

**A PAMPHLET RELATING TO THE CLAIM
OF SENOR DON JOSE Y. LIMANTOUR,
TO FOUR LEAGUES OF
LAND IN THE COUNTY ADJOINING AND
NEAR THE CITY OF SAN FRANCISCO,
CALIFORNIA; PP. 3-67**

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A Pamphlet Relating to the Claim of Senor Don Jose Y. Limantour, To Four Leagues of Land in the county adjoining and near the city of San Francisco, California; pp. 3-67 by James Wilson

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JAMES WILSON

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A

PAMPHLET

RELATING TO THE

CLAIM OF SEÑOR DON JOSÉ Y. LIMANTOUR,

TO

FOUR LEAGUES OF LAND

IN THE

COUNTY ADJOINING AND NEAR THE CITY OF SAN FRANCISCO,

CALIFORNIA.

.....
PUBLISHED BY ORDER OF THE CLAIMANT.
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1853.

“THE LIMANTOUR CLAIM.”

TO THE PUBLIC.

IN the month of February, 1853, JOSÉ Y. LIMANTOUR presented his petition to the Honorable the Board of Land Commissioners appointed to ascertain and settle private land claims in the State of California, to have confirmed to him two certain tracts of land, situate in the county of San Francisco. The lands claimed were described in the petition.

Soon after Mr. Limantour had presented his petition to the Board of Commissioners, the press called public attention to the claim, published the petition, commented upon it with great severity, and evinced an evident intent to prejudice the public mind against it.

From that time to the present, there has occasionally appeared, in some of the city papers, notices of the “Limantour Claim,” with hints, innuendoes and imputations of fraud or forgery, or some other dark crime, as connected with it.

Not a few individuals, pretending to claim large tracts of very valuable land within the boundaries of the Limantour claim, have been busy in their street conversations, in denouncing the claim as false and fraudulent.

While these charges have been freely made, unaccompanied and unsustained by the slightest show of evidence, Mr. Limantour has pursued the even tenor of his way, submitting his papers and his documentary evidence, taking his proofs in

the legal form and preparing, in a quiet, unostentatious manner, to submit his claim to the consideration of the enlightened tribunal established by law to pass upon its validity.

Severe newspaper articles, false rumors and slanderous imputations, he has not thought it worth his while, hitherto, to notice. He does not feel that his duty to himself, considering the right which he has, in common with all his fellow-men, to protect his own good name and credit, nor that his duty to the public requires him longer to remain silent; he therefore instructs the undersigned, his agent and attorney, to prepare a plain statement of the facts of his case—to present therein, fairly, his documentary and other evidence, that the same may be laid before the public in a pamphlet form—that all who have an interest or a desire, may refer to it for the purpose of satisfying their own minds, *from their own examination*, of the truth and validity—or the falsity and fraud of his claim to the lands described in his petition.

In performing the duty required of the undersigned, by his client, it is proper to inform the public who Señor José Yves LIMANTOUR is, and briefly to state the business to which he has devoted himself for the last fifteen years of his life.

He is by birth a Frenchman, and he still claims France as the country to which he owes allegiance. His early life he passed upon the sea, engaged in navigation and commerce.

In the year 1831, he came from France to the port of Vera Cruz, in Mexico, and for several years subsequent to that period, was engaged in commercial enterprises from his native country to that, the most important Mexican port on the Gulf.

In the year 1836, Mr. Limantour came round into the Pacific, and prosecuted his business along the coast of that ocean, from Lima northward. Since the time last mentioned, this Pacific coast has been the theatre of his navigating and commercial operations.

In the month of September 1841, he made a voyage to the ports of Mexico and Lower and Upper California.

On the 26th day of October, A. D. 1841, while attempting to make the entrance of the Bay of San Francisco, he had the misfortune to lose his vessel, the *Ayacucho*, on the point El

Reyes. His vessel was lost, but some portion of the cargo was saved. By the aid and kind assistance of some people at Saucelito, Sonoma and other places, his money, goods and merchandize were saved from the wreck of his vessel, and he was enabled to reach this place, then called Yerba Buena.

Mr. Limantour was detained here nearly a whole year, being unable to procure a suitable vessel to get away, with safety to himself and the property which he had secured from his lost ship.

I must request those who think proper to read this statement, to note this date, viz: the last of October or first of November, 1841, when Mr. Limantour arrived here in Yerba Buena, as then called, now San Francisco, and the fact of his detention here until the autumn of the year 1842.

