

CASE No.

380

SOUTHERN DISTRICT

---

POINT PINOS GRANT

---

L. E. POGUE, ET AL

CLAIMANT



563

Sp. Writing

Status copy of the  
and duplicate  
collected

# TRANSCRIPT

380 SD  
PAGE 1

OF THE

# PROCEEDINGS

**IN CASE**

NO. 563.

*S. E. Payne, et al.*

CLAIMANT

vs.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"Point Barrow"*



THE UNIVERSITY OF CHICAGO

PHILIP W. KATZ, DEPARTMENT OF

COMPARATIVE LITERATURE

AND EAST ASIAN STUDIES

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1964



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 *L. E. Rogue, et al.* for the Place named  
*Point Pinas*

was presented, and ordered to be filed and docketed with No. 563 and is as follows, to wit:

(Vide page 5 of this Transcript.)

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

San Francisco February 17, 1853  
In case No. 563 *L. E. Rogue et al.* for the place named "Point Pinas" the deposition of William E. Hartnett a witness in behalf of the claimants taken before Commissioner Richard Hall, with documents marked H. H. No. 1, annexed thereto was filed:  
(vide page 9 of this transcript)

San Francisco Oct 21, 1853  
In the same case the counsel for the claimants filed the following stipulations, to wit:  
(vide page 95 of this transcript)

San Francisco November 2, 1853  
In the same case the deposition of David Spence a witness in behalf of the claimants taken before Commissioner William Thompson, was filed:  
(vide page 10 of this transcript)



San Francisco December 5, 1854

Case No 563 was ordered to be placed at the foot of the 3<sup>d</sup> slip cases on the trial docket.

San Francisco December 19, 1854

Case No 563 was submitted under the rule of March 21, 1854.

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San Francisco June 12, 1855

In the same case the U.S. Law Agent filed the following motion to wit:

(vide page 95 of the transcript)

San Francisco July 10, 1855

In the same case the U.S. Law Agent filed the following affidavit and motion, to wit:

(vide page 93 of the transcript)

San Francisco Aug 21, 1855

In the same case Commissioner B. Aug. Thompson delivered the opinion of the Board upon the motion filed hereafter, to wit on the 12<sup>th</sup> June granting the same, whereupon it is

Ordered that this case be restored to and placed at the foot of the trial docket

San Francisco Aug 30, 1855

In the same case the deposition of John B. Adams a witness in behalf of the United States taken before Commissioner S. W. Barnwell, was filed

(vide page 12 of the transcript)

San Francisco Sept 4, 1855

Case No 563 was submitted without argument and taken under advisement

San Francisco Sept 11, 1855

In the same case Commissioner B. Aug. Thompson delivered the opinion of the Board respecting the claims



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S.

(vide page 97 of this transcript)  
and the following order was made, to wit:  
(vide page 112 of this transcript)

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4-563  
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4

1874  
1875

1/21 2



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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 Secundus E. Poague and Pacificus Ora of Monterey County respectfully represent; That on the 24th of May 1833 Jose Figueroa Governor of California granted to Jose Maria Amenta a citizen of California, a certain tract of land called Point Pinos, lying and being in the County of Monterey, and bounded as follows; beginning at Point Alamos and thence in a direct line South West to Point Reyes, thence along and around the sea shore to the place of beginning, containing Eight Million Seven hundred and two thousand, five hundred superficial square Varas, a little more or less, as will appear by reference to the map accompanying the Expediente:-

That said grant was confirmed by the Territorial Assembly, on the 17th. May 1834 and judicial possession was given by the 1<sup>st</sup> Alcalde, David Spence on the 29th of December 1835

That about the year 1837 the said Jose Maria Amenta died intestate leaving four children his legal heirs, to wit, (1) Jose (2) Maria Antonia (3) Christoval & (4) Jose Antonio. No letters of administration of said deceased's Estate were ever had -

That on or about the 12th of June 1844 One Jose Abrego of Monterey pretended to purchase all the said tract of land granted as aforesaid - That on or about



the fifteenth day of January 1850 the said Jose Abrego pretended to sell the said tract of land so pretended to have been purchased by him to one Milton Little & Others jointly:

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That on or about the day of 1850 suit was instituted in the 3<sup>d</sup> Judicial District Court of Monterey County California by the said Jose, Maria Antonia, Christoval and Jose Antonio Armenta, Children and legal heirs of the said Jose Maria Armenta as aforesaid, against the said Milton Little & Others, for the recovery of the said tract of land granted as aforesaid. That on or about the 31<sup>st</sup> day of October 1851 Judgment was rendered in favor of each of the three of the aforesaid Plaintiffs, to wit; Maria Antonia, for one undivided fourth, Christoval for one undivided fourth, and Jose Antonio for one undivided fourth part of said tract of land granted as aforesaid. In virtue of which judgment they were put in possession of the land and Original title papers. Said judgment has never been reversed.

Yves petitioner Lucinda E. Poque claims the one undivided half of the one undivided fourth part of said tract of land, granted as aforesaid, in virtue of a deed of Conveyance from the said Jose Antonio Armenta, of the date of the 15<sup>th</sup> of January 1853, made under power of Attorney of the date of 22<sup>nd</sup> of September 1852.

And Yves petitioner Pacificus Ore claims the one undivided



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half of the one undivided fourth part of  
 said tract of Land, granted as aforesaid,  
 in virtue of a deed of Conveyance from Maria  
 Antonia Armenta; of the date of June  
 28th. 1852. And also the one undivided  
 half of the one undivided fourth part  
 of the said tract of Land, granted as  
 aforesaid, in virtue of a deed of Conveyance  
 from Christoval Armenta of the date of  
 the 24th of April 1852. And also the one  
 undivided half of the one undivided  
 fourth part of the said tract of Land  
 granted as aforesaid, in virtue of a Deed  
 of Conveyance from Jose Antonio Armenta,  
 of the date of the 22<sup>nd</sup> of September 1852

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Your petitioners herewith  
 present Copies of the Original grant of  
 Governor Jose Figueroa to Jose Maria  
 Armenta, and the Act of judicial procep  
 ion to said tract of Land granted as  
 aforesaid, also Copies of the several deeds  
 of the Armentas to themselves

The premises considered, your  
 petitioners pray that the said grant of  
 Governor Jose Figueroa, to the said  
 Jose Maria Armenta, of the aforesaid  
 land called *Puerto Piños*, may be Conf  
 irmed, and that they have a decree in  
 their favor and general relief—  
 As in duty bound &c.

J. Ora for self & attorney  
 for Licencia & Pagos

Filed in Office Feb 9 - 1853  
 Geo. Fisher  
 Secy



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1862  
1863





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Deposition of San Francisco Feby 17. 1853  
W. E. P. Hartness On this day before Com. Hiland Hall  
Came Wm E P Hartness - a witness in  
behalf of the Claimants S. E. Faguo, et al  
Petition No. 563 and was duly sworn  
his Exccence being given in English

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The U. S. Associate Law Agent was present

Question 1. What is your name  
age occupation and place of residence?

My name is W. E. P. Hartness  
My age is fifty four years and reside  
at Monterey.

Ques. 2<sup>o</sup>. Being shown a  
Document marked "S. S. No 1" was asked  
whether he knew the signatures therein  
of Jose Figueroa, J. R. Gonzales, Augustin  
Gamorano, Juan Malerin, El Spence,  
Jose Manuel Malconado Olalla  
Leecheath, and if the signatures to  
said Document were true and genuine?

Answer. I am acquainted  
with their signatures & believe them to  
be genuine

Question 3<sup>o</sup>. Do you know the  
Rancho of Point Pinos in the County  
of Monterey, and do you know when it  
was first occupied, by whom and in  
what manner?

Answer. I know the Rancho.  
It has been occupied since about the  
year 1833 by Jose Maria Armenta with  
a house, Cattle and Sowing ground.  
It has been since occupied by him &  
those claiming under him to the present



time, in the same manner.

W. E. P. Stutwell

Sworn & subscribed before me  
Notary State Comr.

Filed in Office July 17<sup>th</sup> 1853

Geo. Fisher Secy

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Deposition of Office of the Board of  
David Spence Commissioners &c. &c.

On this day before Comr.

R. Aug. Thompson came David Spence  
a witness in behalf of Claimants L. E.  
Poque et al No. 563 who after being  
aduly sworn deposed as follows.

Testimony in behalf of Claimant  
Present D. Ora Esp. Atty for Claimant and  
R. Greenhow Esp. Atty for David Spence

In answer to questions witness states that  
his name David Spence; he is age fifty  
five and resides Monterey Calif.

Question by Claimant's Atty  
Do you know the Rancho of Point  
Pines in Monterey County if so, state  
what you know of the giving Judicial  
possession of the same

Answer. I know the Rancho  
very well and in 1835 when I was Alcalde  
I gave the Judicial possession of it to the  
grantee Jose Maria Armenta; The docu-  
ment filed in this case with the depo-  
sition of W. E. P. Stutwell marked  
Exhibit No. 1 and with the initials M. S.  
and R. T. is the original record of such  
Judicial possession, and my own signature



and the others which occur thereon are genuine - In looking over said Record I find on page marked A Not a mistake which should be corrected. On said page in the 8th line from the bottom the word "bunder" meaning banded should have been written "meqr" meaning wife -

The Natural Objects called for in said judicial proceeding to wit "point Cypress" and "Point of Arcones" are well known and by them the boundaries as given can be easily identified

Question by same.

State if you know when, by whom and in what manner the land claimed in this case, Rancho of Point Pinos was first occupied?

Answer. Immediately after the opening of the grant, and in the same year, the grantee Jose Maria Armenta took possession of the land built a small house on it and lived on it with his family - He cultivated a portion of it, had some tame cattle on it. He continued to live on it till his death, afterwards, his family lived on it until they sold it.

The heirs of Jose Maria Armenta now living are, Maria Antonia, Christoval, Jose Antonio, and Jose Armenta being sole surviving legitimate children of said grantee.

Question by Mr. Greenhow

What has been the usage in California since the Mexican Law with regard to the rights of the widows

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to lands which had been granted to her  
husband by the Government, during the  
marriage?

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Answer. Marriage in California  
was considered a partnership in which  
the parties had equal interests, and the  
property acquired during Coverture was  
regarded as gains, and was equally  
divided between the widow and the  
children on the death of the husband  
so far as my knowledge or observation  
has extended (and I have administered  
on several Estates) the lands so acquired  
were uniformly divided between the  
widow and children, giving the widow  
one half, and the children the other

L. Spence

Sworn to and subscribed

before me, the 2<sup>d</sup> November 1853

R. Aug. Thompson Com.

Filed in Office Nov. 2. 1853

Geo. Fisher Secy

Deposition of United States of America  
J. B. Alvarado State of California

San Francisco Aug. 30. 1855

This day before S. B. Fenwick one of the  
Commissioners to ascertain and settle  
private land claims in said State, came  
Juan B. Alvarado a witness in behalf  
of the United States in Case No. 563, who  
being duly sworn deposed as follows

That the Attorney for the Claimant was  
duly notified and did not attend



Questions by U. S. Associate Suro Agent

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

Answer. My name is Jean B. Alvarado, my age 46 years and I reside in Contra Costa County California

2 Question. Look at document now shown you marked "Doc No. 1" annexed to the deposition of Teodoro Gonzalez taken and filed in Case No 353. and herein referred to, and state whether the signatures of Guill. Edo. Martinez on the first page and the Reclia of Micheltorena thereon, the signatures of Florencio Serrano, and Ambrosio Gomez on the 5th page, and that of Florencio Serrano on the 7th page, that of Manuel Micheltorena and Manuel Jimeno on the 10th and 13th pages are their genuine signatures, and your reasons for believing them to be such

Ans. I have Examined the document referred to in the question - I know the signatures of Guillermo E. Martinez, Florencio Serrano, and Ambrosio Gomez, Manuel Jimeno and the signature and the Reclia of Manuel Micheltorena, having seen each of the said persons write, I have seen them write their names often, and I believe that their signatures as they appear on the said document and as referred to in the question, are their genuine signatures. All the signatures and Reclias on each and every page of the said document are genuine -



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claimants licenses were summoned and failed  
to appear.

Juan B. Alvarez

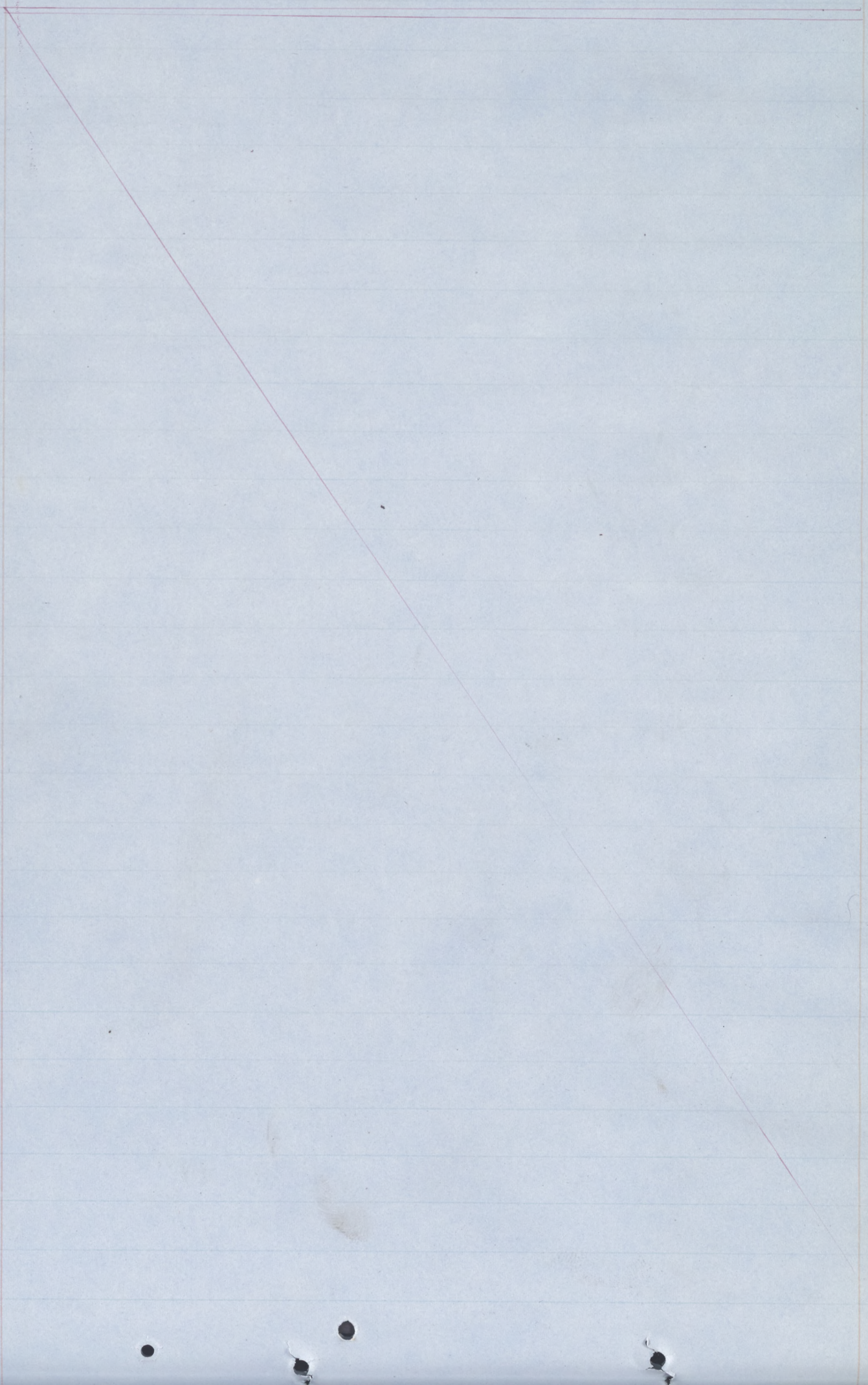
Seem to me subscribed before me  
this 30th day of August 1855

L. D. Farwell - Comr

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Filed in Office Aug. 30. 1855


Geo. Fisher Secy



15. [Illegible handwritten text]



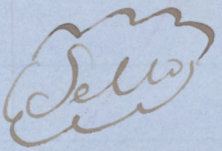
15

dello segundo  Doce Reales  
para los años de mil Ocho cientos veinte  
y seis y Ocho cientos veinte y siete.  
Revalidado p<sup>o</sup> la Sub. Comisaria del puer-  
to de Monterey de la Alta California

Doc: H. H. p<sup>o</sup> los años de mil Ocho cientos treinta  
y cuatro y Ocho cientos treinta y tres  
to the Depo: of *Inspeccion* J. R. Gonzalez  
Wm C. P.

