

CASE No.

288

SOUTHERN DISTRICT

PLEYTO GRANT

W. S. JOHNSON, ET AL

CLAIMANT

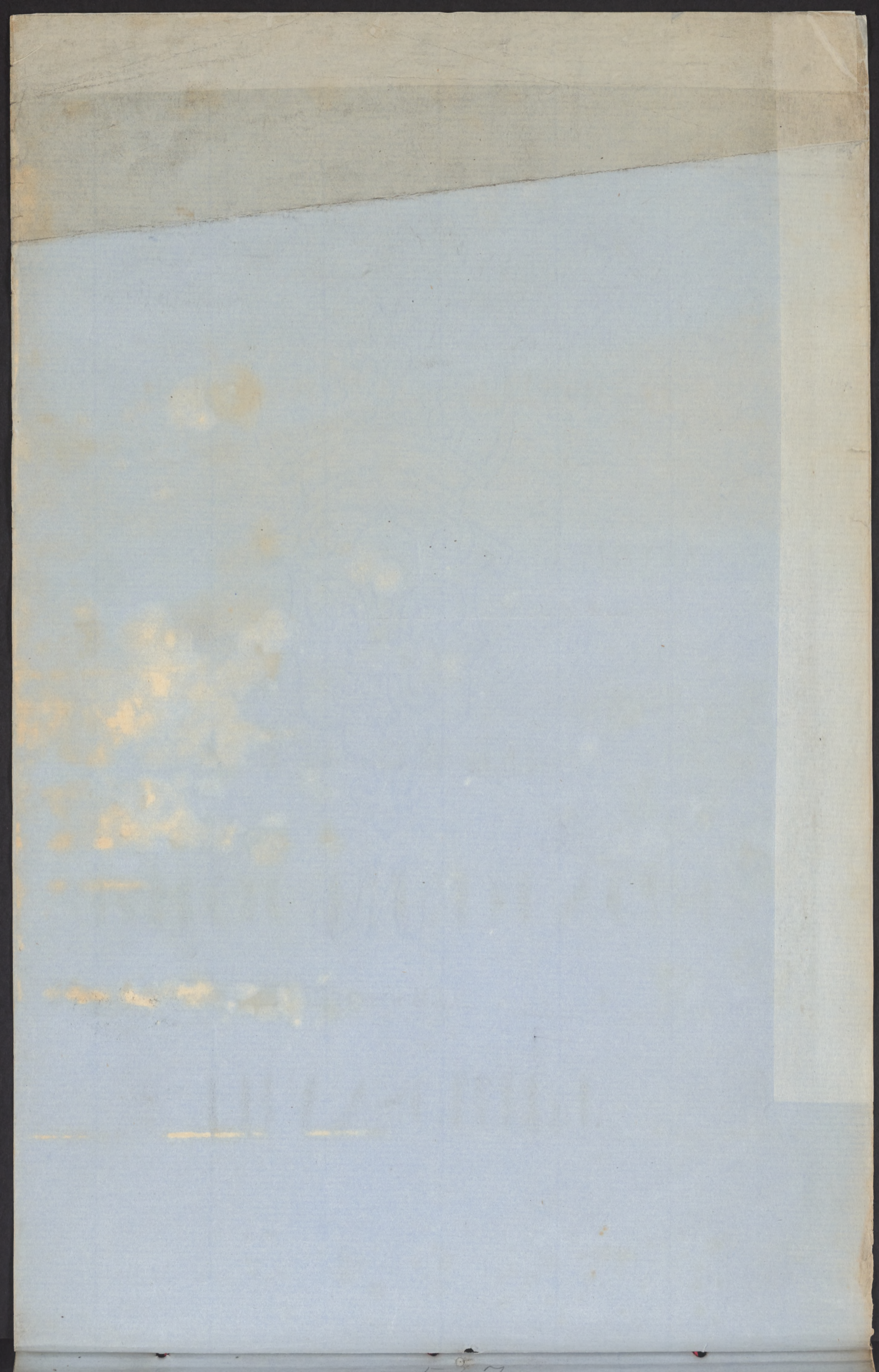
LAND CASE 288 SD 61 pgs.

MAR 20 1963

U.S.A.
SEN. COLTON FISH
GROWER BOND

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567

TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 567

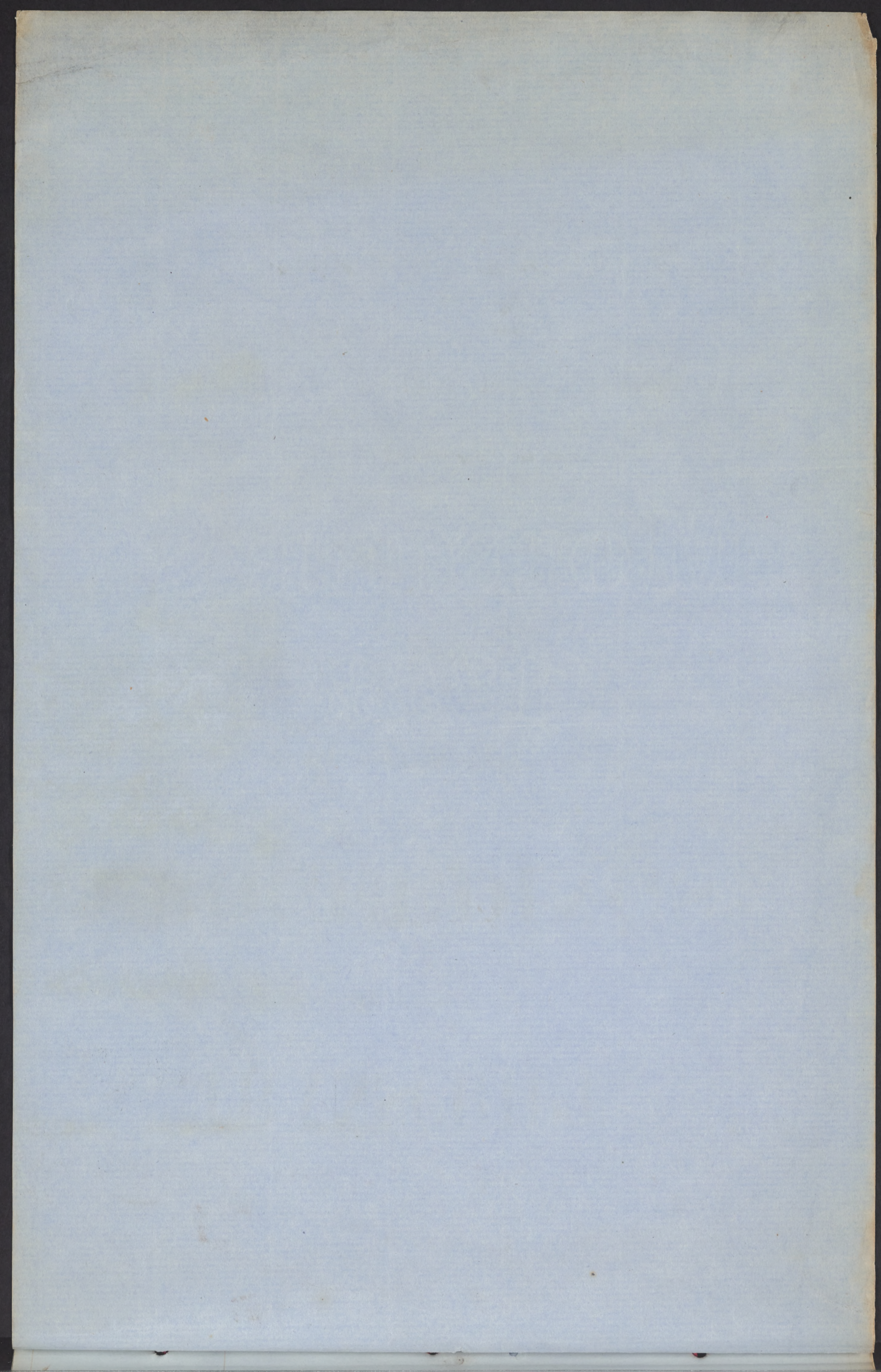
W. B. Johnson et al. CLAIMANT *vs.*

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Peyto



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 *ninth* 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;

The Petition of *W. S. Johnson, et al;* ~
~~~~~ for the Place named  
~~~~~ "*Pleyto*," ~~~~~  
was presented, and ordered to be filed and docketed with No. 567 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 16 1853.
In case no. 567, *W. S. Johnson* for the place named "*Pleyto*," the deposition of *Mariano Soberanes*, a witness in behalf of the claimants, taken before Commissioner *Alcino Hall*, with documents marked *H. H. no. 1 & 2*, annexed thereto, was filed.

