

CASE No.

361

SOUTHERN DISTRICT

NATIVIDAD GRANT

RAMONA BUTRON, ET AL

CLAIMANT

FEB 21 1963

ALSO AVAILABLE ON MICROFILM

MAR 24 1963

Recommended
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TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. *565*

Ramona Butron, et al,

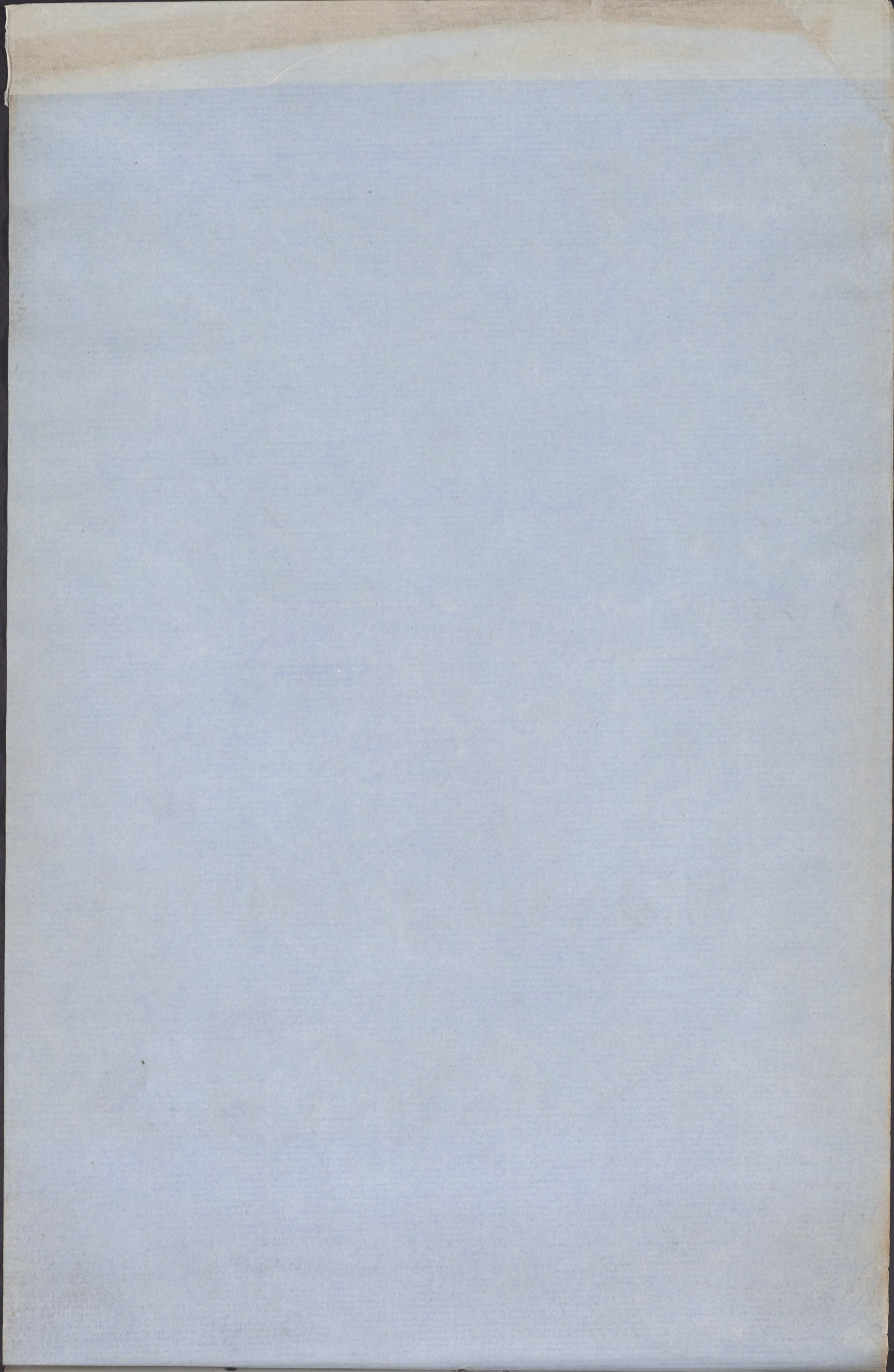
CLAIMANT *s.*

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Natividad"



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 Ramona Butron, et al:
for the Place named

"Veridad"

was presented, and ordered to be filed and docketed with No. 565, 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 9th 1853.

In Case no. 565, Ramona Butron, et al: for the place named "Veridad", the Heirs of Manuel Butron, et al:, presented their petition amending the petition of the claimant: ordered to be filed among the papers in the case and to be recorded;

(Vide page 7 of this Transcript.)

San Francisco February 15th 1853.

In the same case the depositions of José Castro and M. G. Vallejo, witnesses in behalf of the claimants, taken before Commissioner Henry J. Thornton, the last with documents marked H. J. T. no. 1, annexed thereto, was filed;

(Vide pages 7 & 9 of this Transcript.)

San Francisco April 4th 1854.

Case no. 565 was ordered to be placed at the foot of the 1st class cases on the trial docket.

San Francisco July 10' 1854.
For the same case the depositions of Manuel
Sario and Feliciano Soleranes, witnesses in
behalf of the claimant, taken before Commissioner
Peter Lott, were filed;

(see pages 11 & 14 of this Transcript)

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San Francisco July 18' 1854.
Case no. 565 was submitted on briefs and taken
under advisement by the Board.

San Francisco July 10' 1855.
For the same case Commissioner R. Aug. Thompson
delivered the Opinion of the Board concerning
the claim.

(see page 43 of this Transcript)

and the following order was made, to wit:

(see page 47 of this Transcript)

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

Petition

The Petition of Manuel
Butron & Nicholas Alovia his husband
of Monterey county California respectfully
represent.

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That on the 22nd of July 1822
Manuel Butron and Nicholas Alovia petitioned
the then political and Military Governor of Upper
California for a grant of the land called
Natividad between the Imperial Rancho
and San Juan Bautista then vacant.

That on the
24th of November 1822 Pablo Vicente de Sola
made a report upon said petition in
favor of granting the same.

That on the 1st
December 1822 Arguello Gov^r of California
directed that the said petitioners might
use the land asked for during the pres-
ent season for sowing purposes subjecting
himself to what the law of colonization
which would be published as soon as
received from Europe. -

That on the 26th of May 1823
the said Manuel Butron (Corporal of the
company of Cavalry of the Presidio of Monterey
and Nicholas Alovia (also a corporal of
said company again petitioned the then
Governor of Upper California for two
square leagues of land in accordance with
the national law of colonization &c.