Hartnell Jose Ygnacio General de Brigada  
taken before de los Ejercitos nacionales de la Republica  
C. H. Hall Mexicana, Comandante General Inspector  
y Jefe superior politico del Territorio de la  
Alta California.

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 Por cuanto Jose Maria Ar-  
menta natural de Aguascalientes del Estado  
de Jalisco, ha pretendido para su beneficio  
personal el terreno conocido con el nombre  
de punta de Pinos que comprende la  
parte de Costa desde la punta de  
Aulones hasta la de Cipreces y vuelve  
por la Linea Recta N. O. a N. E. a la  
Referida punta de Aulones: conforme  
queda demarcado en el Diseno respectivo  
practicadas previamente las diligencias  
y averiguaciones convenientes segun  
lo dispuesto por Las Leyes y Replamentos  
usando de las facultades que me son  
conferidas en decreto de trece del corriente  
en nombre de la Nacion Mexicana he veni-  
do en concederle el terreno mencionado  
declarandole la propiedad de el por las  
presentes letras, entendiendose dicha  
concesion con Entera conformidad  
a lo dispuesto por las Leyes a reserva de  
la Aprobacion o desaprobacion de ca



Excelentísima Diputación Territorial  
y del supremo Gobierno y bajo las condiciones  
siguientes.

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Primera. Que se someterá á las que Estableciere el Reglamento que se ha de formar para la Distribucion de terrenos baldíos y que entre tanto ni el adjudicado ni sus herederos podran dividir ni enajenar el que se le adjudica; imponer censo ó impuesto, fianza hipoteca, ni otro gravamen, aunque sea por causa púdica, ni pasarlo á manos muertas; sometiéndose á demas á pagar el canon que se imponga si resultare pertenecer á los Egidios de Montevideo, cuando se circunscriban sus linderos.

Segunda. podra cercarlo sin perjuicio de las servidumbres camineras y servidumbre de paso: lo disfrutara libre y exclusivamente destinándolo al uso ó cultivo que mas le acomodare, pero dentro de un año á lo mas fabricará casa y Estera habitada.

Tercera. Cuando se le conferia la propiedad solicitara del juez Respectivo que le dé posesion jurídica en virtud de este Despacho por el cual se demarcan los linderos en cuyos limites pondrá á mas de las Mohoneras algunos Arboles frutales ó silvestres de alguna utilidad.

Quarta. El terreno de que se hace donacion es de Ocho millones setecientos dos mil y quinientas de Area ó superficie en Varas cuadradas: poco mas ó menos segun esplica el diseno que corre en el Expedite. El juez que diere la posesion lo hara medir conforme á Ordenanza



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para señalar los linderos quedando el sobrante que resulte a la Estacion para los usos convenientes.

Quinta: Si contrariando a estas condiciones perdiera su derecho al terreno yera denunciabile por Oho.

En consecuencia mando que sirviendole de titulo el presente y teniendose por firme y Valido se tome razon en el libro a que corresponde y se entregue al interesado para su Resguardo y demas fines. Dado en Monterey a Diez y Nueve de Mayo de mil Ocho cientos treinta y tres.

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Jose Ligueroa  
Agustin Q. Zamorano  
Pro.

Queda <sup>le</sup> Lomada Reynon en el libro de asientos de <sup>el</sup> Titulos sobre adjudicacion de Terrenos a foxas H. N. 4. que obra en el Archivo de la secretaria de mi cargo. Monterey Mayo 24. de 1833.

Zamorano  
Dello <sup>le</sup> Luceo Dos Reales:

Habilitado provisionalmente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil ocho cientos treinta y cuatro y mil ocho cientos treinta y cinco

Ligueroa                      A. Ramirez  
El Alcalde Constitucional

Jose Armenta Ciudadano Mexicano dice que habiendo obtenido la Concesion del terreno nombrado punta de pinos ocurria V. p. que se sirva dar la posesion juridica conforme esta prevenido en el Art. 3.º del Titulo de dicho terreno que se



Espidio en el veinte y quatro de Mayo de 1833 que devídame<sup>te</sup> acompañar igualmente la confirmacion respectiva. p<sup>or</sup> que todo ohe los Efectos deseados. p. Tanto a. V. suplico se sirva ponerla en la posesion que solicita de lo que recibira merced y gracia.

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Monterey Dec: 25. de 1835.  
A. Ruego del interesado.  
Juan Malain

Monterey 26 de Diciembre de 1835.  
por presentado y admitido procedase por mi el presente Alcalde a la midicion señalame<sup>te</sup> de Linderos y judicial posesion que solicito en el interesado en esta instancia señalandose para efectuarlo el veinte y nueve del presente mes y no habiendo colindante. Asi yo el Alcalde 1<sup>o</sup> de esta Capital lo decreté mandé y firmé con los de ass<sup>os</sup>

Don E. Spence

De ass<sup>os</sup>

De ass<sup>os</sup>

Juan Malain

En la fecha se le notifico el auto que antecede al Sr. José Lumenta y en tendido dijo: lo Oye y que se da por citado y no firmo por no saber lo hizo yo y los de ass<sup>os</sup>

Spence

De ass<sup>os</sup>:

José Maria

De ass<sup>os</sup>

Maldonado #

Juan Malain

Sello Lecer

Dos Reales:

Habilitado provisoriamente por la Administracion de la Aduana Maritima de Monterey de la Alta California para los años de mil Ocho cientos treinta y quatro y mil Ocho cientos treinta y cinco.











21.

Monterey 29. de Dic<sup>re</sup> y 1835.  
Tomese Razon en el libro de posesiones  
y demelrase este Expediente Original  
al interesado para que se sirva de titulo  
Asi yo el Alcalde lo decrete mande y  
firme con los de Ass<sup>to</sup>

Daw & Spence

De assa

Jose Maria

Maldonado

De assa

Juan Maluin

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En la fha se tomo Razon de  
Este titulo en la fha 8<sup>ta</sup> del libro  
Respectivo y se devolvio el Original en  
seis y utiles p<sup>as</sup> constancia lo anoto  
y rubrico.

6

Here follows  
2 Maps 3

I the undersigned do hereby certify  
by the within Map to be a correct copy  
of the Original accompanying the  
document belonging to the farm of the  
Punta de Pinos granted by Governor Argue-  
roa on the 24<sup>th</sup> of May 1833. which exists  
in the Archives of the Californian Government  
at present under my charge.

Monterey 15<sup>th</sup> April 1848

W. C. P. Hartnell

Gov<sup>t</sup> Translator

Filed in Office Feb<sup>y</sup> 14<sup>th</sup> 1853

Geo: Fisher Sec<sup>y</sup>



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Monterey 29. de Dic - 1848.  
Tomase Rayon en el libro de posesiones  
y demelrase este Expediente Original  
al interesado para que se sirva de titulo  
Asi yo el Alcalde lo decreto mande y  
firme con los de Ass<sup>o</sup>  
Dn E. Pence

De assa  
Jose Maria } De assa  
Maldonado } Juan Malerin

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En la fha de tomo Rayon de  
Este titulo en la fha 8<sup>ta</sup> del libro  
Respectivo y se devolvio el Original en  
seis y utiles p<sup>o</sup> Constancia lo anoto  
y rubrico.

6

Here follows  
2 Maps 3

The undersigned do hereby certify  
by the within map to be a correct copy  
of the Original, accompanying the  
document belonging to the farm of the  
Punta de Pinos, granted by Governor Figueroa  
on the 24<sup>th</sup> of May, 1833, which exists  
in the Archives of the Californian Government  
at present under my charge.

Monterey, 15<sup>th</sup> April 1848  
W. C. P. Hartnell

Gov<sup>t</sup> Translator  
Filed in Office Feb<sup>y</sup> 14<sup>th</sup> 1853  
Geo: Fisher Sec<sup>y</sup>



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1871  
1872





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Translation  
of Doc. N. N.  
No. 1 annexed  
to Depo. of W. E.  
P. S. annexes

9  
Seal Second. Twelve Reales

Seal

For the years 1836. & 1837

Revalidated by the Sub Comisario of  
the Port of Monterey in Upper California  
for the years 1832 and 1833.

(Signed) Figueroa

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Jose Figueroa Brigadier General of the  
National Forces of the Mexican Repub-  
lic, Commanding General and Inspector  
and Superior Political Chief of the  
Territory of Upper California.

Seal

Whereas Jose Maria Armenta a  
Native of Aguascalientes in the State of Jalisco  
has solicited for his personal benefit the  
tract of Land known by the name of  
"Punta de Pinos", which embraces that part  
of the Coast from the "Punta de Acilones"  
to that of "Cipreses", and returns in a direct  
line S.W. to N.E. to the same Punta de  
Acilones according to the delineation thereof  
in the respective designs; the proceedings  
and investigations relative thereto having  
been had and made in accordance  
with the Laws and regulations; by  
virtue of the powers vested in me by decree  
of the thirteenth of the present month, in  
the name of the Mexican Nation I have  
Conceded to grant him the tract of Land  
aforesaid, declaring unto him the Owners-  
hip thereof by these present letters, said  
grant being understood to be in entire



conformity with the provisions of the  
Leyes, subject to the approval or disap-  
approval of the Most Excellent Territorial  
Deputation and of the Supreme Govern-  
ment, and under the following conditions

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First: He shall submit to the condi-  
tions that may be established by the  
Regulation which is to be formed for the  
distribution of Vacant Lands, and that  
meanwhile, neither he nor his heirs can  
divide or alienate that which is granted  
to him, nor impose thereon land tax  
entail, bond, mortgage or any other  
incumbrance, although it may be for  
religious purposes, nor transfer it in  
mortmain, obligating himself moreover  
to pay the rent that may be imposed  
upon him if it should result to belong  
to the Commons of Montrey when the  
boundaries thereof shall be established

Second. He may enclose it without  
prejudice to the crossings roads and  
servitudes; he shall enjoy it freely and  
exclusively, appropriating to the use or  
cultivation most convenient to him; but  
within one year at most he shall  
build a house and it shall be inhabited

Third. When the property is confirmed  
to him, he shall request the respective  
Justices to give him judicial possession  
thereof in virtue of this patent according  
to which the boundaries shall be clearly  
marked, in the limits of which he shall  
plant besides the land marks some



25-

quite trees or vice versa of some utility  
Fourth. The land of which donation is  
is hereby made embraces an area of  
superficies Eight Millions Seven hundred  
and two thousand square varas, or  
little more or less, as shown by the censo  
attached to the Expediente.

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The Judge who shall give the possession  
will cause it to be measured accord-  
ing to Ordinance for the making out  
of the boundaries, the surplus that  
may result remaining to the Nation  
for convenient purposes

Fifth. If he Contavene these Conditions  
he shall lose his right to the land  
and it will be donacionable by another

Therefore the present serving  
him as a title and being held as firm  
and valid, I order it to be recorded in  
the proper Books and delivered for his  
security and other purposes

Given in Monterey on the  
twenty fourth day of May Eighteen  
hundred and thirty three

(Signed) José Figueroa  
(Signed) Augustin V. Zamorano  
Seal

Recorded in the Books of Registry  
of titles of lands granted on leaf  
No. 4 which exists in the Archives of  
the office under my charge  
Monterey May 24. 1833  
(Signed) Zamorano



Real Cédula Sus. Reales.

Provisionally authorized by the Administration  
of the Maritime Custom House at the  
Port of Monterey in Upper California  
for the years 1834 - and 1835.  
(Signed) Figueroa (Signed) A Ramirez

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Señor Constitucional Alcalde.

Jose Armenta a Mexican  
Citizen represents - That having obtained  
the grant of the land named "Punta de  
Penas" he applies to your Honor that you  
may be pleased to give him the peculiar  
paper as provided in the 3<sup>o</sup> Article  
of the title of said Land which was  
issued to him on the 24<sup>th</sup> day of May  
1833 which he duly accompanies herewith  
also the respective Confirmation in order  
that the whole may produce the desired  
effects.

Wherefore he prays your Honor to  
be pleased to give him the paper which  
he asks, whereby he will receive mercy  
and grace.

Monterey December 25. 1835

At the request of the party

(Signed) Juan Malario

Monterey December 26. 1835

Being presented and admitted let me  
the present Alcalde, proceed to the  
measurement, designation of boundaries  
and peculiar paper, which the  
party to this petition solicits appointing  
therefor the 29<sup>th</sup> day of the present  
month (and there being no Colindantes)



27

Thes I the Just Alcaide of this Capital  
decreed ordered and signed with asis-  
-ting Alitenepe

(Signed) Dav. Spence

Asisting Alitenepe  
(Signed) Juan Malerin

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On the same day the foregoing act was  
Notified to Citizen Jose Armenta, whereupon  
on he said he heard it and acknowledged  
service, and did not sign because he  
did not know how to write. I and the  
Asisting Alitenepe signed.

(Signed) Spence

Asisting Alitenepe  
(Signed) Jose Maria Maldonado  
(Signed) Juan Malerin

Seal Third Two Reales

Provisionally authorized by the Administra-  
-tion of the Maritime Customs House at the  
Port of Monterey in Upper California  
for the years 1834, and 1835

(Signed) Castro - (Signed) Angel Ramirez

Rancho of Punta de Pinos

Dec. 29. 1835

For the measurement, designation of  
boundaries and possession of Citizen  
Jose Armenta, I appointed Citizens Walter  
Lockworth and Felipe Hernandez as  
messengers, who after the acceptance  
and oath will proceed to the discharge  
of their trust. Thes I the Just Alcaide  
decreed ordered and signed with the  
assisting Alitenepe

(Signed) Spence



Assisting Witnesses  
 (Signed) Jose Maria Maldonado  
 (Signed) Juan Malvarin  
 On the same day Petrus Mattias Lockworth  
 and Felipe Stanandee being present, the  
 Act of their Appointment was notified  
 to them, whereupon they said they heard  
 that they accepted it, and they did accept  
 it swearing by God our Lord and the  
 sign of the Cross, according to Law, that  
 they would exercise it faithfully and  
 legally to the best of their understanding  
 and ability without fraud against any  
 person - and the second did not sign,  
 saying he did <sup>not</sup> know how - and the  
 assisting witnesses signed

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(Signed) Spence  
 (Signed) Mattias Lockworth  
 Assisting Witnesses  
 (Signed) Jose Maria Maldonado  
 (Signed) Juan Malvarin

On the said place, day, month and year,  
 the Messengers aforesaid before me the  
 Alcalde, took a Cord or Rope and with  
 a Common Mexican Vara measured fifty  
 Varas with which to make the measure-  
 ment, and stationing themselves near  
 the "Punta de Represis" the measurement  
 was commenced towards the North East  
 to the "Punta de Arlonas". and there were  
 two hundred Cordes of fifty Varas (in  
 length) and from said "Punta de Arlonas"  
 North, North West, to the Punta de Pinos  
 Eighty Cordes, and from the said "Punta  
 de Represis" towards the East two Cordes  
 in breadth - I ordered the proper lance  
 marks to be put up on the said lines



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for the designation of the boundaries that belong to him - The land measured is about one league and a half and signed it with the existing lictenes

(Signed) Don. Spence

Existing lictenes

(Signed) Jose Maria Maldonado

(Signed) Juan Malcain

See This Two Pages

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Professionally authorized by the Administration of the Maritime Custom House at the Port of Monterey in Upper California for the years 1834 and 1835

(Seal) Castro (Seal) Angel Ramirez

On the Rancho of Punta de Pinos on the twenty ninth day of the month of December, one thousand eight hundred and thirty five of the Alcalde, after the conclusion of the measurement of the said Rancho, whereby it is shown to contain one and a half square leagues with every thing else necessary to be examined and appears in these acts, ordered Citizen Jose Armenta to enter into possession of the aforesaid place (under the name of Señora Regina in the name of the name of the family) and under the said measurements and the customary formalities in these cases which he immediately did, pulling up stakes and performing acts as occurs of the place of which possession has been given him the reality of which I authorize and sign with the existing lictenes the interested party not claiming so because he was



Nac know how

(Signed) Law. Spence

Asisting Altitapes

(Signed) Jose Maria Malcondado

(Signed) Juan Maluin

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Monterey Dec. 29. 1835

See it be recorded in the book of Popesians, and let this Original Expediente be delivered to the interested party to serve him as a title -

Thus I the Alcalde decreed ordered and signed with the Asisting Altitapes

(Signed) Law. Spence

Asisting Altitapes,

(Signed) Jose Maria Malcondado

(Signed) Juan Maluin

This title was recorded on the same day, on the 86th leaf of the respected Book and the Original was returned on 8 written leaves and in testimony thereof I enter it on my Public

Public

A true and correct translation -

Altitapes my hands this 17th February 1833 -

Geo. Fishers Secy

Filed in Office Feby 17. 1833

Geo. Fishers Secy



31

Sello Cuanto Dos Reales:  
Habilitado provisionalmente por la Aduana  
Maritima del Puerto de Monterey en el  
Departamento de las Californias para  
los años de mil Ocho cientos cuarenta  
y Cuatro y mil Ocho cientos cuarenta y

Copy of Doe Lines

H. D. James Michelmore

Pablo de la Guerra

to deho: of Leo-  
doro Gonzalez

procurador del Admón  
Guill. Ed. Hartnell

taken before (Sello) En Monterey de la Alta California  
Comm= H a los doce dias del mes de junio de mil

D. Thornton Ocho cientos cuarenta y cuatro. Ante mi  
Florenio Serrano Alcalde 2º Conotº  
y juez de primera instancia en turno.

