

CASE NO.

371

SOUTHERN DISTRICT

SAN ANTONIO O' RODEO
DE LOS AGNAS GRANT

MARIA RITA BALDEZ

CLAIMANT

TRANSCRIPT

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PAGE 11

OF THE

PROCEEDINGS

IN CASE

NO. 478.

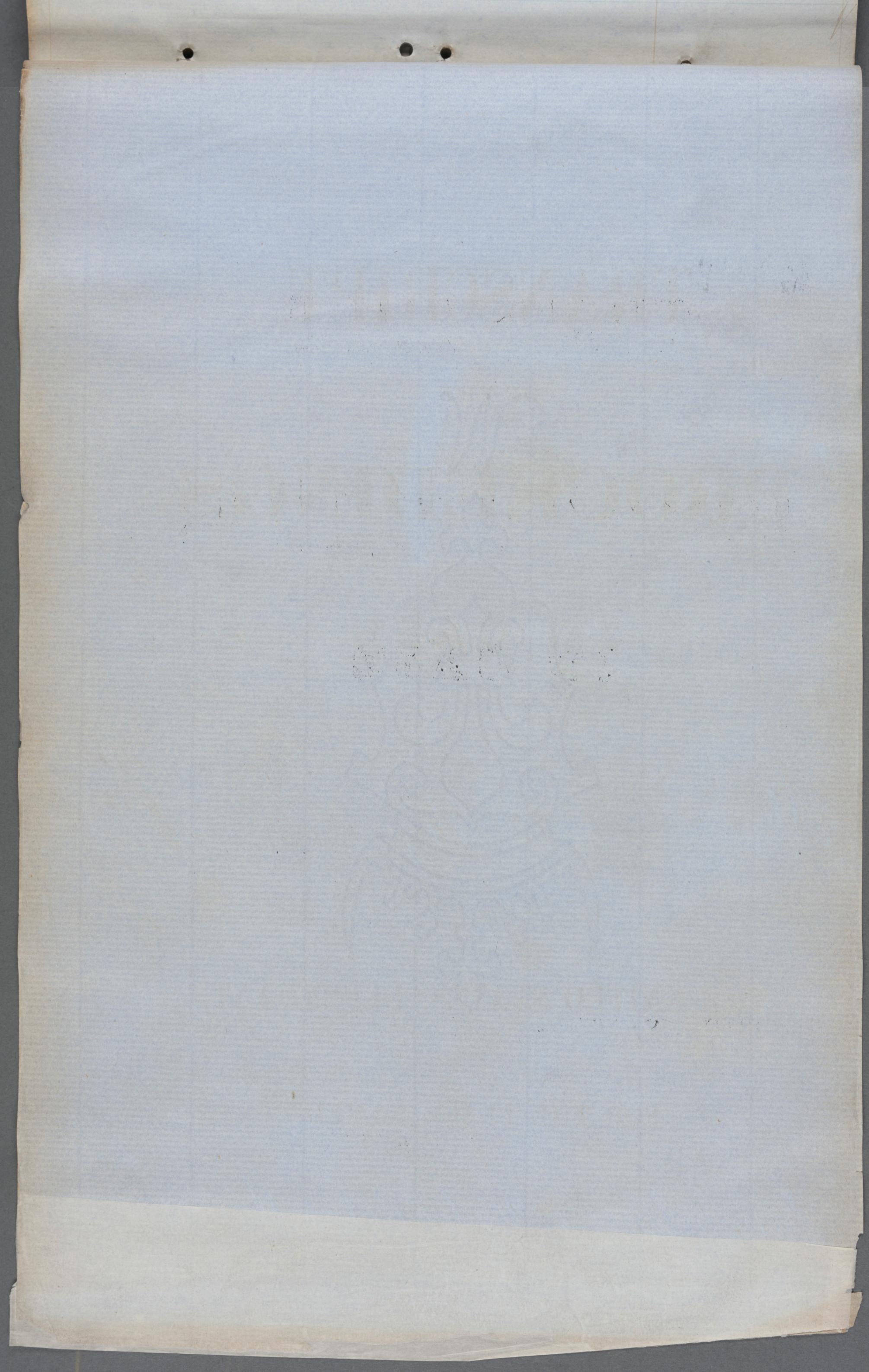
Maria Rita Baldez CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"San Antonio ó Rodeo de los Aguaas."



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 eleventh day of November, Anno Domini One Thousand Eight Hundred and Fifty-two, 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 Rita Baldez, for the place named
San Antonio i Rocas de los Aguas", was presented, and ordered to be filed and docketed with No. 478 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

Sacramento November 11 1852.
In case no. 478, Maria Rita Baldez for the place named "San Antonio i Rocas de los Agua", the deposition of Maria Rita Baldez, the claimant herein, taken before Commissioner Melvin Hall, was filed;
(Vide page 6 of this Transcript.)

In the same case the deposition of Francisco Villa, a witness in behalf of the claimant, taken before Commissioner Melvin Hall, was filed;

(Vide page 7 of this Transcript.)

Sacramento November 12 1852.
In the same case the deposition of Abel Stevens, a witness in behalf of the claimant, taken before Commissioner Melvin Hall, with document marked H. H. m. 1, and translation thereof marked A. B. C. D. annexed thereto, was filed;

(Vide page 8 of this Transcript.)

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Sacramento Mar. 15 1852.

3

In the same case the deposition of Jose Antonia Gamito, a witness in behalf of the claimant, taken before Commissioner Melvin Hall, was filed;
(See page 13 of this Transcript.)

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San Francisco March 1853.

In the same case the deposition of Juan B. Alvarado, a witness in behalf of the claimant, taken before Commissioner Melvin Hall, was filed;
(See page 14 of this Transcript.)

San Francisco Oct 3 1853.

Case no. 478, on motion of claimants' counsel was ordered to the foot of the docket.

San Francisco July 10 1854.

In the same case the deposition of Manzano Villa, a witness in behalf of the claimant, taken before Commissioner G. P. Burnell, was filed;
(See page 15 of this Transcript.)

San Francisco September 13 1854.

In the same case the deposition of Thomas E. Ever-
shed, a witness in behalf of the claimant, taken
before Commissioner Peter Lott, was filed;

(See page 21 of this Transcript.)

San Francisco Oct 3 1854.

Case no. 478 was ordered to be placed at the foot
of the 2d class claims on the trial docket.

San Francisco Oct 17 1854.

In the same case the counsel for the claimant
filed the following motion, but;

(See page 27 of this Transcript.)

which motion was granted -

Ordered, That the petition be amended
in accordance with the said motion.

5

3

San Francisco, October 19' 1854.

In the same case the deposition of Jose Castro,
a witness in behalf of the claimant, taken before
Commissioner Peter Lott, was filed;

(See page 28 of this Transcript.)

San Francisco Oct. 21 1854.

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In the same case the Counsel for the claimant
filed the following certificate of the Surveyor
General, locit;

(See page 51 of this Transcript.)

San Francisco Mar. 14 1854.

Case no. 478 was submitted under the Rule of
March 21 1854.

San Francisco Sept. 25 1855.

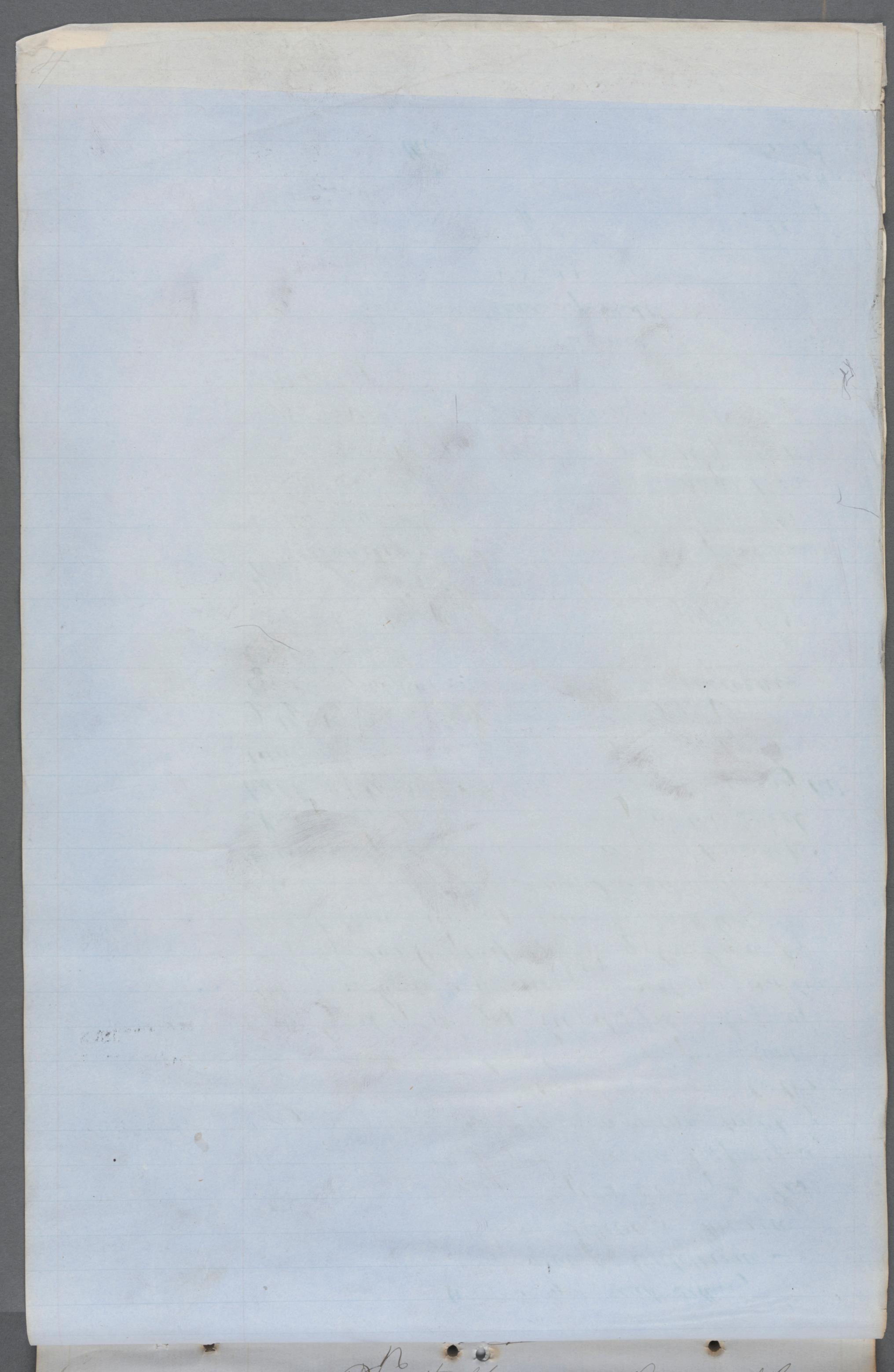
In the same case Commissioner S. B. Fairwell de-
livered the opinion of the Board confirming the
claim,

(See page 53 of this Transcript.)