(Vide page 11 of this Transcript.)

San Francisco October 8 1853.
In the same case the deposition of *William E. P. Martrell*, a witness in behalf of the claimants, taken before Commissioner *Alphons Felch*, with document marked *A. F. no. 3* annexed thereto, was filed.

(Vide page 7 of this Transcript.)

San Francisco November 5 1853.
In the same case the deposition of *Feliciano Soberanes*

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a witness in behalf of the Claimants taken before Commissioner R. Aug. Thompson, was filed:

(Vide page 13 of this Transcript.)

San Francisco December 5th 1854,
Case no. 567 was submitted without argument and taken under advisement by the Board.

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San Francisco March 6th 1855
In the same case Commissioner S. B. Fairwell delivered the Opinion of the Board rejecting the claim:

(Vide page 47 of this Transcript.)

And the following order was made, to wit:

(Vide page 51 of this Transcript.)

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Petition

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

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The petition of William S. Johnson and Preston H. Woodside of Monterey County California respectfully represents

That on or about the 23^d of June 1845 Antonio Chavis, a Citizen of Mexico and a resident of the city of Monterey petitioned the Governor of Upper California Pio Pico for a grant of a tract or parcel of land called Pleyto near the Mission of San Antonio Tand which said land was vacant and of the extent of three square leagues a little more or less and bounded on the West by the first ford of the River, the boundary of Don Mariano Sobranes land and in the opposite direction by the Nacimiento and by the two remaining sides without prejudice to private property and according to a Map which accompanied said petition

That on the 18th of July 1845 the said Governor Pio Pico granted to the said Antonio Chavis the said tract of land called Pleyto, bounded by the lands of Mariano Sobranes the Nacimiento and vacant lands of the extent of three square leagues as described in his said petition, and delineated and explained by the said Map accompanying the said Petition

That on or about the 18th of August 1845 the said (Jore) Antonio Chavis conveyed to

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to Thomas Sobranes of California, all his right, title, and interest in and to the said tract or parcel of land called Pleyto granted as aforesaid

That about the year 1848 the said Thomas Sobranes died in California intestate and that being unmarried his title in and to said tract of land called Pleyto granted and conveyed as aforesaid, descended to and was inherited by his Father Mariano Sobranes of Monterey County California

That on or about the 14th of February 1850 the said Mariano Sobranes conveyed to his son (Thomas) Guadalupe Sobranes the said tract of land called Pleyto granted and conveyed and inherited as aforesaid

That on or about the 21st of September 1851 the said (Thomas) Guadalupe Sobranes sold and conveyed to your petitioners the said tract of land called Pleyto for a valuable consideration and that on the 21st of October 1851 the said Thomas Guadalupe Sobranes made and delivered another deed of conveyance to your petitioners of the said tract of land called Pleyto which last deed was made to correct the recital of the intermediate transfers from the original grantee Antonio Chavis to him the said Thomas Guadalupe Sobranes and in explanation of the first that Guadalupe Sobranes the Grantee of Mariano Sobranes was named Thomas Guadalupe Sobranes as written in said last deed of conveyance to your petitioners - Copies of the original grant of Governor Pio Pico to Antonio Chavis
of the

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of the conveyance of Antonio Chavis to Thomas Soberanes of Mariano Soberanes (the Father who inherited from his son Thomas deceased intestate) to his son Thomas Guadalupe Soberanes (with translations) and of Thomas Guadalupe Soberanes to your petitioners are herewith presented. Also a duly certified copy of original Expediente and map remaining on file and in charge of Saml. D. King Surveyor General of California with translation.

The premises considered your petitioners pray that the said grant of three leagues of land called Playto lying and being in the County of Monterey California and granted by Governor Pio Pico to Antonio Chavis as aforesaid may be confirmed, and that they have a decree in their favor

And general relief
As in duty bound
(signed)

P. And
Atty. Gen. Petitioners

Filed in Office February 9th 1853
(signed)
Geo. Fisher
Secy

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Deposition
of
W. E. P. Martnell

Office of the Board of
Commissioners &c &c.

This day before Genl. Alpheus. Tulew
came W. E. P. Martnell as Witness in behalf
of the Claimant W. S. Johnson et al. No
5107 who after being duly sworn deposed
follows

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Questions by Mr. Writtenden Atty
for Claimants

1st Question. What are your name
age and place of residence?

Answer My name is William
E. P. Martnell my age fifty five years
and residence Monterey in California

2^d Question Do you know the Rancho
called "Peyto" if yea how long have
you known it where is it situated,

Answer. I know the Rancho
It is situated South of the Mission San-
Antonio and about thirty leagues South
of Monterey I have known the place
since about the year 1854

3^d Question Do you know of the occupancy
of that Rancho by Antonio Chaves or any of the
family of Soberanes. If yea during what time?

Answer. I knew it was occupied by
two brothers Soberanes. The name of one of them
was Guadalupe the name of the other I do not
recollect. The brothers lived in the house on the
place and had a store in the house on the place
and had cattle and horses there. They were
living

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living in it - to the best of my recollection about
the year 1846.

4th Question, Were you acquainted with
Mariano Soberanes and his family?

Answer I knew them well,

5th Question, What relation was he to Gua-
dalupe Soberanes, and to Tomas Soberanes?

Answer He was their Father.

6th Question Is Tomas Soberanes living.

Answer He is dead He died
about four or five years ago I think.

7th Question Did he leave a Widow or
any children?

Answer. He was never married.

8th Question Are you acquainted with the
signature of Mariano Soberanes

Answer, Perfectly well.

9th Question Look on the document now
here presented to you and marked Exhibit N^o
3 with the initials M. S., purporting to be a
conveyance from Mariano Soberanes to Gua-
dalupe Soberanes dated February 14th. 1850
and annexed to this Deposition and state
whether the signature appearing thereon as
that of said Mariano Soberanes is his true and
genuine signature

Answer,

I have examined said docu-
ment and said signature is the true and gen-
uine signature of said Mariano Soberanes.

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Question by Mr. Greenhow Associate
Law Agent.

1st Question. Did Antonio Chaves
ever occupy said land

Answer. I believe that he did
but I never saw him in actual possession.

2^d Question. Was there any house on
the land at the time when you first knew
it?

Answer. There was. It was the same
house afterwards occupied by the brothers
Sobranes. I do not know that Chaves ever
built any house on the land.

Questions by Mr. Willenden

1st Question. Was there more than one
house on the land before Chaves or the
Sobranes went on to it.

Answer. I think there was a
building used as a Cook house, separate
from the main building.

2^d Question. Is the first ford or Pass
of the San Antonio a well known place.

Answer. It is a well known place.

Questions by Mr. Greenhow

1st Question. Was the building above men-
tioned occupied when you first knew the
place, if yes by whom?