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de esta demarcacion y ante los testigos  
de asistencia con quienes actuo en la  
forma establecida por falta de Escribeno  
publico a mas de los instrumentales de que  
al fin se hara mencion parecio de presente  
Dª Ciprida Alvarez con sus hijos Jose,  
Jose Antonio y Cristoval Aumenta cuyas  
personas doy fe conosco y dijo la primera  
que por si ya nombre de los Referidos hijos  
herederos y subseores y de quien de ellos  
hubiere titulo leg, y causa sede a Dª Jose  
Abrego de esta misma Vecindad que  
tambien doy fe conosco el Derecho que les  
asiste al teneno conocido con el nombre  
de punta de pinos que les pertenece en proprie-  
dad segun consta del titulo y posesion  
que obra en el Expediente que presentaron  
y yo el juez doy fe haber visto y mande  
unir a la presente Escritura. Cuyo teneno  
esta libre de todo gravamen, publico, perpetuo  
temporal tacito o expreso y como tal se  
lo sede, a dho señor Abrego. por cuya sesion



han recibido la Otorgante y sus hijos la cantidad de ciento sesenta y dos pesos à su Entera satisfaccion, y desde hoy en adelante se desprende, y despoja para siempre del derecho, posesion, titulo, Recurso, ò otro cual esquiera que le compete al enunciado tenens y lo renuncia y traça ad al Escribado Don Abrego para que disponga de el como de cosa propia y le compare poder irrevocable, con libre parrera y general Administracion para que de su autoridad aprende la tenencia y posesion que por derecho le compete.

Y la Obediencia y Validacion de todo lo referido obliga la Otorgante sus bienes presentes y futuros y con Ellos se somete al fuero y jurisdiccion de los señores jueces que de sus causas pueden y deben conocer conforme à Dios para que, à su cumplimiento lo compelen y apremien por toda via Efectiva, como sentencia dada, consentida, y pasada en autoridad de cosa juzgada y sentencialla que por tal, la Reputa. Renuncia las leyes de ~~esta~~ que en el caso le favorezcan y la general del derecho en forma.

En cuyo Testimonio asi lo Otorgo y firmaron à Ruego de los interesados los C. C. Manuel Casto, Vicente Gomez J. Antonio Chaves y Esteban de la Torre presentes y Vecinos siendo los Procuradores tales los tres primeros firmando yo con los de Asistencia de que doy fe.

Yo Lorenzo Peraza

Manuel Casto # Vicente Gomez  
Jose Antonio Chaves # Ambrosio Gomez



de asistencia: Antonio Lima asista

Es copia sacada fielmente de su  
 No. 3. H. Original hoy día de su otorgamiento.

Sello Cuarto Dos Reales:

Habilitado provisionalmt<sup>o</sup> por la Aduana  
 Maritima del puerto de Monterey en el  
 Departamento de las Californias para los  
 años de mil Ocho cientos cuarenta y  
 cuatro y mil Ocho cientos cuarenta y  
 cinco.

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Micheltrera Pablo de la Guerra  
 por Aus<sup>o</sup> del Adm<sup>o</sup>

Guillo. Ed<sup>o</sup> Hartnell  
 Sello siendo testigo de Vala copia corre  
 por y conservar el C<sup>no</sup> Ambrosio Gomez  
 doyle.

Ambrosio Gomez H. Florencio Senano  
 (Derechos en el papel / 5 p<sup>o</sup> " 4 R<sup>o</sup>  
 No. 4. F. F.

Juzgado 2<sup>o</sup> y de 1<sup>o</sup> Instan<sup>o</sup>  
 por Cuento D<sup>o</sup> Brigada Alvarez vuida  
 de Jose Maria Ament<sup>o</sup> y Futra albacea  
 de sus hijos menores, ha probado ante mi  
 Florencio Senano Alcalde 2<sup>o</sup> en esta ju  
 risdiccion que siendo dueña del veneno  
 conocido con el nombre de punta de  
 pinos, Rancho que se le concedio a su  
 Esposa; no tiene en la absoluto con que  
 fomentarlo p<sup>o</sup> cuya causa se halla aban  
 donado y ni aun lo ocupa y como a mas  
 se encuentra en la suma necesidad  
 de no tener ni con que alimentarse a sus  
 hijos, hechas por este juzgado las averigua  
 ciones correspondientes de la facultad  
 para que pueda enajenarlo, vendiendo



el derecho q. a cto teneno le asiste. Asi yo  
el citado por lo provei y firmé en Monterey  
a 15 de Mayo de 1844.

Laurencio Leñero

N.º 5.º D. Lello Cuanto Dos Reales:

Habilitado provisionalmente por la Aduana  
Maritima, del puerto de Monterey en el  
Departamento de las Californias para  
los años de mil Ocho cientos cuarenta  
y cuatro, y mil Ocho cientos cuarenta  
y cinco:

Micheltrera # Pablo de la Llena  
por Causa del Adm.  
Guillermo Edel Hartnell

Lello

El Ciudadano Manuel  
Micheltrera General de Brigada  
del Ejercito Mexicano Ayudante Jefe  
del mismo y Inspector del Departamento  
de Californias.

Por Cuanto Don José  
Abrego ha adquirido legalmente el cto  
consecion, y posesion que obtuvo José Ma.  
Armenta del teneno conocido con el Nom-  
bre de punta de pinos que comprende  
la parte de Costa desde la punta de Au-  
lones hasta la de Cipreco y vuelve por la  
linea Recta. D. O. a N. E. a la referida  
punta de Aulones y habiendose practi-  
cadas las diligencias y averiguaciones  
correspondientes he venido en declarar  
y declarar en confirmacion dueño del  
paraje al mencionado D. José Abrego; su-  
getandose a las condiciones sigtes  
para no poder sercarlo sin perjudicar  
las haciendas, caminos y Divisumbes



4

lo disputara libre y exclusivamente de su  
 nombre al uso y cultivo que mas le acomode.

3<sup>o</sup> El terreno de que se ha hecho donacion  
 es de la Estension que demuestran el  
 plano respectivo y segun la posesion ju-  
 rídica que ya se tiene dada.

4<sup>o</sup> Si contraviniere a estas condiciones  
 perderá su derecho al terreno y sera de-  
 nunciabile por otro.

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En consecuencia mando  
 que con arreglo de titulo el presente  
 se tome Rayon de el, en el Libro respectivo  
 y se entregue al interesado para su resque-  
 do y clamao pñe.

Dado en Monterrey a Cuatro de Octubre  
 de mil Ocho cientos Cuarenta y cuatro

Mano Michel

Mano Jimeno. Lrto

Quedan tomadas Rayon de Cote despacho  
 en el Libro a que corresponde a folios  
 10. Jimeno

N.º 6. D

Here follows  
 { Map }



El que suscribe, Secretario del Dopa-  
cho. Certifica que el Diseño que se demuestra  
à la Buelta es igual al Original, que  
esta apregado al Especto Respectivo de la  
concecion que el señor Gobernador D<sup>no</sup>  
Manuel Michelarena, y Comandante  
Gral hizo de la punta de pinos à favor  
del señor D<sup>no</sup> José Abrego en euada de Oc-  
tubre de mil Ocho cientos cuarenta y  
cuatro.

Man<sup>te</sup>. Jimeno

N<sup>o</sup> 4. III<sup>o</sup>

En el Puerto de Monterey, California  
à los quince dias del mes de Enero de  
mil Ocho cientos y cincuenta, Ante mi  
Felipe Roach: Alcalde 1<sup>o</sup> de Este  
Lugar y por ante los testigos de Asistencia  
parecieron de presente Don José Abrego  
y su Esposa Doña Felipita Estada  
Vecinos del mismo Lugar à quienes  
doy fe con ozo y dijeron que por si y à nombre  
de sus herederos y sucesores venden y  
dan en Venta solemn y enajenacion  
perpetua por puro de heredad para siem-  
pre jamas el derecho y accion que por los  
aduntes Titulos tienen al tener conocido  
con el Nombre de punta pinos, comprado  
à doce de junio 1844. à Doña Brigida  
Alvarez con sus hijos José. José Antonio y  
Cristobal Armenta y comprende la parte  
de la Costa desde la punta de Aulones  
hasta la de Cipices y vuelve por la linea  
Recta sur Oeste à N<sup>o</sup>. Este à la referida  
punta de Aulones: Lademas que en euado  
de Octubre de mil Ocho cientos cuarenta  
y Cuatro.



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el Gobernador Don Manuel Michel-  
ena espicio un nuevo titulo a favor de  
Don José Abrego a Vista de la concesion  
adquirida de José Maria Aumentu, supe-  
to a nuevas condiciones, a los D<sup>os</sup> Milton  
Little, Jacobo. P. Leese, Santiago Gleason  
y Tomas. O. Larkin en la cantidad de  
Cien mil pesos en plata que ya estan  
resibidos a nuestra entera satisfaccion  
declarando no tenerlo vendido ni enaje-  
nado.

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Renunciando cualesquiera de-  
rechos que pudieron tener. En seguida  
pasando a poco separado lei la anteed<sup>ta</sup>  
Escritura a la Copreada D<sup>na</sup> Doña  
Josefa Botada y declaro ser de su  
Voluntad, la dicha Venta no habiendo  
sido forzada por parte de su Esposa. Y  
para su cumplimiento y Validacion fir-  
maron con miyo y los de asistencia segun  
derecho.

José Abrego

Josefa Botada

De assa

(Circular stamp: *Arcaes*)

Asist<sup>os</sup>

Excmo: Mila # Manuel Castro

Philip A. Roach  
Alcalde

I George Fisher Secretary to the  
Board of U. S. Land Commis<sup>rs</sup> to  
settle the private land claims in the  
State of California; do hereby certify  
that the foregoing is a true and correct  
literal copy of a certain document  
filed in Case No: 353 which document  
is marked "Doc" H. J. L. No: 1.



submitted to the Dep<sup>y</sup>: of <sup>y</sup>Ludov. Gonzalez  
taken before Com<sup>r</sup>: H. L. Thornton and  
filed Dec<sup>r</sup>: 31. 1852.

In Testimony whereof  
I have hereunto signed my name at  
Office in San Francisco Cal<sup>y</sup> this fourth  
day of Sept<sup>r</sup>: 1855.

Geo: Fisher

Deery

Filed in Office Sept: 4<sup>th</sup> 1855

Geo: Fisher Deery

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Copy of C. Translation of Act of Sale

Translation of Grant & Mesne Conveyances in Case No. 353.

In Monterey in Alta California on the 12<sup>th</sup> day of the Month of June 1844, before me Florencio Carrero D<sup>a</sup> Alcalde Constitucional and Justice of the 1<sup>st</sup> instance ad interim of this Demarcation and before the attesting witnesses with whom I act in due form of a Notary Public beside those instrumental of whom to that purpose shall be made mention appeared in my presence D<sup>a</sup> Biquera Alvarez with her sons Jose, Jose Antonio, and Christobal Amenta, which persons I attest that I know the first named said; that for herself and in the name of the said sons heirs and successors and whom of them shall have title voice, and cause, she cedes to Dn. Jose Abrego of this same neighborhood, whom I also attest that I know, the rights which may favor them to the land known by the name of "Punta de Pinos" which belongs to them in Right of property; as is shown by the title deed and possession that is annexed to the Expediente they presented, and which I the justice attest to have seen; and ordered to write to the present writing which land is free of all encumbrance, public, perpetual, temporal, tacit or Express, and as such it is ceded to said Dn. Abrego; for which Conceptin the grantee and her sons have received the sum of 162 Dollars to her entire satisfaction, and from that day forward for always the right, possession, title, because

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or other which serves competition to Suico  
Luna, is released and relinquished, and  
she renounces and transfers it to the Suico  
J Abrego in order that he may dispose  
of it as a thing of his own, and she consents  
on him irrevocable possession with free  
frank and general Administration, so that  
he may seize by his Authority the tenancy  
and possession that by right is due  
to him.

And for the observance and main-  
tenance of all the aforesaid, the granted  
Obliges herself in her goods present and  
future and therewith the Subjects herself  
to the statutes and jurisdiction of the  
Justices, that from the Causas they may  
and must know, conformable to Suico  
for her Compliance they compel and restrict  
her by all Executive means, as judgment  
given, consented and passed on authority  
of a suit appealed and sentenced  
whereby she Obliges, she renounces the  
Suico that in such case may favor her  
and the formal Suico in general.

In testimony whereof she  
thence consented, and in the name of the  
interested parties signed the Citizens -  
Manuel Castro - Vicente Gomez -  
J Antonio Chavez and Estevan de la  
Torre, present, and neighbors - the three  
first being the instrumental. I signing  
with the assistants of which I give  
testimony -

Florencio Serrano # Manuel Castro  
Vicente Gomez - Jose Antonio Chavez -  
Ambrosio Gomez, assistant  
Antonio Lerma - assistant



H/1

This is a Copy faithfully drawn from its Original to day of his grant. the Citizen Ambrosio Gomez being a witness of seeing it Copied, Corrected and Compared which I attest.

Florencio Serrano

Ambrosio Gomez

Tees with the papers of 5. 1 Reales

Second Justice Court and of 1<sup>st</sup> Instance

Whereas D<sup>a</sup> Brigida

Alvarez widow of Jose Ma. Amentu and testamentary tutor of her minor sons, has proved before me Florencio Serrano J<sup>o</sup> Alcalde in this jurisdiction that being owner of the land known by the name of Punta de Pinos, a Rancho granted to her husband, she has absolutely not the wherewithal to stock it, for which reason it is found abandoned and not even occupied; and as besides, the said lady in the urgent necessity of not having the wherewithal to support herself, and her sons, after by this justice court the necessary investigations have been made she is entrusted with the power to alienate it; selling the right which she has to said land.

Thus done in the said judge province and Señores in Monterey 15<sup>th</sup> May 1844

Florencio Serrano

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## Translation of Grant

The Citizen Manuel Micheltorino  
 Brigadier General of the Mexican Army  
 Adjutant General of the Same, Governor,  
 Commandant General and Inspector of the  
 Department of California

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Whereas Sr. Jose Abrego  
 has legally acquired the right, Conception  
 and possession that José María Armenta  
 obtained of the Land known by the  
 name of "Punta de Pinos" which compre-  
 ses the Coast line from "La Punta de  
 Acolones" to that of "Cipreses" and returns  
 by the right line S. E. Southward to  
 Northward to the said Punta de Acolones  
 and having taken the corresponding  
 action, I have conceded to declare  
 and do declare and confirm the same  
 and Sr. Jose Abrego owner of said loca-  
 tion subject to the following conditions

- 1<sup>st</sup> He shall not have the power to  
 alienate it nor mortgage it.
- 2<sup>nd</sup> He may fence it without prejudice  
 to the crops, dunes and servitudes  
 he will enjoy it freely and exclusively  
 appropriating it to the use or culture  
 that best may suit him
- 3<sup>rd</sup> The land donated is of an extent  
 shown in the respective sketch and  
 according to the juridical possession  
 which he has already been given
- 4<sup>th</sup>. If he should violate these conditions  
 he shall lose his right to the land and



shall be denounced by any other.

Consequently I order that this serving him as a title deed, an entry be made of it in the respective Book and delivered to the interested party for his security and other purposes.

Given in Monterey 4th. Oct. 1844.

Manl. Micheltoano

Manl Jimeno Secretary.

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This document has been entered in the Corresponding book on folio 10.

Jimeno

### Sketch

The undersigned Secretary of State certifies that the Sketch exhibited on the reverse is a likeness of the Original that is annexed to the respective Expedients of the Conception which the Governor Don Manuel Micheltoano and Comandante General Maceo of the Puente de Pinos in favor of Mr. D. Jose Abrego on the 4th of October 1844.

