling up grass
and making demonstrations of the land of
which possession has been given him the validity of which
I authentic and sign with the present witness and the
assisting witnesses

Don E. Spine
assisting witnesses Estevan Murras
Jose Maria Melamada Juan Gonzalez
Witness December 15th 1835

Let note be taken in the
book of possessions and let this original Expediente be
returned to the attorney in fact of Señora Manzanilla
Don Estevan Murras that it may serve him for
title of the first Constitutional Alcalde of the dem-
arcation of this Municipality thus decreed and
signed with the following assistance

assisting witnesses Don E. Spine
Jose Maria Melamada Juan Gonzalez
On the same date note was made of this Expediente
both leaf of the proper book and in testimony I sign
it in Rubric (Rubric of Spine)

Stamp Two Reales

Provisionally authorized by the municipal custom
House of the City of Montevideo, in the Department of the
Caldes for the years 1840 and 1841

Antonio Maria Cesio
Seal of Custom House of Montevideo
Revalidated by the same for the
year 1842
Alvarado Antonio Maria Cesio

In the year of Montevideo on the twenty
third day of the month of February in the
onsaid eight hundred and forty two there appeared
present before me Jose Fernandez judge of the
and of this district acting in virtue of my office for
warrant of authority public Doña Beatriz Manzanilla de Murras
was and said that she grants and cedes all her

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power ample full special General and so much as
may be necessary to the husband Don Estevan Mun-
ras, that he may be able fully to dispose of the Ran-
cho of San Francisco which appears in this Expedi-
ente either alienating it forever or temporarily as
may best suit him as p[ro]p[ri]ety he gives him
this power without any limitation. In testimony of which
he thus acknowledged it and signed the witnesses to
the Instrument being Don Jose Augusto, Don Juan
Spain and Don Joaquin Gonzalez

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Segunda Personada, segun Catalina Manzanilla de Munras
In virtue of the power conferred on me by the person
intended Doña Catalina Manzanilla de Munras
in these documents I transferred the said Rancho
of San Francisco to Citizen Francisco Soto Montenegro
March 7th 1842 Segunda Estevan Munras

Be it known by these presents that I Francisco Soto
announce and transfer the rights and actions which
I have acquired in the Rancho San Francisco
by the foregoing documents to Doña Maria Josefa
Rodriguez for the sum of one thousand dollars which
I acknowledge to have received as appears by the public
act of sale which for that purpose have executed in
favor of the aforesaid Señora In testimony of which I
sign in Montenegro on the 9th March 1842

Segunda Francisco Soto

Stamps for \$4 Dollars

Provisionally authorized by the Maritime Customhouse
of Montenegro for the years 1839 and 1840

Alouadas } Antonio Mallesio
} customhouse } Good for the years 1842
} head } Alouadas } Antonio Maria Oris

In the Port of Montenegro in the Department of the Real
Ispania on the 9th day of the month of March One thousand
said eight hundred and forty two before me Joaquin
Gonzalez acting (sup[er]l[icit]e) Constitutional Justice of
of the Peace of this District acting on account of the
absence of the regular one, and before the assisting
witnesses with whom I act in the established form
for want of a notary Public besides the witnesses to the
Instrument who will as the law be mentioned appear and
present the Citizen Francisco Soto resident of this
Union certain more than twenty five years of age
whose person I certify known and seen that for himself
in the name of his children heirs and successors and

whichever of them may have title void or claim in any manner he sells and gives in solemn Matrimonial and public sale and perpetual alienation with the right of inheritance forever to Doña Maria Josefa Rodriguez of this same neighborhood whose person also I certify known who presents a sufficient power from her father to appear in court and celebrate every kind of contract a Rancho entitled San Francisco which belongs to him in ownership by purchase which he made of from Don Estevan Munras according to the public act which he presents, and the other documents which go annexed to this instrument bounded by that Munras as Laureles by that of Sr. Enrique and by that of Don Juan Cooper

Together with abuse in the Town of ten good rooms the walls of wood roofed with shingles and with a plank floor below them being also included with the sale a dove of thirty blood runs which also belong to the Vendor and he sells them all together and he declares that he has not sold alienated or pledged them and that it is free from all incumbrance whether public perpetual temporal special general taxes and expenses as such he sells it with all the actions which he has had or which remain to him by Law

