

CASE No.

274

SOUTHERN DISTRICT

TWO TRACTS OF LAND IN
MONTEREY COUNTY GRANT

THOMAS COAL 'COLE'
CLAIMANT.

MAR 19 1963

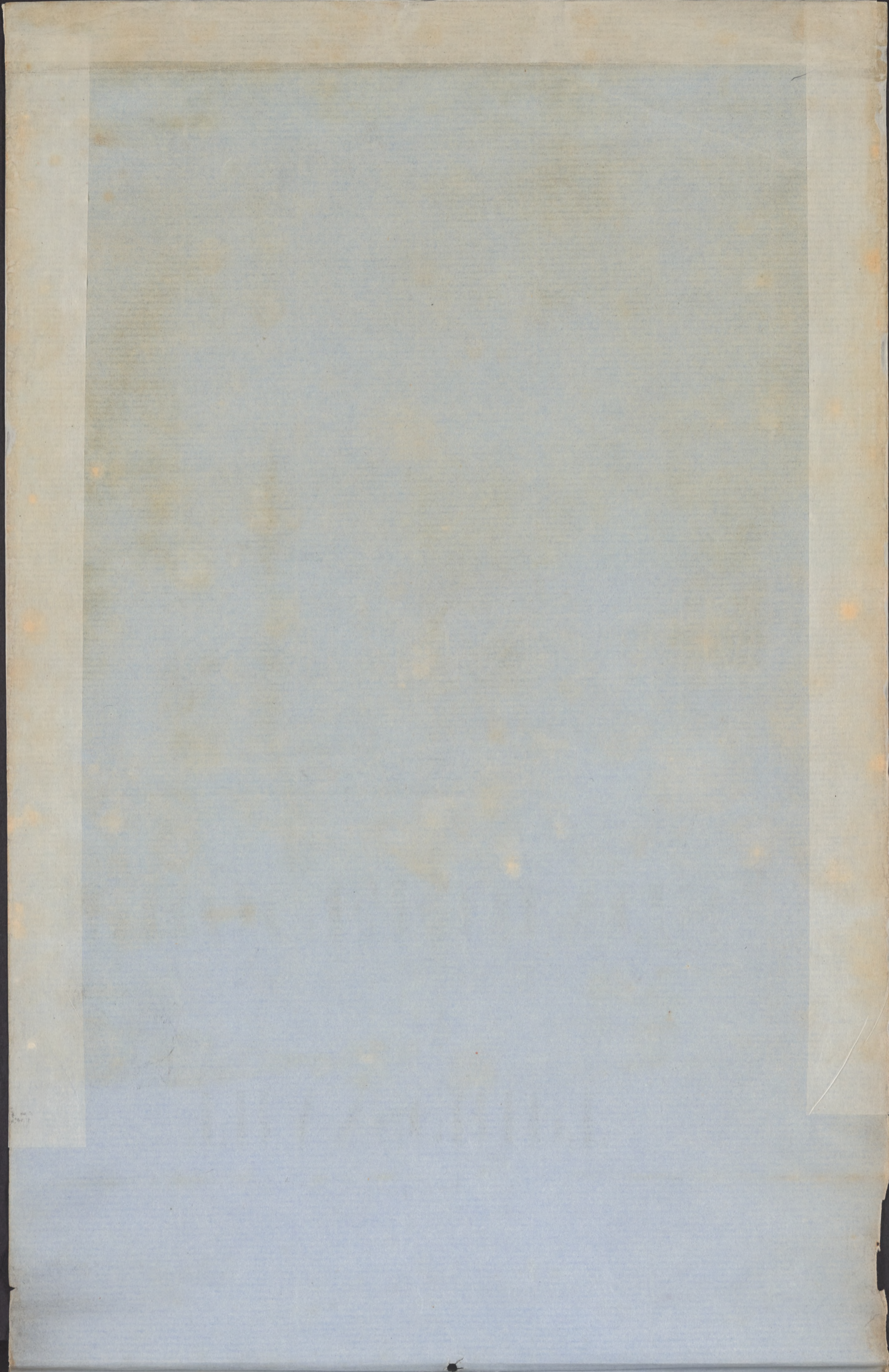
LAND CASE 274 SD

59 pgs.

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716

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TRANSCRIPT

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OF THE

PROCEEDINGS

IN CASE

NO. 716.

Thomas Coal

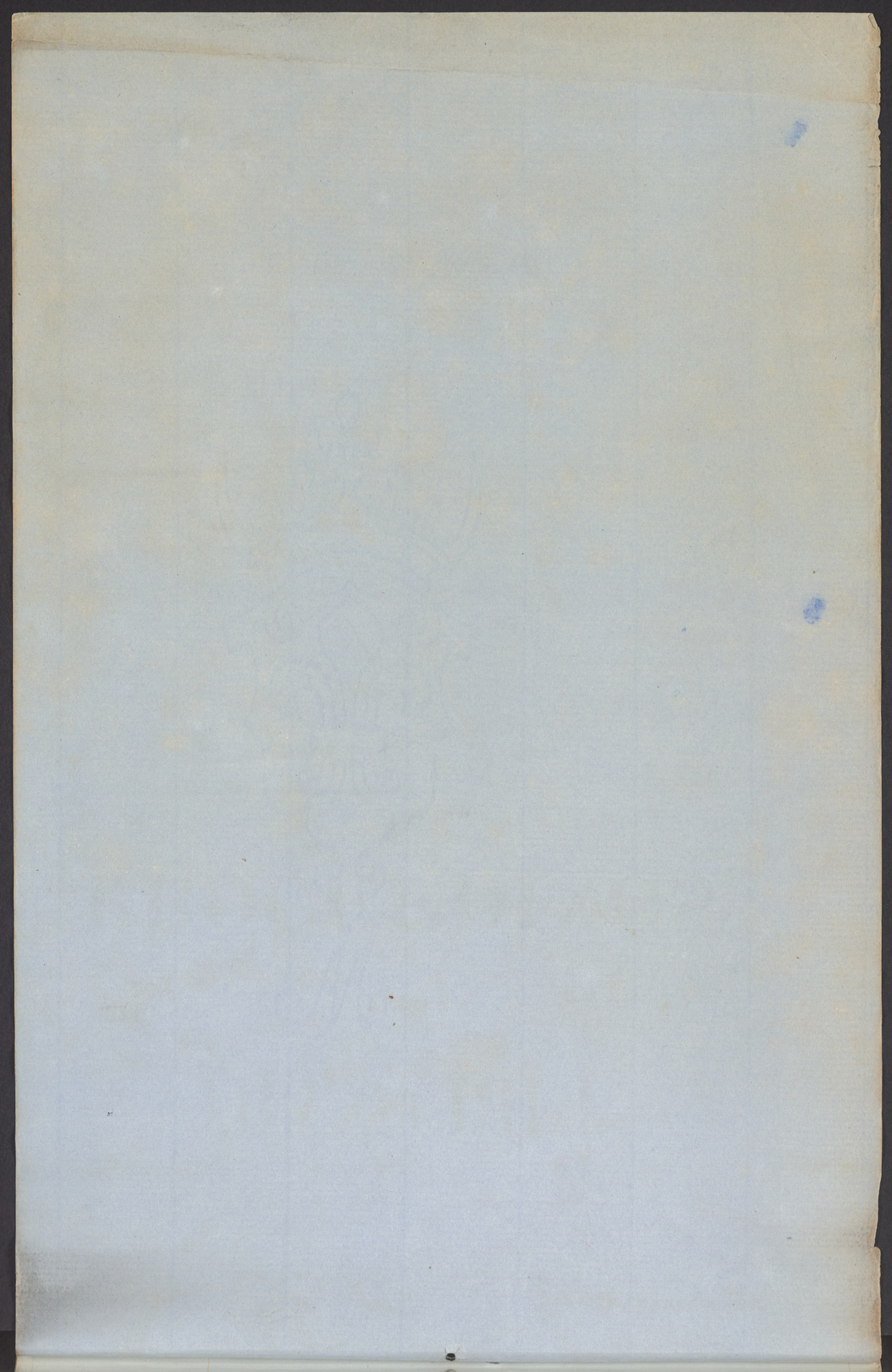
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Two tracts of land in Monterey County."



