

CASE No.

253

**SOUTHERN DISTRICT**

---

SAN LORENZO GRANT

---

**ANDREW RANDALL**

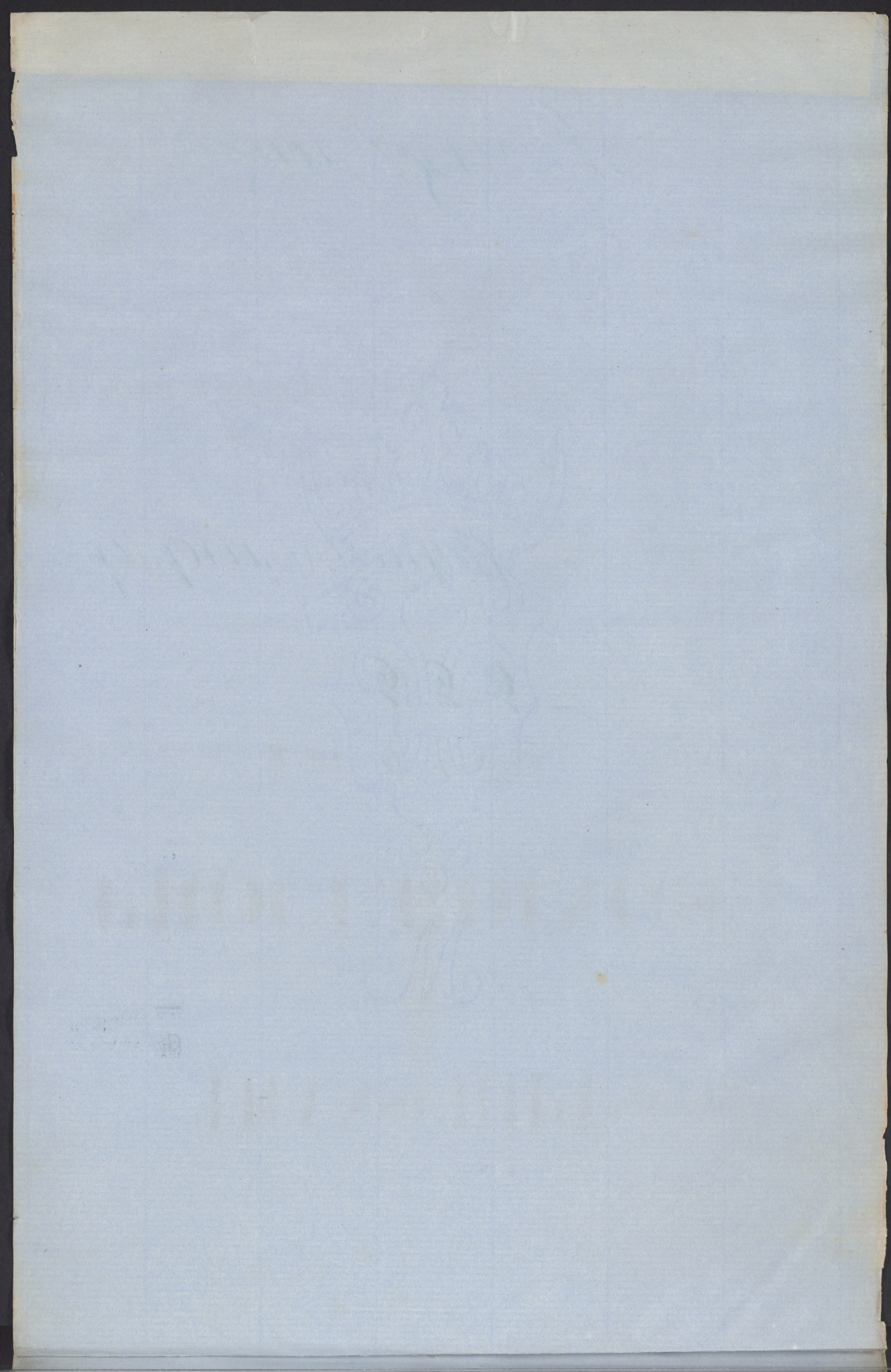
CLAIMANT

LAND CASE 253 SD 54 pgs.

MAR 15 1963

REV  
SAR CONDOMINIUM  
BOLIVIA BOND  
Guatemala

Handwritten text, possibly a list or ledger, consisting of several columns of faint, illegible characters. The text is arranged in approximately three vertical columns, with some characters appearing to be numbers or small letters. The ink is very light and difficult to discern against the aged paper background.



# TRANSCRIPT

253 SD  
PAGE 1

OF THE

# PROCEEDINGS

IN CASE

NO. *5-5-5.*

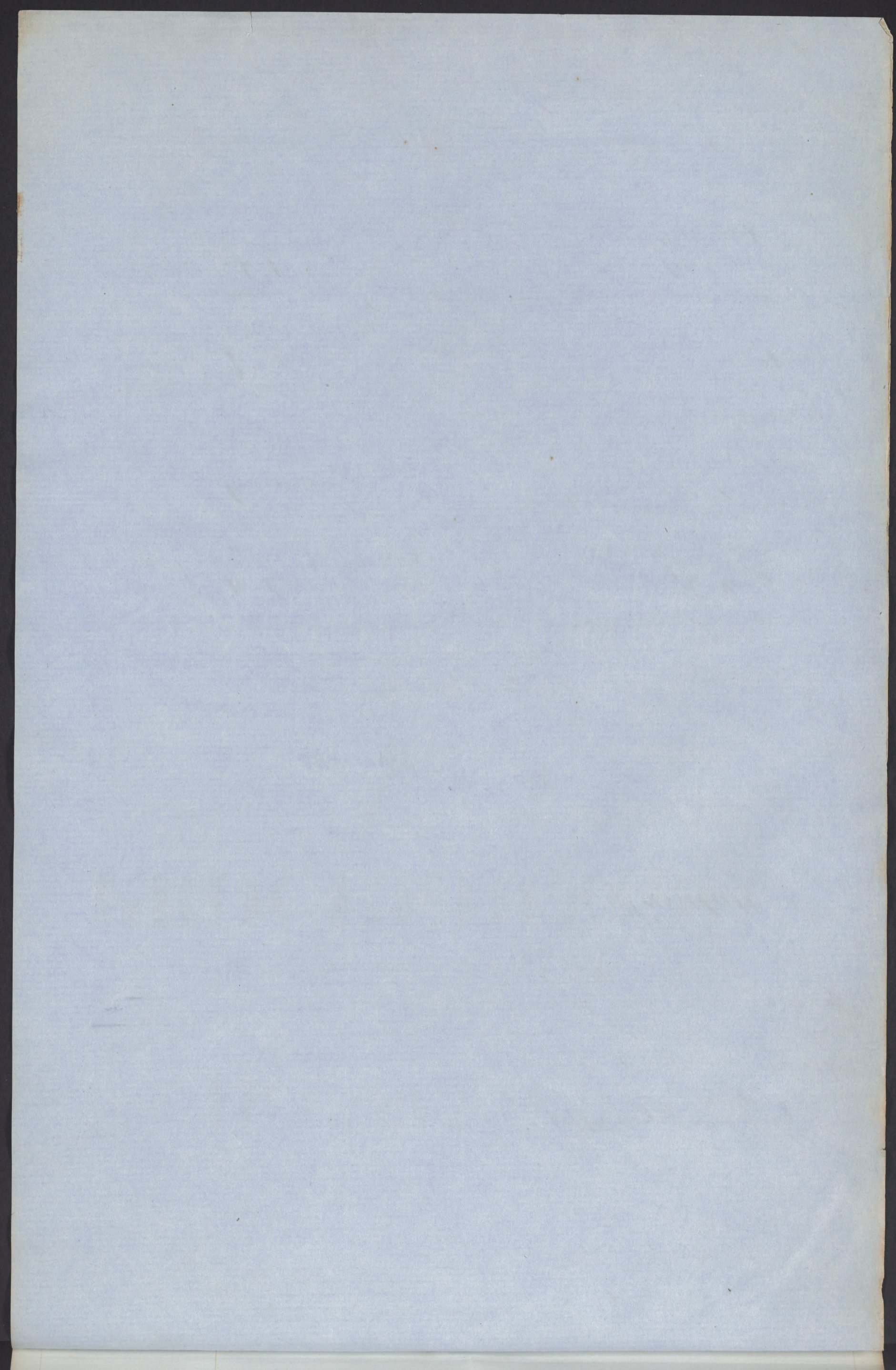
*Andrew Randall* CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"San Lorenzo"*



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

253 SD  
PAGE 2

The Petition of *Andrew Randall*,  
for the Place named  
*"San Lorenzo"*,  
was presented, and ordered to be filed and docketed with No. 555 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. 555, Andrew Randall for the place named "San Lorenzo," the deposition of Francisco Rico, a witness in behalf of the claimant, taken before Commissioner Harry J. Thornton, was filed:

(Vide page — of this Transcript.)

San Francisco, November 1 1853.  
In the same case the deposition of David Spence, a witness in behalf of the claimant, taken before Commissioner N. Aug. Thompson, with document marked A. 1. R. T., annexed thereto, was filed:

(Vide page 4 of this Transcript.)

San Francisco, December 3 1853.  
In the same case the deposition of Thomas Cole, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch:

(Vide page 6 of this Transcript.)

San Francisco December 19<sup>th</sup> 1853.

In the same case the Counsel for the claimant filed the following Stipulation, to wit:

(Vide page 3<sup>1</sup> of this Transcript.)

San Francisco, November 6<sup>th</sup> 1854.

In the same case the deposition of Francisco Arias, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed:

(Vide page 8 of this Transcript.)

San Francisco December 4<sup>th</sup> 1854.

In the same case the deposition of Henry Coates, a witness in behalf of the claimant, taken before Commissioner Peter Sott, was filed:

(Vide page 9 of this Transcript.)

San Francisco December 5<sup>th</sup> 1854.

Case no. 555 was submitted on briefs and taken under advisement by the Board,

San Francisco December 12<sup>th</sup> 1854.

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

(Vide page 3<sup>3</sup> of this Transcript.)

and the following order was made, to wit:

(Vide page 3<sup>5</sup> of this Transcript.)