For the price and sum of four thousand dollars four hundred and fifty in silver and the rest in goods at current price which sums the Vendor acknowledges as received and as the delivery was not made in person he reserves its Laws these of its proofs and the payments of the receipts in itself contained

He also declares that he consents the said amount the just price and true value of the aforesaid Rancho bearing and avers that they are not with some fraud they can be with none of the excess but large in sum he makes in favor of the purchaser of such and success free gift and donation pure perfect and irrevocable which in Law is called *inter vivos* with genuine intention and not by legal securities and he reserves Law of Title 7 Book 5 of the Recopilacion and others which speak of lesion in more or less by one half of the just price and the four years which it

fixes in which to ask a decision on the contents or what
 was wanting of its true value he continues as part and
 from this time forward he dispossesses and separates him-
 self from the dominion possession title voice
 recourse or any other rights which belong to him
 in the aforesaid Rancho house and dower and he
 renounces and transfers them to the purchaser that
 he may dispose of them as often and in any way and
 he can for his irrevocable power full sufficiency
 and valid with full frank and general administration
 that of his own authority he may take the same
 and possession which legally belong to him the ven-
 der buying himself that this will be certain true
 and effect to the purchaser and that no person
 will bring suit against his ownership or possession
 within the following circumstances appear against the
 Rancho building or dower

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And if there should prove
 to be any he will come forward or be before the court
 that he will have in good and peaceable possession
 and if he shall not be able to do so he will restore
 the same to the purchaser with the useful improvements
 which the Rancho building and dower of man
 may have with all the damages and prejudices which
 may come upon him

And to the observance of the
 foregoing the Vendor binds his property present and
 future and with them submits himself to the
 jurisdiction of the Magistrate who constitute cog-
 nizance in his cause that they may fine and
 compel him to its compliance as by definitive sen-
 tence consented to and passed in authority of pres-
 judicata as for such he continues in renouncing
 the laws which may favor him in the case and
 the legal exception in due form

In testimony of which
 he subscribes and signs it thus the purchaser
 doing so by his attorney in fact Manuel Jimenez and the
 witnesses to the instrument being Don Florencio
 Seneno, Don Jose Maria Castaños and Don Benito
 Diaz present and residents to which I certify
 Don Juan Gonzalez Francisco Soto Becerra your
 assisting witnesses
 Manuel Castro Jacinto Rodriguez
 This a copy faithfully made from the original the day

and as the delivery does not appear in the same he
proves the Law of it those of its proof and the paymen
- ent of the receipt as in itself contained

It also declares

that she considers the said sum as the true value
and just price of the said Rancho that it is not
worth more and if it may be worth more of the excess
be it a small or great sum she makes in favor of
the purchaser free gift and donation pure perpetual
and irrevocable which in Law is called inter vivos
with judicial intervention and the other legal securities
commencing the Law 4 Title 4 Book 5, of the Recop
- lacion,

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And she separates herself from the down
- in possession title & consequence and what other rights
may belong to her in the aforesaid Rancho which she
transfers to the purchaser conforming on her irrevocable
power that of his own authority he may take
the title and possession which pertain to him
The said woman being herself that this sale will be
to him certain sure and effective and that no
one will disturb him in buying any suit against
his ownership neither shall there appear against
the Rancho any incumbrance

And if there should

prove to be any she will come forward in his de
- fence until she shall have him in peaceful
possession and if not able to do so she will return
to him the sum she has received with the improve
- ments he may have and all the costs judgments
and damages which may accrue to him and to
the observance of the foregoing he binds his property
present and future and that of his heirs and
with it submits himself to the jurisdiction of the
Magistrate who can and ought to take cognizance
of her cause that they may compel and prevent
to comply with it as with a definitive sentence
consented to and passed in authority of Responde
- re

For as such she gives in testimony of which she has
thus acknowledged and signed in the witnesses to the witness
- man being Don Placido Soriano, Benito Diaz and Jose
Manuel Campaña to whom I certify, signed Thomas Gonzalez
signed Guillermo R. Gonzalez signed Benigno Juan
- assisting witnesses

Seguia Manuel Castro Seguia Jose A Chaves
It is a copy faithfully made from its original on
the day of its execution the return to the copy and
compensation being letzer from Maria Santa
Monia

