

CASE No.

87

SOUTHERN DISTRICT

PASO DE BARTOLA GRANT

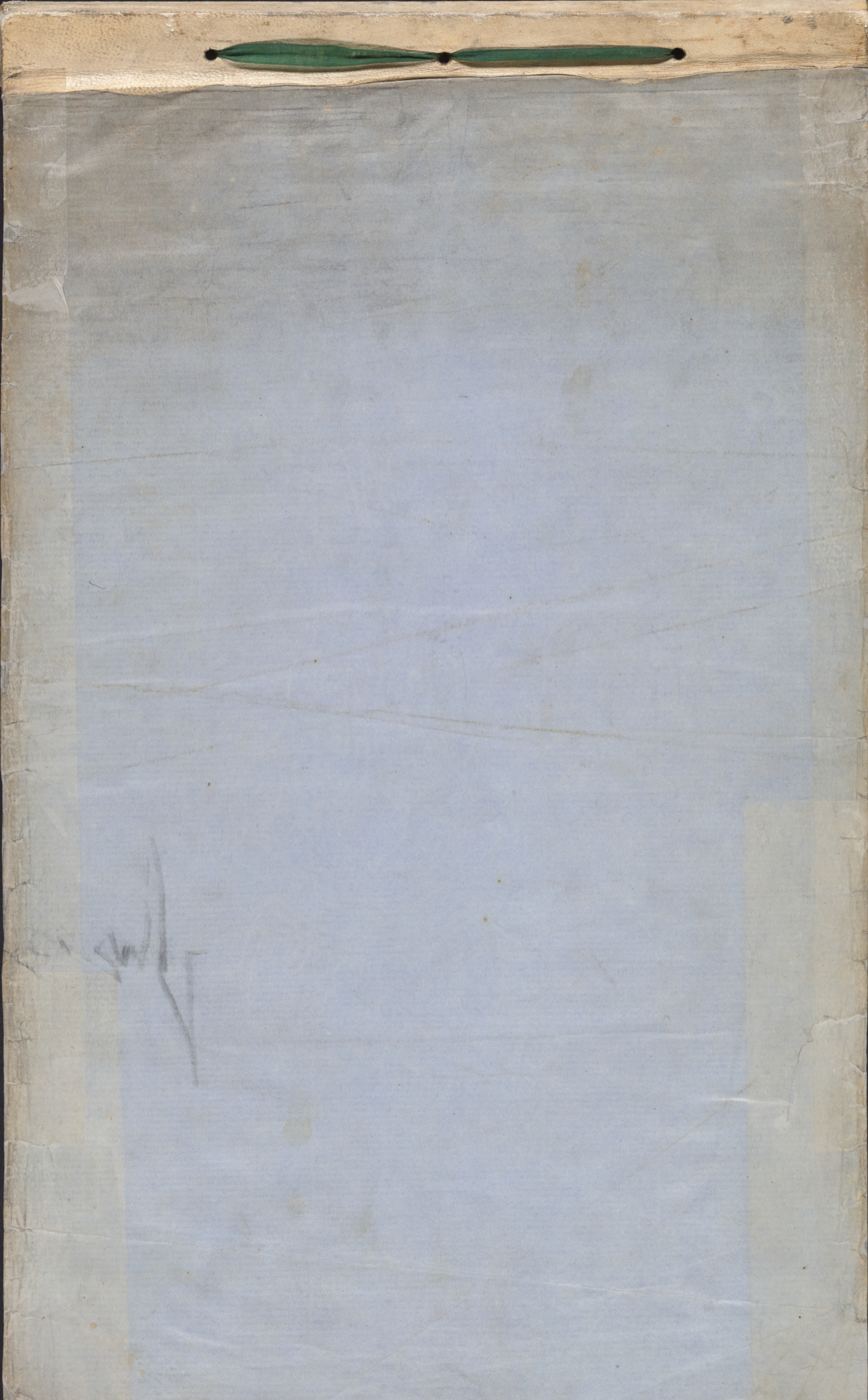
PIO PICO, ET AL

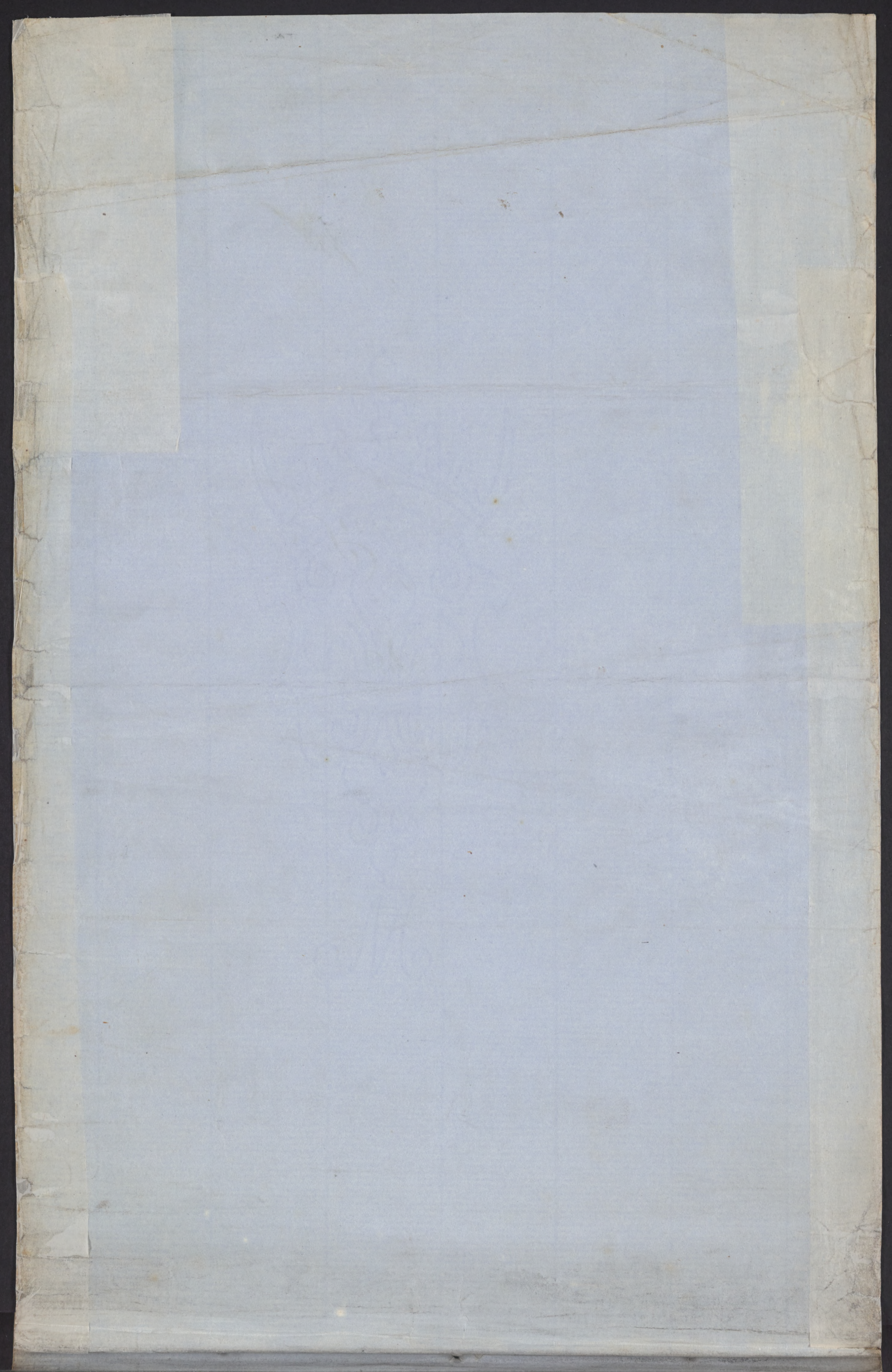
CLAIMANT

LAND CASE 87 SD page 204

FEB 20 1963

U.S.A.
35% COTTON FIBRE
FLOWER BOND
De manning





87 SD
PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. B73,

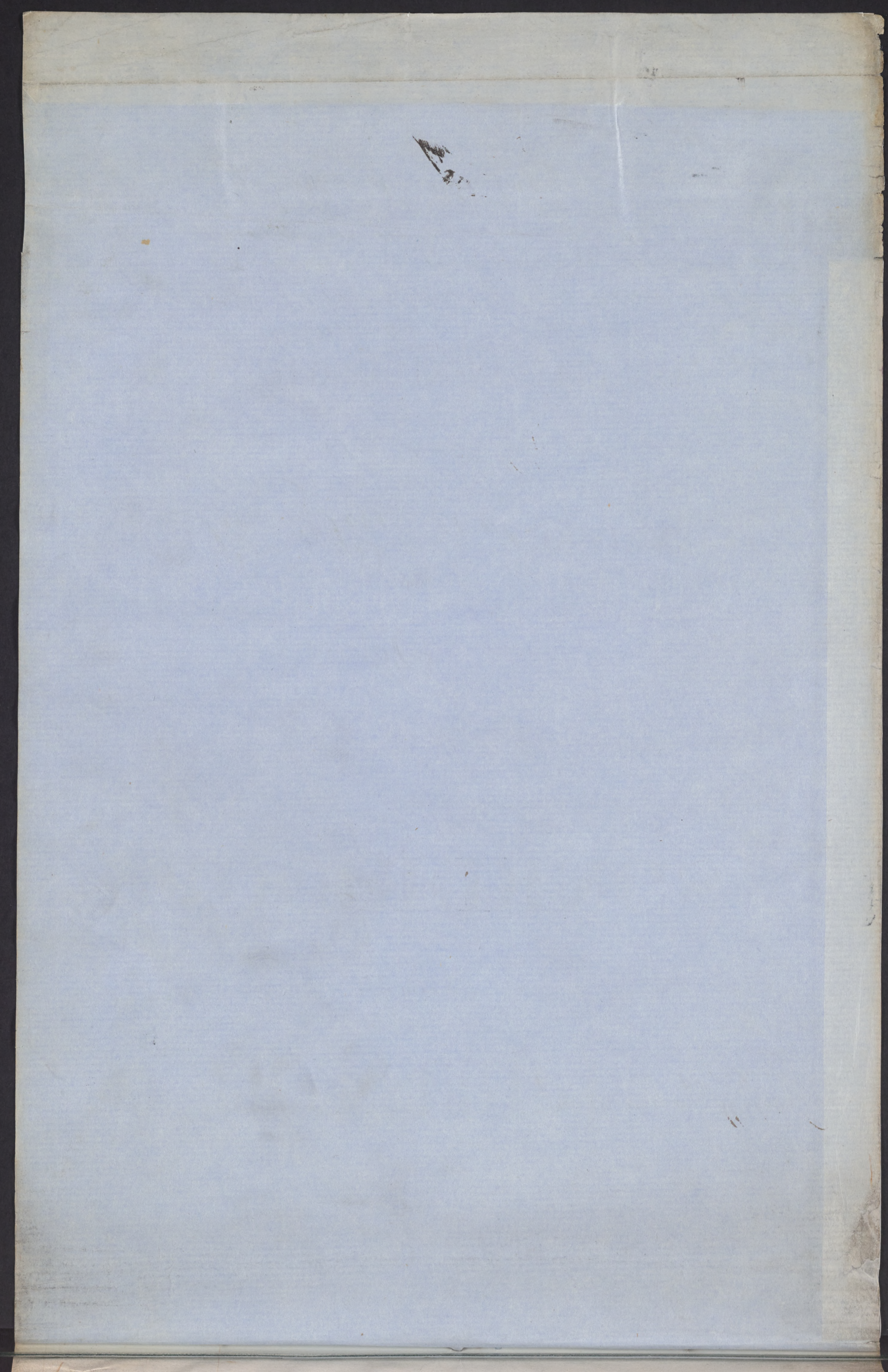
Pio Pico et al CLAIMANT,

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

'Paso de Bartolo'



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this fourth 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;

87 SD
PAGE 2

The Petition of Pio Pico et al;

for the Place named
"Paso de Bartolo,"

was presented, and ordered to be filed and docketed with No. 373 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 November 1st 1852.

In Case no. 373 Pio Pico et al; the Supplemental Petition of the claimants was presented and ordered to be filed among the papers in the Case, and is as follows, to wit;

(Vide page 67 of this Transcript)

Los Angeles November 4th 1852.

In the same Case the deposition of Hugo Rein a witness in behalf of the claimants taken before Commissioner Miranda Ball, with documents marked A. B. C. D. E. F. G. H. I. J. K. L. and translations thereof marked D. E. F. G. annexed thereto was filed;

(Vide page 6 of this Transcript)

2
San Francisco Aug. 16th 1853.
Case No. 373 Caccia; The Counsel for the
Claimants read the Evidence; argued,
submitted, and taken under advisement.

87 SD
PAGE 3

San Francisco December 27 1853
In the same case Commissioner Alpheus
Fitch delivered the opinion of the Board
confirming the claim;
(See page 89 of this Transcript)

3

Petition of
Pio Pico et al

To the Hon. The Board of the U. S. Land
Commissioners appointed to settle private Land
claims in California

The petition of Pio Pico and Juan Perez respectfully
sheweth. That on or about the 13th day of June A. D.
1835 Jose Figueroa then Governor of California in the
name of the Mexican Nation by virtue of the Colonel
Yates Law of August 18th 1824 the Regulations of
Nov. 21st 1828 the various laws of Mexico and the
customs and usages of the country affecting parts
of Land in California granted in full property
unto Juan Crespín Perez the trees of land and
Rancho known by the name of Pasa de Bartoto

87 SD
PAGE 4

Also containing two leagues of Land as bounded
and described in the papers and maps among the
Archives now in the custody of the U. S. Surveyor
General of California, as well as the original
papers and maps relating to said grant of land
hereby claimed. Copies of all of said papers
and maps being herewith filed, to which your
petitioners may leave to refer as part of this petition.
Your petitioners further show that the said grant