Manl Jimeno

In the Port of Monterey, California, on the fifteenth day of the month of January 1850.

Before me Felipe Rauch 1<sup>st</sup> Alcalde of the place and before the Attesting Alcaldes, appeared Don. Jose Abrego and his wife Dona. Josefa Estrada, residents of the said place whom I attest that I know, and they said: that for themselves and in the name of their heirs and successors sell and give in solemn sale and alienation, perpetual



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no jure in right of inheritance for always  
 and ever the right and action that by  
 the acquired title deeds, they had to the  
 lands known by the name of Punta Pinos;  
 brought on the 13th of June 1844 of Don  
 Diego Alvarez with his son Jose,  
 Jose Antonio, and Cristobal Amentu  
 and comprises the sides of the Cause from  
 La Punta de Aulones to that of Cipreses  
 and back at the right line Southward  
 to a North East to the said Punta de  
 Aulones; and besides on the 4th of Dec.  
 1844 the Governor Don Manuel Michelena  
 despatched a new title in favor of  
 Don Jose Abrego in view of the concep-  
 ion acquired of Jose Maria Amentu  
 subject to new conditions - To Milton  
 Little - Jacob P. Leese, Santiago  
 Gleason and Thomas P. Larkow in the  
 sum of Thirty thousand Dollars in  
 Silver which is already received to  
 our entire satisfaction declaring not  
 to have sold or alienated it.

Renouncing whatever right they  
 might have. Therefore I proceeded  
 to see her separately and read the  
 foregoing writing to said Dona  
 Josefa Estrada, and she declared  
 the said sale to be of her free will;  
 not having been forced thereof from  
 the pain of her husband -  
 and for its fulfillment and confirmation  
 they signed with me and the assistants  
 according to law. Jose Abrego  
 Josefa Estrada  
 Ass. Fran. Milla X Manuel Cusco  
 Philip A. Rauch - Alcaide



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I George Fisher Secretary to the Board of U. S. Land Commissioners do hereby certify that the foregoing is a true and correct literal copy of a certain document filed in Case No. 353 which document is marked "A" Translation of the same & Mesmo Conveyances, and filed Sept. 22<sup>nd</sup> 1855.

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In testimony whereof I have hereunto signed my name at Office in San Francisco Cal this 4th day of Sept. 1855  
Geo. Fisher  
Secy

Filed in Office Sept. 4. 1855  
Geo. Fisher  
Secy



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1880  
1880



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Jurisdiccion } No. 4. Año de  
de Monterrey } 1833

# Expediente

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Sobre el paraje nombrado punta de  
Pinos, Solicitado p<sup>o</sup> su beneficio  
D<sup>o</sup> José Maria Armenta  
Natural de Aguascalientes del  
Estado de Jalisco.

Jun  
m



2 Dello Tercero <sup>(Place of seal in the Original)</sup> Do Reales

Para los años de mil Ocho cientos Veinte y seis y ocho cientos veinte y siete

<sup>(Place of seal in the Original)</sup>  
1828  
1829

El Sr. Jefe Superior político José Maria Lumentea natural del Aqualule, jurisdiccion

<sup>(Place of seal in the Original)</sup>  
1830 + 1831

del Estado de Jalisco, y actual Vecino de esta Capital, ante V. S.

<sup>(Place of seal in the Original)</sup>  
1832 + 1833

con el Debido Respeto; Dice que havendolo benido a este Terito-

rio de Manuero hace cuarenta y dos años se ha mantenido Montenero Seb. en el servicio de la Olanos 12 de 1833 hasta qd hallandose invalido de conformidad se retiro con este gozo y vendose con las Leyes de la yca con familia forzosa adque materia informada en este pais y sin recen el Ayuntamiento - os que le pudiesen suficientes de esta Capital para la Subsistencia, pidi- si el mter oado ob el Teneno que actualmente tiene los requisitos para de la Estencion y form- proveenidos para qd demuestran el dicho qd sea atendido en su deidadant- acompanya en el Solicitud; si el cual (concedido en el año Teneno que preter de 82% por el Sr. Cheandei de esta emprendido ha impendiido para hacerlo entre las veinte le frutifero, unos tabajos de guas limitofe o gran tamaño) superior o diez litorales a su avanzada edad; que espereca la mas como no tiene titulo al Ley de 18 de Ayl 2º punto de Adquicicion el qd de 1824. si ha per Representa y qd se halla im- tenecido o pertenece Estanfero. Radicado dentro a propiedad parti de los limites de dicho teneno eulas, cor para eun qd sus bienes devan perjudicar

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49.

de pueblis se cono a los del suplicante se  
 se por Baldio } ve este en el indispensable  
 con todo lo demas } caso de suplicas a V. O.  
 q. sea consent } se digne p. un Efecto de su  
 a ilustrar la ma } bondad con se de le en  
 tena. } propiedad el Expediente  
 Ligueroa } tenenoy conste q. se situe en  
 Agustin. V. } las tierras q. lleva mencionadas  
 Zamorano } el Estampado de q. se haya  
 hecho Referencia.

3 P. I. pide y suplica el intercedo  
 V. O. en accedeo a esta solicitud en la  
 q. recibira mereced y gracia  
 No se firmas

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Don Jefe Superior Politico.  
 El J. Ayuntamiento de Esta Capital  
 con el Objeto de dar a V. O. el informe q.  
 se sirve pedir en su superior decreto, paso  
 la presente Solicitud a la Comision que  
 conoce en asuntos de Colonizacion y tenenos  
 baldios quien presento el Dictamen que se  
 manda a pregar a Este Expediente y como  
 su contenido es lo que en el particular debe  
 informas esta corporacion lo reproduce  
 4 en todas sus partes devolvendo a V. O.  
 el presente en cumplimiento de lo acordado  
 en sesion del 26 del presente.

Monterey Mayo 30 de 1833.

Marcelino Escobedo #, José Maria }  
 Maldonado }  
 Sr.

Monterey 13 de Mayo de 1833.

Vista la peticion con que da principio  
 Este Expediente, el informe, de la auto-  
 ridad municipal de Esta Capital con



todo lo demas que se tubo presente y ver con  
 univ; de conformidad con lo dispuesto por  
 las leyes y Reglamentos de la materia, se  
 declara a José Maria Armenta dueño en  
 propiedad del terreno conocido con el nombre  
 del pinal, sito en la parte Occidental  
 de la Bahía de Monterey, sujeto a las con-  
 diciones que se estipularen; librese el  
 despacho correspondiente tomese Razon  
 en el Libro Respectivo y dirijase este expediente  
 para la debida aprobacion a la Exma  
 Dñtacion Territorial, en cuyo caso  
 el interesado a quien se le haia saber este  
 decreto presentara nuevamente su titulo  
 para que se le revalide. - El Sr. Dr. Jose  
 Figueroa Comandte General Inspector  
 y Jefe Sup<sup>te</sup> Politeo del Ter<sup>o</sup> de la Alta  
 California asi lo mando decreto y firmo  
 de J. Clappier.

Jose Figueroa.

Agustin V. Hermans Sr

5.

Here follows  
 { map }



## Y Ayuntamiento

La Comision encargada de abrir de  
tamen, en asuntos de Colonizacion y  
terrenos Baldios ha visto con detenimiento  
la solicitud del Sr. José M<sup>a</sup> Armenta  
relativa a que se conceda en propiedad  
el paraje q<sup>e</sup> actual y provisionalm<sup>te</sup> pose  
actualm<sup>te</sup> en la punta de pinos y como segun  
el decreto que al margen aparece del Sr.  
Jefe politico deve informara medidas  
de como se le proporciono los escasos comi-  
mientos q<sup>e</sup> tiene en la materia Espone  
q<sup>e</sup> el interesado es Ciudadano Mexicano, que  
el terreno que pretende esta comprendido  
en las diez leguas literales, ya mayor abundancia  
pertenece a los ejidos q<sup>e</sup> segun se sabe señalo  
la Excm<sup>a</sup> Diputacion en el año de 1830 p<sup>er</sup>  
esta poblacion y queda pendiente su verificaci-  
on hasta tener la suprema aprobacion por  
razon de la circunstancia que hace acceder  
al pretendiente de que con su actividad  
y trabajo lo ha beneficiado con mucha utili-  
dad de esta poblacion por lo q<sup>e</sup> somete a  
la deliberacion de esta C<sup>or</sup>poracion  
la proposicion siguiente.

Informe el Ayuntamiento  
q<sup>e</sup> puede concederse provisionalm<sup>te</sup> el  
terreno q<sup>e</sup> pose y pretende, el Sr. Armenta  
entendido de q<sup>e</sup> declarada la pertenencia  
por la Excm<sup>a</sup> Diputacion y con la apro-  
bacion suprema, se sujete al convenio  
q<sup>e</sup> en este caso tenga con la corporacion  
Monterey Marzo 15 de 1833.

José Arala

José Antonio Romero

José Ligueroa etc

Por cuanto José Maria



Aumentada natural, de Aguascalientes del  
 Estado de Jalisco, ha pretendido p<sup>r</sup> su  
 Beneficio personal el terreno conocido con  
 el nombre de punta de pinos que comprende  
 la parte de costa desde la punta de Au-  
 lones hasta la de Cipiceros y vuelve  
 p<sup>r</sup> la línea Recta. O. W. a N. E. ha la  
 Referida punta de Aulones conforme  
 queda demarcado en el Diseño respectivo  
 practicadas previamente las diligencias  
 y averiguaciones concernientes según lo  
 dispuesto p<sup>r</sup> las leyes y Replamentos, ju-  
 sendo de las facultades q<sup>d</sup> me son confi-  
 idas en decreto de 13 del corriente en  
 nombre de la Nación Mexicana he venido  
 en concederle el terreno mencionado de-  
 clarándole la propiedad de el por las  
 presentes letras, entendiéndose otra con-  
 secun con entera conformidad a lo dis-  
 puesto p<sup>r</sup> las leyes y Reservas de la aprova-  
 cion o desaprobacion de la Cámara Dipu-  
 tacion territorial y del supremo Gobierno  
 y bajo las condiciones siguientes.

1<sup>ra</sup> Que se sometera a las q<sup>d</sup> establecidas  
 el Replamento q<sup>d</sup> se ha de formar p<sup>r</sup> la  
 distribucion de terrenos Baldios y q<sup>d</sup> en  
 futuro ni el agraciado ni sus herederos  
 podran dividir ni enajenar el q<sup>d</sup> se les  
 adjudica imponer sobre vinculo fianza  
 hipoteca ni otro gravamen alguno sea  
 por causa p<sup>r</sup>ictosa ni pasarlo a manos  
 muertas. sometiéndose además a  
 pagar el canon q<sup>d</sup> se le imponga si  
 Resultare pertenecer a los Obispos de  
 Monterey cuando se anejen sus lindes  
 Q<sup>d</sup> podra cercarlo sin perjudicar las  
 haciendas, caminos y servidumbre q<sup>d</sup>



8 lo disputara libre y Exclusivamente destinandolo al uso ó cultivo que mas le acomodare; pero dentro de un año à lo mas fabricara Casas y estara habitada.

3<sup>ra</sup> Cuando se le compare la propiedad solicitada del juez respectivo q<sup>d</sup> le de la posesion juridica en virtud de este Despacho p<sup>a</sup> el cual se demarcaran los linderos en sus limites pondra à mas de las mofoneras algunos arboles, frutales ó silvestres de alguna utilidad

4<sup>a</sup> El terreno de que se hace mención. Yocho mill<sup>2</sup> setecientas dos mil y quinientas de Area ó sup<sup>2</sup> en Varas cuadradas poco mas ó menos segun esplica el Dissenio q<sup>d</sup> corre en el Exped<sup>to</sup>; El juez que diese la posesion lo hara medir conforme à Ordenanza p<sup>a</sup> señalar los linderos quedando el sobrante q<sup>d</sup> resulte à la Hacienda p<sup>a</sup> los usos convintes

5<sup>a</sup> Si contuviere à estas condiciones perdera su derecho al Terreno y sera denunciable p<sup>a</sup> Otro.

En Consecuencia mando que sirviendole de titulo el presente y teniendose p<sup>a</sup> firme y Valido se tome Razon en el Libro à que corresponde y se entregue al Interesado p<sup>a</sup> su Resguardo y demas fines. Dado en Monterey à 24 de Mayo de 1833.

Jose Figueroa

Agustin V. Zamorano - secretario

9 Quella tomada Razon en el Libro de asientos de Titulos. sobre adjudicacion de terrenos à f. H. N. 4. q<sup>d</sup> obra en el Archivo de la Secret<sup>ria</sup> de mi Bayo.



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Monterey Mayo 24. de 1833.

Jamoraño.

10 Las Comisiones de Colonización y tenen-  
nos Valdios à quienes, se pasó el Expedite  
cuya formacion provocò por pretencion de  
el Ciudad<sup>no</sup> José M<sup>o</sup> Aumentado hizo al tenen-  
no nombrado punta de pinos lo han examinado  
nada con circunspeccion que corresponde,  
al mismo tiempo presente la Ley de 18  
de Ayl<sup>o</sup> de 1824 sus concordantes y las  
disposiciones generales de en 24. de No-  
viembre de 1828 dicto el supremo Gobierno  
de la union p<sup>a</sup> el mejor cumplimiento de  
la primera. Del Examen del Expediente  
se ha penetrado la Comision de la Opinion  
que yo tenia, de las escrupulosidades  
y tanto con el Sr. Jefe sup<sup>o</sup> político lo  
mando Interior; de suerte que ni en su  
formacion se estubo algun Requirito re-  
sencial ni de las practicadas.

por lo dicho conclulle la comision opesiendo  
de la deliberacion de Esta Excm<sup>a</sup> Dipu-  
tacion la sig<sup>te</sup> proposicion.

1<sup>o</sup> Se aprueba la concesion hecha al  
Ciudad<sup>no</sup> José M<sup>o</sup> Aumentado del terreno  
nombrado punta de pinos conseedido en  
24 de mayo de 1833. de Entera conformidad  
con lo prevenido en la Ley de 18 de Ayl<sup>o</sup> de  
1824. y el articulo 3<sup>o</sup> del Replamento de  
21. de Noviembre de 1828.

Monterey Mayo 10 de 1834.

José J. Ortega # Bail<sup>o</sup> Ant<sup>o</sup> Canillo

José St. Estadillo

José Castro.

11. Monterey 14. de Mayo de 1834.

En Sesion de Este dia se aprovo



W. la Exma. Diputacion la proposicion del dictamen antecedente mandandose devuelva el Expediente al Sr. Jefe superior politico para los fines con siguientes.

Jose Ligueroa  
Juan B. Alvarado  
Seel<sup>ras</sup>

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13.

Sello tercero <sup>(Place of a Seal in the Original)</sup> Do Reales

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Para los años de mil Ocho cientos Veintey seis y Ocho Cientos Veinte y siete.

<sup>(Place of seal on the Original)</sup> Monteny 18 de D<sup>bre</sup> de 1834  
<sup>(for)</sup> En Vista de la aprobacion otorgada 1828. + 1829 en 14 de Mayo de Ultima p<sup>ra</sup> la

<sup>(Place of a seal on the Original)</sup> Exma. Diputacion territorial  
<sup>(1830 + 1831)</sup> tomese testimonio de Ella y de este Decreto a la parte del Sr. Jose Maria Armenta, en conformacion a la concecion del Tenens de punta de p<sup>ra</sup> de junio de 13 de Mayo de 1833. El Sr. D<sup>o</sup> Jose Ligueroa

<sup>(Place of a seal on the Original)</sup> General de Brigada Comandante  
<sup>(1832 + 1833)</sup> Local, Inspector y Jefe superior Politico de la Alta California asi lo mande decreto y firmo de of. doy fe

Jose Ligueroa  
Agustin V. Zamorano  
S<sup>no</sup>.

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Testimonio

Se aprueba la concecion echa al Ciudadano Jose Maria Armenta del Tenens nombrado punta de p<sup>ra</sup> concedido en 24 de Mayo de 1833. de entera conformidad con lo prevenido en el art. 5<sup>o</sup> del Repl<sup>o</sup>



mento de 21 de Nov<sup>bre</sup> de 1828.

Monterey 14 de Mayo de 1834.

En Sesion de este dia se apuro p<sup>o</sup> la  
C<sup>o</sup>ma Diputacion la proposicion del  
dictamen antecedente mandando se de  
buelva el Expediente al S<sup>o</sup> Jefe superior  
politico p<sup>o</sup> los fines consiguientes.