S.

And the following order was made, vizt;

(See page 57 of this Transcript.)



To the Honorable Board of Land
Commissioners for ascertaining and settling private
land claims in the State of California -

Your petitioner Maria

Petition.

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Rocio Boddy of Los Angeles County of Los
Angeles and State of California respectfully
represents that she claims a certain tract of
land called "San Antonio or Boquer de los
Aguas" containing one square league situated
in the County of Los Angeles and State of
California in a westerly direction from the
City of Los Angeles and at a distance of
about three leagues from the said City. that
she claims the same under a title from the
Mexican Government in long ownership.
Firstly. By virtue of property in the said
tract of land acquired under a temporary title
extended to herself and Luisino Boddy
in 1831 and constant occupancy under
the same in conformity with the Mexican
Customs until the 1838.

Secondly. By virtue of a grant under the
Mexican Government in 1838 by Juan
B Alvarado Governor of the Department
of the Californias since which time the
claimant and those under her have been
in constant occupancy up to this date
and without any knowledge of any
infringing claimant.

Your petitioner further re-
presents that judicial possession

5 Your petitioner prays your
Honorable Board to take into consideration
her title to the said square league of land
and to declare her title valid and to
confirm the same.

6
And Your Petitions will ever pray.
Henry Glencock
atty for Claimant.

Mach at Los Angeles
this 11th day of Nov AD 1852.

Filed in Office Nov 11. 1852.

(Signed)
Geo Fisher Sicy

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Before the Board of Com-
missioners for ascertaining and
settling Private Land Claims
in the State of California.

Maria Rita Baldez
The United States

Before Commissioner Hall at
Los Angeles this 10th day of November AD
1852.

Deposition
of M. R. Baldez.

Maria Rita Baldez being duly
sworn does depose and say that she is the
Claimant in the above named cause that
the said Claim or Ranch was granted to
her in fee simple by the Mexican Govern-
ment by J. B. Alvarado Governor of the
Department of the California's some time
the which I do not remember -

That she after receiving
the same from Monterey had it - always
Kept it stored in a certain trunk of hers
which was left with other things in her
house at the time of the Political distur-
bances of 1846 at or about the time of the
Americans coming to this place -

7
Ranch of Rancho or Rancho San Antonio of the
Americans coming to this place -

That on their approach himself and
family fled and his house had been pil-
laged and the said trunk rifled by some
unknown party either of Californians
Indians or Americans since which time the
deponent has not been able to find the
said trunk.

Maria Rita & Baldry

mark

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Sworn & Subscribed
Before me
Richard Hall Comr,
Filed in Office Nov 11. 1852
Signed! Geo Fisher Secy.

Los Angeles Nov 11. 1852.

Deposition of On this day before Leon Heiland
F. Villa. Dealt came Francisco Villa a witness in
behalf of the defendant Maria Rita
Baldry petition No 478 and was duly
sworn his evidence being interpreted by
the Secretary.

The U. S Associate Law Agents present.

In answer to questions by Counsel
for the Plaintiff the witness testified as follows

My name is Francisco Villa
My age is sixty two years and reside in
Los Angeles & am a native of this place

I know the Rancho called
Rancho de los Agua - It is situated about
three leagues from this place in a westerly
direction - John I first knew it in 1833
it was occupied by Maria Rita Baldry
and a relation of hers. Lettuce whom

8. A estate across having given the authorities
expecting him & she has continued to occupy
it till the present time -

His name was Luciano
Valdez and he was turned away about the
year 1834 I think -

She had cattle on the
land but not one hundred and fifty head
of breeding cattle which was necessary at
that time to entitle her to a grant of land
and to have a brand for cattle.

The Mission of San
Gabriel of which I was Mayor done
but her sufficient to make up that number

She also had horses. She
built a house on the land the same year
in which she lived and still continues
living there -

She has two small houses
on the land. Ricardo Vigar lived on the
place with her for a time. I do not
know that he had any right there.

There are two ditches on
the place but very little water. She has
cultivated a small garden. There are
three small springs from which one of
the ditches run and the other ditch runs
from a swamp -

In 1834 she had a provision
at title or license from the Alcalde as
I heard. In 1839 Alvarado Governor of
the California's made her a grant.

I have seen the title
paper. Jose Maria Villa brought the
title from Monterey and he showed it to
me. I do not remember the date of the
title. It was an lease which I

9

10

understood to be one league on each side.
But to avoid disputes with
the neighbors she apud to take less land.

The land is bounded on the
west by the Rancho Rincon Wilson, on the
North by the Sierra, on the East by the
Rockies and on the South by the Mergunas.

The name of the Rancho in
the title from Governor Alvarado was
San Antonio. It had been before called
Rancho de las Aguas. She gave it the
name of San Antonio.

I do not recollect the
conditions of the grant. Jose Maria
Villa who showed me the title lives at
San Luis Obispo. I have not seen the
title since -

Francisco x Villa
^{his}
mark.

Sworn & Subscribed
Before me
Heiland Head Court
Find in Office Nov 11. 1852.
(Signed) Geo Fisher Secy.

Los Angeles Nov 12. 1852.

Deposition On this day before Court H. Head
of A. Stevens came Abel Stevens a witness in behalf of
the claimant Maria Rita Baldy petition
No 448 and was duly sworn his evidence
being given in English -

The W S Associate Law Agent was present.

On answer to questions by counsel
for the claimant the witness testifies as

as follows.

10

My Name is Abel Starns my
age fifty four years and I reside in Los
Angeles and have lived in California over
twenty three years -

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I am acquainted with the
hand writing and signatures of Jose Figueroa
Jose Sepulveda. Vicente Moraga. Juan B
Alvarez. Manuel Reguera. Ignacio Coronel
& Jose Ma Segura.

A paper is now shown me
purporting to be documents connected
with partition and a Controversy existing
in relation to the land dated from 1834 to
1844.

The signatures of said several persons
appearing on said paper I believe to be
genuine. Said paper is hereunder annexed and
marked No. No. No. 1.

I know the Rancho called
Rodrigo de las Aguas. It is about three ha-
ngs in a westerly direction from this place

Several years ago I cannot
recollect the precise time. I was at the house
on the Rancho occupied by Rita Lealdez
de Villa -

There was some land cultura-
ted and they had cattle and horses there.

I think it was previous
to 1838 when I was on the land. I understand
it is occupied by her to the present time -

In 1843 the archives of
the government of California were at
Monterey as I believe. They were brought
here in 1845 - Some of them may have been
left in Monterey.

In 1846 when Commodore

In 1836 when Commodoro

11

Stockton took possession of this place they were bound up and deposited at the house of Don Luis Ayne in this city.

Comr Stockton had finding the archives published an order to have them delivered up to him by whoever might have them in their possession. They were delivered up to him as I have understood and he took them to San Pedro and thence to Monterey.

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Mitchillorina was at this place and acted as governor here from October 1842 to sometime in the Summer of 1843 when he left and went to Monterey

I do not recollect who acted as his Secretary at this place. I cannot tell how the papers which accumulated here were kept or by whom.

I think Mitchillorina was at the house of Amancio Sanchez a short time when he first came to this place and that he afterwards lived in the house now used as the Bella Union Hotel.

I do not recollect that he had an office apart from his place of residence -

Commodoro Stockton came to this place with his forces about the 10th of June 1846. As he was approaching many families in this town left the place and went to various places to be out of the way of the invading force.

There were about that time several houses broken open which had been left by their previous occupants.

The archives of this Pueblo were hid away when the Americans first approached in August 1846 and thus

were afterwards in the hands of Flores while he was in command of the California in October & November & December of that year.

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They again disappeared and nothing was known of them by the public until 1849 when they applied to Brois in the possession of the Priest of this place who gave notice to the Alcalde that they had been left at his house & the Alcalde Jose Alvarado Gupo took charge of them -

I came in as Alcalde on the first of Jan 1850 they were turned over to me without an indictment or my knowing of what they consisted -

By an order of the Ayuntamiento I was authorized to employ a person to make an index and arrange them which was done -

Many of the most useful documents were found to be missing particularly the public documents relating to possessions and concessions of the town lands and other records called the Protocolo or book of records.

I have understood that Maria Rita Goldy was the widow of a man by the name of Villa - I think she left her house in town on the approach of Commodore Stockton in Jan 1847.