That on the 30th of May
1823 Luis Antonio Arguello then Governor
of California made a decree directing that
the said Manuel Butron and Nicholas

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Aloisia be put in Judicial possession of
the said tract of land called Natividad
and appointed for that purpose Lieut.
Jose Estrada Commandant ad interim
of the company of Monterey Garrison and
directing the said Estrada to proceed person-
ally to said place called Natividad and to
put the said Butron and Aloisia in posses-
sion. —

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That on the 31st of May 1823 the
said Jose Estrada with the assisting wit-
nesses and according to the customary forms did
publically invest and give legal possession
of the said tract of land called Natividad
of the extent of two square leagues as aforesaid
to the said Butron and Aloisia as commanded
by the said Govr Arguello and in the name of
his Imperial Majesty ordered that the possession
thus given should not be disturbed &

That on the 24th of November
1834 the said Manuel Butron & Nicolas
Albira again petitioned the said Governor of
California, in which petition they say that by
the documents which they annex it is
manifest that they are the owners of the
two square leagues of land which they have
occupied peaceably during the period of 15
years and that the survey of the said land
was not made according to law and therefore
they ask that the said possession might be
testified and the land measured in
conformity with a plot annexed to avoid
difficulties with their neighbors &c.

That on the 16th of November
1834 Juan B Alvarado then Governor of
Upper California made a decree in which
he declares that whereas the said Manuel

5-
 Butron and Nicholas Alvia had quietly and peaceably possessed the said tract of land of two square leagues called Natividad which had been granted them by the ancient Governors of California as proved by the documents which they presented - he consented to their prayer under the conditions that they should present themselves to the civil judge & ask for the possession which should be given according to the plat and the report of com. - present witnesses in relation to said land &c. -

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That on the 5th of April 1839 Feliciano Soberanes Alcalde reported to the Governor that on the 25th of December 1838 he proceeded to give judicial possession to the parties interested of the said tract of land called Natividad as ordered, but that there arose on the ground a dispute about one of the boundary lines with one of the adjoining land owners and there being no sufficient evidence to settle the dispute he the said Alcalde referred the matter to the government for its settlement &c.

Your petitioner Ramon Butron. alleges that she is a legitimate daughter of the said Manuel Butron who died in California about the year 1842 and that there are several other heirs, her brothers and sisters legitimate children of the said Nicholas Alvia died and that she is an heir to one undivided tenth of one undivided half of the said tract of land called Natividad by inheritance from her said Father Manuel Butron.

And further your petitioner would represent that the said tract of land called Natividad has been and now is in the actual undisturbed and peaceable

possession of his family jointly with the family of the said Nicholas Aliso in virtue of their title papers all the original title papers in the possession of your petitioners are herewith presented with translations.

They believe however that from the lapse of time more than 30 years since the first occupancy and the unsettled state of the Territory at that time and at different times subsequently and from other causes it is probable that other and additional title papers existed in relation to said tract of land, but have been lost or mislaid.

The premises considered your petitioners pray that the said claim to the tract of land called Matuidad of the extent of two square leagues lying and being in Monterey County and bounded as aforesaid may be confirmed and a decree made accordingly with general relief as in duty bound

P. Ord attys for
petitioners.

Filed in Office July 9. 1853.

(Signed)

Geo. Fisher Secy.

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To the Honorable Board of Land
Comrs. for ascertaining and settling private
land Claims in California,

Amended
Petition

The petition of Isabel
Barbara Juande Dios Rosa Francisco
and Manuel Butron children and heirs of
Manuel Butron decd and Manuel Jose
Antonio Miguel Nicholas Israel and
Rosaria children and heirs of said Nicholas
Alvise decd respectfully join in the petition
of Romana Butron No 565 and allege that
they are the heirs jointly with the said
Romana of Manuel Butron and Widow
=las Alvise deceased and as such pray
that the land claimed in virtue of a
grant by the said Romana may be con-
=firmed to her as an heir and to your petition-
ers as the remaining heirs of the said Manuel
Butron and Nicholas Alvise decd.

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And general relief
And as in duty bound &c
P. Ord
atty for Petrs.

Filed in Office July 9 1853
(signed)
Geo Fisher Secy

San Francisco July 15 1853.

Deposition
of M. G. Valligo

On this day before Comr H J Thornton
came Mr. G. Valligo a witness in behalf of
the claimant Romana Butron petition No
565 and was duly sworn his evidence
being given in English.

Question by claimant

Quest 1.

What is your name age and place of residence?

Ans.

My name is M. G. Vallyjo age 45 years residence Sonoma County California in which state I have lived all my life.

Quest 2.

Examine the document now shown you marked Exhibit No 1 attached to this deposition of 18 pages and say whether you know the signatures to the said document and whether you have ever seen any of the persons whose names are written upon said paper or document?

Ans.

I have examined the document Exhibit No 1 of 18 pages, the petition was written by me when a youth.

I have seen all the persons whose names are written upon said document as follows.

The names of "Sola" Aguillo, Haro, Manuel Butron and Nicholas Albisa, on page 3rd Manuel Butron Nicolas Albisa, Louis Antonis Aguillo Lord, Joaquin de la Torre and Lord Rayonda, Catada. On page 3 to 18 the names of persons whenever they are written I know to be true and genuine to wit. Don Estrada Dolores Pico, Antu Amalla, Alvarado and Felicianos Sobreros.

Quest 3.

Do you know the Rancho of Natividad?

Ans.

Know this Rancho for many years.

since his boyhood. It has always been in the possession of Manuel Butron and Nicholas Albisa for many years, since the year 1822. It has always since that time been abundantly stocked with cattle horses and other kinds.

The Rancho is now or was very lately in the possession of Butron and Albisa's families.

This Rancho has houses upon it occupied by the said families since 1822. It has also been cultivated by these said persons for many years.

Manuel Butron & Nicholas Albisa is now dead - They both left children M. G. Vallejo.

U. S. States Law Agent present.

Sworn to and subscribed
before me this 15th of July 1853.

Henry J. Thornton
Notary P. O.

Filed in Office July 15 1853.

(Signed)

Geo Fisher Secy.

San Francisco. July 15, 1853.

On this day before me Henry J. Thornton came Jose Castro a witness in behalf of Jose Castro, the claimant Ramon Butron petition No 568 and was duly sworn, his evidence being interpreted by the Notary.

Questions by Claimant.

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Quest 1.

What is your name, age and place of residence?

Ans.

My name is José Castro 44 years old residence Monterey California in which state I have lived all my life.

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Quest 2.

Do you know Manuel Butron, and Nicolas Albisa and their families?

ans.

I have known them from my childhood. They are now both dead, Manuel Butron died about 8 years ago - Nicolas Albisa about 6 years ago.

Quest 3.

Do you know Ramona Butron?

ans.

Yes. She is the daughter of Manuel lately deceased of Monterey County & is now the husband of Jeremiah Mc Mahon.

She is one of two children of said Manuel Butron now living.

Ramona Butron is now living in the Rancho of Natividad in the County of Monterey upon which Rancho she was born.

This Rancho was granted to her Father Manuel Butron and Nicholas Albisa about the year 1822.

The families of Butron and Albisa since that time have lived upon and improved said Rancho.

This Rancho is of the extent of two leagues - the other nine children of the said Manuel Butron and

Isabel wife of Castro - Barbara wife of
Albio, the wife of Martin Ortega, Juan de
Dios, Rosa wife of Luis, Felipe Francisco
widow of Garner - Nicolas and Manuel
of whom Isabel the wife of Martin
Ortega, Nicolas & Felipe are dead.

