

CASE No.

295

SOUTHERN DISTRICT

LAND NEAR MONTEREY GRANT

TALBOT H. GREEN

CLAIMANT

LAND CASE 295 SD 13 pgs.

MAR 20 1963

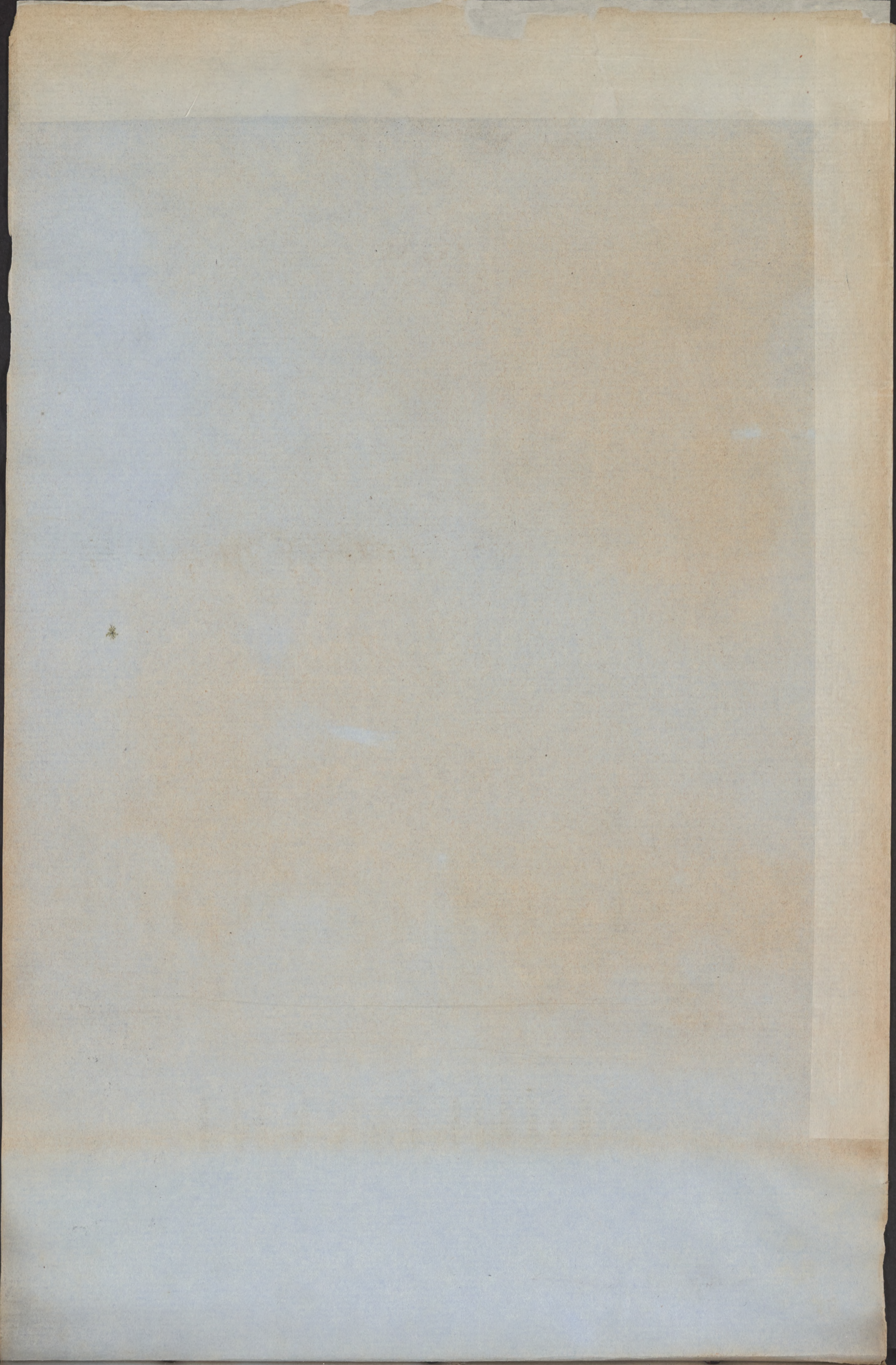
Garman
PLOWER BOND
25% COTTON FIBER
U.S.A.



747

Sub





TRANSCRIPT

295 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 749.

Julbot H. Green CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"*Land near Monterey.*"

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

1950

PHYSICS 101

LECTURE NOTES

BY RICHARD FEYNMAN

1950

LECTURE 1

Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

295 SD
PAGE 2

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 *Valbot H. Green*,
~~~~~ for the Place named  
~~~~~ *land near Monterey*,  
was presented, and ordered to be filed and docketed with No. *749* 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 9' 1855.
Case no. 749, *Valbot H. Green* for lands near Monterey was ordered to be placed at the foot of the 4th Class cases on the Trial Docket.

