

CASE No.

123

SOUTHERN DISTRICT

BALLONA GRANT

AGUSTIN MACHADO, ET AL.

CLAIMANT

profil-

SD

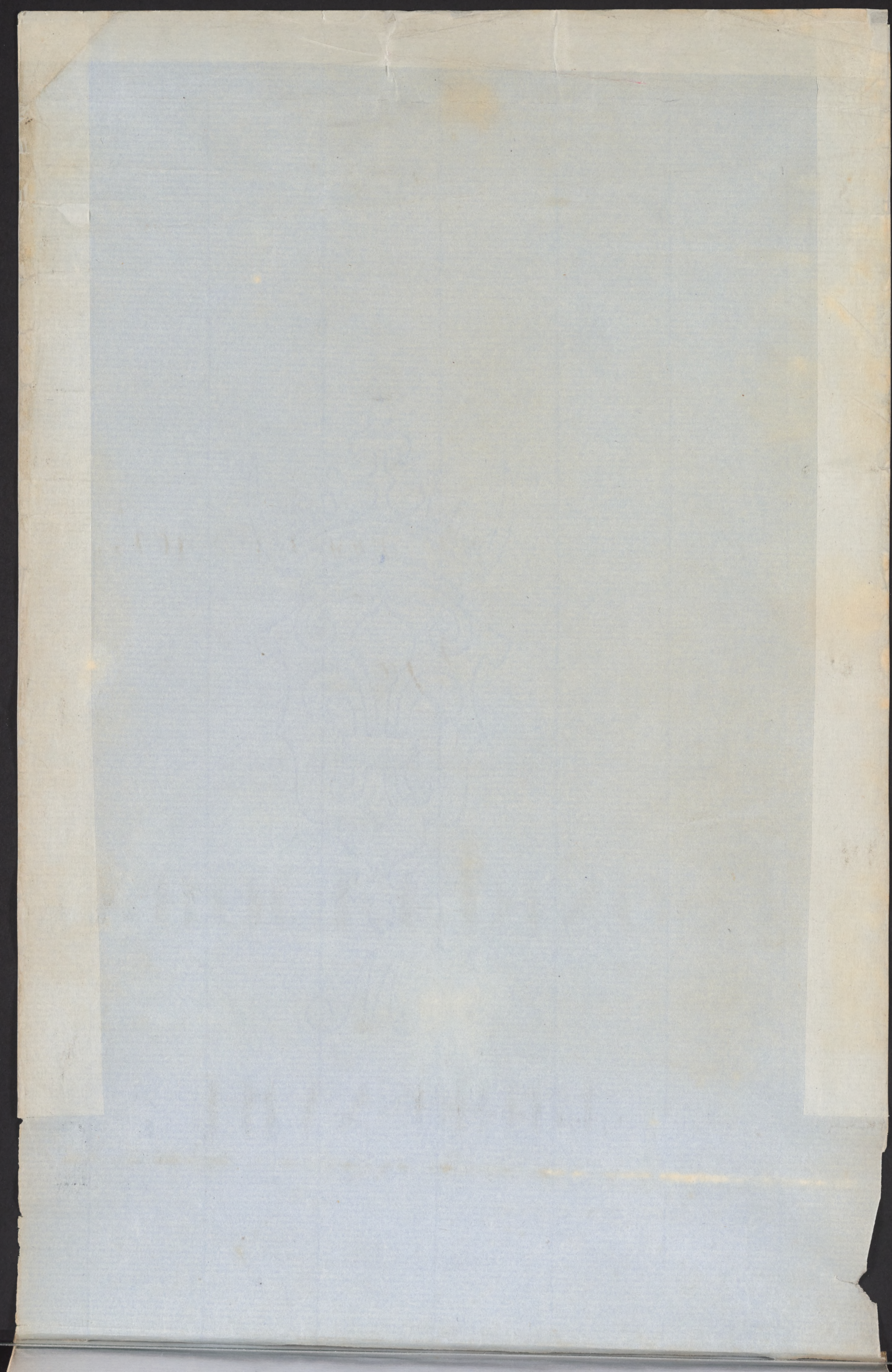
Land Case 123 SD

ALSO AVAILABLE ON MICROFILM

HOWARD
PERMALIFE

3

369



123 SD
PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 369

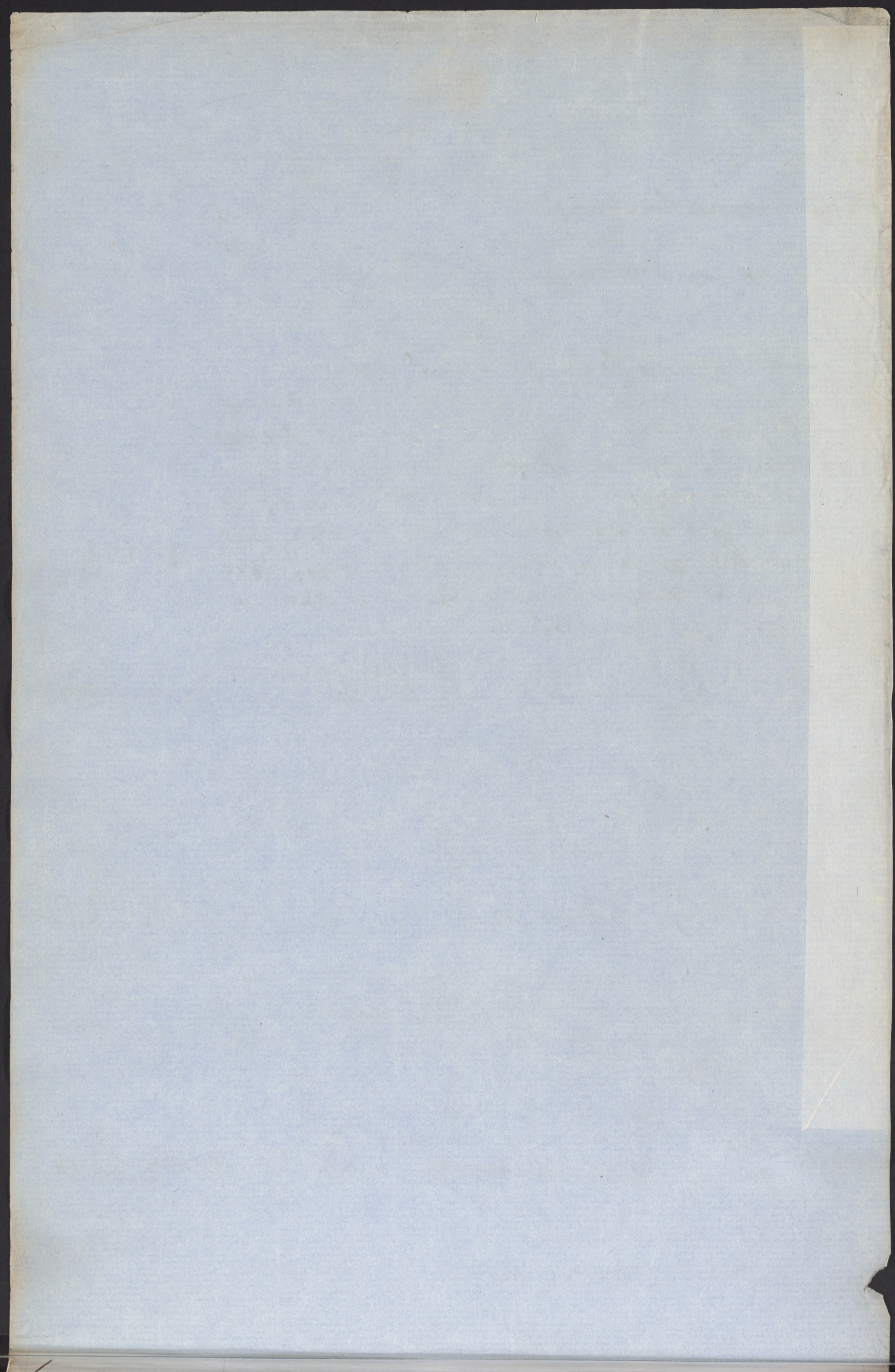
Agustin Machado, et al CLAIMANT *D*

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Ballona"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

123 SD
PAGE 2

Be it Remembered, that on this *Second day of October*, 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 *Agustin Machada*,
et al; *for the Place named*
"Ballona"
was presented, and ordered to be filed and docketed with No. 369, and is as follows, to wit;

(Vide page *3* of this Transcript.)

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

Los Angeles Mr. 11th 1852.
In case No. 369, *Agustin Machada et al;* for the place named *"Ballona"*, the deposition of *Abel Stearns*, a witness in behalf of the claimants taken before Commissioner *Diland Hall*, with arguments marked *A. A. Nos. 1, 2, 3.* & translations thereof marked *arguments thereof* was filed;

(Vide page *5* of this Transcript.)

San Francisco Oct. 14' 1853.
Case No. 369, was called submitted on briefs and taken under advisement by the Board,

2

San Francisco February 14th 1854

In the same lease Commissioner Thompson
Campbell delivered the opinion of the Board
concerning the claim;

(Vide page 61 of this Transcript.)

