

CASE No.

69

SOUTHERN DISTRICT

HUASNA GRANT

ISAAC J. SPARKS

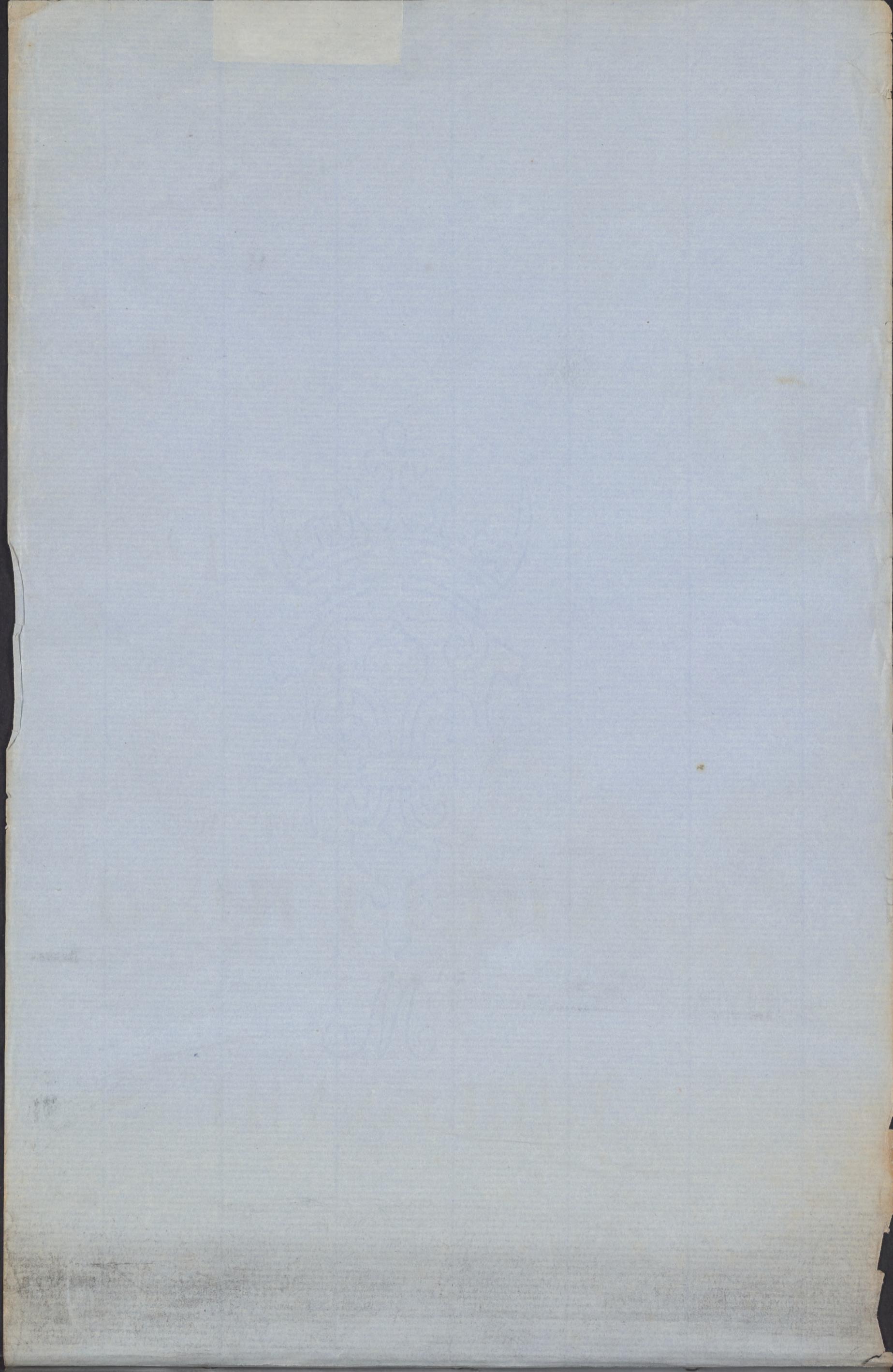
CLAIMANT

LAND CASE 69 SD pgs.56

FEB 18 1963

Permanitized
PLOVER BOND
35% COTTON FIBER
U.S.A.

36 a



69 SD

PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 363

Isaac J. Sparks

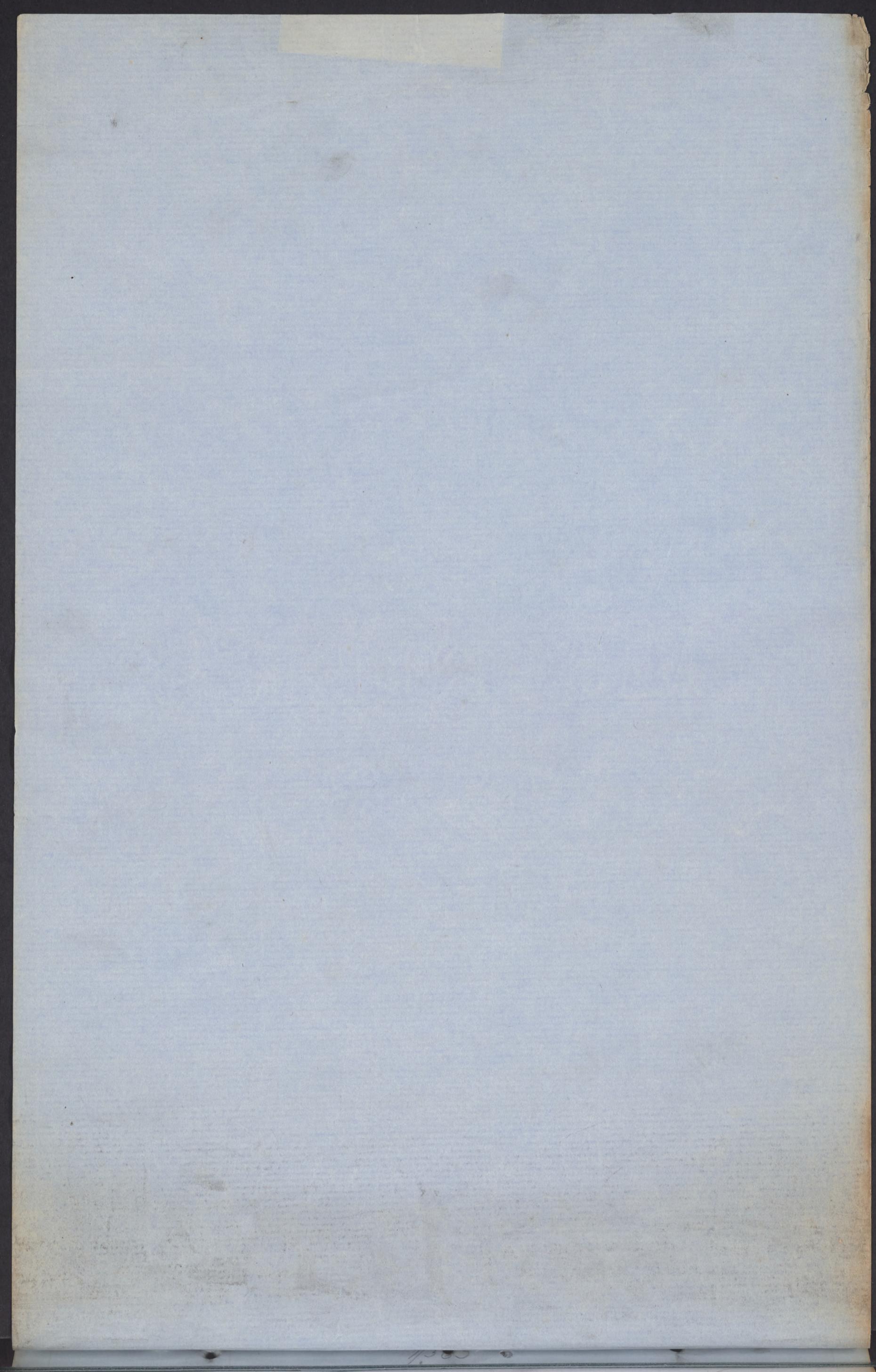
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Kouasma."



