

CASE No.

384

SOUTHERN DISTRICT

LOS CARNEROS GRANT

MARIA ANTONIA CASTRO DE ANZAR, ET AL

CLAIMANT

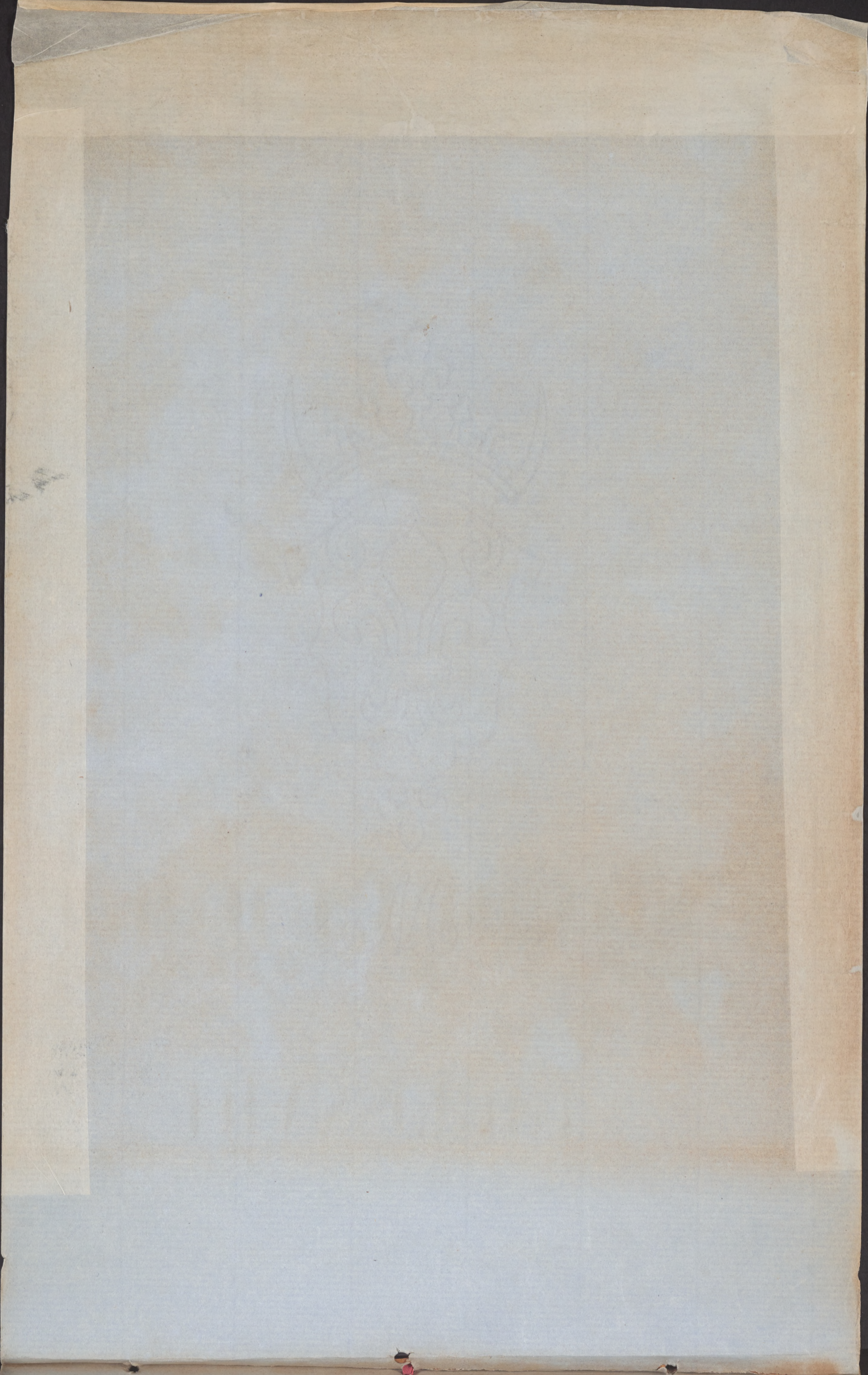
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TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 680

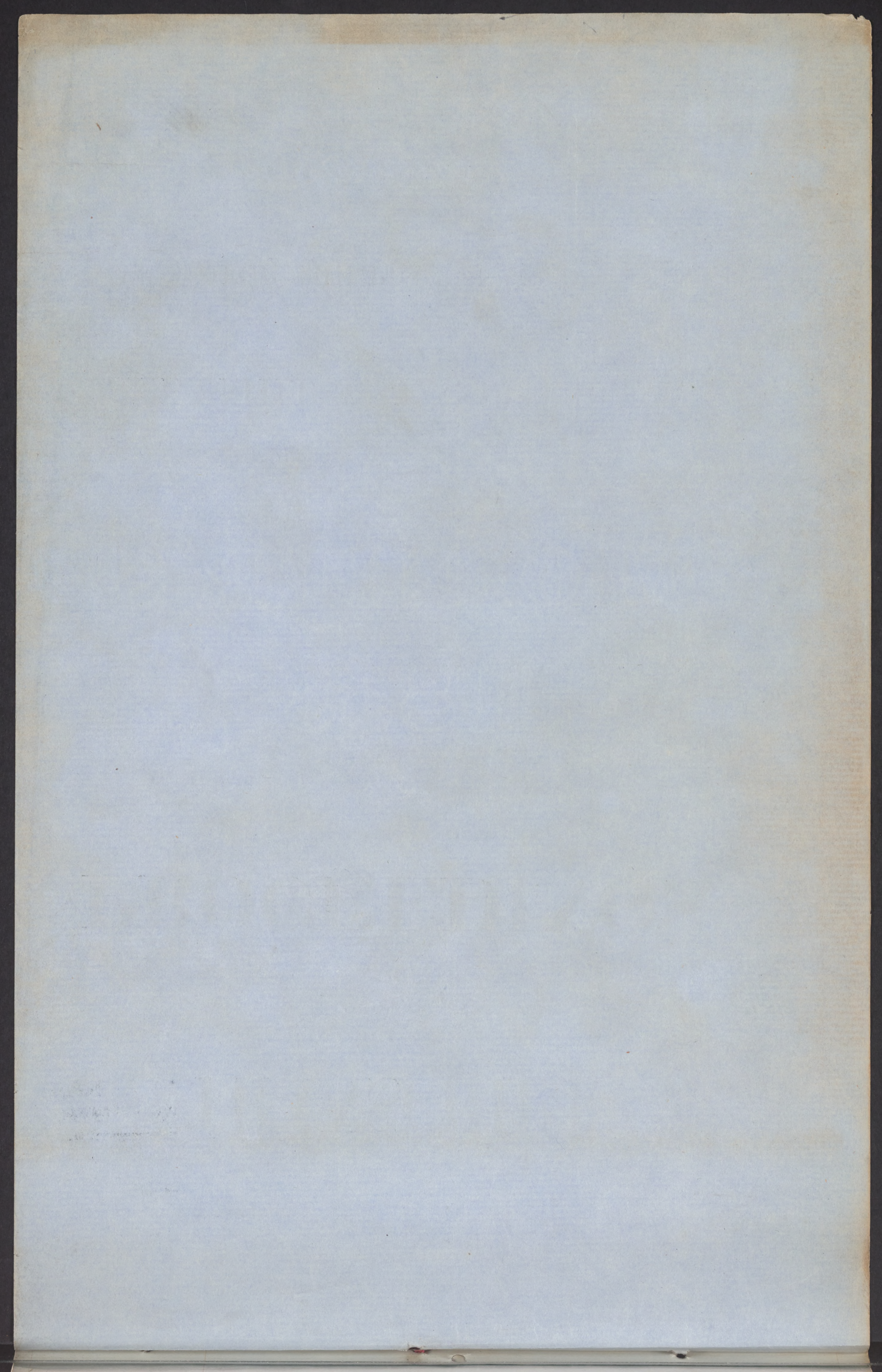
Maria Antonia Castro de Anzar, et, al. CLAIMANTS

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

" *Sos Carreros.* "



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 *first day of March*, Anno Domini One Thousand Eight Hundred and Fifty-*three*, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of *Maria Antonia Castro de Anzar, et al.* for the Place named "*Los Carreros*," was presented, and ordered to be filed and docketed with No. 680 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco October 7th 1853.
In case no. 680, *Maria Antonia Castro de Anzar, et al.* for the place named "*Los Carreros*," the deposition of *Jose Antonio Anzar*, a witness in behalf of the claimants, taken before Commissioner *Alpheus Felch*, was filed;

(Vide page 4 of this Transcript.)

San Francisco January 27th 1855.
Case no. 680 was ordered to be placed at the foot of the 4th class cases on the Trial Docket.

San Francisco March 13th 1855.
In the same case the deposition of *Vicente Perfecto Gomez*, a witness in behalf of the claimant, taken before Commissioner *Peter Sott*, was filed;

(Vide page 5 of this Transcript.)

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San Francisco March 15' 1855.

In the same case the deposition of Juan B. Alvarado a witness in behalf of the claimants, taken before Commissioner Peter Sott, was filed,

(Vide page 12 of this Transcript.)