253 SD  
PAGE 3



3 Petition

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

Alonzo Randall citizen of California respectfully  
presents to your Honorable Board that he  
is the owner by purchase of the lands (the  
neighborhood) of San Antonio in the county  
of Monterey and state aforesaid known by the name  
of San Lorenzo and containing five leagues  
of land that his title thereto is derived  
from one Francisco Neco formerly a Mexican  
citizen and now a resident of the City of Mon-  
terey who was the original grantee thereof and  
that the following is a description of his title  
that and a brief statement of the legal steps taken  
in acquiring and perfecting the same with  
certified copies of the original papers and  
correct translations thereof and designated  
by alphabetical letters in the margins of the  
translations and corresponding letters in the  
originals to wit

253 SD  
PAGE 4

1st (A) The petition of the said Neco asking for  
the plot called San Lorenzo containing five  
leagues de Ganado Mayor and the same as  
according to the accompanying plot dated  
November 8th 1842

2nd (B) The report of the Prefect of the district  
in which the land was situated stating that no  
objections exist to a grant of the said place  
being made to the said Neco & dated Novem-  
ber 15th 1842

3rd (C) The grant by Genl B. Alvarado then  
the Governor of California to the said Neco of  
the place known by the name of San Lorenzo  
to the extent of five leagues within the boundaries  
thereof designated made November 16th 1842

4th (D) A subsequent order by the Government allow-  
ing the said Neco more than a year to take possession  
and build a house on the said land

5th (E) A note of the record of said title having  
been duly made on the 16th of November 1842 dated  
April 23rd 1843

6th (F) The grant which was duly executed and  
delivered to the said Neco by Genl B. Alvarado  
then the Governor of California and thereto only

4  
authorized in the said instrument of November  
1842

7th (G) Repetition of said title to be released  
from care of the conditions stipulated in his grant  
on account of the incursions of hostile Indians  
on the 20th of November 1842.

8th (H) The name of the said Government expressly  
exempting the said title from the obligation of  
occupying the said lands within one year and  
authorizing him to do so under circumstances  
should permit

253 SD  
PAGE 5

9th (I) The deed of the said land made to your  
petitioner by the said Francisco Ruiz in accor-  
dance with the Law of the State of California  
whenever your petitioner became and is the absolute  
legal owner thereof

Your petitioner also shews to your Honorable Board  
that he and they whose title he has purchased have  
built the lawful improvements and possessions of  
the said land for over two years and that the  
said grant thereof was made by virtue of and  
in accordance with the laws usages and customs  
of the Government of Mexico then in force in  
California and that no other conflicting  
claim exists in opposition thereto  
wherefore your petitioner prays that his  
title to the said land be confirmed &c

A Kendall

Filed in Office February 5th 1853

George Fisher  
Secretary

Read in volume 1st of Petitions in pages  
329. 330

George Fisher  
Secretary

Disposition  
of David  
Shinn

Case Number 555  
Office of the Board of Commissioners &c &c  
This day before Commissioner N. Aug Thompson  
came David Shinn attorney in behalf of Cla-  
imant Adam Kendall Number 555 who after  
being duly sworn depose as follows  
Testimony in behalf of claimant, Present H. J.  
Thompson Esq claimant's attorney and N. Gurnham  
associate Law Agent he answers to questions states that  
his name is David Shinn his 55 years and

5-

referred to in the California  
Austin's claimant Attorney look at the  
document mentioned you purporting to be a  
Grant from Governor Alvarado to Francisco  
Pico and an extension of time for settlement  
may be Exhibit not and with the contents  
N.S. Anastas whether the signatures of Juan  
Baldonado and Manuel Pizarro as they  
appear therein are genuine

253 SD  
PAGE 6

Answer Have often seen said Alvarado and  
Pizarro write and are well acquainted with their  
signatures and have no doubt that their  
signatures appearing on our said documents  
are genuine

Question by same

State what you know in relation to the difficulty  
of making settlements with the part of the country  
where the land claimed in this case is situated  
in consequence of the hostility of the Indians  
about the year 1842

Answer I know that it was not only dangerous  
at that time to live in places so remote as San  
Lorenzo but anchors much nearer to the settle-  
ments unattached, and depredations and  
murders were committed by the  
Indians

Question by Mr. Gurnham

Was this dangerous condition of the country  
in question a subject of public notoriety  
about the time this Grant was made  
D. Spruce

Sworn to and Subscribed  
before me November 1st 1853

H. Aug. Thompson  
Commissioner

Filed in Office November 1st 1853

George Fisher  
Secretary

Recorded in Volume B. Volume 3 Page 336  
George Fisher  
Secretary

6  
Deposition  
of  
Thos Cole

Office of the Board of United States Land  
Commissioners F & C San Francisco Dec 3rd 1853  
This day before Commissioner Alpheus Felch  
came Thomas Cole a witness on behalf of the  
Plaintiff Adam Randal Petitioner No  
555 and being duly sworn depose as follows

Testimony by Mr Williams attorney for  
Plaintiff

253 SD  
PAGE 7

1st Testimony Where you remain a grand place  
of residence

Answer My name is Thomas Cole my age  
forty three and reside at Monterey California  
at that place since 1829

2nd Testimony As you are acquainted with the  
Rancho called San Lorenzo granted by Governor  
Alvarado to Francisco Pico and claim in  
this case I can state all that I know in  
regard to its use and occupation

Answer I have been acquainted with said Rancho  
ever since the year 1843 In 1844 said Pico had  
horses and a few cows on the place

He had  
about the place and corral and had plan-  
ted an Orchard and had about two hundred  
and acres of the land under cultivation  
He lived on the place with his servants and  
horses in his employment

He was not near  
and as the time soon after that he had to leave  
the place in account of the Indians who destroyed  
great numbers of cattle and stole his horses and  
he went to reside at Monterey

This was about  
the month of May 1844 in the time of the Mexican  
war The Rancho was the nearest Rancho  
to the Indians and the place most exposed to the  
Indians

It was an enormous prairie The  
settlers on the two adjoining Ranchos were also  
driven away by the depredations of the Indians  
Mr Garcia a son of the owner of one of the Ranchos  
was killed by them just a week or two since

7

The Indians are more troublesome in 1843 & 1844 than any other time

2d) Justin State of Oklahoma than the boundaries of this Ranch

As you know then the Creek of San Lorenzo is the boundary on the southwest side and divides it from the Ranch of Feliciano Solano on the south west side it is bounded by the Ranches San Barbara and San Benito the first belong to Jose Garcia and the last to Rafael Estrada

253 SD  
PAGE 8

On the south east and the south east side it is bounded by Jose Garcia above mentioned is the son of Francisco Garcia

The Ranch is well known and there is my little trouble in finding the lines the place is a league with the mountains on two sides and the others bounded by Ranches

Justin by Mr Gumborn Associate Law Agent

At Justin was the hostility of the Indians against this land well known and generally understood at the time when it was granted to said Rico As you know I was in a party myself at the same time in pursuit of the Indians in the vicinity of the land

2d) Justin when was the land first occupied to your knowledge and by whom As you know in the month of May 1844 by said Rico and his servants as before stated this was the first time I saw it

Justin by Mr Williams

Justin for what year or years were the hostilities of the Indians most severely felt As you know in 1843 & 1844 in 1844 they were most hostile and in that year they had to drive their cattle away for safety from this and the adjoining Ranches

Thomas Cole

Subscribed and sworn to before me this 3rd day of December 1853

Alphus Felch  
Commissioner

Filed in Office December 3rd 1853  
George Foster Secy

8

Deportation of  
Francisco  
Armas

Office of the Board of United States Land Com-  
missioners &c &c San Francisco Nov 3rd 1854

253 SD  
PAGE 9

This day came before Peter Sott & Commissioners  
for taking testimony to be used before the Board  
of United States Land Commissioners in said  
State Francisco Armas a witness who being of  
the Umanian Audun Randall

In case No 333

with the docket of said Board and said witness  
being duly sworn depose in Spanish which is  
interpreted by the interpreter to said Board as  
follows

The United States Associate Law Agents  
present

1st Question by Umanian's Attorney J. Williams  
1st Question What is your name age and place  
of residence  
Answer My name is Francisco Armas age  
forty two years reside in the County of Monterey  
California

2nd Question Are you acquainted with the  
Ranch claims in this case called San Juan's  
if you state what you know in regard to its oc-  
cupation and cultivation by Francisco Ricci

Answer I know the Ranch where Juan's home  
in 1844 there was abuse and cruel or cattle  
pen The servants of Ricci were living there

The  
said Ricci was also there he was then living  
in the house there was also a field of wheat and  
of barley there was also some small fruit trees

Of apple  
Pear and Peach which had been recently planted  
there was also about forty or fifty head of cattle  
and some horses

3rd Question Are you acquainted with the boundaries of  
this Ranch if you state them and also the quantity of  
land embraced within said boundaries

9

Answer When the boundaries on the north the boundary is an arroyo which separates this Rancho from the San Lorenzo Rancho of Feliciano Sobreros

On the west it is bounded by the Rancho San Barnabe and San Benito on the south by the mountains

I think from having travelled over it on two different occasions that it contains about five or five leagues more or less I do not think that the quantity comes out five leagues

253 SD  
PAGE 10

1st Instruction by Associate San Agent  
1st Instruction here appoints three boundaries which you have described

Answer When I went there in 1844 I went over the Rancho with the said Ruiz and he pointed out to me the boundaries

2nd Instruction What is the figure of the Rancho and its average length and breadth

Answer It is in a band a longer than wide I think about two and a half or three leagues long its breadth is irregular in some places half a league in others nearly a league wide

3rd Instruction Having been Ruiz on the Rancho Answer He was there about six months during which time he was occasionally absent from the Rancho

Francisco Casas

Subscribed and sworn to before me on this 4th day of November A.D. 1854

Peter Lott Commissioner

Jedidiah Appier November 6th 1854

George Fisher

Secretary

Recorded in Esquire B. Volume 5 Page 97

George Fisher

Secretary

Department  
of  
Henry Leeks

United States of America 3  
State of California ss 3  
San Francisco December 5th 1854

This day came before Peter Lott Commissioner  
for taking testimony to be used before the Board of  
United States Land Commissioners in said  
state Henry Cocks and others on behalf of the  
Claimants Adam Randall and all in case No  
555 in the Docket of said Board and said  
witness being sworn depose as follows

The United States Law Agent is present

253 SD  
PAGE 11

Questions by Mr Williams for Claimant  
Question What is your name and residence

Answer My name is Henry Cocks my age twenty  
nine years my residence Monterey California

Did Question Are you acquainted with the Rancho  
of San Lucas claimed in this case if you  
state its boundaries and how much land is  
embraced within them

Answer The said Rancho have been ac-  
quainted with it since 1849 I reside on an ad-  
joining Rancho and the boundaries of some  
Lucas have been pointed out to me by leads  
Expansa who adjoins and also by two men of  
Alvarado Sobrinos who camped with me  
in 1849

I was assessor of Monterey County about  
three years last past and still am and as such  
assessor have inquired particularly respect-  
ing the boundaries and quantity of lands  
in this as well as other Ranchos

This Rancho  
is bounded  
on the North west by the range of San Lucas on  
the North East by a high range of Mountains  
I believe it is the Coast range

On the South west  
by low hills which divide it from the Rancho  
of San Bernabe and San Benito and San  
Lucas

and on the South East by the same range of hills  
which divide said and joins with the said high  
range of Mountains before mentioned I do not  
know any other boundaries except those which  
are natural boundaries & surround this Rancho



in a little valley said Rancho contains about  
five leagues. I have always assumed that though  
it may contain less I am sure it does not contain  
more than five leagues.

