

CASE No.

278

SOUTHERN DISTRICT

BOLSA DE SAN CAYETANO GRANT

MARIA ANTONIA PICO, ET AL
CLAIMANT

MAR 19 1963

LAND CASE 278 SD

11 pgs.

Government
Plover Bond
100% Cotton Fiber
U.S.A.

689

1899

1872

PROCEEDINGS

OF THE

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 689.

Maria Antonio Pico, et al,

CLAIMANT &

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

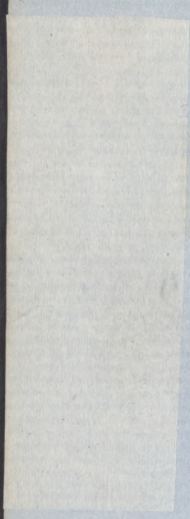
" *Bolsa de San Cayetano* "

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IN OVER

PROCEEDINGS

OF THE ANNUAL



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 *Maria Antonio Pico, et al,*
~~~~~ for the Place named  
*Bolsa de San Cayetano,* ~~~~~  
was presented, and ordered to be filed and docketed with No. 689 and is as follows, to wit;

(Vide page 3 of this Transcript.)

Upon which Petition the following subsequent Proceedings were had in their chronological order, to wit;

~~~~~  
San Francisco January 2nd 1855,
Case no. 689, Maria Antonio Pico et al. for the place named "Bolsa de San Cayetano," was ordered to be placed at the foot of the 4th class cases on the Trial Docket.

~~~~~  
San Francisco January 16<sup>th</sup> 1855,  
Case no. 689 was submitted under the Rule of March 21<sup>st</sup> 1854.

~~~~~  
San Francisco January 30th 1855,
In the same case Commissioner Alpheus Felch delivered the opinion of the Board rejecting the claim;

(Vide page 5 of this Transcript)

And the following order was made, to wit;

(Vide page 7 of this Transcript)

Petition

To the U. S. Land Commission to ascertain and settle Private Land Claims in California
Your Petitioners Antonio Maria Cio, José Jesus Pico, Maria Antonia Pico, Inocencia Pico, and the wife Miguel a hela Francisco Pico, Philomena Pico, now the wife of Luis Pombar, and Solomon Pico, the children and only legal heirs of José Dolores Pico, and Isabella Cota Pico, widow of the said José Dolores Pico. John H. Watton and John Wilson, state they claim one half of the Rancho called the Bolsa de San Cayetano, lying in the County of Monterey, and adjoining the sea on Bay Coast, and on the River Pajaro, or Bird Creek, in said County granted to the said José Dolores Pico deceased and one Ignacio Vallejo in fee simple, who is also deceased, by Governor Pablo de Sola, as will appear by the Archives now on file in the Survey General's Office, the original of which your Petitioners have not in their possession, but they refer to the Archives as aforesaid and beg to be allowed to produce certified Transcripts thereof from said Office, they also state that the same was afterwards by Governor Arguella confirmed to them as the same had been formally granted vis, on the 28. of October 1824, as will more fully appear by said Archives, and they pray the like liberty to file Transcripts, and they also refer to the original of this on file in the case of the Petition in the case of José de Jesus de Vallejo on the docket of this Board being No 85, which the said Vallejo refuses the use of to your

4
Petitioners,

These Petitioners state that the said Governor de Sola and the said Arguella by the laws usages and customs of the Spanish and Mexican Nations then in force in California had full power and Authority to grant the same, and they therefore pray the one half of the said grant be confirmed to these Petitioners, the Pico's claiming as heirs to their said father, to whom the one half thereof was granted, and the said Watson and Wilson by mesne Conveyances to them for parts of the same from some of said heirs, and the said Isabella Cota Pico as the widow of the said Dolores Pico, all of which interests they will make fully known before this Board by proof and at the hearing, and they pray to be allowed to intervene in the case No 85 before named with the said José de Jesus Vallejo for one half of the said tract which he is unjustly praying to be confirmed to himself.

The boundaries of said Tract are as follows; between the beach (of the Seas or Bay) and the highway leading from this Presidia (Monterey) and the Town of Branciforte, as will more fully appear by reference to the Archives as before stated.

