

DAVID HORNBECK PROJECT: SPANISH & MEXICAN LAND

GRANTS OF CALIFORNIA

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11/2/2015 9:53:25 AM

Record: **Cienega del Gabilan** PLSS: **CIENEGA DEL GABILAN** 1861: AKA 1:

Cienega de Gabilan 294

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LAND GRANT		Source
Record name	Cienega del Gabilan	PLSS
Also known as (1)	Cienega de Gabilan	WPA Abstract
Also known as (2)	Rancho Cienega del [or de] Gabilan	WPA Abstract
Also known as (3)	Gabilan, Cienega del (or de)	WPA Abstract
Also known as (4)	Gavilan, Cienega	WPA Abstract
County 1	Monterey	PLSS 1997
County 2	San Benito	PLSS 1997

SPANISH - MEXICAN PROCESS

Mission name		
Diseño no.	782	WPA Abstract
Expediente / Land Case No.	99	WPA Abstract
Size	11 sq. leagues (situated in the mountains of the same name)	WPA Abstract
Location	Monterey and San Benito	WPA Abstract
Grantor	Manuel Micheltorena	WPA Abstract

U.S. CONGRESS		Source
Resolution/Legislation No.		
Patent approved date		

UNITED STATES SURVEYOR GENERAL FOR CA MAP

(a) Initial survey	Oct. & Nov. 1865	WPA Abstract
(b) Final survey	Apr. 24, 1867	BLM Website
(c) USGS quads		
(d) Township & Range	T 13-14-15S, R 4-5E, MDM	WPA Abstract

CALIFORNIA GENERAL LAND OFFICE

(a) GLO No.	250	WPA Abstract
(b) Approval date		
(c) Disapproved date (required another survey)		

BUREAU OF LAND MANAGEMENT DOCUMENTS

Grantee	Antonio Chaves, Antonio Chavis	WPA Abstract
Date granted / Mission founded	Oct. 26, 1843	WPA Abstract

U.S. PATENT PROCESS

Claimant(s)	Jose Y. Limantour	WPA Abstract
Date claim filed	Mar. 2, 1853	WPA Abstract
Size claimed	11 sqare leagues	WPA Abstract
Acreage	40,780.78	WPA Abstract
Patent date	Oct. 15, 1867	WPA Abstract
Patentee(s)	Jesse D. Carr	WPA Abstract
County	Monterey and San Benito	WPA Abstract
County - Book of Patent No.	Vol. A, pp. 123-134 Monterey; Vol. R, pp. 265-275 San Benito	WPA Abstract
County - Map Page No.	p. 129 Monterey; B.1., p. 23 (17x26) San Benito	WPA Abstract
County - APN No.	149	Monterey APN Spreadsheet

BOARD OF LAND COMMISSIONERS

(a) Confirmation date		
(b) Rejected date	Apr. 24, 1855	WPA Abstract
(c) Land Office / GLO No.	250	WPA Abstract
(d) Initial survey	Oct. & Nov. 1865	WPA Abstract

U.S. DISTRICT COURT

(a) Confirmation date	Feb. 4, 1858	WPA Abstract
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(a) CDI Doc ID No.	1747586	BLM Website - CDI Details
(b) Land Patent Details		
i) Accession / BLM Serial No.	CACAAA 092646	BLM Website - Land Patent Details
ii) Patent issuance date	10/15/1867	BLM Website - Land Patent Details
iii) Total acres	48,780.72	BLM Website - Land Patent Details
(c) Private Land Claim Transcript	Handwritten - 12 pages; Oct. 15, 1867	BLM Website - Patents

CALIFORNIA STATE LAND OFFICE

(a) Watercourse	San Benito River; Arroyo Soto; Gabilan Creek	Grants of Land Made by Spanish- Mexican Authorities Report
(b) Township & Range	T13-14S, R4- 6E, T155, R43; MDM	Grants of Land Made by Spanish- Mexican Authorities Report

ADDITIONAL DATA

Additional Data 1		
Additional Data 2		
Additional Data 3		

NOTES

Data entry note	
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(b) Dismissed date		
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(c) Case No.	314 SD	WPA Abstract
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APPELLATE COURT

(a) Confirmation date		
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(b) Dismissed date		
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U.S. SUPREME COURT

(a) Confirmation date		
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(b) Disapproved date		
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(c) Case No.		
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WPA ABSTRACT: "Chavez (José Ant.)...grantee of Cienega del Gavilán '43...iv 655." [BC ii 758]. "Limantour (Joseph)...During the visit of '43-4....received several grants of land. In '52-3 he presented his claims before the land commission." [BC iv 714.] According to the archives José Y. Limantour petitioned for confirmation of his claim to this rancho. Substitute petitioners were Thos. O. Larkin and Jesse D. Carr. The patent being issued to the latter. [Bancroft states that Limantour an original grantee in 1843. "Speciman cases....Ciénega del Gavilan, Mont....rej. by l.c. but conf. by d.c. on a grant of '43 to Antonio Chaves; and I think the conf. was final. This was the only one of the Limantour cl. that became valid, but was doubtless fraudulent like the rest bearing the forged seal, and it is understood that the U.S. officials knew this fact before it was too late. The holder under L. claiming to have bought in good faith, and adopting a liberal policy with squatters was enabled to obtain his patent." [BC vi 555]. As near as can be deduced from the available sources this rancho was originally granted to Chavez, but that Limantour forged a grant upon which he based a claim for the land, which claim was disallowed. According to Hoover, the claim was confirmed to Thos. O. Larkin, who turned the rancho over to Jesse D. Carr sometime afterward. Just what disposal Chavez made, if any, of his interest in the rancho. (sic)

Memo (long note)

He left the state in 1848 and it is probably that Limantour, knowing that he was gone, attempted to secure the rancho, along with many others, by fraudulent means. Bancroft is inconsistent in his statements regarding the rancho. (See top of page 2 of WPA Abstract). BLM documents reflect that Patent was given to Jesse D. Carr. (See BLM Land Patent Details, CACAAA 092646)

Status		<input type="checkbox"/> Flag
Last edited date	11/2/2015 9:53:25 AM	By MI
Bancroft Finding Aid case numbers		

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