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I know
the names of the children of Nicolas
Albio they are Manuel Don Antonio
Miguel, Nicolas, Isabel, Rosario.
Don Castro.

Sworn to and subscribed
before me this 15th of July 1853
Harry J Thornton
Clerk.

Filed in Office July 15 1853.
(signed)
Geo Fisher Secy

United States of America }
State of California } ss.

San Francisco. July 10. 1854

This day came before Peter Lott a
Commissioner for taking Testimony to be
used before the board of U. S. Land Com-
missioners in said state Manuel Larios
a witness for the claimants Ramon
Barrow et al in case No 565 on the docket
of said board. said witness being sworn
deposed in Spanish which was interpreted
by the interpreter as follows.

Deposition of
M. Larios.

The Associate U. S. Land Agent is present
Questions by Claimants counsel.

12
1. Question

What is your name age and residence?

Answer.

My name is Manuel Larios my age 57 years, my residence in Monterey County, California.

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2nd Question

When were you born and when have you lived?

Answer.

I was born in California at San Jose and have lived all my life in California.

3rd Question.

Do you know the Rancho of Matinidad - if yes, how long have you known it and who were its owners?

Answer.

I do know said Rancho and have known it since 1822 and that Manuel Burton and Nicolas Alvira were the owners and since that time.

4th Question.

Are said Burton and Alvira now living, if may when did they die and did they die intestate or not?

Answer.

They are both dead many years ago and I never knew of their leaving any will either of them.

5th Question.

Do you know the boundaries of said Rancho of Matinidad if you state them?

Answer.

I do know them on the south side

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 is a willow and a sycamore - on the North
 is the hill of the Carpintera and Portuñuela
 on the west Chamsal and Encinito and
 the Rancho of Capinosas, on the east is the
 dusty hill and the creek of the River of
 Gavillan and the Comina or round hills.
 The Rancho is in a square form.

6th Question.

Who now lives on said
 Rancho?

Answer.

The children of Alviso and
 Butron live there.

Crop examined by U. S. Associate
 Law Agent.

1st Question

How do you know Alviso
 and Butron were the owners of said Rancho
 since 1822?

Answer.

I was a soldier at San Jacinto
 in 1822. and I know they were in possession
 of the Rancho all the time and I under-
 stood it to be given to them, but I know
 nothing about the title papers.

Mmanuel Lurias

Subscribed and sworn to
 before me on this 10th day of
 March A. D. 1854

Peter Lott

Commissioner

Filed in Office July 10. 1854

(Signed)

Geo. Fisher. Secy

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United States of America }
State of California } ss.

San Francisco. July 10 1854

Deposition
of F. Solorzano

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This day came before Peter Lott
Commissioner to take testimony for the
Board of U. S. Land Commissioners in
said state. Feliciano Solorzano a witness in
behalf of the claimant in case No 565 on
the docket of said Board wherein Ramon
Butron et al are claimants and said witness
being duly sworn on oath deposed
in Spanish which was interpreted into
English by the Interpreter as follows.

The U. S. Associate Law Agent is present

Question by Claimants Counsel.

1st Question.

What is your name and age
and are you a native and resident of
California?

Answer.

My name is Feliciano Solorzano
I am sixty five years of age and I am a
native of California and a resident of
Monterey County California.

2nd Question.

Will you look at document
marked Exhibit No 1 to the deposition
of M. G. Vallijo, taken in case No 565 U. S. L. C.
pages 14, 15, 16, 17 & 18 and say whether you
know the said part of said document to be
original?

Answer.

I have examined the paper and
pages and I know them all to be original

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I know the maps to be the original maps which accompanied the decree of Governor Alvarado of the date of Monterey November 16, 1834.

The said the original one of Governor Alvarado and the petition of Manuel Gutron and Nicholas Alario dated 14th Nov 1834 is the original petition and the report upon pages 17 & 18 signed Feliciano Soberanos of the date of April 5th 1839 is also the original. It is my signature and the signature next following in the said page 18 is also my signature.

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Crop Examined by Associate Law
Agent
1st Question.

When and where did you first see these original papers?

Answer.

I first saw them in Monterey the same year they had date.

Feliciano Soberanos.

Subscribed and sworn to
before me on this 10th day
of July A. D. 1854.

Peter Lott

Commissioner &c

Filed in Office July 10. 1854

(Signed)

Geo Fisher. Secy.

16

1.7

14

Exhibit No
1. H. J. G.

Annex: to the
Depo. of M. G.
Walley taken
before Com.
H. J. G.

Here Preceded
Map.

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16. Monterey @ Noviembre Oñ Governador

16 de 1834 por cuanto Manuel Panton y los Ciudadanos intere de las Alrivo vesinos sacdos en esta presente de la jurisdiccion de solisitua han po=Monterey y radicados eido quieto y paci= en el Rancho de la @ piecamente p= el tena tur dael: ante U. B con no de quinée años el el debito respecto y con parase nombrado la jurme haya lugar en Natividad con sedi derecho hasemos prest do por los antiguos goe Que por los adpuntos do= inadores de esta ca=ummentos of. de vidamlt= lifornia se jun nueva acompaamos consta los documentos que haver oenos adjudica acompaanan y aten do en propiedad d= aiendo a la solisitua ambos dos sitios de por la que piden la ganado mayor en el jurse cion legal que parase nombrado la arreglos sus lindes @ Natividad: los que he en los dos sitios que nos p= eido quieto y paci= le fueron con sedi y pacificamlt= por el he venido por el pre termino de quinée años sente en aceeder a mas como en aquel ti= dicha preteccion be=empo no se nos hiso la po las condiciones dimiccion del parase guiented. conforme a Ordenam

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1º con este decreto ya suplicamos a U. de presentaran al B. se surba mandan juez civil pidiendo se no revalide la p= posesion lo que oeda= seccion dicha y se no =ra a Vista del die mida el terreno conforme no que acompaanan el adpunto disenõ para y previa la Califia poder poner nres her cion de testigos idoneos no foneras y ebitas sobre el terreno que diferencias entre los han poseido. Colindantes a quinée

2º con las diligencias meramente oc lesa respectivas y demas ad judicados tierras documentos bolhe a las inmidia ciones ren a presentarse a este Gobierno para of. Por tanto. U. U. se B. pidiendo a no fam B. sup lismo se surbe los titulos necesarios. atenedermf en justia Alvarado. eido en que recibremo

19
en que recibimos gracia, sirviendose admitirnos la presente en papel común por no haber del sello correspondiente y como no sea de malicia y lo necesario etc.

Rancho de la Estancia de Nave
12 de 1834.

Manuel Anton
Nicolás Alvario

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Exhib. N.º

1. H. S. L.
continúa

Como Tor.