San Francisco March 13' 1855.
Case no. 749 was submitted under the Rule of *March 21' 1854*.

San Francisco, March 27' 1855.
In the same case Commissioner R. Aug. Thompson delivered the opinion of the Board rejecting the claim:

(Vide page *11* of this Transcript.)

and the following order was made, to wit;

(Vide page *12* of this Transcript.)
~~~~~

S.





3 Petition

Before the Commission to ascertain and settle Private Land Claims in California

Subbot A Green gives notice that he claims a tract of Land in said State near the Town of Monterey and within the Common Landings thereof as the same is described in the grant thereof. Said Land

295 SD  
PAGE 3

was granted by the Ayuntamiento or Municipal Council of Monterey to the Claimant on the 23d of April 1846

The Original grant thereof is herewith filed as a part of this petition, with a translation of the same and Claimant asks leave to introduce further proof and that his claim be confirmed

By his Attorney  
Wm L Jones

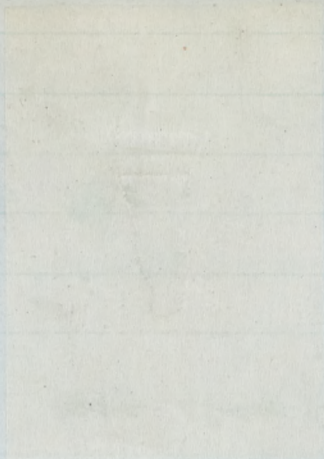
Filed in Office March 2. 1853

Geo. Fisher Secy

Recorded in Vol 2 of Petitions on page 147c

Geo. Fisher Secy

4



*[Faint, illegible handwriting in cursive script, likely bleed-through from the reverse side of the page.]*

*[Faint, illegible markings or text.]*

*[Faint, illegible markings or text.]*

*[Faint, illegible markings or text.]*

Muy Ilustre Ayuntamiento.

A.

Grant.

295 SD  
PAGE 4

Subot N. Green Natural de los Estados Unidos Americanos y residente en esta demarcacion, ante V.S. con el debido respeto y sumision se presenta y dice: Que deseando fabricar una casa para almacen en lo que pueda asegurar sus propiedades Comerciales y habiendo visto para el proposito un terreno baldio al Oeste del Castillo de este Puerto y del Camino Real que va para la Punta de Pinos situado en el lugar y constante de las varas como sigue: a saber - Comenzando las medidas en donde esta clavada una estaca de Palo Colorado a la Orilla Norte del Sanjon o Arroyo que pasa por el lado Sur de dicho Castillo y corriendo Norte diez y medio grados al Oeste la distancia de trescientas y veinte y cuatro varas y al lado Oeste del Camino real que va para la Punta de Pinos en cuyo angulo hay otra estaca clavada en la tierra. Desde ahi al Oeste nueve y medio grados al Norte hasta un arbol de Pino en cuyo arbol hay tres mosqueaduras hechas con hacha; la distancia de la ante dicha estaca que esta en la orilla de dicho Camino hasta el mencionado arbol de Pino es de cuatrocientas y doce varas - Desde ahi corre al Sur tres y medio grados al Este doscientas y noventa varas cruzando una cañadita hasta una estaca de Palo Colorado en la altura del Pinal - Desde ahi al Sur veinte y dos grados al Este doscientas y veinte varas hasta un arbol de incienso que esta ca-