was approved by the Departmental Assembly
of California on or about the 29th day of August
1839 as appears of record in the Archives now
in custody of the U. S. Surveyor General for Cal-
ifornia a copy of all which said papers and
records are herewith filed and to which your
petitioners for greater certainty may leave to refer
as part of this petition

And your petitioners further show that on or about
the 20th day of April A. D. 1842 the said Juan
Crespín Perez was put in immediate possession
of said Land by the proper officers having jurisdiction
of such matters as appears by the papers
and maps relating to said grant of land the
originals of which said papers and maps are in

4
the hands of your petitioners ready to be produced
and proved; that copies of all said papers and
maps are herewith filed and your petitioners pray
leave to refer to the same for greater certainty as
part of this petition.

87 SD
PAGE 5

And your petitioners further show that the said Juan
Cespon Perez died leaving Thomas Ontiveros his
wife and five children to wit, Pedro Perez, Juan
Perez one of your petitioners, Cesantia Perez now the
wife of Bernardino Lopez Francisca Perez now the
wife of Mariano Selvas and Manuel Antonio Perez
now the wife of Pedro Romero all of whom have
conveyed their respective interests in said lands
to your petitioner Pio Pico except ^{said} Juan Perez who
is a joint petitioner with said Pio Pico and claims
one undivided tenth part thereof. That copies of
all the aforementioned conveyances and transfers
are herewith filed, to which your petitioners pray
leave to refer for greater certainty as part of this petition.
That said Rancho and lands have been in the
peaceable and quiet possession of said Juan
Cespon Perez from the date of said grant and
since that time of said widow and heirs of said
Juan Cespon Perez and your petitioners who are
now in the undisturbed and quiet possession of
said lands and Rancho with all the appurtenances
belonging to the same.

There is no conflicting claim thereto known to your
petitioners. The said lands have not been surveyed
by U.S. Surveyors General for California although
the same have been surveyed and measured
The evidence upon which your petitioners rely in this
case, are the records of this grant in the office
and in the custody of the U.S. Surveyor General
for California. Original papers and maps in
their hands relating to said lands copies of all

5

which said papers are herewith filed and your
petitioners may leave to refer to the same as part of
this petition - And the testimony of Witnesses to be
produced before your Hon Board -

Respectfully Submitted for such ^{action} as the justice and
nature of the claim may require -