Answer. The building when
I first

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I first knew the place was used by the Priests of the Missions of San Antonio and San Miguel when they met together for the purpose of Confession and was frequently used as a resting place for respectable travellers, when the Missions were given up the house was abandoned.

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(Signed)

W. E. P. Martine

Subscribed and sworn to before me at San Francisco this eighth day of October A.D. 1853

(Signed)

Alphon. Pach
Com^r

Filed in Office October 8th, 1853

(Signed)

Geo. Fisher
Secy

Deposition
of
Mariano Soberanes

San Francisco

February 16th 1853

On this day before Com^o. Michael Hall came Mariano Soberanes a Witness produced in behalf of the Claimant W. S. Johnson et al Petition N^o 576 and was duly sworn this evidence being interpreted by the Secretary

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The U. S. Associate Law Agent was present

Ques. 1.

What is your name age place of residence and occupation?

Answer,

My name Mariano Soberanes my age is fifty nine years and I reside in the County of Monterey.

Ques. 2.

Being shown a document marked U. S. N^o 1 and thereto annexed was asked whether he knew the signatures of Pio Pico and Jose M^o Covarrubias upon said document, and if he had seen the said Pio Pico and Jose M^o Covarrubias write, and if the signatures upon said document were true and genuine?

I know their signatures, have seen them write, and believe their signatures on said document to be genuine.

Ques. 3

Being shown document marked U. S. N^o 2 and thereto attached was asked whether he knew the signatures of Francisco Araiza

Araiza, Jose A. Chavis, Ambrosia Gomez,
and Ignio Egior, and if he had seen
the above named persons write and if their
signatures upon said document were true
and genuine.

Answer.

I am acquainted with the
signatures of the said several persons, and
believe their signatures on said document
to be genuine.

Ques 4.

Do you know the Rancho of Pleyto
in Monterey county and do you know when it
was occupied by whom and whether any im-
provements have been made upon said Rancho.

Answer. I know the Rancho - It was first
occupied by Chavis who sold it to one of my
sons named Tomas Soberanes - He died leaving
no children and I was his heir and I made
a present of it to my son Guadalupe and he
sold it. I occupied it under Chavis with cattle
We had a house on it occupied by some In-
dians who cultivated some ground, my son
Tomas occupied it with cattle until his death
in the year, 1849

In answer to question by the Associate
Law Agent the Witness says that Chavis did
not occupy the land before the grant, The house
was built before the grant by the Mission of
San Antonio, My Son Tomas did not own any
land at the time he bought this

(Signed) M^{no} Soberanes

Sworn and Subscribed

Before me, (Signed) William Hall - Com^r
Filed in Office February 16, 1853

(Signed) Geo. Fisher

Deposition
of
Feliciano
Soboranes.

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Office of the Board of
Commissioners &c.

This day before Comr. P. Aug. Thompson
came Feliciano Soboranes a Witness in
behalf of claimants W. S. Johnson et al
N^o 567, who after being duly sworn deposed
as follows,

Testimony on behalf of claimant,
Present Writenden Atty for claimant
and Greenhow Associate Law Agent.

Witness states his name to be Feliciano
Soboranes age sixty five years. Residence
Monterey Co California. (has resided in
California since his birth).

Question by Claimant's Atty

Do you know the Rancho called Pluto
claimed in this case if so state where it is
situated and all you know in relation to
the occupation and improvement of the same
by Thomas Soboranes.

Answer.

I know said Rancho it is
situated in the county of Monterey adjoining
the Rancho of Mariano Soboranes called
Ojitos and by the river called Nacimi-
ento. Thomas Soboranes bought it in
1845 from Antonio Chaves - Immediately
after the purchase Soboranes went upon
the land built a new house and repaired
the old ones formerly belonging to the Mis-
sion and stocked it with cattle and horses
and lived on it. He cultivated portions of
the land - He continued to live there about
a year

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in year; afterwards it was occupied by his brothers for him until his death - after his death his brother Guadalupe continued the occupation until he sold it to the present claimants)

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Question by same

Do you know the Southern boundary of Los Ojitos which also bounds the Rancho claimed in this case if so describe it

Answer. I know said boundary - it crosses the San Antonio River at or near a point known as El Miner Passo de San Antonio - said Passo or Ford is a well known point and the name of it is an ancient one.

Question by same

Does any stream running along the Southern boundary of this Rancho, if so what is it called,

Answer.

There is such a Stream on said boundary it is called the Nacimiento

(Signed)

Feliciano Soberanes

Sworn to and subscribed before me Nov 5th 1853

(Signed)

R. Aug Thompson
Clerk

Filed in Office November 5th 1853

(Signed)

Geo Fisher
Secy

1. 15-

1845.

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Expediente promovido por Don

Antonio Chaves, en pretencion del terreno llamado

el Pleito.

Copy of Expediente
de title.

157.

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3204.

E. S. Gobernador.

Antonio Chaves, Mexicano por nacimiento y vecino de la jurisdiccion de Monterrey ante V. E. con el debido respeto y como mas halla lugar en derecho ponesco y digo: que teniendo comprado algunas tierras de campo sin contar con un terreno en que ponerlos para su adelanto he de merecer de V. E. me conceda el parage nombrado Pleito que se halla baldio en terreno del establecim^{to} de San Antonio en estension de tres sitios de quauales Mayor por lo mas o menos, colindante por el Oeste con el primero paso del Rio Luiseno del terreno de D^o Mariano Sobranes y por el rumbo opuesto con el nacimiento, y por los otros lados restantes sin perjudicar de propiedad particular a cuyo efecto acompaño el dicho respectivo.

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P. S. P. S. Suplico se oblige admitir esta en papel comun por no haber del sellado correspondiente y proveer en mi favor de lo cual recibire reconocido Juramento de.

Angeles. Junio 29. de 1818.
Antonio Chaves.

3204.

El Ciudadano Pio Pico Gobernador Interino del Departamento de las Californias.

Por cuanto D^o Antonio Chaves ha presentado para su beneficio personal y el de su familia el terreno conocido con el nombre de Pleito, demarcado el mismo que acompaño a su solicitud: colindante con las tierras de Don Mariano Sobranes y con el nacimiento y tierras baldias: practicadas previamente las diligencias y averiguaciones correspondientes segun lo dispuesto por leyes y reglamentos: mandos de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado: declarandole la propiedad de el por las presentes letras suyaudadas a las condiciones siguientes.

1^o Podra sercarlo sin perjudicar las transeias comunales y servidumbres: lo disfrutara libre y esclusivamente destinandolo al uso o cultivo que mas le acomode, pero dentro de un año lo habitará y cultivara.

2^o La jurisdiccion del Juez respectivo que habi la posesion juridica en virtud de este despacho

S. A. 7

por el cual se demarcaran los linderos en cuyos límites
perteneció a unas de las mencionadas algunos árboles
frutales o silvestres de alguna utilidad.

3º El terreno de que se hace donación es de
buen sitio de ganado Mayor por lo cual se me ha
explicado el dibujo respectivo.

En consecuencia mandado que se le
dote de título al presente y teniéndolo por firme y
valedero se tome razón de él en el libro respectivo
y se entregue al interesado para su resguardo y
demás fines.

Dado en la Ciudad de los Angeles a diez
y ocho de Julio de mil ochocientos Cuarenta y cinco.

Queda tomada razón de este título en el libro
respectivo.

Angelés. Mayo 8 de 1846.

Dado cuenta en Sesión de hoy en este Expediente
a la Excm. Asamblea Departamental y se mandó
pasar a la Comisión de Terrenos baldíos.

Dio P. V. Agustín Oberra.

Señor.