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Thomas local*,
for the Place named
two tracts of land in Monterey Co.,
was presented, and ordered to be filed and docketed with No. *716* 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 November 10th 1853.

In Case no. *716*, *Thomas local* for two tracts of land in Monterey County, the deposition of *David Spence*, a witness in behalf of the Claimant, taken before Commissioner *Rephens Selch*, with documents marked Nos. *1 & 2 A. F.* annexed thereto, was filed;

(Vide page *3* of this Transcript)

San Francisco January 2nd 1855.

Case no. *716*, on motion of the counsel for the Claimant with the consent of the U. S. Land Agent, was ordered to be placed at the foot of the *4th* class cases on the Trial Docket.

San Francisco January 16th 1855.

Case no. *716* was submitted without argument and taken under advisement by the Board.

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San Francisco January 23 1855.

In the same case Commissioner Alpheus Felch delivered the opinion of the Board respecting the claim;

(Vide page 21 of this Transcript.)

And the following order was made, to wit;

(Vide page 23 of this Transcript)

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To the Board of Commissioners for ascertaining and settling Private Land claims in the State of California

Your Petitioner Thomas Coal of Monterey in said State respectfully represents to your Honorable Board that he claims a tract of land or parcel of land in said Monterey Two Hundred and fifty Varas long by One Hundred and fifty Varas broad with One Hundred Varas more for a house and Corral as designated by the proper Survey.

Your Petitioner claims said Land under and by virtue of a Deed of the <sup>same</sup> land described therein, made and Executed by Juan B Alvarado Guernon of California, on the 8<sup>th</sup> day of December A.D. 1842 and delivered to your Petitioner reference to be had to said Deed which is filed herewith and made a part of this petition, for a more perfect description of the Land granted

Your Petitioner further represents that he claims four hundred Varas square in addition to the above described tract and adjoining the same even as more particularly described in an Original Deed from Gov<sup>r</sup> Manuel Micheltorena to your Petitioner dated on the 28<sup>th</sup> day of February A.D. 1844 which is filed herewith and referred to as part of this petition

Your Petitioner prays your Honorable Board to take into Consideration his claim to said Lands and his title to be valid and confirm the same

And your Petitioner will ever pray

James Wilson  
Petitioner Atty

Filed in Office March 2<sup>nd</sup> 1853

Geo. Fisher Secy

Recorded in Vol 2 of Petitions on page 101

Geo. Fisher  
Secy



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5 Deposition of  
Larrea Spence

Office of Board of Commissioners de. de. de.

This day before Comr. Alpheus  
Fitch came Larrea Spence a witness in behalf  
of Thomas Cole No. 716 who after being duly  
sworn deposes as follows

Questions by Genl James Melson Atty. for claimant

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

Answer. My name is Larrea Spence my  
age is fifty five years and I reside at Monterey  
in California

2<sup>nd</sup> Question. Are you acquainted with the  
hand writing of Juan B. Alvarado and Manuel  
Jimeno? If so look at the Document now pres-  
ented to you purporting to be a grant of land by  
Juan Alvarado to Thomas Cole Marked Exhibit  
No 1 with the initials "A F" and attached to this  
deposition, and state whether the signatures  
thereon are the true and genuine signatures of  
Juan B. Alvarado and Manuel Jimeno?  
Respectively?

Answer. I am acquainted with the  
hand writing of both the persons named in  
the interrogatory. I have looked on the docu-  
ment presented. The signatures appearing thereon  
as those of Juan B. Alvarado and Manuel  
Jimeno are the true and genuine signatures of  
Juan Alvarado and Jimeno respectively.

3<sup>rd</sup> Question. Are you acquainted  
with the hand writing of Manuel Michellena  
Manuel Jimeno? If yes look on the docu-  
ment now presented to you purporting to be  
a grant of land by Juan Michellena to  
Thomas Cole Marked "Exhibit No 2" with  
the initials "A F" hereto annexed as a part of  
this deposition and state whether the signa-  
tures thereon as such are the true and genuine  
signatures of Juan Michellena and Jimeno  
respectively.

Answer. I am acquainted with the  
signatures of both of them. I have looked on said  
document, and the said signatures are the true



and genuine signatures of Manuel Michellena  
and Manuel Simon

4th. Question. Please state all you know  
in relation to the Lances granted to Juan Cole by  
Spain Decree and what you know in reference to  
his occupancy and possession of the premises

Answer. In the year 1839 or 1840

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I cannot remember which I received an order  
from Governor Alencastro directed to me as Justice  
of the Peace, to go to a place on the Salinas River  
known by the name of Techo for the purpose  
of measuring off certain parcels of land for  
cultivation for the different people living on said  
place. I went and made the measurements -  
I measured off to Thomas Cole a certain portion  
the quantity I do not recollect - I gave him a  
certificate showing the quantity I had given to  
him, so that he might present it to the Governor  
in order to obtain a title for the same -

I found Thomas living on the Techo when  
I went there - He is the same individual who  
is the claimant in this case - There were a num-  
ber of persons living on the tract of the land  
known by that name and the Governor sent  
me to assign to each his portion of land so as  
to prevent disputes among them

Thomas Cole resided there  
a while after I made the measurement above  
referred to and then removed to another place  
I cannot tell how long he lived there after the  
measurement was made -

Daniel Spence

Mr. Greenhow Associate Survey  
Agent was present at the taking  
of this deposition but pronounced  
no question to the witness

Subscribed and sworn to before me  
this tenth day of November 1850  
Aphelus Welch

Filed in Office Nov. 10th. 1850

Geo. Fisher Secy

Recorded in Cov. B Vol 3 p. 391

Geo. Fisher Secy



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Expediente promovido por D.<sup>o</sup>  
Thomas Cole, en solicitud de 200 S.<sup>o</sup> de terreno  
en la ribera del Rio de Monterey. -

Año de 1846.

n.º 351.



Sello Quinto un real.  
Habilitado provisionalmente por la Actuaria  
Marítima del puerto de Monterrey en el Depart<sup>o</sup>  
de las Californias para el año de mil ochocientos  
cuarenta y tres.

Micheltorena. Manuel Castañares.  
Sr. Gobernador.

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Monterrey En<sup>o</sup> 31 de 1843. Thomas Cole, naturaliz<sup>o</sup>  
Yuponme el Sr. Srío del despacho - arto y arcuidarlo en  
trouando los necesarios lo al este Departamento ante  
efecto. V. la Justificación de V. E.

Micheltorena. Ofigo: que no se encuentre  
suficiente las 250 varas de terreno que se me han  
concedido para el cultivo y demas cosas del campo  
en que me ocupa suplico a V. E. me de la extension  
de dos varas por la parte del Noroeste y boca  
del Rio de este lugar que se halla baldio y que no  
ninguno ocupe, cuya gracia espero recibir de V. E.

Monterrey. 30 de Diciembre de 1843.

Thomas Cole.

= Dispone el Sr. Srío Gobernador pose este expediente  
al alcalde primero de este lugar para que se  
sira informar sobre su contenido.

Monterrey. 1<sup>o</sup> de Enero de 1844.

Manuel Jimeno.

Sr. Srío del Despacho.