The Law Agent objects that the witness's knowledge  
of said boundaries is of too recent date  
Cross Examined by United States Law Agent

253 SD  
PAGE 12

1st Question State the course direction and length  
of each boundary line and how you know them  
State particularly

Answer The distance from San Lorenzo Arroyo  
to the south eastern boundary is about four  
leagues. I have travelled over it several times and  
think that is about the distance.

That line runs  
with the range of hills in a north westerly and  
south easterly direction that line runs the  
whole length of said Rancho about four leagues.

The  
range of low hills on the south western boundary  
runs parallel with the coast range which I have  
just mentioned and about the same distance.

Then  
it would run and join said coast range for  
nearly the south eastern boundary a distance of a  
little less than one league.

The north western  
boundary runs about south west being the Arroyo  
of San Lorenzo which forms said boundary about  
one and a half leagues.

From these boundaries  
from knowing how run with the rough  
bars and then throw and had them pointed out  
to me.

Henry Cooks  
Subscribed and sworn to before me  
on this 30th day of December A.D. 1854

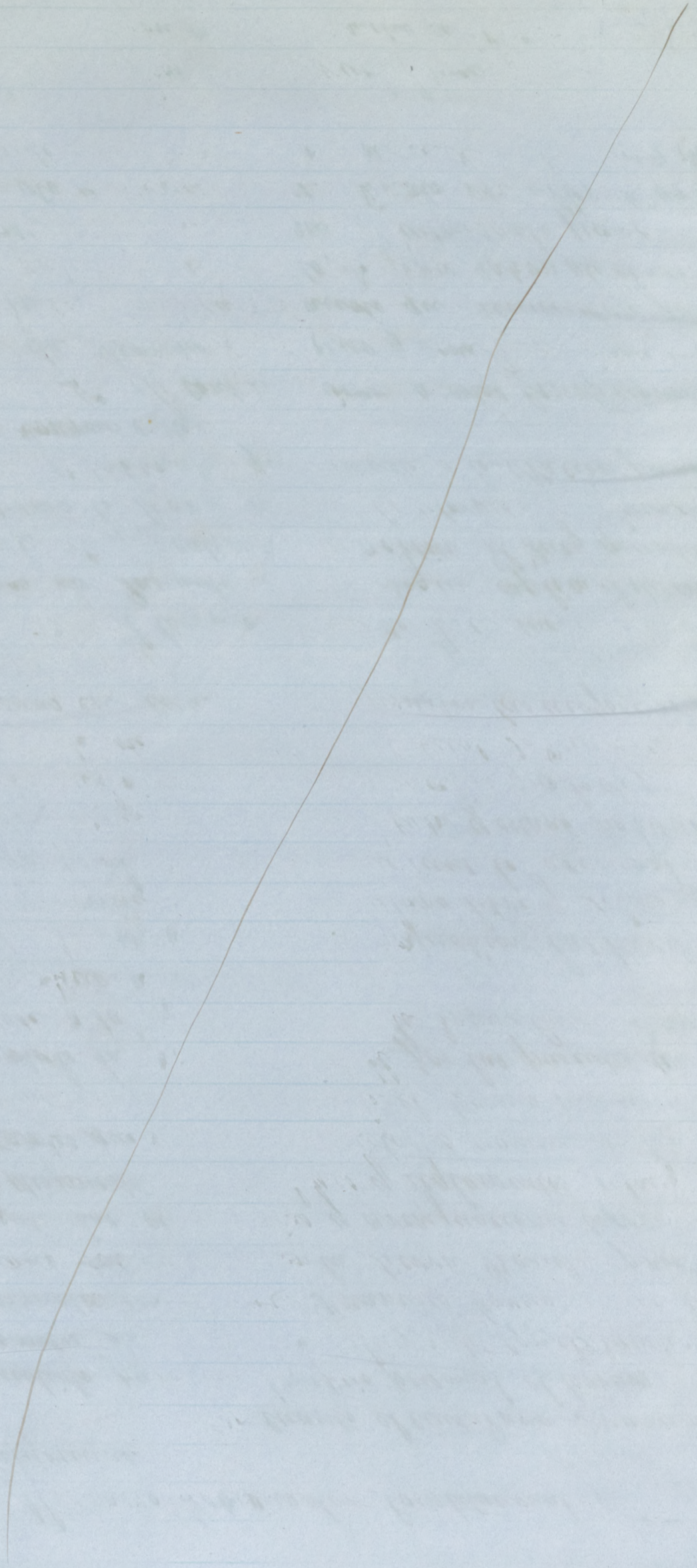
Peter Lott

Commissioner

Filed in Office December 4th 1854

George Fisher

Secretary



Sello 1º Seis pesos.

Habilitado provisionalmente por la Lotuana Maritima de Monterey para los años de 1839 y 1840.

alvarado.

Antonio Maria Osio.

Valga para los años de 1842.

Antonio Maria Osio.

Juan B. Alvarado Gobernador Constitucional del Depto de las Californias.

Por cuanto el ciudadano Francisco Nino ha pretendido para su beneficio personal el terreno conocido con el nombre de S. Lorenzo colindante con el rancho de Rafael Estrada con el del C. Francisco Garcia con el del C. Feliciano Sobranes y con la Sierra Grande: practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por las leyes y reglamentos, usualmente las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de él por las presentes letras suplicandose a la aprobacion de la Junta Deptal y a las condiciones siguientes.

1º Podrá cercarlo sin perjudicar las traversias Caminas y servidumbres, lo disfrutara libre y exclusivamente ostentando lo al uso o cultivo que mas le acomode pero dentro de un año fabricara casa y estara habitada.

2º Solicitara del Jefe respectivo que le otorgacion en virtud de este despacho por el cual se demarcan los terrenos en cuyos limites poudra las mejoras correspondientes.

3º El terreno de que se hace mencion es de cinco sitios de Ganado Mayor segun explica el oficio que corre en el expediente. respectivo El Jefe que tiene la posesion lo hara medir comprue a oralauna quedando el sobrante que resalte a la Nacion para los usos convenientes.

4º Si contraviere a estas condiciones perdera su derecho al terreno y sera denunciado por el.

En consecuencia mandado que teniendose por firme y valedero este titulo, se tome rason de él en el libro respectivo y se entregue al interesado para su resguardo y otras fines. Dado en Monterey a diez y seis de Noviembre de mil ochocientos cuarenta y dos.

Juan B. Alvarado. Manuel Gueno. Siv.

Queda tomada rason de este despacho en el libro de asuntos

253 SD  
PAGE 13

14

Sobre adjudicacion de terrenos baldios a fogas. Ocho Ymueno.

Sello tercero Dos Reales.

Habilitado provisionalmente por la Notuana Maritima del Puerto de Monterey en el No Departamento de Californias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Ymueno.

Antonio Maria Oro.

Revalidado para los años de 1842 y 1843.

Alvarado.

Manuel Castanares.

Abril Nov. 2o de 1842.

Exmo. Sr. Gobernador.

De conformidad con lo que pide esta parte queola el sento de la obligacion de ocupar el terreno en un año por raxon de las cont-  
-inuas incursiones de las Indias  
-barbaras y lo hara cuando las  
-circunstancias se lo permitan.

Francisco Rico e. Mexicano  
y arrendado en este Depart-  
-to se presenta ante V. E. y  
-dice que habiendolo solicitado  
-un terreno con el nombre  
-de S. Lorenzo en las inmedi-  
-daciones de San Antonio  
-el cual se habia concedido

alvarado.

el cual se habia concedido

pero con una clausula de que debera ser habitado al año que de lo contrario sera denunciado y el año podria ser otro. a el y le notole imposible al solitarse el sujeto a oha. Concesion por el unico y poderoso motivo de ser tan frecuentes las escursiones de las Indias barbaras en este parage: Suplica a la venerencia de V. E. se sirva hacerle la gracia de quitarlo en un todo o la misma clausula con el fin de que lo fomento cuando mas le convenga y que de ningun modo algun denunciante le quite: el otro que se le ha otorgado al Gab-  
-ierno de oha. terreno en la inteligencia que el que soli-  
-cita hara cuando este caso el robo de las Gentiles que merecieren lo cual deseo se efectue cuanto antes por verte en la necesidad de tener los bienes que poseo en este ageno. P. F. A. V. E. Suplica se sirva acceder a su solicitud en lo que recibiere merced y Justicia.

Jurando lo necesario Monterey. Abre. 9e 1842

Francisco Rico.

Filed in office. Abre. 1<sup>ra</sup> 1853.

Gen. Fisher. Secy.

253 SD  
PAGE 14

18 Translation  
of F. G. # 14

Seal of the first class for Dollars  
authentic, Provisionally by the Mexican Custom  
House of Monterey for the years 1839 and 1840  
signed Alvarado signed Antonio Malles  
Made valid for the year 1842  
Custom House 3 signed Antonio Malles  
Seal 3

F.

Juan B. Alvarado Constitutional Governor of the  
Department of the Californias

253 SD  
PAGE 15

Thomas Lutzien Fran-  
cisco Rico has solicited for his present benefit the  
land known by the name of San Lorenzo being  
don by the Ranchos of Lutzien Rafael Estrada  
Lutzien Francisco Garcia Lutzien Feliciano Sob-  
eranos and the large Mountain The necessary  
steps and investigations having been previously  
taken and made in conformity with the laws  
and regulations

Have by virtue of the provisions  
found upon me granted unto him in the name  
of the Mexican Nation the said land, and giving  
unto him the ownership thereof by these present  
letters subject to the approval of the most Excel-  
lent Departmental Junta and to the following  
conditions

1st He may fence it without prejudice to the cross-  
ings roads and privileges he shall enjoy if any  
and he may exclusively determine it to the use or cultiva-  
tion which may best suit him but within one  
year he shall build a house and it must be  
inhabited.