San Francisco March 20' 1855.

Case no. 680 was submitted on briefs and taken under advisement by the Board.

San Francisco March 26' 1855.

In the same case the counsel for the claimant filed an Authenticated Copy of the Expediente in accordance with the stipulation annexed thereto.

(Vide page 21 of this Transcript.)

San Francisco Aug. 28' 1855.

In the same case Commissioner Alphonse Felch delivered the opinion of the Board confirming the claim;

(Vide page 45 of this Transcript.)

and the following order was made, to wit;

(Vide page 48 of this Transcript.)

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

Petition.

Maria Antonio Castro de
Amar, Juan Amar Amatorio Amar and
Policronio Amar give Notice that they
claim a tract of land in the County of
Monterey in said State at a place called the
Carnisero one league square in extent according
to the boundaries set forth in the grant
thereof.

Said land was granted to Dona
Antonia Jimeno on the 9th October 1842 by
Dr Juan B. Alvarado Governor of the California
and was by the said grant conveyed to the
late Dr Juan Miguel Amar deceased and
by his death has vested in the present claim-
ant his widow and children.

The original of said
grant and the official copy of said convey-
ance with translations of the same are
herewith presented as a part of this petition
and Notice and such other proof will be
produced as will support their said
claim.

By their Attorneys,

Jos. Souppkins & Strode.

Filed in Office March 1, 1853.

(Signed)

Geo Fisher Secy.

Office of the Board of
Commissioners &c.

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Depto of
Jose Ant^o
Amar.

This day before Comr Alphus Tulek
came Don Antonio Amara a witness in behalf
of Claimants Don Antonio Castro de Amara et al
No 680 who after being duly sworn deposed as
follows.

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Testimony by Claimant

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

Answer.

My name is Jose Antonio Amara. My
age is sixty years. My residence at San Juan
Bautista.

2. Were you acquainted with the
husband of the claimant Maria Antonio
Castro and the father of the other claimants in
this case? If you state who he was and when
and where he died?

Answer.

I was acquainted with the person
mentioned. He was the late Juan Miguel
Amara who died about one year since.

The claimant Maria
Antonio Castro is his widow and the claim-
ants Juan Francisco Anatolio and Pauli-
cronia are his children and heirs.

3.

Are you acquainted with the land claimed
in this case? If you state what you know of
its occupation & when first and by whom.

Answer.

I am acquainted with the land
called Los Carneros. It was first occupied
by my brother Juan Miguel Amara more

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than fifteen years ago. He occupied with his cattle that lived on an adjoining Rancho called Las Armas. He occupied in that manner up to the time of his death and since his death his cattle have continued on the place - A widow Antonia Pinars built a house on the place about eight or ten years ago. My brother Abaod Rueda bought the house and took away the timber and the house went to ruin.

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J. J. Amzar.

Mr Graham Associate Law Agent attended at the taking of this deposition and propounded no question to the witness. The testimony was given in the Spanish language Mr Fisher Secretary of the Board acting as Interpreter.

Subscribed and sworn to before me at San Francisco this seventh day of October AD 1853.

Alphus Fitch

Commissioner

Filed in Office Oct 7. 1853.

(Signed)

Geo Fisher Secy.

United States of America }
State of California } 3. 00

San Francisco, March 12. 1855

This day came before Peter Gott Commissioner for taking testimony to be used before the Board of W. S Land Commission in said State. Vicente Prefecto Gomez a witness on behalf of the claimants M^{rs} Ant^{ea} Castro de Amzar et al in Case No

Dip^{to} of
Vicente Prefecto
Gomez.

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left on the docket of said Board and
said Writs being sworn deposed as follows.

The U. S. Law Agent is present.

Questions by Mr Lawrence Attorney for
Claimant.

1st Question.

What is your name age and
place of residence?
Answer.

My name is Vicente Prefecto
Gomez My age 31 years and I reside at
Mariposa State of California -
2^d Question.

Are you acquainted with the
Rancho de los Carneros claimed in this
case: if you have long have you known it and
what are your means of knowledge.
Answer.

I am well acquainted with the
said Rancho and have known it ever since
1842. I have lived a neighbor to it and
have been on the Rancho a great many
times. The Rancho de los Angeles of my
father, Joaquin Gomez deceased adjoins on
the South.

3^d Question.

What are the boundaries of the
said Rancho de los Carneros?

Answer.

Protherly the said Rancho is
bounded by the lands of the Rancho
called "Las Aromas" belonging to the
heirs of Juan Amador dead. East by the
lands of the Rancho of Manu
Larios, near to San Juan, West by the

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lands of the Rancho of Jaaguin Soto
also called "Carneros" and Southly as
I have before stated by the Rancho of
my father. There are no Caldis lands
adjoining the said Rancho. It is a small
Rancho and contains about one square
league.

4th.

Are you acquainted with Maria
Antonio Pinars? if you state what you
know of the occupation of the said
"Rancho de las Carneros" by her in the years
1842 and 1843.

Answer.

I was very well acquaint-
ed with the said Maria Antonio Pinars
who it seems to me did come two years
ago at the Mission of San Antonio. She
had in the years 1842 & 43 on the place
a good adobe house lived in it with her
family. had there two corrals, a small
garden and a field enclosed which she
cultivated. She had horses and cattle on
the place and a great many chickens.

5th. Question.

Who has occupied the
said place since the year 1843?

Answer.

In 1843 I saw a man named
Arias (a very dark man) living on said
place with his familia who I suppose
was occupying it for Juan Anzar because
I had understood that Anzar had caught it
and I think in 1843 Julian Ursua went
on the place to live under the patronage of
the said Juan Anzar. they both have told
me so and the Rancho is still occupied by
the family of said Anzar.

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5th Question objected to and the Answer
also on the ground of it being hearsay.
At the Question.

Is Juan Amzar dead if yes
when did he die, who are his wife and
children and are they now living?
Answer.

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He is dead. He died about 2
years ago at the Pueblo of San Joaquin and
left a Widow named Maria Antonia
Castro de Amzar and two children, one
named Cuatlotl and the other Polixonio
Amzar. I do not know of any other children.
7th Question.

Look at the document now
shown you marked Exhibit "A P L" to this
deposition and state what you know in
regard to the genuineness of the signatures
thereon.

Answer.

I have examined the said doc-
ument and the signatures of Jose Fernandez
Jose A. Chavez, Josi Alvarez, Jose
Castro, Juan B. Alvarado, Manuel Jimenez
and Antonio Maria Osio and Estrada
where they occur upon said document
I recognize to be the genuine signatures of
the said persons respectively.

I have seen all of
them write and am acquainted with
their signatures. Jose S. Fernandez was
Judge of First Instance of Monterey
in the year 1843.

Cross - Examined by W. S. Law Agent.
8th Question -

When did you first ascertain

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the boundaries of said land how did you ascertain them and what is the shape of the land?

Answer.

I first learned the boundaries of this Rancho in 1843. I learned them from my father and his Mayor Domo Don Maria Andrade.

They mentioned in my promise the boundaries of my father's rancho and they know the boundaries of the adjoining ranchos and among them that of Los Carneros.

The ranch is longer one way than another but I cannot say what is its shape exactly.

I do not remember the exact time when I became acquainted with the boundaries it was about 1842 or 1843.
D^o Justicia.

What are the marks which show the boundary on the North South East and West. state each and all you know.

Answer.

I was shown two trees by said Andrade which he said were on the North line of this Rancho which divided it from the Rancho of Joaquin Soto and Teodoro Robles also pointed them out to me when he was my father's Mayor Domo.

I know of no other mark on that side. — On the South this Rancho is divided from the Rancho of Angel Castro and my father by some high hills. the top of these hills is the boundary. No artificial marks for them are necessary. I do not know what marks the Eastern

10
or Western boundaries.

These are all the marks of Caunday I know. The ranch of Manuel Garcia runs to the East but I do not know the boundary between them. Said Lot's ranch runs round on the west.

3^d Question.

When and how were the lines established?

Answer.

I do not know when nor how they were established.

4th Question.

How often did you visit said land in 1842 and 1843?

Answer.

I was there probably one or two hundred times. I always passed that way in going from my father's house to San Juan and back again as that was my nearest road.

5th Question.

What were you engaged in during those years?

Answer.

When in the employment of the Government I was a Clerk in the Office of the Treasury and also of the Secretary of the Governor.

6th Question.

How much of a family had said Antonio Maria Garcia?

Answer.

I think there were some six or eight children, though I have never known more than three or four of them.

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7th Question.

How large was said adobe house and where did it stand, where did her corrals stand and how much of a garden had she and where was it located?
Answer.

The house was 6 or 8 leagues long by 11 or 5 paras wide, It stood in a Cañada where there was a Spring near the road I used to travel. It was on the Southern side of the Rancho near my Father's Rancho. The corrals stood near the house and the garden was perhaps about 40 or 50 paras more or less. It was situated at the Spring near the house.

8th Question.

How much stock had she on the Rancho and how do you know the amount?
Answer.