123 SD
PAGE 3

~~~~~



To the Honorable  
The United States Commissioners  
for the settlement of California Land  
Claims

Petition

123 SD  
PAGE 4

Your Petitioners, Agustin & Ygnacio Machado, Felipe & Tomas Salamantes, residents of the County of Los Angeles and State of California respectfully represent: that they claim as joint owners in fee simple the ranch called "Ballona", which was granted to them, (after a peaceable and uninterrupted possession by them of 18 or 19 years under a provisional concession by Juan B. Alvarado, as Governor of California, and as such possessed of ample powers in the premises, by deed of grant, dated November 2<sup>d</sup> 1839 and made to them jointly and in fee simple, said ranch being bounded and described as follows:

Beginning at a Cottonwood tree, at considerable distance from the house on said ranch, which is marked with hatchet cuts, thence running East 7,835 Varas, to a little poll bridge; thence South 9,800 Varas, to the mouth of a creek ("estero") thence west along the Sea Coast 7,300 Varas, to the deep gullies ("barancas") thence North-erly 7,800 Varas to the place of beginning, containing one league of grazing land more or less, and situate in the County and State aforesaid.



Your petitioners have held peaceable possession from the date of said grant to the present, and have fulfilled all the conditions of said and of concession. There is no interfering claim: it has never been surveyed by the United States Surveyor for California.

123SD  
PAGE 5

They will rely upon the following documentary evidence to support their claim before Your Hon Board:

- 1<sup>st</sup> A Facsimile copy of the Expediente and original grant, marked "A."
- 2<sup>nd</sup> Copy of Judicial possession, executed by the proper municipal authority to them the 31<sup>st</sup> March 1839, marked "B."

These papers are accompanied with true translations marked 1o 2o: and are all filed with the Secretary of Your Hon Board. They will rely upon such further documentary evidence and parol testimony as may serve to support their claim. And they ask that you will be pleased of your Superior legal intelligence and sense of Justice to confirm them in the property and possession of said claim, and do in duty bound &c.

Agustin and Ignacio Machado  
Felipe and Tomas Salamantes

by Scott & Cranger  
Attys

Oct 2<sup>nd</sup> 1852

Filed in Office Oct. 2<sup>nd</sup> 1852

Geo. Fisher Sec.



5-

Los Angeles Nov<sup>r</sup> 11, 1852

On this day before Com<sup>r</sup> Wiland Hall came Abel Sterns, a witness in behalf of the Claimants Agustin Machado et al, petition no 369 and was duly sworn, his evidence being given in English

123 SD

PAGE 6

Deposition of  
Abel Sterns

The U.S. Associate Land Agent was present

In answer to enquiries by counsel for the Claimant the witness testified as follows:

My name is Abel Sterns, my age is fifty four years, I reside in Los Angeles & have resided in California over twenty three years.

A paper is shown me purporting to be a grant to Agustin & Ignacio Machado, Felipe & Tomas Salamantes dated 27<sup>th</sup> Nov 1839, to which is attached a Testimonial of Judicial Possession given in December 1839, and also other proceedings in regard to the land I am acquainted with the hands writing & signatures of Juan B. Alvarado, Manuel Jimeno, Narciso Botello, Manuel Domingues, Ignacio Coronel, Agustin Olivera, Vicente Sanchez, Felipe Lugo, Perfecto Hugo Reid, Bernadino Lopez & Guillermo Cota. The signatures of the said several persons appearing on said paper I believe to be genuine.

The said persons were at the times



specified in said papers acting in the official capacities therein mentioned.

Said paper is hereto annexed and marked H. H. N<sup>o</sup> 1.

A paper is also shown me purporting to be testimony in relation to boundaries of land taken in Jan'y 1840. The signatures of Felipe Lugo, Ignacio Coronat, Basilio Valdez, Francisco J. Alvarado, Juan Ballestaros & Felipe Castillo wherever they appear on said paper I believe to be genuine. I believe the papers

to be a genuine official Document, it is hereto annexed & marked H. H. N<sup>o</sup> 2. I am acquainted with the signatures of the said several persons—

A paper is also shown me purporting to be a certificate of an Alcalde dated Jan'y 1840. The signature of Felipe Lugo on said paper I believe to be genuine. It is hereto annexed & marked H. H. N<sup>o</sup> 3.

I am acquainted with the Rancho called "Balloma". It is situated about four leagues from this place in an easterly direction. I have known the land ever since 1832. The present claimants were then all living on the land. They had two or three houses, had land under cultivation, & had stocks of cattle & horses. Their possession has continued in the same manner from that time to the present.



7

Ignacio Machado has sometimes resided in this city.

123 SD  
PAGE 8

In answer to questions by the Associate Land Agent the witness says he thinks the extent of the rancho is ~~from~~ two to three square leagues, and that it is surrounded entirely by other ranchos.  
Abel Steens

Sworn & Subscribed

Before me  
Neiland Hall Com<sup>r</sup>

Filed in Office Nov 11/1852

Chas. Fisher Sec.

(Span doc follows)







8 1.0.0. 12.

1839

123 SD  
PAGE 9

Expediente promovido  
por los Ciudadanos Agustin e Ignacio  
Machado, Felipe y Tomas Salamanca  
en solicitud de un paraje nombrado

"Ballona"

184



S.O.D. 16.

Here follows  
Map





10 S. D. D. 14

Por Prefecto int.º de este Distrito  
ang.º. Febr 20 Agustín Machado, Felipe  
de 1839 } Scalamante, Ignacio Macho  
El iushe ayun } do y Tomad Scalamante  
-tamento info } ante V. D.º con el debido respeto  
me sobre el con } y en los terminos mas confor  
-tenido en esta } mes à derecho nos presenta  
instancias.º } mos y decimos: Que hace  
citacion de co } el espacio de diez y ocho años  
ludantes. } y nueve años q.º. provi cion al  
Tapia } poseemos con nuestros bienes  
de Campo, Casas, y demas intereses, el  
parage nombrado Paso de las Carreras  
pero conocido mas generalmente por la  
Ballona, y deseandose asegurar del mejor  
modo posible la subsistencia de nuestras  
erecidas familias, como por q.º. no hay  
quien mejor otro represente, suplicamos  
à V. D.º se sirva con ceder nos en propiedad

map 27

123 SD  
PAGE 10

S. D. D. 14

el espresado parage, siendo el que se  
demuestra en el diseño que devídame  
acompañamos para la mayor inteligencia  
P. or. Tanto. V. D.º. Remdi damente  
pedimos se digno acceder à esta nuestra  
solicitud; esperando de su eficacia y  
acreditada bondad, nos conceda la gra-  
-cia que imploramos p. ser asi de justicia  
Juramos lo necesario &c. Suplicandole i-  
-gual int.º admita esta en papel comun  
por no haber de ningun dolo en la Ciudad

Angeles Sept.º 19 de 1839. (Nos sabemos firmas)

Ang.º. Sept.º 28 de 1839.

Dado cuenta al Il.º. Ayuntamiento de  
esta ciudad en sesion de hoy con este ef-  
-pediente, acordado pasará à la comision  
de terrenos baldios para q.º. provea la

S. D. D. 14



11  
citacion de colindantes, producen el in-  
forme q<sup>d</sup>. se pide por el Sr. Prefecto.

Antonio Machado.

Narciso Botella. Srto.

123 SD  
PAGE 11  
Ilustre Ayuntamiento. La comision de  
de Terrenos Valdios a reconocido el terreno  
q<sup>d</sup>. se refiere en el presente expediente y  
dice; que solo esta ocupado con bienes  
de ganado mayor y Caballar y Ganado  
menor viños y casas y siembras todo perten-  
neciente à los solicitantes quienes lo po-  
seien hace el termino q<sup>d</sup>. ellos mismos es-  
presan en tal virtud la Concesion es de  
opinion q<sup>d</sup>. se les conceda la posesion res-  
pectiva de propiedad y por no encontrar  
obstaculo alguno y este es el informe q<sup>d</sup>.  
da virtud del decreto marginal.

Ang<sup>l</sup>. Octubre 12 de 1839.

Lanuario Abila H. Lucan. C. Ujar

C.D.D. 12 Angeles Oct<sup>o</sup>. 12 de 1839.

Dada cuenta al Il<sup>te</sup>. Ayuntamiento  
con el dictamen q<sup>d</sup>. antecede, a cordà  
se concede el informe que pide el Sr.  
Prefecto en favor de los solicitantes.

Antonio Machado. P<sup>te</sup>. int<sup>o</sup>.

Sr<sup>no</sup>. Coronel Srto.

Angeles Octubre 15 de 1839.

Vuelva el presente exped<sup>te</sup> al Il<sup>te</sup>.  
Ayuntamiento de esta ciudad con el  
fin de q<sup>d</sup>. espese si aprova ò no el informe  
de la comision respectiva; advirtiendo  
q<sup>d</sup>. esta Prefectura no ha pedido informe  
en favor de los solicitantes como lo espese  
en su anterior decreto. Y apia.

Narciso Botella. Srto. Ang<sup>l</sup>. Octubre 19  
de 1839. El Ilustre Ayuntamiento en



15 J. S. D. H. Seccion de hoy aprobò el dictamen de la comision estampado en la anterior solicitud: con lo que queda subsomada el equívoco que se padece. en el decreto de 12 del presente. Antonio Machado.  
Pt. mi.º # 2º. Coronel. Dns

123 SD

PAGE 12

Como Sr Gobernador  
La Prefectura de este Distrito impuesta de los informes que anteceden creè que es de accederse à las pretenciones de los solicitantes, si así fuere del supe-  
agrado de V. E. quienes tienen las cali-  
dades necesarias para ser atendidos y poseedores de muchos años, del parage que mencionan. Tiburcio Tapia  
Narciso Botella Dns.

J. S. D. H. Monterrey Noviembre 27 de 1839.

Vista la petición con que dà principio este expediente el informe del Sr. Prefecto del segundo Distrito y el del J. Ayuntamiento de la Ciudad de los Angeles con todo lo demas que se tuvo presente y de ver con vista de conformidad con las leyes y reglamentos de la materia, les concedo à los C<sup>nos</sup> Agustin e Ignacio Machado, Felipe e Tomas Alamantes, el terreno conocido con el nombre de Ballona co-  
-lindante al D. con el Rancho del C<sup>no</sup> Policarpo y Miguera, al E con el del C<sup>no</sup> Alami, al P. con el del C<sup>no</sup> A. Ignacio Abila, y al S con el del Sr. José Sepulveda, y se sujetarán à lo que resultare sobre terminos de la municipalidad de la Ciudad de los Angeles librese el correspondiente despacho, tomese razon en el libro respectivo lo mismo que dà en la Prefectura



9. O. D. C.

del segundo Distrito. El Sr D<sup>o</sup> Juan B. Alvarado Gobernador Constitucional del departamento de las Californias asi lo mandò, decreto y firmò de que doy feè. Alvarado.

Mant. Jimeno Terio.

10. O. D. C.

123 SD  
PAGE 13

Juan B. Alvarado Gobernador Constitucional del Departamento de las Californias. Por cuanto los ciudadanos Agustin e Ignacio Machado Felipe y Tomas Salamanca, han pretendido para sus beneficinas personales y el de sus familias el parage conocido con el nombre de Ballona, colindante al Oriente con el Rancho del Sr. Policarpo Higueras al Norte con el del Sr. Alanis al Poniente con el del ciudadano Antonio Ignacio Abila y al Sur con el del Sr. José Sepulveda; practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos usando de las facultades que me son conferidas à nombre de la Nacion mexicana he venido en concederle el terreno mencionado de el arandole la propiedad de el por las presentes letras sujetandose à la aprobacion de la Exma Junta departamental y à las condiciones siguientes 1<sup>a</sup> Podrà cercarlo sin perjudicar las huacales, caminos, y servidumbres lo disputará libre y esclusivamente destinandolo destinandolo al uso o cultivo que mas le acomode pero dentro de un año fabricará casa y estará habitada. 2<sup>a</sup> Solicitarán del Juez respectivo que les de la posesion

11. O. D. C.

juridica en virtud de este despacho



por el cual se demarcaran los linderos en cuyos límites pondrá à mas de las monereras algunos arboles frutales ò silvestres de alguna utilidad. 3<sup>o</sup> El terreno de que se hace donacion es de la estension que demuestra el diceño que corre en el expediente. El Juez que diere la posesion lo hará medir conforme à ordenanza que dando el sobrante que resulte à la Nacion para los usos convenientes. 4<sup>o</sup> Si sugetarem à lo que resultare sobre terminos de la municipalidad de la ciudad de los Angeles. 5<sup>o</sup> Si contraviesse à estas condiciones perderá su derecho al terreno y será denunciabile por otro. En consecuencia mando que teniendo se por firme y valedero este titulo se tome razon de el en el Libro respectivo y se entregue à las interesados para su resguardo y demas fines. Dado en Monterey à veinte y siete de el mes de noviembre de mil ochocientos treinta y nueve. Juan Bta. Alvarado # Manuel Jimeno Secretario De toma razon en el libro respectivo af. 13.

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

I, Samuel D. King Surveyor General of the United States for the State of California, and as such now having in my Office and under my custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the Eleven preceding and hereunto annexed pages of tracing paper numbered from one to Eleven inclusive



and each of which is verified by my initials (D. D. K) exhibiting true and accurate copies of certain documents on file and forming part of the said Archives in this Office.

123 SD  
PAGE 15