2nd He shall request the respective Justice to  
give him judicial possession in virtue of this  
title and said Magistrate will designate  
the boundaries at the limits whereof the cross  
pending land marks shall be placed

3rd The land whereof mention is made consists  
of five square leagues (Cinco sitas de Genarado  
Maya) as appears by the plot which accompanies  
the respective Espediente The Justice who gives pos-  
sion will cause it to be measured according to Law  
leaving the surplus which may result to the Nation  
for the necessary uses

4th If he should transgress these conditions he  
shall lose his right to the land and it may

be denounced by another I consequently com-  
mand that holding this title to be firm and  
valid a record thereof be made in the respective  
book and that he deliver to the party interested  
for his security and further end from in  
writing with the date of November eighteenth  
hundred and forty two signed Juan B. Alvarado

253 SD  
PAGE 16

signed Manuel Jimeno Secretary  
a record of this title has been made in the book  
of entries respecting the acquisitions of vacant  
lands at folio eight signed Jimeno

Seal of the said class Two Reals  
attained provisionally by the maritime custom  
house of the Port of Monterey in the Department  
of the Californias for the years eight hundred  
and forty and eight hundred and forty one  
signed Jimeno signed Anto Malero  
made valid for the years 1842 and 1843

G.

signed Alvarado signed Manuel Castaneda  
Custom House } Most Excellent Governor  
Seal } Francisco Ruiz a Mexican citizen  
and resident in this Department presents him-  
self before you Excellency and says that being  
asked for a tract of land called San Lorenzo in  
the neighborhood of San Antonio which has  
been granted to him but with a clause that  
it must be inhabited within one year or on the  
contrary that it will become demurrable and  
that the owner will forfeit all right thereto and it  
being impossible for him to fulfill the said clause  
he has humbly to said excellency for the sake  
and painful motive of the frequent incursions  
of the wild Indians in that part

He requests  
from your benevolence that you will be pleased to  
leave the farm to take away altogether said clause  
in order that he may stock it or cultivate it  
(prudent) when it may best suit him and that  
no demand may in any manner take from  
him the right which the Government has given  
him to said land it being understood that  
the Petitioner will do all in his power to settle  
mission as possible waiting only until the robbers  
of the Indians which he has mentioned become less frequent  
which he desires may take place very soon as he is obliged

17

to keep his cattle in another persons land he therefore  
begs that your Excellency will be pleased to accede  
to his Petition whereby he will receive repair and  
justice securing that which is necessary  
Montevideo November 20th 1842

Señor Francisco Ricci

Marquise Decree

Alisul November 20th 1842

In accordance with the Petition of the party he  
remains exempt from the obligation of occupy-  
ing the land within one year in amount of the  
contents in censuras of the wild Indians and  
he may do so when Cuccin stamms will permit  
him

Señor Alvarado

A true and faithful translation of the original  
San Francisco Feb. February 1853

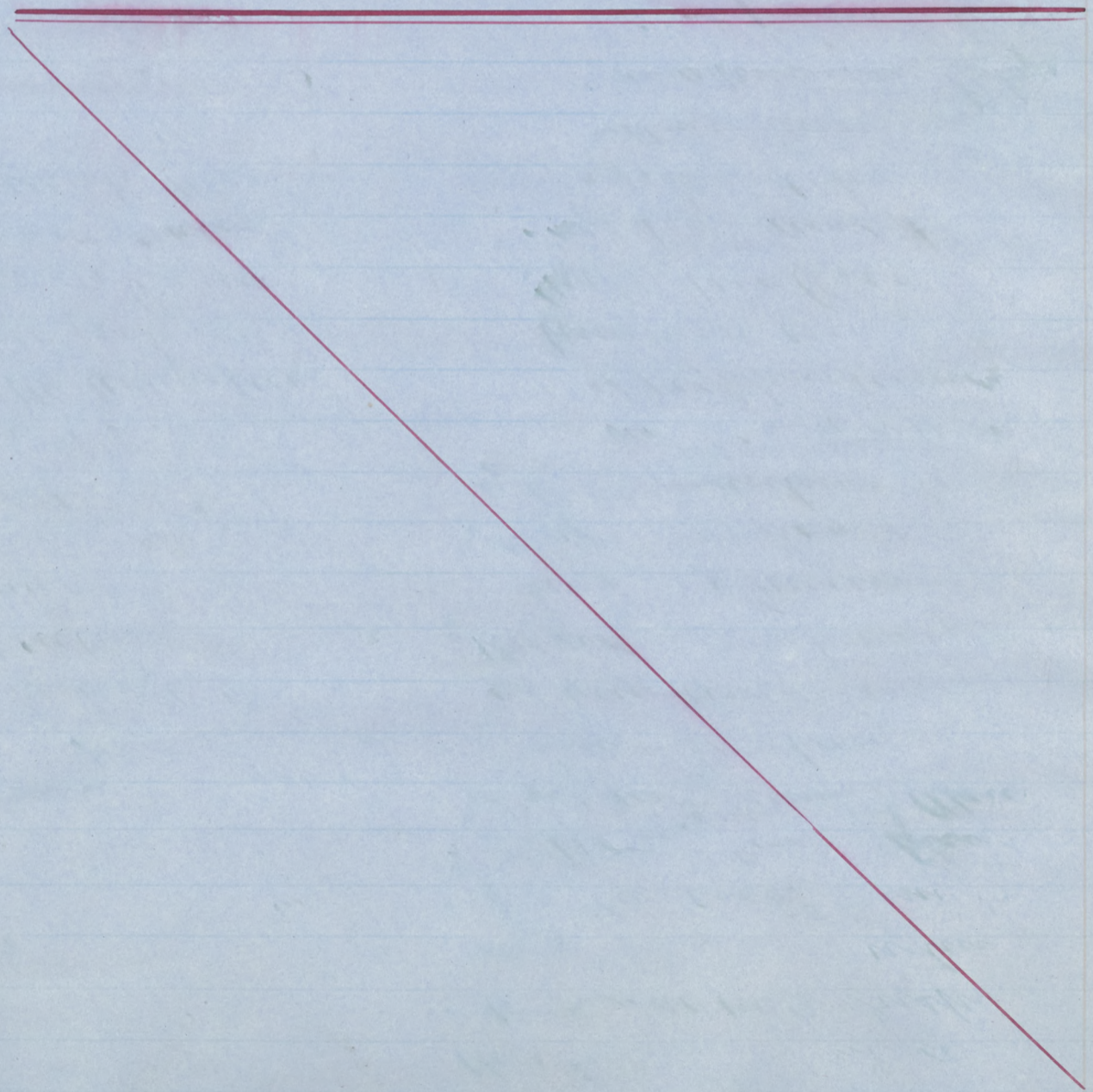
W. E. P. Hartwell

Public Office February 5th 1853

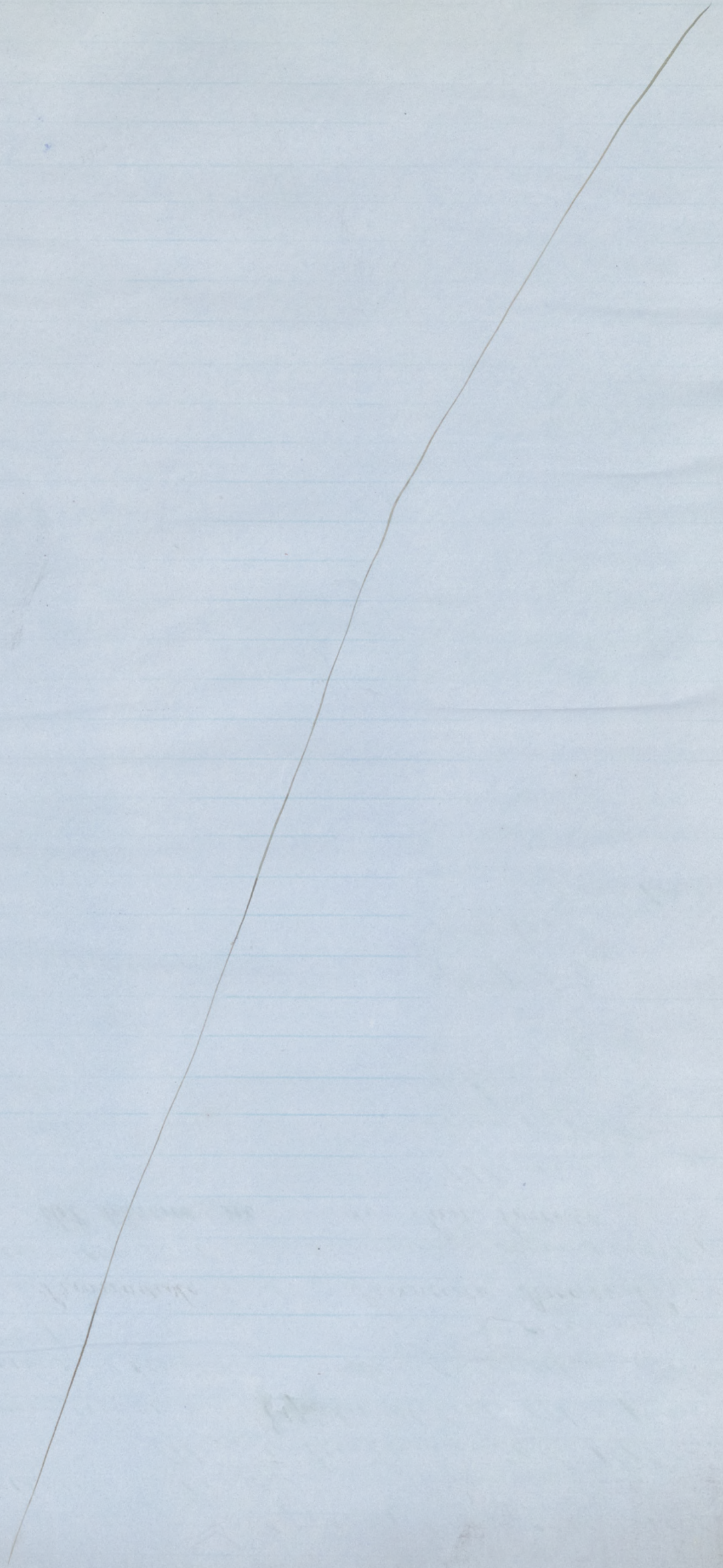
George Foster

Secretary

253 SD  
PAGE 17



18



19



2. 19

253 SD  
PAGE 18

*Espediente*

*Promovido por D.<sup>no</sup> Francisco Rico en solicitud  
del terreno nombrado San-Lorenzo.*

316.