En contestacion al Superior decreto que antecede  
ofigo: que por informaciones del Juez auxiliar de la  
Vega del Rio aparece que el terreno solicitado en esta  
instancia se haya baldio: pues en el archivo de mi  
cargo no existe documento alguno. por donde se  
acredite estar ocupado por lo expuesto V. E. se diria  
disponer lo conveniente.

Monterrey. Eno. 23 de 1844.

José de Anesté.

Sr. Srío Gobernador.

Por las informaciones que se han tomado del terreno  
que se pretende aparece estar baldio y no  
pertenecer a ninguno pueblo ni particular alguno  
y en extension a la homundez y proporciones del  
solicitante crey no hay inconveniente alguno  
para que se le concedan las cuatrocientas varas  
que pretende, mas la determinacion de V. E.  
será la mas acertada.



9  
Monterrey. Febrero. 24 de 1854.

Manuel Jimeno.

Monterrey. Feb. 24 de 1854.

Conf. al anterior informe sobre el  
S. Rio. de el Despercho.

Michelt

Monterrey. Febrero 28 de 1854.

Vista la peticion con que da vista este  
espediente los informes que preceden, con todo lo  
demas que se tubo presente y ver con vino de conf.  
y compare con las leyes y reglamentos de la materia  
seclaro: D. Tomas Cole dueño de cuatrocientas  
varas cuadradas por la ribera del rio de Monterrey  
debiendo comenzar sus medidas, desde el punto  
que se le ha señalado en la 1.ª concesion que se le  
hizo de 2 de 250 varas a mas de 100 para casa  
y corral, librese el correspondiente despacho y tomese  
razon en el libro respectivo.

El S. S. Gobernador así lo decretó, mandó  
y firmó.

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

I John C. Hays Surveyor  
General of the United States for the State of California  
and as such now having in my Office and 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 five preceding and hereto annexed  
pages of tracing paper numbered from one to  
five inclusive, exhibit a true and accurate  
copy of a certain document now on file and forming  
part of the said archives in this Office.

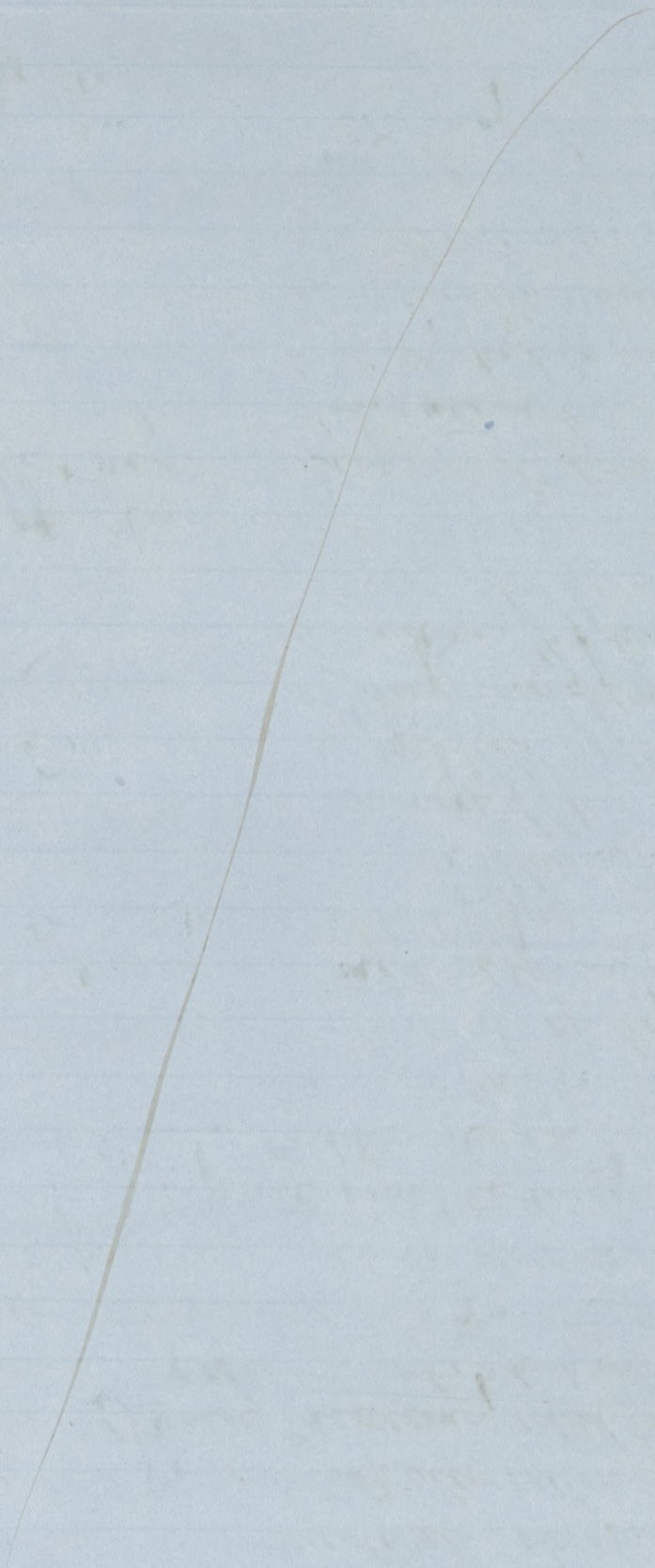
In testimony whereof I have hereto  
signed my name officially and caused my  
Seal of Office to be affixed at the City of San Francisco  
this fourth day of November a. d. 1853.

John C. Hays.

W. Surveyor G. Calif.

Filed in office Nov. 10. 1853. Geo. Fisher Secy.







Translation of Expediente

Expediente Instituted by Don Thomas Cole  
Soliciting four hundred Varas of Land on the  
bank of the River of Monterey  
Year 1840 No. 351

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Fifth Seal One Seal  
Provisionally authorized by the Maritime Customs  
House of the Port of Monterey in the Department  
of the Californias for the year One thousand Eight  
hundred and forty three.

(Signed) Micheltreana Manuel Castaneda

Most Excellent Senor Governor

Thomas Cole a Naturalized Mexican  
Citizen and resident of this Department appears  
before the justice of your Excellency and represents;  
That the 250 Varas of Land which have been  
granted him are not sufficient for the agricultural  
and other useful pursuits which he follows and  
prays your Excellency to grant him the augmentation  
of four hundred Varas on the North West side  
thereof and in the bottom Land on the River at  
this Place, which is vacant and unoccupied  
which favor he hopes to merit of your Excellency  
Monterey Dec. 30. 1843

(Signed) Thomas Cole

Seal

Monterey Jan 31-1844 (In margin)

The Secretary of State will report  
taking the necessary proceedings therefor  
(Signed) Micheltre

Senor Secretary of State

In answer to the foregoing Superior Decree I would  
State; That from the information of the Academy  
Jury of the Bayo del Rio it appears that the  
Land prayed for in this petition is vacant  
and there is no locum in the Archives under  
my Charge which accredits the Occupation of it  
by any one Whereupon your Excellency will determine  
what may be proper

Monterey February 23-1844

(Signed) Jose de Arista

(This order precedes the one above) By Order of his  
Excellency the Governor let this Expediente be



referred to the Just Alcaide of this place in order  
that he may be pleased to report upon the  
Contents thereof  
Monterey Feby 18 1844 Manuel Jimeno

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Most Excellent Sor Governor  
According to information obtained the Land petition  
oneed for appears to be vacant and does not  
belong to any Pueblo or individual whatever  
and considering the integrity and the means of the  
petitioner I believe that there are no obstacles  
whatever to the granting to him of the four hun  
dred Venas which he solicits, but the decision  
of Your Excellency will be the most proper  
Monterey February 24, 1844