Jose Figueroa

Juan B. Alvarado Secret<sup>o</sup>

Monterey 11 de Diciembre de 1834.

En Vista de la aprobacion otorgada en  
14 de Mayo ult<sup>o</sup> p<sup>o</sup> la C<sup>o</sup>ma Diputacion  
Territorial: librese testimonio de Ella  
y de este Decreto a la parte del Ciudadano  
Jose M<sup>o</sup> Aumentado, en confirmacion  
a la concesion del terreno de punta de  
pinos q<sup>o</sup> obtuvo en 13 de Mayo de 1833.

El S<sup>o</sup> D. Jose Figueroa General de Bri  
gada Comen<sup>te</sup> J<sup>o</sup> Inspector y Jefe  
sup<sup>o</sup> politico de la Alta California  
asi lo mando decreto y firmo de que doy  
fe.

Jose Figueroa

Agustin V. Zamorano C<sup>o</sup>no

Concuerda con su Original, del cual  
se hizo sacar el presente testimonio p<sup>o</sup>  
Resguardo de la parte interesada con  
15. Monterey a 18 de Diciembre de 1834.  
siendo testigos los Ciudadanos Bernardo  
Cavachete y Bonifacio de Madanaga  
de esta Vecindad.

En testimonio de Verdad

Jose Figueroa

Agustin V. Zamorano

C<sup>o</sup>no.



5-7

Office of Surveyor General  
of the United States for California

I, John C. Hays Surveyor  
General of the United States for the  
State of California, and as such 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  
by the Virtue of the power vested in me  
by law: Do hereby certify that the 15  
preceding and hereunto annexed pages  
of tracing paper, numbered from One to  
fifteen inclusive, Exhibit a true and  
accurate copy of a certain document  
now on file and forming part of the Archives  
of the said Archives in this Office

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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 nineteenth day of October  
(1853)

John C. Hays  
U. S. Surveyor General  
for California

Filed in Office Oct- 19th 1853

Geo. Fisher. Secy



58

1970

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59  
 Translation  
 of  
 Expediente

Jurisdiction of Monterey, No. 1  
 Year 1833.

Record of Proceedings about the location  
 called Punta de Pinos solicited for his  
 benefit by Jose Maria Amentá, a native  
 of Aguascalco in the State of Jalisco

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(Several Stamps)

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Si Superior Political Chief

Jose Maria Amentá a native  
 of Aguascalco Jurisdiction of the State  
 of Jalisco, and actual resident of the  
 Capital with due respect says before you

That having come to this Territory  
 as a miner forty two years ago, he has  
 maintained himself in the service of  
 the Army, until finding himself an  
 invalid, he retired with this joy; and  
 seeing himself now with a family invol-  
 untarily acquired in this Country, and  
 without resources sufficient to him  
 for subsistence, he asked for the land  
 which he actually occupies, to the extent  
 and situation shown in the sketch  
 hereby duly accompanied on which (being  
 granted in the year 1827 by Escheancia)  
 in order to make it fructifera, he has  
 made some improvements of great  
 magnitude, superior to his advanced age  
 but as he has not had title deed of  
 acquisition, and there being a stranger  
 having his homestead within the  
 limits of said Lane, whose cattle must  
 prejudice that of the petitioner, he the



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petitioner seems himself in the unavoidable  
Case of supplicating you to be pleased  
by an Act of your goodness to grant him  
the said lands in ownership and avoid  
that the stranger referred to keeps him  
self in the mentioned land -

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Therefore I ask and pray you to conclude  
to accede to this solicitation wholly  
I shall receive favor and grace.  
I don't know how to sign

(In the Margin)

Montreux July 13th. 1833

In conformity with the Law on the  
Subject, the Ayuntamiento of this Capital  
will report whether the interested party  
presents the requisites provided in order  
to be attended to in his solicitation, whether  
the land he claims is comprised between  
the terms limiting a ten letteral league  
expressed in the Law of 18th of August  
1824, whether it has belonged or does  
belong to any particular property, Corpora-  
tion or Pueblo or is known as vacant,  
with whatever else that might be  
concerned to illustrate the matter.

(Signed) Figueroa  
Augustin Aljumarano Secretary

Si Superior Político Chief

The illustrious Ayuntamiento of this  
Capital with the view of giving you  
the report you please to look in your  
Superior Decree, referred the present  
solicitation to the Committee on the  
subject of Colonization and Vacant  
Lands; which presents the opinion ordered



6.1  
to be annexed to this Expediente and as its Contents is what in this particular this Corporation ought to report, it reproduces it in all its parts, retaining the presents to give in compliance with the resolution agreed on in the session of 26th present.

Monterey March 30th 1833

Marcelino Escobar

Jose Maria Malconado - Secretary

Monterey 13th May 1833.

In virtue of the petition with which this Expediente Commences the report of the Municipal Authority of this Capital with whatever else to be born in mind and as to the purpose, in conformity with the requirements of the law and regulations on the subject, Jose Maria Armenta is declared owner in his own property right of the land known by the name of Pinalcitos on the Western Side of Bay of Monterey, subject to the conditions to be stipulated.

See the corresponding document be issued, entered in the respected Book, and let this Expediente be directed to the Excellent Territorial Deputation for its due approbation in which case the interested party, to whom this decree will be made known, will present anew his title deed in order that it may be ratified - Don Jose Figueroa Commandant General, Inspector and Superior Political Chief of the Territory of Alta California thus used to an decree and sign of which I bear testimony.

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Jose Figueroa  
Augustin V. Gamorano. Secretary

Ilustrissimos Ayuntamiento

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The Committee charged with delivering opinion on Subjects of Colonization and Vacant Lands, has with Circumspection seen the Solicitation of the Citizen Jose Ma. Armenta relative to his being granted in Ownership the location he actually and provisionally possesses situated in the Ponce de Pinos, and as in consequence of the Decree of the Political Chief, appearing in the Margin, it ought to report in proportion to how it may be furnished with the little knowledge it has in the matter, Represents, that the interested party is a Mexican Citizen, that the land he claims is comprised in the ten littoral leagues, and to a large extent belongs to the Commons, which as is known, the Excellent Deputation marked out in the year 1830 for this Village, and its Confirmation remained pending until getting the Supreme approbation, but there is a Circumstance in favor of the Claimant, which is, that with his assiduity and labor he has improved it to much utility of this Village, wherefore it submits to the deliberation of this Illustrissimos Corporation the following proposition -

That the Illustrissimos Ayuntamiento report that the land possessed and claimed by the Citizen Armenta can be granted provisionally, in case that



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when the ownership be declared by the  
Excellent Deputation with the Supreme  
approbation, it be subjected to the  
arrangement which in this case may be  
made with the Corporation.

Monterey March 15<sup>th</sup> 1833

Dono Arabea — Jose Anta Romero

Jose Segueron etc.

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Whereas Jose Maria  
Armenta a Native of Aguascalco in the  
State of Jalisco has claimed for his  
personal benefit the Landa known by  
by the name of Punta de Pinos which  
Compasses the Coast since from la Punta  
de Aulones to la Punta de Capreses  
and runs back in a right line Southwest  
to North East to the said Punta de  
Aulones, as is marked out in the  
Respectable Sketch, after having taken  
the necessary action, and made the  
necessary investigations according to  
the requirements of the laws and  
Regulations, in Exercise of the power  
vested in me, in Decree of the 13<sup>th</sup>  
Instant, in the Name of the Mexican  
Nation I have concluded to grant him  
the mentioned land, according to his  
property, by the present letters patent,  
consequently I have granted in Entero  
Conformity with the requirements of  
Law, and Resolution of the approbation  
or disapprobation of the Excellent  
Territorial Deputation and that of the  
Supreme Government and since the  
following Conditions —



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1<sup>st</sup> That it be subject to the conditions which shall be established by the Regulation to be made for the distribution of these lands, and that in the meanwhile neither the grantee nor his heirs shall have the power to alienate or alienate what is appurtenant to him nor subject it to rent, service, bond, mortgage or any other encumbrance, although it be for a charitable purpose, nor convey it into Mortmain, subjecting it however to the payment of the tribute that may be imposed, if it shall prove to belong to the Commons of Montreux when its boundaries be fixed

2<sup>nd</sup> He may fence it without prejudice to the crops, roads and diversities; he will enjoy it freely and exclusively, appropriating it to the use or culture that may best suit him, but within a year at most he will build a house there to be inhabited -

3<sup>rd</sup> When the ownership shall have been conferred on him, he will solicit of the respective Judges to give him judicial possession in virtue of this document by whom the boundaries are to be marked, on the extremities of which he will put some fixed trees or other ones of some solidity

4<sup>th</sup> The land mentioned is eight millions seven hundred and two thousand, five hundred in area or superficies in square measures, a little



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more or less as is shown in the sketch  
joined to the Expediente; the Decree who  
shall give the possession will cause it  
to be measured conformable to Ordinance  
in Order to mark out the boundaries,  
leaving the Surplus that may result  
to the Nation for convenient purposes

5th. If he should violate the conditions  
he will lose his right to the land, and  
may be denounced by some other party

Consequently I order that these  
papers being him as a title deed  
and being held as firm and valid,  
it be entered in the Corresponding book  
and delivered to the interested party  
for his security and other purposes  
Given in Monterey on the 24th of May  
1833

Jose Figueroa  
Augustin V. Zamorano Secretary

Entered in the Book of Entry of titles  
on application of Land on folio 11  
No. 4 deposited in the Archives of the  
Secretary's Office in my charge.  
Monterey May 24th. 1834  
Zamorano.

The Committee on Colonization and Vacant  
lands, to whom was referred the Expediente  
instigated at the instance of the Captain  
Jose Ma. Armenta claiming the land  
called Punta de Pinaz, has examined  
it with the appropriate circumstances  
at the same time bearing in mind the  
Laws of the 18th. of August 1834, etc.

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Seques, and the general dispositions which the Superior Government of the Union under 24th. of November 1833 declared for the better fulfillment of the first hence the Enumeration of this Expediente the Committee has been strengthened in the opinion it already had of the scrupulosity and judgment with which the Superior Political Chief has directed it, so that neither in its inception nor in its Execution, there has been deviation from any essential requisites.

Wherefore the Committee concludes with much deference to this Excellent Representation the following proposition.

1<sup>st</sup>. It approves of the grant made to the Citizen Jose Maria Amador of the same Causa Punta de Pinos granted on the 24th of May 1833, in entire conformity with the provisions of the Law of 18th. of August 1831 and article 5th of the Regulations of 21<sup>st</sup> of November 1833

Monday May 10th 1834  
Jose J. Ortega - Manuel Anto. Carrillo  
Jose A. Estudillo Jose Castro

Monday 17th. May 1834  
In to day before the Excellent Representation approved of the following proposition of the foregoing opinion ordering the Expediente to be returned to the Superior Political Chief for convenient purposes

Juan B. Alvarez  
Jose Figueroa  
Secretary,



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Monterey 18th December 1834

In view of the approbation granted on the 17th of May last by the Excellent Territorial Deputation, let a testimonial thereof and of this decree be issued to the party Jose Maria Armenta in confirmation of the grant of the tract of Loma Culeta Punta de Pinos, which he claimed on the 18th of May 1833

Don Jose Figueroa, Brigadier General Comandante General and Superior Political Chief of Upper California thus did order, decree and sign of which I bear testimony

Jose Figueroa  
Augustin V. Gamorano Secretary.

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Testimonial

It approves of the grant made to the citizen Jose Maria Armenta of the Loma Culeta Punta de Pinos granted on the 24th of May 1833 in entire conformity with the provisions of Article 5th. of the Regulations of 21st November 1834  
Monterey 17th May 1834

In to day's session the Excellent Deputation approved of the proposition in the foregoing decree ordering the Expediente to be returned to the Superior Political Chief for convenient purposes -

Jose Figueroa  
Juan B. Alvarado  
Secretary.



Monterey 18th. of December 1834

In view of the approbation granted on the 17th of May last by the Excellent Territorial Deputation to a testimonial thereof and of this decree being copied to the party José María Armenta in confirmation of the grant of the tract of land called Punta de Pinos which he obtained on the 13th of May 1833

Don José Figueroa  
Brigadier General, Comandante General  
Inspector and Superior Potestadal Chief of  
Upper California thus cited and decrees  
and signs of which I bear testimony  
José Figueroa  
Agustín V. Zamorano  
Secretary

Conformable to the letter with the original  
from which the present testimonial was  
caused to be drawn for the security of the  
interested party in Monterey on the 18th  
of December 1834, the Citizens Bernardino  
Navarrete and Bonifacio de Madaleno  
being witnesses

In testimony of which  
José Figueroa  
Agustín V. Zamorano,  
Secretary

Filed in Office Sept. 8th. 1833

Geo. Fisher Secy



69

B.

Translated  
 Copy of Orig.  
 Grant Spec.  
 paper on

Seal of second Chap. Sucesos Reales

Seal  
 For the years 1826 — and 1827

Seal  
 Renewed for the Sub-Commissary  
 of the Port of Monterey of Upper  
 California for the years 1822 & 1823  
 (Signed) Figueroa. J. R. Gonzalez.

Jose Figueroa Brigadier General of the  
 Mexican Army Comandante General &  
 Inspector, and Governor of the Territory

Seal  
 Whereas Jose Maria Amante  
 a native of Aguascalco, State  
 of Jalisco, has solicited for his personal  
 benefit, the land known by the name of  
 the Point of Pinas which comprises the  
 part of the Coast from Point Acilones to  
 Point by prep in a direct line from S.W.  
 to N.E. to the above mentioned point of  
 Acilones, according to the accompanying  
 plan, the previous measures and investi-  
 gations having been made, according to  
 the Sucesos and investigations on the subject  
 using the previous Confirmed upon me, by a  
 decree of the 13th of the present month,  
 in the name of the Mexican Nation I  
 grant the land above mentioned, declar-  
 ing it his property by these presents, making  
 the same grant in entire conformity with  
 the Sucesos, subject to the approbation  
 of the Territorial Assembly & Supreme  
 Government and under the following  
 conditions

1<sup>st</sup> That he will submit to the

380 SD  
 PAGE 65



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PAGE 66

lands that may be established for the distribution of vacant lands, and that in the mean time neither petition nor his heirs can alienate nor alienate that which is given him, impose land rent (censos) entail, reversion, Matquepo or any other encumbrance, although it be for pious purposes, nor pass it to dead hands (Manos Muertas) or mortmain, and besides being subject to pay the tax (cánon) which may be imposed upon it if it should belong to the Ejidos of Monterey when the boundaries are established.

2a. He can fence without prejudice to the crops, highways and servitudes. He shall enjoy it freely and exclusively destining it to the use or cultivation which may best suit him, but within a year at most he will build a house and it shall be inhabited.

3a. When he obtains the property solicited he will solicit the respected Sr. J. to give him judicial possession in virtue of this title, by whom the boundaries will be marked out, in the limits of which he will put besides the land marks, some fruit trees, or some one of some utility.

4th. The land above mentioned is eight million seven hundred and two thousand & five hundred superficial square varas, little more or less according to map accompanying the Expediente. The Sr. J. who gives the



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 possession will have it measured according to Law for making boundaries, and the surplus shall remain to the nation for its necessary uses

5th. If he violates the foregoing conditions he will forfeit his right to the Land and it may be denounced by another.

In virtue whereof I command that these presents being held firm and valid, be recorded thereof be made in the respective Books of titles, and that it be delivered to the party interested for his security and further usage

Given in Monterey this 24th day of May 1833.

(Signed) José Figueroa

(Signed) Augustin Y. Gamorano Secy

Registered in Book of Grants of Land page 4 No 4 in the Archives of Secretaryship under my Charge.

Monterey May 24<sup>th</sup> 1833

(Signed) Gamorano

Filed in Office Feby 9<sup>th</sup> 1833

Geo. Fisher Secy



92

1904

20





43

Authenticated copy In the District Court. 3<sup>rd</sup> Jud. District  
of the Supr. County of Monterey, State of California  
of 3<sup>rd</sup> Dist. Cal.

in case of P. Ora. Atty.  
Heirs of Armenta  
vs

P. Ora. Atty.

Heirs of Jose  
Ant. Armenta  
vs.