En cumplimiento del superior decreto que antecede procedi el día 25 de Diciembre del año 1810 a darles a los señores Manuel Anton y Nicolás Alvario la posesion jurídica del parage nombrado la Estancia de Nave que hace años han poseido a compañía de D.º Joaquín Gomez, D.º José P.º Castro y D.º Salvador Copinoga colindantes de dicho parage y de los siguientes testigos. José Antonio Amaya (testigo de la posesion que se les dio a los señores Anton y Alvario por D.º Mariano Estrada) D.º Guillermo Hartnell testigo de la posesion que le dio a D.º Joaquín Gomez de su parage de los Vaseles colindante con la Estancia de Nave por D.º David Spence y Misente Cané pero habiendo llegado al paso del Amapo que esta junto a la boca de la corriente de D.º Joaquín Gomez no pudieron convenir los intereses en los linderos que se les debia señalar pues los dueños de la Estancia de Nave pretendian una parte del terreno que se le dio a D.º Joaquín Gomez y como no presentaron ninguna prueba a su favor y yo no me habia facultado para contrariar las disposiciones de mi Antecesor D.º David Spence dije a las partes que yo podia dar fallo sin perjuicio de lo que ocurriese a la Autoridad para su decision.

Monterey Abril 5.º de 1819.

18
Feliciano Soberanes y P.
pasa este Expediente al Excmo Tor. Lo =

vernado para los fines que le Conbenjan
Monterey abril 14 de 1829.

Reverendos Gobernadores
Monterey 24 de Abril de 1829. En Gbo. politico y
1822. El contenido } Militar.

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en esta instancia es } Manuel Panton y
acreditor a q. de la } Nicolas Albizu, Cabo
atenda con preferen } de la Compañia de
cia otro muchos mil } Caballeros del presi
tanes de esta jurisdic } cion de Monterey a la
los particulares con } acreditada benignidad
eis q. tiene hechos } de V. S. con la mada
y en dudara el q. } Bida subordinacion
subscrible en creer } q. deben, o llevar a su
se les tenga prest } superioridad esta Re
a ambos y particu } verente duplica dici
lar m. al primero } endo: Que tienen consi
Manuel Panton } derable numero de In
Soldados, asi como } vacuos

Decreto de la Diputa } como Caballeros yriendo
cion provincial de } que se halla exausto
Monterey Dto. 10 de 18 } y inculto el paraje
22. El interesado } nombrado de la Sta
pochas ocupan el ter } trinidad ubicado entre
que solicita un cam } el Rancho de la Im
te para sembrar en } Hayda y la
prest. esta c. y sus } Misión de Sr. Juan
Ferdose al Sr. Bot } y venen que nin
blesca la ley colonial } gno lo solicita ni
que se publicara } lue posee a excepcion
go q. se reciba del } conde Aljun fana de la
gros.

Arguello
Haro.

mas que a sus inmi
diaciones se enelle
apacentar de la Mi
sion de Sr. Juan Bot

quisieren meze con de la notoria benigni
dad de V. S. que en atencion a los otros
meritos q. tienen contraidos en el tiempo
de Ser. que contamos y en las acciones
de gra. contra los Infieles se sirva p
un efecto de su bondosa consideracion
cederlos.

Por tanto. V. S. Q. rendi-

de las c. de Mexico a lo que mira en

=dant^{te} puden y suplican se sirba conse-
derles esta Merced a la que viviran en
eterno reconocimiento.

Mision de Sr. Juan Pto 24
de Julio de 1822.

Sr. Gobernador

Manuel Panton # Nicolas Alborn

2. Sr. Jefe de Pto Militar y Politico.

Manuel Panton Cabo de la Comp^a de
Cav: del presidio de Monterey y Nicolas

Alborn tambien Cabo de la Comp^a de

con el profundo Respeto y sumision
que ambos deven a V. O. hacen presente

lo siguiente: Que hallandonos ambos
con algunos Cabezas de Ganado Buey

=no y Caballaz para poder ponerlos en estado
de Repulsa abundancia y caucientos de

tenenos propio para que libent^{te} pueda re-
conocer su pedimos a la notaria piedad

de V. O. nos señale dos sitios anexo a
a la Ley colonial de la Nacion sin em-
bargo debia obtener por disposicion del

V. O. la libre facultad de poder sembrar
y poner cercos a las tierras resqueros

de los Labores en el lla^{do} su^o deitado
parase nombrado la C^o Actividad; ha-

ciendole presente a V. O. la numer^o
familiar que tenemos entre ambos y pa-

ra poderlos fomentar con alguna mas
Esplendida, esperamos nos adorne en

el concepcion que pretendemos.

Por tanto a V. O. suplicamos
rendidamente sea esta peticion con la

acostumbrada benignidad que propue
combiniente; gracia que esperamos

recibir de su caritativo corazon y b^ona
vozelo.

Presidio de Monterey, 26 de Mayo
de 1823.

Sus menores Subditos

L. O. M. B.

Man. Panton # Nicolas Alborn

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Exhibi^o No

1. H. J. J.

continuel

Monterey 30 de Mayo 1823.

por presentado y admitido el Escrito que antese de y en Vista de lo que Esta parte pide pongase en posesion del sitio nombrado la Naturada a los Cabos Manuel Norton y vieolas Albriso para lo cual nombro y autorizo p^a el efecto al Teniente Don Jose Estada Comandante Int^o de la compania de Este presid^o. p^a q^u persona almt^o pase a dho sitio de la Naturada y ponga en posesion de el a los referidos Norton y Albriso; Asi lo mande y firme. Yo Don Luis Arguello Jefe Superior politico y Militar de Esta provincia de Alta California con los testigos de asistencia con quienes actuo p^a receptoria a falta de todo Escribano; doy fe.

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Luis Antonio Arguello

De assa

Jose Joaquin de la Torre

De assa - Raym^o Estada

En los sitios nombrados Naturada jurisdiccion de Monterey en treinta y un dias del mes de Mayo de mil Ocho cientos veinte y tres. Yo D^o Jose Mariano Estada pres comisionado por el Sr Jefe sup^o de la provin^a Capitan D^o Luis Antonio Arguello: habiendo visto el posterior antecedente decreto: presentado por los expresados Cabos Manuel Norton y vieolas Albriso. Asi por este auto de Obedicimiento lo mande y firme con los testigos de Assa con quienes actuo p^a receptoria a falta de todo Escribano.

Doy fe.

Jose Estada

Assa

Assa

Dolores pres

Ant^o Arnalla

En otros sitios dia me oy
ano y el comisionado a companado

de los testigos de Asistencia y algunos de los Vecinos que viven por estas inmediaciones pasamos a los dos sitios nombrados Natividad a efecto de darle la posesion que manda el Sr. Capitan y Jefe superior politico y militar D. Luis Antonio Anguello en su decreto en treinta de Mayo del presente año y estando en otros sitios los tomes de las Manos y los paces por ellos, hizo que tomaron posesion Real y personal la que tomaron quieta y pacificamente y en señal de verdadera posesion yo el Excmo. Sr. Comandante mande a nombre de S. M. L. D. G. que ninguna persona infiere en manera alguna en la catada posesion de estos dos sitios de la Natividad que los susodichos Manuel Bauton y Nicolas Albrin tienen tomada y de ello no sea despojada sin ser primero Oidos bajo la pena de doscientos pesos en que desde luego condemo al que asi lo hiciere a pluri ~~es~~ a pena de Carcel y costas de Justicia de cuyo Acto fueron testigos algunos de los Vecinos del predio de Monterrey y los de mi Asistencia de ~~trando~~ por Receptoria en la forma Circunaria. Doy fe

Jose Estrada
Asa: ^{asa}
Dolores pino # ante Amella +

Filed in Office Feb 24
1879

Geo. Fisher Secy

[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page]

[Faint, illegible handwriting]

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Senior Political and Military
Governor.