She shall had 150 or 200 head of tame cattle and some 20 or 25 mares and some tame horses. I know the amount because I frequently saw the stock there when I was passing the place.

9th Question.

What connection had said Arias with Amzar?
Answer.

I know of no other connection between them except that Amzar employed Arias to take care of the place for him.

Vicente Pte. Gomez.

Subscribed and sworn to
before me on this 12th day of
March AD 1855.

Peter Gott Commissioner

Filed in Office March 12. 1855.
(Signed) Geo Fisher Secy

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United States of America
State of California

San Francisco March 14, 1855.

This day came before Peter Lott
Commissioner for taking testimony to be
used before the Board of U. S Land Commis-
sion in said State Juan B. Alvarado a
Witness and chief of the Claimant
Maria Antonio Castro de Armar in
Case No 680 on the docket of said Board
and said Witness being sworn deposed as
follows:

Depo of
J. B. Alvarado.

The U. S Law Agent is present.

Questions by Mr Lawrence for Claimant,
1st Question.

What is your name age and
residence?
Answer.

My name is Juan B Alvarado my
age 45 years. My residence in Contra Costa
County California.

2^d Question -

Look at the document
marked A. P. L. as an Exhibit hereto and
filed in this case and state whether your
signature to the grant therein is your
genuine signature made at the time said
grant bears date?

Answer.

Yes. this is my genuine signature

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Made at the time of the date of the instrument signed by me as Governor of California.

Juan B Alvarado.

Subscribed and sworn to before me on this 14th day of March 1855.

Peter Lott Commissioner

Filed in Office March 15, 1855.

(Signed) Geo Foster Secy.

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FILE
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Expediente

Promovido por Don M^o Ant^o Linares

En solicitud del terreno conocido con el
Nombre de Los Carneros

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m

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3. Montef Abil 11 de } con respecto del 1º
 1842. Informe de } Distrito.
 juez de Paz de la } Maria Antonia Linares
 Demarcacion de } Quidá del finado Luada
 S. Juan. B. si el in } Lupe Abila: ante D. J
 teresado en esta } con el Respeto debido y
 inst^a corresponde } segun aya lugar en derecho
 a alguna propiedad } hase presente q. solicite
 con todo lo dema } ante el Sr. Perfecto D. Jose
 q. crea convenient } Castro, un sitio para cultivar
 Estada } y procure un corto numero
 de Ganado y Caballada

para el fomento de mi numerosa fami-
 lia; desde el año de 1839. como consta
 por el Oficio que acompaño y como por varias
 circunstancias que me impidieron en este
 tiempo no pude sacar los documentos neces-
 rios, de la propiedad y seguridad del
 citado sitio: /

Ha sido Ocurso a la Rectora y acreditada
 just^a de D. O. afin de q. por medio de su
 bondad se digna se me de los documentos
 de su consecuencia y posesion p^a mi
 seguridad acompañando debidamente
 el Diseño del mencionado sitio p^a su
 conocimiento. P. L.

A. D. O. suplico se digna acceder a
 esta mi solicitud si asi lo allare de
 just^a de que recibira Gracia y Merced
 por no ser de malicia y lo necesario T^e
 Canales de los Cameros, Mayo 1º de
 1842.

3. O^a Maria Antonia Linares
 Juan Bautista 19 de Abril de 1842
 A. Virtud del decreto que antecede
 informa este juzgado que, supetando
 a lo que solicite, a los linderos de Don

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a la que solicite, a los lindeños de Don
Juan Anzar, Don Joaquín Soto, Don Joaquín
Gomez y Don Manuel Larios el que resulte
pueda concederse, sin perjuicio de propie-
dad particular a la interesada,
Lucio José Higuera

Como Sr. Gob. de Este Departamento
En Vista del informe of. antecede del
puz de paz de D^{na} Juana I^{ta} y tener la
interesada, el merito y circunstancias
of. la ley exige, la prefectura de mi cargo
opina of. puede concederse la piedad
of. solicita. p. no obstante. Q. E. con su
tino acostumbrado disponiendo lo que sea
de su sup. a grado.

Monterey, Ybe 18 de 1842.

José R. Costada

- 4) Monterey D. de Octubre de 1842
Vista la petición con que da principio
Este Expediente los informes que pre-
ceden con todo lo demás que se tuvo
presente y ver convis de conformidad
con las leyes y Replamientos de la materia
declaro a D^{na} M^{ra} Antonia Linares
dueña en propiedad de una parte del
terreno nombrado "Los Carneros" colindante
con el Rancho de D^{no} Juan Anzar con
el Rancho de D^{no} Joaquín Soto con el
de D^{no} Joaquín Gomez y con el de D^{no}
Manuel Larios. Libese el correspondiente
Despacho, tomese Razon en el libro respec-
tivo y dirijase Este Expediente a la Comu-
nidad Departamental = El Excmo Sr.
Gobernador así lo mandó decreto y firmo
de que doy fe.

5-

Here follows Map

6. Juan B. Alvarado Gobernador Constitucional del Departamento de las Californias.

Por cuanto D^{ca} M^{ca} Antonia Linares ha pretendido para su beneficio personal y el de su familia una parte del terreno que se conoce con el nombre de Los Cañeros colindante con el Rancho de D^{ca} Juan Anzures con el de D^{ca} Joaquin Gomez y con el de D^{ca} Manuel Larios; practicadas previamt^{te} las diligencias y averiguaciones concernientes segun lo dispuesto p^{er} leyes y Reglamentos usando de las facultades que me son conferidas a nombre de la C^{on}cepcion Mexicana he venido en concederle el terreno mencionado declarandole la propiedad de el p^{er} las presentes letras sujeta a la aprobacion de la C^{on} y C^{on}sejo p^{ro}vincial Departamental, y a las condiciones sig^uientes

1^{ra} preha cercarlo sin perjudicar las travesias, caminos y servidumbres; lo disputara libre y exclusivam^{te} destinandolo al uso o cultivo que mas le acomode pero dentro de un año, fabricara casa y Estera habitada.

2^a Solicitara del juez respectivo que le de posesion juridica en virtud de este despacho p^{er} el cual se demarcaran los linderos en cuyos limites pondra a mas de las mofoneras algunos arboles o silvestres de alguna utilidad.

3^a El terreno de que se hace donacion es de un sitio de ganado mayor poco mas o menos segun se explica el diccionario que corre en el Exped^{ite} respectivo. El juez que diere la posesion lo hara

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mes que dice la posesion lo ha a
mediu conforme a Ordenanza quedando
el sobrante que resulte a los Eñacion para
los usos que mas le convengan.

Y si en contrario a estas condiciones
peidiera su derecho al terreno y sera
denunciabile por Ocho.

En consecuencia
mando que teniendose por firme y Dale
dado este titulo se tome razon de el en
en el libro respectivo y se entregue al inte
resado para su resguardo y demarcacion
Dado en Monterey a seis de Octubre
de mil Ocho cientos cuarenta y dos

Office of the Surveyor General
of the United States, for California

I, John C. Hayes Surveyor General
of the United States for the State of Cali
fornia, and as such, having in my Office
and in my charge and custody a portion
of the Archives of the former Spanish and
Mexican Territory or Department of Upper
California, by virtue of the power vested
in me by law, Do hereby certify that the
Eight preceding and hereunto annexed
pages of tracing papers numbered from One
Eight inclusive, exhibit a true and accu
rate copy of a certain document now
on file and forming part of the said
Archives in this Office.

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

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this sixteenth day of March 1853.

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

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Filed in Office March 26th 1853

Geo: Fisher Deery

Espediente.

Instituted by Don Maria Antonio
Linaris in solicitation of the track of
land known by the name of "
"Carneros".

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Institución

Espediente.

297.

To the Prefect of the 1st District
Maria Antonio Linaris widow of the
deceased Guadalupe Abila appears before
Your Honor with due respect and in the
best form of law represents.

That she petitioned the
Prefect Don Jose leastro for one square
league to cultivate and upon which to
raise a small number of cattle and horses
for the protection of her large family
in the year 1839 as appears from the com-
munication which she accompanies herewith
and for various causes that intervened
at that time she could not obtain the
necessary documents for the property and
security of the said sitio.

She now appears before
the justification of Your Honor that
you condescend to have the kindness to
procure for her the documents of the
grant and possession thereof for her
security duly accompanied with the
desire of the aforesaid sitio for Your
information.

Therefore she prays Your
Honor to have the goodness to grant this
her petition if you should deem it just
whereby she will receive grace and

and favor. She desires not to proceed
from Malicó &c.

Cañada de las Carneros

March 1. 1842.

(Signed)

Maria Antonia Linares

(In the Margin)

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Monterey April 11. 1842.

The Judge de Paz of the District
of San Juan Bautista. will report whether
the land which is solicited in this
petition belongs to any property and
whatever else he may deem necessary.

Estrada,

San Juan Bautista April 19. 1842.

In pursuance of the
foregoing decree this Magistrate reports
that subjecting the petitioner to the coun-
cils of Don Juan Yuzar Don Jaaguin
Soto, Don Jaaguin Gomez y Don Manuel
Larios the surplus that may result
can be granted to the petitioner without
prejudice to the property of any individual.