Abel Stans.

Six months Subscribed

Before me

Heiland Heath Esqrs

Filed in Office Mar 12, 1852.

(Signed)

Gro Fisher Secy.

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Los Angeles Nov 15. 1853.

*Deposition of
J. A. Carrillo.*

On this day before your Honorable
Court came José Antonio Carrillo a
Witness in behalf of the Claimant Maria
Rita Beldry petitioned May 4th and was
duly sworn his evidence being interpreted
by the Secretary.

The U.S. Associate Law Agent was
present.

In answer to questions by counsel
for the claimant the witness testified as
follows.

My name is José Antonio
Carrillo my age is fifty seven and I
reside in the City of Los Angeles.

I know the Rancho called
Rodríguez de las Aguas afterwards called
San Antonio - I have known it ever since
the year 1828 - It was then occupied by
Rita Beldry the widow of Bellá.

She has occupied it ever
since. She has a large family -

I went to the place in 1828
as Alcalde to establish the boundaries by
order of the Governor and they were estab-
lished.

The land was bounded on the
west by the land of Mariano Alavis on
the East by Juan Rocho on the North
by the Sierra and on the South by Tomás
Lanchiz and Juana Abila & Hejura -
Villa the husband of Rita Beldry was a
sergeant in the Spanish Army & retired
from the Service as an invalid with a
pension - When he left the same he went
to live with an this land.

Francisco Abila went to live
an adjoining land about the same time.

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He was also a retired Soldier of the
Spanish Arms.

14

Jose Auto. Carielo,
Sworn Subscribed
Before me

Hilaud Heall Comr
Filed in Office Nov. 15. 1852.

Bynd,
Geo Fisher Sen

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Deposition of
J. B. Alvarado.

San Francisco March 9. 1853.
On this day before Leon Hilaud Heall
came Juan B Alvarado a witness in
behalf of the claimant Maria Rita
Baldy petition No 478 and was duly
sworn his evidence being interpreted by
the Secretary.

The U. S Associate Law Agent was
present.

Question by counsel for the claimant.
Ques 1.

What is your Name age and place of
residence?

Aus 1.

My name is Juan B Alvarado
My age 43 years and resided the County
of Contra Costa -

Ques 2.

Are you acquainted with the
Willow Rita Villa or in other words Rita
Baldy of Los Angeles County California?

Aus 2.

I am -

Ques 3.

Do you remember of ever having

15-

extended to her while acting as Governor of California, a grant to what is called Rancho Antonio or Rancho de los Aguaes situated in Los Angeles Jurisdiction?

Answer.

I have no recollection of having made such grant. I recollect that she petitioned for same land, but do not remember whether any was given her or not.

I do not know what record of her petition - She has a large family & is a widow -

Juan B Alvarado.

Swear and Subscribed

Before me

Heiland Head Comm

Filed in Office March 4, 1853

(Signed) Geo Fisher Secy

Office of the Commissioner
of Land Claims at Los
Angeles California.

Deposition
of M. Villa.

Before me by Thompson Birrell Commissioner
duly qualified for the taking of testimony, to be
used before the Board of Commissioners to as-
certain and settle the private land claims in
the State of California, personally appeared
Mariano Villa a witness in behalf of Pedro
Villa Dady de Villa, claimant for the land
named Rancho San Antonio Numbered on the
dockets of the said Board with No 148 who
upon oath declared and said as follows.

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Questions asked by Counsel for Claimant

16

Question No 1.

16

What is your name age and place of residence?

Answer.

My name is Mariano Villa I am forty two years of age and reside in the Rancho of San Antonio in the County of Los Angeles.

Question No 2.

Are you acquainted with the claimant in this case?

Answer.

Yes, My Mother Rita Valdez de Villa is claimant.

Question No 3.

Have you any interest in the above named Rancho.

Answer -

No I have none.

Question No 4.

In what manner are you occupying the Rancho.

Answer.

I occupy the Rancho as agent for my Mother in taking care of her interests.

Question No 5.

Have you ever seen the title papers to the Rancho and do you know if they are lost?

Answer.

Yes, I saw them when they were brought by Leo Villa from above the title papers were lost at the time the Americans took possession of the place, they were lost during the absence of my Mother from the place.

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Question No 6.

When and from what place above did Jose Ma Villa bring these documents.

Answer.

I do not recollect well the time but it was about two or more years previous to the arrival of Huichatoma they were brought from Monterrey.

Question No 7.

Is Jose Ma Villa still living and if so where?

Answer.

I have been told that he is dead he lived in San Luis Obispo.

Question No 8.

Was he a relation of yours.

Answer.

Yes he was.

Question No 9.

What office did he hold under the government of California at the time he brought the papers above mentioned to this place.

Answer No 10.

He was a Captain of the Mexican forces under Castro.

Question No 11.

Did he allow the grant or title papers to your Mother if so how long had you known them to have been in her possession.

Answer.

Yes he did. I have known them to be in her possession from the time she received them until they were lost - She kept them with other papers in a small trunk which papers were lost at the time she left them here through fear of the Americans.

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Question No 12.

18

Did you see or were you present at the time the papers were delivered to her by José Ma Villa -
Answer.

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I was not present when the papers were delivered to my Brother but she showed them to me when I arrived in order that I might read them. I was on the Ranch when José Ma Villa arrived here. there was only one paper.

Question No 13.

What was the contents of the document which you read and of which you have been speaking.

Answer.

I do not recollect exactly the contents of the document but I remember it was a *Selva de granada* Mayor for a square league of land given to my Brother by the Government. It was bounded on the West by the lands of the "Alunisis" on the South by the lands of the Seijuras, and on another side by the lands of a Portuguese, on the North by the Mountains of San Fernando.

Question No 14.

By what name was the Portuguese called.

Answer.

He was known by the Name of António Roche.

Question No 15.

Do you remember the conditions of the title?

Answer.

I do not know paid any particular attention to that part.

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Question No 16.

By whom was the title paper
Signed and when was it dated?

Answer.

It was Signed by Juan Bautista
Alvarado as Governor and by Arco the Secre-
tary and Antonio Bustillo as Deputy. I
do not know if as Deputy of the Governor, City
or of the State. I do not recollect when it
was dated or where. I think there was a caption
on it in writing. It also had a seal upon it
there was not any printed letters upon it but
am not sure that it was not printed.

Question No 17.

How long have you lived on
the Rancho as agent of your Mother.

Answer.

I have lived there since the year 1832
and my Mother has also lived there.

Question No 18.

Has your Mother cultivated
the Rancho since the year 1832?

Answer.

Yes, She has with the exception of two
years during which time my brothers in law
have cultivated for her.

Question No 19.

Had your Brother a house on
the Rancho in the year 1839.

Answer.

Yes. She had.

Question No 20.

Has your Mother also a house
in this city where sometimes she resides.

Answer.

Yes She has, and has resided in
the same ~

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Questions asked by C. O. Thom Esq acting
Law Atty.

20

Question No 1.

In the event of the death of
your Mother would you not be entitled to
an interest as an heir in the Rancho of
San Antonio -

Answer.

Yes. I ought to have and did

I had a right.

Question No 2.

Are you able to read. if not how
do you know that the paper delivered to your
Mother by Jose' Ma villa was a grant or
title paper containing the quantity of the
land the boundaries and the signatures.

Answer.

Mv. I do not know how to read
I mean by this that I cannot read as a
learned person but can read sufficiently to
understand a written document. I have read
the document referred to twice, this was
about two years before Michitoma came
here. I do not recollect the year in which he
came here.

I saw the papers for the last time
about one year before the Americans came
here and the last time ^{that} I read it was about
two months after it was delivered to my
Mother.

Question No 3.

How do you know that the
paper you speak of as having seen for the
last time about a year before the coming of
the Americans was the paper that you have
described as the grant to your Mother.

Answer.

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I know it and had it in my hand but did not use it.

Justin H.

Do you know if the Rancho San Antonio was ever measured before the Americans arrived.

Answer.

In I do not.

Mariano Villa

Swear to and Subscribed.

Before me this 21st day
of June AD 1854,

G. Thompson Burnell

Comr.

I hereby certify that C. E. Thom was present at the time that the foregoing testimony was taken acting for on behalf of and by the authority of J. H. McKee Esqr Law Atty.

Los Angeles June 21. A.D. 1854.

G. Thompson Burnell Comr.

Filed in Office July 11. 1854.

Signed,
Geo Fisher Secy.

United States of America
State of California ³²⁵

San Francisco Sept 18. 1854.

Deposition This day came before Peter Gold Com
of W. C. Overend Commissioner for taking testimony to be used
before the Board of U. S Land Claims =
Scribers in said State. Thomas O' Corry had
a witness on behalf of the claimant Maria
Rita Valdez in case No 478 on the docked
of said Board and said witness being sworn
on oath deposed as follows,

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The U. S Associate Law Clerk is present.

22

Questions by Mr Hancock attorney for
Claimant.

1st Question.

What is your name age and
residence?

Answer.

My name is Thomas C. Coopershed
My age 30 years. My residence, San Francisco
California.

2^d Question.

Are you employed in the Office
of the U. S Surveyor General for the
State of California if yes in what capacity

Answer.

I am so Employed. I am one
of the Archive Clerks in said Office.

3^d Question.

Please your duties in that capacity
and were you familiar with the records
therein of titles to land under the former
Government of your State what you know
of the condition of said records for the years
1838 & 1839?

Answer.

I have charge of the archives and
frequently on applications of parties inter-
ested made to me as keeper of the archives.

I have had occasion to
make search for all papers pertaining
to the old titles and as to the records of the
years mentioned there are no records in
the archives for those years in the shape
of books of record.