La Comisión de terrenos baldíos se ha impuesto del
antecedente Expediente promovido por el C. Ant.º
Chaves del paraje conocido con el nombre del
Pleito que le fué concedido por el Sup. Gobierno
Departam.º con fecha 18 de Julio del año p.º p.º
la Comisión aiente que no constan en expediente
los informes que son de estilo de Comisión y toman
de razón: no dudará por esto la Comisión que el Gobierno
al mandado extender lo había en concepto de haberse
corrido los trámites de estilo que otra parte
en este paraje al pleito había una casa bastante
regular perteneciente a la Misión de S. Antonio
que sin duda es la que se ve en el dibujo y por
esta el interesado de la que se hubiera hecho
mención en las obligaciones o informes respectivos.

En este concepto la Comisión lo hace presente en
este expediente, y así mismo pone a la deliberación
del V.º la proposición siguiente.

El Gobierno Departamental dispondrá
de el presente Expediente pase a la deliberación
las autoridades de aquella Jurisdicción a informe
y al encargo de la de S. Antonio para que
obligo el estado en que se haya o aquella forma

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y. 1846

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al tiempo de su concecion y para su abaloi respectivo
e indemnizacion a quella Comunidad, para evitar entouces
en lo relativo a este expediente para que en su caso asi
pueda recuar la aprobacion respectiva.

Sala de Com. en la Ciudad de los Angeles
Junio 10 de 1846.

L. Argüello.

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Here follows a map or plan.

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 custody a portion of the archives
of the former Spanish and Mexican Territory
or Department of Upper California do hereby
certify that the eight preceding and hereunto
annexed pages of tracing paper, numbered from
one to eight inclusive and each of which is verified
by my initials (S. D. K.) exhibit true and accurate
copies of certain documents now on file and
forming part of the said archives in my 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 sixteenth day of October A.D. 1851

Samuel D. King
Surveyor Gen. Cal.

Filed in Office. Feby. 9th 1853.

Geo. Fisher Secy

Translation
Expediente

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567-Sub

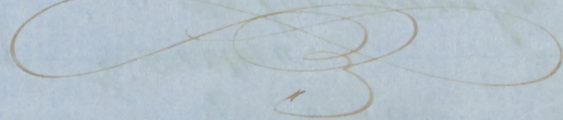
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Most Excellent Senior Governor
 I Antonio Chaves a Mexican
 by birth and a resident of the jurisdic-
 diction of Monterey, with due respect
 and as the law may best allow me
 appear before Your Excellency and say
 that having purchased some cattle
 and horses and having no land to
 put them on, that they may increase
 I request Your Excellency would grant
 me the place called Pleyto which lies
 vacant in the lands of the Establishment
 of San Antonio of the extent of three
 square leagues (tres sitios de ganado
 mayor) a little more or less bounded
 on the west by the first part of the
 River, the boundary of Don Mariano
 Soberanes land and in the opposite di-
 rection by the Nacimiento and by the
 two remaining sides without prejudice
 to private property to which effect I
 accompany the respective plot
 I therefore beg that Your
 Excellency would be pleased to admit
 this petition on common paper there
 being none of the proper seal and decree
 in my favor, for which I will live
 grateful, swearing &c &c

Angeles, June 23^o. 1845

(Signed)

Antonio Chaves



Citizen Pio Pico Governor ad interim
of the Department of the Californias

Whereas Don Antonio Chaves has solicited for his personal benefit and that of his family the land known by the name of Fleto, delineated on the plot which accompanies his petition bounded by the lands of Don Mariano Sobranes & the Nacimiento and vacant lands, the necessary steps and investigations having ^{been} previously taken and made in conformity with the requirements of laws and regulations, I have by virtue of the powers conferred upon me granted unto him said land in the name of the Mexican Nation declaring unto him the ownership thereof by these presents letters subject to the following conditions

1st He may surround it without prejudice to the crossings, roads and privileges he shall enjoy it freely and exclusively destining it to the use or cultivation which may best suit him but within one year he shall inhabit and cultivate it

2^a He shall request the respective Justice to give him judicial possession thereof in virtue of this title, said Justice shall designate the boundaries at the limits whereof the grantee shall besides placing his land marks - plant some fruit trees or wild ones of some utility

3^d The land whereof donation is made consists of three square leagues (tres sitios de ganado mayor) a little more or less as appears

pears by the respective plot.

I consequently command that these presents serving him for a title, be held as firm and valid be recorded in the respective book and be delivered to the party interested for his security and further end Given at the City of Los Angeles on the Eighteenth of July eighteen hundred and forty five

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A copy of this title has been made in the respective Book

Los Angeles May 8th 1846

In to days Session this Expediente was laid before the Most Excellent Departmental Assembly and it was ordered to be referred to the Committee on vacant lands

(Signed) Pio Pico

President

(Signed) Agustin Olvera
Member of the Assembly
and Secretary

Sir

The Committee on vacant lands has examined the foregoing Expediente commenced by Citizen Antonio Chavez respecting the place known by the name of Pleyto, which was granted to him by the Superior Departmental Government on the 18th of July of last year -

The Committee remarks that there do not appear in this Expediente the customary reports on the petition followed by the title of concession

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of concession and record nevertheless the Committee does not doubt but that when the Government ordered said lot to be made out it did so on the supposition that the necessary proceedings had been complied with here as they there was in the said place of the Polys a pretty good house belonging to the Mission of San Antonio, which without doubt is the one which appears in the plot presented by the party interested, which would have been mentioned in the respective proceedings and reports. In this belief the Committee mentions it in this report and at the same time offers to the deliberation of Your Excellency the following proposition

The Departmental Government will order the present Expediente to be remitted to the Authorities of that jurisdiction to be reported on and to the Person in charge of San Antonio in order that they may say in what condition that house was in at the time the grant was made so that it may be valued and that community be indemnified, to avoid questions relative to this Expediente to the end that after these proceedings are concluded the respective approval may be given

Committee Chambers in the City of
Los Angeles June 10th 1846

(signed)
S Argüello

I the undersigned do hereby certify
the foregoing to be a true and faithful
translation of a fac-simile of the original
certificat to on the 16th of October 1851
by Saml. D. Young Esq. United States
Surveyor General for California

(Signed)

Mr. E. P. Hartnell
State Translator

State Translators Office
Patrocinio 12th Dec. 1851

Filed in Office February 9th 1853

(Signed)

Geo. Hester
Secy

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1871
1872

El Ciudadano Pio Pico Gobernador Interino del Departamento de las Californias.

Por cuanto D^o Antonio Chaves ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Pleyto, Demarcado en el diseño que acompaño a su solicitud estubo ante con las tierras de D^o Mariano Sobranes, y con el nacimiento y tierras baldias: practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas a nombre de la Nacion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el por las presentes letras sujetandose a las condiciones siguientes

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Doc. No. No. 1.
and to the Dep.
of M. Sobranes
taken before Com.
Philouel Hall.

1.^a Podra cercarlo sin perjudicar las traversias Caminos y servidumbres: lo disfrutara libre y esclusivamente destinandolo al uso o cultivo que mas le acomode pero dentro de un año lo habitara y cultivara.

2.^a Solicitara del Jefe respectivo que le de la posesion definitiva en virtud de este despacho por el cual se demarcaran las lindes en cuyos limites podra o mas de las maderas algunos arboles frutales o silvestres de alguna utilidad.

3.^a El terreno de que se hace mencion es de tres ochos de ganado Mayor pero mas o menos segun explica el diseño respectivo.

En consecuencia usando que sirviendole de titulo el presente y teniendose por firme y valiendo de tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y otras fines. Dado en la Ciudad de los Angeles a diez y ocho de Julio de mil ochocientos cincuenta y cinco. Pio Pico.