Translation
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Mamuel Butron and Nicolas
Albira corporals of the company of Cavalry
of the Presidio of Monterey with the
utmost due subordination and emboldened
by your Excellency's well known goodness pre-
sented to your superiority this respectful pe-
tition saying that they possess a considerable
number of cattle and horses and being aware
that the place called the Natividad situated
between the Imperial Government Rancho and
San Juan Bautista is vacant and
uncultivated and that no one has asked
for it - nor is it occupied except by some
sheep of the Mission of San Juan Bautista
which are wont to feed in the vicinity. -

They hope from your note,
-vous benevolence that in consideration of
the humble merits which they have acquired
during their time of service and in actions
of war against the infidels that you
will by an effect of your kind consideration
be pleased to grant it to them and therefore
they humbly beg and request that your
Excellency will be pleased to grant them
this favor for which they will live in eternal
gratitude

Mission of San Juan Bautista
22nd July 1822.

Senior Governor, (signed)

Mamuel Butron

(signed)

Nicolas Albira

Marginal Decree

Monterey 24th November. 1822

The person mentioned in the petition is worthy of being attended to in preference to many other military persons of this Province for the particular services which he has rendered and the undersigned doubts not in believing that both of them and particularly the former

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Mannual Butron
will be attended to

(signed) Sola.

Office of the Secretary of the
Provincial Deputation.

Monterey December 1st 1822.

The party interested may occupy the land which he asks for merely for sowing during the present season subjecting himself to what the law of colonization which will be published as soon as it is received from Seangap may establish.

(signed)

Arguello.

(signed)

Haro.

Senior Superior Military & Political
chief.

Mannual Butron corporal of
the Company of cavalry of the Presidio of
Monterey and Nicholas Albisa likewise
corporal of said company with the profound
respect and submission which they both

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owe to Your Excellency, make known
the following, that both of us being the
owners of some cattle and horses and in a
situation to put them in a state of moderate
abundance but not having any land of our
to which they may freely resort, we
request of your notorious piety that you
would be pleased to designate us two
sitios in accordance with the National Law
of Colonization. notwithstanding we have
already obtained through the medium of
Your Excellency the full power to sow and
sow in the lands of the Natividad for the
protection of cultivation, we remind your
Excellency of the numerous family we
have both of us, and to the end that we
may be enabled to augment our cattle
to greater advantage, we hope that you
will do us the favor to make us the
grant which we ask for.

We therefore request that
Your Excellency will be pleased to attend
to this petition with the accustomed benignity
which you may deem convenient, a favor
which we hope to receive from your charitable
heart and christian zeal.

Presidio of Monterey 26th of May 1823.

Your most humble subordinates who
kiss your hands.

(signed) Manuel Porton
(signed) Nicolas Albisa.

Monterey 30th of May 1823

The foregoing memorial is con-
sidered as presented and admitted and in
virtue of the petition of the party let

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corporals Manuel Butron and Nicolas Albia be put in possession of the place called the Natividad, to which effect I appoint and authorize for the purpose Lieutenant Don Jose Estrada Commandant ad interim of the company of this Garrison in order that he may proceed personally to said place called the Natividad and put in possession thereof the said Butron and Albia, thus I Now Luis Antonio Arguillo, Superior Political and Military chief of this Province of Upper California did decree, command and sign with the assisting witnesses with whom I officially act as Judge delegate for the want of a Notary Public.

I give testimony

(signed)

Luis Antonio Arguillo.

assist. witness

(signed)

assist. witness

Jose Joaquin de la Torre. (signed)

Jose Raymundo Estrada.

In the place called Natividad in the jurisdiction of Monterey on this 31st day of the month of May eighteen hundred and twenty three I Now Jose Mariano Estrada Judge appointed by the superior, chief of this Province Captain Now Luis Antonio Arguillo having seen the last foregoing decree presented by the before mentioned corporals Manuel Butron and Nicolas Albia and that which is therein commanded by the said Superior Chief Captain Now Luis Antonio Arguillo. I said that the decree of his Excellency should be obeyed and fulfilled and in order to its punctual and

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 due fulfillment it was my duty to command
 and I did command that corporals Manuel
 Brown and Nicolas Albisa should be put
 in possession and enjoyment of the said two
 sitios, thus I by means of this writ of obedience
 did decree, command and sign with the
 assisting witnesses with whom I officially act
 as Judge Delegate there being no Notary Public

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I give testimony

(signed)

Jose Estrada

assistg witness

assistg witness

(signed)

Dolores Pico.

(sgd)

Antonio Amador.

In said place, day month and year
 I the commissioner accompanied by the as-
 sisting witnesses and some of the neighbors who
 live in the vicinity did proceed to the two
 sitios called the Maternidad for the purpose of
 giving the possession commanded by the Captain
 and Superior Political and Military chief
 Don Luis Antonio Arguilla in his decree
 of the thirtieth of May of the present year and
 being in said place, I took them by the hands
 and walked them over the ground causing
 them to take real and personal possession
 which they did take quietly and peacefully
 and in sign of true possession they threw
 stones towards the four winds they pulled
 up grass and performed other acts of true
 possession.

I the said Judge Commissioner
 did command in the name of his Imperial
 Majesty (whom God preserve) that no
 person should in any manner molest the
 said possession of these two sitios of the

Natividad which the said Manuel Butron and Nicolas Albisa have taken and that they should not be deprived thereof without being first heard on the strength of an acquired right under the penalty of two hundred dollars to which I henceforward sentence any one who may do so, to be applied to the use of of the exchequer and expenses of Justice of which a part some of the inhabitants of the Presidio of Monterey and my assisting witnesses were witnesses - I acting as Judge Delegate in the customary form.

I give testimony
(signed)

José Estrada

Assisting witness

Assisting witness

(signed)

(signed)

Dolores Pico

Antonio Amador.

Senor. Governor.

Manuel Butron and Nicolas Albisa inhabitants of the jurisdiction of Monterey and established in the Ranchos of the Natividad before your excellency with due respect and as the law may allow them make known that by the accompanying ~~these~~ documents duly annexed. It is manifest that the ownership of two sitios de ganaderia Mayor, two square leagues of land have been adjudicated to us which we have occupied quietly and peaceably during the period of fifteen years, but as at that time the survey of said land was not made according to law we request that your Excellency would be pleased to order said possession to be ratified and the land measured in conformity with the annexed plot.

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in order that we may be enabled to fix our land marks and avoid difficulties between the neighboring land holders to whom land has been merely adjudicated in the vicinity

We therefore request that your excellency would be pleased to attend to us in justice, whereby we will receive a favor having the goodness to admit this Memorial on common paper there being no corresponding sealed paper to be had, swearing not to act through malice and that what is necessary &c

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Rancho of the Natividad }
November 14th 1837 }

(signed) Manuel Butron
(signed) Nicolas Albisa.