There are 3 bound books

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and papers intended to have been bound in other volume, one of these is entitled "Quadernos del Registro de Sistemas y Sinalis" for the years 1784 to 1831 as indicated in the archives. The second book is entitled "Titulos" and purports to be a book of records for grants from the years 1838 to 1836 inclusive another book purports to be a book of "Tomas de Rayon" for the years 1844 and 1845 and from these papers in said archives is evidently incomplete.

The unbound book is also a book of "Tomas de Rayon" for the years 1841, 1842 & 1843 and from the book itself and the papers in said archives it is evidently very incomplete as there are many pages missing. Judging from the numbering of the pages now existing.

4th Question.

Do you then intend to say that the records of 1838 and 1839 are incomplete?

Answer.

Yes I do they are incomplete for those years so far as books of record are in question.

3rd Question

I think any regular unbroken series of Expedientes for the years 1838 and 1839?

Answer.

There are Expedientes there for those years I cannot say that they are in an unbroken series or are not.

6th Question.

Please state whether there are any Expedientes in the archives for those years which are not noted in the Tomas

24

de Razon?

Answer.

24

There are

7th Question -

Does the book which you
call "Cuaderno del Registro de Titulos
fieles y Simulas" contain a full and
complete record of all the titles issued be-
tween 1784 and 1831?

Answer.

I cannot say that it does but
to the best of my knowledge I know many
of the old title papers between those years
to be recorded therein.

8th Question.

Have you any collection
of having seen in that record a note of
titles or concessions made to United Soldiers
in particular?

Answer.

I do not collect any
such now.

Thos C. Coonley.

Subscribed and sworn to
before me Sept 13. 1854.

Petr Lott Comr &c.

Filed in Office Sept 13. 1854.

(Signed) Geo Fisher Secy.

United States of America
State of California 3 ss.

San Francisco Oct 16. 1854.

This day came before Peter Lott
a claim spm for taking testimony to
be used before the Board of U. S. Land

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475

Deposition
of Josi Castro.

Commissioner in said State, Jose Castro
a witness on behalf of the claimant Dona
Maria Rita Baldz in Case No 475 at the
docket of said Board and said witness
being sworn deposed in Spanish which was
interpreted by the interpreter to said Board
as follows.

The U.S Land Agent is present

Questions by H. Hancock Esq for claimant.
1st Question.

What is your name age and
place of residence?

Answer.

My name is Josi Castro, my
age 46 years. My residence in Monterey California.

2^d Question.

Do you know of one Maria
Rita Baldz and the Rancho claimed by
her in this case if you state all what you
know of her right and title to said Rancho.

Answer.

I am acquainted with said
claimant and I never saw the Rancho
of San Antonio which she claims in this
case. In 1839 or 1840. Capt Vizca came
from San Fernando to San Juan Bautista
and brought with him various petitions
from different persons to the Governor
and among them her (the claimants) peti-
tion for this rancho.

I was at the time Prefect
of the District and said Vizca showed me the
said petitions and solicited me to inter-
cede for him with the Governor in further-
ance of his applications among them this one
in question. I saw her (Baldz's)

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petition among the papas. I went and saw the governor and asked his favorable attention to Villas against and the Governor (Alvarado) issued the title in this case which he gave to me in my own hand granting to said Dona Maria Rita about and heirs of land. I gave the papas to said Villa to take to said Maria Rita.

The petition of said Maria Rita stated that she had been for many years in the occupation of the land asked for and cited several strong reasons in favor of her claim.

3rd Question.

Where was Governor Alvarado when he issued and handed to you the said title?

Answer.

He was in the City of Monterey and at Villas against I went with him from San Juan to Monterey to see the Governor.

4th Question.

State whether there were any conditions in said title?

Answer.

There were no conditions imposed on said grant. The title was given to her in virtue of her continued occupancy of the place for many years previous to said grant.

5th Question.

Was the said title written upon stamped paper?

Answer -

The decree of the Governor was written at the bottom of the petition on the

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same paper. It was sealed paper.
6th Question.

Signed? State by whom said grant
Answer.

It was signed by Alvarado
as Governor and I think by Arco who was
then acting as Secretary pro-tim.

7th Question.

Was there a deponent accompanying
said petition?

Answer.

There was a deponent presented
with the petition.

8th Question.

Do you remember the Councillor
Monteiro mentioned in said grant?

Answer - I do not.

Cross Examined by W. S. Law Clerk

1st Question.

Who were present when
said grant was delivered to you?

Answer.

I do not remember but it
was at Alvarado's Office and I suppose
some of his Officials were probably
there. Arco most likely was there.

2d Question.

How long before that time
had you last seen the grantee?

Answer.

The last time before I think
was in 1837 that I saw her.

3d Question.

How long after the grant did
you first see her?

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Answer.

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I have never seen her since the
grant.

4th Question -

How long did you retain
the grant?

Answer.

I handed it to Villa the same
day I received it. I perhaps had it an
hour and a half.

5th Question.

How many grants have you
sworn to the loss of before this claimuppin?

Answer.

I do not remember how. I do not
recall any.

6th Question.

With whom have you conversed
about this matter since the grant?

Answer.

I have had no conversations about
it that I recollect till the attorney for the
claim spoke to me about it this morn-
ing.

7th Question -

How does it happen you
remember a matter of such minor impor-
tance after such a lapse of time?

Answer.

When I was up Los Angeles
with the troops I and several of my
officers boarded at the house of Dona
Maria Rita and I felt it a duty as
a matter of gratitude to do what I could
to promote her claim and I remember
the circumstances of the grant more
distinctly on that account.

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8th Question.

Were you present when
the grant was signed?
Answer.

I was in an adjoining apart-
ment to the Governor's Office?

9th Question.

Who presented the petition
to the Governor?

Answer.

I did.

10th Question.

Who wrote the petition?

Answer.

I do not know.

11th Question.

Was the petition placed in
the archives?

Answer.

No it was returned with the
grant.

12th Question.

Why was not the Expediente
with the Desires left in the archives as
was usual in other cases?

Answer.

There was no rule in the practice
and the Governors usually acted as they saw
fit. In cases of long previous occupancy
and provisional grants it was customary
to write the decree on the same paper with
the petition and deliver it to the interested
party.

13th Question.

State every instance in which
you know of such a mode being adopted?

Answer.

My knowledge of the affairs of

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the Government enabled him to know of this practice but I do not remember any particular instances now.

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14th Question.

If you can remember no instances, how do you know the fact?

Answer.

I have been Political Chief Peefect and have held other public offices and in my business knowledge I know that such things were done as doubtless the archives will show though I cannot now recall any particular cases besides the present case.

15th Question.

To whom was the petition in this case referred by the Governor for information?

Answer.

So no one.

16th Question.

What was the date of the petition?

Answer.

I do not remember.

17th Question.

Read it over before presented to the Governor before you presented it.

Answer.

I had not.

18th Question.

How far did the land lie from the seat of government where said grant was signed?

Answer.

About one hundred and forty leagues.

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2D

leagues.

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Jose' Castro.

Subscribed and Sworn to
before me on this 16th day
of October AD 1854.

Petr Lott Com & C.

Filed in Office Oct 19. 1854.

(Signed) Geo Fisher Secy

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anp. P. P. de marzo, Ma. Rita Baldez esposa del
de 1832. Informe } pueblo de N. S. de los An-
el Pusté en punto } gles como mejor haya lugar
am. P. de este pueblo en práctica hace a lo presente -
lo q. se le apresca sobre el año de 1831. siendo Alcalde
el contenido de este de esta población el S. Vicente
Montañez se le concedió el visto.

Figueroa nombrado Don Ant^o en compañía
Docr. H. B Pueblo de los Cm^{ps} de Luisiñn Pérez y siendo
C^o & D. y Mz^o 20 de 1832, este vecino tan intollerable
Original pertecesta misma fha por su mal genio; bentañas
tomas. ac le contiene a la y continuas palablas y inde-

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Decretu de su suerte esta verbenela cosa cuya yon
El dho capitán familia qd. la que represente
de este pueblo en hisiera memoria de lo malo si
ocurri de 11 del otoño ma parte de ellas seria censor
qd. acordio qd. en Villa aten cuya de susenoria y
tud de los deraver solo se refiere algunas leenturas
en eis provocadas entre ambos; y son las sigles
por el que representa que el dho dho Lusian Bal
con la ciudad Pta. des temia anteriormente sitiada
Palaez no tener esto en casa como trescientas varas
el numero de vienes mas apas de la casa de la qd.
que exige el bien presente como es publico y no
de la materia p dho dho hava se ha puesto como
qd. se le pase en breinte y sin otras veras de la
tenemos perteneciente de la sitiada casa de la qd.
a estos episodios y qd. representa + aparte el
mas no tienen do piente de Cya, no cuya o=
el mismo tiempo cuieren cias puso su queja con
Documentos legales dho Andico que lo hera el C.
qd. acreedon haber dho Lusian Ballesteros quien le
sele concedido la prometio qd. no pondria ays
gracia de pase en el resultado es qd. hasta
los terminos mdo la pta permanese embarrado
cautos el tenem qd. en lugar, hamas qd. en
esta en atipio saliendo qd. se ha ope cielo haser
ya de el oportuno uso del agua unica qd. han
mente quedanlo en dho dho qd. se ha apuestado
a beneficio de Cyo Lusian y mejor la Dfaelo
expresada Quidas huanal qd. que se
yon familia inta consumo qd. no dejar haser
dentro la Escena Di una de Cya ha qd. quien corre
puntareun a quien ponde, habendolo yegando