En la orilla Norte del ante dicho Sanjon  
 o Arroyo dicho arbol de encino está ca-  
 si en frente de un Encino que atraviesa  
 el Sanjon de Sur á Norte - Desde ahí,  
 por toda la orilla Norte del ya men-  
 cionado Sanjon o Arroyo Este diez y siete  
 grados al Norte la distancia de un ciento  
 Cuarenta y cuatro varas; y desde ahí  
 al Este veinte y cinco y medio grados al  
 Norte al Oeste por toda la orilla de dicho  
 Sanjon o Arroyo hasta el punto en donde  
 se comenzaron las mediciones. Todas estas  
 mediciones son tomadas por el compas o  
 Aguja Marina sin intervencion de va-  
 riaciones longitudinales. Y por tanto  
 rendidamente suplico al Muy Ilustre  
 Ayuntamiento de este Pueblo de Monterey  
 se sirva acceder á esta mi peticion, pa-  
 gando yo los derechos correspondientes de  
 lo que recibire gracia y merced jurando  
 lo necesario &c.

Monterey Abril 20 de 1846.  
 Talbot H. Green.

Duplico de mi dispensa de papel  
 comun por no haber del sello.  
 Talbot H. Green.

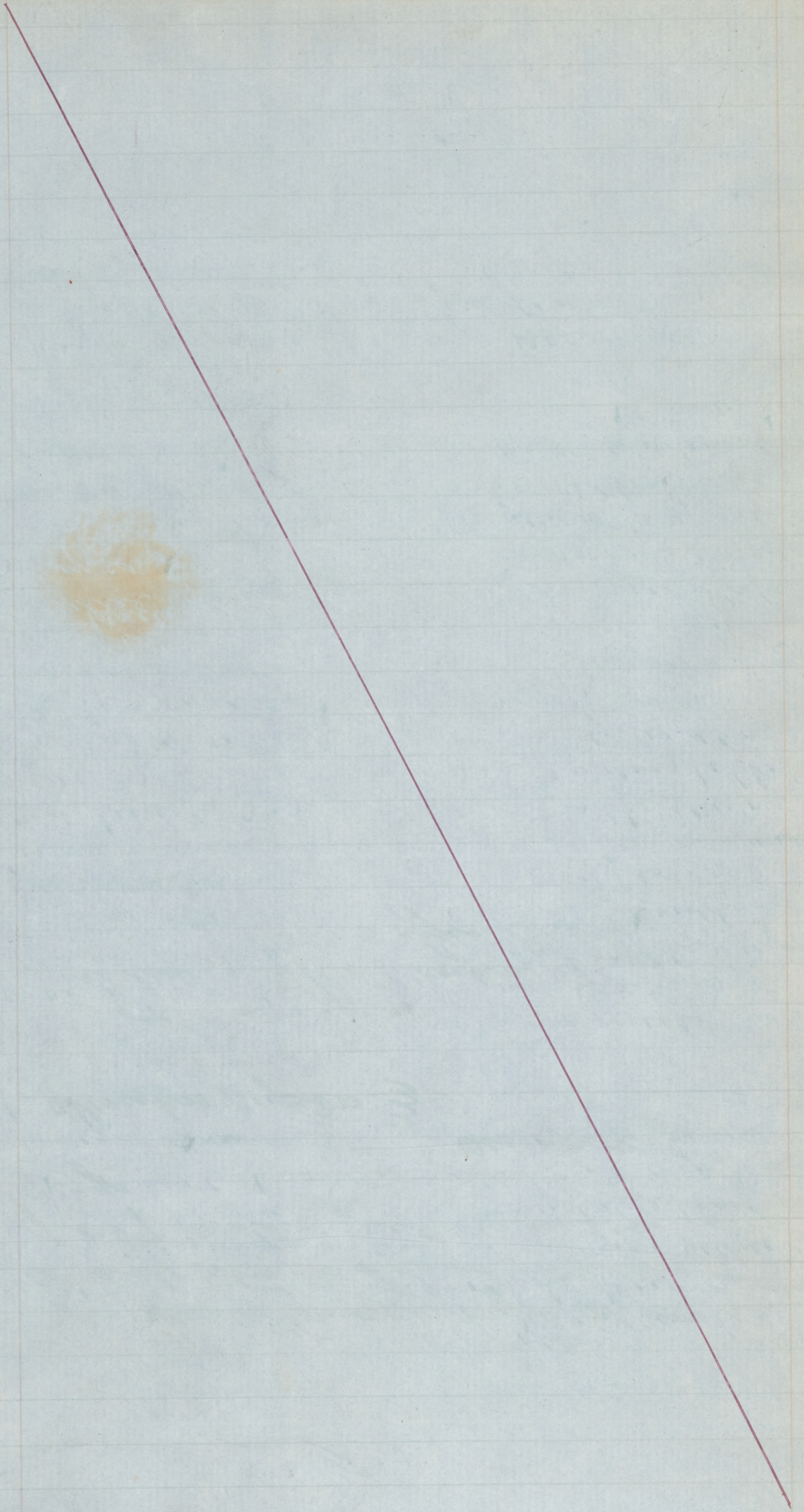
Monterey Abril 23 de 1846.  
 En sesion del dia de hoy acordó el  
 M. J. A. se le conceda al solicitante el  
 terreno que solicita sujetandose á dejar  
 las Células que se le asignan y se le  
 dispensarían los tramites de estilo por es-  
 tar la corporacion satisfecha de ser la

La tierra belain y unas se sujetará  
á pagar los derechos correspondientes,  
J. S. Escamilla

Queda tomada razon de este título  
en el libro de Solares respectivo á fo-  
jas 39 vuelta que existe en este de mi  
Cargo.

Derechos pagados.  $\frac{3}{3}$  Escamilla

Filed in Office March 2, 1853.  
Geo. Fisher  
Clerk.



15

15

Translation of Very Illustrious Ayuntamiento  
Grant.

Julius H Green a native  
of the United States of America and  
a resident of this Demarcation, appears  
before you now with due respect and  
adulation and represents

That desiring  
to build a house in which to securely  
store his merchandise and having selected  
a piece of vacant land suitable through  
the side of the Castillo of this port and the  
main ~~main~~ road leading to Punta  
de Pinaz situated in the place and the  
following dimensions to wit;

The measurement commencing  
where the Red wooden stake is  
placed on the northern bank of the Sanjon  
or Arroyo which passes on the South  
side of the said Castillo and running  
N. 12° 30' all the distance of three hundred  