Jose M^o Covarrubias. Sec.
Que esta tenida razon de este Superior despacho en el libro respectivo.

Angel. fha. ut supra.
Covarrubias.

Received for record 22nd September 1851 at 3.30 P. M.
Recorded in Deeds of Grant C. page 54.
P. N. Noviside.

Filed in office. Feby. 16. 1853. Co. Recorder. Monterey.
Geo. Walker. Sec.

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1/2

1/2

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Translation
of
Grant

The Citizen Pro Pico Governor ad in-
-term of the Department of the Californias

Whereas Don Antonio Chaves has
solicited for his personal benefit and
that of his family the land known by the
name of Playto delineated on the plot
which accompanies this petition, bounded
by the lands of Don Mariano Sobranes
the Nacimiento and vacant lands, the
necessary steps and investigations having
been previously taken and made in con-
-formity with the requirements of laws and
regulations. I have by virtue of the powers
conferred upon me granted unto him said
land in the name of the Mexican Na-
-tion declaring unto him the ownership
thereof by these present letters

1^a He may surround it without
-prejudice to the crossings, roads and pri-
-vileges he shall enjoy it freely and ex-
-clusively, destining it to the use or cul-
-tivation which may best suit him, but
within one year he shall inhabit and
cultivate it

2^a He shall request the respective
Justice to give him judicial possession
thereof in virtue of this title, said Justice
shall designate the boundaries at the
limits, whereof the Grantee shall besides
placing his land marks plant some
fruit trees or wild ones of some utility

3^a The land whereof donation is made
consists of three square leagues (tres sitios de
ganado

ganado mayor) a little more or less as appears by the respective plot

I consequently command that these presents serving them for a title, be held as firm and valid be recorded in the respective book and be delivered to the party interested for his security and further ends,

Given in the City of Los Angeles on the Eighteenth of July of One thousand Eight Hundred and forty five
(Signed) Pio Pico

(Signed) Jose M^a Covarrubias
Secretary

A copy of this title (Superior despacho) has been made in the respective book Angeles, date above
(Signed) Covarrubias

Received for Record 24th September 1851 at 3.30 P.M. Recorded in "Books of Grants C" page 54.
(Signed) P. N. Woodrill
County Recorder
Monterey Co

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Ello Cuarto Dos Reales.

Habilitado provisionalmente por la Administracion de la Armada Maritima del Puerto de Monterrey en el Departamento de las Californias, para los años de mil ochocientos Cuarenta y cuatro y mil ochocientos Cuarenta y cinco.

México Mexico.

Pablo de la Guerra.

Doc. H. N. No. 2. (Seal)
and to the Depo
of. M. Sobranes
taken before
Comm. William Wab.

En el Puerto de Monterrey de la Alta California a las diez y ocho dias del mes de Agosto del año de mil ochocientos Cuarenta y cinco ante mi Frac^{to} Arriba Alcalde Segundo Constitucional y pri-
-mero Interino de esta Jurisdiccion y ante las
testigos de asistencia con quienes se tiene en la forma
establecida a unos de los instrumentos de que al
fin se hara mención parecio de presente Don José
Antonio Chavez cuyo persona doy fe conoseo y ségo
que por si y a nombre de sus herederos y sucesores
y de quien de ellos tubiere título voz y fama en cual
-quiera manera hace seccion Solemne, publica y
perpetua a D^o Tomas Sobranes, que tambien doy
fe conaseo del derecho que le asiste en el terreno con-
-ocido con el nombre de Pleito para que lo posea
y sea reconocido como propiedad suya firme,
perpetua y valedera sin que nadie pueda inter-
-umpirse en su posesion de el mismo como de el
-ano no tenerlo vendido, enagenado ni empeñado
gravamen publico, perpetuo, temporal especial
general tacito o expreso y como tal se lo levo al
referred Don Tomas Sobranes para cuyo efecto
renuncia la ley Cuarta, título siete libro quinto
de la recopilacion y las Demas que ablan de la
-ccion en mas o menos de la mitad del yarto
precio y los Cuatro años que prescriyan para pedir
su rescion o suplemento los que oia por litigios
y desde hoy en adelante se dispone para siempre
del dominio o seccion, título recurso u otro qual
-quiera derecho que se competia al enunciado
terreno, y lo renuncia y traspassa en poder del
ya expresado Señor Sobranes con sus herederos poder
irrevocable con libre franca y general administracion
para que de su autoridad apruebe la posesion
y posesion pacifica. Ya la observancia de todo
lo referido obliga sus bienes presentes y futuros

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y con ellos se somete al fuero y Jurisdiccion de los Señores Jueces que de sus causas pueblan y olean conocer conforme a derecho para que a su cumplimiento lo compelan y apremien como por sentencia definitiva, consentida y pasada en autoridad de Cosa juzgada: Renunció las leyes de su fuero y la general del derecho en toda forma al mismo tiempo agrega a la presente escritura el título de Concesion que tiene otorgado por el sup^r Gobierno de este Departamento o igualmente el diseño que ambas cosas oyo fe haber visto. En cuyo testimonio así lo otorgó y firmó con miyo y los de asistencia, siendo los instrumentales Dⁿ José Abrego Dⁿ Rafael Gubales y Dⁿ Pedro Narvaez presentes y vecinos que oy fe.

Francisco Arriola.

De att^a. Antonio Gomez.

José A. Chaves.

De att^a. Ignacio Lopez.

Received for Record 24th September 1851 at 3.30. P.M.
 Recorded in County Courtyouces "A" page 291.

W. W. Campbell.

C. Recorder. Monterey Co.

Filed in office. Feb 16. 1853.

Geo. Fisher. Secy.

1851
 1852
 1853

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Translation
of Deed
from
José Ant^o Chaves
to
Tomás Soberanes

Fourth seal # Two Reals
Provisionally supplied by the Maritime
Custom House of the Port of Monterey in
the Department of the Californias for the
years 1844 and 1845
(Signed) (Signed)
Michellorana Pablo de la Guerra

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In the Port of Monterey of
Upper California on the 18th day of the month
of August of the year 1845 before me
Francisco Araiza second Constitutional
Alcalde and provisionally first (Alcalde)
of this place and before the Assisting
Witnesses with whom I act in the es-
-tablished form and of the parties (instru-
-mentals of whom hereinafter mention
will be made appeared present Don
José Antonio Chaves personally known
to me and says that in his own name
and that of his heirs and successors
and any of them having voice interest
and repute in any manner whatever
the matter grant (Chase seccion) solemnly
publicly and forever to Don Tomás So-
-beranes also known to me of the right
which is vested in him (y le asiste)
in the land known by the name of
(Pleito) that he may possess it and that
it be recognized as his property, secure
perpetual and binding (validada) besides
which that no one can interfere with him
in the

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PAGE 30

in the possession thereof declaring as he does that he has neither heretofore sold alienated nor mortgaged the same and that it is free from all incumbrances (gravamen) public perpetual, temporary special general implied or expressed and as such He grants it (se lo cede) to the said Don Tomas Sobranes for which purpose he renounces the 4th law 7th title 5th Book of the Collection of Laws. (Recopilacion) and of such others as speak of the grant in more or less than the half of the just price, and the four years during which a grant so made may be in demand annulled which time is hereby considered as passed and from to day in future He dispossesses Himself forever of the ownership or grant, title, recourse or whatever other right he may have claim to in the said Land, and he renounces and transfers it to the possession (poder) of the said Sobranes conferring upon him irrevocable power with free, liberal and general administration in order that of his own authority he may acquire the occupation and possession, that of right belongs to him - the Senor Charles obliging Himself to the effect that this grant is certain sure and effective that no person shall disturb him nor institute suit in law and in case otherwise that he will defend him until he is left in peaceable possession and to the observance of all the foregoing he holds liable his present and future property

property and with them submit himself to the power and jurisdiction of the Justices who can and ought take cognizance thereof according to law in order that to their fulfillment they may compel and oblige him as if by final sentence agreed upon and executed in authority of a suit adjudicated - He renounces the laws in his favor and the general law of right in every form at the same time he aggregates to this document the title (or grant) (titulo de conceccion) that was given him by the Supreme Government of this Department and also the maps, which two documents were seen by me

In testimony whereof this it was contracted (or covenanted) (otorgo) and signed with me and the assistance there being Don Jose Abrego, Don Rafael Gonzalez, and Don Pedro Murvay present inhabitants to whom I give credence.