Sello tercero dos reales.

Habilitado provisionalmente por la aduana Maritima del Puerto de Monterrey en el Departamento de las Californias para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

Asi mismo.

Antonio Maria Osio.

Rehabilitado para los años de 1842 y 1843.

M. Castañares.

S. Prefecto del 1<sup>er</sup> Distrito.

Francisco Rico. C. Mejicano, natural de este Departamento ante la Justificacion de V.S. como mas haya lugar en otro digo: que contrando con un numero considerable de Ganado vacuno y caballar como provare en caso necesario y deseando el adelante de dhos. bienes que p<sup>r</sup> falta de un terreno apropiado se me estan menoscabando he de merecer de V.S. se sirva concederme el parage uombrado S. Lorenzo que se halla en las inmediaciones de S. Antonio siendo este baldio constante de cinco sitios de Ganado mayor. poco mas o menos segun el diseño q. acompaño.

P. A. M. Duplico recurrido se origine a favor de mi solicitud de lo que se sirva concederme gracia y justicia. Suavando lo necesario.

Monterrey. Noviembre 8 de 1842.

Francisco Rico.

Excmo. Sr. Gobernador.

En virtud de que el terreno que solicita en esta instancia Don Francisco Rico se haya baldio, segun los informes que tiene esta Prefectura y que dicho interesado tiene los requisitos necesarios para poder ser atendido esta Prefectura no encuentra embargo para que se le conceda el mencionado parage.

Here saluda a V. S. M. Castañares

253 SD

PAGE 19

Sello tercero Dos reales.

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

Nineno.

Antonio Maria Ochoa.

Rehabilitado para los años de 1842 y 1843.

M. Castañares.

Si fuere de su superior agrado. de V. E.

Monterrey. Abre. 15 de 1842.

José R. Estrada.

253 SD

PAGE 20

map 1

Monterrey. 16 de Abre. de 1842.

Vista la peticion con que da principio este expediente  
los informes que anteceden con todo lo demas que  
se tuvo presente y ver convido de conformidad con  
las leyes y reglamentos de la materia, declaro al  
ciudadano Francisco Pico, dueño del parage cono-  
cido con el nombre de San Lorenzo, colindante con  
el rancho de D<sup>no</sup> Rafael Estrada con el de D<sup>no</sup> Francisco  
Garcia con el de D<sup>no</sup> Feliciano Lobosanes y con la tierra  
en estension de cinco sitios de Ganado Mayor. librese  
el correspondiente despacho y se tome razon en el libro  
respectivo consignandose este expediente a la Santa Junta  
para su aprobacion. El S. S. Gobernador asi lo mandó  
ordenado y firmó.

Por disposicion del Gobierno no se  
sujeta el interesado a fabricar casa y ocupar el terreno  
hasta pasado mes del año que presignan las condiciones  
de este fha. ut supra.

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

I Samuel D. King, Surveyor General of the  
United States for the State of California and at such  
now having in my office and under my charge  
and control a portion of the Archives of the  
former Spanish and Mexican Territory or Department  
of Upper California do hereby certify that the six  
preceding and hereunto annexed pages of tracing  
paper numbered from one to six inclusive and  
each of which is verified by my initials (S. D. K.)  
exhibit true and accurate copies of a certain document

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

In testimony whereof I have hereunto signed my name officially and affixed my private Seal (not having a Seal of office) at the City of San Francisco Cal. this 15 day of March. 1852.

Samuel D King  
Surveyor G<sup>l</sup> Cal.<sup>a</sup>

253 SD  
PAGE 21

En 23 de Abril de 1843 se tomo rason del Superior titulo expedido por el Gobierno Departamental en 6 de Nov<sup>re</sup> del año po<sup>ro</sup> a favor de Sr Francisco Pico del terreno conocido con el nombre de San Lorenzo colindante con el rancho del Sr<sup>o</sup> Rafael Estrada de Francisco Garcia de Peliciano Sobremonte y con la Sierra Inauate.

Manuel Castro.

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

Samuel D King, Surveyor General of the United States for the State of California and as such having in my office and under my charge and control a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the preceding and hereunto annexed page of tracing paper exhibit a true and accurate copy of an entry in a document libro de ramos de rason de las titulos de terrenos concedidos en 1841 42 43 por el sup<sup>r</sup> Gobierno del Departamento now on file and forming a part of the said Archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private Seal (not having a Seal of office) at the City of San Francisco this 9<sup>th</sup> day of December 1852.

Samuel D King  
Surveyor G<sup>l</sup> California

Filed in office. Feby. 5. 1853.

Geo. Timmer. Secy

23<sup>rd</sup> Translation  
of  
ABCD and  
C

Seal of the Third Class Two Reals  
authorized Provisionally by the Maritime Law  
House of the Port of Monterey in the 2<sup>nd</sup> session  
- in the year 1842 and 1843  
- and and forty and eight hundred and  
forty one

signed Manuel Segura Antonio Mallio  
made valid for the years 1842 and 1843  
in the House

253 SD  
PAGE 22

Seal 3 Señor Perfit of the 1st District  
Francisco Neri a Mexican and native of this  
Department before your Justice as the Law may  
best allow me say that counting upon a  
considerable number of cattle and horses  
as well as some stores of merchandise and as  
- being the prosperity of said property which for the  
want of a suitable tract of land is determining  
I will thank

you to give me the spot called San Lorenzo  
situated in the neighborhood of San Antonio  
it being vacant and comprising five sitios de  
cañado mayor a little more less according to  
the plot which I accompany and therefore I  
humbly request that you will be pleased to  
accede to my petition whereby I will receive from  
and Justice something that which is missing  
Monterey November 8th 1842

B.

Señor Francisco Neri  
Most Excellent Señor Governor  
whenever the land asked for in this memorial  
by Don Francisco Neri is vacant according to  
the information possessed by this Prefecture  
and said party interested having the neces-  
- sary qualifications to be attached to this Pre-  
- fecture does not find any objection to granting  
him said place should it be the Supreme  
Measure of your Excellency

Monterey November 15th 1842  
Señor José R. Estrada  
Monterey November 16th 1842

C

In view of the petition which commends this  
Expediente the preceding reports and all the rest  
which was borne in mind and was necessary  
to be observed in conformity with the Laws and  
regulations in the subject I declare Citizen

Francisco Ricci to be owner of the same known by the name of San Lorenzo bounded by the Rancho of San Rafael Estrada

By the consent of Francisco Garcia by that of Don Feliciano Sobremonte and by the Mountains to the extent of five sitios de Guadalupe Mayor Let the corresponding title be made out and recorded in the respective book transmitting this Escondito to the Most Excellent Junta for its approval

253 SD  
PAGE 23

His Excellency the Governor did thus decree command and sign  
By order of the Governor the party interested is not bound to build a house and occupy the land until the expiration of nine months the year which the conditions of the title prefix date as above

The undersigned solemnly certifies the foregoing to be a true and faithful translation of a fac simile copy of the original attested by Samuel D King Esq Surveyor General for California

W. E. P. Hartwell  
State Translator

On the twenty third of April in thousand eight hundred forty three a record was made of the Superior Title issued by the Departmental Government on the sixteenth of November last year in favor of Don Francisco Ricci of the land known by the name of San Lorenzo bounded by the Ranchos of San Rafael Estrada Francisco Garcia and Feliciano Sobremonte and by the high Mountains

Signified Manuel Castro  
The foregoing is a true and faithful translation of the fac simile copy of the original attested to by Samuel D King Esq Surveyor General for California

Montreal 7th January 1853

W. E. P. Hartwell  
State Translator

Grant to Ricci Recorded, April 23 1843 - 11th November 1842

Filed in Office February 5th 1853

George Fisher Secretary

25-  
Deed

253 SD  
PAGE 24

This Deed made the first day of February in the year one thousand eight hundred and fifty three Between Francis Rio of Monterey in the State of California of the first part and Adam Randall of the second part together with that the said party of the first part fraud in consideration of the sum of one thousand dollars lawful money of the United States of America herein in hand paid by the said party of the second part at or before the sealing and delivery of these presents the receipt whereof is hereby acknowledged

That the said Adam Randall and quit claims and by these presents doth release and quit claim unto the said party of the second part and to his heirs and assigns forever all that certain piece or parcel of land lying and being in the county of Monterey and granted to the said Francis Rio by the Mexican Ration in name of the 16th of November A.D. 1842 and then designated and styled herein by the name of the Rancho of San Lorenzo and bounded by the lands then known as follows to wit

Commencing by the Rancho of Don Rafael Estevan by that of Francisco Garcia by that of Don Feliciano Lobos and by the Mountains to the extent of five leagues or five leagues of land and the said party of the first part hereby fully and completely ratify and confirm unto the said party of the second part all and every his former estate in the said lands

Together with all and singular the tenements lands tenements and appurtenances thereto belonging in any way appertaining and the rents and revenues revenues and revenues and profits thereof

And also all the estate right title interest property possession claim and demand whatsoever well in Law as in Equity of the said party of the first part of or in the above described premises and any part and parcel thereof with the appurtenances To Have and to Hold all and singular the above

mentioned and described premises together with  
the appurtenances unto the said party of the  
second part his heirs and assigns forever  
in witness whereof the said party of the first part  
hath hereunto set his hand and seal the day  
and year first above written

Sealed & delivered } Francis Rice Seal  
in the presence of }  
Edw. Taylor } J. Francis Sepulveda wife of

Francis Rice who executed the foregoing conveyance  
voluntarily and constitute myself a party to  
the foregoing conveyance as fully and absolutely  
in all respects as though I had been specially  
therein named and thereunto sign and acknowledge  
the said foregoing conveyance to be like mine own act  
and deed

Sealed and delivered } Francis Sepulveda Seal  
in the presence of } Mark

H. G. Blakesman who is witness to the signature  
H. G. Blakesman }  
State of California } ss  
County of San Francisco } Oath is this day of