Marginal Decree

Monterey November 16th 1837

Whereas the litigants interested in the present memorial have quietly and peacefully possessed for the period of fifteen years the place called the Natividad granted by the ancient Governors of this California as is proved by the accompanying document and in attention to their petition in which they ask for the legal possession in order to regulate their boundaries in the two sitios which have been granted to them I have by these presents agreed to their pretensions under the following conditions.

1st With this decree they will present themselves to the civil Justice asking for possession which shall be given to them in view of the plot which they will accompany and in conformity with

the report of competent witnesses as regards
the land which they have proposed.

2nd. With the necessary proceedings and
other documents they will again present themselves
to this government in order that the necessary
titles may be issued to them

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(signed)
Alvarado.
m

Most Excellent Sir.

In compliance with the foregoing Superior
decree I proceeded on the 25th day of December
of last year to give unto Messrs Manuel
Butron and Nicolas Albisa the Judicial possession
of the place called the Natividad which
they have proposed years since accompanied
by Don Joaquin Gomez Don Jose Tiburcio
Castro and Don Salvador Espinosa owners of
lands adjoining this place and by the following
witnesses.

Jose Antonio Amayo (witness of
the possession given to Messrs Butron and
Albisa by Don Mariano Estrada) Mr William
Hustrell (Witness of the possession given to
Don Joaquin Gomez of his Rancho of Las
Vezelas, bounded by the Natividad, by Mr
Mr David Spence) and Vicente Lant, but
on having arrived at the spot of the creek
which is close to the corner of Don Joaquin
Gomez's garden the parties interested could
not agree upon the boundaries to be design-
-ated to them since the owners of the Natividad
claimed a part of the land which

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had been given to Don Joaquin Gony and as they did not present any proof in their favor and as I did not consider myself empowered to counteract the proceedings of my predecessor Mr David Spence, I told the parties that I could not give any decision but that they must apply to the Government for its resolution.

Monterey April 5th 1839.

(Signed)

Feliciano Soberanes.

This Expediente is forwarded to His Excellency the Governor for the necessary purposes.

Monterey April 14th 1839

(Signed)

Feliciano Soberanes.

I the undersigned do hereby certify the foregoing to be a true and faithful translation of the original documents in the possession of Mr William Roach.

Monterey 4th January 1853.

W. C. P. Hartwell

State translator

Filed in Office Feby 9. 1853.

(Signed)

Geo. Fisher, Secy.

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TYPE

1. Misión de Sr. Juan Bautista

21

Segun informe de sus pacheo-
 Ministros Sr. Felipe Arroy y Sr. Juan
 Moreno se halla situada en 36.9.58.
 M. de Lat. a costa de Monterey 12 le-
 guas trada a linea Recta de Ansd
 este al Noroeste y ocupa las tierras
 siguientes. Desde el Oeste al Nor-
 oeste tiene tierras interminadas con
 Cochach y montañas o montañas pequeñas a me-
 the Register dia legua poco mas y dos llanos en don-
 de Rancho de se mantiene el Ganado Mayor of
 Rancho y Mark Tierra con la marca que se señalaba
 owned by the al Mayor. Al Este tiene un Rancho
 inhabitants de Ganado mena. Al Noroeste otro
 of California y al Noroeste otro en donde apa-
 un filo in the -cientain en los pequeños llanos y
 Survey. Gen. Tomas Rafas teniendo aguas Vertien-
 tes para of abajo el Ganado, y nada
 se nega con ella p. ser ~~correcta~~ y no de-
 binclante corriendo por las profundi-
 dades de las Cañadas que forman
 las grandes montañas que circundan
 la Misión. Al Noroeste hay otro
 Rancho de Obepas que pastean en
 las laderas de los Montes Altos en
 cuyo centro hay Brea y Ayupe con
 abundancia, con un Agua termal a-
 gufrosa y fria contigua al dicho Ran-
 cho distante tres leguas de la Misión
 en camino Real para San Francisco
 con abundancia de Agua of. son las
 que forman el Arroyo del Papaw, sin
 tener por ese rumbo mas tierras la Mi-
 sion por colindar los Ranchos de las
 Animas pertenecientes a Mariano
 Castro y a Joieho a D. Ignacio Ortega
 En este rumbo hay maderas del No-
 ble, Sance, alamo, Scaeno, y Alerse
 y otras de poca consideracion, Al
 Noroeste tiene dos Ranchos de
 Obepas distante tres leguas y colinda
 con los Ranchos de Oro, (Así le dicen)

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PAGE 33

Office
 Survey Gen.
 of California
 the Register
 of Rancho
 owned by
 inhabitants
 of California
 on file in
 Survey Gen.
 Office

A

el de Antonio Castro en el Pajaro y el de los rios y Valles corriendo p. todas ellos las Aguas del Arroyo del Pajaro al Suroeste a mas seis leguas tiene de Colindante el Rancho de los Espinuzas llamado San Miguel, su intermedio es de Montanas con Robles, la mayor parte sin Arboles y algunos Chami Galeo. Al Suroeste tiene la Misión en la Cañada nombrada la Naturidad un Rancho de Ganado menor a distancia de tres leguas siendo todo lo mas poblado con unos pocos Robles y Encinos, y en la Cañada Causey algunos Alamos blancos. Colinda con los Ranchos de Buton y Albiso nombrados el Alizal y Oculal a las Orillas del Arroyuelo que forma la Vertiente de las grandes Montanas de la Naturidad. Al Sur se presenta un gran Cerro que se llama del Jari la y de cuyas Vertientes sale una Fuente de Agua que pasa por la Misión y sirve para Regar las Huertas y Lina con un poco de Maiz en el primer año

Office of the Surveyor General of the United States for California. I John C. Kaye, Surveyor General of the United States for the State of California and as such, 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 two preceding and hereto annexed pages of tracing paper numbered from One to two inclusive, exhibit a true and accurate copy of each Eschack from an unbound book entitled "1828." Cuadernos del Registro

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de los Sitos, furios y senales que posean
los habitantes del territorio de la Estad
California" which book is now on file
and forms part of the Serial Archives
in this Office.

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Seal In testimony whereof
I have hereunto signed my name
officially, and caused my seal
of Office to be affixed at the City of
San Francisco, this tenth day of
July 1854.

U. S. Surveyor General
for California

Sealed in Office July 11th
1854.

Geo. Fisher Casey

[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]

[Small, faint handwritten notes or markings]

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Mission of Sr. Juan Bautista

Translation

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According to the report of its own ministers Fathers F. Felipe Arroya and F. Juan Marina it is situated in $36^{\circ} 38'$ latitude and is at 12 leagues distance from Monterey in a straight line - It occupies the following lands from west to North North east it has lands covered with Sierras or small mountains about a half a league or little more, and two prairies where the neat cattle are kept which cattle are marked with the mark as shown in the margin

A

To the East it has a Rancho for large cattle - to the North East another and to the North North east another where the cattle pasture in the small prairies and low hills there being found running streams for the cattle to drink of, but nothing is irrigated with these on account of their being small and not abundant in water, but merely running through the ravines (Canadas) formed by the large Mountains which surround the Mission.