General Term  
October 1851

Little et al. vs. Tongley & McDowell  
Milton Little & Others

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PAGE 68

This cause having been submitted to the Court, and the Court having been sufficiently advised, finds that on the 24th day of May 1833, the Governor of California granted the lands in controversy to the Ancestors of the plaintiffs, who by the title thereof were vested in him, that he in 1838, departed this life, and the lands then descended to the plaintiffs: That Jose his son and heir, on the 13th day of June 1844 bequeathed and sold all his right and title of in and to the said tract of land which so descended to him as aforesaid to one Jose Abrego, an alien whom Defendants claim; That the other plaintiffs, to wit; Maria Antonia Armenta, Cistobal Armenta and Jose Antonio Armenta are yet vested with the title which so descended to them as aforesaid of, in and to the said land, and that each one of them is entitled to the proportion of the one undivided fourth part of said land - That said defendants united with all the right and title of in and to said land which descended as aforesaid to said Jose Armenta, which is one undivided fourth of said land, and that they are entitled to the proportion thereof, wherefore the Court finds for the Plaintiffs, to wit, Maria



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PAGE 68A

Antonia Amenta, Cristoval Amenta, and Jose Antonio Amenta, that each of them have the title to, and have the right to possess one undivided fourth of said land. It is now therefore made formally Consueudo, ordered and accepted by the Court, that Maria Antonia Amenta, and Jose <sup>Antonio</sup> Amenta, Cristoval Amenta do each have judgment against and recover of said defendants one undivided fourth part of the Rancho Punta de Pinos as described in plaintiffs Complaint and that the writ of Restitucion issue in favor of said plaintiffs hereinbefore particularly against said defendants for the restitution to each of one undivided fourth part of said Rancho as aforesaid. The foregoing judgment was rendered in said Court at the County Court house in Monterey City on the 30th day of October 1851.

J. K. Moresano Clerk  
by W. S. Johnson. Ex Clerk  
I William S. Johnson County Clerk of Monterey County and Ex Officio Clerk of the District Court in and for said County certify that the foregoing is a true Copy of a Judgment rendered in said Court on the 30th day of October 1851 that the defendants to said suit filed in said Court on the 22<sup>nd</sup> day of July 1853 a notice of appeal from said judgment to the Supreme Court. And that no statement of case has been filed in said Court by appellants. Witness my hand and private seal, this 14th day of January A.D. 1853.

W. S. Johnson - County Clerk & Ex Officio Dist Clerk Monterey County -

Filed in Office  
21<sup>st</sup> Dec. 1853  
Geo. Fisher  
Secy

A.D. 1853



45-

C.  
Conveyance

This Indenture made this twenty eighth day of June in the Year of our Lord one thousand eight hundred and fifty two between Maria Antonia Armenta of the City and County of Monterey, State of California of the first part and Pacificus Oro of the said City, County and State of the second part witnesseth, that the said party of the first part, for and in consideration of the sum of one dollar, lawful currency of the United States, to her in hand paid by the said party of the second part at and before the executing and delivery of these presents, the receipt whereof is hereby acknowledged and the further consideration of success renounced to her by the said party of the second part as an Attorney and Counselor at Law, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant bargain sell alien remise release convey and confirm, unto the said party of the second part and to his heirs and assigns forever, the One undivided half of the One undivided fourth part of the tract of Land known by the name of Point Pinos, comprising all that part of the Coast from Adelones Point to Point by sea in a line S. 111. to N. E. to the base of said line, which said tract of land was granted to Jose Maria Armenta the father (deceased intestate) of the party of the first part by Guerno Figueroa on the 24th of May 1833. the said tract containing two leagues more or less and lying and being in the County of Monterey

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State of California, together with all the  
and Senquel in the tenements, hereditaments  
and appurtenances thereto belonging, or  
in any wise appertaining and the reversions  
remains and rents issues and profits thereof  
and also all the Estate right title  
interest, property, possession claim and  
demand whatsoever, as well in Law  
as in Equity of the said party of the  
first part, in and to the above described  
premises, with the appurtenances —

To have and to hold all and  
Senquel in the above mentioned and  
described premises, together with the  
appurtenances, unto the said party of the  
second part his heirs and assigns forever

And the said party of the  
first part and his heirs, the said premises  
in the quiet and peaceable possession of  
the said party of the second part, his  
heirs and assigns, against the said party  
of the first part, his heirs and assigns  
all and every person and persons whom  
soever lawfully claiming the same, shall  
and well warrant and by these presents  
forever defend

In witness whereof the  
party of the first part has hereunto set  
his hand and seal the day and year  
first above written

Marcos Antonio <sup>per</sup> Clemente  
~~Com...~~

Signed sealed and  
delivered in presence  
Forcicciano

The above declared and attested before the sealing  
and delivery of these presents  
John Park Phillips.



77

State of California } Justices Court  
County of Monterey Monterey Township

On this 28th day of June A.D. 1853  
personally appeared before Maria Antonia  
Armenta to me personally known to be  
the person whose name is subscribed to  
the foregoing instrument; and who ackn  
owledged that she freely and voluntar  
ily and of her accord executed the  
foregoing deed and for the purposes and  
intention therein mentioned.

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PAGE 71

John Burke Phillips  
Justice Peace

Enclosed

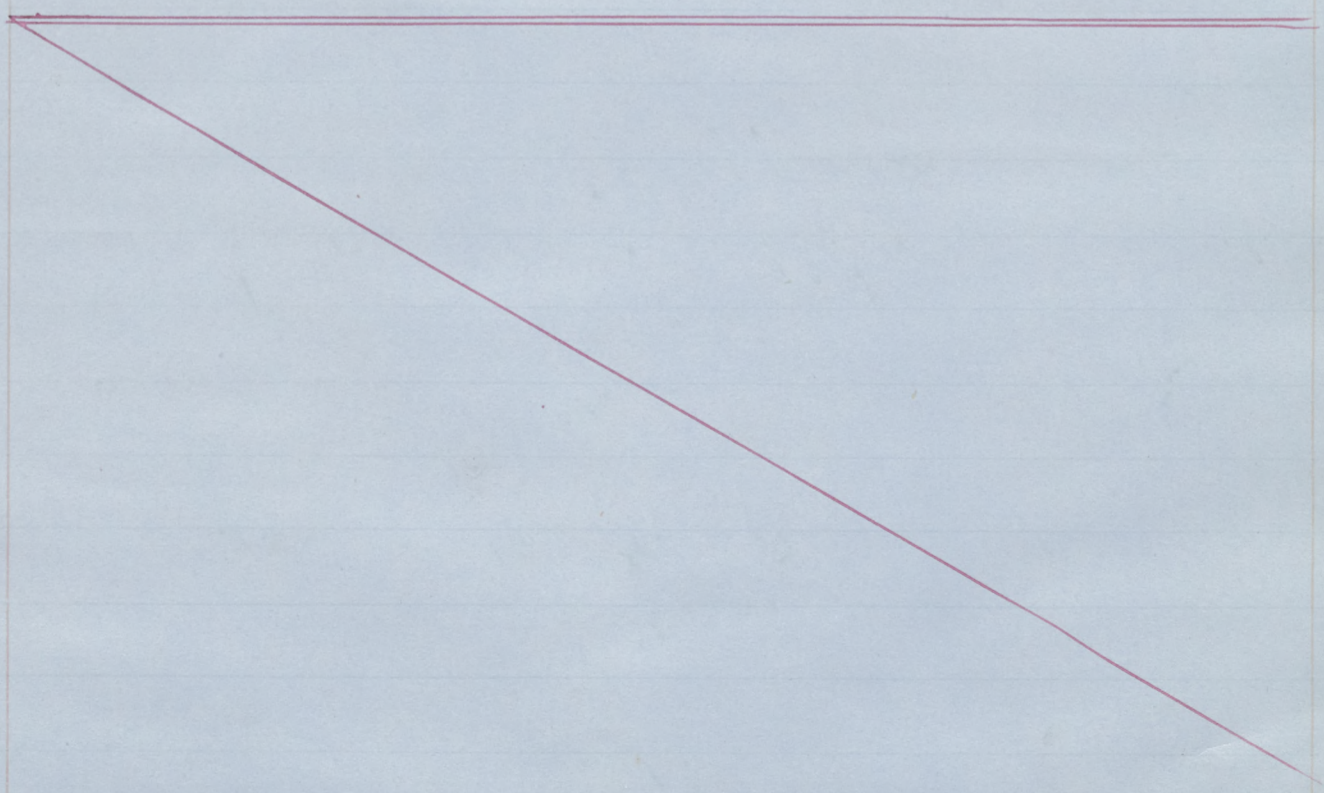
" Received for Record 17th  
August 1853 at 10-21 A.M.

Recorded in Conveyances A page 380  
W.S. Johnson

Recorder of Monterey County

Filed in office Oct. 21. 1853

Geo. Fisher Secy





48.



79

**D**  
Conveyance

This Indenture made this 24th day of April in the year of our Lord one thousand eight hundred and fifty two, between Christoval Armenta, of the City and County of Monterey, State of California of the first part, and Pacificus Oro of the said City, County and State, of the second part:

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Witnesseth, that the said party of the first part for and in consideration of the sum of One dollar, lawful currency of the United States, to him in hand paid by the said party of the second part, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and the further consideration of services rendered to him by the said party of the second part, as an Attorney and Counselor at Law, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part and to his heirs and assigns forever the one undivided half, of the one undivided fourth part of the tract of land known by the name of Point Pinos, comprising all that part of the Coast from Acadero Point to Point by trap in a line S 1/2 E to N 60 to the West of said line, which said tract of land was granted to Jose Maria Armenta the Father (deceased intestate) of the party of the first part by Gov Figueroa on the 24th of May



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PAGE 73

1833. the said tract containing two leagues  
 more or less, and lying and being in the  
 county of Monterey, State of California  
 together with all and singular the  
 tenements hereunto and appurtenances  
 thereto belonging, and the reversions  
 remainders, rents issues and profits thereof;  
 and also all the Estate right title  
 interest, property possession claim and  
 demand whatsoever, as well in Law  
 as in Equity of the said party of the first  
 part, in and to the above described premises  
 with the appurtenances. To have and to  
 hold all and singular the above mention-  
 ed and described premises, together with  
 the appurtenances, unto the said party  
 of the second part his heirs and assigns  
 forever

And the said party of the first  
 part and his heirs, the said premises,  
 in the quiet and peaceable possession  
 of the said party of the second part  
 his heirs and assigns against the said  
 party of the first part his heirs and  
 assigns, and against all and every  
 person and persons whomsoever lawfully  
 claiming or to claim the same shall  
 and lawfully warrant and by these presents  
 forever defend.

In witness whereof the  
 party of the first part has hereunto set  
 his hand and seal the day and year  
 first above written  
 Signed Sealed <sup>his</sup> Bristol <sup>his</sup> Armenta  
 and delivered in presence of <sub>marks</sub>  
 "The Lord Nelson" mentioned before Deputy & Clerks  
 of these presents W. S. Johnson



State of California }  
County of Monterey } ss

On this 24th day of April A.D. 1853  
before me County Clerk and Ex officio  
Recorder in and for said County  
personally came Cristobal Armenta,  
to me known to be the same person  
described in and who has granted thereof  
Executed the foregoing Conveyance, and  
he declared that he had executed  
the same freely and for the purposes  
therein expressed

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PAGE 74

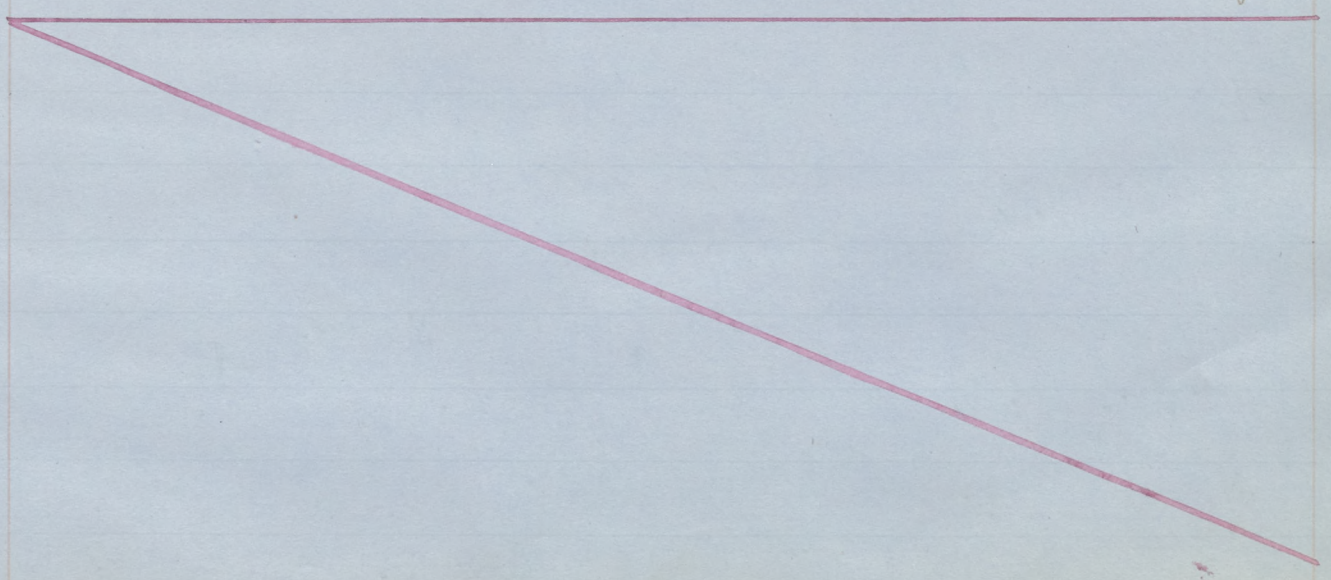
Given under my hand  
and official seal the day and year  
last aforesaid

W.S. Johnson  
Recorder of Monterey County

Engrossed  
"Received for Record 17th August 1853  
at 10.20 - AM.  
Recorded in Conveyance "A" page 378

W.S. Johnson - Recorder  
Monterey County."

Filed in Office Oct. 31. 1853  
Geo. Fisher Secy





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02  
20



#1  
Conveyance

380 SD  
PAGE 75

This Indenture made this twenty second day of September in the year of our Lord One thousand Eight hundred and eighty two, between Jose Antonio Armenta of the County of Colusa, State of California, of the first part and Francisco Oros of the City and County of Monterey and State aforesaid, of the second part:

Witnesseth, that the said party of the first part, for and in consideration of the sum of One dollar, lawful Currency of the United States, to him in hand paid by the said party of the second part, at and before the executing and delivery of these presents, the receipt whereof is hereby acknowledged and the further consideration of services rendered to him by the said party of the second part as an Attorney & Counselor at Law, has granted, bargained sold aliened and remised, released, conveyed and confirmed and by these presents doth grant bargain sell alien remise release convey and confirm unto the said party of the second part, and to his heirs and assigns forever, the one undivided half of the one concerned fourth part of the trees of Saned known by the name of Point Pinos comprising all that part of the Coast from the Redwood point to Point Caynes in a line S 44 to N 44 to the West of said line, which said tract of land was granted to Jose Maria Armenta (the father of the party of the first part



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deceased (estate) by Gov. Figueroa, on the 24th of May 1833, that said tract containing about two leagues more or less, and lying and being in the County of Monterey, State of California, together with all and singular the tenements here detriments and appurtenances, thereto belonging, or in anywise appertaining, and the revenues rents profits issues and profits thereof; and also all the Estate, right, title, interest, property possession, claim and demand whatsoever, as well in law as in Equity of the said party of the first part in and to the above described premises with the appurtenances.

I have and to hold all and singular the above mentioned and described premises, together with the appurtenances unto the said party of the second, his heirs and assigns forever. And the said party of the first part and his heirs the said premises, in the quiet and peaceable possession of the said party of the second part his heirs and assigns, against the said party of the first part his heirs and against all and every person and persons whomsoever claiming or to claim the same shall and well warrant and defend by these presents forever defended.

In witness whereof the said party of the first part has hereunto set his hand and seal the day and year first above written  
 Jose Antonio <sup>his</sup> Armentu  
 Mayor



85-

Sequel sealed and delivered  
in presence of  
James S. Rice  
Wm. Somers.

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Personally appeared before me this the  
twenty second day of September A.D.  
1852 - a Justice of the Peace in and  
for the County of Colusa & State of  
California, Jose Antonio Amintea  
personally known to me, as the person  
whose name is subscribed to the  
following deed and who acknowledged  
that he executed the same freely and  
voluntarily for the purposes therein  
mentioned

Given under my hand  
and seal the day and date above  
mentioned

*(Seal)*

Wm W Hall  
Justice of the Peace

Received for Record 1<sup>st</sup> November  
1853 at 10.30 A.M.