In Testimony whereof I have hereunto signed my name Officially and affixed my private seal (not having a Seal of Office) at the City of San Francisco Cal. the 21<sup>st</sup> day of Sept. 1852.

Danl. D. King  
Surveyor Gen. Cal.

Filed in Office Oct-2<sup>nd</sup> 1852

Geo Fisher Secy.



1839

## Expediente

123 SD  
PAGE 16

Caused by the citizens Augustin and Ignacio Machado, Felipe and Tomas Salamantes in their petition for a piece called

Pallona

184

In Prefect ad interim of this District

Augustin Machado, Felipe Salamantes, Ignacio Machado and Tomas Salamantes. Before Y. No. with all due respect and in terms most conformable to Law, present ourselves and say: That it is about the space of 18 or 19 years, that we have provisionally occupied with our grazing stock, houses and other interests, the place called the "Pass of the Waggons" (Paso de las Carretas)



17  
But more generally known by the name of  
the Ballona, and wishing to secure in  
the best possible mode, the maintenance  
of our increased families, as there is  
no one who can better represent our  
rights. ~~we~~ We beseech of Y.H. to be  
pleased to grant us in sight of prop-  
erty the said place, being that which  
the duly accompanying diagram  
represents more intelligently, wherefore

Of Y.H. we humbly ask to deign  
to grant this our petition, expressing  
that of your efficient and well known  
goodness you will concede the favor,  
which we implore, for thus it is  
justice. We swear it necessary ~~we~~

We likewise pray you will admit  
this on common papers for want of  
the sealed in this city.

Angeles Sept. 19<sup>th</sup> 1839,

(We know not how to write  
or to sign it)

[Endorsed as the same]

Angeles Sept. 20<sup>th</sup> 1839,

Inform the Ill. City Council  
of what is contained in the petition  
with citation to the adjoining land  
claimants

Tapias

Angeles 28<sup>th</sup> 1839

Account of this Expediente having  
been given to the Illustrious City Council of this



123 SD  
PAGE 18

city in session of to-day, they resolved  
to commit it to the committee on unoccupied  
land that, upon previous citation of the  
adjoining land-claimants, they may produce  
the report which is asked of the Senor  
Prefect.

Antonio Machado

Narciso Botello  
Secretary

Illustrious City Council:

The committee on unoccupied  
lands to examine the land referred to in  
the present Expediente say: That it alone  
is occupied with a stock of <sup>large</sup> black  
cattle and horses, and small cattle, vineyards  
and houses, and sowing grounds, all pertain-  
ing to the petitioners who have had posses-  
sion of it for the period that they themselves  
express, in virtue of which the committee  
are of opinion that the respective pos-  
session of property may be granted;  
for they find no obstacle; and this  
is the report which they make in  
virtue of the marginal decree.

Aug Octobers 12' 1839.

Juan C. Vigar

Juan Maria Abila

Angeles Dec 12<sup>th</sup> 1839

Account of the proceeding report  
having been given to the Illustrious City  
Council, it is agreed that the report be



granted, which the Sr. Prefect asks in favor of the petitioners.

Antonio Machado  
Presdt. ad interim

Ignacio Coronel,  
Secretary

123 SD  
PAGE 19

Angeles October 15<sup>th</sup> 1839.

Return the present Expediente to the Illustrous City Council for the purpose that they may express whether or not they approve of the report of the respective Committee, suggesting that this Prefecture has not asked a report in favor of the Petitioners, as it is expressed in the former decree

Papia.

Narciso Botello  
Secretary

Angeles October 19<sup>th</sup> 1839.

The Illustrous City Council in session of to-day approve of the decision (or report) of the committee stamped on the former petition; and with this, the mistake remains corrected which was made in the decree of the 12<sup>th</sup> inst.

Antonio Machado  
Presdt. ad interim

Ign. Coronel  
Secy

M. E. Sr. Governon

The Prefecture of this



123 SD  
PAGE 20

District having been advised of the proceeding reports, believes that it is well to grant the solicitations of the petitioners, if thus it be of the superior pleasure of H.E. who have the qualifications necessary to be attended to, and being possessors for many years of the place which they mention.

Jabucio Papia,  
Narciso Botello  
Secy

Monterey Nov 27<sup>th</sup> 1839.

Having seen the petition with which this expediente commences, the report of the Sr. Prefect of the 2<sup>nd</sup> District, and that of the Illustrous City Council of the City of Los Angeles, with all the further steps which the Present has taken, and that it all agrees, in conformity with the laws and regulations on the subject, I hereby grant to the ~~petitioners~~ Citizens Augustin and Ignacio Machado, Felipe and Tomas Salarmantes, the land known by the name of the Ballona, bounded on the west by the ranch of the Citizen Policapio Higuera, on the north by that of the Citizen A. Ignacio Abila and on the south by that of the Sr. Jose Sepulveda, and they shall be subject to what may result concerning the bounds of the Municipality of the City of Los Angeles. Issue the corresponding



despatch, take record in the proper book,  
the same in the Book in the Prefecture  
of the Second District.

The Sr Sr Juan B. Alvarado Governor  
Constitutionally of the Department of the Californias.  
thus I commanded, decreed, and signed  
it, which I attest.

Alvarado,

Mmanuel Jimeno  
Secretary

123 SD  
PAGE 21

Seal of the First Class. - Six Dollars

Qualified provisionally for the Maritime Customs  
House for the Years 1839 & 1840  
Alvarado Antonio Maria Osio

Juan B. Alvarado, Constitutional  
Governor of the Department of the Californias.

Whereas the Srs. Agustin & Ignacio  
Machado Felipe & Tomas Galamantes, have  
solicited for theirs personal benefits and  
that of theirs families, the land known  
by the name of the "Ballona" bordering  
at the East with Mr. Policapio, Nogueira  
at the North with Mr. Almiris, at the  
West with Mr. Antonio Ignacio Abila  
and at the South with Mr. Sepulveda



they having previously performed the proceedings and necessary enquiries, according to what is agreeable to the laws and regulations, Exercising the powers that are conferred upon me in name of the Mexican Nation

I have resolved to grant them the land above mentioned under the conditions following:

1. That they shall be subject to the rule which ought to be adopted with respect to the determining of the boundary in the lands of the City of Los Angeles but it should result to be comprehended in them.

2<sup>nd</sup> They may enclose it without prejudice to the traversing roads and Servitudes: they shall farm it freely and exclusively, destining it to that use or cultivation, that may most serve them

3. The respective Judge shall cause the land to be measured in conformity with the regulations and shall declare the possession of it to the interested parties

4. If the land shall not be comprehended in those which the first article suggests, the parties interested may repair to the Government for a confirmation of their property

Therefore I order that there be taken in the proper book, and be delivered to the parties interested for their protection and the further ends

Given at Monterey the twenty:



seventh of November, One thousand eight hundred and thirty nine.

Juan B. Alvarado

Manuel Jimenez  
Secretary of the Despach

123 SD  
PAGE 23

Let account of this despach be preserved in the book of entries concerning the adjudication of Public Lands, at page 13<sup>th</sup>.

Jimenez

His Excellency the Governor has ordered that account of this despach be taken in the prefecturate of the 2<sup>nd</sup> District

Jimenez

Angeles December 9<sup>th</sup> 1839

Let account be taken of this Title in the proper book of this Prefecture at page 1<sup>st</sup>. By virtue of which the parties interested may repair to one of the Justices of the Peace of this City, soliciting the corresponding possession.

Tapia

Narciso Botello

Secretary

Filed in Office Oct 2<sup>nd</sup> 1852

Geo. Fisher Sec.

(Span Doc follows)



24

123 SD  
PAGE 24

Expediente à favor de los  
señores Machados y Galamantes

Año de 1840.



Vir. Lues 1.º de Paz.

Agustín e Ignacio Machado, Felipe y Tomas Salamantez ante V. como mas haya lugar en otro decimos: que conuinendo à nuestros intereses personales que el Gobierno Superior aclara ciertas dudas sobre la posesion de nuestro rancho pedimos tenga à breu haer comparecer en este juygado de su cargo à los ciudadanos Ricardo Bejar, Policarpio Guerra, Terence J. Alvarado, J.º Jul.º Baldez y Juan Bolleste los cuales se les interrogara al tenor. 1.º Que digan hasta donde comprenden los terrenos del Rancho llamado La Ballona. 2.º Que tiempo ha ce q. tenemos este sitio ocupado; y si hemos metido los bienes necesarios segun la Ordenanza. 3.º Que digan si al tiempo de medir el terreno en la posesion poudica q. se nos diò el dia treinta y uno del p.º si acaso aumentamos mas sitio, ò disminuimo Practicadas estas diligencias devuelvamos el expediente Original para los usos que nuestro otro convenga. Por tanto. V. V. Suplicamos haga como pedimos en lo que recibiremos gracia. juramos &c. Quidendose admitir esta en papel comun por haber del Sellado respectivo.

Ang.º En.º 10 de 1840.

Por no saber firmar los interesados Agustín, Ignacio, Felipe y Tomas, lo hice à su ruego. Agustín Valverde

Ang.º En.º 15 de 1840.

Por presentado y admitido en su tanto hab la lugar tra otro citese à las personas que nombro lo precedente instancia y juramento en forma tomeles declaracion en



con arreglo al interrogatorio que ante eedes.  
El C. Felipe Lugo Juez 1º de Paz de 1ª  
instancia mandé y firmé

así Felipe Lugo  
Ignº Coronel. Basilio Caldey. As.  
En el acto siendo presente el C. Ricardo Ojeda  
en su persona que doy fe y con oseo, le recibí  
juramento que otorgó según otro bajo el  
cual ofreció decir verdad en lo que supiere  
y fuere preguntado, y siendo los primeros de las  
generales dijo, llamase como que da otro  
de treinta y tres años de edad, casado C. W.  
R. campista, natural, de C. Diego y vecino  
de esta demarcacion; y con arreglo à las  
preguntas del anterior interrogatorio responde  
A la 1ª Que por donde sale el Sol desde el  
paso de la Carrera, toda la cuchilla, hasta  
la boca del Estero, por el Sur, desde la mis-  
ma boca del Estero por la Playa hasta  
los barrancos, y por el poniente desde los  
barrancos por toda la mesa hasta el Ala-  
mo, y por el Norte desde el Alamo hasta el  
mismo paso de la Carrera cubriendo arriba  
de la loma. A la 2ª Que diez y seis años  
ha qº lo poseen y lo ha visto siempre cubier-  
to de ganado, con casa y corral. A la 3ª  
Que ignora el contenido de la pregunta  
Que le dicho es la Verdad à cargo de su  
juramento en que se afirmó y ratificò sin  
tener que añadir ò quitar, desde que le fue  
esta su declaracion y no firmó por no saber  
mi lo usé yo con los de la instancia según otro  
Felipe Lugo = tachado / don de vale = no  
vale. Así Ignº Coronel # Basilio Caldey  
En el acto siendo presente el C. Gerardo  
Laveri Alvarado en su persona que doy

123 SD

PAGE 26



fe y conosco, le recibí juramento que hizo en  
 toda forma de derecho bajo el cual ojeó  
 decir verdad en lo que supiere y fuere pre-  
 guntado, y ojiendolo de las ychereles dijo:  
 llamase como queda dho de heintay tres  
 años de edad, casado @ A. R. Labrador  
 natural, y vecino de esta ciudad; y  
 con respeto à las preguntas del interroga-  
 tivo responde: à la 1<sup>a</sup> Que desde el paso  
 de la carrera para arriba de la loma  
 alta, por toda la Ojilla de las lomas  
 hasta la boca del Estero que es por donde  
 el Sol sale, y por el Sur hasta la misma  
 boca del Estero hasta los barrancos  
 desde los barrancos hasta el Alamo.  
 por el Poniente y por el Norte desde el  
 Alamo hasta el paso de la Carrera, su-  
 biendo à la loma. à la 2<sup>a</sup> Que segun  
 se acuerde ser àn como unos diez y ocho  
 años oyo decir ser este sitio de las Bab-  
 lonas de los Machados y que sabe lo  
 han tenido con bienes suficientes. à la  
 3<sup>a</sup> Que segun oyo quando fue à ver  
 dar la posesion, primero se conociò A. An-  
 tonio Ignacio. qual como colindante  
 por el lado del Oriente, de que lo tomaban  
 terreno de su propiedad, los machados  
 lo manifestaron que aun disminuian de  
 la posesion que tenian antes; mas el Juez  
 para mediarlos por varias veces per-  
 dir los documentos al Sr. A. Ignacio Avila  
 y como no presento nada mando el Alcalde  
 Don Manuel Dominguez se siguieran las  
 medidas, lo mismo sucedió por el lado  
 del poniente con el Colindante Don  
 Gerardo Sepulveda; pero antes de que



tampoco presento documentos (parece) que los Machados quitaron cosa de ~~diez~~ <sup>cientas</sup> varas que quedaron a favor de Sepulveda, señalando este mismo sus antiguos linderos. Que lo dicho es la verdad a cargo de su juramento, sin tener que añadir o quitar, en que se afirmó y ratifico leyendo el su declaración firmada con miyo y los de mi asistencia segun otro: tachado = poner (no vale)