It goes on two written leaves of a sheet of paper
of the first stamp said original remaining on file on
paper of the second stamp which I the said Magistrate
certify Seguia is with the assisting witnesses
Assisting witnesses Seguia Teodoro Gonzalez
Seguia Jose A Chaves
" Santiago Estrada

Filed in Office February 17th 1853
Geo Fisher
Secretary

247 SD
PAGE 53

Deed
C

This instrument made and entered at the City of Monterey State of California Between William N. Garner of Monterey aforesaid of the first part and Jose Abajo of the same place of the second part

Witnesseth that whereas in or about the year 1849 one William N. Garner died intestate leaving and leaving behind him of his estate an estate was at the time of his decease possessor of the Rancho or tract of land herein after described

And whereas the party of the first part one of said heirs has since the decease of his father attained his majority and become and is entitled to the one eighth undivided part of said Rancho herein after described how the said party of the first part for and in consideration of the sum of Three hundred and twenty five dollars good and lawful money to him in hand paid by said Jose Abajo the receipt whereof is here by acknowledged hath granted bargained sold quit claimed to and conveyed and by these presents do grant bargain sell quit claim and convey unto the said Jose Abajo his heirs and assigns all his right title interest claim and demand as Law or equity in possession or expectancy as one of the heirs of the said Garner deceased his father of and to the Rancho or tract of land herein by the name of San Francisco

Situate on the south side of the valley of Carmelo in the hills the description and boundaries thereof being more fully seen by reference to the map of said land attached to and forming part of the title papers thereto and the limits of said Rancho as run in the judicial possession thereof being given as follows Beginning at a point known as Tinajas Altas and thence in a South East direction to the hills of the Cerro de San Clemente two thousand paces And from the hills in the direction of the San Rancho to the high hills of Los Laureles five thousand paces said Rancho being ten thousand paces in length and five thousand paces in width little more or less and was granted by Jose Castro Governor

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(Cape Politics) of the Territory of Upper California on the 9th November 1835 to Catalina Manzanilla de Comras by her transferee by deed dated 7th March 1842 to Francisco Soto by said Soto by deed dated 9th March 1842 Transferred to Juan José y a Rodriguez and by him and with 29th December 1842 to the said William N. Ganun deceased

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PAGE 55

Together with all improvements and appurtenances ways roads waters and cures rights accipiens to the said Rancho belonging or in any wise appertaining and the Messins vicinians cuts issues and profits thereof

To Have and To Hold unto the said Juan José y a Rodriguez and assigns forever in absolute fee simple all the rights and interests of the said party of the first part as one of the heirs of the said William N. Ganun deceased in and to the Rancho or tract of land herebefore described with the improvements and appurtenances to his and their use benefit and disposition forever

In testimony whereof the party of the first part hath hereunto set his hand and seal this twenty eighth day of January one thousand eight hundred and fifty three
William Ganun Seal

Witness P. Zabrera }
William S. Johnson }

State of California }
County of Monterey } ss On this twenty eighth

1853 before me County Clerk and Ex Officio Recorder in and for the said County Comprehensively William N. Ganun to me known to be the same person described as grantor in the foregoing conveyance and who acknowledged to me that he executed the

same freely and voluntarily and for the uses and purposes therein expressed Witness my hand and official seal at the day and year last aforesaid
William S. Johnson County Clerk and Ex Officio Recorder of Monterey County
Received for Record 28th Jan'y 1853 at 2 P.M. Recorded in Book A of conveyances Pgs 444, 445. W S Johnson Co. Recorder Monterey Co

Filed in office
Feb 17th 1853
Geo Fisher
Secretary

5-5-Deed
D.

This Deed was made and entered into at the City
of Monterey, State of California between Francisco
Bautista de Castro of the City of Monterey, of the first part
of the first part and Jose Alajo of the same place of the
second part

Witnesseth that whereas in or about
the year 1849 one William N. Gammon did enter
into leaving the party of the first part his widow
and minor children heirs of his estate and he
was at the time of his decease possessor of the
property hereinafter described to which as his
widow as aforesaid the said party of the first part
became entitled to the one undivided half part
from the said party of the first part for and
in consideration of the sum of fifteen hundred
dollars to her in hand paid by the said party
of the second part the receipt whereof she doth hereby
acknowledge both parties bargain and sold quit
claim to and conveyed and by these presents doth
grant bargain sell quit claim and convey unto the
said Jose Alajo and his heirs and assigns all the
right title interest power and right of power claim
and demand whatever of the said party of the
first part or Law or equity in possession
or in expectation of the said Gammon deced-
ed of and to the Rancho or tract of land
known by the name of San Francisco situate
on the South side of the Valley of San Juan in the
Hills