(Signed)

Juan Jose Hejuna -

To His Excellency the
Governor of the Department.

In view of the foregoing report of
the Judge de Paz of San Juan Bautista and
the interested parties possessing the merits
and qualifications required by law
this Prefecture is of the opinion that
the favor which she asks may be
granted her but Your Excellency His =
Estebliss with your accustomed Judge =
to merit

Estadillo with your accustomed, Judge,
 Judgment will determine whatever may
 be Your Superior pleasure.

Monterey Sept 18. 1842.

(Signed)

Jose B Estrada.

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Having Examined the petition at
 the head of this Expediente the preceding
 reports with every thing else considered
 and necessary to be Examined in conformi-
 ty with the laws and regulations on the
 subject. I declare Antonio Maria Linares
 to be the owner of a part of the tract of
 land named "Carneras" adjoining the
 Ranchos of Don Juan Anzar. Don Joaquin
 Soto, Don Joaquin Gomez and Don
 Manuel Larios.

Let the corresponding
 Patent issue and record be made of
 it in the respective Book and let this
 Expediente be directed to the Most
 Excellent Departmental Junta -

His Excellency the
 Governor thus ordered, decreed and
 signed it which I attest.

(Here follows the Decree)

Juan B Alvarado Constitutional
 Governor of the Department of the
 California -

Whereas Dona Maria
 Antonio Linares for her personal
 benefit and that of her family has petitioned
 for a part of the tract of land known by
 the name of "Carneras" bounded by the
 Ranchos of Don Juan Anzar, Don
 Joaquin Soto, Don Joaquin Gomez

and Don Manuel Larios the proceedings and investigations relative thereto having been previously had as provided by the laws and regulations in the Exercise of the powers with which I am invested in the Name of the Mexican Nation I have concluded to grant to her the aforesaid tract of land hereby declaring unto her the ownership thereof subject to the approval of the Most Excellent Departmental Junta and the following Conditions.

1st - She may enclose it without prejudice to the crossings roads and servitudes she shall enjoy it freely and exclusively appropriating it to such use or cultivation as may suit her best but within one year she shall build a house and it shall be inhabited.

2^d - She shall request the respective Juez to give her Judicial possession thereof by virtue of this Patent by which the boundaries shall be marked out in the limits which she shall plant besides the land marks some fruit trees or wild ones of same utility.

3^d - The land hereby granted embraces an square league a little more or less according to the designs which forms a part of the respective Expediente - The Juez who shall give the possession will cause it to be measured according to ordinance, the surplus that may result remaining to the Nation for the common purposes

thereof.

Att. If she Contravene these Conditions she shall lose her right to the land and it shall be demisable by another person.

Therefore I command that the present title being held as firm and valid an Entry be made thereof in the respective Book and that it be delivered to the interested party for her security and other purposes.

Given at Monterey on the sixteenth day of October one thousand Eight Hundred and forty two.

I, George Fisher Secretary to the U. S Land Commission to ascertain and settle private land claims in the State of California hereby certify the foregoing to be a true and correct translation of a traced copy of an Espediente this day filed in Case No 150 Maria Antonio Leastro de Anzar Et al as The United States.

In Testimony whereof I have hereunto signed my hand at Office at the City of San Francisco Cal this 26th day of March AD 1855.

Geo Fisher Secy.

Filed in Office March 26, 1855.

(Signed) Geo Fisher Secy.

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1888
1889

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Año de 1843

Escritura publica en favor de D.

A

Original Juan Miguel Anzas otorgada por D. Pedro
Lombard

Comenzamec nido Rios con podes bastante de Ca

A. P. L. Cachi Señora D^a Antonia Linarez de un

bits to the Depo of Juan. D. Al-Cereno constante de un Dito de Ganado
varado march