To the North North East there is another Rancho for sheep which pasture in the valleys of the high mountains in the centre of which there is pitch and sulphur in abundance and hot sulphurous water and cold water contiguous to the said Rancho distant three leagues from the Mission on the main road to San Francisco and there is abundance of water which is given by the Arroya del Paparo) Paparo creek, the Mission having no other lands in this direction.

being bounded by the Rancho of los Animas belonging to Mariano Castro and that of S. Ysidro belonging to Don Ygnacio Ortega

In this direction there is timber, oak, willow, elm, ash trees and alder trees and others of no consequence.

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Towards the west North west it has two Ranchos for sheep distant three leagues and it adjoins or bounds with the Rancho de Oro (so called) that of Antonio Castro at the Pajaro and that of the Picos and Vallejos the waters of the Pajaro creek running through all these.

To the South west at about some six leagues it has as adjoining lands, the Rancho of the Casimieras called San Miguel and the intermediate distance being composed of Mountainous country with oak timber the greater portion of it without trees and

To the south South east in the Canada called Natividad the Mission has a Rancho for small cattle at a distance of three leagues the greater part thereof being covered with some few oaks and live oaks and in the Canada itself there are some willows and elm trees.

It adjoins or is bounded by the Ranchos of Burton and Albis called El Misal and Sargal on the banks of the small creek formed by the spring of the large Mountain of Natividad.

To the south there is a Mountain called (cerro) called El Gavilan from the springs, there is a ditch of water which passes through the Mission and which is used to irrigate the orchard and vineyard, and some corn some years.

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565.

Office of the Board of U. S.
Land Commissioners for California.

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I Geo Fisher Secretary to said
Board do hereby certify that the foregoing is
a true and correct translation of an Expediente
or document marked "Extract from the
Register of Ranchos, brands and marks owned
by the inhabitants of California on file in
the Surveyor General's Office and on file in
this office in case No 565.

Heirs of Butron & Alviso
claimants

(signed) Geo. Fisher Secy.

Filed in Office July 11, 1854.

(signed) Geo Fisher
Secy

42

BASE _____
_____ 20

H 3

565

²⁷
Mariano Butron et al) La Matividad, two
vs) square leagues of land
The United States) Monterey County

Opinion of the Board
delivered by Commissioner
H. Aug Thompson

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This is a claim by the heirs and legal representatives of Manuel Butron, and Nicolas Olvera for lands described in their petition containing two square leagues. They have introduced and proved in the case a very ancient expediente from which it appears that in the year 1822, their ancestor above named presented to the then Governor of California a petition praying for consideration of their long and meritorious military services a grant of the place called Matividad.

This petition is accompanied by the recommendation of Governor Sola and in the margin is a decree by Governor Argueta, authorizing the petitioners to occupy the premises pending the receipt of the colonization laws then expected from the national Congress.

On the 26th of May 1823 they again petitioned for a more formal grant of the same lands to the extent of two "sitios" or square leagues. In response to this petition Governor Argueta issued his decree dated May 30th 1823, ordering Don Jose Estrada, Lieutenant Colonel commanding the garrison at Monterey, to put the parties in possession of the place called La Matividad, in obedience to which, possession was formally given to them by that officer to the extent of two square leagues. Under this title, the parties continued to hold

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and occupy the premises until the year 1837, when some difficulty having occurred between them and their adjoining neighbors as to their respective boundaries, they again presented a petition to the Governor abradado setting out their ancient rights and possessions and praying for a ratification of the same and a more formal measurement of the land for the purpose of fixing and establishing the boundaries.

Upon this petition the Governor entered a decree which was delivered to the petitioners, in which he recognized the rights under the ancient grant, and directs them to apply to the civil justice to give them possession in accordance with the plot which they shall present and the testimony of witnesses as to the extent of their former possession.

It appears from the same document that in compliance with the aforesaid decree, Feliciano Sobranos proceeded to give the possession agreed by it, but in consequence of a disagreement between the grantee and one of the adjoining proprietors as to the nature of the boundary between them, Sobranos discontinued the act, with an order that the matter should be referred to the Governor for his decision.

No further action seems to have been had in relation to it, and, as appears from the oral testimony in the case, the original grantee continued in the possession and occupation of the premises until their deaths which

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has remained with their families and children ever since

The evidence clearly establishes an equitable interest in the claimants which the Government is bound to respect and protect by vesting them with the legal estate

A decree of Confirmation will therefore be entered filed in office July 10, 1855 signed

Geo Fisher Jcy

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Ramon Botron and other heirs and legal representatives of Manuel Botron decd
Nicolas Alviso

565

vs
The United States

Decree of Confirmation

In this case on hearing the proofs and allegations, it is adjudged by the Commission that the claim of the said Petitioners is valid and it is therefore decreed that the same be confirmed

The land of which confirmation is made is situated in the County of Monterey, and is known by the name of 'La Matricidad' containing two square leagues.

For a more particular description reference is to be had to the original title papers and map filed among the papers in this case

P. Aug Thompson
S. B. Farnell
Comrs

Filed in office July 10, 1855 (898)

Geo Fisher Jcy

46

1872

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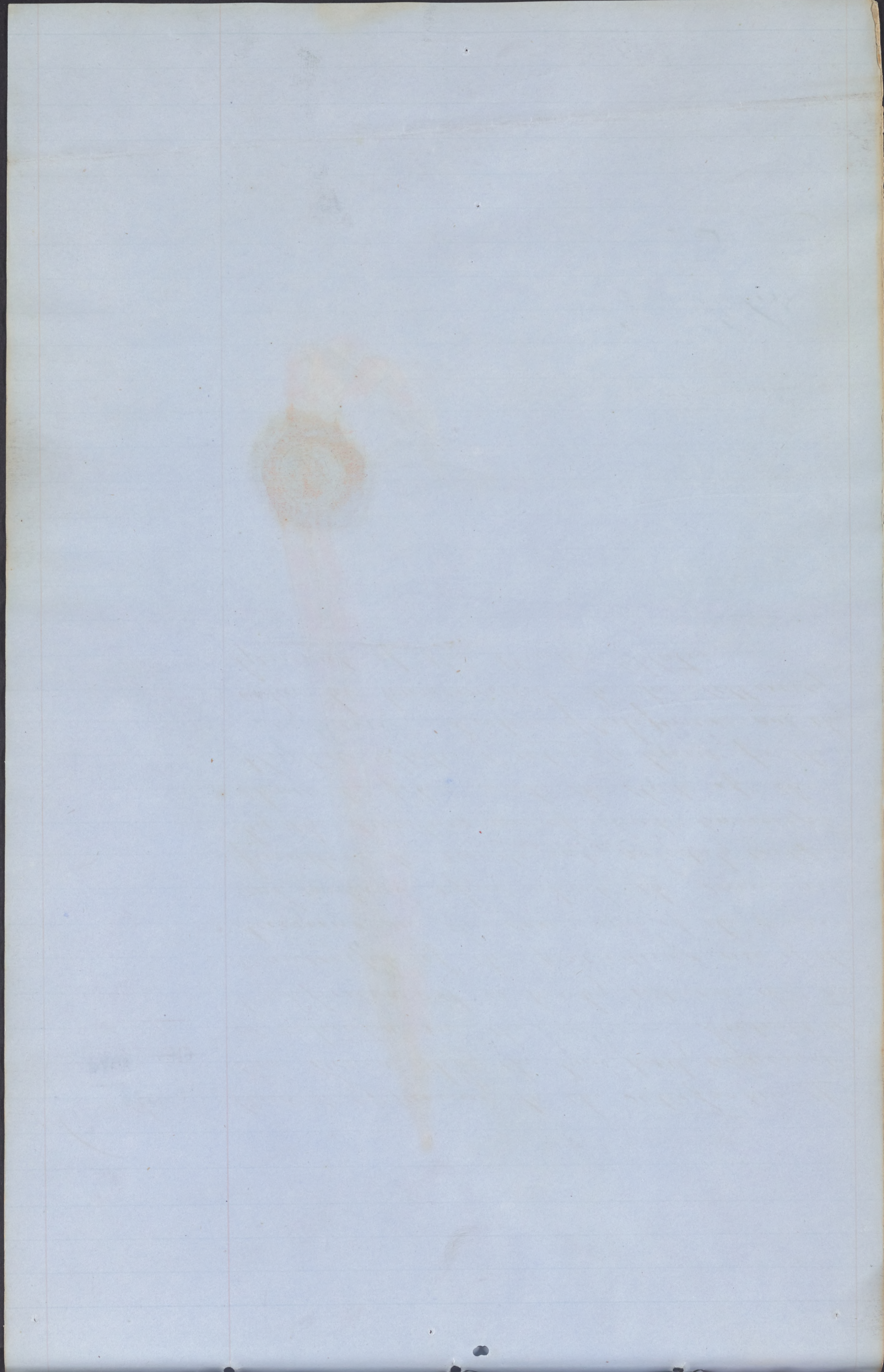
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Order