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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Be it Remembered, that on this *twenty ninth day of September*, 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 *Isaac S. Sparks* for the Place named *"Quasna"* was presented, and ordered to be filed and docketed with No. 363 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 September 29 1852.
In Case No. 263 *Isaac S. Sparks* for the place named "*Quasna*" the deposition of *Diego Ramon Malo*, a witness in behalf of the claimant, taken before Commissioner *Nicolas Deane* with document marked *D. D. No. 1* annexed thereto was filed,
(Vide page 5 of this Transcript)

San Francisco Jan. 15 1853.
In the same Case the deposition of *Nicholas A. Sen*, a witness in behalf of the claimant, taken before Commissioner *Henry S. Thorn* was filed;

(Vide page 6 of this Transcript.)

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San Francisco Aug. 30th 1853.
Case no. 363 claims Submitted on Briefs
on both sides and taken under advisement.

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San Francisco January 17th 1854
In the same case Commissioner R. Aug.
Thompson delivered the opinion of the Board
confirming the claim;
(Vide page 25 of this Transcript.)

To the Hon the Board of US Land Commissioners
appointed to settle private land claims in California

Petition

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The Petition of Isaac J Sparks respectfully sheweth
That on or about the 8th day of December 1843, Manuel
Micheltorena then Governor of California in the name of
the Mexican Nation, by virtue of the Colonization Laws
of August 18th 1824 the Regulations of November 21st
1828, the various laws of Mexico, the Customs and
usages of the country affording grants of land in Califor-
nia, Granted in full property unto your Petitioner.

Isaac J Sparks the tenes of land now Rancho situate
in the Pecos county of San Luis Obispo known by the name
of Anasua bounded by the rancho of Mr Ramon de
that of Dona Narciso Canillo, the Mountain range &
the low hills, containing at least five Spanish leagues
a little more if the same shall be found within the
said boundaries, reference being had to the original
papers and maps relating to this claim, for a more
particular description of the said lands, copies of
said papers and maps being herewith filed and which
your petitioner prays may be made part of this Petition
Your Petitioner further shews that on or about the month
of February A D 1844, your Petitioner was put in juridi-
cal possession of said Rancho and lands by the
proper Officer having jurisdiction of such matters, the
original papers and maps relating thereto being ready
to be produced and proved copies of which said papers and
maps are herewith filed and to which your petitioner prays
leave to refer as part of this Petition

There are no conflicting claims to said lands known
to your Petitioner, The said lands have been survey-
ed but not by the US Surveyor General for Califor-
nia,

The evidence upon which your Petitioner relies
in this case are the records of this grant in the Office

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and in charge of the U.S. Surveyor General for California
original maps copies of which are herewith filed and
to which your Petitioner prays leave to refer as part of this
petition and the testimony of witnesses to be produced
before your Honorable Board

Respectfully Submitted for such action as the justice
and nature of the claim may require

E. T. Crosby

of Counsel

for Claimant

Filed in Office September 24th 1852

Geo Fisher

Secretary

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Office of the Board of Comrs of California Land Claims
Los Angeles Sept 29th 1852

Deposition of on this day before Melan Hall one of the Commi-
sioners for ascertaining and settling Private
Land Claims in the State of California Comed
R. W. a witness produced in behalf of the defendant
Isaac Sparks whose petition is No 363 on the docket
of the Board deposes and swears, His evidence being
given in Spanish was interpreted by the Secretary
The U.S. Law Agent was notified and attended

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My name is Jose Racion Mendo my age is forty
years and I reside at Santa Barbara, I am acquaint-
ed with Isaac Sparks and have known him about
fourteen years,

I know the Rancho Guasna and have
known it for twelve or thirteen years,
It is situated near the North line of the County of
Santa Barbara and may be in the County of San
Luis Obispo, It was granted to said Sparks about
the year 1844, and it had been occupied by him
for about three or four years previous to that time
It has been occupied ever since,

I am acquainted with the hand writing and signa-
tures of Manuel Micheltoreen Manuel Jimenez
Jose Maria Covarrubias and Santos Antonio
Cavillo

A paper purporting to be a grant from Manuel
Micheltoreen to Isaac Sparks of the Rancho
Guasna dated December 8th 1843, together with
a map of the land granted and record of judicial
possession of the same, I have examined the sig-
-natures of the said persons appearing upon the
said paper and believe them to be genuine said
paper is here annexed and numbered N N 1
In answer to questions by the Law Agent the
witness says that the Claimant had a house

On the land as early as the year 1841, and that he had occupied it before that time with cattle

J. R. Meals

Sworn and subscribed before me

Alfred Hall

Comr

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Filed in Office Sept 29th 1852

Geo Fisher

Deputy

Deposition of N. A. Don

San Francisco Jan 15th 1853.

On this day before Comr. Henry J. Thornton came N. A. Don a witness in behalf of the claimant Isaac J. Sparks Petition N^o 363 and was duly sworn his evidence being given in English.

Questions by the claimant

Quest 1. What is your name age and residence
Answer My name is Nicholas A. Don my age is forty years and my residence is Santa Barbara Cal;

Quest 2. Are you acquainted with the Rancho Ansona claimed by Isaac J. Sparks, if you state where it is located, and what you know of its occupation and settlement;

Answer, I am acquainted with the land mentioned above, It is situated either in the County of Santa Barbara, or San Luis Obispo and I think it is in San Luis Obispo, The land was possessed and occupied as early as 1842 or 1843, by the claimant Sparks who has occupied it ever since as a stock farm for cattle and horses.

N. A. Don

W & L me Agent present } Sworn to and subscribed before me this 15th Jan 1853, { Henry J. Thornton Comr.

Filed in Office Jan 15th 1853, Geo Fisher Secy

21. folios - 10

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1844.

Expediente relativo a' la posesion
del rancho de Huasna.

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Sello Primero Ocho Pesos.

Habilitado provisionalmente por la aduana marítima del
puerto de Monterey en el Departamento de las Californias para
el año de mil ochocientos cuarenta y tres.

Micheltorena.

Manuel Costantines.

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Señal. Manuel Micheltorena General de Brigada del Ejército
Mexicano, Comandante General de la plaza mayor del
mismo, Gobernador Comandante General e Inspector de
Departamento de las Californias.

Por cuanto D^{no} Isaac J. Sparks, Ciudadano Mexicano
por naturalización ha pretendido para su beneficio per-
sonal y el de su familia el paraje conocido con el nombre de
Herasna, colindante con el rancho del Sr. Brunchi con
el del D^{no} Praxedor Lavillo con la Sierra y con las lomerías
muertas: practicadas previamente las diligencias y averiguaciones
concernientes segun lo dispuesto por leyes y reglamentos;
usando de las facultades que me son conferidas a nombre de la
Nacion Mexicana, he venido en concederle el terreno mencionado
declarandole la propiedad de él por las presentes letras, segun
-tautose a la aprobacion de la Junta Departamental
y bajo las condiciones siguientes.

1^o No podrá venderlo, enajenarlo ni hipotecarlo, ni por
-ner leuro, vinculo, fianza hipoteca ni otro gravamen aunque

2^o Debe cercarlo sin perjudicar las haciendas actuales
y arriales, lo disfrutará libre y exclusivamente, destinandole
lo al uso o cultivo que mas le aconviere, pero dentro de
un año fabricará casa y estana habitada.

3^o Solicitara del Juez respectivo que le dé la posesion
Jurisica en virtud de este despacho por el cual se debe-
-araron los linderos en cuyos limites pueden a mas
de sus mojeneras algunas arboles frutales o libertres
de alguna utilidad.

4^o El terreno de que se ha de otorgar es de
Cinco Sitios de Ganado Mayor segun explica el abieno

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respectivo. El Juez que otorga la posesion lo hará median-
te conforme a ordenanza quedando el sobrante que resalte a
la nacion para las usas convenientes.

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Si. Si contraviniere a estas condiciones perderá su
derecho al terreno y será denunciado por otro.