Recognition thereof and particulars being
more fully seen by reference to the map of said
land attached to and forming part of the title
papers thereto and the limits of said Rancho
as shown on judicial possession thereof being
given as follows: Commencing at a point
known as Guascatitos and thence in a
south east direction to the hills of the
Cañada of San Blas into the thicket woods
and from the hills in the direction of the San
Rancho to the high hills of Los Llanos
Five thousand varas

Said Rancho being ten
thousand varas in length and five thousand
varas in width little more or less and was
granted by Jose Castro Governor (Cefe Potrero)

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of the then Territory of Upper California on the 9th November 1833 to Catalina Manzanillo de Jimenas by the laws found by and dated 9th March 1842 to Francisco Soto by said Soto by and dated 9th March 1842 transferred to Maria Josefa Rosayag and by her and on the 29th December 1842 to the said William A. Ganer and on

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Together with all improvements and appurtenances to said Rancho wharves of land belonging and all ways roads water courses rights and privileges thereto appertaining and the customs revenues and rents issues and profits thereof

To Have and to Hold unto the said Jose Cayo his heirs and assigns forever in absolute fee simple all the right and interest of the party of the first part as herein of said Juan Antonio in and to said ascribed premises with the appurtenances to his and their use benefit and disposition forever

Witnessing whereof the party of the first part hath hereunto set his hand and seal this twenty eighth day of January A.D. 1853 and eight hundred and fifty three

Francisco ^{of} Puton de Castro Seal

Witness }
Leon Brantley } State of California }
J.W. Johnson } County of Monterey }
On this twenty eighth day of January A.D. 1853 before me County Clerk and Ex Officio Recorder (County) in and for said County personally came Francisco Puton de Castro to me known to be the same person as aforesaid and who as grantor thereof executed the foregoing conveyance and the aforesaid case to have executed the same freely and voluntarily and for the uses and purposes therein expressed

Witness my hand and official Seal this day and year last aforesaid

Seal of W.P. Johnson County Clerk and Ex Officio Recorder Monterey County

Recorded for Record 28th Jan 1853 at 10.30 am Read in Book A Conveyances Pgs 442, 443 J.W. Johnson Co. Recorder by

Filed in Office
Feb 14th 1853
Geo Fisher
Secretary

5-7
Opinion
of the
Board

10p 43 -
Jose Abajo yral
vs
The United States } San Francisco

The original documents filed in support of this
claim consist 1st Of an Original grant from
Governor Jose Castro to Doña Catalina Manzanilla
de Munitas dated November 9th 1835.

2nd A certified copy of the approval of the Provincial
Deputation dated December 3rd 1835 and the Governor's
Testimonio of the same dated December 4th 1835.

3rd The record of the proceedings of judicial pos-
session executed by David Spence Constitutional
Alcalde of Monterey on the 14th day of December
1835.

The genuineness and authenticity of all these
documents are established by satisfactory testi-
mony. The conditions of the grant appear to have been
satisfactorily complied with with the exception from
its date. The grant is for two square leagues of land
as shown by the map which accompanied the certi-
ficate requiring an act of judicial possession
to designate the limits granted and define its bou-
ndaries.

The "Testimonio" of this act filed with the
cause describes the land as extending two leagues
from East to West and one league from North to South
and although it does not define the limits
with as much certainty as might be desired yet
we think it is sufficient taken in connection
with the map and the oral testimony to identify and
locate its boundaries. The present Petitioner claims
to derive their title by virtue of a series of successive
conveyances consisting first of a power of attorney
from the grantee executed before Jose Z. Hernandez
Judge of the 1st Instance of the District of Monterey
by which the grantee and his wife by power full
and ample to her husband Don Esteban Munitas
to dispose fully of the Rancho of San Francisco
either by alienating it forever or temporarily as may
best suit him.