Recorded in Book Conveyances "A"  
pages 409 & 410

W.S. Johnson  
Recorder of Monterey County

Filed in Office Oct. 21. 1853

Geo. Fisher Secy



86

1866





87

**F**  
Conveyance

This Instrument made this fifteenth day of January in the year our Lord one thousand eight hundred and fifty three, between Jose Antonio Armenta of the County of Colusa State of California of the first part, by his Attorney Pacificus Ore of Monterey County and State aforesaid, in virtue of a power of the date of the 22<sup>nd</sup> of September Eighteen hundred and fifty two, and Segunda E. Piques of the City and County of Monterey and State aforesaid of the second part Witnesseth, that the said party of the first part for and in consideration of the sum of Eleven hundred dollars, lawful Currency of the United States, to him in hand paid by the said party of the second part, at and before the insculping and delivery of these presents, the Receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed and by these presents, doth grant bargain sell, alien, remise, release convey and confirm unto the said party of the second part and to her heirs and assigns forever the one undivided half of the one undivided fourth part of the tract of Land known by the name of Point Pinos, comprising all that part of the Coast from Delones Point to Point by nap in a line S. 1/4 E. to N. E. to the West side of said line which said tract of Land was granted to Jose Maria Armenta (the father of the party of the first part, deceased intestate) by Governor Figueroa on the

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PAGE 78



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PAGE 79

24th of May 1833: the said tract containing about two leagues of land more or less, and lying and being in the County of Monterey, State of California together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the revenues, rents, issues, profits thereof; and also all the Estate right title interest property and possession claim and demand whatsoever as well in Law as in Equity of the said party of the first part in and to the above described premises with the appurtenances —

To have and to hold all and singular the above mentioned as described premises, together with the appurtenances unto the said party of the second part her heirs and assigns forever. And the said party of the first part and his heirs the said premises, in the quiet and peaceable possession of the said party of the second part her heirs and assigns, against the said party of the first part her heirs and against all and every person and persons whomsoever lawfully claiming the same, shall and will remain and be by these presents forever confirmed

In witness whereof the party of the first part by his Attorney Francisco Oro, has hereunto set his hand and seal the day and year first above written

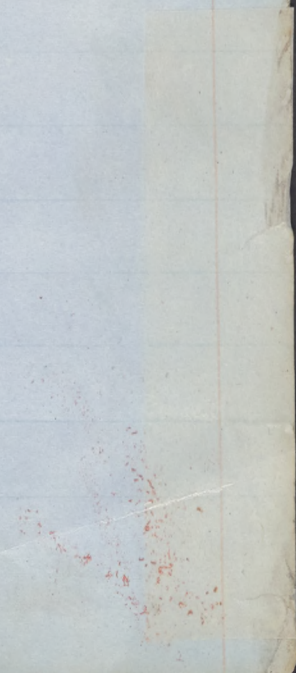
José Antonio Clemente  
by his Attorney Francisco Oro



89



Faint, illegible markings or text in the lower left corner.





90

signed sealed and  
delivered in presence of  
William J. Gammann

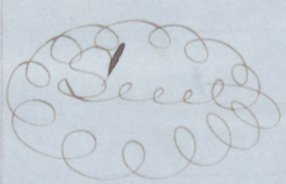
State of California }  
County of Monterey } St.

380 SD  
PAGE 80

On this 15th day of January 1853  
before me County Clerk and Ex officio  
Recorder in and for said County, personally  
came Isaac James Rice, known to me  
to be the same person described in and  
who as Attorney for the grantee executed  
the foregoing deed, and who declared  
that he executed the same freely and  
voluntarily for the uses purposes therein  
expressed

Gave under my hand and  
affixed seal the day and year last  
expressed

W. S. Johnson -  
County Clerk & Ex Officio  
Co. Recorder Monterey Coy



Endorsed  
"Received for Record 15th January  
1853 at 1-51 P.M.

Recorded in Book "A" of Conveyances  
pages 434 & 435 & 436  
W. S. Johnson Co. Recorder  
Monterey Coy

Filed in Office Dec. 21. 1853  
Geo. Fisher Secy



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**F**  
Conveyance.

Power of Attorney

380 SD  
PAGE 81

Know all men by these presents that I  
 Jose Antonio Amante of Colusa County  
 State of California have made certain  
 and appointed and by  
 these presents, do make certain nomi-  
 nate and appoint Successors of  
 the City and County of Monterey and  
 State of California agents for me  
 and in my name to lease or sell all my  
 right, title, interest or Estate in and  
 to the Ranch of Point Pinas in the  
 County of Monterey State of California;  
 and for me and in my name to let or  
 demise the same, and in such manner  
 as he may deem meet; and for me and  
 in my name to grant, bargain and  
 sell the same, or any part thereof, and  
 to make, execute and deliver good  
 and sufficient deeds and Conveyances  
 for the same and every part thereof,  
 with or without Covenant of Warranty  
 The said Ranch of Point Pinas is  
 all that part of the Coast lying to the  
 West of a line drawn from Point  
 Antonis to Point Laysan, and contains  
 about two leagues more or less, and  
 also for me and in my name, and to my  
 use to ask, demand, receive and  
 receive all sums of money which  
 shall become due, owing or payable  
 to me by means of any such lease  
 bargain or sale - and to have, use  
 and take all proper ways and means  
 for the recovery thereof, and to compound  
 arbitrate and agree for the same, and  
 acquittances or other sufficient discharges.



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PAGE 82

for the same for me and in my name  
to make, seal and deliver and  
generally to do, execute and perform  
every thing that may be necessary in  
and about the premises, as fully and  
in every respect as I myself might  
or could do, if I were personally present  
and any attorney ~~or~~ his or attorney's  
in and for all ~~or~~ any of the purposes  
aforesaid, to make and substitute, and  
again at pleasure revoke - and I  
hereby ratify, allow and confirm  
all and whatsoever my said attorney  
shall do, or cause to be done, in  
and about the premises, by virtue  
of these presents.

In witness whereof I have  
hereunto set my hand and seal the  
twenty second day of September Eighteen  
hundred and fifty two.

Sealed signed

Jose Antonio <sup>his</sup> Almonte  
<sub>man</sub>

and delivered in presence of  
James L. Oro - Wm. Tomm

State of California  
County of Colusa S.S.

On the twenty second  
day of September 1852 personally appeared before  
me a Justice of the Peace in and for the  
County and State aforesaid Jose Antonio  
Almonte personally known to me as the person  
whose name is subscribed to the foregoing  
Process of Attorney and who acknowledged  
that he executed the same freely and volun-  
tarily for the purposes therein mentioned

Filed in Office  
Oct. 21. 1853  
Geo. Fisher

Given under my hand and seal the day  
and date above given - Russell Hall

Seal

Justice of the Peace



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563

Affidavit  
& Motion

of  
U. S. Law Agent

E. L. Poque vs. Claimants for the  
 place called Punta de Pinos.  
 J. S. McKene United States Law Agent  
 says on oath that when the above entitled  
 case was submitted to the Board for  
 decision, he did not have his attention  
 called to the fact that there was another  
 case filed before this Board for the  
 same land No. 353. in which latter  
 case a document is filed marked  
 H. J. T. No 1 ans. to the dep. of Teodoro  
 Gonzales, and did not know at that  
 time that the said document was  
 material in case 563. Said document  
 is hereby referred to, and the Commissions  
 are respectfully referred to it for the  
 contents.

380 SD  
PAGE 83

It appears a motion is made  
 that the case be opened for further  
 testimony unless the Claimants will  
 stipulate that the said document  
 may be filed non pro tunc.

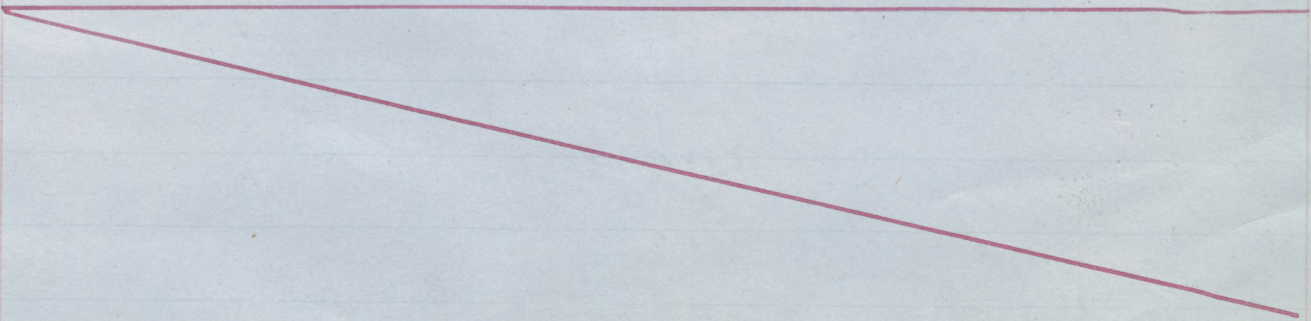
J. S. McKene

Copies checked and returned to be for me  
 July 10 - 1855

R. Secy. Thompson  
 Comr

Filed in Office July 10 - 1855

Geo. Fisher Secy





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1922





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Office of the U. States Land Commission  
San Francisco Dec. 19. 1853

It is stipulated by and between R  
Greenhow U. S. Sp. Suro Agent. & J  
Orin Atty in this case No. 563 now before  
the U. S. Land Commission, that the  
translation of the Expediente filed in the  
Case No. 353. now before the Suro Board  
may be used in Evidence by either the  
U. States or the petitioners in the hearing  
of the Suro Case No. 563.

Stipulation

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PAGE 24

Robert Greenhow  
Atty Suro Agent  
J. Orin Atty. for petrs  
in Case No. 563

Filed in office Dec. 31<sup>st</sup> 1853  
Geo. Joshua Seely

Notion

S. E. Pagos & al }  
res. } Punta de Pinos  
The United States }

Notion is made in the above case upon  
the application of J. H. McKean that  
the Submision of said case be set  
aside, and the same be returned to the  
Booker for further record

Witness my hand  
J. H. McKean

Filed in office June 10. 1855  
Geo. Joshua Seely



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1902





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Opinion of  
Board by  
Comr. Thompson

Lucinda E Pogue et al  
vs.  
The United States

Punta de Pinos

380 SD  
PAGE 85

The petitioners in this case claim title to the premises consisting of two square leagues in Monterey known as Punta de Pinos, by virtue of certain Mesas Conveyances from the widow and heirs of Jose Maria Armenta to whom they allege said lands were granted by Govr. Figueroa on the 24 of May 1833. The Original grant and record of judicial possession are introduced and their genuineness established by the proof. The occupation of the premises from the date of the grant by the grantee and those claiming under him, in conformity with its conditions is also fully proved. If the testimony recited here, it would be clearly sufficient to establish the right of the Original grantee to the premises and upon the showing of the Claimants to entitle them to a Confirmation. But a claim for the same lands has been presented in Case No. 353 Jacob J Reese and al vs the United States and a decree of Confirmation entered by the Commission in favor of the last mentioned Claimants. It appears from the Original Especifico filed in that case, and which has been proved and made evidence on the part of the Government in this, that the heirs of the Original grantee under whom the present petitioners claim have sold and transferred all their right title and interest in the premises prior to the



Occupation of the Country by the Americans  
and long before the Execution of the same  
Conveyances through which they derive their  
title - That Expediente shows just an  
Order of the Court of the 1<sup>st</sup> Instance  
of Monterey dated May 15<sup>th</sup>. 1844 which  
is as follows - "Whereas Doña Bregua  
Alvarez widow of Jose Maria Armenta  
and testamentary tutor of her minor  
sons, has proved before me Florencio  
Serrano J<sup>o</sup> Alcalde of this jurisdiction,  
that being owner of land known by the  
name of Punta de Pinos, a Rancho  
granted to her husband, she has absolutely  
not the wherewithal to stock it,  
for which reason it is found abandon-  
ed and not been occupied; and as  
because she finds her self in the urgent  
necessity of not having the wherewith-  
al to support herself and her sons:

The necessary investigations having been  
made by this Justice's Court, she is  
vested with power to alienate it;  
selling the right which she has to  
said Land.

Thus did I the said Judge provide  
and sign in Monterey May 15<sup>th</sup> 1844"

signed  
"Florencio Serrano"

Second, a Succession Act of Sale  
Executed in due form of Law before  
the same Justice, and in conformity  
with the above Order dated June 15<sup>th</sup>  
1844, by which the said Bregua  
Alvarez, in her own name and that  
of her said sons, has and success-  
fully conveyed to Don Jose



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Abrego all the right title and interest  
which they have to the said Rancho  
known as Punta de Pinos -

There is a document executed by Mich  
el Torona as Governor and countersigned  
by Manuel Jimeno Secretary, setting  
out, that whereas Don. Jose Abrego  
has legally acquired the right, concep  
cion and possession that Jose Maria  
Armenta obtained of the of the land  
known by the name of Punta de  
Pinos, and after describing the lands by  
metes and bounds, declares & confirms  
the said Don. Jose Abrego owner of  
said location and concludes in the  
usual form of a grant of the public  
domain -

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These documents show clearly that  
the parties under whom the present  
petitioners claim title have parted with  
all their interest in the land prior  
to the acquisition of California by  
the American Government, and are  
conclusive against their right to a  
Confirmation.

The claimants in addition to the evidence  
already referred to, have introduced  
a certified copy of a judgment rendered  
by the District Court of the 3<sup>rd</sup> Judicial  
District of the State of California  
October Term 1857 by which three fourths  
of the land claimed was decreed in  
favor of the widow and two of the  
heirs of Jose Maria Armenta the  
Original grantee.

It is apparent on the face of this  
judgment that it was founded upon



an entire misapprehension of the true meaning and import of the act of sale of the 12th. of June 1844. But if this were not the case, we do not consider that the action of the Commission can be controlled by the decisions of the State Courts, so as to change the actual rights of the parties as they existed on the 7th. of July 1846.

Those rights are solemnly guaranteed by the Treaty of Cession, and claims held by, or derived from parties then entitled to the lands can alone receive the favorable consideration of the Board. The whole evidence in the case shews beyond a doubt that Jose Abrego had been invested with all the rights of the original grantee by the regular judicial process and a formal act of sale made in conformity therewith and has title to the lands fully recognized, and confirmed by the Mexican Government in California.

The rights thus vested under the Mexican Authorities could not surely be divested as between the United States and the claimants by any action of the State Courts of California in favor of the heirs of such original grantee.

They as we have already seen had alienated their entire interest in the premises, being before the American Occupation, consequently their conveyances to the present claimants, were void and of no effect.

The Petitioners having thus



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Guided to show any title derived from  
the Mexican or Spanish Governments  
are not in our opinion entitled to a  
Confirmation, and an decree decreed  
will be entered

Filed in Office Sept. 11. 1855

Geo. Fish

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Lucinda E. Poque et al  
vs  
The United States

In this case on hearing the proofs and  
allegations it is accepted by the Comm  
ision that the claim of the said  
petitioners is not valid, and it is  
therefore decreed, that their application  
for a Confirmation thereof be and the  
same is hereby denied.

Alpheus Felch  
R. Aug. Thompson  
S. B. Fawcett

Filed in Office Sept. 11. 1855

Geo. Fish

An act appearing to the satisfaction  
of the Board that the land hereby  
referred to is situated in the Southern  
District of California. It is 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



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which transcripts shall be filed with  
the clerk of the United States District  
Court for the Southern Judicial District  
of California, and the other be trans-  
mitted 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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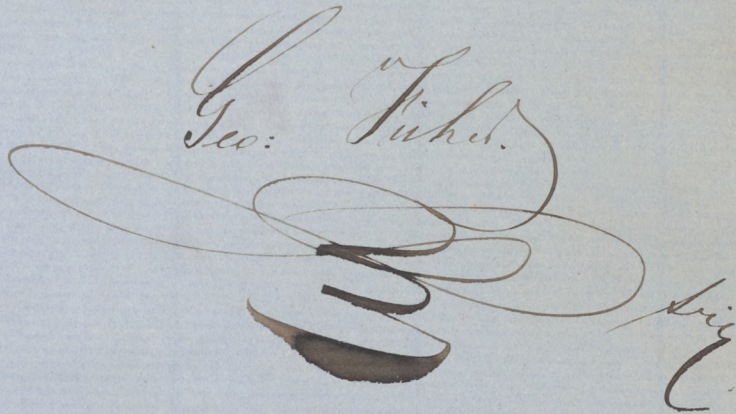
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I, *George Fisher* Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *One hundred & two* — pages, numbered from  
1 to 112, both inclusive, to contain 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. 563, on the Docket of the said Board,  
wherein

*L. E. Pogue, et al,* are  
the Claimant against the United States, for the place known by  
the name of "*Saint Prius*"

In Testimony Whereof, I hereunto set my hand  
and affix my private Seal (not having a Seal  
of Office) at San Francisco, California, this  
*Eleventh* — day of *February*  
A. D. 1856, 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. 380

THE UNITED STATES,

vs.