En consecuencia mandó que serviendo de título el presente
y teniendo por firme y verdadero, se tome razon de él
en el libro a que correspondia y se entregue al interesado para
su resguardo y otras fines.

Dado en Monterrey a ocho de Diciembre de mil ochocientos y tres.

Manuel Micheltorena.

Manuel Jimeno. Seco.

Queda tomada razon de este despacho en el libro respectivo
a p. h. Jimeno.

Sello Cuanto Las reales.

Habilitado provisoriamente por la Autoridad Mexicana el
puerto de Monterrey en el Departamento de las Californias
para el año de mil ochocientos Cuarenta y tres.

Micheltorena.

Manuel Castañares.

(Seal) El que suscribe Secretario del Gobierno del Departamento
de las Californias certifica que el original que se demuestra, firmado
y sellado por mi mano en el pleito que se acompaña a este docu-
mento es igual al original que existe agregado en el expediente
respectivo. Monterrey. Diciembre veinte y uno de mil ochoci-
entos Cuarenta y tres.

Manuel Jimeno.

here follows map of the land.

Sello Cuanto Las reales.

Habilitado provisionalmente por la Autoridad marítima del puerto de Montecney en el Departamento de las Californias juró las años de mil ochocientos cuarenta y cinco y mil ochocientos cuarenta y cinco.

(Seal) Micheltorena Pablo de la Guerra.

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For Juez de 1ª instancia

El Ciudadano Isaac J. Sparks, vecino de este puerto actual, parece y alega: que por título que debidamente acompaño otorgó mi favor por el Sr. Gobernador y Comandante General del Departamento, el ocho de Diciembre del año último pasado, soy dueño del terreno de Huasna y que solicito del Sr. me Dè la posesión judicial de dicho terreno de conformidad con la descripción de título y con el croquis que tambien acompaño. Que lo expuesto Sr. Jefe de la Jura promover en juicio en lo que respecta a mi favor. Que no usar de malicia y lo me lesario.

Sta Barbara. Enero 21 de 1844.

Isaac J. Sparks.

Sta Barbara. Febrero 1º de 1844.

En virtud de la antecedente solicitud, procedase por mi o la medición, señalamiento de lindero y posesión judicial del terreno de Huasna que solicita el interesado, señalándose para verificarlo el día diez y seis del corriente año en; citando con boletas de comparendo a los Coludantes Don José Mº Coronubias Juez de primera instancia y Alcalde 1º del partido de Sta Barbara actuando por receptoria con los testigos de asistencia voluntaria por falta de Mestano publico, así lo mandó, decretó y firmó de que doy fe.

José Mº Coronubias.

De att. Tomas M. Probbins. De att. Carlos Antº Carrillo.

En la misma fecha ^{mediante} Don Isaac J. Sparks, se le notifico el auto que antecede y de él entendido dijo; que lo oye y se oye por otorgado y lo firmó con miyo y los de mi asistencia. Isaac J. Sparks. José Mº Coronubias.

De att. Tomas M. Probbins. De att. Carlos Antº Carrillo.

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In continence se hizo boleta de compraventa a Don Francisco Brunchi coludante con Huasua y para Constancia lo escribi.

En el rancho de Huasua a las diez y seis dias del mes de Febrero del año de mil ochocientos Cuarenta y cuatro en cumplimiento del auto del dia proximo del año presente mes, concurrio el Ciudadano Francisco Brunchi, coludante de este runcho, y citado para la medición, señalamiento de linderos y procecion de el y nombre para medidores para no haber agrimensar, a D^{no} Juan V. O'Brien y a Samuel Smith quienes previa citacion y juramento, procedieron al desempeño de su encargo. Asi yo el Juez abarte mandé y firmé con las de mi asistencia.

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José M^o Corarubias.

Ello fué ante Los reales. He habilitado provisoriamente por la aduana maritima del puerto de Montreux en el Departamento de las Californias para los años de mil ochocientos Cuarenta y cuatro y mil ochocientos Cuarenta y cinco.

Meiseltorrea. Pueblo de la Guerra.

De esta. Juan Miguel Pruis. Guillermo Brest.

Inmediatamente que el expresado rancho se les notificó el auto en que son nombrados para medidores a D^{no} Juan O'Brien y a Samuel Smith, quienes entendidos dijeron que aceptaban y aceptaron dichas encargas y juraron a Dios nuestro Señor y una Señal de Cruz de usarlo fiel y legalmente atado su leal saber y entender, sin odio ni fraude contra persona alguna. Y para no haber envidia Smith hizo una Cruz firmándolo Don Juan O'Brien con miso y las de mi asistencia.

Juan O'Brien. José M^o Corarubias.

De esta. Juan Miguel Pruis. Guillermo Brest. esta.

Yn continence yo el referido Juez mandé tener a mi presencia el cordel con que se han de medir las tierras y que las medidores le midan de treinta varas y lo firmen con las de mi asistencia. José M^o Corarubias. De esta. Juan Miguel Pruis esta. Guillermo Brest.

En seguida y en presencia de mi el repetido juez las espaldas medidas tomaron un cordel de muerte y con una rana de medir usual mejicano midieron treinta Varas para hacer la medida mencionada y para constancia lo rubrique.

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En la misma fecha, yo el juez teniendo a la vista el abiseno del terreno de Huasna, me sitia acompañado de los testigos de mi asistencia de los medidores y de los espaldas Señores Spratts y Branchi en lo rumbo de una loma que esta S. E. del porteguelo de la Cañada de los Cuervos y mandé se tirase el cordel hacia el Porteguelo de Huasna y siguiendo las mediciones el rumbo S. E. por la cordillera de lo mas que estan al Sur. de este rancho se pasó por el rio de Huasna y se llevo al sangal de la villa S. E. del Rio de Sta Maria, en cuyo punto mandé poner una estacion a un Señal de liudeno y habiendolo preguntado a los medidores cuantos locales habian medido dijeron que habian hasta aquel punto seiscientos ochenta cordeles medidos.

Después yo el juez mandé que desde esta mojoneña se tirase el cordel al N. E. q. habiendo lo verificado la medida Sello Cuarto Dos reales.

Habilitado provisionalmente por la aduana maritima del puerto de Monterey en el Departamento de las Californias para los años de mil ochocientos Cuarenta y Cuatro y mil ochocientos Cuarenta y cinco.

Michoeltorena.

Pablo de la Guerra.

pasando por la villa este del arroyo de las Alturas, llegaron al pie de una loma alta de forma angular, en cuya cima se observa una remalita de arenales y habiendo oido los medidores que habian medido desde el sangal de la villa de Santa Maria hasta allí, ciento sesenta y seis cordeles y veinte Varas mandé se pusiese al pie de dicha loma una mojoneña que sirva de liudeno y que suspendieran las mediciones, para proseguirlos el dia de mañana. Y para constancia lo firmo con los de mi asistencia de goy y goy.