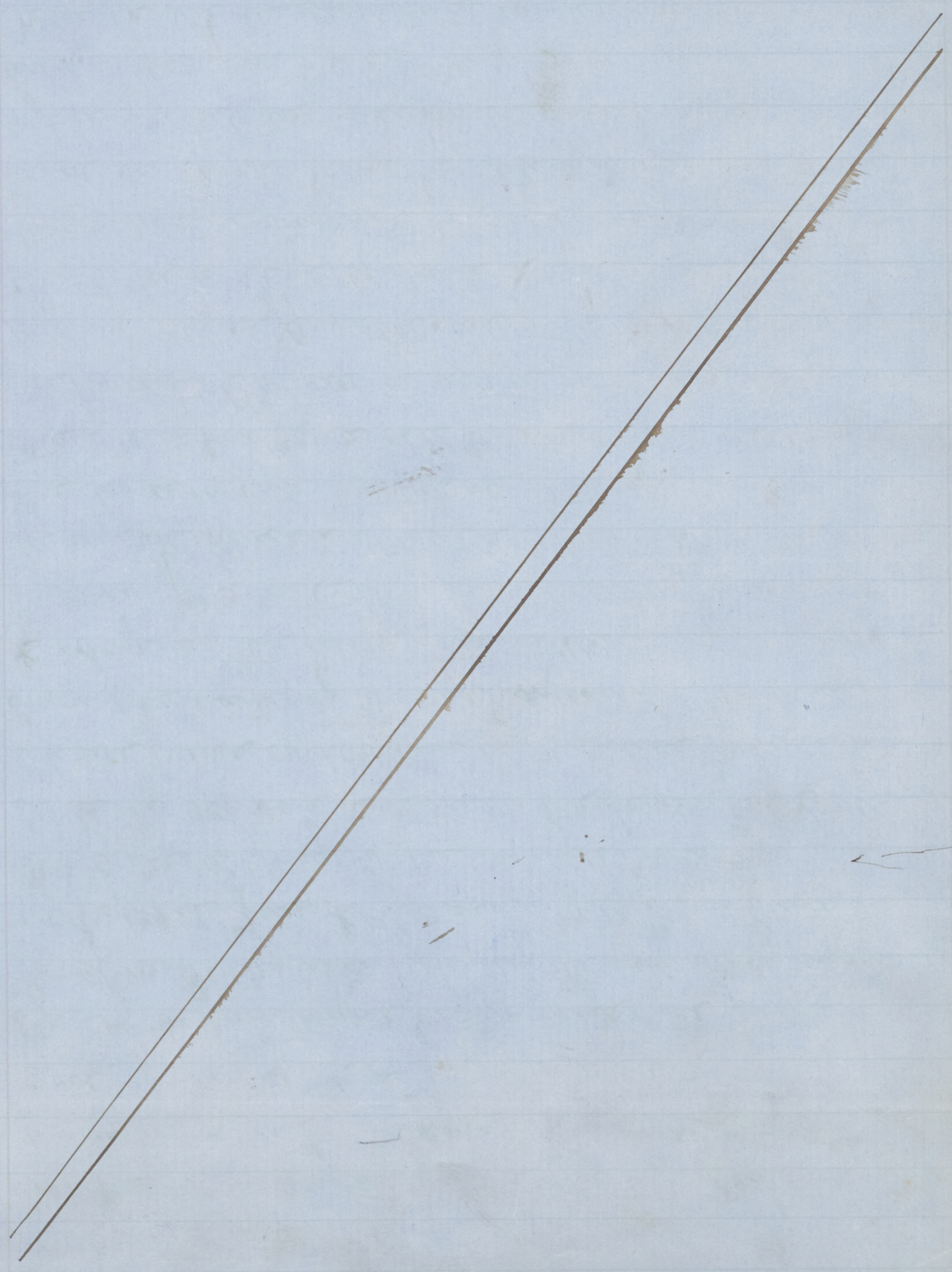
E O Crosby

of Counsel for claimants

87 SD
PAGE 6

Filed in Office Oct. 4th 1853

Geo. Fisher Secy



Depositor of
Hugo Reice

Los Angeles Nov 4th 1852

On this day before Leon Hiland Hull came Hugo Reice a witness in behalf of the Claimants Pio Pico and Juan Perez, Petition No. 373 and was duly sworn his evidence being given in English

The U. S. Law Agent was present

In answer to questions by the Claimants Counsel the witness testified as follows.

My name is Hugo Reice my age forty one years and I reside at San Gabriel in the County of Los Angeles

I have lived in California nineteen years

I am acquainted ^{with} the hand writing & signatures of Santiago Arguello, Jose R Arguello, Manuel Jimeno, Manuel Dominguez, Ignacio Coronel and Juan Sepulveda. A paper is now shown me purporting to be a testimonial of perpetual possession to Juan Crespo Perez of a tract of land called Paso de Bartolo Viejo given in the month of April 1842 and in which an official copy of a paper purporting to be a grant of said Land to Juan Perez is found dated June 12th 1835. The signatures of the said several persons appearing on said paper I believe to be genuine. Said paper is hereto annexed and marked H. H. No 1.

I am acquainted with the land described in said paper. It is situated on the rancho San Gabriel about five leagues from this place in a South Eastern direction in the County of Los Angeles. Juan Crespo Perez had been living on the land before the Land was granted to him and he continued living on it until his death which I think was in March or April 1847. He built a house on it in which he lived, and occupied it with cattle & sheep and horses, and cultivated a portion of the Land.

I am acquainted with the hand writing and signatures

87 SD
PAGE 7

7
of Pedro Perez, Bernardo Lopez, Francisco Fontoye
Stephen le Tevete, Francisco Boyzquez and
Miguel Leguero - A paper is now shown me purpor-
ting to be an instrument of conveyance from Juan
Crespo Perez to Bernardino Luisales dated Oct 22^d
1843 The signatures of the said several persons
upon said paper I believe to be genuine, My own
signature is, on said paper. Said paper is hereto
annexed marked H. H. No 2

87 SD
PAGE 8

I am acquainted with the hand writing & signatures
of Pedro Perez, Francisco Fontoye, Enrique Avila and
Ignacio Leonel

A paper is now shown me purporting to be a convey-
ance from Juan Crespo Perez to Coaquim Sepulve-
des dated 13th of March 1844 with a testimonial
of the deed possession annexed given in June 1847
The names of the said several last mentioned persons
appearing on said paper I believe to be their genu-
ine signatures. Enrique Avila who gave such
judicial possession was Alcalde and authorized
to perform such acts - said paper is hereto annex-
ed and marked H. H. No 3 -

I am acquainted with the hand writing and signa-
tures of Bernardo Lopez, Narciso Botello, W. G.
Dryden, O Morgan, Julian Chaves, Wilson &
Jones, Pedro Perez, James A Sanchez, Ignacio del
Velle, Benjamin Hayes, Benjamin Oldson, Mari-
ano Alvarez and John & Nicholas

A paper is shown me purporting to be a deed from
Tomasa Ontiveros to Bernardino Lopez dated 5th
March 1852. The signatures of Bernardino Lopez
Narciso Botello and W. G. Dryden on said paper
I believe to be genuine - It is hereto annexed and
marked H. H. No 4

A paper is also shown me purporting to be a con-
veyance from Bernardino Lopez his wife to Pio Pico
dated 23rd of March 1852. The signatures of said

82

Lopez and A Magan, Julian C Harris Wm. S. Hayden
and Nelson & Jones to same paper I believe to be
genuine. It is hereto annexed marked H. H. No 5
A paper is also shown me purporting to be a conveyance
from Pedro ^{Perez} and his wife to Pio Pico dated Augt
20th 1850. The signatures of Pedro Perez. Bernardino Lopez
Thomas A Sanchez and Ignacio del Valle on said
on said paper I believe to be genuine - said paper
is hereto annexed marked H. H. No. 6.

87 SD
PAGE 9

A paper is also shown me purporting to be a conveyance
from Pedro Ramos & wife to Pio Pico dated
Feb 19. 1857. The signatures of Benjamin Hayes and
B Nelson appearing on said paper I believe to
be genuine. It is hereto annexed and marked
H. H. No 7. A paper is also shown me purporting
to be a conveyance from Marciano Selvas & wife
to Pio Pico dated 28th of April 1851. The signatures
of John G Nichols and Wm S Hayden as also those
of Marciano Selvas on said paper I believe to be
genuine, said paper is hereto annexed and marked
H. H. No. 8.

On the decease of Juan Lorenzo Perez in 1847 the
land continued for a time in the occupation of
his heirs. It is now occupied by Pio Pico. He has
built a house on it, in which he lives & has stock
on it. Bernardino Guiralla and Joaquin Sepulveda
occupy separately small portions of the ranch which
they have purchased

Hugo Ricca

Sworn & Subscribed

Before me Heland Hall Comr

Taken in Office Nov. 4th 1852

Geo. Fisher Sec



9

Jurisdiccion del
P^o de los Angeles.

N^o 62

Año
de 1833.

Copy from
Archives.

Exhibit A.

87 SD
PAGE 10

Expediente sobre el paraje
Paso de Bartolo viejo
Solicitado para su ocupacion y beneficio por

Juan Crispin Peres

61

ms. 100
10

Sello tercero (place of a seal of the original) dos reales
Para los años de mil ochocientos
veinte y seis y ochocientos veinte y siete

87 SD
PAGE 11

Stamp on
the original for
one year
1828 & 1829

Por Jefe Sup^o Polit^o

El Ciudadano Juan Peres Alcalde

Stamp for
1831 & 1831

auxiliar del Rancho de Santa Gertrudis
Jurisdiccion del Pueblo de los Angeles, ante
U. S. comparece y digo: que siendo Dueno
de considerables bienes de campo y por no
tener un terreno de mi propiedad para su
fomento y proveer me dirijo a' U. S. en

Stamp for
1832 & 1833.

Angelas Set^a 21 de 1833. Solicitud de un sitio que se comprende
De conformidad con las desde el Paso de Bartolo Viejo hasta la
leyes de la materia, info. Cañada verde y de esta á la de la puente
me el Ilustre Ayunta - que entra en el camino principal de S^o
mi onto de pueblo de los Gabriel y de Este punto hasta la toma
Angelas, si el interesado de la misma Misión. En este terreno
en esta instancia obtiene au que estan comprendidos parte de
los preruidos requisitos tierras que corresponden á la espresada
para ser atendido en - Misión, me ha echo cesion de ellas la
su solicitud, si el terreno Comunidad para poder ocupar las y
que presende esta compr^o pedir las en propiedad, a excepcion de
dido en las 20 leguas la otra parte que pertenece a los
limitos por ó 10 litorales Señores Nietos en donde tengo fabricada
que espresa la ley de 18 mi casa y siembras que de todo se
de agosto de 1824, si es informara U. S. muy particularmente
de regadio, temporal por el diceno del terreno que presentare
o abrevadero, si pette lo mas pronto posible. Por tanto
neces a propiedad parti- A U. S. suplico se sirva acceder
cular, corporacion ó a esta mi peticion en que recibire

11

2

que
 pueblo con todo la gracia.
 demas que crea con du Pueblo de los Angeles 21 de sept^o de
 cente á ilustrar la ma 1833.
 teria. Evacuado que sea al Ruego del S^o Juan Perez por
 parara este expediente no saber escribir
 al pareo ministro de Andrés Pico
 la mision de San Gabriel para que informe lo que le ocurra. El S^o Jefe
 superior politico del territorio asi lo mando, decreto y firmo de que doy fee.

87 SD
 PAGE 12

Tigueroa

Agustin V. Zamorano
 pro

Pueblo de los Angeles 10 de Oct^o
 de 1833.