14. 1855. Mayor y una Casa fabricada en el

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Mismo.

~~~~~

Sello Cuarto Dos Reales:

Habilitado provisionalmente por la Aduana  
Mantiva del puerto de Monterey, en el  
Departamento de las Californias, para  
el año de mil Ocho cientos cuarenta y  
tres.

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Micheltreña

Manuel Castañares

Sello En la Capital de Monterey a  
catorce de Julio de mil Ocho cientos cua-  
renta y tres, ante mi José J. Fernandez  
Juez de Paz de esta Demarcacion por la  
11ª de las Bases puestas en Tacubaya  
y de 1ª instancia del Distrito actuando  
con dos testigos de asistencia a falta  
de todo Escribimos a mas de los instrumen-  
tales de que al fin se hará mencion por  
ser de presente el Sr. Petronilo Rios con  
poder bastante de la Señora Doña Antonia  
Linares y dijo que a nombre de su poder-  
ante la que por si sus herederos suces-  
ores y de quien de ellos hubiere titulo  
dey y causa vende y da en venta publica  
y en perpetua por puro de heredad  
y para siempre firmas a D. Juan An-  
gus un terreno que adquirio con justo titulo  
del Gobierno del Departamento en  
fecha siete de Octubre de mil Ocho cientos  
cuarenta y dos constante de un sitio de  
ganado mayor y se halla situado en el  
paraje nombrado Los Carneros y colinda  
con el comprador con D. Joaquin Ocho  
con D. Joaquin Gomez y con Don Manuel  
Larios; en titulo de offe habes Ocho y  
mande unir al testimonio de esta Co-  
artina que se ha de Entregar al interesado

entina que se ha de Entregar al interesado  
 asi como tambien corren unidos una nota  
 del señor prefecto su fecha diez y seis de  
 Agosto de mil Ocho cientos treinta y nueve  
 y dos certificaciones del Teniente Coronel  
 y comandante Militar de Esta Plaza D.  
 José Linares asi al tenens como a una casa  
 fincada en el, que igualmente vende al  
 uso dicho Anzas, declarando como declara  
 que es de su propiedad, levantada a  
 su costa y mencion y que esta libre de  
 todo gravamen publico perpetuo, temporal  
 general, Especial tacito o expreso y com-  
 tal vende el tenens y casa en precio y  
 cuantia de Doseientos y cincuenta  
 pesos en plata de buena moneda acimo-  
 ádo y comun que debia percibir del Refen-  
 do Anzas en el termino de un mes; y sobre  
 no parecer de presente la Entrega renuncia  
 las leyes, de Ella, las de su prueba y pago  
 del Recibo como en ello se contiene.  
 Asi mismo declara que tiene por justo pre-  
 cio y verdadero Valor de dicho Rancho  
 y casa la enunciada cantidad que no  
 vale mas y o mas valer pudiere del  
 exceso en mucha o poca suma hace a favor  
 del comprador y de sus herederos y sucesores  
 precio y donacion justa perfecta e irrevoca-  
 ble que en derecho se llama inter vivos  
 con insinuacion y demas formalidades legales  
 renunciando la ley 4<sup>a</sup> tit<sup>o</sup> 4<sup>o</sup> lib<sup>o</sup> 5<sup>o</sup>  
 de las Reescripturas y los demas que ha-  
 blan de la Lesion en mas o menos de la  
 mitad del justo precio y los cuatro años  
 que prescribe para pedir su rescision o su-  
 plemento los que dan por pasados; y desde  
 hoy en adelante se desprende y despoja  
 para siempre del dominio posesion señoria

título u otro recurso que le compete al  
 enunciado Rancho y casa y lo renuncia y  
 traspasa en el comprador para que disponga  
 de ellos como de cosa propia de la compra  
 se puede revocar con libre fianca y  
 general Administración para que de  
 su autoridad aprenda la tenencia y  
 posesion que por derecho le compete  
 Obligándose el Otorgante a que esta  
 Venta le sea cierta segura y efectiva  
 al comprador y nadie le inquietará ni  
 molestará pleito sobre su propiedad y  
 posesion ni contra la casa aparecida  
 gravemen alguno y si le inquietare o alda  
 a su defensa hasta dejarlo en quietud y  
 pacifica posesion y de no conseguirlo le  
 será devuelta la expresada cantidad  
 de doscientos cincuenta pesos que escriba  
 el Otorgante con las mejoras utiles que tenga  
 y todas las costas perjuicios y menoscabos  
 que se le siguieren. Y a la Observancia  
 y Validacion de todo lo Referido obliga  
 los bienes de su poderdante, presentes y futuros  
 y con ellos se comete al fuero y jurisdiccion  
 de los señores jueces que de sus causas  
 penden y deben conocer conforme a dere  
 cho para que a su cumplimiento compelan  
 y apremien a su poderdante por haber re  
 nunciado espresamente las leyes 2  
 titº 12. partº 5º y 1º titº 3. libº 5º. Recopi  
 lacion como sentencia dada consentida  
 y no apelada en autoridad de cosa jus  
 gada y por tanto ultimo renuncia las  
 leyes que en el caso le favorezcan y la  
 general del día en forma. En cuyo  
 testimonio así lo Otorgo y firmo en

Testimonio as lo Otorgan en  
Registro conmigo y los de mi asistencia  
siendo los instrumentales D. Florencio  
Senano, D<sup>o</sup> José M<sup>a</sup> Campino y D<sup>o</sup>  
Ignacio Quiseo, presentes y de autos doy  
fe.

José J. Hernandez # Petronilo Rios:  
Juan Miguel Angar -  
Asista = Asista =  
José Ant<sup>o</sup> Chaves # José Francisco Alvarez

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Co Copia fielmente sacada de su  
Registro hoy dia de su Otorganiento y  
al que en caso necesario me remito. Ca  
en un pliego de papel del sello cuarto  
sin ninguna correccion; siendo testigo  
de verla copiar y concertar. D. Enrique  
Cambuiron #

Monterey catorce de julio de 1843.

José J. Hernandez  
Asista = Asista =  
José A. Chaves # José E. Alvarez  
Prefectura del 1<sup>o</sup> Distrito.

Mientras adquiere. Q. la propiedad del  
terreno que ha solicitado llamado los penas  
cates puede. Q. establecer su casa en la  
parte en la Cañada de los Cameros que  
comprende la misma solicitud y  
haver alli las siembras que neccite para  
la subsistencia de su familia.

Lo que dijo a Q. para su satisfaccion y  
como resultado de su carta confidencial  
de 14 de setiembre año.

Dios y Libertad. D. Juan de Castro  
Agosto 16. de 1843.

José Castro  
A. D<sup>o</sup> José de los Santos Abila

Oello Green 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  
mil Ocho cientos cuarenta y uno.

Limeno # Antonio Maria Osio  
Revalidado p<sup>a</sup> los años de 1842 y 1843 -  
Alvarado Antonio M<sup>a</sup> Osio

Juan B. Alvarado Gobernador Constitu-  
cional del Departamento de las Califor-  
nias.

Por cuanto D<sup>na</sup> Maria Anto-  
nia Linares ha pretendido p<sup>a</sup> su beneficio  
personal y el de su familia una parte  
del terreno que se conoce con el nombre  
de los Cañeros, colindante con el Rancho  
de D<sup>n</sup> Juan Anzures con el de D<sup>n</sup> Joaquin  
Loto con el de D<sup>n</sup> Joaquin Gomez y con  
el de D<sup>n</sup> Manuel Larios; practicadas  
previamente las diligencias y averiguaciones  
concernientes segun lo dispuesto por leyes  
y Reglamentos usando de las facultades  
que me son conferidas a nombre de la Ma-  
yor Mexicana, he venido en concederle  
el terreno mencionado declarandole la  
propiedad de el por las presentes letras  
sujetandose a la aprobacion de la Coma-  
junta Departamental y bajo las condi-  
ciones sig<sup>tes</sup>

1<sup>a</sup> podrá sercarlo sin perjudicar las tra-  
vecias caminos y servicios; lo dispu-  
tara libre y Exclusivamente destinandolo  
al uso o cultivo que mas le acomode  
pero dentro de un año fabricara  
casa y Estera habitual a

2<sup>o</sup> Solicitara del juez respectivo que le de posesion juridica en virtud de este Despacho por el cual se demarcan los linderos en cuyos limites pondra a mas de las mojoneras algunas arboles o putales o silvestres de alguna utilidad.

3<sup>o</sup> El terreno de que se hace donacion es de un sitio de ganado mayor segun explicita el diceno que corre a cargo del Expedite Respectivo. El juez que tiene la posesion lo hara medir conforme a Ordenanza, quedando el sobrante que resulte a la Nacion para los usos convintos.

4<sup>o</sup> Si contuviere a estas condiciones perdera su derecho al terreno y sera denunciable por otro.

### En consecuencia

mando que teniendo por firme y Valido el presente titulo se tome Razon de el en el libro a que corresponde y se entregue a la interesada. (Dello teo: 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 mil Ocho cientos cuarenta y uno.

Finado # Antonio Maria Osio  
Revalidado para los años de 1842 y 1843

Alvarado Antonio Maria Osio

segada para su resguardo y demas fines Dado en Monterey a siete de Octubre de mil Ocho cientos cuarenta y dos.

Juan B. Alvarado Man. Finado Su  
Queda tomada Razon de este Despacho en el Libro de Asientos sobre adjudicacion de terrenos baldios a foja: 16

Finado

Sello Cuarto (Sello) una Cuartilla

Para los años de mil Ocho cientos cuarenta y mil Ocho Cientos cuarenta y uno  
Revalidado para los años de 1842 y 1843  
Estrada Antonio M<sup>o</sup> Doio.

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El C<sup>o</sup> José Castro Teniente Coronel  
y Comandante Del Escuadrón fijo de Cali-  
fornia y actualm<sup>te</sup> Com<sup>te</sup> Militar de esta  
plaza.

Certifico: que el año de 1839 que  
fui Prefecto de este Distrito, el mes de  
julio del mismo año el C<sup>o</sup> Manuel  
Larios Teniente de auxiliares se presentó  
a la misma en donde convido limitas  
el terreno que tenía solicitado desiendo  
una parte del C<sup>o</sup> José de los Santos  
Avila libre y espontáneam<sup>te</sup> en cuyo  
fundam<sup>to</sup> apoyé la nota de 16 de Agosto  
del año expresado que tiene en su poder  
como en las demas informaciones nec-  
sarias, habiendo reconocido previam<sup>te</sup> en  
presencia de mi Sr<sup>o</sup> que lo era Don  
José M<sup>o</sup> Covarrubias, el terreno que me di-  
de que hizo de cist<sup>o</sup> el Reperido Larios  
y para los fines que al interesado an-  
tenfa hoy este asegurando ser la Verdad  
bajo mi palabra de honor en Monterey  
@ 12 de Julio de 1843.

José Castro.

Sello Cuarto una Cuartilla  
para los años de mil Ocho Cientos  
cuarenta (Sello) y mil Ocho Cientos  
cuarenta y uno.  
Revalidado para los años de 1842 y 1843  
Estrada Antonio M<sup>o</sup> Doio.

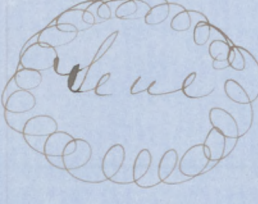