Señal María Coronadas. De esta. José Miguel Provis.
 De esta. Guillermo Brecht. En el ya mencionado
 rancho o los diez y siete días del mes de Febrero del año
 de mil ochocientos cuarenta y cuatro yo el Sr. me constituí
 personalmente con las de mi asistencia, los medidores y demás
 interesados, en la cumbre de la loma del portezuelo de la
 Cañada de las Cuevas, punto en q. de empezaron las medi-
 ciones el día de ayer con el objeto de proseguir las; y
 Después de haber mandado se pusiese en este lugar una
 mojónera en señal de lindero, hice tirar el cordel N. E.
 y pasando por la Cañada de Sepiuro hasta muy a recto
 del chaminal de medienon ciento sesenta y seis cordales
 y veinte varas; y preguntado parví o los medidores
 cuantos sitios de ganado mayor habian medido ayer y hoy
 y dijeron si faltaba para los unos sitios que el Gobierno
 ha concedido al Sr. Spauks; respondieron los medidores
 que habian medido cuatro sitios, cuatrocientas varas
 y que para el completo de los dichos sitios que ocupan
 medise faltaban cuatro mil seiscientas varas. En con-
 secuencia y Después de haberse puesto en este último punto
 una mojónera como lindero que enclavante corresponde
 con el que quedó señalado en la loma del arroyo de los
 Álamos, mandé se le quisiese tirar el cordel al
 mismo punto N. E. pasando al lado S. E. de una
 Cueva bastante remarcable como la medida a corta
 distancia de dicha Cueva y al pie de tres grandes arroyos
 que están en parte de un portezuelo que forman dos lomas.
 hasta cuyo punto llegó el último, dijeron los medidores
 haber medido ciento diez cordales, allí mandé poner
 una mojónera, y en seguida hice tirar el cordel
 al S. E. hasta llegar a la cima de una loma muy elevada
 que tiene arbolada por la parte norte al cual se
 declararon los medidores haber medido desde dichos
 señas doscientos diez cordales, y que según el cumpli-
 miento exacto que habian hecho de todas las medidas

resultara que los cinco sitios de Huasna mayor estaban medidos y señalados. En consecuencia yo el Juez mandé poner una estacion en la cumbre de dicha loma al pié de una estaca en señal de lindero y de daré concluidas las mediciones del terreno de Huasna y para constancia lo firmo con miyo y las de mi asistencia el medidor que sabé escribir, haciendo el año una Cruz de que doy fe.

José M^o Carrubias. Juan O'Brien
de esta. Juan Miguel Paris. de esta. Guillermo O'Brien.
Sello Cuanto Deas reales.

Habilitado provisionalmente por la aduana maritima del puerto de Monterey en el Departamento de las Californias para los años de mil ochocientos Cuarenta y cuatro y mil ochocientos Cuarenta y cinco.

Miencitorera. Pablo de la Guerra.
Real. Inmediatamente en el referido rancho de Huasna se como las tres horas de la tarde Don Juan Sparks a acompañando del presente Juez y testigos dijo que habiéndose medido las tierras de este rancho segun consta en la obligacion anterior, tomaba la verdadera, real, actual y temporal posesion de las expresadas cinco sitios de terrenos que le pertenecen por justo título que obtiene dado á su favor por el Sr. Señor Gobernador y Comandante General del Departamento de California del año mil ochocientos Cuarenta y cinco; esto y poco por ellos, aranceos yemas, espacio primarios de tierra, campo comun de las arboles, he hizo actos y demarcaciones de posesion en señal de lo que dijo; tomaba de las tierras de Huasna, correspondias de dichas cinco sitios; lo cual le fué dado quieto y pacíficamente sin contradiccion de persona alguna y en la que, yo el Juez dije; le amparaba y amparé á nombre de la nacion Mexicana, para no ser jamas despojado; y mandé que desde entonces le tubiesen por verdadero señor y poseedor de ellas; De todo lo referido precedio Don Isaac Sparks, que para memoria

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en lo veindero y conservacion de sus derechos le fuere
entendido una constancia por mi el repetido Juez; y lo
firmo con miso y los de mi asistencia con quienes actuo
por falta de escribano publico segun derecho de que
soy fe.

Isaac J. Sparks. José M^a Covarrubias.

De aba. Juan Miguel Paris. de aya. Guillermo Breck.

Sta Barbara. Febrero 14 de 1841.

Entreguese original el presente expediente a Don
Isaac J. Sparks para su resguardo.

José M^a Covarrubias.

Filed in Office. Sep. 24th 1852.

Geo. Fisher.

Secy.

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First Class Stamp Eight Dollars
 Given provisionally by the Maritime Customs of the
 Translation of Port of Monterey, in the Department of the Gulf or
 Great and Spanish Seas for the year eighteen hundred and forty three
 Session Micheltorena Manuel Bustanos

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(L.S.) Manuel Micheltorena Argandui General
 of the Mexican Army Adjutant General of the Staff of the
 same Governor General Comandante and Inspector
 of the Department of the Californias

Whereas Don Juan S. Sparks a Mexican citizen by
 naturalization, for his own benefit and that of his
 family has petitioned for the place known by the
 name of Hacienda Comaca by the Rancho of San Branch
 that of Dona Ramon Canillo, the prominent mesa
 and the low hills ~~known~~ just taken in relation
 thro' the steps and measures which the laws and
 Regulations require, in the exercise of the power
 vested in me in the name of the Mexican Nation, I do
 grant unto him the aforesaid premises and by those
 presents declare the title to be vested in him subject to
 the approbation of the Most Excellent the Assembly
 of the Department and on the following conditions
 1. He can neither sell alien nor mortgage nor
 burden it with any other charge estate bond mort-
 gage or other incumbrance

2. He may fence it in without prejudice to the cross
 roads, high ways and rights of way he shall enjoy
 it fully and exclusively appropriating it to the use
 or culture as best suits his convenience, but within
 one year shall build a dwelling house there on and
 it shall be inhabited

3. He shall petition the Magistrate who has jurisdic-
 tion to give him judicial possession in virtue of this
 Patent,

The boundaries shall be marked out by such

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Magistrate man in the lines thereof he shall set besides
 the land marks some firs or in viewable forest trees,
 4. The land hereby granted contains five ranges (estros)
 for near cattle us appears by the sketch according to the
 same, The Mage who gives possession shall have
 it measured according to statute, Any land under con-
 -taining for the use and behoof of the Nation,
 4. If the grantee shall not comply with these conditions
 he shall forfeit his title to the land and it shall be
 open to the claim of any other,

Wherefore I order that these Presents be deemed and held
 to be a valid title and and be noted in the proper book
 and allowed to the party interested for his protection
 and further purposes

Given in Montevideo December the eighth one
 thousand eight hundred and forty three
 Manuel Michel Torera
 Manuel Simon Surtany

This Patent is entered in the appropriate Book folio
 4. Simon

Fourth Class Stamp Two eights of one dollar
 Provisionally sanctioned by the Maritime Customs of
 the Port of Montevideo, for the year one thousand eight
 hundred and forty three
 Michel Torera Manuel Custanans

(L.S.) The undersigned Government Secretary
 of the Department of the Colonies certifies
 that the plan which appears under the signature and
 seal of my office on the annexed sheet is a copy of the
 original annexed to the Minutes of the Board in my proceed-
 -ing relating thereto
 Montevideo December twenty five one thousand eight
 hundred and forty three
 Manuel Simon

(Plan)

Fourth bears Stamp Two Eights of one Dollar
Provisionally legalized by the Maritime Customs of
the Port of Montevideo, in the Department of the Cordillera
as for the years eighteen hundred and forty four and
eighteen hundred and forty five
Micheletorena Pablo de la Lanza

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(LH) Hon Judge of First Instance
I Isaac J Sparks a citizen and resident
of this port: do appear before you and say: that by title
brought duly presented, signed in my favor by his
Excellency the Governor and General Commandant
of the Department on the eighth day of December of last
year, I am owner of the tract of Huasna and which
you to give me judicial possession of said tract
of land in conformity with the title deed appraised
and the certificate given herewith likewise presented
Wherefore I pray that you will make such disposi-
tion as Justice requires, wherein I shall receive favor
I make oath that I have no evil intent and any other
necessary verifications
Santa Barbara Jan 31st 1844
Isaac J Sparks

Santa Barbara February 1st 1844

In compliance with the preceding
petition, I caused that I proceed to the measurement
demarcation of boundaries and judicial delivery
of the lands of Huasna as required for by the party
in interest and I appoint therefore the seventh
day of the current month: let summons to appear
issue, citing the proprietors of lands bounding
on the premises,
Mr Jose Maria Corrales Judge of First
Instance and first Alcalde of the District of Santa
Barbara, acting as referee with his ordinary

attesting witnesses in default of a notary ordered
as was signed and authenticated the above

Jose Maria Leovarrubias

Attest Thomas M Robbins Carlos Antonio Canillo

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On the same date Isaac J. Sparks being duly sworn was
notified of the foregoing private order and being infor-
med of its contents admitted by it of the same and the
power of citation and he has hereunto affixed his
signature with my own and that of my attesting
witnesses

