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Patent sent to Surveyor Genl. June 16. 1862

The United States of America, E

To all to whom these presents shall come, Greeting:

Whereas it appears from a duly authenticated transcript filed in the General Land Office of the United States, that pursuant to the provisions of the Act of Congress approved the third day of March, one thousand eight hundred and fifty one, entitled "an Act to ascertain and settle the Private Land Claims in the State of California," David Spence, as claimant filed his petition on the nineteenth day of February 1852, with 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 which petition he claimed the confirmation of his title to a tract of land known as "Encinal y Buena Esperanza," situated in the County of Monterey, State of California; said claim being founded on a Mexican grant to the claimant, made on the 29th day of November 1834, by Jose Figueroa, then Governor of Upper California, and approved by the Territorial Deputation on the 29th day of August 1835; said grant containing two square leagues, more or less; also another Mexican grant to said claimant of one square league of land in augmentation of the grant first above set forth, made on the 15th day of April 1839, by Juan B Alvarado, then Governor, ad interim of the Department of the Californias; - and whereas, the Board of Land Commissioners aforesaid, on the 14th day of February 1853, rendered a decree of confirmation in favor of the claimant, which decree or decision having been carried by appeal on behalf of the United States to the District Court of the United States for the Southern District of California, at the December term 1853, the said Court rendered its decision as follows:

"It is ordered, adjudged and decreed by the Court "that the decree of the Commissioners aforesaid in this case "be affirmed, and that the claim of the said David Spence

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"Aspellee herein, be decreed to be good and valid to the extent of
"three square leagues of land (tres sitios de ganado mayor) as
"follows:- Two square leagues of land (dos sitios de ganado mayor)
"called "Rincon de Buena Esperanza", bounded by the Ranchos of
"Buena Vista" and "Alisal" the Spring of the Encinal, the five
"buttonwood trees "Alisos", and the river of Monterey as described
"in the original grant by Gov. Josi Figueroa, dated the 29th day of
"November A.D. 1834. and the map or plat and testimonial of
"juridical possession, contained in the proceedings in this case,
"also one square league (un sitio de ganado mayor) granted
"to said Aspellee as an augmentation or addition to said
"first mentioned tract of land by Gov. Juan B. Alvarado, April
"18th A.D. 1839. and bounded as follows: on the Easterly side
"by the Rancho de Guadalupe, on the Southerly side by the line
"of "Buena Esperanza" (the first mentioned tract of land); on the
"Northerly side by the mountain or "Sierra de Bruno" at a place
"called "El Infierno" and on the Westerly side by Mc. Hartnells
"Ranch, including the Cañada de Codornices, belonging to said
"Aspellee. The land of which confirmation is made, is of
"three square leagues within the boundaries aforementioned, pro-
"vided there be said quantity of three leagues contained within
"said boundaries, and if there be less than said quantity of three
"leagues, then to such less quantity: and whereas, it further
"appears from a certified transcript, on file in the General Land
"Office, that the Attorney General of the United States, having
"given notice that appeal to the Supreme Court of the United
"States would not be prosecuted in this cause the aforesaid Dis-
"trict Court, at the December term 1856, "ordered, adjudged
"and decreed that the order granting an appeal to the Supreme
"Court, heretofore made in this cause, be and the same is
"hereby vacated, and that the claimant have leave to proceed
"under the decree of this Court, heretofore rendered in this cause
"as under a final Decree" And whereas, under the 15th Section
of the said Act of 3rd March 1851., there have been presented to
the Commissioner of the General Land Office, a plat and

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certificate of the Survey of the tract of land confirmed as aforesaid, authenticated on the 19th day of December 1859 by the Signature of the Surveyor General of the Public Lands in California, which Plat and certificate are in the words and figures following, to wit.

"United States Surveyor Generals Office,

"San Francisco California.