(Signed) Manuel Jimeno

Monterey February 24. 1844  
The Secretary of State will proceed in conformity  
with the foregoing report

(Signed) Mechette

Monterey February 28. 1844  
In view of the petition produced in  
this Expediente, the preceding reports and every  
thing else which was considered and necessary  
to examine and in conformity with the Laws  
and Regulations upon the Subject I declare Don  
Thomas Cole to be the Owner of four hundred  
Venas Square - and the Bank of the River of  
Monterey the measurement thereof to commence  
from the point designated in the first part made  
to him of two hundred and fifty Venas, less  
one hundred Venas for a house and corral  
See the corresponding title and an Entry has  
made of it in the respective book - His Excellency  
the Governor thus ordered decreed and signed

Office at the  
City of San Fran  
cisco Cal. this 17<sup>th</sup>  
day of January  
A.D. 1855  
Geo. Fisher Secy  
Filed in Office  
Jan. 17. 1855

I George Fisher Secretary of the U.S Land Comm  
in the State of California, do hereby certify the  
following to be a true and correct translation of a  
Document in case No 716 Thomas Cole vs. the  
United States for the place named - In  
Monterey now on file in this Office - In testimony  
whereof I have hereunto signed my name at



Sello tercero Dos reales.

Habilitado provisionalmente por la Notuana Maria 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 Maria Osio.

Revalidado para los años de 1842 y 1843.

Alvarado

Antonio Maria Osio.

Juan B. Alvarado, Gobernador constitucional del Departamento de las Californias.

Por cuanto D. Tomas Lual, ha pretendido para su cultivo una parte de terreno nombrado el tulco, usando de las facultades que me son conferidas a nombre de la Nacion Mexicana, he venido en con-cederle doscientos cincuenta vs de largo y ciento cincuenta de ancho con unas cien vs para casa y corral todo conforme a la medicion que se hizo por el Juygado de este lugar sujetandose a la aprobacion de la Junta Departamental y a las condiciones siguientes.

1.<sup>o</sup> Podrá cercarlo sin perjudicar las tierras comunales y servidumbres, lo disfrutará libre y esclusivamente destinandolo al uso y cultivo que mas le acomode con la de otros habiendo la casa que hai estuviere fabricada.

2.<sup>o</sup> Solicitara del Juez respectivo que le dé la posesion y amonesta en virtud de este despacho por el cual se demarcaran los linderos en sus limites, poniendo las mojoneras correspondientes.

3.<sup>o</sup> Si contraviene a estas condiciones perderá su derecho al terreno y será denunciado por otro.

En consecuencia mando que teniendose el presente por valido tituli se entregue al interesado para su resguardo y plenas fiés. Dado en Monterrey a ocho de Diciembre de (1842) mil ochocientos cuarenta y dos.

Juan B. Alvarado.

Manuel Jimeno. Srío.

Sello tercero Dos reales.

Habilitado provisionalmente por la Notuana Maria de Monterrey en el Departamento de las Californias para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.



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Ximeno. Antonio Maria Osio.  
Prevalido para los años de 1822 y 1823.  
Alvarado. Antonio M<sup>a</sup> Osio.

Filed in Office Nov. 10. 1853.

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Geo. Fisher.  
Secy.



Translation of  
Name "A"

Three Seal Two Reals  
Provisionally regulated by the Maritime Custom house  
of the port of Monterey in the Department of the  
California for the years One thousand Eight hun  
dred and forty and One thousand Eight hundred  
and forty One  
Ximeno Antonio Maria Osio

Seal

Revised for the years 1842 and 1843  
Alvarado Antonio Maria Osio

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Juan B Alvarado Constitutional Governor of the  
Department of the California

Whereas Don. Thomas local has  
sought to obtain for cultivation a portion of land  
called Tucho, exercising the powers conferred on  
me in the name of the Mexican Nation I have  
conceded to him two hundred and fifty varas  
long by one hundred and fifty broad with  
a hundred varas more for a house and a corral  
all according to the measurement which was  
made by the survey of this piece subjecting  
himself to the approval of the most Excellent  
Departmental Board and to the following  
Conditions

1st. He may enclose it without injuring the  
the property houses and structures; he shall enjoy  
it freely and exclusively, applying it to the use  
and cultivation that may suit him best under  
the condition that the house there may be built  
there shall be inhabited

2d. He shall solicit the proper survey to give him  
judicial possession in virtue of this despatch  
whereby the boundaries shall be marked out  
in the limits of which he shall put the proper  
land marks

3d. If he shall contravene these conditions he shall  
lose his right to the tract and shall be con  
sidered as abandoned by others

Filed in Office  
March 2<sup>d</sup> 1853  
Geo. Fox

Seal

Wherefore I command you that  
the present being held a void be delivered to  
the party interested for his safety & other purposes  
Given at Monterey on the Eighth of December (1842)  
One thousand Eight hundred and forty two  
Juan B Alvarado Manuel Jimeno Secy



16



2/10 25



17  
Sello cuarto Los Reales.

Habilitado provisionalmente por la columna  
maritima del puerto de Monterrey en el Dep-  
artamento de las Californias para los años de mil  
ochocientos cuarenta y cuatro y mil ochocientos  
cuarenta y cinco.

Nicheltorena.

Pablo de la Guerra.

Munuel Nicheltorena General de Brigada  
del Ejercito Mexicano, Ayudante General  
de la Plaza Mayor del mismo, Gobernador  
Comandante Genl. e Inspector del Departamento  
de Californias.

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Por cuanto D<sup>n</sup> Tomas Cole  
Mexicano por naturalizacion ha pretendido  
para su beneficio personal el numero de cuatro  
cientas varas en cuadro, que estan por la parte  
del noroeste por deberse cupejar las medidas  
desde el punto donde tenga sus limites de la  
primera concesion que se les hizo de ochocientas  
cincuenta varas, situado todo el terreno por  
la ribera del rio; practicadas previamente  
las diligencias y averiguaciones concernientes  
segun lo dispuesto por las leyes y reglamentos  
usados de las facultades que me son conferidas  
a nombre de la Nacion Mexicana he venido  
en concederle las cuatrocientas varas mencio-  
nadas, sujetandose a la aprobacion de la  
S<sup>ta</sup> Asamblea Departamental y a las condiciones  
siguientes.

1<sup>a</sup> No podra venderlas enagenar las  
ni hipotecarlas: imponer censo, ni otro  
gravamen alguno.

2<sup>a</sup> Podra cercarlo sin perjudicar las tranvias  
caminos ni servidumbres, lo distribuirá libre  
y esclusivamente destinandolos al cultivo que mas  
le acomode.

3<sup>a</sup> Solicitara' obsequio respectivo que le  
de posesion juridica en virtud de este  
ocupacho por la cual se le demarcaran las  
lindes correspondientes.

4<sup>a</sup> Si contraviniere a estas condiciones  
perdera' su derecho al terreno y sera' denunciado  
por otro.

En consecuencia mando que



que teniendose por firme y valedero el presente titulo se entregue al interesado para su resguardo y demas fines, tomandose rason de lo presente en el libro respectivo

Dado en Monterrey a veinte ocho de Febrero de mil ochocientos cuarenta y cuatro.  
Man<sup>e</sup> Michel Torona.

Man<sup>e</sup> Jimeno. Secy.

Queda tomada rason en el libro respectivo a fojas. 6.

Jimeno.

Filed in Office. Nov<sup>r</sup> 10. 1853.

Geo. Fisher. Secy.