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*L. E. Rogers et al.*  
*"Point Linos"*

TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 563

Filed, *July 20<sup>th</sup>* 185*6*

*J. E. Carr*  
*clerk*

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Book, No 380.

Lucinda E. Pogue et al.  
Appellants

vs.

The United States,  
Appellee.

"Point Pinos".

Filed Feb 19<sup>th</sup> 1886.

J. E. Starr  
Clerk

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Myron Norton, Atty for  
Appellants.



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

Before Hon. J. S. K. Ogden Judge.

Lucinda E. Poque et al.  
380 SD  
Appellants,

N. 380.

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The United States,

Trans N. 563.

Appellee

An appeal from U.S. Land Comm.  
for California.

The petition of Lucinda E. Poque, and Pacificus Ord, respectfully represent that they are the owners in part of a certain tract of land called Punta de Pinos - situate in the County of Monterey and State of California, and in the Southern District of said State. That on or about the 9<sup>th</sup> day of February AD 1853, they filed a petition before the United States Land Commissioners for California, <sup>claiming</sup> certain undivided parts of the said tract of land - and which said petition is referred to for a description of the land and the title thereto. That on or about the 11<sup>th</sup> day of September AD 1855, the said Commissioners rejected the said claim. That on or about the 20<sup>th</sup> day of February AD. 1856, a transcript of the proceedings and decision of said Commissioners, ~~filed~~ as aforesaid, in said cause, was filed with the Clerk of this Court. That on or about the 29<sup>th</sup> day of February AD. 1856, the said appellants filed with said Clerk a notice of their intention to prosecute the said appeal.

Wherefore your petitioners pray, that the said <sup>proceedings and</sup> decision of the said Commissioners, filed as aforesaid



May be reviewed, and the said decision reversed.  
And that this Hon<sup>ble</sup> Court will confer to your  
petitioners and claimants the said title to said  
land. And general relief.

Wm. Brewster

Attorneys for petitioners &  
Appellants.

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N<sup>o</sup> 380

Lucinda E. Poque et al

vs,

The United States.

Petition for Review of  
Appellants.

Filed this 10th January  
1857

C. Sims clk  
J. W. Holman  
Dep

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In the District Court of the United States for  
the Southern Dist of Cal.

Hon. J. S. K. C. in Judge

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Lucinda E. Pogue et al  
appellants

N<sup>o</sup> 380.

vs  
The United States  
Appellee

Case N<sup>o</sup> 563.

The answer of Cameron E. Thom, acting  
Attorney of the United States for the Southern District  
of California, for and on behalf of the United States.  
says. That he denies all and singular each  
and every allegation in appellants petition,  
That he denies the validity of their alleged  
title. And he prays that the Court will  
affirm the decision of the Board of Land  
Commissioners, and decree the alleged  
title to be invalid and general relief.

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



N<sup>o</sup> 380,

Lucinda E. Pague et al,

vs.

The United States.

Answer of acting  
District Atty.

Filed this 10th January  
A. D. 1857

Leechman clk

J. McColman

Sub

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Maria Antonia Armenta }  
Jose Armenta }  
Christoval Armenta }  
Jose Antonio Armenta }

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Heirs of Jose Maria Armenta  
& Wife Maria Bigada (decd.)

As Third Judicial Dist Court  
Monterey County, to the  
Hon<sup>ble</sup> John H Watson Judge

Milton Scittle }  
James H. Gleason }  
Jacob P. Leese }  
and Thomas O. Barkin }

The complaint of Maria Antonia Armenta, (widow of Santiago Walter Duckworth) Jose Armenta, Christoval Armenta, and Jose Antonio Armenta, of Monterey, children and heirs of Jose Maria Armenta, and Maria Bigada his wife deceased, late of Monterey, respectfully represent;

That in the year 1833 Gov<sup>r</sup> Jose Figueroa, then Governor of Upper California granted to their father Jose Maria Armenta, an invalid soldier, the Rancho known as Point Pinos, situate lying and being to the North and West of Monterey, bounded as follows, beginning at the Punta de Anlones, and running in a direct line to the Punta de Cipress, thence along around the sea shore to the place of beginning, as will more fully appear by reference to the certified copy of the original on file in the



Government Archives and herewith  
filed for reference, and the official  
duplicate formerly possessed by the  
Grantee now in the possession as your  
Complainants believe of the defendants  
That the said Jose Maria Armenta with  
his family occupied the said Rancho.  
That after the death of their said Father  
(about the year 1838) the wife of the  
deceased continued for several years  
to reside upon said Rancho with  
her family and minor children, Chris-  
tobal + Jose Antonio up to about the  
time of her death (about 1844) That  
their deceased Father never in his  
life time, to the best of their knowledge  
and belief, sold or conveyed to any  
person or persons, the said Rancho  
of Point Pinos, or any part thereof  
That at the time of his death two of  
your Complainants, Christobal and  
Jose Antonio Armenta, were minors.  
The first about the age of 15 years & the  
latter about the age of 10 years. That  
to the best of their knowledge and  
belief of your Complainants, no legal  
grant or deed of conveyance has ever  
been made of the said Rancho of Point  
Pinos, with the improvements thereon  
by which their legal titles and rights  
have been divested and lost. That  
the said Rancho of Point Pinos is now  
in the possession of the defendants  
Milton Little James A. Gleason



Jacob P. Leese & Thomas O. Larkin  
That your Complainants <sup>have made</sup> amicable  
demands of the said defendants,  
& wit. on the 27<sup>th</sup> of July 1850, for the  
possession of the said Rancho of Point  
Pinos, without success. That your  
Complainants are the true and  
legal heirs and owners, by succession,  
of the said said Rancho of Point Pinos,  
granted to their said Father as afore-  
said, and that they have suffered  
great injury and loss by the wrongful  
possession and detention of the said  
defendants, as well as loss of rents  
& profits, to the amount of five thou-  
sand dollars. Wherefore your Com-  
plainants pray that this Hon<sup>ble</sup> Court  
will cite the aforesaid Mistow Little,  
James H. Gleason Jacob P. Leese and  
Thomas O. Larkin, to answer this  
Complaint; and after due proceeding  
had, that they may have judgement  
against the aforesaid defendants,  
for the possession and ownership  
of the said Rancho of Point Pinos,  
bounded and described as aforesaid;  
with damages for wrongful detention  
and loss of rents and profits, in the  
sum of five thousand dollars, with  
general relief, costs, &c as in duty  
bound &c

S. Ord

Atty for Plffs



State of California, }  
County of Monterey, } ss.

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I, Edw L Williams Clerk of the District Court in and for said

County, do hereby certify that the foregoing is a true full and correct copy of a Complaint now on file in  
my Office, ~~and of a Summons issued thereon~~ filed in the said Court November 23<sup>d</sup>  
1850 in the cause entitled ~~Mar~~ Wells of Armenta vs.  
Milton Little Etals -

In Witness Whereof, I have hereunto set my Hand and Official Seal  
of said Court, this 16<sup>th</sup> day of January A. D. 1857

Edw L Williams Clerk of said Court.





<sup>No. 380</sup>  
District Court  
3<sup>d</sup> Judicial District  
Monterey County

Heirs of Annueta  
vs  
Milton Little et. als

Certified Copy of  
Plffs Complaint

Filed Feb<sup>y</sup> 21<sup>st</sup> 1887  
C. J. R.  
Chk



Milton Little  
James H. Gleason  
Jacob P. Leese &  
Thomas O. Larkin  
Ad,

} Third Judicial  
} District Court  
} Monterey County  
} Hon John H. Watson  
} Judge

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Maria Antonia Armenta  
Jose Armenta  
Christobal Armenta &  
Jose Antonio Armenta  
Heirs of Jose Maria Armenta &  
Maria Brigida deca

And the said defendants come  
by their attorneys Mariano Malvarin  
and J. A. McDowell and deny the truth  
of the allegations in whole & in part  
as set forth by the complaint of the  
Plaintiff, in the above entitled cause  
For that Jose Maria Armenta died the  
father of the Plaintiffs, never had, to  
the farm or rancho known as the Point  
of Pines or punto de pinos any con-  
firmed and complete right and title,  
and that he the said father died  
intestate, and whatever right title or  
claim, the said Jose Maria Armenta  
father, might have had or acquired  
by any means whatever, was aban-  
doned by his widow, & heirs the  
plaintiff for a number of years say  
from the year 1839 to the year 1844,  
That for a valid & sufficient con-  
sideration Maria Brigida the widow  
of said Jose Maria Armenta, father  
of the plaintiffs, did by powers



in her by law vested, & by the sanction of proper authority sell all her right title and claim and as guardian of the said plaintiffs, heirs all their right title & claim whatever, to the said farm or rancho known as the "Punta de pinos" and described in their complaint and this she did with the consent of the heirs, plaintiffs. That Jose Abrego was the purchaser of the said farm from the said <sup>mm</sup> Brigida the guardian & mother of the said heirs, plaintiffs, and bought all whatever their right title & claim. That before and up to the time of said sale & purchase, the said farm or rancho was within the municipality of Monterey "Pueblo" and that subsequently by the act & authority of Manuel Micheltores the Governor, it the said rancho or farm was excluded from the said Pueblo of Monterey and that the said Jose Abrego received from said Micheltores the Governor with extraordinary powers a new, distinct & complete title, which is now in the possession of the defendants, and behind which it is not possible to go.

Therefore the defendants in this cause claiming as they do, under said Jose Abrego who acquired & had all the right, title & claim of the Armentas, Father, widow and heirs, the plaintiffs, together with a better right & title all the papers & titles of



which are now in their possession  
pray that judgement may be rendered  
for them & in their favour with costs &c

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Judge Marius Malanin  
Jno Adair McDowell  
Atty for Defendants

State of California }  
County of Monterey } p

I Edw. Williams County Clerk in & for  
the County aforesaid and ex officio  
Clerk of the District Court 3<sup>rd</sup> Judicial  
District County aforesaid do hereby  
certify that the foregoing is a true, full,  
and correct copy of the original  
answer filed in said <sup>district</sup> court on the  
3<sup>rd</sup> December 1850 in the cause Heins  
of Armento vs Milton Little Et als

Witness my hand and seal of  
said court affixed this 16<sup>th</sup> day  
of January A D 1851

Edw Williams

Clerk of said court  
By Jas H Cleaveland, Deputy





<sup>No 380</sup>  
District Court  
1<sup>st</sup> Judicial District  
Monterey County

Heirs of Armenta  
vs.  
Milton Scitto Et als

Certified Copy of  
Defendants Answer

Filed July 21<sup>st</sup> 1887  
Claus  
clw



District Court & 3<sup>rd</sup> Judicial District  
Monterey County } State of California

The People of the State of California  
to the Sheriff of said County Greeting

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Whereas a Judgement was rendered  
in said Court at the County Court house  
in Monterey City on the 30<sup>th</sup> day of  
October A.D. 1854 in favor of Maria  
Antonio Armenta, Cristobal Armenta  
and Jose Antonio Armenta, and  
against Milton Little, James H. Gleason  
Jacob P. Leese, and Thomas O. Larkin  
for one undivided fourth part of the  
Rancho de Punto Pinos to each of them  
the said Maria Antonio Armenta,  
Cristobal Armenta, and Jose Antonio  
Armenta; the said Rancho being  
situate to the North and West of  
Monterey and bounded as follows;  
beginning at the Punto de Auloues and  
running in a direct line to the Punto  
de Cypress, thence along around the  
Sea shore to the place of beginning  
These are therefore to command you  
to deliver possession to each of them  
the said Maria Antonio Armenta,  
Cristobal Armenta and Jose Antonio  
Armenta, the one fourth undivided  
part of the said Rancho de Punto  
Pinos, so situated and described  
as aforesaid, and that of the goods  
and chattels, and if sufficient  
personal property cannot be found



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them of the lands and tenements or real property of the said Milton Little, James H. Gleason, Jacob P. Leese and Thomas J. Sarkin, you do seize and cause to be made by distress and sale thereof the sum of sixty seven dollars, being the amount of costs recovered by said Judgement together with the costs of this writ and accruing costs - And of this writ make legal service and return ten days from date hereof -

Hereof fail not  
Witness Now C. P. Hester Judge of said Court and my private seal, in the absence of an official seal of said Court affixed this eighth day of March A.D. 1852

P. K. Woodside

Seal 3

Clerk of said Court  
by W. S. Johnson  
Deputy Clerk

Received Monterey March 8<sup>th</sup> 1852 at 10 clock P.M. By virtue of this writ of restitution I placed in peaceable possession one undivided fourth part of the Rancho Punta de Pinos to Dona Antonia Armenti and to Pacificus Ord as agent for Cristoval Armenti and Jose Antonio Armenti two fourths undivided parts of the above named Ranch as described in the within writ this 8<sup>th</sup> day of March A.D. 1852 at 2, 30 O'clock P.M.



Also by virtue of the within writ I  
collected from Milton Little the sum  
of \$69<sup>50</sup>/<sub>100</sub> dollars which amount I paid  
into Court less \$20<sup>00</sup>/<sub>100</sub> sheriffs fees, Execution  
satisfied,

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William Roach Sheriff  
By Thos K. Munk Under shiff  
Monterey March 18<sup>th</sup> 52

State of California }  
County of Monterey }  
I Edw. Williams County Clerk of the  
County aforesaid and ex-officio Clerk of  
the District Court 3<sup>rd</sup> Judicial District  
& County aforesaid do hereby certify that  
the foregoing is a true full and correct  
copy of a writ of restitution filed in  
said District Court on the 19<sup>th</sup> March  
1852 in the Cause of Heirs of Armenta  
vs Milton Little Et. al.

Witness my hand and seal of  
said Court affixed this 16<sup>th</sup> day  
of January A.D. 1854

Edw. Williams

Clerk of said Court

By J. H. Gleason  
Deputy





<sup>N. 380</sup>  
District Court  
3<sup>d</sup> Judicial District  
Monterey County

Heirs of Armenta  
by  
Milton Little et al

Certified Copy of  
Writ of Restitution

Filed July 21<sup>st</sup> 1887  
Claus  
cl

380 SD

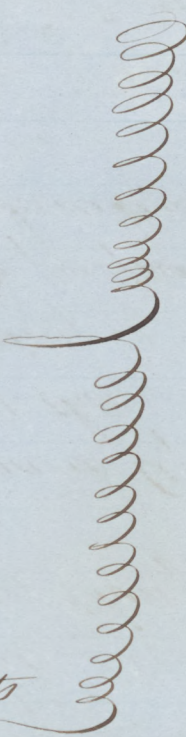
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Supreme Court of the  
State of California

Maria Armenta  
Christoval Armenta  
Jose Antonio Armenta  
impleaded with Jose  
Armenta. Respondents

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Milton Little  
James H. Gleason  
Thos C. Larkin  
Jacob P. Luce  
Appellants



On appeal from the  
District Court of the  
Third Judicial  
District in and for  
the County of Monterey.

And now at this day  
comes J. Ord. Esq. of Counsel for Resp't. and files  
herein a certificate of the Clerk of the Court below,  
and it appearing therefrom that this appeal was  
perfected more than twenty days anterior to the first  
day of the present Term of this Court, and the Court  
being further advised by the Clerk here, that the Ap-  
pellants have failed to file a Transcript of the record  
to be used on appeal, therefore;

It is ordered, that the  
appeal taken by the said Appellants from a judg-  
ment rendered against them and in favor of said Res-  
pondents on the 31<sup>st</sup> day of October 1851, for the recovery  
and possession of real property by the said District  
Court of the Third Judicial District in and for the  
County of Monterey, as also the appeal taken from  
the judgment or Order of said District Court, refusing  
to extend the time for filing a statement of the case  
herein, be and the same are hereby dismissed with  
costs.



I Charles S Fairfax Clerk of the  
Supreme Court of the State of California, do hereby certify that  
the foregoing <sup>is</sup> ~~is~~ a true copy of an Order entered in the <sup>within</sup> ~~above~~  
entitled cause, on the Eleventh day of October AD 1854,  
and now remaining of records in my Office.



Witness, my hand and the Seal of  
the Court, affixed at Office in the  
City of Sacramento this 15<sup>th</sup> day of January  
AD 1857

Chas. S. Fairfax, Clerk  
By Wm. P. Ogley  
Clerk

N<sup>o</sup> 380.

Hein of Armenta.

vs.

Milton Little et al.

Certified Copy of order of  
Supreme Court, dismissing  
appeal.

Filed July 21<sup>st</sup> 1857

Wm P Ogley  
Clerk

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