En virtud del antecedente decreto del S^o Jefe politico
 del territorio, informa este Il^o Ayuntamiento q el Ciu-
 dad^o Juan Perez es un individuo de conocida obrader, que
 obtiene todos los requisitos prevenidos para ser atendido en
 la gracia que solicita, que el terreno que pretende no esta
 comprendido en las veinte leguas limitrofes ni en las diez
 litorales que espresa la ley de 18 de Agosto de 1824, que
 una parte de dic. terreno es de regadio y la otra
 de temporal y abrevadero q note by the Sur^o General.-
 the original paper to the
 dotted line is somewhat
 spaced, that
 the writing
 cannot
 be read.
 pertenece a la Mision de S. Gabriel y la tramitasa a los herederos
 Manuel Nieto, pero q el expres^o Juan Perez lo ha cubierto con
 sus bienes detaced... pertenino de dth Nieto, por el tiempo de treinta
 años, poco mas ó menos detaced... cuanto tiene q informar este
 Il^o Ayuntamiento. a consecuencia detaced... repet^o decreto.

José Antonio Carrillo

Vicente Morada
 pro.

Mision de S^o Gabriel 12 de octubre de 1833.

No hai inconveniente alguno de que al interesado

12
Juan Peres Reconuda de ~~arú~~ de esta Misión
la gracia que pide.

Sello cuarto de oficio

Habilitado provisionalmente por la administración
de la Aduana marítima de Monterrey de la Alta
California para el bienio de mil ochocientos treinta y dos
y mil ochocientos treinta y tres.

Figueroa

Rafael Gonzalez.

Monterrey noviembre 21, de 1833.

Pase este expediente al Alcalde constitucional del
pueblo de los Angeles ante quien la parte de Juan Peres
producirá una informacion de tres testigos idoneos que seran
interrogados sobre los puntos siguientes. 1.º Si el solicitante
es ciudadano mexicano, si es casado y tiene hijos, y si es
de buena conducta. 2.º Si el terreno que solicita es de
la propiedad de algun particular, Misión, Pueblo, ó
corporacion alguna: si es de regadio, temporal o abre-
vadero y que extension tendrá: 3.º Si el pretendiente
tiene bienes de campo ó posibilidad de adquirirlos, para
poblar dichos terrenos. El citado Alcalde hará saber
este decreto al interesado para su cumplimiento, y á
los crederos de Manuel Nieto para que promuevan lo
que les combenga por lo respectivo al terreno de su
pertenencia. Practicadas que sean estas diligencias
devolverá el expediente para su resolucion. El Sr. Jefe
Superior politico del territorio, Genl de Brigada D.
José Figueroa así lo mando, decretó y firmó.
De que doy fe.

José Figueroa

Agustin V. Zamorano s.º

En el pueblo de nuestra Señora de los Angeles del territorio de la Alta California a los nueve dias del mes de Enero del año de mil ochocientos treinta y cuatro el Alcalde constitucional de dicho pueblo Ciudadano José Perez previa la citacion correspondiente conforme al antecedente decreto del Sr. Excmo. Gefe politico hice comparecer ante mi y dos testigos de asistencia por falta de Escribano publico el Ciudadano Juan Perez, quien habiendo presentado a los testigos calificados por idoneos Ciudadanos Antonio Maria Lugo, Francisco Sepulveda y Juan Ballasteros y habiendo se les hecho el interrogatorio que demanda el expresado superior decreto contestaron unanimes que el Ciudadano Juan Perez es Ciudadano Mexicano, ^{natural de este territorio,} que es casado con Maria Comasa de quien tiene una numerosa familia, que es de buena conducta; que el terreno que solicita se componde de dos partes, la primera pertenece a la Misión de San Gabriel y la segunda a los herederos del finado Manuel Nieto; que el expresado terreno es de regadio temporal y abrevadero, que tiene como dos leguas y tres cuartos de largo, poco mas o menos, y como dos leguas de ancho; que el repetido solicitante tiene de su propiedad bienes suficientes para poblar el sitio que pretende; y en prueba de ser asi cierto, que los expresados testigos otorgaron la antecedente declaracion, la firmaron conmigo y los testigos de asistencia, haciendo lo con una Señal de Cruz por no saber escribir los Ciudadanos Antonio Maria Lugo, y Francisco Sepulveda en el Pueblo citado, dicho dia, mes y año.

José Perez

de asist. Vicente Morada

de asist. Fran^{co} Pantoja.

Juan Ballasteros, Ant^o Maria Lugo +
Fran^{co} Sepulveda +.

Pueblo de los Angeles marzo 8 de 1834

No habiendo se cumplido lo mandado en decreto de 24 de Noviembre de 1833 sobre que se hiciera saber á los acreedores de Manuel Nieto para que promuevan lo que combenga á su derecho, conrase les traslado del expediente por el termino de ocho dias, cumplido el qual, lo devolveran para su curso, exponiendo lo que les combenga. El Sr D. Jose Figueroa General de Brigada, Comandante General y Jefe Superior politico del territorio de la

87 SD
PAGE 15

Sello cuarto de oficio

Habilitado provisionalmente por la administracion de la Aduana marítima de Monterrey de la Alta California para el bienio de mil ochocientos treinta y dos, y mil ochocientos treinta y tres.

Figueroa

Rafael Gonzalez

Alta California así lo mandó, decretó y firmó:
de que soy fee.

Figueroa

Por aus.^a del Secret.^o

Bernardo Navarrete.

17
S^r Gefe Sup^r Político.

373
El Ciudadano Juan José Nieto vecino del Rancho de Santa Gertrudis a U.S. con el debido respecto, espono: que contestando al traslado que se le ha corrido del expediente instruido a pedimento de Juan Pérez se señirá á manifestar q' el terreno del paso de Bartolo Viejo y Cañada Verde que pretenda, está comprendido en el que se reconoce por de la viuda del finado Antonio Maria Nieto el cual le fué concedido en propiedad como consta en el decreto de veinte uno de Julio de mil ochocientos treinta y tres; el que contesta a nombre de la parte agraciada q' el derecho que tiene es incuestionable, y no se lo niegan el Ilustre Ayuntamiento, y el S^r Alcalde, en sus informes que dan, el uno de diez de octubre de mil ochocientos treinta y tres, y el otro de nueve de Enero de mil ochocientos treinta y cuatro; proposición q' asegura mas el derecho de la parte agraciada, pues se confiesa que el terreno q' solicita dicho Pérez, está comprendido en dos partes, y esta es una prueba que este es propiedad particular, por lo mismo pide a U.S. le ampare en el goce de sus propiedades, que quieren arrebatarle sin justicia ni derecho alguno, protestando a U.S. que el mencionado Juan Pérez ha sido beneficiado, permitiendo le que se abeindase, cultivase, y criase ganados, en terrenos pertenecientes al exposante; y que para mayor beneficio se hizo donación, gravosamente de un pedazo de terreno, en la extensión que se demarcará en su dicción y U.S. si lo tuviere á bien, podrá autorizar dicha donación, que por haver bien y buena obra y por obsequiar la excitación de U.S. ha el preunte en favor del mencionado Juan Pérez, por tanto.

87 SD
PAGE 16

A D. S. Suplico se sirva decretar de conformidad a lo
 espuesto por Cor de Justicia Juro lo necesario &c. se
 estime esta en papel comun por no haber en
 el lugar del cello que corresponde. Angeles, marzo
 quince de mil ochocientos treinta y cuatro.

Juan Jose Nieto +

que por no saber firmar pone la señal
 — de la cruz.

Monterrey Mayo 10,, de 1834.

Librese orden a' Juan Jose Nieto
 para que espere cual es la estension de terreno que
 cede a beneficio de Juan Perez del perteneciente a
 Santa Gertrudis, espresando los parages que marcan
 sus linderos para que sean señalados en el titulo
 que se le ha de expedir, o diga si esta conforme con
 los linderos que ha señalado el citado Juan Perez en
 su solicitud. Hagase le saber tambien al precitado
 Perez para lo que le combenga y entre tanto suspenda
 se el curso del expediente. El Sr. D. Jose Figueroa
 general de Brigada, Comandante general, Inspector y
 Jefe superior Politico de la Alta California, asi lo
 mando decreto y firmo, de que doy fe.

Jose Figueroa.

Agustin V Carrasco
priv.

Sr Jefe superior Politico.

Monterrey 18 de
 Agosto de 1834

El Ciudadano Juan Jose Nieto
 vecino Gertrudis a D. S. con el debido
 Agreguese al respecto Expone, q en vista del su
 expediente respectivo decreto de 10 de Mayo ultimo
 livo. que manda se le libre orden para q
 Figueroa. espere cual es la estension de terreno
 que cedió a Beneficio de Juan Perez del

perteneciente a Santa Gertrudis ó diga si esta conforme con los linderos q ha señalado el citado Juan Peres en su solicitud. el que contesta que la extension de el terreno que cedio a beneficio del citado Juan Peres, es de Norte a Sur de 2500 Varas y de Oriente a Poniente de 3000 poco mas o menos, Colinda con el Rio de San Gabriel con el camino viejo con santa Gertrudis; y no esta conforme con los linderos que ha señalado Juan Peres en su solicitud; por q quita las tierras q se han cultivado desde la fundacion de Santa Gertrudis, y asi es que no puede estar conforme. Por tanto.

A. U. S. suplico se sirva decretar de conformidad a lo espuesto por ser de Justicia Juro no ser de malicia y lo necesario N.º va en papel comun por no haver en el lugar del sello que corresponde.

Angeles Julio 23 de 1834.

Juan Jose Nieto +

Sello tercero dos reales.

Habilitado provisionalmente por la administracion de la Aduana Maritima de Monterrey de la Alta California, para los años de mil ochocientos treinta y cuatro y mil ochocientos treinta y cinco.

Ligueroa

A. Ramirez.

Monterrey 12 de Junio de 1835.