and twenty four varas, and to the Western  
side of the main road leading to the  
Punta, at which corner there is another  
stake placed thence West 9° 30' N to  
a Pinote on which tree are three marks  
the distance of four hundred and  
twenty varas from the aforesaid stake  
thence South 13° 30' E two hundred and  
forty varas crossing a barometer to a Red  
wood stake on the height of the Penal  
thence S 25° E two hundred and twenty  
varas to an Oak tree which stands  
on the Northern Bank of the aforesaid  
Sanjon or Arroyo, the said tree being nearly  
in front of a house that crosses the  
Sanjon from North to South — Thence  
along and with the Bank of the said  
Sanjon or Arroyo E 17° N the distance  
of one hundred and forty four varas  
and thence E 25. 30 N along and with  
the bank of the said Sanjon or Arroyo  
to the point where the measurement was  
commenced —

295 SD  
PAGE 7

10.  
All of these measurements were made with the assistance of a Surveyor or Mazon's Corp of well and reckoning the longitudes and variations

And therefore he prays the Very Illustrious Ayuntamiento of the Pueblo of Monterey, that it be pleased to grant his petition he praying the corresponding Charges, which he will receive from and justice Securing the necessary

295 SD  
PAGE 8

Monterey April 20. 1846

(Signed) Gallo H Green

Pardon me the use of common paper for the want of sealed

(Signed) Gallo H Green

Monterey April 23. 1846

In Vision of this day the Very Illustrious Ayuntamiento resolved to grant to the petitioner the land for which he asks with the Condition that he leave the Streets which were assigned thereto, and the usual proceedings there upon are hereby dispensed with as the body are satisfied that the land is vacant and he shall also pay the proper fees

(Signed) J. S. Escamilla

This title is recorded in the proper Books of Lots (Solares) on the 59th folio and reverse which is under my Charge

(Signed) Escamilla

I hereby certify the foregoing to be a true and correct copy translation of a document marked <sup>114</sup> filed in Case 749

March 24. 1853

Witness my official Signa here this first day of March 1853

Recorded in  
Esp. B Vol 17  
p 425  
Geo. Fisher  
Secy

Geo. Fisher Secy  
Filed in Office March 3. 1853. Geo Fisher Secy



W. Spencer of  
Bozara

Talbot H Green  
vs  
The United States

Land near Monterey

This claim purports to be founded on a grant made to the petitioner by the Ayunta-  
mientos of the Town of Monterey bearing  
date the 23 of April 1846, and a document  
is filed in the case which is alleged  
to be said original grant. No proof of  