On this document is indorsed an
assignment executed by Esteban Munitas dated
March 7th 1842 setting forth that by virtue of the

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power conveyed upon him by Doña Leontina
Munzueli de Munras in the said document he
transfere the said place of San Francisco to
Luzon Francisco Soto there is also another endorse-
ment on said document signed Francisco Soto
and dated March 9th 1842 declaring that he con-
veyed and transfere the rights and actions which
he had acquired in the Rancho of San Francisco
by the preceding documents to Doña Maria Josefa
Rodriguez for the sum of one thousand dollars as
appeared by the act of sale that was executed in favor
of the aforesaid Señora

2nd The act of sale from Fran-
cisco Soto referred to in the preceding endorsement
executed before Don Juan Guzman acting Justice of the Peace
for the District of Monterey and dated 9th of March
1842, 3rd an act of sale from Ricardo Juan who
is appears from the testimony was the husband of
Maria Josefa Rodriguez executed before the same
Justice dated December 9th 1842 conveying the prop-
erty to William K. Gunn

The above states that
Ricardo Juan was invested with sufficient power
as much as in Law is required from Doña
Josefa Rodriguez to act in the matter in which
power is shown by the appears from the testimony
of the Justice of the Peace before whom the deed was
executed that the principal Maria Josefa Rodriguez
was present at the time and verbally conveyed the prop-
erty and consented to the sale

4th A Deed from Francisco Butron de Castro to
Jose Abajo dated January 28th 1853 which recites
that in or about the year 1849 William K. Gunn
and intestate leaving the party of the first part his
widow and minor children his heirs at Law by which
his said widow became entitled to one undivided
ninth part of the said premises and conveyed to the said
Abajo all his right title interest and claim
of Gunn in and to the same

5th A Deed from William Gunn one of the chil-
dren of the said William K. Gunn dated January
28th 1853 setting out that as one of the children and
heirs aforesaid he is entitled to one undivided
eighth part of the said Rancho and conveying his
interest in the same to said Abajo thus conveying

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an all authentic and authenticated and are
considered sufficient to invest the heirs and legal
representatives of William A. Gannett with all the rights
of the original grantee in the premises

It is in proof that
William A. Gannett died in the year 1849 leaving
his widow Francis and five children one of whom
died a minor within his life, happens that the land
claimed in this case was acquired by William A.
Gannett by purchase during coverture which brings
it within the denunciation known to the Spanish
and Mexican Law as Ganancia Propria and
as such the wife was by the provisions of the Law in
force at the time of Gannett's death entitled to one
fourth leaving the other three fourths to be divided between
the four remaining children

This would give to the
claimants Arzubi one and a half parts of the
Rancho and the other from the widow to him and
one and a half parts each from the four remaining
children of William A. Gannett making his entire interest in the claim
equal of five eighths and that of the three remain-
ing children of William A. Gannett to wit

Guadalupe Leit-
ida and Ignacia one eighth each a decree of con-
firmation will accordingly be entered in favor of
the claimants further respective portions

Filed in Office October 17th 1854

Geo. Fisher
Secretary

Decree of
Confirmation

No 595

Jose Abrego et al

The United States

San Francisco

In this case on hearing the
proofs and allegations it is adjudged by the Comm-
issioner that the claim of the Petitioners is valid and
it is therefore decreed that the same be confirmed
to them in the following shares and proportions
to wit

To the claimants Jose Arzubi five eighths
and eighth parts and to the claimants Guadalupe
Ignacia and Botilda Gannett's children one eighth each

Land of William N. Garner decedent each one undivided eighth part of the said Rancho or part of land

The land of which Confirmation is made is situated in the county of Monterey and is known by the name of San Francis quite being the same which was granted by Governor Jose Castro to Doña Catalina Merino de Alvarado on the 9th of November 1835

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PAGE 61

and which was held and occupied by William N. Garner at the time of his death and by his heirs and those claiming under them since and is bounded as follows

Beginning at a point known as the Tomas Calitos and running thence in a South easterly direction to the point of the Leña de San Clemente ten thousand varas thence with said Leña de San Clemente to a peak of rock on the north side of said Leña de San Clemente about five thousand varas

Thence westerly along a range of hills to a point known as the Potrero above the said rancho thence southerly to the point of beginning containing two square leagues

Reference for a more particular description to be had to the original grant and map and to the depositions of Thomas Cole and James Meadows on file in the case

Alphons Felch
N. Aug. Thompson
S. B. Farwell

Commissioners

Filed in Office October 17th 1854

Geo. Fisher Secretary

And in compliance to the satisfaction of the Board the land hereby appraised is situated in the Southern portion of California it is hereby ordered that two transcripts of the proceedings and of the decision in this case and of the maps and evidence upon which the same are found to be made out and duly certified by the Secretary of which transcripts shall be filed with the United States Clerk of the District Court for the Southern District of California and the other be transmitted to the Attorney General of the U.S.