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Translation of Year 1843  
Exhibit "A P L" Public Instrument in favor of Don. Juan  
to capo of V P Miguel Anzer executed by Don. Petronila  
Gomez March 9 Rias by full power and Authority from  
1855 & that of Senora Dona Antonia Linares of a tract of  
Juan B Alvarado Land Comprising One square league with  
March 14. 1855 a house erected thereon.

Leaf Fourth Two Pages

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Provisionally authorized by the Maritime  
Custom House at the Port of Monterey  
in the Department of the Californias for  
the year 1843  
(Signed) Micheltorana  
(Signed) Manuel Bustanaces.

 In the Capital of Monterey on  
the fourteenth day of July One  
Thousand Eight hundred and  
forty three before me Jose Y. Fernandez  
Justice of the Peace of this Demarcation  
by the 11th of the Cases assisted in  
Tacubaya and of First Instance of the  
District acting with two assisting  
Ministers for the want of a Notary of  
any kind, besides the instrumental Minis-  
ters, whose names will be mentioned at  
the Conclusion, personally came before  
Petronila Rias with full power of attorney  
from Senora Dona Antonia Linares and  
declared, that in the name of his Consti-  
tuent who for herself, her heirs and suc-  
cessors, and whomsoever of them may have  
little, voice and cause, sells and grants  
in public sale and perpetual alienation

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by right of inheritance and forced to  
 Don Juan Anzun a tract of Land which  
 she acquired by legal title from the  
 Government of the Department dated  
 October 7th. 1842 Comprising One Square  
 league, and situated in the place called  
 "Acureros" and adjoining the Venado, Don  
 Joaquin Gomez, and Don Manuel Larios  
 which title I certify to have seen and  
 ordered to be annexed to the testimonio of  
 this Instrument which shall be delivered  
 to the party interested; likewise a note  
 from the Prefect dated August 16. 1839  
 and two Certificates from the Secret.  
 Colonel and Military Commandant of  
 this Plaza, Don. Jose Bustro and annex  
 ed hereto which accredit the right  
 of the Madam Larios as well to the  
 Land as to a house thereon erected which  
 she also sells to the aforesaid Anzun  
 declaring as she does declare, that it  
 her property, Constructed at her Cost and  
 Mention and that it is Exempt from all  
 public incumbrance, whether perpetual  
 temporal, general, special, tacit or  
 Express, and as such she sells it the  
 said tract of Land and house for the  
 price and sum of two hundred and  
 fifty dollars in Current Money, which  
 she shall receive from the said Anzun  
 within the time One Month and the  
 delivery thereof not appearing present  
 she renounces the Sales thereof and  
 those of its proof and payment of the  
 receipt as therein provided.

likewise she  
 declares that she esteems the aforesaid

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seem as the just price and full value of  
the said Rancho and house, that it is  
not worth more, and if it should be  
more, of the excess whether much or  
little, she makes in favor of the Vendor  
just, perfect and irrevocable gift and  
donation which in law is called inter  
vivos with insinuacion and all other  
legal securities, renouncing Law 4th  
Title 7. Book 5th of the Recopilacion  
and all others which treat upon the  
damages in more or less than half the  
just price, and the four years which  
it prescribes for the demanding of its  
reception or supplement, which she ack-  
nowledges as just; and from this day  
hereafter she quits and leaves forever  
the dominion, possession, ownership, title  
or other right which she may have  
to the Rancho and house aforesaid  
she renounces and transfers to the  
Vendor, that he may dispose of them  
as his own property, and she consents  
upon irrevocable power with free volun-  
tary and general administration, that of  
his own authority may seize the tenure  
and possession thereof which by law  
belong to him, the grantor obliging him-  
self that this sale shall be certain  
sure and effective to the Vendor, and  
that no person shall molest or insti-  
tute suite against him for his property  
and possession, nor shall there appear  
against the house any incumbrance  
whatsoever, and if he should be molo-  
sted, to appear in his favor until releasing  
him in the quiet and peaceable possession

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and that he should not accomplish  
 that the said sum of two hundred  
 dollars shall be repaid to him wher-  
 ever the grantee shall receive with the  
 useful improvements which may have  
 and all costs, damages, and depreciations  
 that he may incur.

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And for the fulfillment  
 and validity of all the foregoing he  
 binds the present and future property  
 of his Constitute, and with them he  
 submits himself to the laws and the  
 jurisdiction of the Honorable Judges who  
 may or should take cognizance of his  
 causes, according to law, that they may  
 compel and force his Constitute  
 to such fulfillment for having expressly  
 renounced the Laws 2. Title 12. Part 5  
 and 9. Title 3. Book 5. Recopilacion, as  
 a judgment rendered, consented to and  
 without appeal in authority of res-  
 pectiva and finally he renounces the  
 laws which may favor him and the  
 general one of right in form.

In testimony whereof he  
 thus executed and signed it in this  
 Registro, with me and those of my  
 assistance, the instrumental witnesses,  
 being Don. Florencio Serrano, Don. Ignacio  
 Orosco present, and assistants -

I attest - (signed) Jose y Fernandez  
 (signed) Petronilo Rios - (signed) Juan  
 Manuel Anzun. Asst. (signed) Jose Antonio  
 Alvarez - Asst. (signed) Jose. Francisco Alonzo

A faithful Copy taken from its Registro  
 this day of its execution and to which

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I re for whenever necessary. I press on one  
sheet of paper of the fourth seal  
without any Connection. Don. Enrique  
Acamboston being the Relation of the  
Copying and Comparing of it

Monterey July 14. 1843

(Signed) Jose J. Fernandez

Assisting Notaries

(Signed) Jose A. Chavez

(Signed) Jose F. Alvarez

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Prefecture of the  
First District

Meanwhile you are  
obtaining the ownership of the Land  
for which you have petitioned Called  
"Ponacates" you can establish your house  
in that part of the Canada de los  
Carneros" Comprehended in the said  
petition, and make such sowings that  
as you may need for the support of  
your family

I Communicate to you for your  
satisfaction, and as the result of your  
Confidential letter of the 14th Inst.

God and Liberty - San Juan de Castro

August 16. 1839

(Signed) Jose Castro

To

Don. Jose de los Santos Abila

Leaf Third Two Reales

Provisionally authorized by the Maritime  
Custom House at the Port of Monterey  
in the Department of the Californias  
for the years 1840 and 1841  
(Signed) Jimeno—(Signed) Antonio Maria Osio

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Revalidated for the years 1842 & 1843  
(Signed) Alvarado (Signed) Antonio Ma. Osio

Juan B Alvarado Constitutional Governor  
of the Department of the Californias

Whereas Dona Maria Antonia Simoes  
for her personal benefit and that of her  
family, has petitioned for a part of the  
tract of Santa Inacion by the name of  
"Llanuras" bounded by the Rancho of  
Don Juan Anaya, Don Joaquin Coto—  
Don Joaquin Gomez, and Don Manuel  
Luis, the proceedings and investigations  
relative thereto having been previously  
had as provided by the Laws and  
regulations, in the exercise of the powers  
with which I am invested in the name  
of the Mexican Nation, I have concluded  
to grant her the aforesaid tract of Santa  
Inacion unto her the ownership thereof  
by these letters, subject to the approval  
of the Most Excellent Departmental Junta  
and under the following conditions

1<sup>st</sup> She may enclose it without prejudice  
to the Crops, woods and sureties;  
she shall enjoy it freely and exclusively  
appropriating to the use & Cultivation

H1

she may deem best; but within One year she shall build a house, and it shall be inhabited—

2d. She shall request the respective Judge to give her precise possession that of in virtue of this Patent by which the boundaries thereof shall be marked out, in the limits of which she shall place, besides the lance marks, some fruit trees, or wild ones of some utility.

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3d. The land hereby granted is One square league as represented by the plans annexed to the respective Especimenes.

The Judge who shall give the possession will cause it to be measured according to Ordinance the surplus remaining to the Nation for *propia* purposes.

4th. If she Contravenes the Conditions she will lose her right to the land and it shall be alienable by another—

Therefore the present title being held as firm and valid I Command that an Entry be made of it in the *propia* book and that it be delivered to \_\_\_\_\_

(Seal Three Two Reals

Provisionally authorized by the Maritime Custom House at the Port of Monterey in the Department of the Californias for the years 1840 & 1841

(Signed) Neminoc (Signed) Antonio Maria Osio

Revalidated for the years 1842 & 1843

(Signed) Alvarado (Signed) Antonio Maria Osio

interested party for his security, and other purposes - Given in Monterey on the twentieth day of October 1842

(Signed) Juan B Alvarado

(Signed) Manuel Jimeno Secy

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Entry is made of this Patent in the book of registry of grants of Vicente Sanchez at folio 16

Jimeno

Seal Fourth One Cuentilla

For the years 1840 and 1841

Revaluated for the years 1842 & 1843  
(Signed) Estrada - Antonio Ma. Alis

Citizen Jose Castro Secret Colonel and Commandant of the Permanent Squadron of the Californias and Actual Military Commandant of this Port.