corresponde esta al Estremo de Correr el
atribucion, dice { Jorado del mico ayuaje
temine sobreas que en todo el Sitio hay un
y otros tenemos en Tella causa hasta la fecha
quienes concuerden se haya la mayor parte de
los mismos en = han jorado Patron cada del
emotencias lo. Y en su y aun se a buscar a
qf. fuere en qf. que halos tenemos acusos
La intercada como es con Dhemte; habiendo
en esta instancia sido sabedora de qf. el año
deberia omeclarer p. h. en el mes de julio iba
al antecdt. decre. p. a. Salir del Sitio Lusiano
to- Baldez por haberlo asi dispuso
Lo e de pulve d. a. esti el Ilustre Ayuntamiento
Vicente Monajaz de este pueblo por no tener este
S. I. sujetos nin juros brene o p. m.
de las treinta o treinta y Q
Reses qf. este tiene en el Sitio la mayor parte
son prestadas de Danos sujetos para que los
ordenen todo esto lo supo por conducto del Di-
cto de el Sitio año p. p. qf. lo heredel C.
Tiburcio Zapia en la disposicion hasta aho-
ra no ha tenido Efecto. Don para den a Q. I.
Algunas ideas de las ventajas de Tor Lusiano
Alta qf. han joradose Val Oli una canada
del mismo Sitio llamada O. D. Dicho la-
mendo desmontan haliendo dinallo este
trabajo como tres medas y diez Dugti o horas
con su corazon danado dijo que se conclu-
yera el trabajo y hora dice que esa canada
le pertenece a el como anteriormente no la
habia sembrado hasta ora qf. la be amplia
y la tierra labrada de este modo la que
representa se haya en la mayor incertidum-
bre no que adonde quiera que comprende
algun trabajo hay es en Sitio del Sitio Bal-
dez, por ultimo qf. p. m. no vi como qf. la ocupa
de Atencion de Q. I. don qf. qf. qf.
temormente iba ha plantar mas pana
y ten luego como Lusiano se les dio en suces
a le preguntó qf. para que queria aquellas
pares qf. la que representa le contesto qf.
para plantarlas y el dijo amenazando la
que ora en kein que se metiese en nadar

Reses qf. este tiene en el Sitio la mayor parte
son prestadas de Danos sujetos para que los
ordenen todo esto lo supo por conducto del Di-
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habia sembrado hasta ora qf. la be amplia
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algun trabajo hay es en Sitio del Sitio Bal-
dez, por ultimo qf. p. m. no vi como qf. la ocupa
de Atencion de Q. I. don qf. qf. qf.
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y ten luego como Lusiano se les dio en suces
a le preguntó qf. para que queria aquellas
pares qf. la que representa le contesto qf.
para plantarlas y el dijo amenazando la
que ora en kein que se metiese en nadar

que ora en veano que se menease una
que ora lo habia de consentir pero
qf. qf. considera qf. todo esto lo hace por
qf. la le viuda y sin emparr y coe sujeto
ha cada momento le dice que se valga con
quien quiera qf. al cabo qf. el es hombre
y no de los tontos que sabe leer y escribir
qf. el se sale con lo que quiere.

D. J. lo anal a. V. qf. suplico seneciam
se sirva ordenar qf. hazi lo estimar

Doc. H-H. N-justo qf. qf. se le señale ha cada uno los
Nº 1. continuo mltad de tenemos que ciesta ora tienen
movimiento consechido ha sido qf.
Luisiano Valdez retire su facal del pue-
ble de su casa hasta qf. do lo hunde
anteriormente los tenia qf. ha donde mejor
le embenga para de este modo qf. qf. en-
cuentro en lo subscribo.

Grasias qf. espero al cenciar del beneficio
corazos de su señoría como temblen de
su conocida justicia poniendo no ser de
malicia con todo lo necesario qf. ba en
papel comun esta representacion por no
haber del sello qf. correspondiente.

Mueblo de el N° 8º de los Angº peheno 28.
de 1834.

Maria Rita Valdez.

Pase a la Exma Diputacion.

Alvarado.

Don Alcalde Leonistico.

Maria Rita Valdez viuda del finado Viejo
Villa a V. en total forma de derecho y con la
mayor atencion se presenta diciendo: qf.
en el año ppº habiendo presentado a cose
Ilustre ayuntamiento contra el vecino
Luisiano Valdez a causa de los graves
perjuicios qf. de este recurre en el paraje de
don antonio qf. actualmente poseo, me fué
estendido el correspondiente proveido qf.
dentro de quince dias contados desde aquella
fha oaldria por orden judicial el repuesto
Valdez de aquel punto lo que hasta la pre-
sente no lo ha verificado haciendo menos
mecio a la Orden qf. en aquell mismo.

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dia se le dió por cuyo motivo suplico a la notaria pública de V. se sirva hacer constar juzgado lo repita la consabida Orden p^a por este mes. ver si son los perjudicados que por el Recibio frecuentemente; por enya gracia quedare permanentemente agraciada suplicando al mismo tiempo admisión esta en papel comun por no haber en el lugar del oculo correspondiente cuando no sea de malicia y lo necesario v. anflos y Lino 16. de 1881.

Rita Valdez.

Pueblo de los Angl. Lino 18 de 1881.
por presentado y admitido en quanto ha lugar y en cumplimiento de lo acordado por la Corporación en acta del dia 11. de marzo ultimo notifíquese a la interesada q. no tiene acuerdo en el terreno cuestionado el individuo Luciano Valdez oce.

C

Certifico como Sindico que fui en el año de 1881. q. en una cuestión de terrenos que trataron D^e Rita Valdez y su cónyuge del mismo apellido, escrita en el juzgado de esta Ciudad un documento de la prima en que manifestaba la justicia q. le asistía para presentarse en plazos ante la autoridad y en cuya escritura constó el plazo respectivo un decreto en que concedía permiso a la solicitante para poseer el sitio en cuestión con apercibimiento al s^r Licencio de q. se retrase del sitio dentro de un término prefijado. Sobre los fines q. convenían a la interesada y en razón de haberse estanciado el procedimiento oficialmente le dije a su pedimento la presencia en la Ciudad de los Angl. a 29 de Sept. de 1886. en papel comun por no haber del oculo correspondiente.

D

Manuel Requena Alcalde de 1º y juez de la maternidad de la Ciudad de los Angl. Certifico en la forma legal de derecho q. en el libro de acuerdos verbales de este juzgado a fechas 128. y 129 pente, consta

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02
3049

88
78

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en asunto del tenor siguiente.

Angeles noviembre 15. de 1871 H.

En esta fecha comparecio Luciano Valdez recordando que de Resultados de un juicio favorecido por los D. I juzgados anteriores se determino que se le indegnase a este reclamante por la Dña Rita Valdez los bienes que tenia en el valle de las Aguas por este efecto comparecio D. Basilio Valdez con el carácter de apoderado de Señora Rita y enemigos mutuamente nombraron sus peritos a balucladores para estos bienes que lo pudió por Luciano Gómez Gallemente y por la Señora Rita Leóns Díaz los que habiendo ido a examinar los practicados bienes los facturaron la casa en quince pesos, un Arbol de chasnos en dos pesos, y dos palos aporados en cuatro Reales; cuya cantidad de diez y siete pesos cuatro Reales ha de entregar la Dña Rita Valdez con lo que de ello por fineciélo el negocio que firmacion conmigo los que superaron.

Manuel Requena. Luciano Valdez - Basilio Valdez # Leóns Díaz.

assas

assas

Dg. nro Coronel # Cosido Aguilav.
Angeles Nov. 15. de 1871 H.

En esta fecha recibio la cantidad de diez y siete pesos cuatro Reales el Dñ Luciano Valdez para dar término definitivo al asunto anterior formando la diligencia para la devolucion constancia.

Manuel Requena #

Luciano Valdez # Basilio Valdez

assas

assas

Dg. nro Coronel # J. m. # Ballasteros
Cuyo asunto se saco plenamente de su Oficio
y no hay papel sellado.

Manuel Requena

assas

assas

Dg. nro Coronel # J. m. # Leguizamón
Circular Office Nov. 11th 1872
Geo. Fisher Corr.

Translation of the Exhibit "16
H. No. 1. Alias "A."

Translation
of Documents.
H.W.C.

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To the Supr Political Chif.
 Maria Rita Valdez a widow of the
 Town of our Lady of Aydes (Los Angeles),
 as the law may favor her best before
 Y.C. represents that in the year 1831,
 citizen Vicente Sanchez being the
 Alcalde of this Town granted to her formerly
 with Lusiano Boddy a tract of land
 called San Antonio (Rueda de los Agua)
 and this neighbor being so intolable on
 account of his bad temper advantages
 and wicked lawsuits which he so fre-
 quently makes use of against her and
 her family that of your petitionor men-
 tioned the last of them it would be to
 trouble Y.C. and only some advantages
 frequently passed between the two as
 herein mentioned and are as follows.
 that the said Lusiano Boddy had for-
 mally his house situated about 30
 varas further back of the house of your
 petitionor as it is public and notorious
 and now he has located it about 25 varas
 closer to said house of your petitionor thus
 obstructing the front of her house by
 reason whereof she made her complaint
 to the Magistrate being then Mr Juan
 Sallustros who promised your peti-
 tioner at that it should not be located
 there but since then up to this day
 the same remains there still causing
 obstruction in said place moreover when
 37 she has to use the water there being only
 a watering place the said Lusiano

HO

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opposed to it, that he had better let it
waste into the sandy ground, than to
allow her to whom it always to use it having
gone so far as to run her cattle off the
only watering place existing in the whole
track by which means the greatest por-
tion of the her cattle has already run
away from the place in search for water
in other peoples lands, as it is manifest

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Your petitioner having been
well informed that in the month of July
of last year Lusiano Valdez was going to
leave that place thus having been ordered
by the Honorable Ayuntamiento of this Town
for his having no cattle stock as of the
30 or 36 caucus that he had on the lands
the greatest portion was borrowed
from several persons in order to milk
them. All this your petitioner understood
through Citizen Silvencio Sapia being a
Magistrate in the said last year whose order
up to this time has not been observed and
in order to give you BC, some idea of the
advantages taken by Mr Lusiano. Your
Petitioner further states that there being
lying near a Canada (valley) in the
same place called "San Isidro" she had
the ground cleared and rubbish moved
which labor lasted about 3 months and
the said Lusiano acting with bad intention
told them that it might be done and
now he pretends that that Canada belongs
to him altho he had never made his fields
until the present time that he sees the
land cleared and ploughed whereby
your petitioner is in great uncertainty
and that whenever she undertakes to

H!

have a labor done he pretends that such place is his the said Valdez.