Office of the Board of Commissioners,

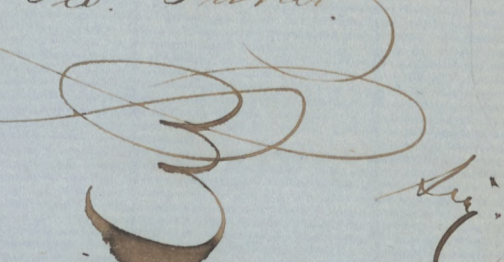
To ascertain and settle the Private Land Claims in the State of California.

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J. George Fisher — Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Sixty* — pages, numbered from
1 to *60*, 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. *395* on the Docket of the said Board,
wherein

Jose Abrego, et al, are —
the Claimant against the United States, for the place known by
the name of "*San Francisquito* —"

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

Geo. Fisher

Sij



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

No. 247. **247**
THE UNITED STATES,

vs.

José Abrego, et al.
'San Francisquito'

247
TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *545*.

Filed, *July 2* 185*5*
J. C. Blair
Clerk

By *A. H. Blair*
Deputy

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Office of the Attorney General of the United States,

Washington, June 13th 1855.

595) San Francisco -

José Abrego 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 15th day of March 1855 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Very Respectfully,
C. Smith

Attorney General.

No. 247.

U. S. District Court
Southern Dist. of Cal^{if}.

United States

vs

José Abrego et al.

Notice of Appeal
in Case no. 595.

Filed July 2nd 1855.
C. E. Kear
Clerk

By A. H. Clark
Deputy

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C. S.



Juan Abrego et al
vs
The United States

Docket No. 247.

Transcript No. 593.

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

The Petition of *Pacificus Ord*, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 17th day of February A. D. 1853, *Juan Abrego et al*

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called *San Francisco* in the County of *Merced* State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 17th day of October A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioners. That thereafter, to wit: on or about the 2nd day of July A. D. 1855, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 593; reference to which it is prayed may be had and made part of this petition. That on or about the 16th day of March A. D. 1855, the Honorable *Caleb Cushing*, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: on the 21st day of July — A. D. 1855, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimants presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimants ~~has~~^{have} any valid right or title to said land claimed as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the

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

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

J. P. M.

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

No 247

W. D. DeHombt
South, Dist. Court

Jose Abrigo et al

vs

The United States

Petition of Return

Filed Dec 8th 1854

C. Sims
clerk

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California Land Claims
Attorney General's Office
2 March 1857

Sir:

In the case of the claim of
José Abrego et al. confirmed to the
claimants by the Commissioners, case
no. five hundred and ninety-five,
(595), appeal will not be prosecuted
by the United States.

I am,

Respectfully,

Cushing

Pacificus M. Esq
U. S. Attorney
Los Angeles.

No 247

Jose Angel et al

Filed July 2^o 1858
Chm
CR

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No. 247,

The United States

vs

In the U. S. District Court for the Southern District of California
Dec. Term 1856.

José Abregueta

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And now come the said Appellees, with this case and in answer to the petition of the U. S. District Attorney, admit, that, the land in this case claimed is situated in said Southern District. And for further answer, they say, that the claim in this case is founded on a good and valid grant, and the conditions of the same both in grant and in law have been fully complied with, and that, there is no error in the judgment and proceedings of the Commission in confirming same, and this they pray be regarded of by the Court.

V. E. Howard
for Appellees

No 249

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Answer

Tues die 19th Decembris
A. D. 1850

J. H. Carlmann
sr

J. E. Arnold
sr

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

Hon. Isaac S. K. Ogier Judge -

The United States }
vs. Appellants }
Jose Abrego et al }
Appellees }

Docket No 247

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Transcript from the Board of Land Commissioners No ⁵⁹⁵~~718~~

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
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
this Court be made final -

It is ordered adjudged and decreed that the
order granting an appeal to the Supreme Court
heretofore made in this cause be and the same
is hereby vacated, and that the claimant have
leave to proceed under the decree of this Court
heretofore rendered in this cause as under a
final Decree -

Isaac S. K. Ogier
U S Dist Judge

In the U.S. District
Court, Southern District
California -
N. 247.