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Professionally qualified by the Mexican Government



Translation of  
Grant 'C'

Fourth Seal Two Reals

Professionally qualified by the Maritime Custom  
house of the port of Monterey in the Department  
of the Californias for the years One thousand  
Eight hundred and forty four and One thousand  
Eight hundred and forty five  
Micheltorena Pablo de la Guerra

Seal

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Manuel Micheltorena Brigadier General of the  
Mexican Army Adjutant General of the Staff of  
the same Guerra, Commander in Chief and  
Inspector of the Department of the Californias

Whereas Don Thomas local  
Mexican by Naturalization has sought to obtain  
for his personal benefit the number of four  
hundred varas square which lie on the North  
West side for the measurement ought to begin  
from the point where his boundaries of the first  
Concession which was made to him for two  
hundred and fifty varas, may be the whole  
tract of Land, being situated along the Mar-  
gin of the River, all the steps and investigations  
concerning these having been previously taken  
according to the dispositions previously of the  
Laws and regulations. Exercising the powers con-  
ferred on me, in the name of the Mexican  
Nation I have conceded to him the above men-  
tioned four hundred varas, subjecting himself  
to the approval of the Most Excellent Depart-  
mental Assembly and to the following conditions

1<sup>st</sup>. He shall not sell them absolute or  
mortgage; nor impose tax, entail, nor any other  
conditions

2<sup>a</sup>. He may enclose it without injuring  
the passages, roads or services; he shall enjoy  
them freely and exclusively applying to the cult  
water that may see him best

3<sup>a</sup>. He shall select the proper seeds  
to give him precedential papers in virtue of  
this despatch, by which the corresponding  
boundaries shall be marked out

4. If he shall contravene these  
conditions he shall forfeit his right to the land  
and shall be denounceable by others



Wherefore I Command that the present tittle being  
held from and value be delivered to the party  
interested for his security and other purposes  
a registry of the present being made in the  
proper Book

Given at Monterey on the twining  
Eighth day of February One thousand eight  
hundred and fifty four

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Manuel Meckellena  
Manuel Jimeno Secy

A registry is made in the proper books

Jimeno

in Office March 2<sup>o</sup> 1853

Geo. Fisk Secy







description of the premises claimed, nor was judicial notice although required by the grant was procured.

There is not enough in this testimony to identify and segregate the land.

The premises described in the second grant have nothing to fix their locality, excepting that they adjoin the two hundred and fifty acres conceded in the other grant, lying on the north west side of it and on the River. The want of certainty in the first description applies also to this. The former being too uncertain and vague, to identify any particular portion of land which could pass under the first grant, the latter which depended entirely on the former, for its location is equally ~~uncertain~~ uncertain.

It was the duty of the claimant to introduce in aid of his grant the description of the land contained in the judge's return of the distribution of the lands made by him, which was required to the first grant, or to have corrected the defective description contained therein by other competent evidence without it as the case now stands the proof is insufficient to warrant a decree of Confirmation.

Refused

Filed in Office Jan. 23. 1855

Geo. Fisher

Secy

Recorded in Record of Decisions Vol 3 page 495

Geo. Fisher Secy



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Thomas Coal }  
vs }  
The United States }

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In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the said ~~Commissioner~~ petitioner is not valid, and it is therefore decreed, that his application for a confirmation thereof be denied.

Apheus Felch

R. Aug. Thompson

Commissioner

Filed in Office Jan 23<sup>rd</sup> 1855

Geo. Fisher Secy

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



520 20



Office of the Board of Commissioners,

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

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*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  
going *Twenty three* pages, numbered from  
1 to *23*, 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. *71* on the Docket of the said Board,  
wherein *Thomas Coal* is

Claimant against the United States, for the place known by  
the name of "*Five tracts of land in Mon-  
terey County.*"

In Testimony Whereof, I hereunto set my hand  
and affix my private Seal (not having a Seal  
of Office) at San Francisco, California, this  
*Twenty first* day of *July*  
A. D. *1853*, and of the Independence of the  
United States of America the *seventy-eighth*.

*G. Fisher*  
*Aug*



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

No. 274. **274.**  
THE UNITED STATES,

vs.

*Thomas* **274.**

*350 by B. O. Wynn, Monterey, Co.*

TRANSCRIPT OF THE RECORD  
FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,  
In Case No. *716.*

Filed, *August 1st* 185*5*  
*C. E. Carr,*  
*Clerk*

**274.**

*716*



Thomas Cole

appellant

vs.

The United States

appellee

In the United States  
District Court for  
the Southern Dis-  
trict of California

274 SD  
PAGE 23

To Charles E. Carr

Clark of said Court,

2 Pacific Ord. U.S. Dist

atly for said District -

Please take notice  
that it is the intention the said appellant  
to prosecute an appeal to the said Court  
from the decision of the Board of United  
States Land Commissioners to ascertain and settle  
the private land claims in California, ~~which~~  
said decision was rendered on the 23rd day  
of January A.D. 1855 - respecting the claim of  
the said appellant, for two small tracts of land  
situate in Monterey County - the said claim  
being known on the docket of the said Com-  
missioners, as No. (716) seven hundred sixteen.

D. J. Gregory,

Attorney for Appellant.

Monterey, Dec 18th 1855.



No. 274.

(No. Transcript, 716)

Thomas Cole

Appellant

vs

The United States

Appellee

U. S. Dist. Court.

Southern Dist. California

Notice of appeal.

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PAGE 24

Filed Aug 5<sup>th</sup> 1856.

J. S. Carr  
Clerk

D. J. Gregory



No 274. Thomas Coal  
Appellant  
vs.  
The United States,  
Appellee  
In the United States District Court for the Southern District of California  
via -

Transcript  
No 716.

Hon J. S. R. Ogier, Judge of said Court.

The petition of the said Appellant Thomas Coal respectfully shews that herebefore, to wit, on or about the second day of March A.D. 1853, he presented to the Board of United States Land Commissioners to ascertain and settle private land claims in California "a petition claiming title to two several small tracts of land situated in the County of Monterey, State aforesaid, and more particularly described in the said petition to which reference is had as a part hereof. And your petitioner further shews aforesaid to wit, on the 23rd day of January A.D. 1855, the said Commissioners, then sitting as a board, rendered a final decision in said case, rejecting the petition of this appellant, and decreeing his said title to be invalid - And he further shews



That afterwards, to wit, on the first day of August A.D. 1855, a duly certified transcript of the said petition and the proceedings had thereon before the said Commissioners, was filed in the office of the Clerk of this Court, and that thereafter, to wit, on the 5th day of January A.D. 1856, the said appellant filed likewise in the said office, by his attorney, a notice of his intention to prosecute an appeal to this Court, which said transcript the said appellant specially refers to & prays that it may be regarded as a part of this his petition for a review, the same containing a demurrer and inhibition of his title to the said tracts of land.

And the said appellant further says, that the said tracts of land are situated in this judicial district and are within the jurisdiction of this Court: that his title to the same is a good and valid title, & should be confirmed to him; and that the said decision of the said Commissioners, is erroneous and contrary to law, & should be reviewed, reversed and set aside.



Wherefore the said appellant prays, that this Hon Court, will review the said decision and decree of the said Commissioners, and annul, vacate & set the same aside, & that it will decree the title of this Appellant for the said tract of land to be a good & sufficient title, & that he may have such other further orders, decrees, and relief as he may in law and equity be entitled to -

D. S. Gregory  
Attorney for Appellant.



No 274.

U.S. Dist Court  
South Dist of Cal

Thomas Coal  
app't

The United States  
app'ee

Petition for Review

Filed Jan 8<sup>th</sup> 1856

C. S. Case  
Call

274 SD

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De Gregory  
appellant



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

The President of the United States,

TO

*J. Ed. U. J. Dist. Atty, &c*

274 SD

PAGE 29

Greeting :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *the United States*, in the District Court of the United States, in and for the Southern District of California, on the *8th* day of *January*, in the year of our Lord one thousand eight hundred and fifty-*six*, at the City and County of Los Angeles, in said District, by

*Thomas Seal praying the Court to review the decision of the Commissioners respecting his claim to a tract of land called "Lohan Mountain"*

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 *8th* day of *January* A. D. 185*6*.