During his stay here he had abundant opportunity, and he availed himself of it, to become intimately acquainted with this wonderful Bay of San Francisco—the country around it, and particularly with the little town of Yerba Buena—then just beginning to assume some importance in the eye of an experienced, practical navigator and a diligent, sagacious, skillful merchant.

In December, A. D. 1841, while Mr. Limantour resided on the then almost desert shore of Yerba Buena, a vessel came into the Bay from Oregon with several of the officers of the Hudson's Bay Company on board. Amongst the passengers on that vessel was an agent of the French Government, Mr. Duflot de Maufras, who had been sent on a special mission to this coast with a view of enlightening them on the resources and the importance of California and Oregon. M. Duflot de Maufras, who has since published an elaborate and able work on California, having learned on his arrival that there was a countryman of his at Yerba Buena, sought him out and imparted to him the impression he and the English officers entertained of the importance of the Bay of San Francisco, commercially, as well as politically, and the almost certainty of the country soon belonging to England, which was anxious to obtain it in payment of the debt due British capitalists by Mexico. M. de Maufras remarked that the whole conversation of the Hudson's Bay agents turned on that subject, and that if

he, Mr. Limantour, "could obtain a grant of land on the Bay of San Francisco, he would one day be as rich as a prince." Mr. Limantour replied—"Since your conviction is so strong in this respect, why don't you petition for them or buy them yourself?" "It is impossible," rejoined M. Duffot de Maufras; "I wear the public livery—I am a public servant—I must go through with the mission chalked out for me."

This conversation settled deep into Mr. Limantour's mind and had a powerful influence with him in the bargain he subsequently made for the purchase of the property he now claims, and which is set forth in his petition in the case under consideration.

During Mr. Limantour's stay at Yerba Buena, from October 1841, to the autumn of 1842, he learnt its whole history from those longest and best acquainted with it. There was hardly a person of any consequence residing here, or at the Mission Dolores, or in the country immediately surrounding the Bay, whom he did not know personally, and with whom he was not on terms of intimate acquaintance. He understood their language sufficiently to hold free and familiar intercourse with all of them.

After a detention here of some eleven months, viz: until late in the autumn of 1842, he succeeded in procuring a small vessel from General M. G. Vallejo, and which, in honor of one of the daughters of the General, he named "*The Fanny*." On this small vessel he embarked the remainder of his goods and effects and sailed down the coast, stopping at the ports of Monterey, Santa Barbara and San Pedro.

It will not be improper here to say that Mr. Limantour, by his energy as a navigator, and his indefatigable industry, enterprise and skill as a merchant, had, at that time, become a man of large property and abundant means. On his passage down the coast in the autumn of 1842, he went into the port of San Pedro, and there anchored his little craft on the first or second day of January, A. D. 1843.

It is proper here to direct attention to another train of events which had been going on for a few years previous to 1842, in California and Mexico. In the years 1835 and 1836 California

had been agitated by some political dissensions. The Governors who had been sent from Mexico, had been forcibly driven from Upper California. In 1837 Upper California assumed, for a short time, the attitude of an independent state, with Don Juan B. Alvarado at its head.

Mexico, in order to preserve the Department of Upper California in its connexion with the mother country, and to prevent its separation therefrom, found it necessary to temporize for a while, and thought it advisable to confer upon Señor Don Juan B. Alvarado the office of "Gefe politico," or Governor, by which measure of policy the Home Government hoped to bring back the revolting State to its former allegiance.

The measure was successful for the time being. Governor Alvarado accepted the office tendered to him by the government in power in Mexico; acknowledged the Supreme Government thereof, and thereby put an end to the "Independent State of Alta California."

Governor Alvarado continued to exercise the functions of that office until the year 1842. At this last date, viz. 1842, His Excellency Antonio Lopez de Santa Anna, was at the height of his power; in fact, absolute Dictator of Mexico. His Excellency Santa Anna, seized the occasion which was then afforded him, by the local jealousies existing between some of the prominent men in Upper California, to secure, more perfectly, that Department to Mexico, by the appointment of Señor Don Manuel Micheltorrena, a general officer in the Mexican Army, a devoted and unwavering friend of General Santa Anna, as Governor of the Department of the Californias.

His Excellency President Santa Anna's instructions to Micheltorrena, were issued on the 11th of February, A. D. 1842, in the City of Mexico.

The Treasury of Mexico was then destitute of funds. The Supreme Government were unable to furnish their recently appointed Governor with the means necessary to carry on the Departmental Government. Micheltorrena was sent from Mexico for the seat of his new Government in the summer of 1842. He arrived in Upper California about September of that year. He had under his command some four or five hundred men, who