Isaac J. Sparks

Jose M^a Leovarrubias

Attest Tomas M Robbins attest Carlos Anto Canillo

Men forth with summons to appear was served upon
Don Francisco Branchi, who, being born upon
Suasna, in witness whereof I affix my own manual
(A scroll)

At the rancho of Suasna on the 16th day of the
month of February A.D. one thousand eight hun-
-dred and forty four in company and with the private
order of the said metropolitan citizen Francisco
Branchi a proprietor of the land born and on said
Rancho, who was cited for the measurement and
-location of bornarias with jurisdiction following
thereof and I appointed for measurers in the abse-
-nce of my Surveyor, Don John O'Brien and Samuel
Smith, who, after accepting said Office and taking
the oath were proceed to the discharge of their duties
The map here so drawn and drawn and shown
(L I Stamp because as above)

Subscribed the same with my attesting witnesses

Jose M^a Leovarrubias

Attest Juan Manuel Paris attest Guillermo Beck

On the same day notice was given to the citizen

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Francis Branch whose lands are bounded by the
—meas, of the foregoing Judicial proceeding and he ad-
mitted over them of said offered his signature and
signed by me and my attesting witnesses

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Francis Branch Jose Ma Covarrubias
attest Juan Marquez Prais attes Guillermo Brock

To wit with and at the said Ranch notice was given
to John O'Brien and Samuel Smith of the order promulga-
—ting them measurers in writing being informed thereof,
stated that they accepted and accept the said
offices and made oath in the name of God our Lord
and by a sign of the cross to discharge their duties
faithfully to the best of their knowledge and under
standing without fraud or deception against any
person whatsoever and Smith not knowing how
to write subscribed with a sign of the cross and John
O'Brien signed his name together with myself and
attesting witnesses

John O'Brien x Jose Ma Covarrubias
attest Juan Marquez Prais attes Guillermo Brock

And Thompson of the said range ordered the cords
to be produced when with to measure the land
and that the measurers do measure the same
of the length of thirty rods signed by me and
my attesting witnesses

Jose Ma Covarrubias
attest Juan Marquez Prais attes Guillermo Brock

And Thompson in presence of me, the said range
the said measurers took a hair rope and with
a measuring chain of the usual Mexican standard
measured thirty rods for the purpose of marking
the said measurement

Witness my hand and seal
(A Seal)

On the same day the aforesaid Judge having before me the Plan of the tract of Huasna, joined myself together with my Official witnesses, the measurers and the aforesaid Messrs. Ranks and Branch on the summit of a hill situate to the South West of the "Portezuelo" (Depression in a hill) of the Cerro de las Cuevas and ordered that the line be drawn towards the Portezuelo of Huasna the measurements following a S. E. course along the range of hills situate on the south side of this Rancho, we crossed the River Huasna and came to the Willow Grove on the South East bank of the River of Santa Maria at which place I ordered a boundary mark to be set up and upon inquiring of the measurers how many lengths of the cord they had measured was informed by them that they were to this point by measurement six hundred and eighty lengths of the cord, the Judge instantly ordered that from this land mark the line be drawn in a North Eastly direction (L. S. Stamp became as above)

— Direction, which was done the measurers passing along the East bank of the Arroyo de los Alamos came to the foot of a high hill of an irregular form on the top whereof is observable a small grove of trees and the measurers reported that they had measured from the Willow grove of the River Santa Maria to this spot one hundred and sixty six lengths of the cord and twenty varas, whereupon I ordered a land mark to be placed at the foot of said hill to denote a boundary and that the measurements be suspended to be continued on the next day, In testimony whereof I subscribed the same with my aforesaid witnesses Certified

José María Covarrubias
Attorn, Juan Enrique Nolasco other Guillermo Ranks

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At the above said Ranchos on the seventeenth day of the month of February in the year one thousand eight hundred and forty four, the Judge placed myself personally with my attending witnesses Messrs Wm and other Parties interested on the top of the hill of the Portezuelo de las Leñas, the point where the measurements of yesterday commenced for the purpose of continuing the same and after ordering a landmark to be placed at this spot to denote a boundary, caused the line to be drawn towards the North East and passing by the Laguna de Reforma, into some up into the Abascoine there were measured one hundred and sixty six lengths of the cord and twenty seven; and the measurers being asked by me how many ranges (sitios) for neat cattle they had measured yesterday and to any man or man to state whether the extent fell short of the five sitios granted to Mr Sparks by the Government, they answered that they had measured four sitios four hundred seven and that to complete the five sitios that was to be measured there was lacking from thousand and six hundred seven

When upon and after passing at the last mentioned point a landmark as boundary which essentially comes down with that assigned on the hill of the arroyo of Los Alamos, I ordered the drawing of the line to be continued in the same North East direction and passing on the South East side of a very remarkable cave, the measurement terminated at a short distance from said cave, at the foot of three large oaks that stand in front of a "Portezuelo" formed by two hills and the measurers reported that they had measured from the last point to this one, one hundred and ten lengths of the measuring cord, I ordered a landmark to be placed there and caused the line to be drawn N. E. to the top of a very high hill which has a growth of trees on the North side,

And the measurers declared that they had measured

from the three oaks two hundred and two lengths of the cord area that by an exact computation they had made of all the measurements, it resulted that the five leagues were completed and assigned whom upon the Judge ordered a boundary mark to be set upon the top of — said here at the foot of an Oak and declared the survey of the lands of Huasna ended in testimony, some of the measurer who knows how to write has here set his name together with myself and attesting witnesses, the other subscribing a cross which I certify

John Brown Jose Ma. Covarrubias
Attest Juan Miguel Pais Attest Guillermo Bruck
(L. J. Stamp because as above)

And forth with at the aforesaid Rancho of Huasna at about three o'clock in the afternoon Mr Juan L. Sparks in the presence of the Judge and witnesses said that the lands of this Rancho having been measured as appears by the foregoing minutes he took and actual and corporal possession of the aforesaid five leagues of land since they belonged to him by lawful title issued in his favor by His Excellency the Governor and General Commandant of the Department on the eighth day of December in the year one thousand eight hundred and forty three, he entered and walked over them, pulled up grass, scattered handfuls of earth, broke boughs and did other acts and made other demonstrations of taking possession, in token of the possession which he proclaimed he was taking of the land of Huasna consisting of the five leagues aforesaid: and the same was quietly and peacefully delivered to him without let or hinderance of any person whatever, and the Judge declared that I maintained and maintain him in such possession in the name

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of the Mexican Nation to the end that he may never be despoiled thereof. And I or him that here forth he shall be deemed the true owner and possessor thereof