Felipe Dugo # <sup>asista</sup> Francisco J. Alvarado  
 Sgn. Coronel # <sup>usar</sup> Basilio Baldez

En segunda siendo presente el C. Policarpo Figueroa en su persona que doy fe y conozco, le recibí juramento que otorgo en toda forma de otro bajo el cual opeció decir verdad en lo que supiere y fuere preguntado y siendole de las generales dijo; llamase como queda otro: de cuarenta años de edad, casado, C. A. R. campista, natural y vecino de esta ciudad y su demarcacion; en respecto a las preguntas del interrogativo. responde. A la 1ª Que desde el paso de la Carrera por arriba de la loma hasta la Boca del Estero que es por el Oriente y por el Sur desde la boca desde la boca del Estero hasta los barrancos: de los barrancos hasta el primer Alamo por el poniente y por el Norte desde el Alamo hasta la loma Alta. A la 2ª Que serian cosa de diez y nueve años ha visto que son poseedores los Machados del sitio nombrado Ballona, y siempre ha visto poblado de breñes con fincas y labores. A la 3ª Que segun conoce el terreno por ser colina



-dante para la parte de Guacho se quitaron  
 unos cuantos varas que es por el Oriente,  
 y por el poniente, se quitaron mas de  
 quinientas varas. Que lo otro es la verdad  
 a cargo de su juramento en que se afirmó  
 y ratificó sin tener que añadir ni quitar  
 nada que le fuere esta su declaración y  
 no firmó por no saber, lo hice con los de mi  
 asistencia según otro. Felipe Eugo  
 Dño. Coronel. # Basilio Valdez, <sup>asa</sup>  
 Incontinentes siendo presente C. Q.  
 Juan Ballateado, en su persona que doy  
 fe y conozco. le recibí juramento que otorgo,  
 según otro bajo el cual apareció decir  
 la verdad en lo que supiere y fuere pre-  
 -sente preguntado y siendo primero de las  
 generales dijo llamase como queda otro  
 de cien y seis años, casado, C. A. R.  
 campista, natural de C. Barbara y  
 vecino de esta ciudad; y con respecto al  
 interrogatorio responde; a la 1ª Que  
 desde el paso de la Carrera hasta donde  
 desemboca el Estero por el lado del O-  
 -riente, y por el Sur desde la misma  
 boca del Estero por la playa hasta los  
 barrancos, por el poniente desde los bar-  
 -rancos, hasta donde esta un alamo y por  
 el Norte desde el primer Alamo hasta el  
 paso de la Carrera. a la 2ª Que diez  
 y nueve años ha que los conoce poseedores  
 del terreno nombrado la Ballona y siem-  
 pre a estado ocupado con fincas y bienes  
 de campo. a la 3ª Que ignora el contenido  
 de la pregunta. Esta. dijo ser la verdad  
 a cargo de su juramento en que se afirmó  
 y ratificó sin tener que añadir y quitar



leida le fue esta su declaracion y firmo  
 conmigo y los de mi asistencia segun otro  
 Felipe Sugo. # Juan Ballesteros.  
 Sgn<sup>o</sup> Coronel. # Felipe Carrillo.

En la fha y siendo presente Jose Juven  
 Baldez en su persona que doy fe conosco  
 y le recibí juramento que hizo en toda for  
 ma de otro bajo el cual ofrecio decir  
 verdad en lo que supiere y fuere pregunta  
 do y siendo lo primero de las generales dijo  
 llamase como queda otro de treinta años  
 de edad, casado. C. W. R. Campista,  
 natural y vecino de esta ciudad: y con  
 respecto a las preguntas del interrogatorio  
 responde a la 1<sup>a</sup> Que viniendo con  
 Policarpo Higuera desde el paso de la  
 Carrera por la Orilla de Huacho hasta  
 la boca del Estero por el Oriente: y por  
 el Sur desde la boca hasta los barrancos  
 por el Poniente desde los barrancos, hasta  
 los Altos, y por el Norte hasta el mismo  
 paso de las Carreras arriba de las Lomas  
 a la 2<sup>a</sup> Que desde que tiene de razon  
 ha visto ocupado el terreno nombrado  
 la Bollona por los D. D. Machados con  
 habitaciones, corrales y bienes de campo.  
 A la 3<sup>a</sup> Que ignora el contenido de la pre  
 gunta. Esto dijo ser la verdad a cargo  
 de su juramento. en que se afirmó y  
 ratifico leida que le fue esta su decla  
 racion y no firmo por no saber, lo hizo yo  
 con los de mi asistencia segun otro.

Felipe Sugo # Sgn<sup>o</sup> Coronel A.  
 Basilio Baldez. As<sup>o</sup> Angeles Ene 15.  
 de 1840. Estando evacuados las citas  
 q<sup>as</sup> resultan en el anterior interrogatorio

123 SD

PAGE 30



y practicados las diligencias respectivas devuelvase originales à los interesados Machados y Talamantes para los usos que le convengan. Asi yo Felipe Lugo Juez 1.º de Paz y de 1.ª instancia mande y firmè con los testigos de asistencia segun dro. Felipe Lugo As:  
Ign: Coronel. As: H. Felipe Castillo

Yeled in Office Nov: 11<sup>th</sup> 1852

Geo: Fisher. Secy

128 SD

PAGE 31



## Espediente

On behalf of Messrs Machado and Palamantes,  
Year 1840

123 SD

PAGE 32

Translation  
of Doc No. No.  
No. "2"

To the first justice of the Peace, Agustin and Ygnacio Machado, Felipe and Tomas Palamantes, state to you as best may be consistant with law; That it being subserveant to our personal interests, that the Superior Government explain certain doubts about the possession of our Rancho, we request that you will see fit to cause to appear in this justices court in your charge the Citizens Ricardo Beyan, Solicarpio Ignera, Juan<sup>o</sup> L. Alvarado J. Ant. Baldes and Juan Ballesteras, who will be inter-rogated to the tenors,

1<sup>st</sup> That they say up to where the lands of the Rancho called La Ballona are comprised,

2<sup>nd</sup> How long time it is since we here occupied this sitio, and whether we have put thereon the necessary stock according to ordinance

3<sup>rd</sup> That they say whether at the time of measuring the land under the judicial possession given us on 31<sup>st</sup> last, we perhaps added more land or diminished it.

This action being taken you will return us the Espediente in original for purposes that may suit each of us.

Wherefore we pray that you will



do as requested by us, whereby we shall receive favor, we swear &c.

You will be pleased to admit this on common papers as there is no stamped paper to be had.

And as the interested parties Augustin Ignacio Delpe and Tomas do not know how to sign. I do so on their request.  
Agustin Valverde.

123 SD  
PAGE 33

Angeles January 15<sup>th</sup> 1840

It having been presented and admitted in as far as is consistant with Law,

Let the persons named in the foregoing instance be summoned, and being formally sworn let them make declaration in accordance with the foregoing interrogatory

Delipe Lugo 1<sup>st</sup> Justice of the Peace and of the 1<sup>st</sup> Instance so ordered and subscribed.

Delipe Lugo

Assis J<sup>no</sup> Coronel  
Assis, Basilio Valdez

In consequence, Ricardo Vyar, being present in person and whom I attest that I know, was sworn according to Law, on which oath he promised to tell the truth about what he might know and be questioned about, and being first generally questioned, he said that his name is as above stated, that he is 33 years of age, married, a Roman Apostolic Catholic, farmer, native of San Diego and resident of this District and in



accordance with the foregoing interrogations  
he answered,

To the 1<sup>st</sup> That about East (literally where  
the sun rises) from el paso de la Carreta  
the whole opening (included) to the mouth  
of the Estuary, southerly from the same  
mouth of the Estuary along the shore of  
the hollows, and westerly from the  
hollows along all the Noble land to the  
elm tree, and northerly from the elm tree  
to the same paso de la Carreta ascending  
above the hill.

To the 2<sup>nd</sup> That it is 16 years since  
they have possessed it, and he has always  
seen it covered with cattle, house and  
Corral.

To the 3<sup>rd</sup> That he is ignorant of the  
tenor of this question. That what  
he has said is the truth on the oath  
he has taken, which he affirmed and  
ratified, without adding or leaving  
any thing, this declaration being read  
to him, and he did not sign as  
he did not know how. I together  
with my assistants did so according  
to law.

Erasure of "donde sale" is not valid  
Felipe Lugo

Assis

Ignacio Coronel.

Basilio Valdes



123 SD  
PAGE 35

In continuation, the Citizen Francisco Xavier Alvarado, whom I attest that I know being previously present, he was sworn and taken in formal oath according to Law, on which oath he promised to tell the truth about what he might know and be interrogated about, what he might know and be interrogated about and being questioned generally, he said his name is as above stated, that he is 33 years of age, married, a Roman, <sup>Apostolic</sup> Catholic Native and resident of this city, and respecting the interrogatories he answered:

To the 1<sup>st</sup>. That from El paso de la Concha for above the high hill, along all the edge of the hills to the mouth of the Estuary. Which is to East (where the sun rises) and southerly from the same mouth of the Estuary to the hollow, from the hollows to the elm-tree, westerly and northerly from the Elm-tree to el paso de la Cañeta, ascending to the hill.

To the 2<sup>nd</sup>. That according to his recollection there will be about 18 years since he heard say this sitio de la Ballena to belong to the Machado, and that he knows they had held it with sufficient stock.

To the 3<sup>rd</sup>. That according to what he heard when he went to see the possession be given Antonio Ignacio Avila as bordering land owner on the eastern side first charged, that they took from him land of his property.



The Marchedas showed him that it (arose) from a diminution of the possession they had before: but the judge for the purpose of mediating, insisted several times in asking for the documents of N. Ignacio Avila, and as he did not present any, the Alcade D. Manuel Dominguez ordered the mensuration to be continued. The same occurred on the western side with the bordering land owner Don Francisco Sepulveda, but besides that he neither presented any document (he thinks) The Machedas were stripped of something like 600 Varas which remained in favor of Sepulveda the latter himself designating his old boundaries.

That what he has said is the truth on his oath, without having any thing either to add or to leave out, which he affirmed and ratified, his declaration being read to him, subscribing with me and my assistants according to law (Erasure of "poniente" is not valid.)  
 Felipe Lugo.                      Franco S. Alvarado.  
 Ass. Jgn Colonial              Ass. Basilio Valdez.

Thereafter the Citizen Policarpo Higuera being personally present, and whom I attest that I know, was taken in oath in due legal form, on which he promised to tell the truth about what he might know and be interrogated about



and being put the general questions he said; that his name is as above stated, that he is forty years of age, married a Roman Apostolic Catholic, a field laborer, native and resident of this city and its limits.

123 SD  
PAGE 37

Respecting the interrogations he answered  
To the 1<sup>st</sup>. That from the Paso de la Carreta, over the hill to the mouth of the Estuary that is to East, and south-erly from the mouth of the Estuary to the hollows; from the hollows to the first Elm-tree. Westery and Northery from the Elm-tree to the high hill.

To the 2<sup>nd</sup>. That it is about 19 years since he has seen the Machedas to be in possession of the sitio called "Ballona", and he has always seen it covered with stock, buildings and farming.

To the 3<sup>rd</sup>. That as far as he knows the land as being bordering land owners, towards the direction of Guicha there was cut off some few Varas to the East and to the West there was cut off more than 500 Varas. That what he has said is the truth on the oath he has taken, which he affirmed and ratified without having any thing either to add or to leave out, thus his declaration being read to him and he did not sign as he did not know how.

I did so with my assistance according to Law,

Assis J. Felipe Longo  
1<sup>o</sup> Coronel. Basilio Valdez,



123 SD  
PAGE 38

In continuation, the Citizen Juan Ballona being personally present, and whom I attest that I know, he was taken in oath according to Law, on which oath he promised to tell the truth about what he might know and be questioned about, and being first put the general questions he said, that his name is as above stated that he is 56 years of age, married, a Roman Apostolic Catholic, field laborer, native of S. Barbara and resident of this city, and requesting the interrogatives, he answered;

To the 1<sup>st</sup> that from El paso de la Carreta to where the Estuary empties on the Eastern side, and southerly from the same mouth of the Estuary along the shore to the hollows,

Westerly from the hollows up to where is an Elm tree, and southerly from the first named Elm tree to El paso de la Carreta.

To the 2<sup>nd</sup>. That it is now 19 years since he knows them to be in possession of the land called La Ballona and has always been occupied with houses and country stock.