February 1853 per  
I solemnly affirmed before me a Notary Public in  
and for the said County of San Francisco that I have  
truly proved to me to better person described in and  
who executed the within conveyance by the oath  
of Michael Smith who after being by me duly sworn  
did depose and say that he resides in the County  
of Monterey and is the son in Law of Tom C. Smith  
- twill of that County

That he is well acquainted  
with the said Francis Rice and knows him  
to be the individual described in and who exe-  
cuted the within conveyance and that from the  
said Francis Rice acknowledged to me that he  
had himself retained possession of the said  
conveyance and had had the same translated  
to him until he well knew the contents thereof  
and that it was for the and also late release  
of his title in the Ranch of San Lorenzo within  
Monterey and that he executed the same freely  
and voluntarily and for the uses and purposes therein  
mentioned in witness whereof I have hereunto affixed  
my hand & official Seal on the day above written

253 SD  
PAGE 25



27

Seal

Edw Taylor Notary Public

State of California } ss On this 7th day of February  
County of Monterey } A.D. 1853 personally appeared

and for the said county Thomas Sepulveda personally known to me the wife of Francisco Ruiz the person who subscribes the foregoing conveyance of the Rancho San Lorenzo as a party thereto and she being made acquainted with the contents of the said conveyance of said Rancho by me and she being examined separate and apart from her said husband and without his having acknowledged that he executed the same freely and voluntarily without fraud, compulsion or undue influence of her husband and that she did not wish to retract the execution thereof and that the said conveyance was by her executed for the uses and purposes therein mentioned

253 SD  
PAGE 26

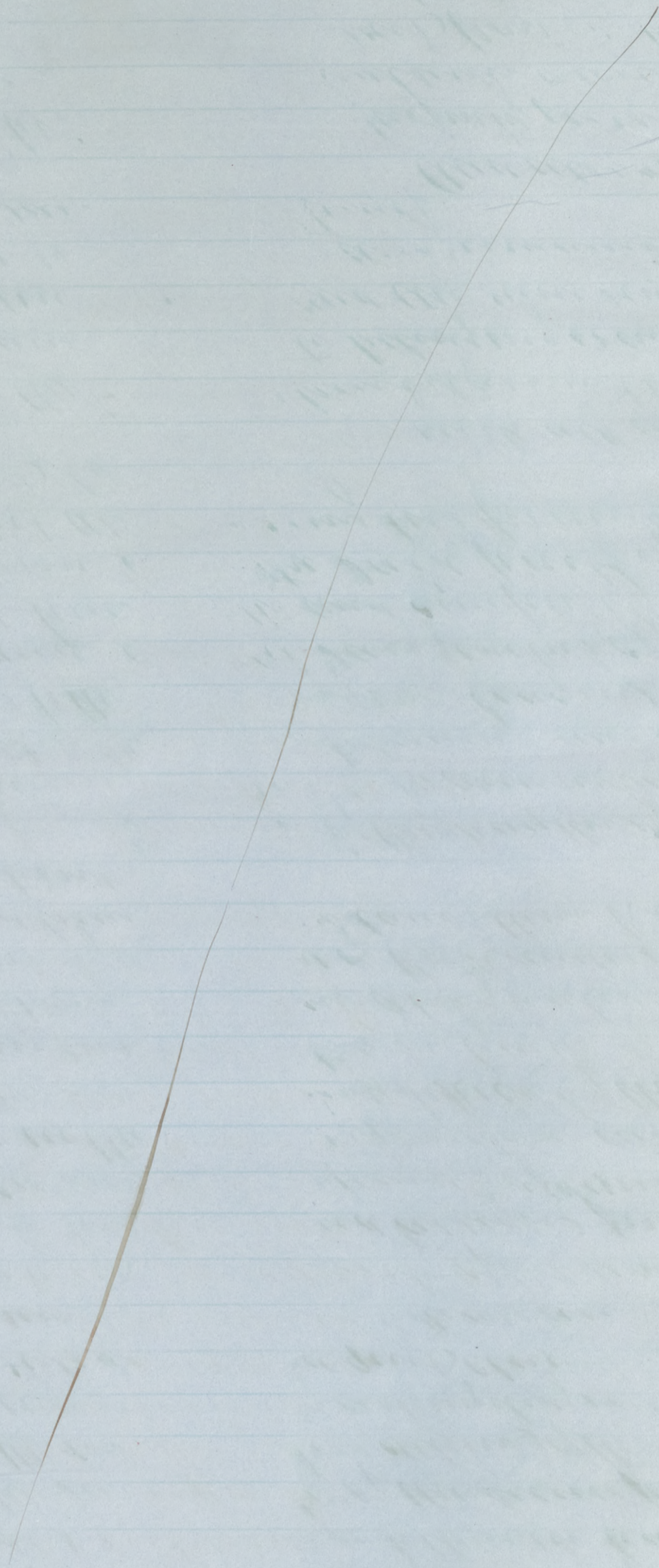
Seal

J. A. Ashby  
Notary Public

Received for Record 7th February 1853 at 11  
30 A.M. Recorded in Book A of conveyances  
on pages 452 453 and 454

W. S. Johnson  
Clerk Recorder Monterey County

Filed in Office December 5th 1854  
George Fisher  
Secretary



*[Faint, illegible markings or text]*

29 I  
I led to Adam  
Randall

253 SD  
PAGE 27

This indenture made the first day of February  
in the year one thousand eight hundred and  
fifty three Between Francis Rico of Monterey  
in the State of California the party of the first  
part and Adam Randall of the second part  
witnesseth that the said parties of the first  
part fraud in consideration of the sum of  
one thousand dollars lawful money of the  
United States of America to them in hand  
paid by the said party of the second part  
at or before the making and delivery of these presents  
the receipt whereof is truly acknowledged have  
granted released and quit claimed and  
by these presents do release and quit  
claim unto the said party of the second  
part and to his heirs and assigns from  
all that certain piece of land lying  
and being in the county of Monterey and or  
anted to the said Francis Rico by the Mex-  
ican Patent or patent the 24<sup>th</sup> month of Nov-  
ember AD 1842 and then designated and  
still known by the name of the Rancho of San  
Luis and bounded by the lands then known  
as follows to wit

Bounded by the Rancho of Don  
Rafael Estreana by that of Francis Garcia  
by that of Don Feliciano Sobrinos and by the  
Mountains to the extent of five leagues or five  
sitios of land and the said parties of the  
first part hereby fully and completely satisfy  
and confirm unto the said party of the  
second part all and every his present title  
in the said lands

Together with all and  
singular the tenements hereditaments and  
appurtenances therunto belonging or in any  
wise appertaining and the rents and  
issues revenues and remainders  
profits and profits thereof

And also all the  
estate right title interest property possession  
claim and demand whatsoever as well in  
Law as in Equity of the said party of the first  
part of or to the above described premises and  
every part and parcel thereof with the appurtenances

To Have and To Hold all and singular the above mentioned and described premises together with all the appurtenances unto the said party of the second part his heirs and assigns forever

In witness whereof the said Party of the first part have hereunto set their hands and seals the day and year first above written sealed and delivered signed Francis Ricci in the presence of  
Squire E. W. Taylor

253 SD  
PAGE 28

State of California }  
County of San Francisco } On this third day of February A.D. 1853

personally appeared before me a Notary Public in and for the said County of San Francisco Ricci satis-  
fyingly known to me to be the person described in and who executed the within conveyance by the oath of Michael Smith who after being by me duly sworn did depose and say

That he resides in the County of Monterey and is the Senior Law of Wm. E. Hartwell of that County that he is well acquainted with the said Francis Ricci and knows him to be the individual described in and who executed the within conveyance.

And thereupon the said Francis Ricci acknowledged to me that he had himself retained possession of the said conveyance and had had the same translated to him until he will know the contents thereof

And that it was for the conveyance and absolute release of his title in the hands of San Lorenzo as therein mentioned

In witness whereof I have hereunto affixed my hand and official seal on the day above written

Seal

Squire E. W. Taylor  
Notary Public

Filed in Office February 3<sup>rd</sup> 1853  
George Foster Secretary

Stipulation A. Maudall }  
 vs } Number 555  
 The United States } U. S. Land Commission  
 } For California

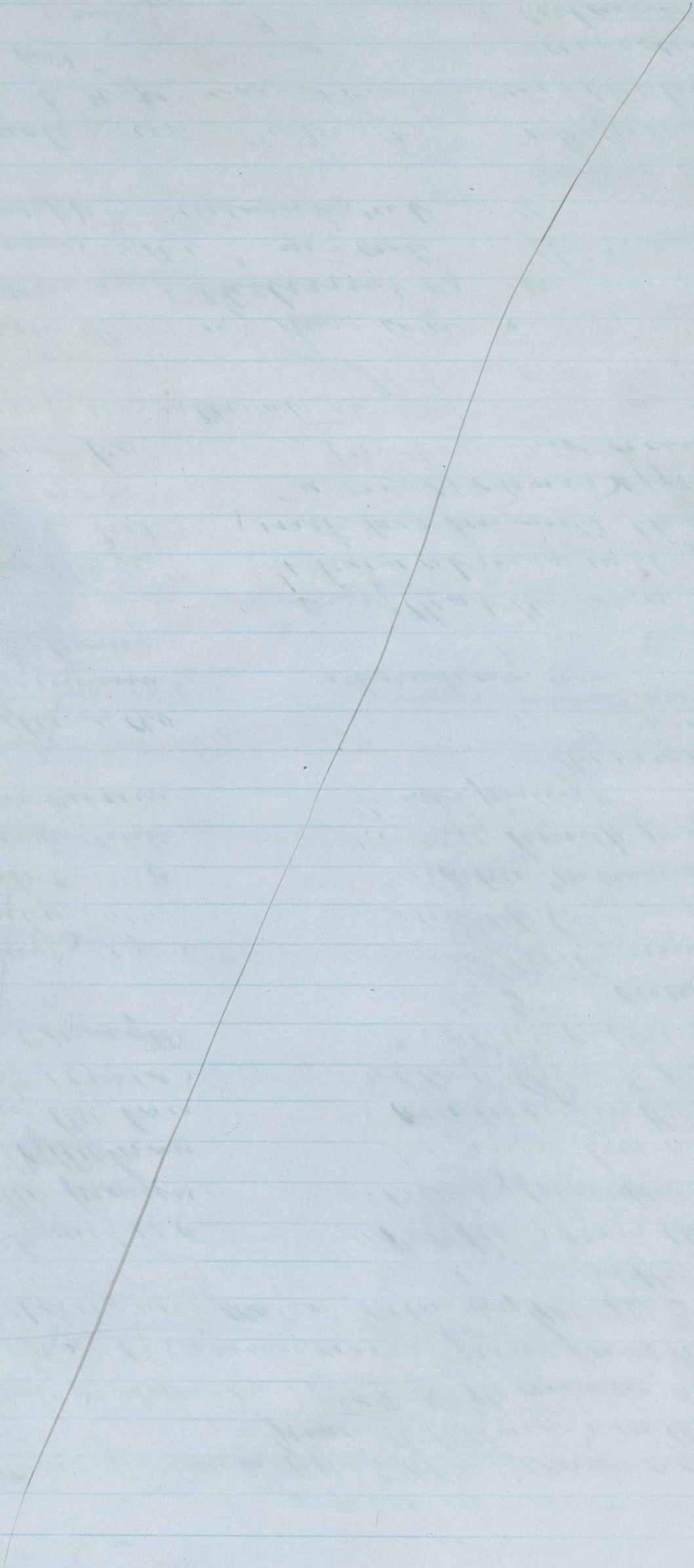
253 SD  
 PAGE 29

Wisely stipulated that the true copies filed  
 in this case and certified by Mr King the late  
 United States Survey General for California  
 under his private seal may be read as evidence  
 just as though they were received and certified  
 under the seal provided for the Survey Gen-  
 eral's Office