*J. E. Farr*

CLERK.



*D. H.*

UNITED STATES OF AMERICA,  
Southern District of California,  
U. S. DISTRICT COURT.

*Thomas Coal*  
*The United States*

SUMMONS.

Received *January 9th* 1856

*Edw. Hunter*  
U. S. Marshal

*R. M. Goodman*  
Deputy

274 SD  
PAGE 30

I served this Summons, together with a certified copy of the Petition, upon *P. O. W. S. Atty for the South Dist.* by delivering to him a true copy of the same.

at *Los Angeles* in the Southern District of California, on  
the *9th* day of *January* A. D. 1856.

Sworn to and subscribed before me, *this 9th*  
*day of Jan'y AD 1856.*  
*J. E. [Signature]*  
CLERK.

*Edward Hunter*  
U. S. MARSHAL.  
*R. M. Goodman*  
Deputy

*Copying Amos - Co*  
*Atty Amos v. Petition Co.*  
\$ 6.00.



Thomas Coal

appellant

vs.

The United States

appellee

In the United States  
District Court for  
the Southern District  
of California -  
No. 274.

Claim for two small tracts  
of land in Monterey County -

On motion of D. S. Gregory  
Appellants attorney,

It is ordered by the Court  
that the said parties or either of them  
have leave to take further testimony  
to be heard on the trial of the said case.



No 274.

Thos Coal

applicant

vs

The United States

U.S. Dist. Court.

Order to take further  
testimony

Filed May 10th 1836.

J. E. Lau.  
clerk

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D. J. Gregory Appellate Clerk



~~At~~ In the District Court of the United States  
for the Southern District of California,  
Hon Isaac S. H. Ogier Judge  
Thomas Coal, appellant } N<sup>o</sup>. 274.  
~~vs.~~ vs. } Manuscript N<sup>o</sup>. 716.  
The United States, appellee

The answer of Pacificus Ord, Attorney of the  
United States for the Southern District of  
California, for and in behalf of the United  
States, to the petition of Thomas Coal, for a  
review of the decision of the Board of United  
States Land Commissioners to ascertain and  
settle the private land claims in California,  
rejecting his claim to several small tracts of  
land situate in Monterey County California:-  
Says: That he denies all and singular  
each and every allegation in said petition  
contained. And further this respondent  
denies generally the validity of the alleged  
title of the claimant to the lands claimed  
by him. And the said respondent prays  
that this Hon<sup>ble</sup> Court will affirm the  
decision of the said Commissioners in said  
case, and decree the said alleged  
title of said claimant to be invalid.  
And for general relief.

P. Ord

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



No 274.

U.S. Dist Court.  
South. Dist of Cal.

Thomas Coal, appl.

vs.

The United States,  
Appel.

ans of usalty.

274 SD

PAGE 34

Filed Aug 12<sup>th</sup> 1856

J. E. Lang  
Clerk.

Ans of usalty,







3<sup>rd</sup> What kind of habitation did he, Cole have of it -?

Ans. He lived upon it, cultivated it, had carrales, and a house upon it and had a part of it under fence.

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PAGE 38

4<sup>th</sup>.

State whether or not you know the boundaries of said land, & if you do state your means of knowing them, & what they are -

Objected to by District attorney.

Ans. I know three of the boundaries; one is the lands of Tomas Blanco, another is the lands of my father Jakob Gorney, and the other is the Salinas River. I know that these are the boundaries because the title of my father cites the rancho of Thos Cole as a boundary; & because I have seen the lands of Blanco joining them, & I have always seen the lands joining the river, and have never known them claimed by any one else.

Answer objected to.

5<sup>th</sup>.

What was there, if anything to mark the boundaries between these lands and your father's - Objected to by Dist Atty.

Ans. I don't know.



Q. How many years did Thomas Coles occupy said lands.

A. From six to eight years.

274 SD  
PAGE 37

Ambrosio Gomez

Known to Subscribed as -  
for me this 4th day of  
June A.D. 1857.

Alex. S. Taylor

Depty Clk N.J. St. Court. etc.



No 274.  
U. S. Dist. Court  
South. Dist. of Cal.

Thos Lee, (Original debt)

appellee

vs

The United States

appellant

---

Opposition

Ambrose Gomez

---

274 SD  
PAGE 38

✓ Filed 4 June 1857  
W. S. Taylor  
Sgt. Clk



D.S. Gregory  
E.S. Williams  
(substituted in  
place of Thomas Cole  
Appellants  
vs.  
The United States  
Appellees.

U.S. Dist. Court  
for the  
South. District  
of California  
Case docket  
No 274.

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Deposition of David Spence a witness  
on the part of Appellants in the above  
cause - Present P. Ord, U.S. Dist. Atty  
D.S. Gregory, Atty. for  
Appellants. at

Monterey 5 June 1857

Ques. What is your name, age and residence.

Ans. My name is David Spence, my age  
is 58 and I reside in Monterey.

Ques. Look upon ~~page 7~~ of document here  
exhibited to you, purporting to be evidence  
of juridical possession of land given  
by you to ~~different parties~~ Thomas Cole  
as Justice  
of the Peace, jurisdiction of Monterey,  
and state what you know about the  
same.

Ans. I have looked on the document  
referred to and you recognize the writing  
of my secretary ~~and~~ Manuel Castro  
and my own rubric - I recollect  
very well of having given possession



to Thomas Cole of the land referred to in said document when I was Justice of Peace of Monterey in 1840 - The land is situated at a place which was then called and known still as the pueblo of Refugio on the north bank of the Salinas River some distance above the rancho belonging to Don Juan Cooper - the document referred to is the original evidence of the possession given by me - On one side the land joined on that of Jose Wiguera -

Question. Why was not the said document signed by you in your official capacity?

Ans. It has my rubric which according to Mexican law which was considered sufficient in instances of this kind. The preceding document is concerning the land referred to as being the land of Jose Wiguera, bounding the land of Thomas Cole referred to the preceding document is the one on the same page as that of Thomas Cole.