To the 3<sup>rd</sup>. That he is ignorant of the terms of the question. This he said to be the truth on his oath, which he affirmed and ratified without having any thing either to add or to leave out. This his declaration being read to him and he signed with me







123 SD  
PAGE 40

his oath which he affirmed and ratified  
this his declaration being read to him  
and he did not sign because he did  
not know how: I did so together  
with my assistants according to law.

Felipe Longo  
Asso Ignacio Coronel  
Basilio Valdez.

Angeles January 15<sup>th</sup> 1840.  
The testimony consequent  
on the foregoing interrogatories being finished  
and the respective action being taken,  
let it be returned in original to the  
interested parties Machados and Tal-  
arantes for such purposes as may  
suit them.

Thus did I Felipe Longo J<sup>st</sup> Justice  
of the Peace and of the J<sup>st</sup> Instance  
order and sign together with the attesting  
witness, according to law.

Felipe Longo J  
Asso  
Ignacio Coronel.  
Felipe Castillo

Filed in Office March 16<sup>th</sup> 1854  
Geo. Fishers Sec

(Spanish doc follows)



Handwritten text, likely bleed-through from the reverse side of the page. The text is faint and mostly illegible due to fading and the texture of the paper. Some words are difficult to discern but appear to be arranged in several lines.



241

123 SD  
PAGE 41

Posesión del Rancho  
nombrado

"La Ballona"

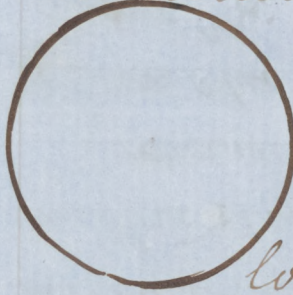
Año de 1839.



Sello 1.º Seis pesos. Habilitado provision  
alint. por la Aduana marítima de Monterey  
para los años de 1839 y 1840.

Alvarado

Antonio M.º Osio

 Juan B. Alvarado Gobernador  
Constitucional del departamento  
de las Californias. Por cuanto  
los Cnos. Agustín e Ignacio Ma-  
chado Teclipo y Tomas Salamanques  
han pretendido para sus beneficios per-  
sonales y el de sus familias, el Terreno  
conocido con el nombre de la Bullona  
colindante al N. con el Sr Policarpo  
Higuera al E. con el Sr Alaniz, al P.  
con el Sr Antonio Ignacio Abila, y al S.  
con el Sr Sepulveda: practica las pre-  
viamt. las diligencias y averiguaciones  
consermentes segun lo dispuesto por leyes  
y reglamt.º usando de las facultades  
que me son conferidas a Nombre de  
la Nacion Mexicana he venido en conce-  
derle el mencionado terreno oajo las con-  
diciones siguientes. 1.ª Que se sujetarán  
al arreglo que deve hacerse con respecto al  
señalamiento de terminos en los terrenos  
de la Ciudad de los Angeles por si resul-  
tare ser comprendidos en ellas. 2.ª  
Podrán ser caros sin perjudicar las  
haciendas, caminos, y otros diambres, lo  
disfrutará libre, y esclusivamente desti-  
nandolo al uso o cultivo que mas les  
acomode. 3.ª El juez respectivo hará  
medir el terreno conforme a Ordenanza  
y declarará a los interesados su posesion  
de el. 4.ª Si el terreno no fuere compren-  
dido en las que insinúa el Artículo. 1.º



ocurran los interesados al Gob<sup>o</sup> por la confirmacion de su propiedad. En consecuencia mando que se tome razon en el Libro respectivo y se entregue a los interesados para sus registros y demas fines. Dado en Monterey a veinte y siete de Noviembre de mil ochocientos treinta y nueve. Juan B. Alvarado.

Man<sup>d</sup>: Jimeno # Oficio del despacho.  
Queda tomada razon de este despacho en el Libro de acientos sobre adjudicaciones de terrenos baldios. a f. 13.

Jimeno  
El Excmo Sr Gobernador ha dispuesto que se tome razon de esta concesion en la Prefectura del segunda Distrito.

Jimeno.  
Angeles Diciembre 9 de 1839.  
Queda tomada razon del presente titulo en el libro respectivo de esta Prefectura a f. 10. Vta en tal virtud los interesados ocurran a uno de los Tres Jueces de Paz de esta ciudad, solicitando la posesion correspondiente. Tapia.

Narciso Botella Oficio.  
Sr Juez 2.º de Paz inter.  
Agustin Ignacio Machado, Felipe y Tomas Salamantes vecinos de esta demarcacion ante V. en la mejor forma que haya lugar en otro dicimos: Que adjuntamos respetuosamente el titulo de propiedad del Rancho llamado La Ballona concedido por el superior Gobierno de este Departamento para que tenga a breu darnos la correspondiente posesion juridica con arreglo al titulo o despacho que acompa.



pañanos. P. J. V. Q. suplicamos se sirva acceder à esta nuestra solicitud en lo que se recibirá gracia. Livramos lo necesario y dirigiéndose a admitir esta en papel común por falta de sellado respectivo.

Angel. Dic. 30 de 1839.

Por no saber firmes rogamos lo hiciese por nosotros al Ciudadano. Sr. anc. J. Alvarado. A Ruego de los interesados

Sr. anc. J. Alvarado

Angel. Dic. 30 de 1839.

Anuente al superior decreto de esta Prefectura, y accediendo à la solicitud de los interesados procedase à dar la posesion respectiva. Así yo el juez que suscribe decreto y firmé según otro.

Man. Dominguez

J. Coronel # Agustín Olvera A.º  
En la ciudad de los Angeles del Departamento de las Californias à los treinta días del mes de Diciembre de mil ochocientos treinta y nueve. Anuente à la Correg.ª; solicitud de los l. l. Agustín e mi J.º Ign. Machado, Felipe y Tomas Salamantes y decreto d. S. Prefecto interino de este distrito en fha.ª del presente à fin de que se les diè la correspondiente posesion à los nombrados Machado y Salamantes del sitio y Rancho nombrado la Ballona que tienen actualmte ocupado con sus bienes de campo y demas ampliaciones: concedio por el C. S. Gobernador de este Departamento, cuyo título o despacho original han presentado à este juzgado. Pasese por mi y testigos de asistencia al espresado sitio y procedase



a dar la posesion indicada previa citacion de colindantes, arreglándose por ello al titulo referido que se le ha conferido por el Gobierno Departamental fecha veinte y siete de el mes de noviembre del presente año.

Yo Manuel Dominguez Juez 2.º int.º mande y firmé con los testigos de asistencia segun otro en este papel comun por falta del sellado respectivo doy fe. Manuel Dominguez # Ignacio Coronel # Francisco Javier Alvarado de asistencia

En el mismo dia, mes y año yo el Juez que que subscribe pasé oficio a D. Policarpo Higuera, a D. Antonio Ignacio Avila @ D. Francisco Sepulveda y a Don Maximino Alanis como colindantes, manifestandoles el objeto a que me dirigia al punto de la Ballona pues que iba a Correg.º, remitir y poner en posesion de el Mui. J. a los D. Agustín e Ignacio Machado, Felipe y Tomas Galamantes. lo que pongo por diligencia que autorice y firmé con los de asistencia segun otro: Manuel Dominguez. Asq.º Ignacio Coronel # As.º Francisco Javier Alvarado.

En el mismo, dia, mes y año estando al pie de un Alamo que esta a larga distancia de la casa que habitan los Señores Machados y Galamantes nombié dos cordeleros uno fue Marcelo Ridona y el otro Policarpo Higuera a quienes hice saber su nombramiento que aceptaron bajo de juramento que otorgaron ofreciendo desempeñar fielmente su cargo, lo que autorice y firmé con los testigos de mi a.º segun otro: Manuel Dominguez.



Ignacio Coronel # Franco. Javier Al-  
 varado. Asistencia = cordeleros. Marcelo  
 Ridona. el otro cordelero = no sabe escribir  
 En el mismo día mes y año estando al  
 pie de un alcornoque que está a larga distancia  
 de la casa que habitaban los D. S. Macha-  
 dos y Salas antes se comenzaron a ve-  
 rificar las medidas y proyección corres-  
 pondiente a los mencionados señores del  
 sitio nombrado la Ballona, previos todos  
 los requisitos de ley y estando ante mi  
 testigos de asistencia y los oficiales cor-  
 deleros huse medir un cordel que contenía  
 Correg<sup>a</sup> nueve varas y haciendo a sus es-  
 tados unidos unos Bancos de madera  
 previa observación y cálculo con el título  
 a la Vista por mi disposición se tomó el  
 cordel desde el Alcornoque al cual se le dieron  
 unos machetones para que sirviese de mo-  
 jonería, rumbo al Este se midieron y  
 contaron siete mil ochocientos treinta y  
 cinco varas terminando en un puntito  
 de palo que se fijó por mojonería en cuyo  
 punto estaba el colindante Policarpo  
 Figueroa el que sin haberlo manifestado  
 excepción alguna se dio por medido  
 para continuar. De allí se tomó el cordel  
 rumbo al Sur y se midieron y contaron  
 nueve mil ochocientas <sup>las</sup> varas, que re-  
 mataron en la desembocadura del Co-  
 tero lugar donde se fijó por mojonería  
 mas cuando se medió se reconoció el D.  
 Antonio Ignacio Avila por pertenecerle  
 aquel paraje, y habiéndole pedido los do-  
 cumentos que probase su propiedad  
 no los presentó, pues dijo estar el diseño



Monterey, por cuya causa se dio por medi-  
 do. En seguida tirando el cordel rumbo al  
 Oeste se midieron p<sup>a</sup> la playa siete mil  
 trescientas varas que remataron en un lugar  
 nombrado los barrancos, paraje que se puso  
 correg<sup>a</sup> por mojonera. De allí se tiró la  
 Mi. } cuerda rumbo al Norte, tomando la  
 línea p<sup>a</sup> cerrar en el Atamo donde se co-  
 menzó, y se midieron siete mil ochocientas  
 varas, siendo colindantes D. Jacinto De-  
 pulveda y D. Maximino Alanis, el primero  
 aunque indicó que tenía pedida al Gobierno  
 un pedazo corto de aquel sitio. pero no pre-  
 sentó constancia ni documento, se con-  
 tinaron y se dio por medido. lo que pongo  
 por diligencia q<sup>d</sup>. autorisé y firmé con  
 los testigos de mi asistencia según otro:  
 Manuel Dominguez. As<sup>a</sup>. Dn<sup>o</sup>. Coronel  
 as<sup>a</sup>. Jacinto Javier Alvarado - Marcelo  
 Redona # cor de lero. Policarpo Vi-  
 guera no sabe firmar. De este testimo-  
 nio a las partes de las presentes diligen-  
 cias en este papel común por no haber  
 del sellado respectivo. y pasen los intere-  
 sados al E. S. Gobernador del departa-  
 miento de la presente posesion por estar  
 este terreno sin embargo pues así lo pre-  
 viene el título o despacho. Asi mismo 2<sup>o</sup>.  
 de Paz inter<sup>o</sup>. mandé y firmé con los de  
 mi asist<sup>a</sup>. según otro: Manuel Dominguez  
 as<sup>a</sup>. Ignacio Coronel # as<sup>a</sup>. Jacinto  
 Javier Alvarado. Con cuerda con su  
 Original a que me refiero, la cual felici-  
 mente sacada, corregida y confrontada  
 correg<sup>a</sup> en cinco folios de papel común por  
 Mi. } no haber del sellado respectivo.



y existe en el libro de instrumentos públicos  
del año de 1838. en este testimonio de  
verdad. Angl. Diers 31 de 1839.

As<sup>a</sup> Man<sup>l</sup> Dominguez. as<sup>a</sup>  
Ig<sup>no</sup> Coronel # Vicente Sanchez  
Copia.

Prefect<sup>a</sup> Política de los Angeles.

En embargo de lo que en nota de 24 de  
agosto pp<sup>o</sup> dice al respecto à que hiciera  
saber à los vecinos C. C. Isidro Reyes,  
Francisco Marquez y Juan C. Sepulveda  
que no poder fabricar casa ni otros bienes  
raices, en los terrenos que ocupan por con-  
siderarlos con el caracter de provisionales.  
por aclaracion que con fha 12 del actual  
ha hecho à esta prefect<sup>a</sup> la secretaria  
del Gobierno departamental se debe en-  
tender que la superior nota inserta en  
mi citada, comprende unicamente à los  
referidos Reyes y Marquez y no à Sepul-  
veda, Alamo, Machado, y Falamantes  
à cuyos individuos se los hará v. saber  
para que esten inteligenciados.

Dios y L. Angl. Sept<sup>re</sup> 23 de 1840  
L. Arguello J<sup>t</sup>. Juez de 1<sup>a</sup> instancia  
de la Ciudad de los Angeles. Certifico  
estampado sacado de su Original  
que existe en este Archivo lo que autorizo  
y firmé con los de asistencia en la misma  
fha. Doy fe. Felipe Lugo.

Ig<sup>no</sup> Coronel. as<sup>a</sup> # Man<sup>l</sup> Dominguez  
D<sup>or</sup> Juez R. de Paz.

Agustino Ignacio, Machado, Felipe  
y Tomas Falamantes ante U. como  
mas haya lugar en otro decimos: q<sup>d</sup>  
conviniendo à nuestros intereses personales.

123 SD

PAGE 48



of. el Gobierno superior a clarificar ciertas dudas sobre la posesion de nuestro rancho pedimos tenga à breu hacer comparecer en este juzgado de su cargo; al ciudadano Guillermo Cota al cual se le interrogará al tenor D<sup>o</sup> 1<sup>o</sup>. Que diga en q<sup>ta</sup> año se concedió el rancho llamado la Ballona y quien fue el Juez. 2<sup>o</sup>. Que asta donde llegan sus terrenos y si sabe hemos metido los bienes necesarios segun la Ordenanza. 3<sup>o</sup>. Que diga si cuando se nos concedió el rancho de la Ballona habia algun otro à su rededor. Practicadas estas diligencias devuelvesenos para los usos of. n<sup>ros</sup> otro conveenga. Por tanto. A. Q. suplicamos haga como pedimos en lo of. recurremos gracia. juramos &c.  
 Si brendose admitir esta en papel comun por no haber del sellado respectivo.

A ruego de los interesados  
 Perfecto Hugo Reid  
 Angeles Eno. 16 de 1840. Por presentado y admitido en cuanto ha lugar segun lo visto à Don Guillermo Cota juramento en forma, tome se le declaracion conforme al interrogativo que antecede. Asi yo el Juez 1<sup>o</sup> de Paz de esta ciudad lo previa mandè y formè con los de mi asistencia segun otro. Elipio Lugo.  