"Under and by virtue of the provisions of the 13th Section of the "Act of Congress of the 3rd of March 1851, entitled "An Act to "ascertain and settle Private Land Claims in the State of California" "and of the 12th Section of the Act of Congress, approved on the 31st "of August, 1852, entitled "An Act making appropriations for the "Civil and Diplomatic expenses of the Government for the year ending "the Thirtieth of June Eighteen hundred and fifty three, and for other "purposes," and in consequence of a certificate of the United States "District Court for the Southern District of California, of which a "copy is annexed having been filed in this office, whereby it appears "that the Attorney General of the United States, having given notice "that it was not the intention of the United States to prose-"cute the appeal from the decision of the said District Court "by which it recognized and confirmed the title and claim "of David Spence to the tract of land designated as "Encinal "y Buena Esperanza", containing three square leagues, the "said appeal has been vacated and thereby the said decision in "favor of the said David Spence, has become final. The said "tract has been surveyed in conformity with the grant thereof "and the said decision, and I do hereby certify the annexed "map to be a true and accurate plat of the said tract of land "as appears by the field notes of the survey thereof, made by "Henry Washington, Deputy Surveyor in the month of June "1858, under the directions of this Office, which having been "examined and approved, are now on file therein. And I do "further certify, that under and by virtue of the said con-"firmation and survey, the said David Spence, is entitled to a "patent from the United States, upon the presentation hereof to the "General Land Office, for the said tract of land, the same

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"being bounded and described as follows, to wit:
"Beginning at a point in the center of the Salinas River, being
"the South East corner of the Rancho Llano de Buena Vista, from
"which a Willow tree eighteen inches in diameter, marked "B. C" bears
"North eight degrees thirty minutes East, distant twenty four chains.
"Thence, according to the true Meridian, the Variation of the
"Magnetic needle being fifteen degrees East - at thirty chains
"crosses road, course South East and North West; at one hundred
"and five chains and fifty links intersect Range line between
"Ranges Three and Four East, Township fifteen South, - twenty six
"chains and forty two links South of corner to Sections Seven, Twelve,
"Thirteen and Eighteen; - One hundred and seventy seven chains to a
"Cottonwood tree, marked "B. L. B. C." and "B. C. L. S." Station, being the
"North East corner of the Rancho "El Alisal" and the South West
"corner of "Rancho Alisal."
"Thence, along the boundary of Rancho Alisal, South sixty
"seven degrees thirty minutes East, fifteen chains and thirty
"links to edge of Lagoon; - at twenty eight chains and twenty
"links crosses dry Lagoon; - at forty six chains and five links
"crosses road, course East of South; one hundred and seventy
"two chains and fifty links leave Alisal Rancho; - at two
"hundred and twenty eight chains crosses road, course East
"of South; - at three hundred and twelve chains and eighty
"links enters timber; at three hundred and twenty five
"chains and sixty links crosses slough two chains wide,
"course South sixty seven degrees West; - three hundred
"and thirty chains and eighty links to an Oak tree marked
"at the time of juridical possession was given, as one of the
"boundary monuments, also marked B. S. Station.
"Thence, North fifty four degrees thirty minutes East, at two
"chains crosses slough two chains wide, course South of
"West, sixty two chains and fifty-five links to a post in mound
"of earth, Station from which a Live Oak, eighteen inches
"in diameter bears North, twenty four degrees West, dis-
"tant thirty four links, and an Oak, eighteen inches in diameter

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"bears South forty eight degrees East, distant twenty five links.
"Thence, North sixty eight degrees thirty minutes East, eighty seven
"chains and thirty five links to a Live Oak, thirty inches in diameter,
"Station.
"Thence North forty one degrees thirty minutes East, thirty one chains
"and fifty links to an Oak, ten inches in diameter, marked "D. S." Station
"Thence, North eighty three degrees fifteen minutes East, at three
"chains and fifty links crosses gulch, twenty links wide, course
"South, at ten chains intersect Range line between Ranges
"Four and Five East, fourteen chains North of corner to Sections
"Seven, Twelve, Thirteen and Eighteen of Township fifteen South;
"one hundred and seventeen chains to a Live Oak, eighteen
"inches in diameter, blazed on four sides. Station.
"Thence, South, seven degrees thirty minutes West, at three chains
"crosses a gulch twenty links wide, course South of West, one
"hundred and ninety one chains to a post, at West foot of a
"hill, marked "D. S. S. C." Station.
"Thence, South, sixty-five degrees West, forty two chains to a
"post, in mound of Earth. Station, from which a Live Oak,
"two feet in diameter bears South twenty degrees East, distant six
"hundred and sixty links, and a Live Oak two feet in diameter
"bears South twelve degrees East, distant six hundred and seven-
"ty links.
"Thence, along boundary of Chualar Rancho, South seventy
"degrees thirty minutes West, five chains to foot of hill and
"ascend; nineteen chains and fifty links to top of hill and
"descends; at forty four chains and forty six links inter-
"sect Range line between Ranges Four and Five East, Township
"fifteen South, four chains north of Quarter Section corner
"between Sections twenty-five and thirty; fifty chains and
"fifty links to foot of hill and enter Salinas Plains; sixty
"three chains to an Alisos tree, one of the five, mentioned in
"Act of juridical possession; at eighty six chains crosses
"road, course North and South; at three hundred and seventy
"six chains crosses road, course North and South; three