Vista la peticion con que da principio este expediente, los informes de la autoridad municipal del pueblo de los Angeles y del Padre ministro de la mision de San Gabriel, las exposiciones de los testigos con todo lo demas que se tubo presente y ver comvino; de conformidad con lo

dispuesto por las leyes y reglamentos de la materia, de
 declara á D. Juan Crispin Perez, bajo las condiciones
 que se estipularon dueño en propiedad del terreno
 conocido con el nombre de Paso de Bartolo viejo
 colindante con el camino viejo de Santa Gertrudis —
 Rancho de este nombre, Rio y Misión de San Gabriel
 por las lomas de Noroeste y lomas de la Cañada
 verde, en cuya superficie esta comprendido una parte
 del Rancho de Santa Gertrudis que gratuitamente le ha
 cedido Dona Josefa Cota viuda de Don Jose Antonio
 Nieto, señalando por limites el punto donde está
 situada la casa del mencionado D. Juan Crispin Perez;
 Libre de el despacho correspondiente, tomese razon en
 el libro respectivo y virgase este expediente para la
 debida aprobacion á la Coma Diputacion territorial
 en cuyo caso el interesado a quien se le hará saber este
 decreto presentará nuevamente su titulo para que se le
 revalide. El Sr D José Figueroa General de Brigada
 de la Republica Mexicana, Comandante General, Ins-
 pector y Jefe Político del territorio de la Alta Cali-
 fornia asi lo determino y decreto.

De que doy fe.

José Figueroa

Agustin V Zamorano
 Jefe

José Figueroa General de Brigada de la Repu-
 blica Mexicana, Comandante General, Inspector, y Jefe
 Político del territorio de la Alta California.

Por Cuanto D. Juan Crispin Perez, mi-
 grante por nacimiento ha pretendido para su beneficio
 personal y el de su familia el terreno conocido con el
 nombre de Paso de Bartolo viejo colindante con el
 Camino Viejo de Santa Gertrudis, Rancho de este
 nombre, Rio y Misión de San Gabriel p^o las lomas

del noroeste y lomas de la Canada Verde en cuyo superficie esta comprendido una parte del Rancho de Sto. Fortunis que gratuitamente le ha cedido D.^a Josefa Cota, viuda de D. José Antonio Nieto señalando p.^o límites el punto donde está situada la Casa del mencionado D. Juan Crispin Perer; practicadas previamente las diligencias y averiguaciones consiguientes segun lo dispuesto por leyes y reglamentos: Usando de las facultades que me son conferidas, he venido en decreto de este dia a nombre de la Nacion Mexicana en conceder al expresado D. Juan Crispin Perer el terreno mencionado declarando le la propiedad de el por las presentes letras, entendiéndose de dicha concecion con entera conformidad a lo dispuesto por las leyes a reserva de la aprobacion o desaprobacion de la Coma. diputacion territorial y del Sup.^o Gobierno y bajo las condiciones siguientes.

1.^a Que se someterá a las que estableciere el reglamento que se ha de formar para la distribucion de terrenos baldios y que entre tanto ni el agraciado ni sus herederos podran dividir ni enagenar el q.^o se le adjudica, imponer censo, vinculo, fianza, hipoteca ni otro gravamen aunque sea por causa piadosa ni pasarlo a manos muertas. 2.^a Podrá cercarlo sin perjudicar las traversias caminos y servidumbres; lo dispusora libre y esclusivamente destinando lo al uso y cultivo q.^o mas le acomode; pero dentro de un año a lo mas fabricara Casa y estara habitada. 3.^a Cuando se le confirme la propiedad, solicitara del Jefe respectivo que le de posesion juridica en virtud de este despacho, por el cual se demarcan los linderos en cuyos límites pondrá a mas de las mojoneras algunos arboles frutales o silvestres de

alguna utilidad. 1.^o El terreno de que se le ha concedido es de dos sitios de Ganado Mayor segun explica el diseño y otras noticias que corren en el expediente; El juez que diere la posicion lo hará medir conforme a Ordenanza para señalar los linderos, quedando el sobrante que resulte a la Nación para los usos convenientes. 2.^o Si contraviniere a estas condiciones perderá su derecho al terreno y será denunciado por otro.

En consecuencia mando que Sirviendole de Cédulo el presente, y teniendo se por firme y valioso se tome razon en el libro a que corresponde y se le entregue al interesado para su resguardo, y demas fines. Dado en Monterrey a Doce de Junio de mil ochocientos treinta y cinco, José Figuera, Agustín Zamora secretario.

Agosto 27 de 1835.

En sesion de esta dia siendo la E. Diputacion para a la comision de terrenos baldios.

Figuera.

José María Maldonado. sup.

Erno S.^o

La comision de terrenos baldios inpuesta del expediente q se mando practicar por solicitud al paraje nombrado Paso de Bartolo viejo — echa p.^o el Ciudadano Juan Crispin Perez no encontrando en el objecion alguna que haux, siendo en todo conforme a la ley de 18 de Agosto de 1824 como al art.^o 5.^o del reglamto. de 21 de N.^o de 1828. Puso a la deliberacion de V.E. la siguiente proposicion.

Se aprueba la concecion echa al Ciudadano Juan Crispin Perez, del paraje nombrado Paso

23

de Bartolo viejo concedido en doce de Junio de mil
ochocientos treinta y cinco.

Monterrey 28 de Ag^{to} de 1835.

Jose Castro.

Ag^{to} 29 de 1839.

En sesion de hoy se aprobó el dictamⁿ que
antece, y se acordó pase el esp^{ta} al S. G. Politico
p^o su conclusion.

J. Castro.

Jose Maria Maldonado
Frio

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 a Department
of Upper California, do hereby Certify that the nineteen
preeding and herunto attached pages of tracing paper
numbered from one to nineteen inclusive and each of
which is verified by my initials, (S D K) exhibit true and
accurate copies of certain documents on file and forming
part of the said archives in this office.

In testimony whereof I have here-
unto signed my name officially, and affixed my private
seal, (not having a seal of office) at the city of San
Francisco Cal. the 1th day of July 1852.

Saml D King
Surv Genl Calif.

Filed in office Oct 14th 1852.

Geo Fisher 124

87 SD
PAGE 22

[Faint, illegible handwriting covering the right side of the page]

1904
 20

[Faint circular stamp or mark]

Translation of
Expediente

Exhibit B.

Stamp
1828 & 1829

Stamp
1830 & 1831

Stamp
1832 & 1833

87 SD
PAGE 23

Jurisdiction of the Pueblo of Los Angeles No. 62
Year 1833-

Minute of Proceedings concerning the
the trace Paso de Bartolo Viejo selected for his
own use and benefit by Juan Crespo Perez

Three Cents $\frac{2}{8}$ Two Eighths of one dollar
In the years One thousand Eight hundred and twenty
Six and One thousand Eight hundred and twenty seven

Mr Superior Civil Magistrate

I the citizen Juan Perez, assistant Alcalde of the
Rancho of Sta Gertrudis in the Jurisdiction of the
Pueblo of Los Angeles before your Honra (V.S.) do appear
and say; that being owner of considerable stock and
having no place of my own to raise and increase
the same - I present myself before you selecting a
trace which extends from the Paso of Bartolo Viejo
to the Rancho Verde, and thence to that of the Puente
which opens upon the main road of San Gabriel
and from that point to the dam of the ^{said} Mesas
Although this trace includes some lands that belong
to the said Mesas, the same have been ceded to
me by community with permission to occupy and
ask for a grant in fee of the same, with exception
of the other part which belongs to Messrs Nietos where
my house is built, and I have my planting grounds
of all which your Honra will receive most particular
information from the plan which I will present
as soon as possible

Wherefore I pray that you will be pleased to grant this
my petition wherein I shall receive favor
Pueblo of Los Angeles Sept. 21. 1833

At the request of Mr Don Juan Perez he not knowing
how to write

Andres Pico

(In the margin)

Ang. September 21st 1833

Comformably to the Laws that affect the matter let
the Illustrious Municipal Council of the Pueblo of

Los Angeles report whether ^{the party} interested in this matter possesses the requisite presence to entitle his petition to be entertained, whether the tract claimed is included in the 20 Frontier or 10 Littoral leagues mentioned in the Law of August 18, 1824 whether the land is susceptible of irrigation naturally moist or supplied with watering places whether it is private property or belongs to any corporation or Pueblo together with whatever else may be necessary to elucidate the matter, all which being done, let this minute of proceedings be sent on to the Priest in charge of the Mission of San Gabriel. That he may report what may occur to him. The Chief Civil Magistrate of the Territory has so ordered decrees and subscribed

Witness my hand.