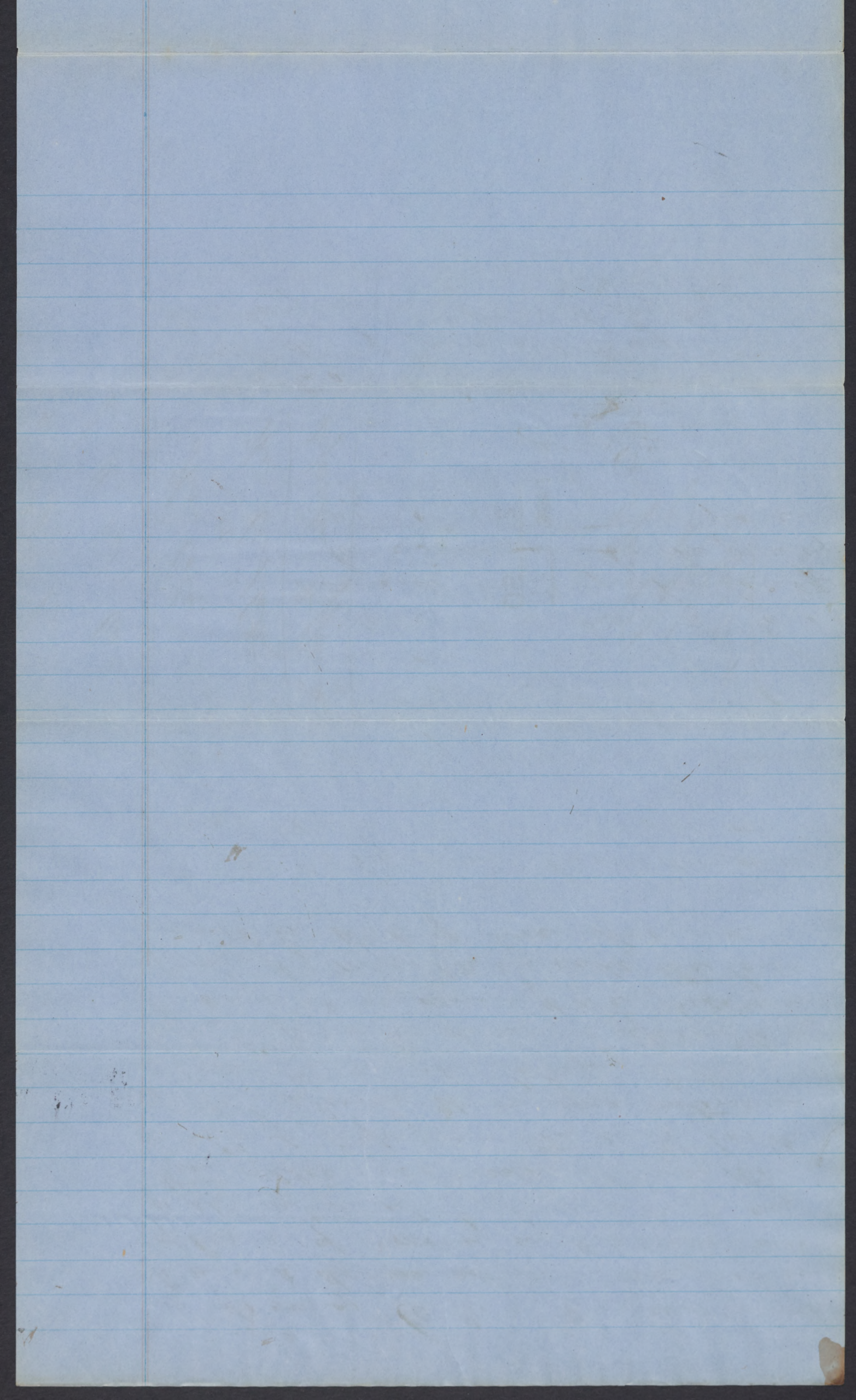
J. P. MICE

Sworn to and subscribed to before this  
fifth day of June A.D. 1857 at  
Monterey

Alex. S. Taylor

Deft. Clerk







<sup>274</sup>  
U. S. Dist. Court  
South. Dist. of Cal.

---

Thos. Cole  
vs  
The U. S. State  

---

Deponent D. Spence  

---

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PAGE 41

✓ Filed 5 June 57  
R. A. Taylor  
Sgt. Clerk

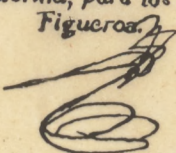


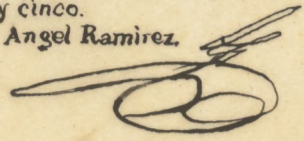
SELLO CUARTO DE OFICIO.

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.

Figueroa.

Angel Ramirez.

  
Jose Figueroa



El mismo día se le señaló al Sr. Jose Figueroa desde su casa para el Puerto hasta el Paderon ochocientos varas de largo y ciento cincuenta de ancho, mas cien para casa y corral y para que conste lo firme con los de asistencia

274 SD

PAGE 42



Tomaz Col

En seguida se le midieron al Sr. Tomaz Col doscientas cincuenta varas de largo y ciento cincuenta de ancho junto a Jose Figueroa al Puerto y para que conste lo firme con los de asistencia





State of California }  
County of Monterey }  
Office of the County Recorder

274 SD  
PAGE 43

I, Edw. L. Williams County Recorder  
in and for Monterey County aforesaid  
and as such, having in my Office  
and in my charge and Custody  
 sundry written documents trans-  
ferred to this Office relative to 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 herewith annexed  
sheets of tracing paper containing  
one page of of writing and verified  
by my initials thereon exhibits  
a true and accurate copy of  
a portion of writing in an unbound  
book on the page following the one  
marked "y"

In witness whereof I have  
herewith signed my name  
officially and caused my  
Seal of Office to be affixed  
at the City of Monterey this fifth  
day of June A D 1857

Edw. L. Williams  
County Recorder  
Monterey County





No 274.

Thas Coal  
appellant

The United States

appellee

Copy  
Transcript of judicial  
proceedings - transcript

274 SD  
PAGE 44

Filed 6 June 57  
A. L. Taylor  
clerk.

D. L. Gregory







# No 274

Thos Cole

vs

The United States

Motion & order to  
substitute

Filed Aug 6<sup>th</sup> 1857

Spencer  
Clark

274 SD

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**This Indenture,** Made the *Tenth* day of *December* in the year of our Lord one thousand eight hundred and *fifty six* **Between**  
*Thomas Cole party of the first part of the City and County of Monterey State of California and Edward Le Williams of the same place party*

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PAGE 47

of the second part: **Witnesseth,** that the said party of the first part, for and in consideration of the sum of *One Dollar* lawful money of the United States of America, to *him* in hand paid by the said party of the second part, at or before the ensembling and delivery of these Presents, the receipt whereof is hereby acknowledged, has remised, released and quit-claimed, and by these Presents does remise, release and quit-claim, unto the said party of the second part, and to *his* heirs and assigns forever, **All**

*the undivided one third part of the two following pieces of land lying and being situate in the County of Monterey aforesaid on the Western side of the Salinas River near to the old crossing from the main road from the town of Monterey to the said River, and adjoining the farm of Thomas Blanco deceased and being thus described to wit, 250 varas long by 150 varas broad with 100 varas more for a corral being part of the place called "El Ticho" and having been granted to the said party of the first part by the Mexican Governor Alvarado on the 8th day of December 1842. and also 400 varas long by 400 varas broad adjoining the last described piece of land and lying on the North West side of it and on the said River Salinas and having been granted to the said party of the first part by the Mexican Governor Micheltoreno on the 28th day of February 1844 - for a more full description of the two grants of land on the third part of which are hereby intended to be given reference is made to the original title papers now filed with the U.S. Board of Land Commissioners and being here as described no 76 -*

**Together** with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof. **And also,** all the estate, right, title, interest, *in and to the above described* property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in 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 the appurtenances, unto the said party of the second part, and assigns forever.

**In Witness Whereof,** the said party of the first part has hereunto set hand and seal, the year first above written.

Signed and Delivered in the Presence of  
*C. Richards* }

*Thomas Cole*

*T.S.*



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STATE OF CALIFORNIA,

County of Monterey,  
Monterey Township

} SS.

On this *Twelfth* day of *December*  
A.D. one thousand eight hundred and fifty *six* before me, *C. J. Richards* a Jus-  
personally appeared *Justice of the Peace in and for said Township*  
*of said County* personally appeared *Thomas Cole* -

*personally*  
to me known to be the individual described in, and who executed the foregoing instrument,  
and who acknowledged to me that *he* executed the same freely and voluntarily, for the uses  
and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed  
my ~~Official~~ Seal, in the County aforesaid, the  
day and year first above written.

*C. J. Richards*  
*Justice of the Peace*

Notary Public.

*Monterey Township*  
*and County -*



274 S.D.  
# Conveyance  
book  
to  
Williams

Filed Jan 6<sup>th</sup> 1857  
Claus  
clerk

Rec<sup>d</sup> for the 12<sup>th</sup> of December  
12. 1856. 3.30 P.M. And  
Recorded in Book  
"C Conveyances page  
22 + 23

Edw. S. Williams  
Co Recorder  
Montgomery Co.