(signed) Fran^{co} Araujo

de as^a (assistant)

(signed) Ambrosio Gomez

(signed) Jose A. Chaves

de as^a (assistant)

signed Ign^o. Esquivel

Received for Record 22^o Sep^r 1851
at 3.31 P.M. Recorded in Courtyaues
"A" page 291

signed J. J. Woodruff
Co. Recorder
Monterey Co.

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1809

Handwritten text at the bottom edge of the page, partially obscured by the binding.

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Habiendo fallecido mi hijo Juan Sobranes al testamento, soy yo el abajo firmado padre del finado su legitimo heredero segun derecho y por lo tanto todos sus bienes me pertenecen. Entre otros esta comprendido el Rancho de "Pleito" como se puede ver por los titulos que se acompañan el cual cedo con todos los derechos que sobre el tengo a mi hijo Guadalupe Sobranes, sus herederos y sucesores para siempre y para que nadie le ponga obstaculo ni lo moleste en su posesion, doy el presente documento firmado con mi propia mano en Monterrey a 14 de Febrero de 1850.

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Exhibit No 3. of annexed to Depo. of W. E. P. Hartnell.

Mariano Sobranes.

Arguato de Monterrey.

Noté en
Mariano Malatin Juan de 1^a Justicia.

Los que suscribimos hijos de Don Mariano Sobranes damos nuestro pleno consentimiento para la donacion que hace nuestro Padre y se expresa en este documento a fin de que les sea a nuestro hermano Guadalupe Sobranes firme, segura y validera la prasion del Rancho del Pleito. En cuyo testimonio asi lo otorgamos y firmamos hoy a las 10 de febrero del año de mil ochocientos cincuenta.

Mariano Sobranes. Jose Ygnacio Sobranes.
Victor Sobranes. Juan Sobranes.
Serguiel Sobranes.

State of California
{ County of Monterrey. } On this 31st day of August A.D. 1852 personally appeared before me a notary Public in and for said County, Mariano Sobranes to me personally known, who acknowledged that he executed the foregoing instrument on the first page of this sheet, freely and voluntarily and for the uses and purposes therein mentioned.

D. R. Ashley.
Notary Public.

Filed in Office. Feby. 16th 1853.

Geo. Fisher. Secy.

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Translation
of Deed
Mariano Soberanes
to
his son
Guadalupe Soberanes
14th Feb. 1850

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My Son Thomas Soberanes having died
intestate I the undersigned father of the
deceased, his legitimate heir by law
and as such this property belongs to me
among this is comprised the Rancho of
the "Pleito" as can be seen by the title
which accompany, which I cede with
all the rights which I have to the same
to my son Guadalupe Soberanes his heirs
and assigns for ever, And in order that
none may place obstacles or molest him
in his possession I give the present doc-
ument, signed with my own hand in
Monterey on the 14th February of 1850
(Signed)
Mariano Soberanes

Court House of
Monterey. Before me
(Signed) Mariano Malerin
Judge of 1st Instance

We the undersigned Sons of Don Mar-
iano Soberanes give our full consent
to the gift which our father makes
and this document expresses, in order
that to our brother Guadalupe Soberanes
the possession of the Rancho of the Pleito
may be secure safe and effective
In testimony whereof we thus
sign and seal this four-
teenth day of February of the
year. One thousand Eight
hundred and fifty (Signed)

(Signed) Mariano Soberanes

(Signed) José Ygnacio Soberanes

(Signed) Victor Soberanes

(Signed) Juan Soberanes

(Signed) Ezequiel Soberanes

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State of California
County of Monterey
On this 31st day of August
AD 1852, Personally appeared before
me a Notary Public in and for said
County Mariano Soberanes, to me personally
known who acknowledged that he executed
the foregoing instrument on the first page
of this sheet freely and voluntarily and
for the uses and purposes therein men-
-tioned



(Signed) O. P. Ashley
Notary Public

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Conveyance
 Tomas Soberanes
 to
 William S. Johnson
 Preston F. Woodside

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This Indenture made and entered into at the City of Monterey, State of California this twenty fourth day of September A.D. One thousand eight hundred and fifty one
 Between Tomas Soberanes of the Township of San Antonio, County of Monterey and State aforesaid of the first part and William S. Johnson and Preston F. Woodside of the city of Monterey aforesaid of the second part.

Witnesseth that the said Tomas Soberanes for and in consideration of the sum of Two thousand, one hundred and ninety three dollars and sixteen cents (\$2193. $\frac{16}{100}$) to him in hand paid by the said parties hereto of the second part the receipt of which sum he doth hereby acknowledge and forever acquit the said parties hereto of the second part, hath granted bargained sold and conveyed, and by these presents doth grant bargain sell and convey unto the said parties hereto of the second part and unto their heirs and assigns All that the Rancho or Farm known by the name of "Playto" situated in the Valley of the Salinas County of Monterey adjoining the Rancho of Don Mariano Soberanes and the Nacimiento and of the Extent of three Spanish leagues of land (Tres sitios de ganado mayor) little more or less the exact extent thereof being more fully known by reference to the Map of the same which accompany the record thereof in the Government Archives, the same Rancho or Farm having been

been derived to the said Tomas Sanchez from José Antonio Chaves, by deed dated 11th August 1843 and duly recorded and to the said Chaves from Pio Pico (Gobernador interino de las Californias) by deed of grant dated 18th July 1845 and on record in the Government Archives.

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Together with all the houses out-houses, corrals, bridges ways, woods, waters water courses, and all and every the rights privileges and appurtenances thereunto belonging or in any wise appertaining,

To have and to hold the same unto the said parties heirs of the second part and their heirs and assigns forever. And the said Tomas Sobreros for himself his heirs executors administrators and assigns doth hereby covenant promise and agree to and with the said parties heirs of the second part, their heirs and assigns that he is lawfully seized in and possessed of the said Rancho or Farm and appurtenances and has good power and lawful authority to sell and transfer the same; that the said Rancho or Farm is not encumbered or mortgaged in any manner or form whatever, and he by these presents covenants for himself his heirs executors and administrators to warrant and defend the same to the said parties of the second part, their heirs and assigns in their title thereto from and against the legal claims of any person or persons whatever claiming or to claim the same or any part thereof. In testimony whereof the said

The said Tomas Soberanes, party
hereto of the first part hath
hereto set his hand and seal
the day and year first-aforsaid.