 D<sup>o</sup> Coronel # Bernadino Lopez  
 En el acto siendo presente Don Guillermo Cota en su persona que doy fe y conosco le recibí juramento que hizo conforme à otro bajo lo cual ofrecio decir la verdad en lo que supiere y fuere preguntado; y oiendo de las generales dijo. llamase como queda



Dho de setenta y dos años de edad nacido:  
 B. A. R. campesino, natural, de Loveto  
 en la Baja California, y vecino de esta  
 ciudad. en respecto al interrogatorio  
 responde à la pregunta. A la 1<sup>a</sup>  
 Que por el año de diez y nueve à veinte  
 siendo el que declaro sargento comisionado,  
 vinieron el D. Machado y Salamanca  
 à pedir al que declaro el paraje de la  
 Ballona, mas este les contesto no tener  
 facultad para ello con tal motivo  
 enviaron à Sta Barbara los interesa-  
 dos y le trajeron el esponente un oficio  
 del V. Capitan Don José de la Guerra  
 y Noriega p.<sup>a</sup> que los diese posesion  
 como provisional. A la 2<sup>a</sup> Que desde  
 el paso de la Carrera por el Oriente  
 hasta la desembocadura del Estero  
 y desde la boca del Estero por la playa  
 hasta los barrancos y por ~~por~~ desde  
 los barrancos hasta el primer Alamo  
 hasta la Loma que está en el paso de  
 la Carrera y que lio tener bienes sufi-  
 cientes con que poblaron su Rancho, los  
 machados como igualmente pusieron  
 fincas. A la 3<sup>a</sup> Que en la epoca  
 q.<sup>d</sup> se dio este sitio de La Ballona no  
 havia ninguno en sus cercanias de Co-  
 lindantes. Esto dijo con la Verdad  
 à cargo de su juramento en que se  
 afirmó y ratificò y firmo conmigo ha-  
 viendolo leído esta su declaracion  
 Felipe Luzo    # Guillermo Lota  
 Jg.<sup>o</sup> Coronel    # Agustín Olvera A.<sup>o</sup>  
 En la fha. Practicada la cita devuelva  
 al interesado esta instancia para los usos



57

q. convenzan. à su dno: Asi yo el Sr  
q. subscribe mandè y firmè con los de  
mi asis: segun dno.

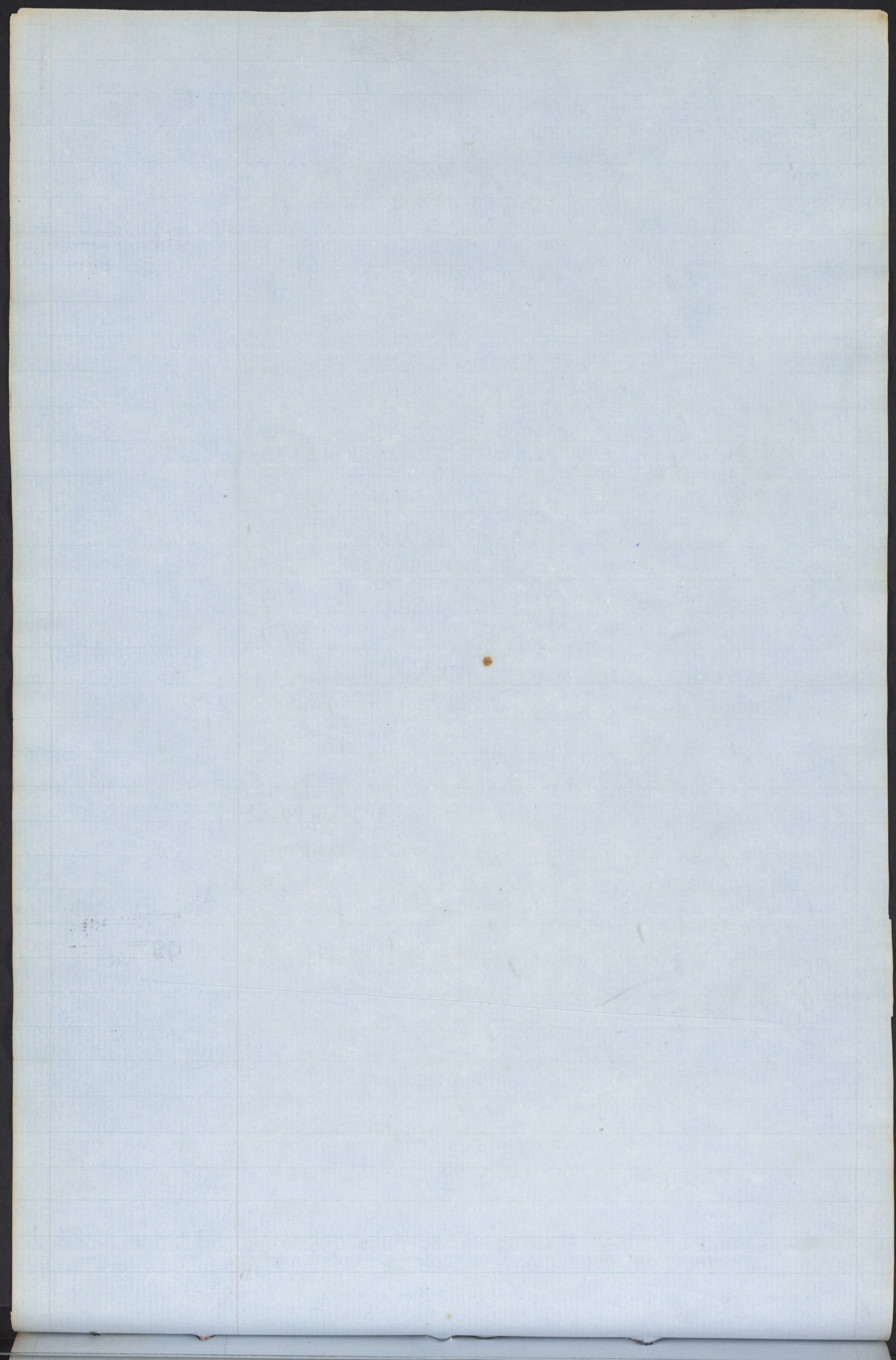
asa. Felipe Lugo  
Ignacio Coronel # Agustin Olvera

123 SD  
PAGE 51

Filed in Office Nov. 11<sup>th</sup> 1852

Geo. Fisher Secy







Honour Judge of the 2<sup>nd</sup> of the Instances

"C"  
Translation  
of Petition of  
Judicial Pos.  
session.

123 SD  
PAGE 52

Agustin, Ignacio, Machado, Felipe and  
Tomás Salamantes neighbours of this  
Demarcation before Your Honour in all  
due form of Law, say, That we  
respectfully enclose the Title of Property  
in the Ranch, called the Bollona, granted  
by the Superior Government, in order  
that you may be well disposed to give  
us the corresponding possession  
conformably with the Title or dispatch,  
which accompanies -

Postscript - We supplicate that you  
may be pleased to accede to this our  
solicitude, in that it may be received  
with favor; we take the necessary  
oath &c. Be pleased to admit  
this on common paper, for want  
of the papers sealed papers,  
Angeles December 30<sup>th</sup> 1839,

Not knowing how to sign this we  
request, Francisco J. Alvarado to do  
it for us at the City. By request  
of the parties interested.

Francisco J. Alvarado

Angeles December 30<sup>th</sup> 1839

Conformably  
to the Superior decree of this Prefecture  
and acceding to the request of the parties  
interested, Let it be proceeded to give  
the proper possession. Thus I the



Judge to give the proper person  
judge who subscribes decree and sign  
according to law.

Manuel Domingues

Assis

Ignacio Coronel

Assis

Agustin Olivera

123 SD  
PAGE 53

Filed in Office Oct 2<sup>nd</sup> 1882.

Geo. Fishers Sec



123 SD

PAGE 54

Translation  
of Act of Jurid.  
ical possession

In the City of Los Angeles of the Department of the California, at the thirty first day of the month of December of One Thousand Eight Hundred and thirty nine. Conceding to the Petition of the Srs Agustín and Ignacio Machado, Felipe and Tomas Salamancaantes and the Decree of the Prefect ad interim of this District, dated the 9<sup>th</sup> of the present, to the end that due possession be given them, the above named Machado and Salamancaantes of the site and ranch called Ballona which they have actually occupied with their chattles of the plain and other ampliations granted by His Excellency the Governor of this Department which title or original despatch they have presented to this Court: Let it be passed by me and my assistant witnesses to the site before mentioned; and let it be proceeded to give the possession indicated, previous citation having been made to the adjoining neighbours, for the purpose of regulating the title referred to, which has been conferred by the Departmental Government, dated the twenty seventh of November of the present year. I Manuel Domingues Justice of the Peace of the 2<sup>nd</sup> Instance order and subscribe with the assisting witnesses according to Law, on this common paper, for want of the proper sealed paper which I attest Manuel Domingues. Ignacio Coronel Francisco J. Alvarado of Assistance



On the same day, month, and year I the  
judge who subscribes, summoned the adjoining  
neighbors Don Policarpio Heiguera  
Don Augustin Ignacio Abila, Don Francisco  
Sepulveda & Don Maximiliano Alines explain-  
ing to them the object for which I had  
directed myself to the place of the Ballona,  
to wit: to measure and put in its  
possession the Srs Augustin and Ignacio  
Machado, Felipe and Tomas Salamantes  
which fact I put down for inspection  
and which I authorize and sign with the  
assistance according to law.

Manuel Dominguez

Assistance

Ass

Ignacio Coronel, Fran<sup>co</sup>: J. Alvarado

On the same day month and year, being  
at the foot of a Cotton-wood tree,  
which is at a long distance from the  
House where dwell the Srs Machado  
and Salamantes. I appointed two of-  
ficial cord-bearers, one was Marcelo  
Rodena, and the other Policarpio Hei-  
guera, to whom I caused to be made  
known their appointments, which they  
accepted under oath which they agreed  
to, offering to discharge faithfully their  
trust, which I authorize and sign with  
the witnesses of my assistance according  
to law - Manuel Dominguez - Ignacio  
Coronel - Fran<sup>co</sup>: James Alvarado  
Assistant Cordbearer, Manuel Rodena, The other  
cord bearer knew not how to write.



On the same day month and year, being at the foot of a Cotton wood tree at a long distance from the House where dwell the Sins Machado and Salamantes to verify to the aforementioned persons of the place referred to - the Ballona, all the prior requisites of the Land were commenced; and being in presence of my witnesses of assistance, and the official Cord-bearers I caused a cord to be measured which contained One Hundred varas, fixing to its extremities stakes of wood, after observation and calculation with an inspection of the title. By my order the cord was established from the Cotton-wood tree, to which cuts of a hatchet were given, to serve for a land mark, a direction to the east were measured and counted, seven thousand eight hundred and thirty five varas terminating at a little post bridge, which was fixed for a land mark, at which point was the adjoining neighbour, Don Policarpio Higuera, he not having manifested any objection it was given for a perpetual measurement;

From thence the cord was stretched a direction towards the South, and were measured and counted nine thousand and eight hundred varas, which terminated at the mouth of a creek ("estero") a place which was fixed for a land mark; but when it was measured, Antonio



Avila charged that this situation, or place, belonged to him, and having asked him for the Documents which would prove it his property. He did not present them; but said the plat ('desino') was in Monterey for which cause it was fixed for a measurement, pursuing to stretch the cord towards the west. There were measured along the Sea-Coast seven thousand and three hundred varas which terminated at a point called the deep Gullies ('barancas'), a situation which was fixed for a land mark. From thence the rope was stretched in a direction towards the North, taking a course so as to strike the cotton wood tree, where the measuring was commenced, and there seven thousand and eight hundred varas, the adjoining neighbours being Sepulveda Maccino & Almiris, the former, although he indicated that he had asked the Government for a small parcel of this land; but as he did not present the memorial ('Ponstancias') nor documents these were continued, and the measurement was ~~continued~~ given which for investigation I diligencias I set down, and which I authorize and sign with the witnesses of my assistance according to law.

Asis Agnacio Coronel.

Manuel Dominguez

Asis

Francisco Janares Alvarado



It agrees with the original to which  
I referred which was faithfully taken,  
corrected and compared on five leaves  
of common paper, for want of the  
proper sealed and exists in the book  
of Public Instruments of the year of  
1839 in evidence of the truth.

123 SD  
PAGE 58

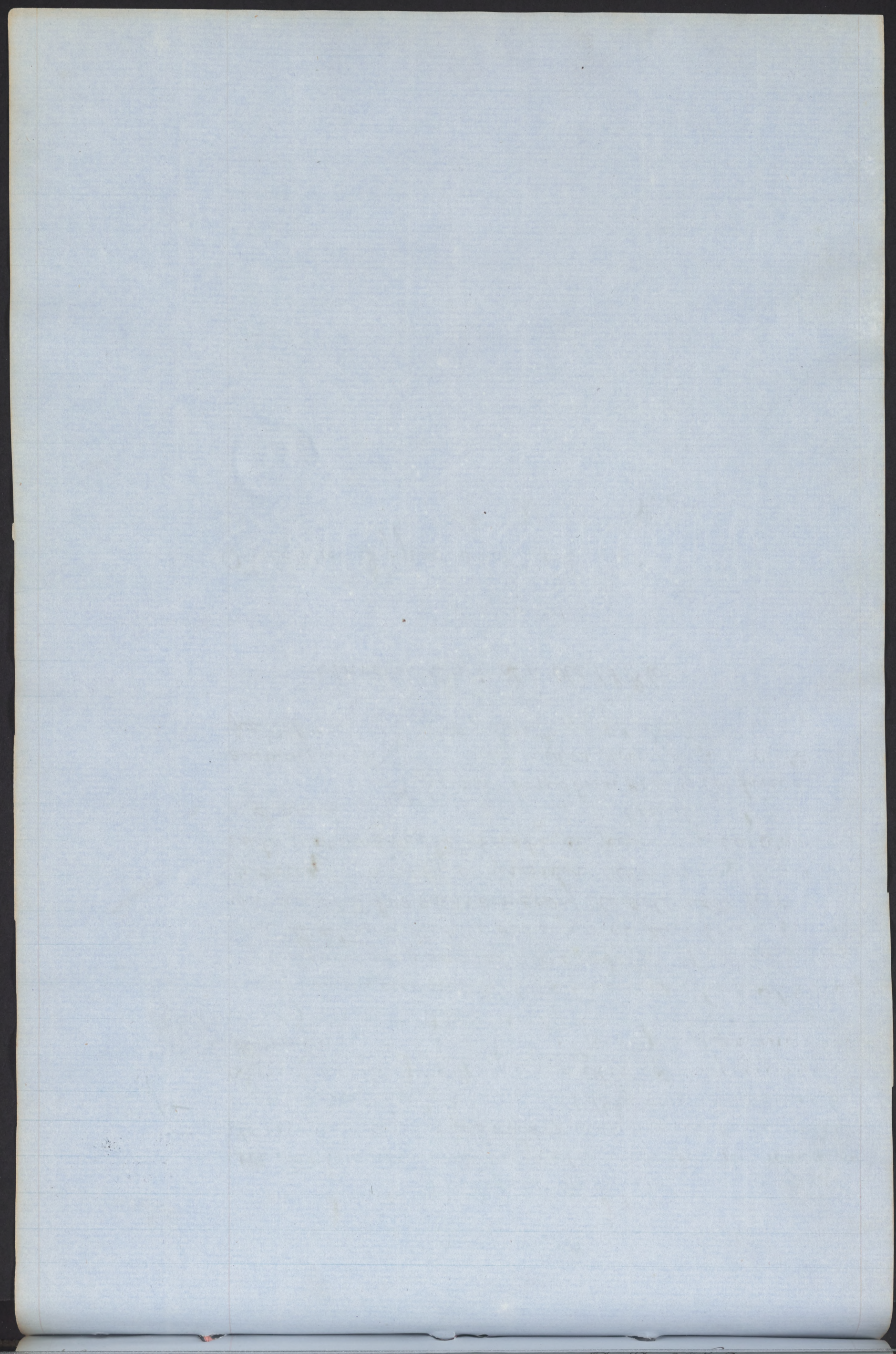
Angeles Dec 31<sup>st</sup> 1839  
Manuel Domingues

Assis  
Ignacio Coronel Assis  
Vicente Sanchez

Filed in Office Oct 2<sup>nd</sup> 1852.  
Geo. Fisher Sec.

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Felipe Lugo Juez 1.º de Paz y de 1.ª instancia  
de la ciudad de los Angeles y su demarcacion

Certifico en cuanto puedo y debo  
y el otro me permite que esta protocolado en el Libro  
de instrumentos publicos del año de mil ochocientos  
ciento treinta y nueve un Original del acto  
Juridico de posesion que dio D. Manuel  
Dominguez à los S. S. Agustin i Jy.º Macha  
depo. of Abel do y Felipe y Tomas de Alamanes y en este  
Acto de posesion se constata q. las medidas comenzaron por el Ori-  
ente desde el paso de la carreta hasta la boca  
del Estero y desde este por el Sur toda la pla-  
ya hasta los barrancos y desde este por el  
poniente hasta el primer Alamo; y desde  
este por el Norte hasta el paso de la Carreta  
i Barranca.

Y para constancia y los fines q.  
convengan à los interesados doy la presente en  
papel comun por falta de sellado.

Angeles En: 21. de 1836.

Felipe Lugo

Notary Office Nov: 8<sup>th</sup> 1852

Geo: Fisher Deory

123 SD

PAGE 59

Doe: H. H.  
No. 3.annexed to the  
Depo. of Abel  
Stearns before  
Comr.

H. Hall



*[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page.]*



60

I, Felipe Longo 1<sup>st</sup> Justice of the Peace  
and of the 1<sup>st</sup> Instance in the City of  
San Angeles and within its limits

123 SD  
PAGE 60  
Translation  
of Doc H. H.  
N<sup>o</sup> 3.

I certify in so far I am enabled  
and ought to do and the Law allows  
me, that there is recorded in the  
Book of public instruments for the  
year 1839, and original act of judi-  
cial possession given by D. Manuel  
Dominguez to Augustin & Ignacio  
Machado and Felipe & Tomas Galaman-  
tes and therein is shown that the  
mensuration was commenced eas-  
ily from El Paso de la Cañetas.  
to the mouth of the Estuary, and from  
this southerly and all the shore to the  
hollows ~~to the~~ and from thence westerly  
to the first Elm tree and from this  
northerly to El Paso de las Cañetas to close

In Attestation whereof and for the  
purposes.

The purposes that may suit the  
interested parties. I give these  
presents on common papers for want  
of stamped papers.

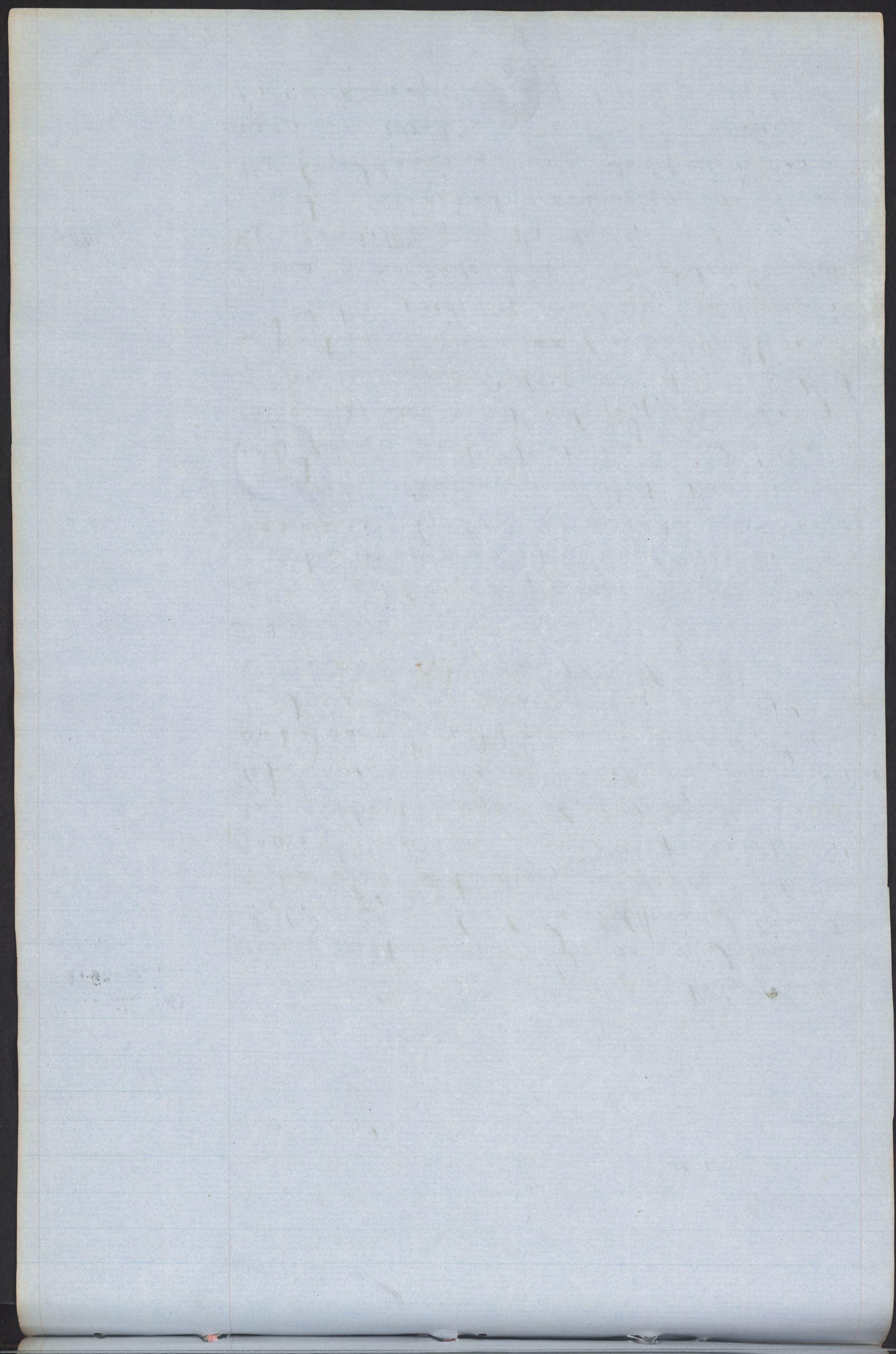
Angeles January 21<sup>st</sup> 1840.  
Felipe Longo

Filed in Office March 16<sup>th</sup> 1854

Geo. Fisher

See







Opinion  
of Court  
J. Thompson  
Campbell

Agustin Machado and  
Ygnacio Machado Felipe  
Palamantes & Tomas  
Palamantes.

"Ballona"

vs  
The United States

123 SD  
PAGE 61

The papers on file in this case show that on the 2<sup>d</sup> day of November A.D. 1839, Governor Alferado granted to the said petitioners a tract of land called "Ballona", and that on the 31<sup>st</sup> day of December A.D. 1839 the said land was judicially measured, and judicial possession of the same was duly given.

There is no proof that any approval was even made by the Departmental Assembly

It is proved by the deposition of Abel Sterns that the claimants have occupied the land in question ever since the year 1832, and that they now occupy it. That they had two or three houses on the land, had stock of horses and cattle on it, and that a portion of it was under cultivation.

The evidence in my judgement shows a substantial compliance with the conditions of the law.

The judicial possession defines the boundaries with sufficient exactness to identify the land, besides it is our proof, that the land is entirely



surrounded with other Ranchos.

A Decree of Confirmation will be accordingly entered.

Filed in Office Feb'y 14<sup>th</sup> 1854,

Geo. Fisher  
Sec

123 SD  
PAGE 62

Decree of  
Confirmation

Agustin Machado, Ignacio Machado  
Felipe Salamantes & Thomas  
Salamantes,

vs  
The United States