J. Figueroa

Augustin V. Llamas Sec

Pueblo of Los Angeles Oct. 10th 1833

By virtue of the foregoing decree of the Chief Civil Magistrate of the Territory - This Illustrious Municipal Council reports that the citizen Juan Perez is an individual of known honorable character, that he possesses all the requisites necessary to entitle him to receive the favor he solicits, that the tract he claims is not included in the twenty Frontier nor in the ten Littoral leagues mentioned in the Law of August 18, 1824, that a part of said land is susceptible of irrigation and the rest is moist land and contains watering places and that [one half] belongs to the Mission of San Gabriel and the other half to the heirs of - - - Manuel Nieto but that the said Juan Perez has had his stock upon it with permission of said Nieto for the space of thirty years a little more or less - This is all that this Illustrious Municipal Council has to report in consequence of the said decree

José Antonio Canillo

Vicente Moraga, Sec

27

Mission of San Gabriel Oct. 13th 1833

There is no objection as far as this Mission is concerned to granting to the petitioner Juan Puez, the favor which he asks

J. Thomas Estenaga

Fourth Class Official Stamp

Issued provisionally by the Administration of the
Maritime Customs of Monterey, Alta California for
the biennial Term of Eighteen hundred and thirty two
and Eighteen hundred and thirty three

Jequoa

Rafael Gonzales

87 SD
PAGE 25

Monterey November 21st 1833

Let this minute of proceedings be forwarded to the
Constitutional Alcalde of the Pueblo of Los Angeles
before whom Juan Puez will produce on his part
the testimony of three Competent Witnesses who shall
be interrogated concerning the following Points

1st Whether the Petitioner is a Mexican Citizen, whether
he is married and has children and whether his
conduct is good? 2nd Whether the tract he desires
belongs to any individual, Mission, Pueblo or any cor-
poration. Whether it is susceptible of irrigation or
moist land or has watering places, also what may
be its extent? 3rd Whether the Claimant has stock or
the means of acquiring any for the purpose of
stocking such tract. The said Alcalde will
give notice of this decree for its fulfillment to the
Petitioner and to the heirs of Manuel Nieto so that
the latter may allege what may behoove them con-
cerning the lands which they own. These proceed-
ings being over let minute thereof be returned for
final determination. The Chief Civil Magistrate
of the Territory, Regencia General Don Jose Figueroa
has so ordered decrees and subscribed

Jose Figueroa

Augustin T. Lamorano Sec.

7 28

87 SD
PAGE 26

At the Pueblo of San Lacy of the Angeles in the Territory
of Upper California On the 9th day of the month of
January ^{now the year} One thousand eight hundred and thirty
four. The Citizen Jose Perez Constable of said
Pueblo, after due summons agreeably to the
foregoing decree of the Chief Civil Magistrate came
to appear before me and two attesting witnesses
(there being no Notary Public) the Citizen Juan Perez
who introduced the Citizens Antonio Marcos Lopez
Francisco Sepulveda and Juan Battistero witnesses
whose competency was established upon the interrog-
atory prescribed by said Supreme decree being made
they answered unanimously, that Citizen Juan Perez
is a Mexican Citizen that he is married to Maria
Tomasa Ontiveros a native of this Territory, by whom
he has a large family - That his Concession is good -
That the tract he claims, consists of two parts, the
first belongs to the Mission of San Gabriel and the
second to the heirs of the late Manuel Nieto. That the
aforesaid tract comprises irregular lands more
land and watering places - That it is about two leagues
and three fourths long a little more or less and about
two leagues wide. That the said petitioner owns stock
enough to stock the tract he claims - In testimony
of the truth whereof the said witnesses gave the
foregoing deposition, and signed it with me and
the attesting witnesses - The Citizens Antonio Marcos
Lopez and Francisco Sepulveda doing so with a
sign of the cross on account of not knowing how
to write. At the said Pueblo the day month and
year aforementioned

Jose Perez
Attest. Vicente Moraga Attest Fran^{co}. Pantego
Juan Battistero, Ant. Ma. Lopez. Franco. Sepulveda
Pueblo de los Angeles March 8th 1834

The provisions of the Decree of November 21st 1833 not
having been complied with as regards notifying

the heirs of Manuel Nieto, that they might allege what behoves their right, let a copy of these minutes be served upon them for the space of eight days after the expiration of which they will retain the same for further objection setting forth what may behove them. Requiesca General Don José Figueroa General Commandant and Chief Civil Magistrate of the Territory of (Stamp clause as above) Upper California his do Orderes Decretos and Subscribes
 Uctemp Figueroa
 In the presence of the Secretary Bernardino Navarrete

87 SD
 PAGE 27

Mr Chief Civil Magistrate
 The Citizen Juan Los Nieto Resident of the Rancho of Sta. Gertrudis states before your Honor with due respect; that in reply to the Copy furnished him of the minute of proceedings instituted at the request of Juan Perez, he will content himself with showing that the trace of the Pasa de Bartolo Viejo and Canada Verde which he claims is included in the trace known as belonging to the widow of the late Antonio Maria Nieto, which was granted to her in fee as appears in the decree of the 21st of July one thousand eight hundred and thirty three; the respondent in behalf of the grantee sets forth that his title is unquestionable. Nor is this denied by the Illustrious Municipal Councils, Nor by the Hon. Alcalas in the reports they give, the former dated October 10th 1833 and the latter January 9th 1834. A statement, ^{which} establishes more firmly the title of the grantee and recognizes that the trace solicited by Juan Perez consists of two parts, and thus affords evidence that the trace in question is private property, wherefore she prays your Honor to maintain her in the enjoyment of her property, which they seek to wrest from her without justice or right protesting to your Honor that the said Juan Perez has been

benefitted by being allowed to settle, plant and
raise cattle upon lands belonging to respondent
and that as a further benefit I have made gratuitous
donation to him of a piece of land of the extent which
will be marked in his sketch and you Honor
may if you deem meet authenticate said donation
and for the purpose of doing a good action and a
favor and to obey the suggestions of your Honor these
presents are made in favor of said Juan Perez for
that reason - I pray your Honor to be pleased to
decide in conformity with the equities it being
according to Justice. I make the necessary oath
&c - This is written on common paper there being
none of the requisite stamps at this place
Angels March 15th 1834. Juan Jose Nieto x
who for not knowing how to write, makes the
sign of the cross -

Monterey May 1st 1834

Let order issue to Juan Jose Nieto
that he set forth the extent of lands which he grants
for the benefit of Juan Perez from that belonging
to Santa Gertrudis, stating the promises that destina-
quish the boundaries, so that they may be pointed
out in the title deed which will be issued
to him, or let him say if he is satisfied with the bound-
aries mentioned by said Juan Perez in his petition
Let the said Juan Perez be notified for such
purposes as behoove him, and meanwhile let the
course of the proceedings be suspended. Mr Don
Jose Figueroa Regador, General, General Comm-
andant, Inspector and ^{Chief} Chief Magistrate of Upper
California, do read decern and subscribe

Jose Figueroa

Augustin V. Lamorano Sec

Mr Chief Lewis Magistrate

The Citizen Juan Jose Nieto a resident of Gertrudis

Monte-
August 18th 1834.
Let this be
annexed to the
Minute of
Proceedings to
which it belongs
Figueras

states to you with due respect, that in view of the
Sepeña Decree of the 10th of May ultimo which
provides, that he shall be ordered to set forth what is
the extent of lands which he has ceded in benefit
of Juan Perez from the premises of Santa Gutierrez
or that he may say whether he is satisfied with the
boundaries which the Decree Juan Perez mentions
in his petition. He answers that the extent of land
which he ceded in favor of Juan Perez is from
North to South 2500 Varas and from East to West
2000 Varas a little more or less. It is bounded by the
Arroyo San Gabriel the Old Arroyo of Santa Gutierrez
and he is not satisfied with the boundaries which
are mentioned by Juan Perez in his petition, because
they take away lands which have been ceded since
the foundation of Sta Gutierrez and therefore
cannot be satisfactory. Wherefore I pray you to
be pleased to decree in conformity with the aforesaid
this being according to Justice. I make oath that
I do not act through malice, adding the other
necessary beneficentia. Written on common paper
there being none of the requisite Stamp in the place
Angles July 23rd 1834 Juan Jose Nieto

87 SD
PAGE 29

Three Clap Stamp Two Eighths of One dollar
Issued provisionally by the Administration of the
Maritime Customs of Monterey in Alta California
for the years 1834 & 1835

Figueras A Ramon
Monterey June 13th 1835

Knows of the petition with which these proceedings
originate, the reports of the Municipal Authority
of the Pueblo of Los Angeles and of the Priest in
charge of the Mission of San Gabriel the deposition
of the witnesses, with anything else that was brought
forward and it behooves to keep in view. In con-
formity with the Decrees and regulations affecting
the matter, Don Juan Crespo Perez is declared under

the conditions that shall be stipulated, owns in absolute property of the tract known as Paso de Bartolo Viejo bounded by the Old Run of San Gutierrez the Rancho of that name, the river & meadows of the San Gabriel and by the North East hills and heels of the Canadas Verde in which space is included a part of Rancho of San Gutierrez which Dona Josefa Cota widow of Don Jose Antonio Nieto has granted to him gratuitously assigning as a limit the point where stands the house of Don Juan Crispin Perez See the proper title dees yms. Let it be recorded in the appropriate Book and let this Minute of Proceedings be forwarded for the due approval of the Most Excellent Territorial Deputation. In which case the party in interest shall be notified of this decree, shall present anew his title to have it confirmed. Do. In Don Jose Figueroa Brigadier General of the Mexican Republic, General Commandant, Inspector and Chief Civil Magistrate of the Territory of Upper California has so determined and decreed. Attest Jose Figueroa
Augustin T. Lamarca

(Here comes the Grant)

August 27th 1835

In Session of this day the Most Excellent Deputation referred this matter to the Committee on Waste lands

Figueroa

Jose Manuel Malcomaco

Most Excellent Sir

Sir

The committee on Waste lands having taken cognizance of the Minutes of proceedings taken upon the claim for the tract of land called Paso de Bartolo Viejo made by the Citizen Juan Crispin Perez and meeting therein with any objections to make as the same is in every respect in accordance with the Law of August 18th 1824 as well as with the

33

Article 5th of the regulation of November 31st 1828
offers to the deliberation of your Excellency the follow-
ing Resolution.