(Signed)

Tomas G. Soberanes

Signed sealed and
delivered in presence
of — the word
"first" erased and the
word second interlined
over the same before
execution

(Signed) D. P. Ashley

(Signed) James. Stokes

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State of California
County of Monterey

On this 22 day of September
AD 1857 personally appeared before me
a Notary Public in and for said County
Tomas G. Soberanes to me known to be
the person described in and who executed
the above and foregoing conveyance who
acknowledged that he made and executed
the same freely and voluntarily and for
the uses and purposes therein mentioned



(Signed) D. P. Ashley
Notary Public

Filed in Office February 16th 1858

(Signed) Geo. Fisher

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Conveyance
 Tomas V. Sanchez
 to
 Preston H. Woodside
 William S. Johnson

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This Indenture made and entered into
 at the City of Monterey, State of California
 this twenty first day of October A.D.
 One thousand Eight Hundred and fifty
 one,
 Between Tomas Guadalupe Soberanes
 of the Township of San Antonio, County of
 Monterey and State aforesaid of the first
 part and William S. Johnson and Preston
 H. Woodside of the city of Monterey aforesaid
 of the second part. Whereas the said Tomas
 Guadalupe Soberanes did by conveyance
 dated 24th September 1851 convey to the
 said parties of the second part the hereinafter
 described property and having been
 derived to him from Jose Antonio Chavez
 by deed dated 18th August 1845, and
 whereas the said Tomas Guadalupe Soberanes
 did not at the time of executing the
 said deed perfectly understand that portion
 thereof in which it is stated that the property
 so hereinafter described was derived
 to him from the said Jose Antonio Chavez,
 And the said property so conveyed not
 having been directly derived to the said
 Tomas Guadalupe Soberanes from the
 said Jose Antonio Chavez, but to one
 Tomas Soberanes who died in the year 1848
 in Sonoma California in state and whose
 father and sole heir at law Mariano
 Soberanes having transferred to the said
 Tomas Guadalupe Soberanes under the
 name only of "Guadalupe Soberanes" the
 said property so hereinafter described and
 hereinbefore referred to by deed dated 11th
 February 1850. And the said Tomas Guadalupe

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Quadruplo Sobranes, the better to secure to the said parties Guarito of the second part in their Title to the said property so hereinafter described has determined to give them this the second deed of transfer of the said property with the aforesaid explanation of the derivation and ownership thereof by him.

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Now this Indenture, Witnesseth that the said Tomas Guadalupe Sobranes for the consideration expressed in the aforesaid deed of conveyance expressed in the aforesaid deed of conveyance of the 21st day of September 1837 and for the further consideration of one dollar the receipt of which is hereby expressly acknowledged hath granted bargained sold and conveyed and by these presents doth grant bargain, sell and convey unto the said parties of the second part and their heirs and assigns forever, All that the Rancho or farm known by the name of Playto situated in the valley of the Salinas near San Antonio Mission, Monterey county adjoining the Rancho of Don Mariano Sobranes and the River Nacimiento and of the extent of Three Spanish leagues of land (tres sitios de ganado mayor) little more or less, the exact extent thereof being more fully known and the boundaries delineated by reference to the Map of the same which accompany the record thereof in the Archives of the Government, the said Rancho or farm having been derived to the said Tomas Guadalupe Sanchez under the name of

Guadalupe

State of California
County of Monterey

On the 21st day of
October AD 1851 personally appeared
before me as Notary Public in and for
said County J. Guadalupe Sobranes
to me known to be the person described
in and who executed the foregoing con-
veyance who acknowledged that he exe-
cuted the same freely and for the pur-
poses therein mentioned and that he well
understood the same it being an amended
conveyance as therein stated

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(Signed)
G. H. Ashley
Notary Public

Filed in Office February 16th 1853
(Signed) Geo. Fisher

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Guadalupe Soberanes as before said from
Marciano Soberanes The father and sole
Heir at Law of Tomas Soberanes decea-
sed by deed dated 14th February 1850
the same was derived to the said ^{Tomas} Sober-
anes deceased from the said Jose Ant^o leaves
by deed dated 18th August 1845 and was
derived to the said Jose Antonio Chavez
from Pio Pico (Governador interino de
las Californias) by deed of concession
dated July 18th 1845 and on record
in the said Government Archives

To have and to hold the said
Rancho or farm together with all houses
out-houses, corrals, bridges, ways, woods,
waters, water courses and all and every
the rights, privileges and appurtenances
thereunto belonging or in anywise apper-
taining unto the said parties of the second
part their heirs and assigns to their
sole and absolute use and disposal forever.
In Testimony whereof the said
Tomas Guadalupe Soberanes
thath to this second and ad-
ditional deed of conveyance
to the said parties of the
second part of the Rancho or
farm and appurtenances therein
before described, set his hand
and affixed his seal the day
and year first aforesaid

(Signed)

T. Guadalupe Soberanes

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Opinion

W. J. Johnson et al
vs
The United States

For the place
called "Pilito"
in the County
of Monterey con-
taining three square
leagues.

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The Claimants in this case has offered in evidence in support of his claim a grant issued by Pio Pico Governor on the 28th day of July 1843 to one Don Antonio Chavez also a deed of conveyance from the said Chavez to one Don Tomas Sobrosanes bearing date the 28th day of August, 1843.

The place is described in the grant as being "bounded by the lands of Don Mariano Sobrosanes and by the Vacimientos and vacant lands" which constitutes the only description of the land intended to be granted to be found in the proofs on file in the case - There is no proof of any judicial measurement or possession, nor any evidence of any segregation of the land so as to enable this Board to form any idea as to the boundaries or locality of the land for which the Petitioners ask confirmation.

We are therefore of the opinion that the claim is invalid and a Decree adverse to the claim will be entered.

Rejected

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Decree

W. S. Johnson et al
vs
The United States

On this case on hearing
the proofs and allegations it is adjudged
by the Commission that the claim of
the Petitioner is not valid and it is
therefore decreed that his application
for a confirmation thereof be denied
(Signed)

Alpheus. Stock

(Signed)

P. Aug. Thompson

(Signed)

S. B. Farnwell

Commissioner

Filed in Office March 10th 1835
(Signed)

Geo. Fisher
Secy

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1844
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Order

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It appearing to the satisfaction of
this Board that the land 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. 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.

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Office of the Board of Commissioners,

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

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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
following *Fifty one* pages, numbered from
57, 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, Case No. *507* on the Docket of the said Board,
wherein *W. S. Johnson, et al,* are

the Claimant against the United States, for the place known by
the name of "*Keyto*"

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 *August*
A. D. 1854, and of the Independence of the
United States of America the *seventy-eighth*

Geo. Fisher

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

No. 288.

THE UNITED STATES,

vs.

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W. S. Johnson, et al.

"Pleysto."

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 567.

Filed, *Oct 4th* 1855.

*J. E. Carr,
Clerk.*

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19-8-1855



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

W. S. Johnson et al
Appellants
vs
The United States
Appellees

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William S. Johnson and Preston K. Woodside
claimants of the Rancho called "Pleyto"
situated in the county of Monterey in the
Southern District of the State of California,
heretofore give notice of their intention to
prosecute an appeal from the decision
of the Board of U.S. Land Commissioners
to ascertain and settle private land
claims in the State of California, made
in their claim for the said land,
negotiating the same. Said claim being
numbered on the docket of said Board
No 567. The Transcript whereof as filed
in the office of the Clerk of the District
Court of the United States for the
Southern District of California, is
numbered, 288.

Augustin Bluer
Att'y for appellants.

No. 288.
W. S. Dist Court
Southern Dist of Cal?

W. S. Johnson et al
Appellants
vs

The United States
Appellee

Appeal notice

Filed Nov. 24 1855

C. C. Carr Clerk

By James R. Dummer
288 SD Deputy

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Agustin Oberea Attorney

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

W. S. Johnson et al }
Appellants }
vs } No. 288.
The United States }
Appellee } "Pleyto"

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To the Hon Isaac S. K. Ogier District
Judge of the United States for the Southern
District of California,

Your petitioners W. S.
Johnson and Preston K Woodside residents
of the county of Monterey in said District
respectfully represent that they were the
claimants before "the Board of United
States Land Commissioners to ascertain
and settle private land claims in the
State of California" in case No 567, for
a tract of land situate in said county
and District, containing three square
leagues of land, a little more or less,
and known by the name of "Pleyto"

That said tract of land
was granted to one Antonio Chaves by
Pio Pico then Constitutional Governor of
California, by virtue of authority in
him vested, on or about the 18th day of
July A.D. 1845. And that the title and
claim to said land is now, and was at
the time of the presentation of their
petition to the said Board of Land
Commissioners, vested in your petitioners

as more fully appears by said petition
a copy of which is contained in the Trans-
cript on file in this case, and made
a part of this petition.