I certify that while I was Prefect of this District in the year 1839 in the month of July thereof, Citizen Manuel Sanchez Licet of Cleveland represent to me to whom it respect him to extend the limits of the land; that he had petitioned for, leaving a part in favor of Citizen Jose de los Santos Abila freely and voluntarily upon which I based the Note of the 16th of August of the same year which he has in his possession, as also upon other necessary information having previously examined the land in company with my Secretary Don Jose Maria Covarrubias, which he says the said Sanchez abandoned, and I give this



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for the purposes that best may suit  
the interested party assenting it to be the  
truth upon my word of honor  
In Monterey On the 12th of July 1843  
(Signed) Jose Castro

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Seal Fourth One Queantilla  
For the years 1840 & 1841  
Revoked for the years 1842 & 1843  
(Signed) Estrada (Signed) Antonio Ma. Osio

Citizen Jose Castro Lieut. Colonel and  
Actual Commanca of this Port:  
I certify that in the year 1839 while  
I was Prefect of this District upon  
issuing the Official Note of the 16th  
of August of the same year relative to  
permitting Citizen Jose Castro de los  
Santos Abila to establish his house  
and farm on a part of "Carnos" I was  
informed by some of the witnesses of the  
possession that was given to Don Juan  
Abila that the said land lay outside  
of the limits in which the latter should  
fix his land marks, and that it was  
true also that it had been occupied  
by some Indians, who at that time had  
abandoned it; and for the purposes that  
may suit the interested parties I give this  
accounting it to be the truth upon my  
word of honor.  
In Monterey On the 12th of July 1843  
(Signed) Jose Castro

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I George Fisher Secretary to the U. S.  
Land Commission to ascertain and settle  
private Land Claims in California, hereby  
certify the foregoing to be a true and corre-  
ct translation of the Spanish document  
in Case No. 680 on the docket of said  
Commission - *Mu. Anta leasus de Anzun*  
et al vs. the United States now on file  
in this Office

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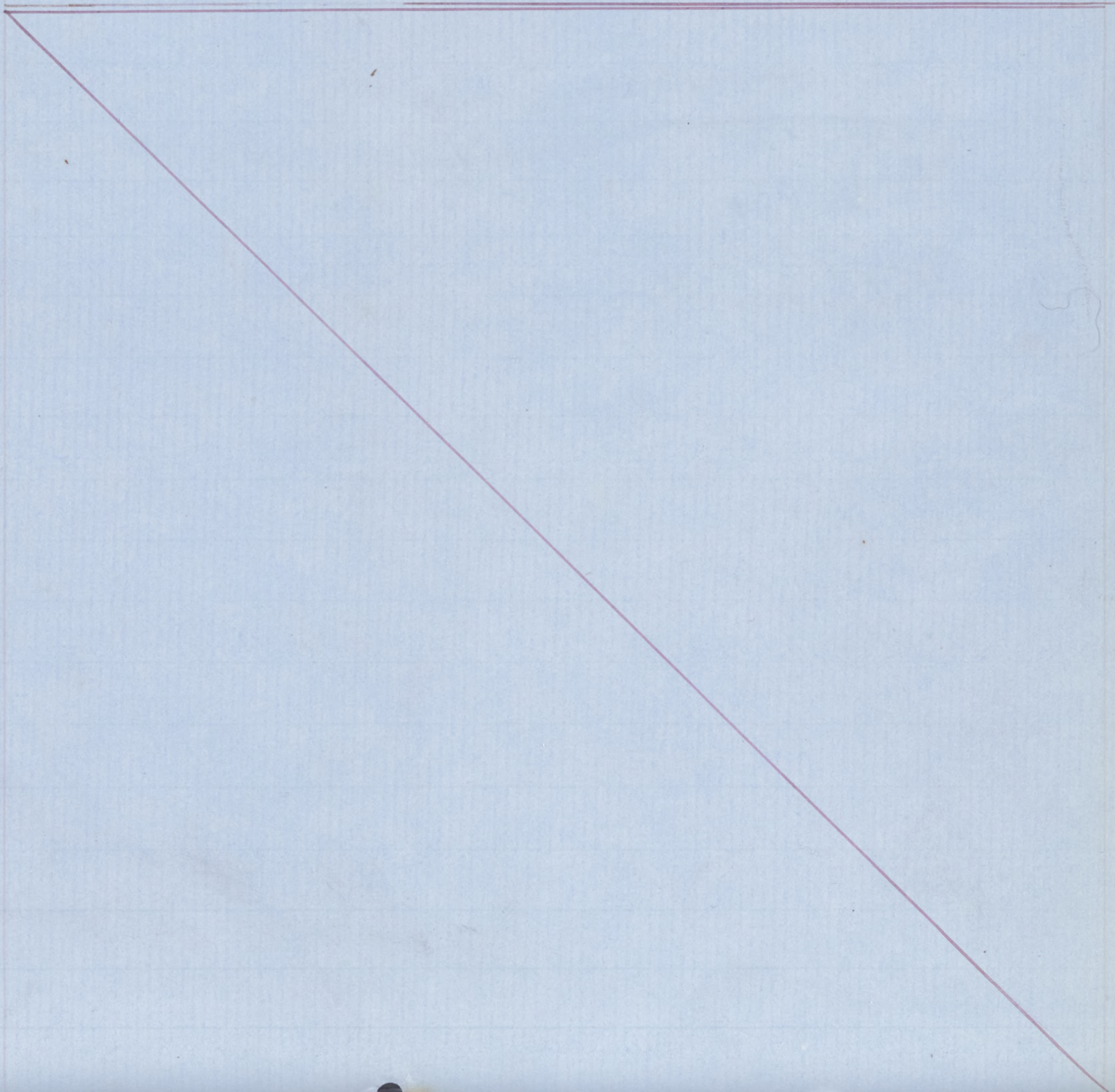
Witness my Official Signa-  
ture this 1<sup>st</sup> day of March A.D. 1853  
(Signed)

Geo. Fisher

Secy

Filed in Office March 1. 1853

Geo. Fisher Secy.



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Opinion of Board by Com. Selch

Maria Antonia Castro  
de Anzen Val  
res  
The United States  
} For the place called  
} Los Hornos in  
} Monterey County  
} Containing One Square  
} League of Land.

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The claimants are the widow and children of Juan Miguel Anzen deceased and claim as his legal representatives to own the property described in their petition. The title of the deceased was derived from Doña Antonia Linares by conveyance made before the competent authorities on the 14th day of July 1843. Her title was derived from the Mexican Government by grant made by Governor Alvarado on the 7th day of October 1842, which grant duly authenticated is given in evidence. The proof also shows that Mrs Linares has an adobe house on the premises and lives there with her family, cultivating portions of the land and keeping her stock there in the year 1842 and 1843. This establishes her equitable right to the premises and entitles the present claimant holding title derived from her to a decree of Confirmation.

The boundaries of the premises are described with sufficient apparent certainty, and the quantity of land embraced within them is shown by the proof not to exceed that mentioned in the grant confirmed

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Filed in office Aug 28th. 1855

Geo. Fisher

Secy

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Recd  
Halla Antonio Casado 2

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Decree

Maria Antonia Castro  
de Anaya & al  
vs  
The United States

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In this case on hearing the proofs and allegations it is accepted by the Commission that the claim of the said petitioner is valid, and it is therefore decreed that the land herein after described be, and the same is hereby confirmed to said Maria Antonia Castro de Anaya, the widow and to Antonio Anaya and the other heirs at law of Juan Miguel Anaya deceased; to have and to hold the same in the several and respective proportions to which they are legally entitled as such widow and heirs at law of said deceased.

The land of which confirmation is hereby made is known by the name of Los Cameros situated in Monterey County and is bounded by the Ranchos of Don Juan Anaya, Don Joaquin Soto, Don Joaquin Goney and Don Manuel Larios, containing one square league of land, being the same land described in a grant of the same to Don Manuel Antonio Larios by Governor Juan B. Alvarado bearing date October 7th 1842 and the same represented on the map constituting a part of the traced copy of the Expediente which is on file in this case to which reference

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for further certainty of description as to  
be had

Alpheus Felch  
R. Secy. Thompson  
S. B. Howell

Comm. p. 111

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Filed in Office Aug 28. 1855

Geo. Fisher Secy

And it appearing to the satisfaction  
of the Board that the land hereby  
described 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  
which transcripts shall be filed with  
the clerk of the United States District  
Court for the Southern District  
of California, and the other be trans-  
mitted to the Attorney General of the  
United States—

Office of the Board of Commissioners,

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

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I, *George Fisher* Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Forty eight* pages, numbered from  
1 to *48*, 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. *U & V*, on the Docket of the said Board,  
wherein

*María Antonia Castro de Anzar, et al* — are  
the Claimants against the United States, for the place known by  
the name of "*Los Carreros*"



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. 185*6*, and of the Independence of the  
United States of America the *seventy-eighth*th.

*Geo. Fisher.*  
*GF* sig.

384

U. S. DISTRICT COURT,

*Southern* District of California.

No. *384*

THE UNITED STATES,

vs.

*M<sup>o</sup> Ant<sup>o</sup> Castro & Anjos*  
al. *"Los Cameros"*

384

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *80*

Filed, *February 20<sup>th</sup>* 1856.

*J. C. [unclear]*  
Clerk.

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Office of the Attorney General of the United States,

Washington, 11 February, 1856.

600. / "Los Carreros"

Maria Antonio Caets de Arzaga  
et al claimants

You will please take notice that in the above case, decided by  
the Commissioners to ascertain and settle private land claims in  
the State of California in favor of the claimant, and a transcript  
of the proceedings in which was received in this office on the  
17th day of January, 1856, the appeal  
in the district court of the United States for the Southern  
district of California will be prosecuted by the  
United States.

Clarking

Attorney General.

No. 384

U. S. Dist. Court  
Suth. Dist. Calif.

M<sup>o</sup>. A<sup>o</sup>. Castro de Arzau  
et. al.

ad  
The United States

Notice of appeal

Filed June 2<sup>d</sup> 1856.

L. E. Can  
By A. Morgan  
Deputy

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

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

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*Maria Antonia de Castro <sup>de Alvaran</sup> et al*  
ad  
*The United States*

Docket No. 384

Transcript No. 680

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

The Petitioner of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 1<sup>st</sup> day of March A. D. 1853, *Maria Antonia de Castro et al de Alvaran, et al*

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

in the County of *Monterey* - State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 28<sup>th</sup> day of August A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 20<sup>th</sup>

day of *February* - A. D. 1856, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 680; reference to which it is prayed may be had and made part of this petition.

That on or about the 17<sup>th</sup> day of *January*, A. D. 1856, the Honorable *Caleb Cushing*, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: on the 3<sup>d</sup> day of June A. D. 1856, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimants presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimants ~~has~~ <sup>have</sup> any valid right or title to said land claimed as aforesaid, or any part thereof.

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

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

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

J. P. A.

Attorney of the United States for  
the Southern District of California.

N 384  
W J Durr Combr  
Ivanhoe, Durrifield

M<sup>o</sup> A<sup>o</sup> de Castro de M<sup>o</sup> de  
et al

ads  
The W States

Petition of Return

Filed Dec 8<sup>th</sup> 1836  
Chims  
chr

U.S. Dist Court — Southern Dist  
of California

Maria Antonia } Docket No. 384  
Castro de Auzar }  
et al } "Carneros"

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vs }  
The United States } Transmitt No 680

It being made satisfactorily  
made to appear to the Court by evi-  
dence filed and admitted by the  
District Attorney in open Court -  
that the above named Maria  
Antonina Castro since the filing  
of the claim in this case before the  
U.S. said Commission, intermarried  
with Frederick A. McDougall, and  
afterwards <sup>intestate</sup> died, leaving three  
children, Juan Francisco Auzar,  
Anatolio Auzar, and Policronio  
Auzar, and her said husband F.A.  
McDougall surviving, and that the  