Approved the grant made to the citizen Juan
Luis Pineda of the tract called Paso de Bartolo
heg^o granted on the 12th day of June one thousand
eight hundred and thirty five
Monterey Aug 28th 1835 - Jose Alvarado

87 SD
PAGE 31

August 29th 1839

In session of to day the foregoing
opinion was approved and it was Resolved that
the minutes of proceedings to be returned to the Chief
Civil Magistrate for final action

J Alvarado

Jos Maria Maldonado Sec

Taken in Office Dec 4th 1852

Geo. Fisher Secy

1844

1844

1844

357

"Loc. - H. H. no. 1",
annexed to the depo.
of Hugo Reid before
hon. Hall."

87 SD
PAGE 32

Posecion que se dió a D. Juan
Perez del Paso de Bertolo.

Año de 1842.

Sr Prefecto de este segundo distrito

(seal)

Juan Crespin Peres natural de este Departam^{to}
ante V.S. con el debido respeto me presento y
Angeles ab^l y digo, que en el año de 1835 me concedió el
de 1842. Gobierno de este Departam^{to} título de propio

Pase esta ins- dad del paraje llamado paso de Bartolo,
tancia al Sr Juez^o y habiendo se me perdido el título original,
de paz de esta Ciudad ocurri á hora al Excmo Sr Gobernador cuya
para que un arre superior autoridad mandó se me librara
glo al título que la copia que respectuosamente presento a V.S.
acompaña el inte-adjunta á esta solicitud, suplicandole mande
resado, y conforme q^{de} me de Juridica posesion, y se me
a la orden supe- devuelva con el expediente respectivo, que
rior de 14 de marzo estoy pronto á pagar las constans que
p^o p^o puedan cause.

darle la posesion

Mision de S. gabriel 5 de abril de 1842.

del terreno nom-

Juan Peres.

brado paso de Bar

tolo diez constante de dos sitios de Ganado mayor como
explica el espisado título que le acompaña con los demas
requisitos de estilo.

Aroüello.

Jose R Arquiello
prio

Sello tercero dos reales.

Habilitado provisionalmente por la Aduana maritima
del puerto de Monterrey, en el departamento de las Cali-
foernas, para los años de mil ochocientos cuarenta y mil
ochocientos cuarenta y uno.

Alvarado

Antonio Maria Osio.

(seal)

Rehabilitado por la misma, para el año

37

de mil ochocientos cuarenta y dos.

Alvarado

Antonio Maria Osio.

Jose Figueroa General de Brigada de la Republica Mexicana Comandante General Inspector y jefe sup^o Politico de la Alta California. Por cuanto Dⁿ Juan Crispin Peres mejicano por nacimiento ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de paso de Bartolo Biejo, colindante con el camino Biejo de Sta Gertrudis Rancho de este nombre, Rio y Misión de San Gabriel, por las lomas del Noroeste, y lomas de la Cañada berbe en cuya superficie está comprendido una parte del Rancho de Santa Gertrudis que gratuitamente le ha concedido D^a Josefa Cota viuda de Dⁿ José Ant^o Nieto, señalando por límites, el punto donde esta situada la Casa del mencionado Dⁿ Juan Crispin Peres: practicadas previamente las diligencias y averiguaciones consiguientes segun lo dispuesto por leyes y reglamentos: usando de las facultades que me son conferidas, he tenido en decreto de este dia, a nombre de la Nación Mexicana, en concederle al expresado Dⁿ Juan Crispin Peres, el terreno mencionado declarando le la propiedad de el por las presentes letras entendiendo de dicha concesion con entera conformidad a lo dispuesto por las leyes, a reserva de la aprobacion ^{o desaprobacion} de la Ex^{ta} Diputacion Territorial y la del Supremo Gobierno, y de las condiciones siguientes: 1^a Que se someterá a las que estableciere el reglamento que se ha de formar para la distribucion de terrenos baldios, y que mientras tanto, ni el agraciado ni sus herederos podran dividir, ni enagenar el que se le adjudica; imponer censo, vinculo, fianza, hipoteca ni otro gravamen aunque sea por causa piadosa ni pasarlo a manos muertas.

Sello tercero dos reales.

(seal) Habilitado provisionalmente por la aduana
maritima del puerto de Monterrey, en el departamento
de las Californias, para los años de mil ochocientos
cuarenta y mil ochocientos cuarenta y uno.

Abrado. Antonio Maria Osio.

87 SD
PAGE 35

Rehabilitado por la misma, para el año de mil
Ochocientos cuarenta y dos.

Abrado. Antonio Maria Osio.

1.^a Para Cuarta sin perjudicar las travesias, caminos, y
servidumbres: las disputara libre y esclusivamente destinandola
al uso ó cultivo que mas le acomode, pero dentro un año a lo
mas fabricara Casa y estera habitada. = 2.^a Cuando se le
confirme la propiedad solicitara del juez respectivo que le
de posesion juridica en virtud de este despacho por el cual
se demarcaran las linderas en cuyos limites pondra a mas
de las mojones algunos arboles putales ó silvestres de alguna
utilidad. = 3.^a El terreno de que se le hace donacion es de
dos sitios de Ganado mayor segun explica el diccionario y
otras noticias que corren en el expediente: El Juez que
diere la posesion lo hara medir conforme a ordenanza,
para señalar las linderas guardando el sobrante que
resulte a la Nacion para los usos corrientes. = 4.^a Si
contraviniere a estas condiciones, perdera su derecho al
terreno y sera denunciado por otro. = En consecuencia
mando que sirviendo de titulo el presente, y teniendo se
por firme y validero se tome rason de el en el libro a que
corresponde, y se entregue al interesado p.^a su resguardo
y demas fins. = Dado en Monterrey a doce de Junio de mil
ochocientos treinta y cinco. = José Figueroa = Agustin V
Hamorano Srw = Queda tomada rason de este despacho
en el libro de asientos de titulos sobre adjudicacion de
terrenos a f.^o 64 v.^o sesenta y dos que obra en la S.^{ra} de
mi cargo. = Monterrey, Junio doce de mil ochocientos

treinta y cinco = Amorano.

Es copia fielmente sacada de lo que aparece en el libro respectivo que existe en la S^{ta} de Gob^{no} que esta á mi cargo. Monterrey 8 de Marzo de 1842.

Man^l. Jimeno.

En la Ciudad de los Angeles del Departamento de las Californias, á los veinte y nueve dias del mes de Abril de mil ochocientos cuarenta y dos, en virtud á la solicitud hecha por D. Juan Crespín Pés, y dirigida a este Juzgado por la Prefectura en siete del presente, la que se contrae á que se le de la correspondiente posesion del paraje llamado paso de Bartolo unmedido por el superior Gobierno Departamental como consta del Título que presente, verificandose á consecuencia las remedidas del expresado sitio: pasese por mi y los testigos de asistencia, y procedase á dar la posesion indicada con aneglo al citado título ó despacho que se le ha conferido por el Gobierno (con fha doce de Junio de mil ochocientos treinta y cinco, y copiado en tres de Marzo de mil ochocientos cuarenta y dos - Manuel Dominguez Juez de paz, y de 1.^a Instancia asi lo decreté, mandé y firmé por ante los de mi asistencia segun dió en este papel comun por falta de sellado.

Doy fé.

Manuel Dominguez, asistencia, Ignacio Coronel - asistencia Juanquin de los Rios y Ruiz.

En la misma fha yo el Juez que subscribe pase oficio á los coludantes manifestando les el objeto a que me dirigia al punto del paso de Bartolo, pues iba á remedirlo y poner en posesion á D. Juan Crespín Pés; De estos quienes manifestaron excepcion fue don Tomas Sanchez, y la viuda D.^a Josefa Costa Sanchez.

87 SD
PAGE 36

dijo que habiendole comprado un pedazo a la citada Señora Cota y hallandose hoy dentro del terreno de D. Juan Crespin Peres, no podia consentir se verificasen las medidas; mas como este terreno estaba incluso en el titulo de Peres, expresando ser por donacion que le hizo la viuda Cota, se le preguntó a esta Señora que negava haber dado tal tierra porque nunca concluyeron el convenio. En este estado suspendí toda diligencia y traté de convenir a las partes; mas despues de muchos alegatos se arincieron, dejando la viuda a D. Juan Peres parte del pedazo incluso en el titulo, y este la casa grande inmediata a la citada viuda, quedando a convenirse por una viña que es de esta Señora y se quedo en el terreno cedido a Peres. y con respecto a D. Tomas Sanchez, le dió la Señora Cota otro terreno que se nombra la cañada verde, igual al que antes tenia en estension y varas, conviniendo Peres a no impedir el curso de la agua para Beneficio de la viuda Cota y Tomas Sanchez; pero despues que el se sirva de la misma agua para sus siembras y viña por ser la toma de Peres. En eso quedaron contenidos y lo asiento por diligencia que autorisé y firmé con los de asistencia segun Sr. Manuel Dominguez, asistencia Ignacio Coronel, asistencia Juaguin de los Rios y Ruiz. — En treinta de abril de mil ochocientos cuarenta y dos, estando en el paso de Bartolo para la practica de estas diligencias — nombredos oficiales cordeleros, los que por no saber escribir se omiten sus nombres, los que aceptaron bajo de juramento ofreciendo desempeñar fiel y legalmente su encargo lo que autorisé y firmé con los de asistencia segun Sr. Manuel Dominguez, asistencia Ignacio Coronel, asistencia Juaguin de los Rios y Ruiz. — En el mismo dia mes y año, estando cerca del paso de