And not to occupy Bmro G.C.' time Your petitioner lastly states that lately she was going to plant some beans as soon as the said Lusiano said them in his house asked her what she was going to do with those seeds and Your petitioner replied she was going to plant them and he told her threateningly that it was useless to do anything for he would not consent to it. All which Your Petitioner certifies that he does because he fears her to be a widow and without protection & the said Lusiano Valdez is saying every moment that she may complain to any one that he is a man and not like those ignorant who can not read or write and that he can stand anything.

Therefore Your Petitioner humbly prays S.C. will order if B.C. deems right to be marked out to each one half of the land which up to the time is occupied it being provisionally granted and that the said Lusiano Valdez remove his hut from the front of her house to its former place or to anywhere else as it may suit him that it may thus avoid future questions:

This favor I expect from B.C. and your known Justice I swear I do not proceed from Malice and as required etc.

This petition is made on common paper for want of the usual stamped paper.

Town of Chucra, Señora de Los Angeles February 28th 1834 -

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Maria Rita Baldy &
Written on the Margin
of the above petition 3.

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Ayelos March 1834.

Let the Honble the Ayunta-
minto of this Village report what may
occur to them about the subject matter
of this petition -

Figueroa -

Pueblo of Las Ayelos 3
March 20th 1834 3

Under the same date the
following order was given to the aforesaid
party:

The Honorable, the Ayunta-
minto of this Port at the Session of the
11th instant has resolved that owing to the
disord had between the party mentioned in
this petition of Rita Baldy the widow and
since the former does not possess the
number of cattle as required by the Decret on
the Subject in order to hold a tract of land
belonging to these Commoners and besides
not having at the same time proper docu-
ments to prove his having been granted
the possession upon the terms indicated of
the tract in question he is ordered to quit
the same in proper time leaving it for
the said widow and her family while
the Honble Deputation to which such de-
cision belongs shall decide upon this and
other lands under similar circumstances
what may be done with them -

The party interested in this
petition must conform with the foregoing

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dine.

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José Sipulpoeta
Vicente Moraga
Sen.

written at the foot
of the said station

Let it be transmitted to the Honorable
Deputation -

Morada.

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Translation
of
B

Maria Rita Valdez widow of
the late Vicente Villa before you in due form
of right and with proper respect appears
and says that during the past year having
made a representation to the Illustrous
Ayuntamiento against the citizen Luciano
Valdez an account of the great damages
which he had done in the place called
Som Antonio which I actually possess
and the corresponding provisions obtained
to me was that within 15 days counting
from that date the aforesaid (L Valdez) was
by judicial order to remove from the
place but up to this present time threatening
with contempt the decision that at the
time was given on account of which I
ask Your known goodness to enforce the
order by which means the frequent injuries
which I am receiving may be stopped for
which favor I shall remain duly grateful
asking at the same time that this my
solicitation may be received an caution
paper for want of corresponding seal.
Aguila June 1^o 1834.

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Rita Valdez.

Pueblo of Los Angeles June 18. 1834.

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Granted the petition as presented and admitted as far as it can be and in pursuance of the decree of the Corporation to enforce the observance of the proceedings of the 11th day of March last let the petitioner be notified that the party Luciano Valdez having no action in the land in question he is ordered and to quit that place and to give no further cause of complaint to the petitioner -

José Ruiz

mm.

Translation
of
Document

I the City Attorney as I was in the year 1831 do hereby certify that in a question of land arising between Mrs. Rita Valdez and Luciano of the same surname there existed then existed in the court of this City a document belonging to the former wherein she should the right she had to appear before the authority and upon which document the Judge inserted an order wherein he granted land to the petitioner to possess the place in question and required Mr. Luciano to remove therefrom within the time therein fixed and for the purposes as may suit the party interested and by reason of the document aforesaid having been mislaid I grant her at her request this present certificate at the City of Los Angeles the 29th Sept 1834.

An common paper there being no corresponding stamped paper to be had.

Dicente Omraga.
anunc.

Translation of Document D.

Manuel Reguina P^t Alcalde & Juzgo
of the P^t Instancia for the City of Las
Aguas. 80.

Identify that in due form that
in the Book of "Acuerdos Bordeales" (General
Decisions) of this Court at pages 125 & 129 that
there is a subject of the following tenor.
Aguas November 13th 1844.

On this day appeared
Luciano Voldyz remuinding that in a Juz-
guez made before by the former Juzgo it was
decided that he the said L. V. (then) Com-
plainant should be paid by Mrs Rita Voldyz
for the property which he had in the "Rodov
de las Aguas". on which occasion Mr Basilio
Voldyz appeared in the capacity of agent
for Mrs Rita and thus having mutually agreed
to appoint some skilful men to appraise
said property Tomas Tolamontes was
appointed by Luciano & Jesus Diaz by
Mrs Rita who having gone & claimed the
same valued the house in fifteen dollars
one peach tree in two dollars & two poles
for farming purposes in half a dollar
which amount altogether to seventeen dollars
and a half. to be delivered to him by Mrs
Rita Voldyz whomupon the subject was
settled and those who could do so have
signed their names hereunto together with me.

Manuel Reguina.

Luciano Voldyz
Jesus Diaz

Basilio Voldyz

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Witness.

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Ygnacio Coronel.

Witness.

Casimiro Aquilar.

Angels Mar 18th 1854.

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On this day Mr Luciaio
Vocidy has received the sum of seventeen dollars
and fifty cents in full settlement of the above
subject above mentioned & signed these
proceedings for due proof.

Siguenza Boddy
Witness,

Manuel Reguina

Basilio Boddy.

Witness

Agnacio Coronel Francisco Badistino.

And I certify the foregoing to be
a full and faithful copy.

There is no stamped paper to be pur-
chased.

(Signed) Manuel Reguina.

Witness.

Witness.

Ygnacio Coronel

Dma Liguera

I George Fisher Secretary to the
Board of the U. S Land Commissioners
do hereby certify the above to be a
true and correct translation of the
various Spanish documents respectively
marked A B C D. & forming a whole
and purporting to be a document No. 1
added to the deposition of Abel Stratton
& filed in Case No 498 at the docket of said
Board.

San Fran^c Domingo 17th 1854,

Geo Fisher Secy
Filed in Office Mar 21, 1852.

(Signed)
Geo Fisher Secy.

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State of California
County of San Luis Obispo

On this twenty seventh

day of May in the year of our Lord one
thousand eight hundred and fifty four
personally appeared before me David F.
Newson County Clerk in and for the County
of San Luis Obispo William Gravas who
being duly sworn did depose as follows.

I know Jose Maria Villa in
his life time resided in the County of San
Luis Obispo. I know that the said Jose
Maria Villa is dead, he died about the twenty
third day of December 1853 and on the twenty
fifth day of the same month I attended
his funeral.

W.P. Gravas.

Subscribed and sworn to
the day and year first above
mention'd

D.F. Newson Clerk.

I David F. Newson County Clerk
in and for the County of San Luis Obispo
do hereby certify that William P. Gravas of
the Mission of San Luis Obispo appeared
before me and made oath to the matters above
stated and I further certify that no
proceedings have been had in the Probate
Court of this County for the granting of letters
testamentary of the will or letters of admini-
stration of the Estate of the above named
Jose' Maria Villa.

In witness whereof I the
said David F. Newson County Clerk of
the County of San Luis Obispo have hitherto
set my hand and affixed the seal of

48

46

Exhibit
Exhibit

the said County this twenty
seventh day of May in the
year of our Lord 1854.

D. D. Newcomer.

County Clerk.

Filed in Office May 29, 1854.

(Signed)

G. Fisher Secy

371 SD

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Certificate of
Clerk of
Monterey Co.

State of California
County of Monterey

County Recorders Office.

I, James Gleason, County Recor-
der in and for the County of Monterey and
State of California do hereby certify that
at the request of the attorney (Henry
Stearns) for the claimant before the Unit-
ed States Land Commissioners of the Rancho
number 408 called "San Antonio" or
"Rancho de los Aguas" situated in the County
of Los Angeles, I have made due and
thorough search among the papers now on
file in my office comprising the former
Mexican Archives and that I do not
find any paper or papers whatever relating
to the said Rancho "San Antonio" or Rancho
"de los Aguas".

Exhibit
Exhibit

In witness whereof I have
hereunto signed my name and
affixed my seal official this
16th day of August A.D. 1854.
James Gleason, County Recorder.
Monterey County.

Per. C. W. Williams Deputy.

Filed in Office Sept 15, 1854.

(Signed) G. Fisher Secy

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Certificate
of
Surveyor
General.
Se.

371 SD
PAGE 46

San Francisco.
April 25, 1854.

Dear Sir.