In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim in this case is valid, and it is decreed that the same be confirmed. The lands of which confirmation are hereby made are known by the name of "Balloni", and are bounded and described as follows: To wit: commencing at a cotton wood tree in which cuts of a hatchet were made, and running east seven thousand eight hundred and thirty five varas to a little pole bridge, thence running south nine thousand and eight hundred varas to the mouth of a creek, thence along the sea coast in a western direction, seven thousand and three hundred varas



to a point called the deep Gullies, thence north in a direction to strike the said Cotton wood tree seven thousand and eight hundred Varas, to the place of beginning.

123 SD  
PAGE 63

Reference for father's description to be had to the original part filed in the case, and to the map, which forms a part of the traced copy of the Expediente marked A, and which is also filed as evidence in this cause.

Alphens Delch  
Thompson Campbell  
W. Aug. Thompson  
Commissioners

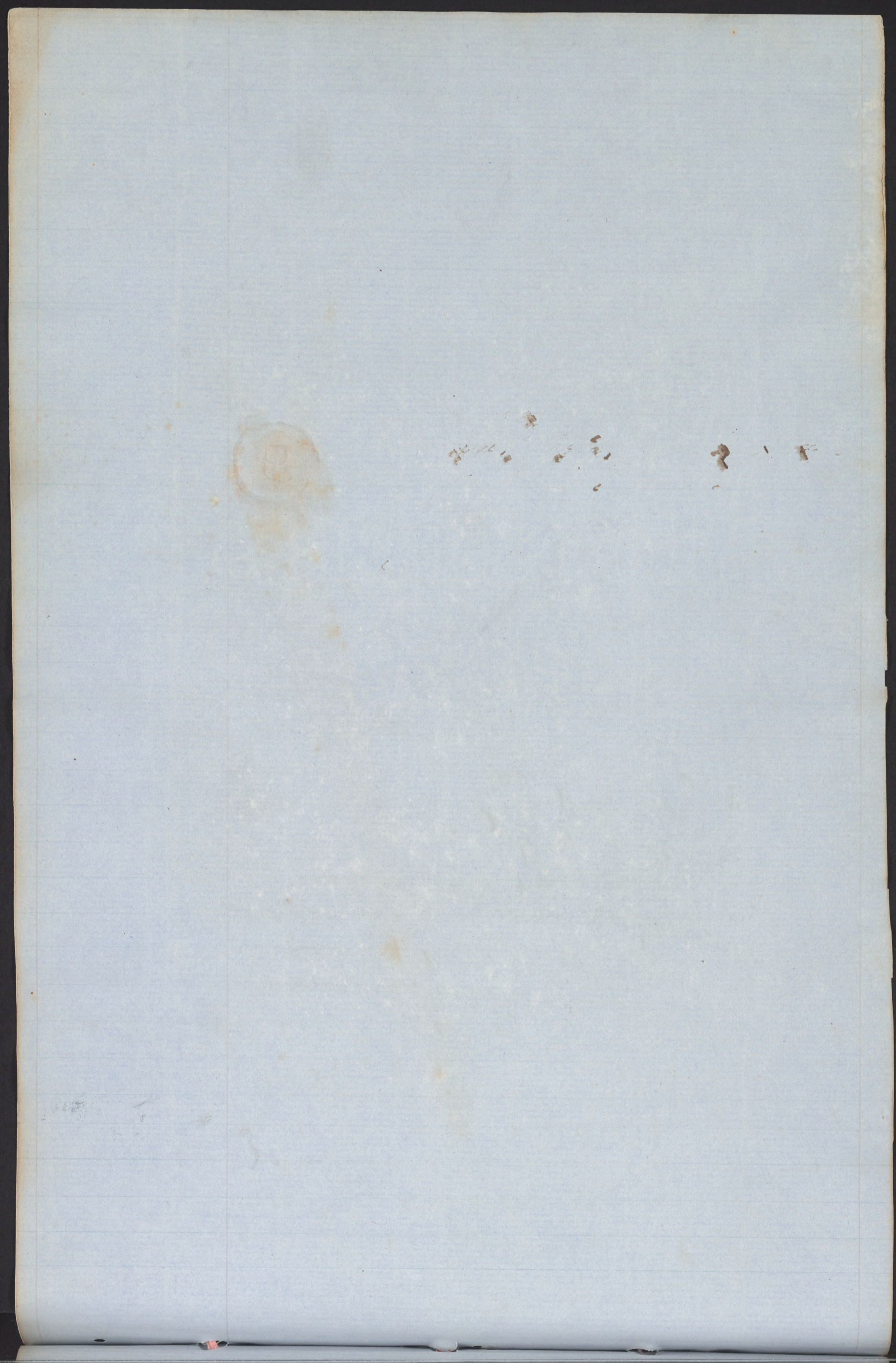
Filed in Office Feby 14<sup>th</sup> 1854  
Geo. Fisher  
Sec

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Office of the Board of Commissioners,

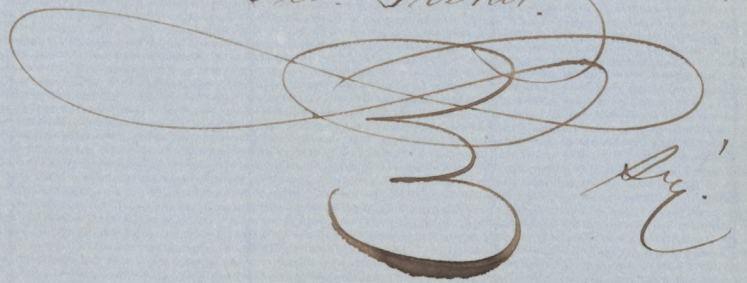
To ascertain and settle the Private Land Claims in the State of California.

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 *Sixty Three* pages, numbered from  
1 to *63*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *369* on the Docket of the said Board,  
wherein *Agustin Machas, et al,*  
*are*  
the Claimant against the United States, for the place known by  
the name of "*Ballona*"



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 third* day of *September*  
A. D. *1854*, and of the Independence of the  
United States of America the seventy=*ninth*.

*Geo. Fisher*





# 123.

123

DIST

here

3. D

E UNITED

vs.

*Justin Ma*

*al*

*Ballona*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 369

123

Filed, November 8<sup>th</sup>, 1854.

*J. E. [unclear]  
Clerk*

123

No 369





123 SD  
PAGE 65

Office of the Attorney General of the United States,

Washington, 17<sup>th</sup> January 1855.

Augustin Machado et al.

vs.

The United States.

} 369.

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 13<sup>th</sup> day of September 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

*Clinton*

Attorney General.



v.c.  
No 123. 1

U. S. District Court  
Southern District

The United States  
vs -  
Agustin Machado et al

Notice of appeal from Atty. Gen.

Filed Feb 27<sup>th</sup> 1835.

C. E. Farr.  
clerk.

123 SD

PAGE 66



Office of the Attorney General of the United States,

Washington, 17th January 1855.

123 SD  
PAGE 67

Augustin Machado et al. }  
vs. } 369.  
The United States.

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 13th day of September 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

*Clarking*

Attorney General.



No 123.

U.S. Dist Court,  
Southern Dist of Cal.

The United States,

vs.

Agustin Machado, et al.

appeal notice.

Filed March 8th 1855.

J. S. Carr.  
Clerk.

123 SD

PAGE 68

SD

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Vertical handwritten notes in the center margin, including the number 123.



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

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



123 SD

PAGE 69

Augustin Machado, et al. app<sup>es</sup>

Docket No. 123

ads.

The United States, app<sup>t</sup>

Transcript No. 369

**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 2<sup>nd</sup> day of October A. D. 1852, Augustin, and Ignacio Machado, and Felipe and Tomas Palamanter

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 Ballona situated 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 14<sup>th</sup> day of February A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioners. That thereafter, to wit: on or about the 8<sup>th</sup> day of November A. D. 1854, 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. 369; reference to which it is prayed may be had and made part of this petition. That on or about the 13<sup>th</sup> day of September A. D. 1854, 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 <sup>or about</sup> the 27<sup>th</sup> day of February A. D. 1855, the said  
Attorney-General of the United States filed, or caused to be filed, in  
behalf of the United States, a notice with the Clerk of said District  
Court of the United States, that the appeal in said cause from the said  
decision of the said Commissioners, in the District Court of the United  
States for the Southern District of California, would be prosecuted by the  
United States. Your petitioner further represents, that the land claimed,  
as aforesaid, is situate in the Southern District of California, and within  
the jurisdiction of this Honorable Court. Your petitioner further represents  
and insists, that the said claim is invalid; and the said decision of said  
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for  
many errors and imperfections of law and evidence, apparent in said certified  
transcript of the proceedings and decisions of said Commissioners in said  
cause, filed and appealed from as aforesaid. And your petitioner denies all  
and singular, each and every allegation in the said petition of said claimants  
presented as aforesaid to said Commissioners. And your petitioner further  
denies that the said claimants <sup>have</sup> ~~has~~ any valid right or title to said land claimed  
as aforesaid, or any part thereof.

123 SD

PAGE 70

And no sufficient proof having been made of the allegations in said pe-  
tition to said Commissioners, or in support of the said claim, no decision con-  
firming 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 claimants, or ~~his~~<sup>their</sup> attorneys 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 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.

123 SD

PAGE 71



No 123.

2

U.S. Dist Court.  
South Dist of Cal.

Agustín Machado, et al.  
appell

ad.

The United States  
appell.

Petition for Review

Filed Nov 8<sup>th</sup> 1835.

123 SD  
PAGE 72

Wm.  
C.R.

P. O. A. Wally.



United States of America, }  
Southern District of California. } SS.

TO

The President of the United States,

*Agustin Machado, Ignacio Machado, Felipe  
Salamantes and Tomas Salamantes*

123 SD

PAGE 73

*mm*

GREETING:

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 *9th* day of *November* in the year of our Lord one thousand eight hundred and fifty-*five* at the City and County of Los Angeles, in said District, by

*J. Ord U.S. Dist. Attorney for the  
Southern Dist. of California in behalf of the United  
States, praying the said Court to review the Decision  
of the U.S. Land Commissioners of the 14<sup>th</sup> of Feb'y 1854  
Confirming your claim to the Land Called La  
Ballona, situate in the County of Los Angeles  
and appealed by the Attorney Genl. of the  
United States*

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. *the plaintiff will apply to the Court for the relief demanded therein*

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this *tenth* day of *November* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

*J. J. San*

Clerk.



123.

Marshals Court  
Copying Summons \$ - 60.  
Serving do \$ 3. -  
Petition \$ 3. -  
\$ 6. 60

United States of America,  
Southern District of California,  
U. S. DISTRICT COURT.

Agustín Machado, et al  
Appes. adv. { 1855.  
The United States  
app. (b.)

SUMMONS.  
Rec'd Nov 13<sup>th</sup> 1855  
Edward Hunter  
U.S. Marshal

123 SD  
PAGE 74

I served this summons along with the proper copy of the petition upon ~~J.R. Scott Attorney~~ <sup>William Dryden</sup>  
~~for Agustín Machado, Ignacio Machado, Felipe Talamantes~~  
~~and Tomás Talamantes,~~ by delivering to him  
personally a true Copy of the same

at Los Angeles in the Southern District of California on  
the 24<sup>th</sup> day of Nov Dec A. D. 1855.

Sworn to and subscribed before me, Nov 24 }  
1855. }  
J. E. Jan. Clerk.

Edward Hunter  
U.S. Marshal.  
Dr. McGoodman  
Deputy



United States of America, }  
Southern District of California. } SS.

TO

The President of the United States,

*Agustin Machado, # Ignacio Machado  
Felipe Salamantes, + Tomas Salamantes.*

123 SD

PAGE. 75

GREETING:

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 8<sup>th</sup> day of November in the year of our Lord one thousand eight hundred and fifty- at the City and County of Los Angeles, in said District, by

*J. Ord. U.S. Dist. Attorney for the  
Southern Dist of California, in behalf of the United  
States, praying the said Court to reverse the decision  
of the U.S. Land Commissioners of the 14<sup>th</sup> of Feb. 1854  
confirming your claim to the Land called La  
Ballona, situate in the County of Los Angeles  
and appealed by the Attorney General of the United  
States*

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. *the plaintiff will apply to the Court for the relief demanded therein*

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this *tenth* day of *November* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

*J. Ord.*

Clerk.



1223

Market Cost

Copying Summons \$ - 60.  
Hurry do 3. -  
Petition 3. -  
\$ 6. 60

United States of America,  
Southern District of California,  
U. S. DISTRICT COURT.

Agustin Machado, et al.  
Plf's

vs. } No 123.

The United States, Appls.

SUMMONS.

Rec'd Nov 13<sup>th</sup> 1855  
Edward Hunter  
M.A. Marshal

123 SD

PAGE 76

William Dryden

J. R. Scott

I served this summons along with the proper copy of the petition upon ~~Attorney for Agustin Machado, Ygnacio Machado~~  
~~F. Talamantes, Felipe Talamantes, & Tomas Talamantes,~~ by  
delivering to him personally a true copy of the same

at Los Angeles in the Southern District of California on  
the 24<sup>th</sup> day of ~~Nov~~ Dec. A. D. 1855

Sworn to and subscribed before me, ~~Nov 24~~  
1855.

J. J. Van, Clerk.

Edward Hunter  
M.A. Marshal.

Wm L Goodman  
Deputy



United States of America, }  
Southern District of California. } SS.

TO

The President of the United States,

*Agustin Machado. Ignacio Machado.*

*Felipe Salamantes, & Tomas Salamantes.*

123 SD

PAGE 77

GREETING:

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 *November* in the year of our Lord one thousand eight hundred and fifty-*five* at the City and County of Los Angeles, in said District, by

*P. Ord., U.S. Dist. Attorney for the Southern Dist. of California, in behalf of the United States, praying the said Court to review the decision of the U.S. Land Commissioners, of the 14th of Feb'y 1854, confirming your claim to the land called La Ballona, situate in the County of Los Angeles, and appealed by the Attorney General of the United States.*

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. *The plaintiff will apply to the Court for the relief demanded therein.*

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the said Court, this *twelfth* day of *November* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

*J. J. San*  
Clerk.



*Marshal Court*

*Copying Summons & Co.*

*Writing Summons & P.*

*Petition & P.*

*J. C. Co.*

United States of America,

Southern District of California,

U. S. DISTRICT COURT.

*Agustin Machado, et al.*

*appears*

*ad. Nov 23.*

*The United States, (appellee)*

SUMMONS.

*Quid Nov 13<sup>th</sup> 1855*

*Edward Hunter*

*U.S. Marshal*

123 SD

PAGE 78

I served this summons along with the proper copy of the petition upon *J R Scott*  
~~Attorney for Agustin Machado~~ *personally*  
by delivering to him personally a true copy of the same.

at *Los Angeles* in the Southern District of California on  
the *twenty eight* day of *November* A. D. 1855.

Sworn to and subscribed before me, *Nov 21.*  
*1855.* }  
*C. E. Jan.* Clerk.

*Edward Hunter*  
*U.S. Marshal.*  
by *M. S. Goodman*  
Deputy.



In the United States District Court,  
for the Southern District of California  
Los Angeles County;

123 SD

PAGE 79

Augustin Machado Case No. 123,  
et als. Appellus Transcripts, No. 369,  
ad. Sands called the  
The United States Ballona  
Appellants Los Angeles County.

And now comes the above named  
Appellees, by W. G. Dryden their Attorney and  
for answer to the Petition of Review filed  
herein by the Appellants, avers that their  
title to the lands claimed by them in  
this case, and described in the said Pe-  
tition of Review, and in the Transcript  
of the proceedings of the United States Land  
Commissioner, therein referred to, is good  
and valid.

Therefore, these Appellees prays  
the judgment of this Honorable Court, that  
the decision of the Board of United States  
Land Commissioners may be confirmed,  
and that the title of the Appellees to the  
said Sands may be decreed to be valid, and  
that they may be hence dismissed with their  
costs herein expended, & such further or general  