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PAGE 25

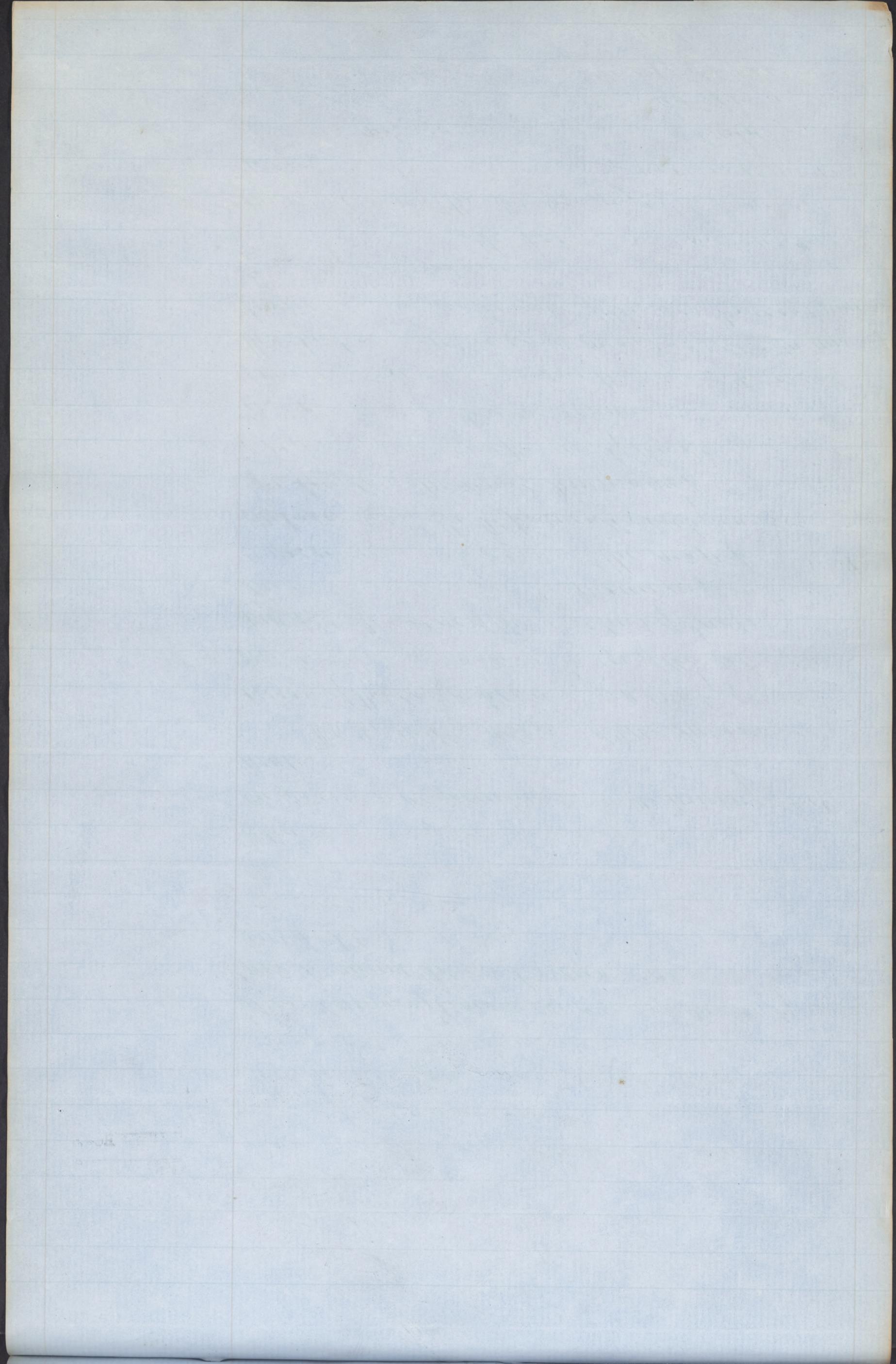
The said Isaac J. Sparks prayed that in remembrance for the future of all the aforesaid and in preservation of his rights, a certificate be made out to him by me the said Judge and he have set his hand with me and three official witnesses, with whose assistance I act for want of a Notary Public according to law which I certify

Isaac J. Sparks Jose Maria Covarrubias
Witness Juan Miquel Paris
Witness Guillelmo Bunk

Santa Barbara Feb 24. 1844
Let the annexed Minutes of Proceedings be returned in the original to Mr Isaac J. Sparks for his protection

Jose Maria Covarrubias

Filed in Office Sept 29th 1852
Geo Fisher
County



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PAGE 26
Munroe

Case No 363 }
Name of Sparks } For the place called Huasna
of } in the County of Santa Barbara
The United States } or San Luis Obispo

This claim is formed on a grant made by Governor Manuel Micheltorena Dated December the 8th 1843,

The signatures of the Governor and the Secretary Manuel Jimeno on the original grant filed with the proceedings of Jurisdiction are proved to be genuine by the testimony of J. R. Mads,

On the 16th of February 1844, Jurisdiction was duly given by Jose Maria Bonaventura Judge of the 1st Instance and 1st Alcalde of the District of Santa Barbara The original record of the proceedings in said act of possession with a copy of the map filed in the Archives with the Expediente, were carefully by the Secretary Manuel Jimeno and put in evidence and their genuineness proven by the same witness It is also proved that the claimant occupied the land several years before the date of the grant that he had a house on it and stocks of cattle and horses as early as the year 1841, and has continued to occupy it ever since

The boundaries were well defined in the record of the proceedings of Jurisdiction and were proven so accurately in the location and identification of the land

The claim is therefore confirmed
Filed in Office January 17th 1854
Geo Fisher Secy

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Decree of Case No. 363
Confirmation Juan L. Sparks
of
The United States

In this case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the Petitioner is valid, and it is therefore decreed that the same be confirmed.

The land of which confirmation is made is known by the name of Huasna being the same which was granted to the claimant by Governor Mariano Michelena on the 8th of December 1843. and has been held and occupied by said claimant up to the filing of his petition before this Board and is bounded as follows to wit:

Beginning at the summit of a hill situated to the south west of the "Portuñela" of the Comandante de las Armas where a landmark was placed and running thence in a south easterly direction to reach the "Portuñela" de Huasna, along the range of hills on the south side of said Rancho crossing the river Huasna to a willow grove on the south East bank of the river Santa Maria where a landmark was ordered to be placed the distance being 20.400 varas, thence in a north easterly direction along the East bank of the Arroyo de las Alamos 5000 varas to the foot of a high hill of an irregular form, on the top of which is a small grove of trees, where a landmark was ordered to be placed,

Thence returning to the top of the Hill of the
 Portucla de las Animas, the Point of beginning
 was running thence in a North Easterly direction
 passing the tempanal de S. Firmin, and on the
 south East side of a ^{very} remarkable leane 8300 varas
 to three large banks a short distance from said
 leane in front of a Portucla formed by two
 Hills - Thence South East 6300 varas to the top
 of a high hill which has a growth of trees on
 the North side, Thence to the foot of the hill
 on the Morros de las Animas where the second
 line terminated, the same being of the extent
 of five square leagues.

Reference for a more particular
 description thereof being had to the original
 grant and act of the said possession which
 are filed in the lease

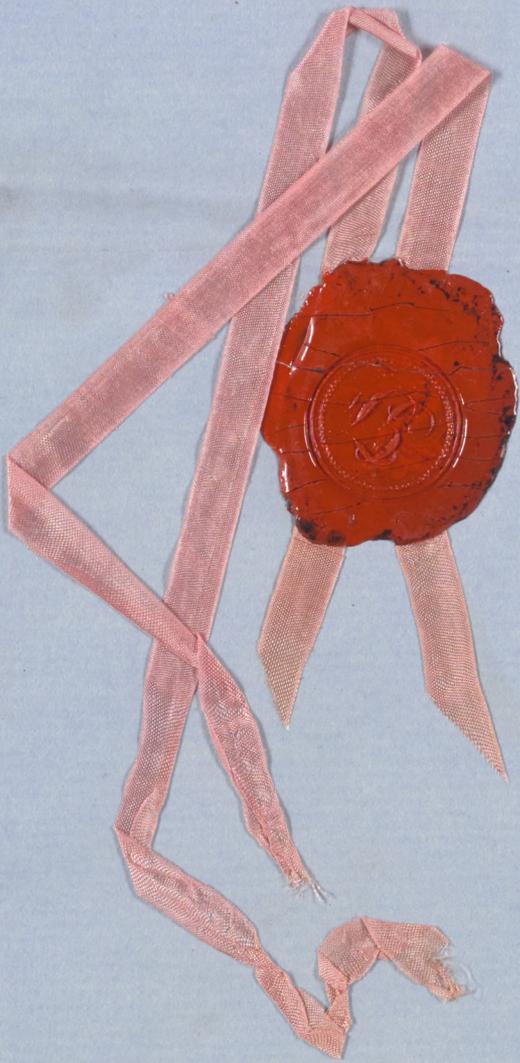
Alphon Ditch
 Thompson Comptrol
 N. Roy Thompson
 Commissioners

Filed in Office January 17th 1854
 Geo Fisher
 Secretary

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 *Twenty eight* pages, numbered from 1 to *28*, both inclusive, to contain a true, correct and full Transcript 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. *363* on the Docket of the said Board, wherein *Isaac J. Sparks* is

the Claimant against the United States, for the place known by the name of "*Quasna*"



In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this *twelfth* day of *September* A. D. *1854*, and of the Independence of the United States of America the seventy-ninth.