By J. H. Gleason  
Deputy



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PAGE 50

## This Indenture,

Made the Eleventh day of January in the year  
 one thousand eight hundred and Fifty six Between  
Thomas Cole party of the first part of the City and  
 County of Monterey State of California, and Durell  
S. Gregory of the same place party

of the second part, Witnesseth, That the said party of the first part, for and in consideration of the sum of  
Two hundred and Fifty Dollars lawful money of the  
 United States of America, to him in hand paid, by the said party of the second part, at or  
 before the en sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has remised,  
 released and quit-claimed, and by these Presents does remise, release and quit-claim unto the said party  
 of the second part, and to his heirs and assigns forever, All the undivided two thirds  
part of the two following pieces of land lying and being situated  
in the County of Monterey on the western side of the Salinas River  
near to the old crossing from the main road from the town of  
Monterey to the said River and being thus described to wit -  
200 varas long by 100 broad with 100 varas more for a corral being  
part of the Yelce called "El Tacho" and having been granted to  
the said party of the first part by the Mexican Governor Alva-  
rado on the 8<sup>th</sup> day of December 1842 - and also 400 varas long  
by 400 varas broad adjoining the last described piece of land  
and lying on the northwest side of it and on the said River  
Salinas and having been granted to the said party of the first  
part by the Mexican Governor Micheltoreno on the 28<sup>th</sup> day  
of February 1844 - for a more full description of the two said  
grants of land, two thirds of which are hereby intended to  
be conveyed, reference is made to the original title papers  
now filed with the U.S. Board of Land Commissioners and  
being case as docketed no 716 -

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any-  
 wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof;  
 And also all the estate, right, title, interest, of the above described property, possession claim, and  
 demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the above described  
 premises and every part and parcel thereof, with the appurtenances.

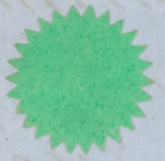


To Have and to Hold all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, and to his assigns forever.

In Witness Whereof, the said party of the first part has hereunto set his hand and seal, the day and year first above written. the following words inserted before signing - "and adjoining the farm of Thomas Blanco deceased -"

Signed and Delivered in the presence of  
Edw. S. Williams

Thomas Cole



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PAGE 51

State of California, } ss.  
County of Monterey

On this Eleventh day of January A. D. one thousand eight hundred and fifty six before me, a Notary Public in and for said County, personally appeared

Thomas Cole

known to me to be the individual described in, and who executed the foregoing conveyance, and acknowledged that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, in the County aforesaid, the day and year first above written.

Edw. S. Williams  
County Recorder  
Monterey County

Notary Public.



No 274  
Conveyance  
of  
Thomas Cole

to

Durrel S. Gregory

Filed July 6<sup>th</sup> 1857

Official  
Clerk

P

Rec'd for Record January  
11<sup>th</sup> 1856 @ 3 P.M. and  
Recorded in Book B  
of Conveyances page 443

Edw. S. Whittier  
County Recorder  
Montgomery County  
By J. H. Gleason  
Deputy

P  
3.50  
1.00  
4.50

274 SD  
PAGE 52



D. J. Gregory &  
 E. L. Williams  
 Substituted in place of  
 Thomas Cole, original claimant  
 appellants  
 vs.  
 The United States  
 appellee.

United States  
 District Court  
 for the Southern  
 District of  
 California.  
 Term 1857.  
 Docket no 274  
 Claim for  
 land in Monterey  
 County.

274 SD  
 PAGE 53

The above entitled cause com-  
 ing on to be heard at a stated Term  
 of said Court on appeal from the  
 Land Commissioners, to ascertain and  
 settle private land claims in Cali-  
 fornia under an act of Congress of  
 March 3rd 1851. upon a trans-  
 cript of the proceedings had before said  
 Commissioners, and of the evidence  
 in said Court, which has been duly  
 filed in this Court, & upon further  
 evidence taken on appeal.

It is ordered and adjudged and de-  
 creed by the Court that the decision  
 of the said Commissioners, giving the  
 claim of the said Cole for the land  
 described in his petition & the said  
 transcript, be and the same is hereby  
 reversed; And it is further ordered  
 and decreed by the Court that the  
 title of the said appellants Durrell  
 J. Gregory & the said Edward L. Williams  
 for the said land is a good and valid



title, they the said Gregory and William  
having by a previous order of this Court  
been substituted as parties appellants  
in place of the said Cole.

The lands of which confirmation is  
herby made is bounded and described  
as follows: being situate in the County  
of Monterey State aforesaid and one  
of the said pieces of land being three  
hundred and fifty varas long by one  
hundred and fifty varas wide, and  
being bounded one one side by the Salinas  
River, on another by the lands of Figueroa  
and on another by the lands of Joaquin  
Gomez; and the other of said tracts  
containing four hundred <sup>varas</sup> square,  
bordering upon the said river, & bounded on  
another side by the above described tract  
of land and being on the North West  
side of the same; reference for further &  
more particular description to be had  
to the grants ~~and proceedings~~ had to ob-  
tain the same, Copies of which are con-  
tained in the said transcript, and to  
the record of judicial opinion as shown  
by the witness David Spencer. The last  
mentioned of said grants having been  
made on the 28th day of February A.D. 1844  
by Manuel Michel Arce then Governor  
of Upper California to the said Cole &  
the former of said grants having  
been made on the 8th December A.D. 1842. by  
Juan B. Alvarado

Francisco O'Neil  
N S Dir Bridge

274 SD

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No 274.  
U. S. Dist. Court  
South. Dist. of Cal

Hon. Cole  
by D. Gregory  
The U. S. State

Decree of Confirmation

274 SD  
PAGE 55

Filed 8 June 57  
A. Taylor  
Off. Clk.

Record on Page 245



UNITED STATES OF AMERICA, ss.

274 SD  
PAGE 56

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

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



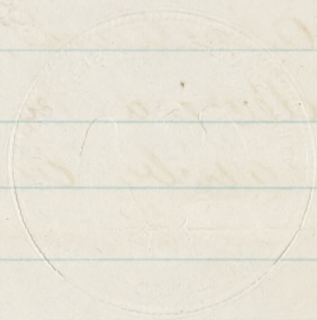
Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District  
of California before you, in a cause  
between L. S. Gregory and E. L. Williams substituted in place  
of Thomas Noble original claimant appellants and  
The United States appellees (No. 274, for "Two tracts  
of land in Monterey County") wherein the decree was  
rendered in favor of the said appellants



UNITED STATES OF AMERICA

THE PRESIDENT OF THE UNITED STATES OF AMERICA



274 SD

274 SD  
PAGE 57

as by the inspection of the transcript of the record \_\_\_\_\_

\_\_\_\_\_ of the said *District*  
Court, which was brought into the Supreme Court of the United States, by virtue of *an appeal*

agreeably to the act of Congress, \_\_\_\_\_

\_\_\_\_\_ in such case made and provided, fully and at large appears.



And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *sixty three* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel: ~~On consideration whereof~~ *on the motion of Mr Attorney General Bates of counsel for the appellants, it is now here ordered, adjudged and decreed by this Court that this cause be and the same is hereby dismissed.* 12 Feb.

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

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

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

COSTS OF \_\_\_\_\_  
Clerk.....\$ \_\_\_\_\_  
Attorney...\$ \_\_\_\_\_  
\$ \_\_\_\_\_

Taxed by

W. M. Madleton

Clerk of the Supreme Court of the United States.

No. 128. December Term, 1863.

MANDATE

SUPREME COURT UNITED STATES.

U. States vs. Gregory et al

Filed Aug 11<sup>th</sup> 1864

John Sherman

Elk

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