This they pray may be confirmed, he prays also to be allowed to file the copy of part of the foregoing papers when he obtains them from the Record which is marked "A"

John Wilson

Atty for Claimant

Filed in Office March 2, 1853,

Geo. Fisher Sec

Maria Antonia Diez y al
vs
The United States

For One Half of the
Rancho Called Bolsa
de San Cayetano, in
the County of Monterey,
Containing Two Square
leagues of land.

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Opinion by
Commissioner
Alphens Feldt

This claim is sustained by no proof of
any kind, and must therefore be rejected

Rejected.

Filed in Office
Genl Fisher Secy.

Maria Antonia Diez y al
vs
The United States.

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

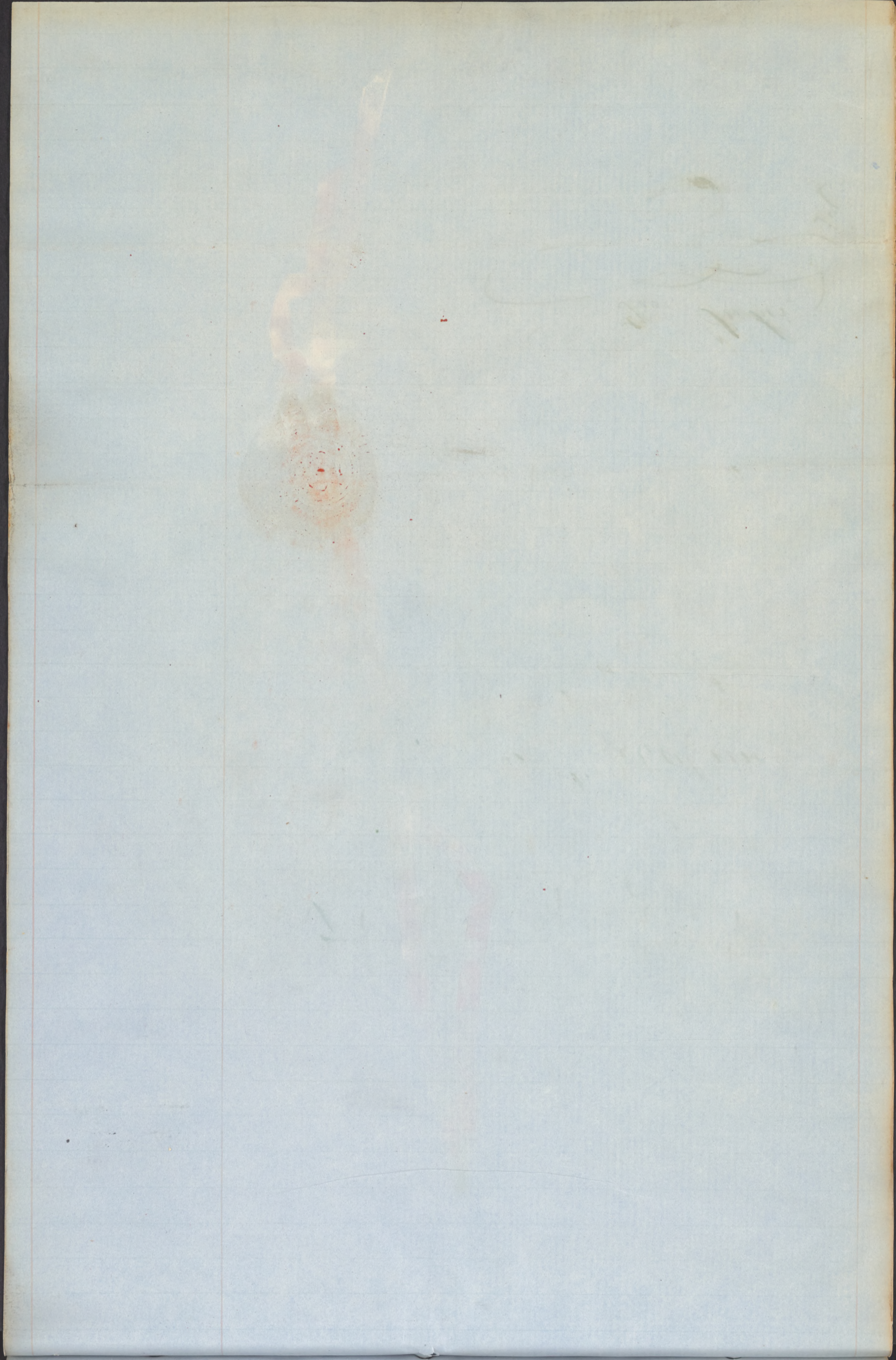
Alphens Feldt
R. Aug Thompson,
Commissioner