Geo. Fisher
Geo. Fisher

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U. S. DISTRICT COURT,

Southern District of California.

No. ~~88~~ 69 Docket

THE UNITED STATES, *appt.*

vs.

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Isaac S. Sparks
for Heasnal in
vs. Leagues S. Luis Obispo Co.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *363*

Recd 15 Sept 1854
Filed, 16 Sept 1854 185

A. S. Knight
Sp. Clk

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69.

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Office of the Attorney General of the United States,
Washington, 30th November 1854.

Isaac I. Sparks
vs. } 363.
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 30th day of August 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No 69.

U. S. District Court

Southern District.

The United States

vs.

Isaac J. Sparks.

Appeal Notice.

Filed Jan'y 10th 1855.

J. E. Carr.
clerk.

69 SD

PAGE 31

69.

Office of the Attorney General of the United States,
Washington, 30th November 1854.

Isaac I. Sparks, }
vs. } 363.
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 30th day of August 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

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69 No

69
Sparks
363

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

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Los Angeles County, State of California.

Isaac J. Sparks }
adv. } No 69 (Transcript No 363.)
The United States }

To the Honorable Isaac S. H. Ogier, Judge of the District Court of the United States for the Southern District of California. The petitioner of Pacificus Ord (of Los Angeles County) 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 his proper person, in the name and behalf of the United States, represents as follows.

That heretofore, to wit, on or about the 29th day of September A D 1852, Isaac J. Sparks presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, claiming the tract of land called Huasna, in the County of San Luis Obispo, in the words and figures

following, viz, "The petition of Isaac J
 " Sparks respectfully sheweth that on or
 " about the 8th day of December 1843,
 Manuel Micheltoreno the Governor of Cal-
 " ifornia in the name of the Mexican nation,
 " by virtue of the Colonisation Laws of August
 " 10th 1824 the regulations of November 21st
 " 1828, the various laws of Mexico, the Customs
 " and usages of the Country affecting grants
 " of land in California, granted in full
 " property unto your petitioner Isaac J
 " Sparks the tract of land and Rancho
 " situate in the present County of San
 " Luis Obispo known by the name of
 " Huasna, bounded by the Rancho of Mr
 " Branch that of Dona Ramon Carrillo,
 " the mountain range and the low hills,
 " containing at least five Spanish leagues
 " a little more if the same shall be found
 " within the said boundaries, reference
 " being had to the original papers and
 " maps relating to this claim, for a
 " more particular description of the said
 " lands, copies of said papers and maps
 " being herewith filed and which your
 " petitioner prays may be made part of
 " this petition. Your petitioner further shews

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 PAGE 33

" That on or about the month of February
" A D 1844, your petitioner was put in
" Juridical possession of said Rancho
" and lands by the proper officer having
" jurisdiction of such matters, the original
" papers and maps relating thereto being
" ready to be produced and proved copies
" of which said papers and maps are
" herewith filed and to which your
" petitioner prays leave to refer as part
" of this petition.

" There are no conflicting claims to said
" lands known to your petitioner, The
" said lands have been surveyed, but not
" by the U. S. Surveyor General for
" California.

" The evidence upon which your petition-
" er, relies in this case are the records
" of this grant in the office and in
" charge of the U. S. Surveyor General
" for California, Original papers copies
" of which are herewith filed, and to
" which your petitioner prays leave to
" refer as part of this petition, and
" the testimony of witnesses to be pro-
" duced before your Honorable Board.
" Respectfully submitted for such action
" as the justice and nature of the claim"

"may require."

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Your petitioner further represents that thereafter, to wit on the 17th day of January A D 1854. the said Commissioners Confirmed, by final decree, the said Claim of the said Isaac J. Sparks in the words, and figures following, to wit. "In this case on hearing the proofs and allegations, it is adjudged by the Commission that the Claim of the petitioner is valid, and it is therefore decreed that the same be confirmed. The land of which Confirmation is made is known by the name of Hansna being the same which was granted to the Claimant by Governor Manuel Micheltonus on the 8th of December 1843. and has been held and occupied by said Claimant up to the filing of his petition before this Board and is bounded as follows to wit: Beginning at the summit of a hill situate to the south West of the "Portenela" of the Canada de las Cuevas where a land mark was placed and running thence in a South-Easterly direction toward the Portenela

„ de Huasna along the range of hills on
 „ the south side of said Rancho crossing
 „ the river Huasna to a Willow grove
 „ on the South East bank of the river
 „ Santa Maria where a land mark was
 „ ordered to be placed the distance being
 „ 20,400 Varas, Thence in a North East-
 „ erly direction along the East bank of
 „ the Arroyo de los Alamos 5000. Varas
 „ to the foot of a high hill of an angu-
 „ lar form, on the top of which is a
 „ Small grove of trees, where a land
 „ mark was ordered to be placed,
 „ Thence returning to the top of the hill
 „ of the Porticula de las Cuevas, the
 „ point of beginning, and running
 „ thence in a North Easterly direction
 „ passing the Cañada de Sefirino, and
 „ on the south East side of a very
 „ remarkable Cave 8300 Varas, to three
 „ large oaks a short distance from said
 „ Cave in front of a Porticula formed
 „ by two hills, Thence South East 6300
 „ Varas to the top of a high hill, which
 „ has a growth of trees on the North
 „ side, Thence to the foot of the hill on
 „ the Arroyo de las Alamos where the
 „ second line terminated, The same

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being of the extent of five square leagues.
 Reference for a more particular description thereof being had to the original grant and act of juridical possession which are filed in the case.

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Alpheus. Fitch }
 Thompson Campbell } Commissioners
 R. Aug. Thompson }

That thereafter, to wit, on the 16th day of September, A D 1854, a duly Certified transcript of the said decree, and Proceedings, and the papers and evidence on which it was founded in said Cause, was filed in the office of the Clerk of the District Court of the United States for the Southern district of California and marked N^o 69. (Transcript N^o 363); reference to which it is prayed may be had and made a part of this petition. That on the 30th day of August A D 1854, the Honorable Caleb Cushing Attorney General of the United States received a duly Certified duplicate of said transcript of said final decree and proceedings of said Commissioners in said Cause (N^o 363) and the papers and evidence on

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which said decree was founded.

That thereafter, to wit, on the 10th day of January AD 1855, the said Attorney General of the United States, filed or caused to be filed, on behalf of the United States, a notice with the said Clerk of said District Court for the Southern District of California, that the appeal, in said Cause of Isaac I Sparks vs the United States, from the decision of said Commissioners to ascertain and settle the private land claims in the State of California, 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 said land claimed as aforesaid is within the jurisdiction of this Honorable Court. and your petitioner further represents, and insists that the said decree 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 said Cause, now on appeal from said Commissioners to

69 SD

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this Honorable Court.

And your petitioner further represents that the said Claim is invalid, and the said decree erroneous, on the following grounds.

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I And the said attorney denies all and singular each and every allegation in the said petition of said Claimant, to said Commissioners of said date; and he further denies that any grant for said land was ever made as alleged in said petition; and he denies further that the said Claimant has shown any, or sufficient evidence of the validity of the said Claim.

II. That the said alleged grant of Manuel Michelterens was made in violation of the 4th Article of the Colonization law of Mexico of the 18th of August AD 1824, in this; that the land granted, as alleged by Claimant, was and is within ten leagues of the Sea Coast; and there is no evidence shown by Claimant, that the supreme general Executive power of Mexico, previously approved of the Colonization of the public lands in Upper California,

Claimant with: + 1

lying within ten leagues of the Sea Coast. And it is denied that such previous Consent of said Supreme General Executive power of Mexico in such case was ever had.

III That ^{at} the date of the said alleged grant, the said land claimed as aforesaid, was occupied by and in the possession of the Missions of the Territory of Upper California; and it was held and occupied, particularly, by the Mission of San Luis Obispo — and could not therefore be colonized.