And your petitioners
further represent that the said land
has been occupied and cultivated
by the said Antonio Chaves and his
assigns from the time of said grant
up to the time of filing their said petition.

Your petitioners further represent
that on the hearing of the said claim
by the said Commissioners, the same was
rejected and declared to be invalid,
that a Transcript of the proceedings of
the said Commissioners and of the documentary
evidence and testimony of the witnesses in
said case, was duly filed with the Clerk
of this Court on the 4th day of October
A.D. 1855, and that on the 24th day of
November A.D. 1855, the said claimants
filed in the office of said Clerk a
notice of their intention to prosecute
an appeal from the decision of said
Commissioners, to this Court.

Your petitioners therefore
pray that this Honorable Court will
review the decision of the said Com-
missioners, and decide on the validity
of said claim, and decree the same
to be good and valid, and for such
other or further relief in the premises
as shall seem consistent with law
and equity.

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as shall seem consistent with law
and equity -

(Myron Norton)
Atty for appellants.

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PAGE
SD

No. 288.

U.S. Dist. Court, South
Dist of California

W.S. Johnson et al
Appellants
vs

The United States
Appellee

And

Petition for Review

Filed this 12th January
1854
C. Smith clk
J. McColman
clerk

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Myron Norton
Atty for Appellants

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

The President of the United States,

TO

I Ord by W. S. May

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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 *12th* 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

W. S. Johnson et al praying
Said Court to review the decision of the United States Land Commission of the 6th of March A. D. 1855 rejecting their claim to the lands called "Playto" in the County of Monterey.

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 *12th* day of *January* A. D. 1857.

W. S. May
J. M. Coleman
clerk

CLERK.

Marshals Cost

Copying Jams - 60
Leaving Au 3.-
Petition 3.-
\$ 6. 60

1858

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

W. F. Johnson et al
vs
The United States
appx
Return this 12th day of
1857
C. L. Lewis clk
J. A. McManis
Dep

SUMMONS.

Received
Jan 12th
1857

288 SD
PAGE 53
Edward Hunter
U. S. MARSHAL.
R. M. Gooden
Deputy

I served this Summons, together with a certified copy of the Petition, upon P. Burt
U. S. Atty by delivering to him personally
a true Copy of same

at Los Angeles in the Southern District of California, on
the 12th day of January A. D. 1857.

Sworn to and subscribed before me, this
12th January 1857
Clerk
J. McManis
Dep

Edward Hunter
U. S. MARSHAL.
R. M. Gooden
Deputy

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

Hon Isaac S. T. Ogier Judge.

W. S. Johnson et al

vs, Appellants

The United States, Appellee

N. 288.

Trans N. 567.

Claiming 'Pledge'

The answer of Cameron E. Thom, acting Attorney
of the United States for the Southern District of
California, found in behalf of the United States,
to the petition for review of said appellants,
denies generally and specially, each and every
allegation in said petition contained. And
he denies further that the said appellants
have a valid title to the land claimed by
them. And he prays that the Hon Court
will affirm the decision of the Board of
Land Commissioners rejecting said appellants
claim to said land - And deem their alleged
title to be invalid. And give relief.

C. E. Thom

Acting Attorney of the United States
for the Southern District of Cal.

N^o. 288.

Wm. S. Johnson et al

vs,

The United States.

Assignors of U.S. Patents.

Filed Aug 13th 1857

Spencer
Clark

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

December Term A.D. 1836.

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W. S. Johnson et al
Appellantes } No. 288.
vs
The United States } "Plenty"
Appellee }

This cause coming
on to be heard, on appeal from the final
decision of the Board of United States Land
Commissioners "to ascertain and settle the
private land claims in the State of Cali-
fornia", under an Act of Congress approved
March 3^d 1831, upon the Transcript of the
proceedings, papers and evidence, had and
taken before the said Board. And it
appearing that the said Transcript and a
notice of the intention of the appellantes
to prosecute the said appeal have been
duly filed with the Clerk of this Court.

And counsel for the respective parties
having been heard. It is Ordered, ad-
judged and decreed by the Court that
the decisions of the said Commissioners
be and the same is hereby reversed and
set aside; and that the title of the said
appellantes W. S. Johnson and Preston
K. Woodside to the lands claimed in this
case be decreed to be good and valid.

The lands of which confirmation
is hereby made are situated in the County
of Monterey, and are known by the name of

"Pleyto," being the same lands which were granted on the 18th day of July A.D. 1845 to Antonio Chaves by Pio Pico then Governor of California, ~~and are bounded~~ and described as follows, bounded by the lands of Don Mariano Solorzano, the Nacimiento and Vapack lands, and are confirmed to the extent of three square leagues of land and no more.

And for a more particular description of the said lands hereby confirmed reference is hereunto, ^{had} to the said grant and map accompanying the same, and on file in this case — and containing three square leagues of land a little more or less as explained by the map on file in this case.

Reference being had to said map for a more particular description of the land ^{confirmed} hereto.

Advised R. Ogilvie
 W. L. Eastbridge

No. 288.

U. S. District Court

South West of California

W. L. Johnson et al

Appellants

vs

The United States

Appellee

vs

Filed Feb 9th 1857

Ogilvie
 AR

Record in page 164

UNITED STATES OF AMERICA, ss.

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

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Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District
of California before you, in a cause
between William S. Johnson and Preston K. Woodside
appellants and The United States, appellees the decree
of the said District Court was in the following words
viz:

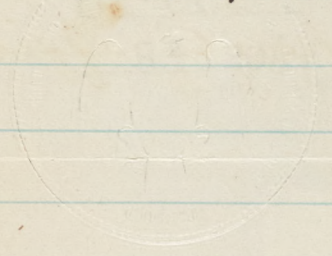
This cause coming on to be heard on appeal from the
final decision of the Board of United States Land Commissioners
"to ascertain and settle the private land claims in the State
of California," Under an act of Congress approved
March 3^d, 1851, upon the transcript of the proceedings,
papers, and evidence had and taken before the said board,
and it appearing that the said transcript and a notice
of the intention of the appellants to prosecute the said
appeal have been duly filed with the Clerk of this Court.

And counsel for the respective parties having been heard—

It is ordered, adjudged, and decreed by the Court, that
the decision of the said Commissioners be, and the same is
hereby, reversed and set aside, and that the title of the
said appellants, W. S. Johnson and Preston K. Woodside,
to the lands claimed in this case be decreed to be good
and valid.

The lands, of which confirmation is hereby made, are
situated in the County of Monterey, and are known by
the name of "Pleyto," being the same lands which were

granted on the 18th of July, A. D. 1845, to Antonio Chaves
by Pio Pico, then Governor of California, and containing
three square leagues of land, a little more or less, as
explained by the Map on file in this case; Reference
being had to said Map for a more particular description
of the land hereby confirmed



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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, it is now here ordered adjudgeds and decreeds by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed

15 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~~

L. W. Middleton

Clerk of the Supreme Court of the United States.

No. 119 December Term, 1863.

MANDATE

SUPREME COURT UNITED STATES.

W 295

The U States vs Johnson
vs

Filed February 13-1865

John C. Wheeler

Attorney

clock