Filed in Office
Genl Fisher Secy.

The following is a list of the
 names of the persons who
 were present at the meeting
 held on the 1st day of
 January 1880.

J. W. ...
 ...

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 decisions in this case and of the papers and evidence upon which the same are founded be made out and duly filed with the clerk of United States District Court for the Southern District of California and the others be transmitted to the Attorney General of the United States.



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



I, *George Fisher* Secretary to
the Board of Commissioners to ascertain and settle the Private
Land Claims in the State of California, do hereby certify the
foregoing *Seven* pages, numbered from
1 to *7*, 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. *689* on the Docket of the said Board,

in
Mana Antonio Pico, et al. vs
the Claimant against the United States, for the place known by
the name of "*Bolsa de San Cayetano*"

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. 1855, and of the Independence of the
United States of America the ~~seventy~~ *eighty*th.

Geo. Fisher
[Signature]

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

No. 278. 278
THE UNITED STATES,

vs.

Mariano Antonio Pico,
et al. — Balsa de San Cayetano

TRANSCRIPT OF THE RECORD
FROM THE 278
BOARD OF U. S. LAND COMMISSIONERS,
In Case No. 089.

Filed, August 1st 1855 -
C. E. Carr,
Clerk

278

b8 4 11 5



Maria Antonio Pico
Jose Yrmas Pico
Antonio Maria Pico
Inesemia Pico wife A. F. Pico
Philomenes Pico do L. A. Pombo
the children and heirs of Jose Dolores Pico
John A. Watson
& John Widron

vs
United States

Before the Board of U. S. Commis-
sioners to settle Private Land claims. Being case
on their Docket 689

For the Confirmation of Rancho Balra de San Laze-
tanier lying in the County of Monterey adjoining
the Sea on Bay Coast & on the River Pajaro or Bird
Creek, granted to Jose Dolores Pico & one Ignace
Vallejo both dead

Take Notice that we intend to prosecute our ap-
peal in the above named case to reverse the de-
cision of the Board of Commissioners to ascertain &
settle Private Land claims in the State of Califor-
nia which rejected the above named claim.

To the Clerk of the U.S. Dist. Court,
for the Southern District of California -
& To the U.S. District Atty:
for the Southern District
of California; and to
Monterey, May A.D. 1855.

John Watson
Atty for Claimants

United States District Court
Southern District of California

Maria Antonia Pico

et al appellants

vs

The United States

Appellee

No. 278 Dist Court

Boles de San Cayetano

No 689 Land Commission

To J H Watson Esq

Atty for Appellants

Sir

You will take
notice that on the 7th Inst a Motion
was filed in said Court on behalf of
the Appellee to dismiss the above entitled
cause from the docket for want of
prosecution - and that by order
of the Court the same will be heard
on Thursday the 30th of January 1859

J R Pritchett

U S Dist Atty

W & Atty's Office

Dec 15th 1858

Marshals Return

I served the within notice on J. H. Watson Esq
by giving him a copy of the same this 13th day of Jan-
-uary 1859 at Sateridae, Monterey County

James C. Penne
U. S. Marshal
per John W. O'Neill
Deputy

[Faint, illegible handwritten notes]

Aug 28

U. S. District Court
Southern District of California

Monie Antonio Jones et al

vs
appetts

The United States

appetts

Notice of Motion to dismiss

Filed for filing 19. 1859

J. H. Watson, Esq.
per J. W. O'Neill

Deputy