The United States
vs
Jose Abrego et al

Stipulation and order
concerning same.

Filed July 22^d, 1858

Epinus
CWR

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The United States } United States District
vs Appellant } Court for the Southern
Jose Abrego et al } District of California -
Appellees }

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"Docket No 247"
"Rancho San Francisco"
Transcript No. 702595

The Attorney General for the United States having given notice of intention not to ~~present~~ ^{present} the appeal in the above case and his letter of such notice being filed herewith.

It is therefore hereby stipulated and agreed by and between the parties hereto P. Ordway N. S. Ails,

acting for the U.S. and D. J. Gregory for said appellees that the decree of the said Court heretofore rendered in said case be and the same is hereby made final and that the said appeal be dismissed.

P. Ordway N. S. Ails,

D. J. Gregory
Attorney for Appellees

#247

U. States Dist Court
Southern Dist

United States

By

José Abrego.

Stipulation to
make decree final

Filed July 27, 1858
C. J. Sims
clerk

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In Dist. Court of U. States Southern Dist
of California

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Jose Abrego et al
Appellants
vs
The United States
Appellees. } 247.

And now come the above
Appellants by their attorneys
and suggest to the Court, that
no decree has as yet been entered
in this case, although a final decision
was rendered in favor of the claim-
ants December 19, 1856 as will appear
by the records of the Court; that there
after on February 24, 1857 an appeal was
granted in this case to the Supreme
Court, as appears by the records of
this Court; which appeal was dismissed
on February 2, 1858, and an order
of this Court made giving leave to
the claimants to proceed under the
decree of this Court as under a fi-
nal decree, as will appear by the
order of that date, signed by the
Hon Judge of the Court, on file a-
mong the papers of this case; but

That said last mentioned order
was never spread upon the min-
utes of the Court:

Wherefore the Appelles pray
that said last mentioned order
of dismissal made Feb. 2, 1858 may
be entered on the minutes of the
Court, and that a Decree of Con-
firmation in favor of the Claim-
ants, may now be entered as of
December 19, 1856 according to the
order of the Court of that day.

And in support hereof re-
ly on the papers and records of
the Court in the case

Scott Sanders
Att'y for Appelles

Case 247
U S Dist Court
Southern Dist

Jose Abregochal

vs

The U States

Motion of Appellee.

Filed Dec 21st 1838
Chas
C. C.

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Wm Gaudin
& Co. Attorneys —

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

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José Abrego et al } Case No 247
Appellees. }
vs } San Francisco
The United States }
Appellants } Transcript 595
This cause

coming on to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, under an Act of Congress approved March 3, 1851, upon a certified Transcript of the Proceedings and Decision of the said Board and of the papers and evidence upon which said decision was founded - And it appearing to the Court that the said Transcript and the notice of appeal have been duly filed according to law, and Counsel for the respective parties having been heard,

It is ordered adjudged and decreed that the said Decision of the said Board be and hereby is affirmed.

And it is further ordered ad-
judged and decreed that the Claims
of the Appelles in this case, José Abrego
and Guadalupe Garner, Ygnacio Garner
and Clotilda, for the lands herein claim-
ed, is good and valid, and the same
is hereby confirmed to them as follows,

The lands of which confirmation
is hereby made are known as "San
Francisquito" situated in Monterey
County, to the extent of Two (2) square
leagues, and no more, within the bound-
aries called for in the Grant in this
case, and represented in the map
in the Expediente to which the Grant
refers, to wit, the point called "Ze-
mescalitos" on the North west, and the
"Cañada de San Clemente" on the South
east, Reference being also had to the
Act of Judicial possession on file
in the case wherein the following
description of said lands is given
Commencing at the point called Los
Zemescalitos thence south Easterly
to the Sierra de la Cañada de San
Clemente 10000 varas, and from the
Sierra which goes down to the Ran-
cho called "Sur" to the high Sierras
which goes down to "Los Laureles"

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5000 acres.

Provided always, That should
the quantity of land within said
boundaries be less than two (2)
square leagues, then confirma-
tion is made of such less quan-
tity.