The object of this my present request is to obtain from you a certified traced copy of all papers or documents relating to the Government Archives of the former Governmental Department of California in any way appertaining to the Rancho called "San Antonio or Rodia de los Aguas" of our Spanish lands in the jurisdiction of Los Angeles whom of Dona Rita Beldy or Dona Rita Baldy a villa or the original granted and as the alias under the name of Rancho San Antonio and in case that after examination nothing be found concerning the land than your certificate to that effect.

Respectfully Yours
Obedt Sol

Henry Hancock
Atty for Claimants before
the U.S Land Commission.

To.

Col John C. Sleays
U. S Surveyor General for
the State of California

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

J. John C. Sleays Surveyor General
of the United States for the State of Cali-
fornia and as such having in my
charge and custody a portion of the ar-
chives of the former Spanish and Mexican

Territory or Department of Upper California do hereby certify that upon diligent search and examination, there does not appear to exist in said Archives any paper or papers purporting to be for a grant to Dona Rita Baldy or Dona Rita Baldy de Villa in relation to Rancho "San Antonito" or Rodio de los Aguas."

Witness my hand and seal
of Office, San Francisco
Cal. this twenty fifth day
of April A.D. 1854.

John C. Hays

U. S. Sur Genl Cal.

Filed in Office Sept 16, 1854.

(Signed) Geo Fisher Dey

claim No 478.

Dona Maria Rita Baldy de Villa

vs

United States.

Before the U. S Land Commission
in Session on this 15th day of Oct 1854.

In the Matter of the Rancho

"San Antonito".

Now comes the Claimant in the
above Entitled cause by her attorney
and moves the Hon Board that the
petition in the above Entitled cause be
so amended as to have the name of the
Claimant read Dona Maria Rita Baldy
de Villa and also that the year date
in said petition be inserted as 1839 for

Motion to
Annul
Petition

the date of the grant by Alvarado to
Clariano P.

Henry Hancock.

Atty for Clariano P.

Filed in Office Oct 11. 1854.

Signed,
Geo Fisher Secy

Certificate of
Surveyor
General

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Office of the Surveyor General
of the United States.

I John C. Hayes Surveyor General
of the United States for the State of
California 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 do
hereby certify that upon the request
of Henry Hancock I have caused dil-
igent search to be made in the said Ar-
chives and that there does not appear to
exist in the records of proceedings
of the Departmental Assembly any docu-
ment or documents relative to a grant
purporting to have been made to Dona
Rita Valdez de Villa for a tract of
land called "San Antonio".

In Testimony whereof
I have hereunto signed
my name officially
and caused my seal of
Office to be affixed at
the City of San Francisco
this twentieth day of October

1854.

Seal
Geo C. Hayes

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U.S. Sur Genl Cal.

50

Filed in Office Oct 21, 1854.

(Signed)

Geo Fisher Secy.

371 SD
PAGE 49

Opinion of Maria Rita Valdez ^{for a place called San}
 Board by ^{vs} ^{Antonio} situated in
 Com Farwell The United States ^{the County of Los}
^{Angeles and containing}
^{one square league.}

371 SD
PAGE 50

The case presents the following state of facts upon which a confirmation is asked to ent; that in the year 1831 the petitioners and one Lusaino Valdez obtained a provisional grant from the Alcalde of Los Angeles, authorizing them to occupy the place jointly, which it seems they did until the 28th day of February 1834 when the present claimant petitioned Governor Alvarado for a grant to the place in her own right setting forth in her petition that the said Lusaino had become insolent to her, and was a great source of annoyance to her and had no stock or other means of further occupying the same, and the petitioner was referred to the Ayuntamiento of the Pueblo of Los Angeles for information as to the truth of the statement, and after investigation of the matters, that body reported in favor of a grant being given to the petitioner.

And it is alleged that on the receipt of that report Governor Alvarado did issue a grant to him for the place. That grant is not offered in evidence but is said to have been lost.

The testimony is such as to leave but little doubt that the grant was issued as alleged as it is proven to have been seen in the possession of the grantee.

The petitioner has filed

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her affidavit stating that she had the grant in her possession, and kept it in her trunk, and it was there when the Americans took Pueblo Viejo of the country, and on their approach, she and her family fled, through fear from the Ranchos, leaving her effects behind her, and on her return found the trunk in which she had placed the grant, rifled of its contents, and has never been able to find the grant since, and thinks it lost or destroyed.

We think the proofs are sufficient to entitle the petitioner to the right of offering in evidence oral testimony of the grant, which is done, and from that evidence we think the grant was for the Rancho claimed, and that it was genuine.

The boundaries are well defined, and we think this a valid and meritorious claim and a decree will be entered agreeable to the prayer of the petition.

(Confirmed)

Filed in Office Sept 25, 1855.

Geo Fisher Secy

55-

Decree Maria Rita Valelez

vs

The United States

In this case on hearing the proofs and allegations, it is adjudged by the Commission, that the claim of the said petitioner herein is valid, and it is therefore, decreed that her application for a confirmation thereof be allowed.

371 SD
PAGE 52

The Land of which confirmation is hereby given is situated in the County of Los Angeles, and is called "San Chitario" and contains one square league, to be hereafter located according to Law, within the following boundaries, to wit: Westerly by the lands of Mariano Alaves, on the East by those of Juan Roche, Northerly by the Sierra, and on the South by the lands of Tomas Sanchez.

Alpheus Welch

R. A. Thompson

S. V. B. Haswell

Commissioners
for Confirmation

Filed in Office Sept 25, 1855

Geo Fisher Secy

56 Order

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PAGE 53

And it appearing to the satisfaction of the Board
that the land hereby adjudicated is situated in
the Southern District of the State of California
it is hereby Ordered, That, two transcripts of the
proceedings and decisions in this case, and of the
paper 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 transmitted 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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PAGE 54

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 ~~Five~~ ^{of Six} — pages, numbered from
1 to 56, inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. 478 on the Docket of the said Board,
wherein

Maria Rita Baldez is
the Claimant against the United States, for the place known by
the name of San Antonio v' Rodeo delos

Agr.

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Twenty-eighth day of December
A. D. 1858, and of the Independence of the
United States of America the seventy-eighth.

Geo. Fisher
3 sig.

371
U. S. DISTRICT COURT,

South District of California.

No. 371

THE UNITED STATES

vs.
371

Maria Rita Wold
San Antonio Rodeo de la

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF LAND COMMISSIONERS,

In Case No. 4

Filed, San Fran., 1856.

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371 SD Office of the Attorney General of the United States,

PAGE 55

Washington, 11 February, 1856.

478. "San Antonio 'o Rodes de las
Aguas -"

Maria Rita Baldyz Claimant

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 February - 1856, the appeal
in the district court of the United States for the Southern
district of California will be prosecuted by the
United States.

Cushing

Attorney General.

No 371
U.S. Dist. Court.
South Dist. of California

Fania Rita Galdez
vs.
The United States

Notice of Appeal

Filed June 3, 1856

C. E. Law
By Morgan
Def.

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

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



371 SD *Maria Rita Baldiz* *appellee* Docket No. 371.
PAGE 57 *ad* *The United States. Appellant.* Transcript No. 478.

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

The Petition 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 11th day of November A. D. 1852, *Maria Rita Baldiz*,

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 *San Antonio a Rodes dels Agua*,

in the County of Los Angeles 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 25th day of September A. D. 1855, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 19th day of January 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. 478; reference to which it is prayed may be had and made part of this petition. That on or about the 17th 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 3rd~~ 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 claimant presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

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PAGE 58

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 claimant, 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 the ^{laid claim} ~~same~~ and decree the alleged title to be invalid: with costs and general relief.

P. Ord

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

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N. 371.

Filia this 5th January
A.D. 1857 C. Sims clk
of H. Coleman
Esq

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United States of America,,
SOUTHERN DISTRICT OF CALIFORNIA.

THE PRESIDENT OF THE UNITED STATES,

To

Maria Rita Baldez

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PAGE 61

TAKE NOTICE, That a Petition, a copy of which is herewith served upon you, has been filed against you, and each of you, in the District Court of the United States, in and for the Southern District of California, on the 5th day of January in the year of our Lord, one thousand eight hundred and fifty-seven, at the City and County of Los Angeles, in said District, by

P. Ord U.S. Atty praying
said court to review the decision of
the U.S. Law Commissioners of the 25th
day of September 1855 confirming
your claim to the Land called
San Antonio y Rodeo del Agua!

and that you, and each of you, are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service; and answer said petition, or that judgment by default will be taken against you, and each of you, and the prayer of the said petitioner will be granted, with costs.

In witness whereof, I have hereunto set my hand, and affixed
the Seal of the said Court, this 20th day of
January, in the year of our Lord, one thousand eight hundred and fifty-seven, at Los Angeles aforesaid.

Lewis
J. H. Golenway
Clerk.
DCH

No. 371

Marshals Cost
Copying Summons 1.60
Strong name 3.
Petition 3.
Total \$ 6.60

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF CALIFORNIA,

U. S. DISTRICT COURT.

Maria Rita Baldy

v.s.

The United States
et al.

SUMMONS.

January 20th 1857
Edward Hunter
U.S.M
Dr. M. Goodman
Dept'y.

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I served this Summons, along with the proper copy of the Petition, upon H. Hancock
att^g for Appellee by delivering to him a true copy
at Los Angeles, in the Southern District of California, on
the 27th day of January, A.D. 1857.

Sworn to and subscribed before me, John C. Gray,

Edward Hunter
Clerk.

U.S. Marshal.