said children are <sup>also</sup> the only legitimate  
children and heirs of Juan Miguel  
Auzar deceased, it is an motion  
made in behalf of the claimants,  
ordered that this cause be revived  
in the names of said McDougall,  
Juan Francisco, Anatolio, and  
Policronio Auzar.

Booklet No 384  
Transcript 680-

Old District Court  
Southern Div of Cal

Manu Accts.  
Cactus d'Alvarez

do. do.

In States

Order in motion

Filed 9<sup>th</sup> Dec  
1854

Ofimus  
Chk

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U. S. Dist. Court Southern District  
of California

Juan Miguel Azucar Docket No. 102  
vs "Aromitas"  
The United States Transcript No. 20

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State of California  
County of Los Angeles

W. Grace Hayes being  
duly sworn, says that he resides at the City  
of San Francisco - that business relations  
have for several years past made him well  
acquainted with the Circumstances of the  
family of Juan Miguel Azucar the Claimant  
above named - that according to Common Rep-  
-ort in the neighborhood of his residence which  
was at or near San Juan Bautista - the said  
Juan Miguel Azucar died after the filing of  
his claim in this case, before the U. S. Land  
Commission, leaving a widow named  
Maria Antonia Castro, and three children  
named Juan Francisco, Anatolio and Poli-  
-croma, who are the only legitimate children  
living of the said Juan Miguel Azucar or  
of the said Maria Antonia Castro - that  
the said Maria Antonia Castro subsequently  
intermarried with Frederick A. McDougall  
and afterwards died intestate, and that the  
said F. A. McDougall surviving husband  
of said Maria Antonia and the three chil-  
-dren above named are still living at San  
Juan Bautista, and are the only living  
heirs of either the said Maria Antonia or  
of the said Juan Miguel Azucar, all which

dependent States from Common and unanimous  
report, and truly believes to be true

Horace Hawes

Sworn & Subscribed before me Dec: 9th 1856  
C Sims  
Clk

Jud of California  
Cmty of Los Angeles  
H Sims Clk

of the United States Dist Court for the  
Western Dist of California do hereby  
Certify the foregoing to be a true correct  
and full copy of the original affidavit  
on file in the case No 102, wherein  
Juan Manuel Anzar et al are appellants  
and the United States appellant

In testimony whereof  
I have set my hand  
and affixed the seal of  
said court this 9th  
day of Dec 1856  
C Sims  
Clk



No 384, "Los Carneros"  
Maria Antonia Castro  
et al Anzar et al

acts  
The United States

Filed in this case  
by ~~defendant's~~ consent  
of W. D. at San Francisco  
in this case

Copy of affidavit

Filed 9 Dec 1856  
C Sims  
Clk

District Court - Southern Dist. of Cal<sup>a</sup>  
Frederick A. McDougall }  
Juan Francisco Anzar } Docket No 384  
Anatolio Anzar }  
Policronio Anzar } "Carneros"  
384 SD }  
PAGE 59 adz }  
The United States } Hausentell 6.10

And for answer to the petition  
filed by the District Attorney on the part  
of the United States the above named  
Appell<sup>ees</sup> ~~ees~~ Claimants, say that their title  
and claim in this case is good & valid &  
they pray that the decision of the Com-  
missioners to ascertain and settle private  
land claims in the State of California here-  
before rendered herein may be affirmed,  
and that their said claim and title may  
be decreed to be valid and confirmed to  
them by the decree of this Honorable  
Court.

Horace Hanes  
Atty for Appellees &  
Claimants

<sup>No 384</sup>  
U. S. District Court

Fred. A. McDougall  
Jean Fran<sup>co</sup> Auzar  
Anatolio Auzar &  
Policronio Auzar  
and

The United States

Answer of Claimants

Filed 9<sup>th</sup> Dec 1887  
C. J. Sims  
clerk

United States District Court  
Dec Term 1856 } for the Southern District of  
California

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Fredrick A McDougal } No 384  
Juan Francisco Ansan } add The United States  
Anatolio Ansan }  
Policerio Ansan }

This cause coming on to be heard on appeal from the decision of the board of land commissioners, to ascertain and settle private land claims in the state of California under the act of Congress approved March 3<sup>rd</sup> 1854. upon the transcript of proceedings and decision of said board. and the papers & evidence upon which said decision was founded and upon further evidence taken by order of this Court all of which having been duly filed in this Court; and upon further evidence taken by order of this Court, and counsel for the respective parties having been heard, it is ordered adjudged and decreed that the decision of the said board be and the same is hereby confirmed affirmed, and that the title of the said Fredrick A McDougal; Juan Francisco Ansan, <sup>Anatolio Ansan</sup> and Policerio Ansan, the above named appellees, is a good and valid one

the land of which confirmation is hereby made is that known by the name of Los Cameros situated in the County of Monterey and is bounded and described as follows by the land of Juan Ansan, that of Joaquin Soto, that of Joaquin Gomez, and that of Manuel Lomas, for a more particular description of which reference is had

to the grant of the land to Don Antonio  
Linares by Juan B Alvarado Governor of  
California and to the map accompanying  
the expediente filed in the case.  
And the Confirmation hereby made is  
to the extent only of one square league of  
land within the boundaries described  
in this decree and in the grant and  
accompanying map.

Juan S. Ortega  
U. S. District Judge  
for the Southern Dist of Cal

No 384

Fredrick & the Stray

et als.

ads.

The United States

Deace.

Filed Dec 10<sup>th</sup> 1856

Ofms  
Clark

Remain page 99-100

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California Land Claim.  
Attorney General's Office  
5 Febr'y 1857.

Sir: In the case of the claims of  
Maria Antonia Castro de Azar,  
et al. confirmed to the claimants  
by the Commissioners, Case no. Six  
hundred and eighty, (680), appeal  
will not be prosecuted by the United  
States.

I am,  
Respectfully,  
Ours,

William M. Eeg  
U. S. Attorney,  
Los Angeles.

No. 384

Filed 4 March 1858

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[ Stipulation. ]

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

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Frederick A. McLaughall  
Juan Francisco Anzar  
Anatolio Anzar  
Policronio Anzar  
ads  
The United States.

Docket No  
Transcript.

Claim for tract of  
land called  
"Los Carneros."

The Attorney General of the United States having given notice that it is not the intention of the said United States to prosecute the appeal from the decree of the United States Board of Land Commissioners here-  
-before rendered in the above entitled Cause, and the said decree of the United States Board of Land Commissioners having been affirmed by the United States District Court; Therefore, both parties consenting, it is hereby stipulated, that the Order of Appeal to the Supreme Court be revoked, and that the said decree of the District Court be made final; and that the claimants have leave to proceed thereon as a decree of final confirmation.

P. Ord. U. S. Dist. Ct.  
by E. Herrera Acting Att.  
Christy Clara  
Att. for claim.

Docket No. 384

Transcript "

U. S. District Court for the  
Southern District of California.

Frederick A. M. Douglass  
et al.

— ads. —

The United States. —

Stipulation.

Filed this 20<sup>th</sup> April 1858  
Clerk of the Court  
J. H. Colburn  
Clerk

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

December Term 1857

Frederick, A. McQuiggall,  
Juan, Francisco Anzar,  
Poleronio Anzar,  
Anatolio Anzar,

Docket No 384  
Claim for the tract  
of land called,  
"Los Cameros."

384 SD  
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vs  
The United States

The Attorney General of the United States having given notice in writing, which has been filed, that it is not the intention of the United States to prosecute the appeal from the decree of the United States Board of Land Commissioners heretofore rendered in the above entitled Cause, and the said decree of the Board of Land Commissioners having been affirmed by this Court, it is therefore hereby stipulated, by the Attorney for Claimants and the District Attorney on behalf of the United States that the appeal from the decision and decree of this Court be dismissed and vacated, and that the said decree be made final and the claimants have leave to proceed thereon as a decree of final Confirmation.

F. M. Wally

Horace Harves  
Atty for Claimants

u

In the District Court of the United  
States for the Southern District of  
California,  
Frederick A. Mc Dougall,  
Juan, Francisco Anzar,  
Polixonio Anzar,  
Anatolio Anzar,  
advs  
The United States.

~~Dec 1858~~  
June 1858  
Docket No 384.  
Claim for the tract  
of land called  
"Los Carneros."

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The Attorney General of  
the United States having given notice in  
writing, which has been filed, that it is not  
the intention of the said United States to prosecute  
the appeal from the decree of the United  
States Board of Land Commissioners heretofore  
rendered in the above entitled Cause, and the  
said decree of the Board of Land Commissioners  
having been affirmed by this Court; therefore,  
the Claimants by their Attorney, and the  
District Attorney on behalf of the United  
States, consenting thereto by stipulation filed, it  
is by the Court now here reduced that the  
appeal from the decree of this Court be and  
the same is hereby vacated and dismissed,  
that said decree of this Court be and the  
same is hereby made final, and that the  
above named Claimants have leave to  
proceed thereon as a decree of final Confir-  
mation. Thus ordered in open Court  
this 12<sup>th</sup> June 1858. - Samuel R Ogden  
W S Per Bridge

Docket No. 384

U.S. Dist Court

Southern Dist

J.L. MacDougall

et al

ads

The United States

Filed this June 14th  
day of June A.D. 1888

testis  
J. H. [Signature]

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