Robert Greentree  
 Associate Law Agent

Filed in Office December 19th 1853  
 George Fisher  
 Secretary  
 Recorded in General Volume 3 page 536  
 George Fisher  
 Secretary

32



Copy of the Board

Audun Randall vs. The United States

San Lorenzo containing five square leagues of Land in Monterey Co. The claimant in this case

253 SD PAGE 30

has presented in support of his claim a grant made by Governor Juan B. Alvarado on the 16th day of November 1842 to Francisco Ricci and a deed of conveyance from said Ricci to the claimant dated February 1st 1853

The description of Francisco Ricci noted in the record as filed in this case has been lost or mislaid

and grant is affixed a petition from the Grantee praying to be relieved from the condition of the grant which required him to occupy the land within a year upon the ground that it would be impossible for him to fulfil in consequence of the hostility of the Indians

It was not before the Commission when the decision was made of said hostility and authorizing him to fulfil it when circumstances should permit

on which a marginal decree of the Commission November 20th 1852 exempting him from the obligation imposed by said condition in account of said hostility and authorizing him to fulfil it when circumstances should permit

Signed R. Aug. Thompson

The originals of all these documents are filed in the case and this Commission is authentically established by the testimony

It is in proof that the Grantee Ricci in the year 1844 had a house on the place in which he lived with his servants that he had also planted an orchard of fruit trees and had about two hundred acres of the land in cultivation

He had also cattle and houses on the land. There is no proof of judicial possession or establishment of private title as required by the second article of the grant but the description contained in the title

Taken in connection with the map in the Espediente to which reference is made and the testimony of witnesses locates the land and describes its limits with sufficient certainty to segregate it from the public domain

The order is considered sufficient to establish the validity of the claim and a deed will be returned accordingly

Confirmed

Filed in Office December 12th 1854

George Fisher

Sectary

253 SD

PAGE 31

Deed of Confirmation Number 555  
Alfred Randall

The United States

in this case in hearing the proofs and allegations is satisfied by the Commission that the claim of the Petitioner is valid and it is therefore decreed that the same be confirmed

The land of which confirmation is made is situated in the County of Monterey and is known by the name of San Lorenzo being the same which was granted by Governor Juan B. Alvarado to Francisco Rio by title bearing date November 16th 1842 and has been since held and occupied by him and those claiming under him and is bounded as follows

On the North <sup>west</sup> by the Camp de San Lorenzo on the North East and South East by the River and on the Southwest by the Rancho of Rafael Estrella and Jose Garcia and contains five square leagues for a more particular description see page to be had to the original grant and map and to the descriptions of Thomas Cole and Harry Cooks in file in the case

Alphus Felch

Attest My Hand

S B Fawell

Commissioner

Filed in Office December 12th 1854

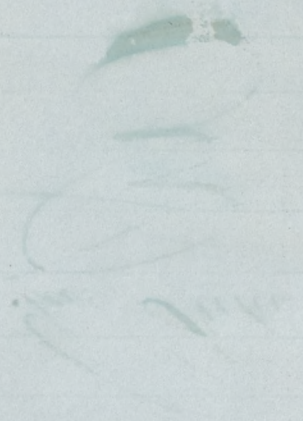
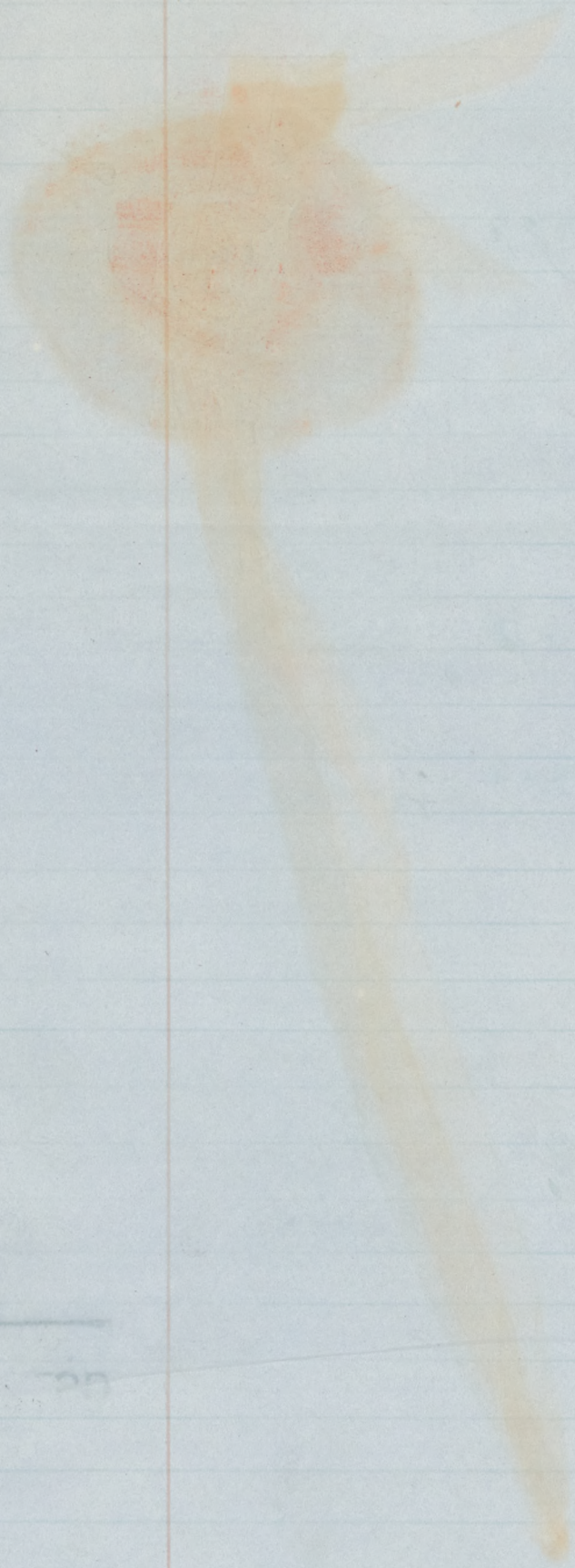
George Fisher

Sectary



253 SD  
PAGE 32

And it appearing to the satisfaction of this Board,  
that the land hereby adjudicated, is situated in  
the Southern District of California it is hereby ordered  
that two Transcripts of the Proceedings and  
of the decision in this case and of the papers  
and evidence upon which the same are founded  
be made out and duly certified by the Secretary  
and of which Transcripts shall be filed with the  
Clerk of the U.S. District Court for the South-  
ern District of California and the other be trans-  
mitted to the Attorney General of the U.S.



1  
2

Office of the Board of Commissioners,

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

253 SD

PAGE 33

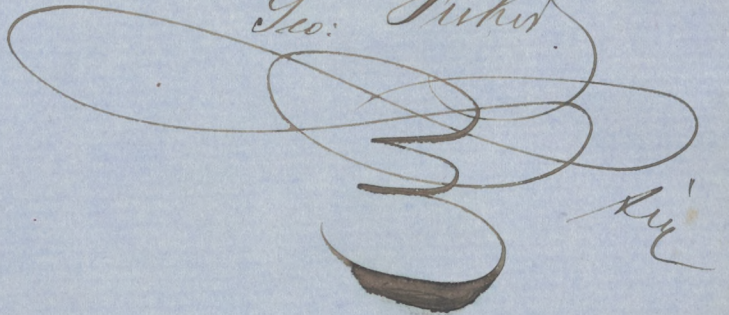

*J. George Fisher* Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Thirty five* pages, numbered from  
1 to *35*, both inclusive, to contain a true, correct and full Tran-  
script of the Record 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. *5-55* on the Docket of the said Board,  
wherein

*Andrew Randall* is

the Claimant, against the United States, for the place known by  
the name of *San Lorenzo*

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

*J. G. Fisher*  
Geo. Fisher



U. S. DISTRICT COURT,

*Southern* District of California.

No. *253* **253**

THE UNITED STATES,

vs.

*Andrew Randall,*  
*'San Lorenzo'*

**TRANSCRIPT OF THE RECORD**

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *555*

Filed, *July 2* 1855

*L. E. Van*  
*Clark*

By *A. H. Clark*  
*Deputy*

*57*  
*12* **253**

*555*

253 SD

Office of the Attorney General of the United States,

PAGE 34

Washington, 29 June 1855.

555 / "San Lorenzo"

Andrew Randall claimant

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 14<sup>th</sup> day of June 1855, the appeal in the district court of the United States for the ~~Southern~~ district of California will be prosecuted by the United States.

*Cushing*

Attorney General.

No. 253.

W. S. District Court  
Southern District of Cal.

United States

vs

Andrew Randall,

Notice of Appeal in  
Case no. 555.

Filed Oct 4<sup>th</sup> 1855.