IV That the said alleged grant has not the conditions required by, and is not made in entire conformity with the laws of Mexico of the 18th day of August A D 1824, and the regulations for the Colonization of the Territories of Mexico of the 21st November A D 1828.

V. That at the time of the said alleged grant of land by Governor Micheltereno ~~by~~ to the said Claimant, he was not a native or Naturalized Citizen of Mexico; and had not the Capacity to acquire and hold the said land.

VI That the said Claimant failed to produce in evidence the records of this

alleged grant in Charge of the U. States
Surveyor General of California, as set
forth in his said petition to said
Commissioners

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PAGE 41

VII. That the said alleged grant of
said land by said Governor Micheltorena
to said Claimant of the date of the 8th
of December 1843, is, in its description
of the land, vague and indefinite.

VIII. That there is no evidence that the
said alleged grant was ever appro-
ved by the Departmental assembly
of California, or the Supreme Govern-
ment of Mexico. And it is denied
that it was ever approved by said
assembly or Supreme Government.

IX. That the said Claimant failed
to show any definitive grant or
title to said land.

X. That the said alleged juridical
survey and possession of said land
by Jose Maria Covarrubias, of the 16th
& 17th of February 1844, was illegal
and void; for the reason, that at the
said date, the said Claimant had
no definitive or complete title, in
virtue of which, alone, juridical

possession could have been lawfully given. 11

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PAGE 42
XI, That the said alleged juridical survey and possession was not made according to the said alleged grant, and map referred to therein; nor according to the ordinance, or law; and the said pretended survey or measurement of the said land, by said Covarrubias, is vague, ~~and~~ indefinite, and void for uncertainty.

XII That there is no evidence that the said Jose Maria Covarrubias was Judge of 1st Instance of Santa Barbara, on the 16th & 17th of February 1844; and that he had then, as such Judge, lawful authority to make the juridical ~~possession~~ measurement and give the possession of said land to said x x x Claimant. And it is denied that he was Judge of 1st Instance, of said place, at said time, and had lawful authority to perform said alleged juridical acts of survey and possession.

XIII. That there is no sufficient evidence that the said Claimant built a x x x house on the land within one year from the date of the said alleged

grant, and that it was occupied by him; and that he cultivated the land. And it is denied that he built a house and occupied it within one year from the date of the said grant; and that he cultivated the said land.

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PAGE 43

And no sufficient proof having been made by said Claimant of the allegations of his said petition, or in support of his said claim filed as aforesaid, no decree ought to have been made, or grounded thereon, but the said petition ought to have been dismissed, and said claim rejected by said Commissioners, upon the grounds aforesaid.

And the said Claimant having no valid right or title, derived from the Spanish, or Mexican Government, to the said land claimed by him, as aforesaid, the lawful right, or title in and to the said land, was acquired by, and it now belongs to the said United States, by virtue of the Treaty of peace, friendship, limits, and settlement, with the

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Republic of Mexico, dated at the City
of Guadalupe Hidalgo, February 2nd
1848.

69 SD
PAGE 44

Wherefore the said Pacificus Ord,
Attorney for the United States for the
Southern District of California, for and
in behalf of the United States, by
reason of the premises, and in pur-
suance of the act of Congress entitled
"An act to ascertain, and settle the
"private land claims in the State of
California", approved March 3^d A.D.
1851, and the laws and statutes
in such Case made and provided,
prays that the said Isaac J. Sparks
may be served with a copy of this
petition; and that this Honorable
Court will review the said decision,
or final decree of Confirmation of
said Commissioners, to ascertain and
settle the private land claims in the
State of California, and decide on
the validity of the said claims of
said Isaac J. Sparks, for said land
claimed and confirmed as aforesaid;
and that the same may be decreed
invalid. And all such orders,
Judgments, or decrees, as may be just

with Costs, and general relief

J. Ord

Attorney of the United
States for the Southern
District of California

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No 69

U. S. Dist Court
S. Dist of Ala

Isaac J. Sparks

adv

The United States

Petition of U. States
for Review

Filed Aug. 13 1855

J. E. Carr
clerk

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P. Ord Dist Ctly

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

69 SD

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Isaac I Sparks }
vs } No 69
The United States }

The answer of Isaac I. Sparks of the County of Santa Barbara, as claimant in his own behalf, to the petition of the United States District Attorney for the Southern District of California, claiming on behalf of the United States the Rancho of the "Suasna" containing five square leagues of land, situate in the County of San Luis Obispo in the Southern District of California and praying this Honorable Court to review the decision of the "Board of Land Commissioners to ascertain and settle private Land Claims in the State of California":

And the said Sparks, answering in his own behalf, denies all and singular, each and every allegation in said petition contained, save and excepting that the land is situate in the Southern District of California and affirms that his title to the land claimed is valid and prays that this Honorable Court affirm the decision of the aforesaid Board of Land.

Commissioner, and that his title to the said
Land be deemed to be true and valid, with
costs and general charges.

Wm. J. Sparks

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PAGE 48

WCE

Amounts cost

\$3,00

I send this answer on I Ord W. D. Athy
by delivering to him a copy of the same
This Dec 14th 1855

Edward Herndon
W D Marshal

No 69

To the District Court W. D.
Southern District of California

James S. Sparks.

of the United States

Complainant vs
of W. D. Athy & Petitioner

Filed Dec. 6th 1855

E. E. Barr

Attorney

By James S. Sparks

69 SD Athy.

United States District Court for the southern
District of California

December Term 1858

United States appellants

vs

Isaac J Sparks appellee

Case No 69

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PAGE 50

This cause coming on to be heard on appeal from the decision of the Board of Commissioners to ascertain and settle private land claims in the State of California under an act of Congress approved March 3^d 1851. Upon the transcript of proceedings and decision of said Board and the papers and evidence upon which said decision was founded, all of which has been duly filed in this Court, and counsel for the respective parties having been heard

It is ordered adjudged and decreed that the decision of said Board confirming unto the said Isaac J Sparks the lands described in the Original Grant filed in this case be and the same is hereby affirmed and that his said title is a good and valid one

The Land of which confirmation is hereby made is known by the name of "Huasna" and is situate in the present County of San Luis Obispo and is bounded and described as follows to wit, By the lands of Mr Branch and the Ranch of Dona Ramona Carrillo by the mountains and by the barren Hills, for a more particular description of which reference

being had to the grant of said land by Governor Manuel Micheltorena dated the 8th day of December 1843 with the accompanying map and the Juridical possession in aid of such description. the said grant map and Juridical possession are copied in the transcript in this cause and filed in this Court.

The land hereby confirmed is for five square leagues and no more within the boundaries above described provided such quantity be contained therein but if a less quantity be contained within said boundaries then confirmation is hereby made for such less quantity.

Augusto Ogier
N. J. D. J. J. J.

No 69

United States
appellants

vs

Raac J Sparks
appelle

Deer of Confirmation

Filed Aug 15th 1857

Chas
W.C.

Recorded in page 142

69 SD

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California Land Claims.
Attorney General's Office
27 Jan'y. 1857.

Sir:
In the case of the claim of
Isaac S. Sparks, confirmed to the
claimant by the Commissioner,
Case no. three hundred and six-
ty-three, (363), appeal will not
be prosecuted by the United States.
I am

Respectfully,
Canting

Placian Ord Eq
U.S. Attorney.
Los Angeles.

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

December Term 1857

69 SD.

PAGE 54.

Isaac J Sparks, appellee }
vs }
the United States appellant } Case No ~~518~~ 69
Transcript No 363

Notice having been received from the
Attorney General of the United States that it is
not the intention of the United States to prosecute
further the appeal in this cause as appears by
the letter hereto annexed.

It is hereby stipulated that an order of this
Court may be made vacating the order of
appeal heretofore granted, and that the
claimant have leave to proceed under the decree
of this court heretofore rendered in his favour,
as a final decree.

J. M. Dill Atty. Gen.

A Packard

Atty for Claimant

No 69

Massachusetts

Francis J. Sparks

appellee

vs
the United States

appellant

Transcript No 363

Filed 1st March 1858

C. Smith clk

J. M. Coleman
Dep

69 SD

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