its genuineness or authenticity is offered  
nor is there any evidence to show that  
the claimant was ever in possession of  
the premises claimed, or that he ever de-  
posited them in any manner.

The claim is therefore rejected

Filed in Office March 27. 1855

Geo. Fisher

Recorded in Record of Decisions Vol  
3 page 576.

Geo. Fisher Secy

Decree

Talbot H Green  
vs  
The United States

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

Alpheus Felch  
R. Avey Thompson  
S B Fawcett

Commissioners

Filed in Office March 27. 1855

Geo. Fisher Secy

Recorded in Record of Decisions Vol 3.  
page 576.

Geo. Fisher Secy

295 SD  
PAGE 9

It appearing to the satisfaction of the Board that the Land hereby accepted as 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.

Office of the Board of Commissioners,

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

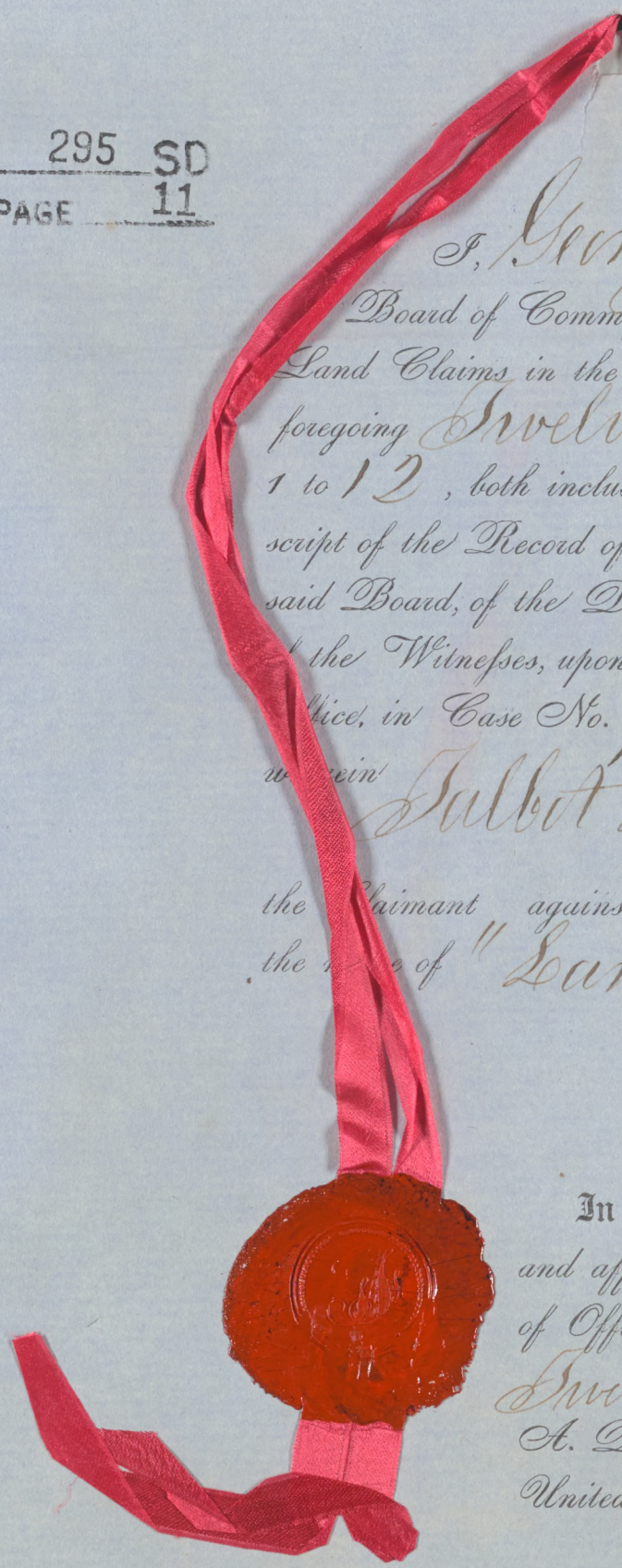
295 SD  
PAGE 11

I, *George Fisher* Secretary to  
Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Twelve* pages, numbered from  
1 to 12, 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. 749 on the Docket of the said Board,

in  
re *Juliet N. Green* is  
the Claimant against the United States, for the place known by  
the name of "Land near Monterey."

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 sixth* day of *September*  
A. D. 1855, and of the Independence of the  
United States of America the ~~seventy~~ *eightieth*

*Geo. Fisher*  
*Geo. Fisher*



295

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

No. *295.*

THE UNITED STATES,

vs.

**295**

*Juliet H. Green.*

*"Land near Monterey"*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *749.*

Filed, *Oct. 4<sup>th</sup>* 185*5*

*J. E. Davis  
clerk*

**295**

In the District Court of the United States  
for the Southern District of California,  
Hon. J. S. K. Ogden Judge  
Palbot F. H. Green }  
Appellants } N<sup>o</sup>. 295.  
vs. }  
The United States }  
Appellee } Term N<sup>o</sup>. 749.

On Motion of F. Ord United States Attorney  
for the Southern District of California; and  
on showing to the Court that the Appellant  
in the above entitled Cause has failed  
to file a notice with the Clerk <sup>of this Court</sup> of his  
intention to prosecute the appeal in said  
Cause within the time allowed by law.  
It is ordered by the Court that the  
Appeal in said Cause be finally  
dismissed.

F. Ord

As Atty.

Dec. 18. 1856.

No 295

F W Gunn  
of  
W States

Wolin & Arney  
appal

Filed Dec 18<sup>th</sup> 1854  
Opins  
clerk

transfere

295 SD  
PAGE 13