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Thus done and signed this
^{10th} of ^{January} ~~December~~ ¹⁸⁵⁹ ~~1858~~ as of Decem-
ber 19, 1836. in open Court.

Isaac K. O'Neil
U.S. Dist. Judge

Filed Aug 1874
1859
O'Neil
Clerk

them

No. 247

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U. S. States Dist Court.
South^h Dist Court

José Abrego et al
vs

The United States

Decree

Filed for info. 1859.

W. W. Weston,
Deputy

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Recorded on page 252

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

Jose Abrego et al }
Appellants } Docket No 247
vs }
The United States } San Francisco
appellants } Transcripts 373

Upon the stipulation filed in this case
on the part of the appellants and the United
States by J. R. Gitchell ~~acting~~ United States
District Attorney, that the decree in this case
made & signed on the 10th day of January
1839 as of the 19th of December 1836, be set
aside and vacated and the Court assenting thereto.

It is ordered adjudged and de-
clared that the final decree made
and entered in this case on the
10th day of January 1839 as of the 19th
of December 1836, be and the same is hereby
revoked, annulled, vacated and set a-
side, and that a decree be now entered
as of the 19th of December 1836.

This done in open court
this 22nd day of February 1839

Samuel H. Ogden
U S District Judge

No 247

In Hon. Dist Court

John Chapman
Appellee

vs

The United States
Appellant

Order vacating the
case of 10th June 1839.

Filed July 23rd 1839

John
Chapman

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Sum

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

Jos. Abrey et al
Appellens

Case No 247

vs

The United States

San Francisco

Appellants Transcript 373-

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Whereas it appears that the decree
in this ^{Case} made and entered on the 10th
day of January 1839 as of the 19th of
December 1834 in its description of the
lands confirmed does not follow
the original Grant & map in the ex-
pediente ^{and the decree of this Court in this case} in this case, and that
the said decree operates unjustly upon
the parties to this case

It is stipulated that the said
decree by order of the Court, the Court
assenting thereto, be annulled, set
aside and vacated and a new
decree be entered according to the
facts of this date as of the 19th of De-
cember 1834 -

North Lundy and
Edwin Atty for
appellens
J. H. Gitchell
U S Dist Atty

No 247

In W. Dist Court

Jos. Abey and
appellus

vs.

The United States
appellants

Stipulation to
vacate same &
10th of June 1859

Filed Feb'y 22^d 1859
C. Jones
clerk

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Jones

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

José Abrego et al

Appellus

Case No 247

vs

The United States

Appellants

San Francisco

Transcript 573

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This cause coming on to be heard
on appeal from the final decision of the
United States Board of Land Commissioners
to ascertain and settle the private land claims
in the State of California under an act of
Congress approved March 3, 1851 upon
a certified transcript of the proceedings and
decision of the said Board and of the papers
and evidence upon which said decision
was founded; and it appearing to the Court
that the said Transcript and the notice of
appeal have been duly filed according
to law and Counsel for the respective
parties having been heard-

It is ordered adjudged and decreed that
the claim of the appellus in this case José
Abrego and Guadalupe Garner, Ygnacio
Garner and Clotilda for the lands herein
claimed is good and valid and the
same is hereby confirmed to them as shown
The lands of which confirmation

is hereby made and known as "San Francisco"
situated in Monterey County, to the extent of two
(2) square leagues, within the boundaries
called for in the Grant in this case and repre-
sented in the map in the expediente to which
the Grant refers and are bounded as fol-
lows: Beginning at a point known as
the Temascalitos and moving thence in
a southeasterly direction to the Sierra of the
Cañada de San Clemente ten thousand varas
thence with said Cañada northerly to a peak
of rocks on the north side of said Cañada about
five thousand varas - Thence westerly along
a range of hills to a point known as the
Potrero about ten thousand varas, thence
northerly to the point of beginning - Refer-
ence for a more particular description
to be had to the original grant and map
and papers on file in this case -

Provided always that should the
quantity of land within said bound-
aries be less than two (2) square
leagues then confirmation is made
of such less quantity.

Thus done and signed this 24th
day of February 1839 as of December
19th 1836. in open Court.

Sanuel Rogier
U S Dist Judge
for the District of Cal

No 247

In U.S. Dist Court

Jose Abrego et al
vs Appellor

The United States
Appellants

Find Over

Filed July 22^d 1859
cfms
cm

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