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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 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.

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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
foregoing *Party Seven* pages, numbered from
1 to 47, 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. 565 on the Docket of the said Board,
wherein

Ramona Butron, et al, are
the Claimant against the United States, for the place known by
the name of "Natividad."

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

Geo. Fisher

361

U. S. DISTRICT COURT
Southern District of C

No. *361* 361

THE UNITED STATES,

vs.

Harmonia Burton, et al.
"Petitioner"

TRANSCRIPT OF THE RECORD

FOR THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *5-65*

Filed, *August* *5th* 1856.

C. C. Carr
Clk.

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Office of the Attorney General of the United States,

Washington, 31 Dec. 1855.

565.1 "Actividad" —

Ramona Butro et al claimants

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 1st day of December 1855 the appeal in the district court of the United States for the ~~Southern~~ district of California will be prosecuted by the United States.

Clushing

Attorney General.

No. 361.

U.S. Dist Court
South Dist Cal.

————— " —————
Ramona Butron
appellee

vs
The United States
appellants

————— " —————
Notice of Appeal

————— " —————
Filed July 12th 1886

J. E. Evans
Clerk

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

CITY AND COUNTY OF LOS ANGELES--STATE OF CALIFORNIA.



Ramona Butron, et al,

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appellans,

vs,

The United States. Appellant.

Docket No. 361.

Transcript No. 365.

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

The Petition of ^{Cameron E. Thom} ~~Pacificus Ord~~, a resident of said City, County, and State, ^{acting} Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 9th day of February — A. D. 1853, Ramona Butron et al

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called *Natividad*

in the County of Monterey — State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 10th day of July — A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 3rd

day of January — A. D. 1856, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 365; reference to which it is prayed may be had and made part of this petition.

That on or about the 18th day of December A. D. 1855, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: ^{about} on the 12th day of February — A. D. 1856, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimants presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimants ~~has~~ ^{have} any valid right or title to said land claimed as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the

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

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

Cameron E. Thom
Acting Attorney of the United States for
the Southern District of California.

N^o. 361.

C. E. Thom

Filed this 24th day of Dec
1884

Esimus
clerk

In the District Court of the U States for
the Southern District of Cal.

Hon J. S. K. Ogden Judge

Ramona Butson et al

appellus.

N. 361.

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The United States - Appellant } Trans. N. 565.

The answer of Ramona Butson, et al
to the petition of the United States for
Review, avers that the title under
which they claim, ^{the land called Natasidas,} is valid. And
they pray that the decision of the
Board of Land Commissioners be
affirmed, & the title of said claimants
be deemed valid. And general relief

Angron Norton
Att'y for Appellees.

N^o. 361.

Answer,

F. Hartley 2nd. of Albany
A.D. 1857. Edwin etc.
J. H. Coleman
Secy

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

Ramona Burton and others,
heirs of Manuel Burton and
Nicolas Aliso

No 361

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At

The United States

Appellees

"La Natividad"

Appellants

Transcript No 565.

Deena

This cause coming on to be heard on appeal from
the decision of the United States Board of Land
Commissioners to ascertain and settle the private
land claims in the State of California under
an act of Congress approved March 3rd 1851,
on a Transcript of the decision and proceedings
of said Board and the papers and evidence upon
which said decision was founded, and it appear-
ing to the Court that said Transcript and the notice
of appeal have been duly filed according to law,
and counsel for the respective parties having been
heard.

It is ordered adjudged and decreed that
the decision of the said Board of Commissioners
be and the same is hereby affirmed; and that
the claim of the appellants is good and valid in
law, and the same is hereby confirmed to them
as follows, to wit: situate in the County of Mono-
ny State of California and known by the name
of "La Natividad" containing two square leagues,
as described in the original grant and the map
reference being also had for further description

to the act of judicial possession of the land and
part evidence on file in the Transcript.

James L. Ogier
U. S. District Judge

[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]

[Faint, illegible handwriting]

No 361

Ramona Burton aka
appn

Deem

Filed July 24th 1857
Ogier
CL

Recorded on Page 241

361 SD
PAGE 54

California Land Claim.
Attorney General's Office
28 Jan'y, 1857.

Sir: In the case of the claim of Ra-
mona Patton et al.; confirmed to the
claimants by the Commissioner, case no.
five hundred and sixty-five, (565),
appeal will not be prosecuted by
the United States.

I am,

Respectfully,

Cushing

Ralph M. Ely
U. S. Attorney,
Los Angeles.

No. 361.

Filed 4. March 1858,
J. King Clerk,
for W. W. Stetson
Whitney

Office of the Board of Commissioners,

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

361 SD
PAGE 56

San Francisco, Dec. 10th 1855

N. E. Carr Esq.
Clerk of the U. S. District Court for the
Southern District of California.

Sir;

I herewith transmit you, pursuant to the requirements of the Act of Congress, approved August 31st, 1852, a Transcript of the Record of the Proceedings and of the Decision of this Board, of the Documentary Evidence and of the Testimony of the witnesses upon which the same is founded, in Case No. 565 on the Docket of the said Board, wherein

Ramona Butron, et al, are the Claimant against the United States, for the place known by the name of "*Natividad*."

and request your receipt for the same.

I am, Respectfully,

Your Obedt Servant,

Geo. Fisher.