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"hundred and eighty one chains to a Live Oak tree, thirty inches
"in diameter, marked D.S. mentioned in the Act of juridical
"possession; four hundred and eleven chains and forty six
"links to a witness post for South West corner of this Rancho,
"on the right bank of the Salinas River, from which an Elm
"twelve inches in diameter bears North fifty four degrees fifteen
"minutes West, distant one hundred and twenty five links, and a
"Willow, twelve inches in diameter, bears South, seventy five de-
"grees forty five minutes East, distant eight hundred and
"twenty eight links; four hundred and sixteen chains and forty
"six links to a point in the center of Salinas River, Station, the
"same being forty-nine chains and fifty links East of the cor-
"ner to Sections Five, Six, Thirty one and Thirty two, on the South
"boundary of Township Fifteen South of Range Four East.
"Thence, down the center of Salinas River, along boundary
"of Guadelupe Rancho, North sixty degrees thirty minutes West,
"thirty six chains to Station.
"Thence, South seventy two degrees forty five minutes West, fifty
"seven chains to Station.
"Thence, North, sixty degrees West, thirty four chains to Station.
"Thence, along boundary of Buena Vista Rancho. North, eight-
"een degrees forty five minutes West, at forty six chains intersect
Range line between Ranges Three and Four East, Township
Fifteen South, eighteen chains and fifty links South of corner to
Sections twenty five, thirty, thirty one and thirty six; forty
nine chains to Station.
Thence, North, eighty nine degrees East, fifty three chains
to Station.
Thence North, seventy two degrees fifteen minutes East, twenty four
chains to Station.
Thence, North twenty six degrees fifteen minutes West, eighty
nine chains to Station.
Thence, North fifty four degrees thirty minutes West, at forty
five chains intersect Range line between Ranges Three and
Four East, Township fifteen South; twenty chains North of

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corner to Sections Nineteen, Twenty-four, Twenty-five and Thirty-six four chains to the point of beginning; Containing Thirteen thousand, three hundred and fifty one acres and sixty four hundredths of an acre, and being designated upon the plats of the Public Surveys as Lot numbered Forty two in Township Fifteen, South of Range Three East; Lot numbered Forty three in Township Fifteen South of Range Three East; Lot numbered Forty four in Township Fifteen South of Range Four East, and Lot numbered Thirty nine in Township Fifteen, South of Range Five East of the Mount Diablo Meridian.

In witness whereof I have hereunto signed my name and caused the seal of the said Office to be affixed at the City of San Francisco this nineteenth day of December A.D. 1859.

L.S.

J. W. Mandeville
U.S. Surveyor General
Calif.

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Now Know Ye, That the United States of America, in consideration of the premises and pursuant to the provisions of the Act of Congress aforesaid of 3rd March, 1851, Have Given and Granted, and by these presents Do Give and Grant, unto the said David Spence, ~~claimant~~, and to his heirs, the tract of land embraced and described in the foregoing Survey; but with the stipulation, that in virtue of the 15th Section of the said Act, the confirmation of this said claim and this patent, "shall not affect the interests of third persons."

To have and to hold the said tract with the appurtenances, unto the said David Spence, ~~as claimant~~, and to his heirs and assigns forever, with the stipulation aforesaid.

In testimony whereof, I, Abraham Lincoln, President of the United States, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington, this 23d day of May, in the year of Our Lord one thousand eight hundred and sixty two and of the Independence of the United States the eighty sixth.

L.S.

By the President: Abraham Lincoln

By. W. O. Stoddard Secretary

J. S. Granger Recorder of the General Land Office.