J. E. Jam,  
Clerk.

253 SD

PAGE 35

253 SD  
PAGE 36

United States District Court for the  
Southern District of California

The United States }  
vs Appellants } Docket No. 253  
Andrew Randall }  
Appellee } San Lorenzo

The respondent for answer to the  
petition filed in this cause answers and says  
It is true that the lands mentioned in said  
petition and in said transcript of the proceedings  
before the said Board of Commissioners, lies within  
said Southern District of California & within  
the jurisdiction of this court.

But this respondent denies that their  
title to the said land is invalid - and avers that  
the same is valid - and prays that the decis-  
ion of the said Board of Commissioners be  
affirmed, and his title be deemed to be valid

E. O. Crosby  
Attorney for  
Respondent

No. 253.

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

The United States  
appellants

vs

Andrew Randall  
appellee

answer.

Filed this 6th January  
A.D. 1857 C. Sims clk  
J. H. Holman  
dep

253 SD

PAGE 37

E. J. Crosby  
Atty for appellee





Andrew Randall, appellee  
vs  
The United States, appellant.

Docket No. 253.

Transcript No. 555.

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

The Petitioner 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 5<sup>th</sup> day of February, A. D. 1853, Andrew Randall

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 Lorenzo in the County of Monterey 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 12<sup>th</sup> day of December A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 2<sup>nd</sup> 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. 555; reference to which it is prayed may be had and made part of this petition. That on or about the 14<sup>th</sup> day of June 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 <sup>or about</sup> the 4<sup>th</sup> day of October A. D. 1855, the said  
Attorney-General of the United States filed, or caused to be filed, in  
behalf of the United States, a notice with the Clerk of said District  
Court of the United States, that the appeal in said cause from the said  
decision of the said Commissioners, in the District Court of the United  
States for the Southern District of California, would be prosecuted by the  
United States. Your petitioner further represents, that the land claimed,  
as aforesaid, is situate in the Southern District of California, and within  
the jurisdiction of this Honorable Court. Your petitioner further represents  
and insists, that the said claim is invalid; and the said decision of said  
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for  
many errors and imperfections of law and evidence, apparent in said certified  
transcript of the proceedings and decisions of said Commissioners in said  
cause, filed and appealed from as aforesaid. And your petitioner denies all  
and singular, each and every allegation in the said petition of said claimant,  
presented as aforesaid to said Commissioners. And your petitioner further  
denies that the said claimant has any valid right or title to said land claimed  
as aforesaid, or any part thereof.

253 SD

PAGE 39

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

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

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

J. M.

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

N. 253,

W. D. South  
South, Dist. Cal.

Andam Ransom

and  
The Notary

Reuben of them

Filed this 6th January  
A.D. 1857  
C. S. S. C. C.  
J. H. Colman  
secy

253 SD

PAGE 41

253 SD  
PAGE 42

Deposition of Andrew Thos W. Sutherland  
taken before C. S. Sims United States Com-  
-missioner for the District of California, at  
the United States Court House in the City  
of Los Angeles on ~~Saturday~~ <sup>Tuesday</sup> the 6th day  
of January A. D. 1857 at 4 o'clock P. M.  
by consent and agreement of parties to be used  
in testimony on behalf of the claimant  
in a certain cause now pending in the  
United States District Court for the Southern  
District of California being case at  
253 on Docket of said Court wherein the  
United States an appellee and Andrew  
Randall appellee

Present P. Ord W. S. Atty on  
behalf of Appellants and E. A. Crosby Esq  
on behalf of Appellee

Andrew Randall  
applica No 253  
ad  
The United States

253 SD  
PAGE 43

Thomas W Lusterland very duly  
sworn deposes and says

Ques What is your name and usual  
place of Residence

Ans My name is Thos W Luster-  
land - am 39 years of age and reside  
in San Francisco -

Ques Do you know Andrew  
Randall and is he now living

Ans I did know him, he is now  
dead, he died in July last, I think,  
was present at the time of his death -

Ques Did he leave a family, if yes,  
please state who they are?

Ans He left a widow named Eliza-  
beth T. Randall, and four minor chil-  
dren, I only know the names of two  
of them who reside in California  
they are named ~~Emory~~ Emory & Arthur

Thos W Lusterland

United States of America  
State of California  
County of Los Angeles

J. C. Lewis

253 SD  
PAGE 44

United States Commissioner for the District  
of California, do hereby Certify that the  
following deposition of Tho<sup>s</sup> W. Sutherland  
was taken before me in accordance with  
the request and agreement of said attorneys  
at the United States Court House in the City  
of Los Angeles, State of California, that  
the said Tho<sup>s</sup> W. Sutherland was by me  
duly sworn, according to law as a witness  
in said Cause in the Caption of this  
deposition mentioned, and after being so  
sworn, his testimony was by me reduced  
to writing in his presence, and that of the  
said attorneys, and after having been  
by me carefully read to him and by him  
corrected as he desired, was by him signed  
in my presence



In testimony whereof I hereunto  
set my hand and affix my private  
Seal (there being no official Seal) this  
6th January A D 1857

J. C. Lewis  
ms

No. 253

U.S. District Court  
for Southern Dist. Cal.,

Andrew Randall  
appellee  
vs

The United States  
appellants

Deponent of C. W. Tuttleman

Filed this 6th January  
A.D. 1857

C. Smith clerk  
J. Coleman  
Scriber

253 SD

PAGE 45



UNITED STATES OF AMERICA, }  
Southern District of California, } SS.

The President of the United States,

TO

*Andrew Russell*

253 SD

PAGE 46

Greeting :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *you* in the District Court of the United States, in and for the Southern District of California, on the *6<sup>th</sup>* day of *January*, in the year of our Lord one thousand eight hundred and fifty-~~seven~~ at the City and County of Los Angeles, in said District, by

*R. W. D. Estabty, praying*  
*the Court Brown the decision of the United*  
*States Land Commission of the 13<sup>th</sup> day*  
*of December 1837, confirming*  
*you claim to the land called*  
*"San Lorenzo"*

and that *you* are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said Petition, or the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *6<sup>th</sup>* day of *January* A. D. 185

*C. Jones* CLERK.

Marshals cost

Copying Summs 60  
Serving same 30  
Petition 30

\$ 6.00

UNITED STATES OF AMERICA,

Southern District of California,

U. S. DISTRICT COURT.

Andrew Ransall  
vs  
The United States

Filed this 12th January  
1857  
Edwin C. P.  
J. W. Colburn  
recd

SUMMONS.

Received  
January 10th  
1857

Edward Hunter

253 SD

U. S. MARSHAL.

PAGE 47

Dr. M. Woodman  
Deputy

I served this Summons, together with a certified copy of the Petition, upon

Wm for appellee by him acknowledging  
service of same

at Los Angeles,  
the 12th day of January

in the Southern District of California, on  
A. D. 1857.

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

Edwin C. P. CLERK.  
J. W. Colburn  
Dep

Edward Hunter

U. S. MARSHAL.

Dr. M. Woodman  
Deputy.

253 SD

PAGE 48

United States District Court  
for the Southern District of California

No. 253-

The United States  
appellants

vs

Andrew Randall  
appellee

It is hereby proved by E. S. Crosby  
of counsel for appellants that this cause be proved in the  
name of Elizabeth J. Randall the wife of said Andrew  
Randall dec'd and Emory Randall & others his children  
the heirs at Law of said Andrew Randall deceased

E. S. Crosby Atty &c

No 253.

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

---

The United States  
vs  
appellants

Andrew Randall  
appellee

---

Motion to Vain Cause

Filed Jan 13<sup>th</sup> 1859  
Gins  
Clk

253 SD

PAGE 49

E. O. Crosby

Att for Plaintiff

253 SD  
PAGE 50

California Land Claims  
Attorney General's Office  
120 Feb. 1857

Sir: In the case of the claim of  
Andrew Randall, confirmed to  
the claimant by the Commissioner,  
Case no. five hundred and fifty-  
five, (555), appeal will not be pro-  
secuted by the United States.

I am,

Respectfully,

Canting

Prattins Ord Eq  
U. S. Attorney  
Los Angeles

No. 253,

Filed 4 March 1858,  
to Sims & Co.,  
for W. W. Stetson,  
D. C.

United States District Court for the  
Southern District of California

253 SD

PAGE 52

December Term 1856.

The United States,  
appellants  
vs  
Andrew Randall dec'd  
reviv'd in the name of  
Elizabeth J. his wife, and  
Emery and other minor  
children, his heirs at law  
appellees

Docket No. 253.

This cause coming on to be heard on appeal from the decision of the board of land commissioners to ascertain and settle private land claims in California under the act of Congress approved March 3<sup>d</sup> 1851. upon the transcript of proceedings and decision of said board, and the papers and evidence upon which said decision was founded, all of which have been duly filed in this Court; and upon further proceedings, and evidence taken in this cause by order of this Court, and counsel for the respective parties having been heard, It is ordered adjudged and decreed, that the decision of said board confirming unto the said Andrew Randall the lands described in said transcript filed in this cause be and the same is hereby affirmed.

And it is further ordered adjudged and decreed that the lands claimed in this case by the said Elizabeth J. Randall the wife of, and Emery Randall and other minor children of said Andrew Randall deceased, be and the same are hereby confirmed unto them, and their said

title declared a good and valid one

The lands of which confirmation are hereby made are known by the name of San Lorenzo, situated in the present county of Monterey and bounded and described in the original grant of said lands made by Juan B. Alvarado dated November 16<sup>th</sup> 1842, to Francisco Pico. <sup>transferred</sup> by the Ranches of Rafael Estrogo, Domingo Garcia, Feliciano Sobreros & the large Mountain Sierra. Reference being had to said original grant and the maps belonging to the original expedients for more particular description of the same and to the maps and documents relating to the said title of said lands filed in this case ~~in aid of said description~~ which said grant & maps and documents are copied in said transcript filed in this Court. ~~in aid of said~~

The lands hereby confirmed is of the extent of five square leagues of land and no more within the above described boundaries, provided that quantity be contained therein, but if a less quantity be contained within said boundaries then confirmation is hereby made to such less quantity.

Isaac L. Ogden  
W. S. Durr  
for the S. Dis. of Cal



No. 253

United States District Court  
Southern District of California

The United States  
appellants

vs

Andrew Randall decd  
Revised in the name of  
Elizabeth J. Randall &  
others his heirs at law  
appellants

Decease -

Remains in page 132

Filed July 13<sup>th</sup> 1889  
Spinks  
clerk

253 SD  
PAGE 54

E O Crosby  
Atty for appellants