J. H. Gray
F. W. McLean
J. H. Gray
F. W. McLean

In the District Court of the United States for
the Southern Dist. of Cal. Oct. Term 1856

371 SD

Before Hon. Isaac S. H. Oyer

PAGE 63

H. S. Dist. Judge

Maria Rita Baldez Appellee

ad.

Docket No. 371

The United States Appellant } Tru. do 478

In answer to the petition of Pacificus Rodney
U.S. Dist Atty. for the Southern Dist. of Cal.
the Appellee in this cause respectfully repre-
sents that the proceedings therein referred to as having
been had were as stated but avers that her said
title to the Rancho called San Antonio or Rodro de los Agos
is a good and valid one. Wherefore she respectfully
pray the Honorable Court to affirm the decision of the
Board of Land Commissioners, and to decree her said title
to be good and valid, and to confirm the same, together
with such other and further relief as she may
in justice and equity be entitled to.

Henry Hancock

Attorney for Appellee

No 371

Maria Rita Baldy
Appellee
ad
United States
Appellants

Answer to
Petition for Review

Filed Feby 4th 1857
F. D. Foy
clerk

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In the United States District Court
for the Southern District of California
December Term 1850

371 SD

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Befor Hon. Isaac S. H. Ogur Judge

Maria Rita Raldz Appellee } Doc N°
ad } Trans N° 478
The United States Appellant }

Henry Hancock Atty in this case makes
Oath and says that owing to the fact
that the Commissioners appointed under
an act of Congress approved on the 3^d of
March 1851 for ascertaining and
settling private land claims in the
State of California, did for the prin-
cipal part of the time hold their
essions at a great distance from
this place, ^{to wit at San Francisco} important testimony was
omitted on the part of appellee
in this cause; that Don Bernardino
Lugo of Santa Barbara California was
procured by appellee as a witness in
this case, that unfortunately for
said appellee the said witness did
not arrive at Los Angeles quite in time
to testify previous to the expiration of
of the period designated by the said

Land Commissioners, within
which G. Thomson Burrill Esqr
(now deceased) was to act as a
Commissioner to take testimony to
be used before them the said
Commissioners, The United States
Saw Agent before said Commissioners
J. W. Mc Kune Esqr. having assented
to the appointment of the said Com-
missioner Burrill but for a ~~short~~
very short time only; that C. E. Thom
Esqr then a resident of San Francisco
or Sacramento California, was an
associate of the said Mc Kune for
the purpose of attending the said
Commission held at Los Angeles
to take testimony as aforesaid; that
under the circumstances of the case
the deposition of the said Lugo
was finally taken before said
Burrill in his capacity as Notary
Public. that at the solicitation
of deponent the said C. E. Thom Esqr
attended on the part of the United States
in the same manner as he had done
while the commission was yet alive
and that the examination of
the said witness Lugo was

had with the same forms and
sanctity as had existed under
the Commission as aforesaid;

^{accompanying deposition}
that the deposition was thus

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taken with a view of having
the United States Law Agent J. W.
McKee Esqr as aforesaid stip-
ulate to admit it as evidence
before the aforesaid Land Com-
missioners the same as if it had
been taken a few days sooner to wit
previous to the expiration of the limited
time assigned to said Commission —
which through an excess of scrupulousness
coupled with an undue prejudice —
against rights to land acquired from
the Mexican Government as deponent
verily believes the said Law Agent
declined doing, and that at this time the
United States District Attorney before this Hon.
Court also declines and refuses to stipulate
to admit the said deposition, for which reason
deponent has to file this affidavit and the deposition
as aforesaid in support of a Motion herewith
filed for continuance and leave to take
further testimony

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Henry Hancock

Nº 371
SD
371

Maria Rita Baldz

Appellee
ad
United States
Appellant

Affidavit of
Council in support
of Motion to Continue

Filed Feb 13rd 1875

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[redacted]

Opined
Chr

371 SD

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not purposed

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

Dec Term 1856

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Hon Isaac H. Ogur Judge

Upon Motion

Maria Rita Baldry }
Appellant }
ad l.

The United States }
Appellant }

No.

Upon Motion and affidavit
herewith filed It is hereby ordered
adjudged and decreed that
~~let~~ this cause be continued
and time granted to take
further evidence

No.

371

Maria Rita Baldy
Appellee
ad
The United States
Appellant

Order for
Continuance
& leave to take
further evidence

Filed Feb 28th, 1887

Chas
Clerk

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In the United States District Court
for the Southern District of California
December Term 1856

371 SD Before Hon. Isaac H. Ogur Judge
PAGE 71

Maria Rita Baldry {
Appellee }
ad vs { R.
The United States {
Appellant }

Now comes Counsel
of Appellee and moves
this Honorable Court that
this cause be continued with
leave to take further evidence

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No 371

Maria Rita Baldy
Appellee
ad
The United States
Appellant

Motion for
Continuance and
leave to take further
evidence

Filed July 25, 1885

Chas
SLB

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Before me G. Simpson Brunell
a Notary Public in and for the
County of Los Angeles personally
appeared Bernardino Lugo a witness in
behalf of Rita Valdez de Villa claimant
of the land named Rancho de las
Aguas or San Antonio and numbered
on the docket of the Board of Land
Commissioners No 478, who upon
oath declareth and saith as follows

Questions asked by Henry Hancock on part of
Claimant

Question No 1. What is your name age and place
of residence

Answer My name is Bernardino Lugo, I am
Fifty three years of age, and reside
in Santa Barbara,

Question No 2. Do you know on Rita Valdez de Villa

Answer Yes I do, I have known her for thirty
six years

Question No 3 Do you know anything about a
Rancho belonging to her, if so state
what you know.

Answer I know that she is claimant of
a Rancho called Rancho de las Aguas
or San Antonio, I know because I
made her petition to the Governor
Alvarado, and I made out the map
of the land in the year 1838 or 1839,
I think it was about the year 1838,
after the petition was made out
it was sent to a man by the
name of Villa that he might forward

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to Monterey, and from Monterey it was returned with the Decree of the Governor granting the land it was conceded to her according to the map which I made and what was asked for in the petition, the Decree was signed in the usual form by the Governor and Secretary, I saw the Decree in the possession of the Owner who showed it to me, this was about the Month of March or April in the year 1839, the petition and decree when I last saw them were together, I saw the papers but once and told her to take great care of them and not to loose them, the petition asked for a square league of land, the Boundaries commenced in front of the ~~House~~ ^{House} of the Rancho of the Rocks at the point of a mountain where there is some white Rock running in a Southwesterly direction between two trees to the Cienega Rancho, from thence to the road from Los Angeles to San Vicente to a gully in the road a little to the left hand, from thence on a North West direction to which when thence is a deep gully following the right hand side of the old road to San Vicente, from thence in a Northwesterly direction along the left hand side of an Arroyo until the line reached an Oak tree which I marked with a cross, from thence towards the east across some Canadas between two of which on some high land I marked another tree, from thence in the same direction to the place of beginning in the petition ~~was~~ asked for the Canadas which were also granted in the petition, one of the Canadas is called the "Sousal"

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one was formerly called by the name
of the Rancho, and now called San
Antonio," One is called "Agua Calientes,
the Rancho was formerly called the
Rodeo de las Aguas, but in the petition
it was called San Antonio, The lines
and natural boundaries described above
were mentioned in the petition. I made
out the papers at the request of Dr. Rita
after having advised him to make application
to the Governor who that heard had
been established as Governor of California
who was about to form the Departmental
Assembly.

Question
Answer

No 4. How old is Don Rita Valdez de Villa.
I do not know exactly but I think
she is about 70 years of age, she has
a large family, seven daughters and
one son, she has lived upon the Rancho
ten years before it was granted to her
and ever since, some of the married
children have lived upon the Rancho,
long gone she has planted Corn
wheat &c for the consumption of
the place

Bernard Lmo Gujo

I doomt and Subscribed
before me this 16th day of
January A.D. 1855

John Thompson
Notary Public



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I do hereby certify that
C E Monr Ely formerly acting as Law

Agent for the United States Land
Commission was present when the
written and foregoing testimony was
taken.

Chompson Bundu
Notary Public)

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Claim
N^o. 478

Maria Rita Valdez
de Ville

Rancho
Rodea de las Aguas
or "San Antonio"

N^o.

371

Maria Rita Valdez
Appellavit

ad

The United States
Appellee

~~Deposition~~
of Bernardino Lugo
taken before Notary
Public —

Attd Feb 23rd 1839

Chino
Cal

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In the Dist. Court of the U. States for the Southern Dist. of Col.
Montgomery, June term 1857. Hon. J. S. K. Ogier Judge.

Maria Rita Baldy }
Appellee } N. 371.
vs. }
The United States. } From N. 478.

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On motion of P. Ord Atty. of the U. States for the said Dist:
& on suggesting to the Court that it is not the intention of the U.
States to prosecute further the appeal in the above cause, it is
ordered by the Court that the appeal in said cause be dismissed
& that the claimant have leave to proceed upon the decree
of the Commissioners heretofore rendered as a final decree.

S. S. Ogier
U. S. Dist. Judge

No. 371

brev

Maria R. Valdez

v.

The U States

Criminal of appeal

Tiled 8 June 57
A. Taylor
H. C. Clerk

81-371 SD

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California Land Claims
Attorney General's Office
20 Feb. 1857.

Sir. In the case of the claim of
Maria Reita Baldez, confirmed
to the claimant by the Com-
missioners, Case no. four hundred
and eighty-eight, (478), ap-
peal will not be prosecuted by
the United States.

I am,
Respectfully,
C. C. C.

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Pacific Ad Eq
U. S. Attorney
Los Angeles.

No 371

Filed 4th March 1858
for 8th June 1857
C. Smith et al
J. H. Collyer
Dep

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