relief as to Equity & Conscience belong and their  
Case may require.

W. G. Dryden  
Attorney for Appellees



Proceeds of the ...

\$ 3.00

I send this answer on T. Card M.S. Atty for  
The Southern Dist of Cal, Dec 13<sup>th</sup> 1851  
Edward Hunter  
M.S. Marshall

Case No 123.

United States District Court  
Southern Dist of California

Agustin Macchada et al.  
vs.  
Appellees

The United States  
Appellants

Clerk

Made for 30<sup>th</sup> 1855

123 SD  
PAGE 80  
J. E. ...  
Secy.

M. G. ... Atty.



IN THE DISTRICT COURT OF THE UNITED STATES,

FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

Los Angeles,.....December Term, 1855.

123 SD  
PAGE 81

*Augustin Machado, et al*

|                              |            |   |                                                   |
|------------------------------|------------|---|---------------------------------------------------|
|                              | APPELLEE'S | } | No. 123.                                          |
| VS.                          |            |   | (No. 369. of Transcript.)                         |
| UNITED STATES,<br>APPELLANT. |            |   | On Appeal from the United States Land Commission. |

On motion of P. ORD, Attorney of the United States for the Southern District of California, it is hereby

ORDERED by the Court, that an appeal be granted the United States, to the Supreme Court of the United States, from the judgment of this Court against the said United States in the above entitled cause, rendered on or about the 19 day of December A. D. 1855.

*P. Ord*  
*Dist Atty.*



No. 123.

U. S. District  
Court of California

---

Augustin Machado et al  
appellees

vs  
The United States  
Appellants

---

Notice of Appeal C.

Filed med 4th 1886

C. E. Swan clk  
By O'Connell depy

---



Agustin Machado et al. } United States Dist. Court  
 Appellees } for the Southern District of  
 and } California Dec. Term  
 The United States } 1855 Place called  
 Appellants } "Ballona" So. Angle,  
 County.

123 SD  
 PAGE 83

This cause coming on to be heard at a regular term of this Court, on Appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle private lands claims in the State of California, under the Act of Congress Approved 3<sup>rd</sup> March A.D. 1851, on a Transcript of the decision and proceedings, and of the papers and evidence on which such decision was founded, and it appearing to the Court that said Transcript had been duly filed according to law, and Counsel for the respective parties having been heard, it is ordered, adjudged and decreed, that the said decision be ~~in~~ ~~its~~ ~~parts~~ ~~there~~ confirmed, and it is further ordered, adjudged and decreed, that the claim of the Appellees to a certain tract of land in Los Angeles County, West of the City of Los Angeles about three leagues and bordering on the Sea Shore, called the Ballona is valid, that said tract of land being the same now and for the last 18 or 19 years occupied by the Appellees, and bounded as follows Viz. Beginning at a cotton wood tree at a considerable distance from the house of said Rancho which is marked with hatchet cuts thence running East 7835 varas



to a little full-Bridge; Thence  
 South 9,800 varas to the mouth  
 of a Creek (Estero); Thence West  
 along the Sea Coast 7,300 varas  
 to the deep gullies (Barancos);  
 Thence Northwesterly 7,800 varas  
 to the place of beginning;  
 reference for a more particular  
 description being had to the  
 Grant, Map and judicial  
 possession of file in this case,  
 Juan M. Ogier  
 U. S. Dist. Judge

No 123.

U. S. Dist. Court  
 South, Dist. of Cal.

Aguilón Machado, et al.  
 vs  
 et al.

— add. —

The United States  
 applts.

Declar.

Filed Aug 10<sup>th</sup> 1886.

123 SD

PAGE 84

Recorded on Page 189  
 J. E. Jones  
 Clk.

164891  
 168891  
 164791

16491

16401



California Land Claims.

Attorney General's Office

18 September 1856.

Sir.

123 SD

PAGE 85

In the case of the claim of Agustin Machado et al., confirmed to the claimants by the Commissioners, Case no. three hundred and sixty-nine (369), and also confirmed on appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am

Respectfully

Cantony

Thief's Ord. Exp.

U.S. Atty for the

Southern Dist. of Cal.



3  
Machadachal

369

Rec'd Oct 21 1836

123 SD

PAGE 86



698

Mac  
3

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

Before the Honble. Judge S. N. Ogden  
December Term 1856.

123 SD  
PAGE 87

Agustin Machado et al. vs. N. 133.  
Advs. vs. "Ballona"  
United States vs. N. 369.

The Atty. Genl. of the United States having informed the U. S. Atty. for the Southern District of California that the appeal heretofore taken to the Supreme Court would not be prosecuted by the United States in a letter dated

and herewith annexed It is stipulated by and between the parties that the order heretofore made granting an Appeal to the Supreme Court, be revoked, and the decree of confirmation in said cause heretofore made by this Court, to wit, on the 19<sup>th</sup> day of <sup>December</sup> ~~January~~ 1856, shall now be made final

J. M.  
Dist. Atty.

W. E. Dryden  
Attorney for Claimant



Case No. 123.

Agustin Macias  
et al.  
ads.

United States

Notice from Attorney  
Genl. & Stipulation  
of parties to desist  
appeal to Supreme  
court. U. S.

Filed Jan 28<sup>th</sup> 1883  
C. J. Macias  
clerk

123 SD  
PAGE 88



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

123 SD  
PAGE 89

Before the Honble, Isaac S. E. Ogier December Term A.D. 1856.

Agustin Machado vs. } No. 123.  
ad. } Trans. N. 369.  
United States } "Ballou's"

Upon reading the Stipulation of the Attorneys of the Parties in the above entitled Cause, this day filed in Court, —  
It is ordered, adjudged, and decreed by the Court that the order granting the Appeal to the Supreme Court be revoked, and that the decree of Confirmation heretofore made by this Court in the said Cause to wit on the 19<sup>th</sup> day of ~~January~~ <sup>December</sup> A.D. 1856, be and the same is now hereby made final  
Isaac S. Ogier  
U.S. District Judge



No 123

Order to create name  
of animal

Filed Aug 28<sup>th</sup> 1834  
Chims  
CR



UNITED STATES OF AMERICA, }  
Southern District of California, } SS.

The President of the United States,

TO

Agustin Madrazo, Ignacio Machado,  
Felipe Salamantes and Thomas  
Salamantes

123 SD

PAGE 91

Greeting :

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 *8<sup>th</sup>* day of *November*, in the year of our Lord one thousand eight hundred and fifty-five, at the City and County of Los Angeles, in said District, by *P. Oro U.S. Attorney for the Southern District of California, in behalf of the U. States, praying said court, to review the decision of the U. S. Law Commissioners of the 14<sup>th</sup> day of febr'y A. D. 1854 confirming your claim to Land called "La Ballona" and situated in the County of Los Angeles, and appealed to by the Attorney General of the United States*

and that *You & 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 the ~~Petitioner will apply to the Court for the relief demanded therein.~~ *plaintiff will apply to the court for relief demanded therein*

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *ten<sup>th</sup>* day of *Novbr* A. D. 1855. at Los Angeles aforesaid

Signed } *C. E. Carr.* CLERK.

A True Copy of the Original Summons  
*Edward Hunter*  
U. S. Marshal.



No. 123

Marshal Court.

Copying Summons to

Serving do 3.

Petition 3.

J. C. Co.

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

Augustine Machado et al

appellants

vs }  
no }  
123 }

The United States  
appellants

SUMMONS.

Received

185

U. S. MARSHAL.

123 SD

PAGE 92

I served this Summons, together with a certified copy of the Petition, upon *William Dryden May* for the *Scipio Talamanca* & *Thomas Talamanca* by delivering to him a true copy of the same

at *Los Angeles* in the Southern District of California, on  
the *24th* day of *December* A. D. 185*5*.

Sworn to and subscribed before me, *Dec 26*  
*1855*

*J. E. Carr*

CLERK.

*B. W. Morgan*  
*Deputy*

*Edward Hunt*

U. S. MARSHAL.

*Frank S. Goodman*  
*Deputy*



Index to Transcript N.º 123.  
Agustin Machado et, als. for the lands  
called "Ballona" in Angeles County.

| Page          |                                                     |
|---------------|-----------------------------------------------------|
| 3 to 4        | Petition of Claimants to the Board of Commissioners |
| 5, 6, 7       | Deposition of Abel Stearnes.                        |
| 9             | Map.                                                |
| 10            | { Petition of Claimants to the Prefect              |
| <u>123</u> SD | { for the lands called Ballona, the Marginal        |
| PAGE 93       | Decree, —                                           |
| 10, 11        | { Notice taken by the Departmental Assembly         |
|               | { and the matter referred to the Committee on       |
|               | { vacant Lands.                                     |
| 11 to 12      | Report of the Committee on vacant Lands,            |
|               | { The Assembly decree the information asked         |
|               | { by the Prefect,                                   |
| 11            | { Order of the Prefect, to the Departmental         |
|               | { Assembly, to know if it approved the              |
|               | { report of the Committee on vacant Lands.          |
| 12.           | Approval of Departmental Assembly.                  |
| 12            | Report of the Prefect to the Governor               |
| 12, 13        | Decree of title by Alvarado.                        |
| 13, 14        | Original title Copied                               |
| 14, 15        | Surveyor's General's Certificate.                   |
| 16            | Translation of the Expediente begins,               |
| and 17        | the petition of the Claimants to the Prefect        |
| 17            | Prefect's order to Departmental Assembly            |
| 17            | The Assembly acknowledge the receipt                |
| and 18        | of the Expediente and refer to Committee            |
|               | on vacant lands.                                    |
| 18            | Report of Committee on vacant Lands                 |
| 18 19         | { The assembly grants the report asked              |
|               | { for by the Prefect.                               |
| 19            | { Communication from Prefect to Assembly            |
|               | { to know if it approves the report of              |
|               | { the Committee on vacant lands.                    |
| 19            | Approval of Departmental Assembly                   |



20 to 21 Decree of title.  
21, 22, 23, Copy of the Original title by Alvarado  
23 Orders of registration &c.

123 SD  
PAGE 94

### Spanish Documents

- 24 The beginning of an Expediente  
25 } A petition from the Claimants to the  
1<sup>st</sup> Alcalde.  
25, 26 Alcalde's Decree.  
26 31 The Depositions of Ricardu Vexar  
Polcarpio Iguera, Francisco y. Alvarado,  
Julian Valdez and Juan Bollete.  
32  
to 40 Translation of the foregoing Expediente.  
42 Commencement of juridical possession,  
Original Grant by Juan B. Alvarado  
to the Claimants for the lands called  
"Ballona"  
43. Orders for Notice to be taken of this  
Concession in the proper records and  
places. — Prefect's Order that the  
parties apply to the Alcalde for the  
possession.  
43. 44 } Petition of Claimants to 2<sup>d</sup> Alcalde for  
juridical possession.  
44 Decree of Alcalde admitting the petition.  
44 Alcalde proceeds to the lands &c  
Which juridical possession is concluded  
on Page 47. —  
48. Copy of a Document found in the Prefect's  
Office.  
48. 49. Petition of the Claimants to the 1<sup>st</sup> Alcalde.  
49 Order of Alcalde to take the Deposition  
of Guillermo Cota.  
49 to 50. Deposition of Guillermo Cota.



Page  
32.

C. Translation of Petition for Juridical Possession.

52. 53.

Alcalde's decree that he proceeds to give the possession prayed for.

54. 58

Translation of the Act of Juridical Possession.

59

H. H. No. 3. Annexed to the Deposition of Abel Stearns. before Com. Hall.

60

Translation of H. H. No. 3.

61. 62

Opinion of the Commissioners.

62. 63

Decree of the Commissioners.

123 SD

PAGE 95



No 123.

Indese.

*[Faint handwritten text, likely bleed-through from the reverse side of the page. The text is mostly illegible due to fading and bleed-through.]*





N<sup>o</sup> 123.

Augustine Machado et al

Objections,

123 SD

PAGE 97

1. That the alleged grant is vague and indefinite, as to extent and boundaries,
2. That the Map referred to in the expedient is vague and indefinite,
3. That the alleged act of judicial possession is not made according to the alleged grant & Map in the expedient. That it is therefore of no validity,
4. That there is no appropriation.