Bartolo viejo a efecto de verificar las medidas y posesion que corresponde a D^o Juan Crispin Peres del respectivo paso de Bartolo, previos todos los requisitos de ley y estando ante mi los testigos de asistencia y los oficiales cordeleros, hice medir un cordel constante de cincuenta varas el cual fue examinado y reconocido por mi, y atando en sus extremos unos samos de Madera previa observacion y calculo, por mi disposicion se tiro el cordel desde el poniente paso de Bartolo viejo desde un saumo que se halla a la orilla del Rio de S. Gabriel, y se midieron y contaron un mil varas que remataron al este en cuatro samos que marcaron por mejonera para termino de lindero. Se cambio la direccion parados en el mismo punto, y se tiro el cordel de Sur a Norte, donde se contaron y midieron mil quinientas varas que remataron en un picacho donde se mando poner una mejonera. De este punto se volvió cambiar la direccion tirando el cordel de Este a Oeste sobre las lomas bajando por la toma del agua a concluir cerca de la orilla del rio donde se mando poner una mejonera, y se contaron al medirse cinco mil ochocientas varas. De este punto se cambio de rumbo y se tiro la cuarta medida de Norte a Sur oblicuando la linea, y se midieron y contaron nueve mil ochocientas varas que remataron donde se comensaron las medidas. con lo que se concluyo este acto dándose por satisfechas las partes y por poseionado el S. D Juan Crispin Peres. lo que autorize y firmé para constancia con los testigos de asistencia segun Derecho. Manuel Dominguez - ána Ignacio Coronel - ána Torquin de los Rios y Ruiz.

Decreto: dese le testimonio a la parte de las presentes diligencias, y como comprobante de

la posesion para su resguardo. Asi yo Manuel
Dominguez Juez 1º de Paz y de 1ª Instancia decreté,
mandé y firmé con los de asistencia segun drº. —
Manuel Dominguez, asistencia Ignacio Coronel —
asistencia Maquin de los Rios y Quiroz. Nota. En la
fha se dio el testimonio respectivo.

87 SD
PAGE 39

Rubrica.

Concuerca con su original a que me remitio del
cual esta fielmente sacada corregida y confrontada
en estas dicho fogas de papel comun fuesa de la
instancia y titulo que van Originales y se sacó hoy
dia de la fha del libro de instrumentos publicos
del presente año

En testimonio de lo qual
Manuel Dominguez

año
Ignacio Coronel — año
Juan Sepulveda.

Filed in office nov. 11th 1852
Geo. Fisher
S. J.

43

L. L. P.

Translation of Department granted to me a title in absolute proper grant of jurisdiction to the premises called Paso de Bartolo, and having possession.

Exhibits
D.

Translation of H. H. no. 1. annexed to the petition of Hugo Reid Nov. 4 1852.

87 SD
PAGE 40

Mr. Prefect of this Second District
I Juan Cuspin Perez Native of this Department
before your Honor with due respect do appear and
say that in the year 1835 the Government of this
Department granted to me a title in absolute proper
grant of jurisdiction to the premises called Paso de Bartolo, and having
possession. I enclose the original title deed I applied to his
Excellency the Governor, who in the excess of
Superior Authority Ordered delivery to me of the
copy which I respectfully present to your Honor
annexed to this petition beseeching you to Order per
several possession to be given to me and that the
copy annexed to the petition) be returned to me together with the men
titles of the appropriate proceedings. I am ready
to pay the costs of decision

Mission of San Gabriel April 5. 1842
Juan Perez

(In the margin) Angeles April 7. 1842
Let this petition be forwarded to the 1st Justice
of the Peace of this City, to the effect that agreeably
to the grant annexed by the petition and in con-
formity with the Superior Order of March 4th 1842
he may give him possession of the premises called
Paso de Bartolo Viejo consisting of two ranges
for meat cattle as explained by the said grant
and this being done let return be made to the party
in interest with the present petition with the grant
annexed and other formal requisites

Arquello
Jose R. Arquello Sec

Third Class Stamp Two Eighths of one dollar
Specie provisionally by the Mexican Customs of the
Port of Monterey in the Department of the Real former
for the years One thousand Eight hundred forty &
One thousand Eight hundred forty one
Alvarado Antonio Maria Osio

44 *L.S.P.*

Respect by the same for the year One thousand
Eight hundred and forty two
Alvarado Manoel Antonio Osio

Jose Figueroa Brigadier General of the Mexican
Republic's General Commandant Inspector and
Chief civil Magistrate of Upper California -
Whereas Don Juan Crespo Perez a Mexican by
birth has claimed for his personal benefit and that
of his family the tract known by the name of Paso
de Bartolo Viejo bounded by the Old road of Santa
Gertrudis, the Rancho of that name and the river
and Mission of San Gabriel, the North East hills
and the hills of the Rancho Verde, in which
extent is comprised a part of the Rancho Sta Gertrudis,
Do Josefa Voto widow of Don Jose Antonio Nieto
has granted to him gratuitously a portion for himself
the portion which stands the house of the Don Juan
Crespo Perez the appropriate proceedings and in-
vestitures having previously been taken according to the
Laws and Regulations - In the exercise of
the powers conferred upon me, I do by decree of this
day in the name of the Mexican Nation grant to
the said Don Juan Crespo Perez the tract of land
declaring the Ownership of the same to be in him
by these present letters, this grant being taken as
in entire conformity with the provisions of the
Laws, subject to the approval or disapproval
of the most Excellent Territorial Deputation and that
of the Supreme Government and to the following
Conditions -

1. That he will submit to the provisions of the Regula-
tion which is to be formed concerning the distribu-
tion of Waste Lands and that meanwhile the
Grantee or his heirs shall not have power to divide
nor alien the premises now granted nor burden it
with Rent Charge entail bonds Mortgage nor Other

87 SD
PAGE 41

incumbrance with for a religious Object no reduce it to Mortmain

Stamp Clause as above

2^o He may fence it without prejudice to the Crop houses, heys ways and rights of way, He shall enjoy it freely and exclusively during it to such use or culture as may best suit him, but within one year at the most he shall erect a house & it shall be dwelt in.

3^o When the title is confirmed, shall request the Judge who has Jurisdiction to give him judicial possession by virtue of this deed - Such Judge shall mark out the boundaries, in whose lines there shall be placed besides land marks some fruit trees or serviceable forest trees -

4. The land hereby granted consists of two ranges (sites) for large Cattle as explained by the sketch and other descriptions embraced in the minutes of proceedings. The Judge who gives the possession shall cause it to be measured according to Law in order to assign the boundaries, any surplus that may remain the property of the nation for its own behooving use

5. If he fails to comply with these conditions he shall lose his right to the premises and they may be denounced by another -

Wherefore I order that these presents being his title deed and being held as firm and valid be entered of record in the proper book and delivered to the party in interest for his protection and other purposes - Given at Monterey the twelfth day of June Eighteen hundred and thirty five Augustin Zamorano Sec Jose Figueroa

This deed is recorded in the Book of entries of titles concerning grants of Lands at p 64 No. sixty two kept in the Secretarys Office under my charge Monterey June twelfth One thousand Eight hundred thirty five Zamorano

This is a copy faithfully taken from that which occurs in the Respective Book which exists in the Secretarys Office of the Government under my charge Monterey March 3^d 1842. Juan Jimenez

87 SD PAGE 42

At the City of Los Angeles in the Department of the
 California on the twenty ninth day of the month of
 April One thousand Eight hundred and forty two Agree-
 ably to the petition made by Don Juan Cuspen Paredes
 and directed to this Tribunal, by the Prefectus on the
 seventh instant, which in substance prays for the
 possession in due course of the tract called Paso
 de Bartolo granted by the Mexican Departmental
 Government as appears by decree which he presented
 it being necessary in consequence to make the remeas-
 urement of the said tract. Ordered that I and the
 Attesting Witnesses repair and proceed to give the
 aforesaid possession in accordance with the said
 title or decree which has issued to him by the
 Government under date of the twelfth of June
 One thousand Eight hundred and thirty five and
 copies on the third of March One thousand Eight
 hundred and forty two. I Manuel Dominguez
 Just Justice of the Peace and of first Instance
 have so Ordered decreed and subscribed in presence
 of my Attesting Witnesses according to Law on the
 Common paper for want of the Stampes -
 Witness Manuel Dominguez Attest Ignacio Coronel
 Attest Louquin de los Rios Ruiz
 On the same date I the undersigned Judge sent a
 notice to the neighbors informing them of the object
 of my repairing to the premises of Paso de Bartolo
 viz. that I was going to remeasure the same and
 give possession thereof to Don Juan Cuspen Paredes
 Amongst these Tomas Sanchez and the widow Ines
 Josefa Cota were the persons who made objection
 Sanchez says that having purchased a piece
 of land from the said Mrs Cota and this falling
 within the tract of Don Juan Cuspen Paredes, he
 could not consent to the remeasurement to any
 piece. But as this tract was included in the

part to Perez where it is stated to have been
 donated to him by the widow Coto this day
 was asked and denied having seen such Lines
 because the arrangement had now been concluded
 In this state of things I suspended all proceedings
 and endeavored to bring the parties to an understanding
 After a great deal of discussion they agreed the wid-
 ow ceding to Don Juan Crespo Perez a part of the
 piece enclosed in the Title, and he the large house
 in the immediate neighborhood of the said widow
 leaving for subsequent settlement a vineyard belong-
 ing to this lady, which fell within the ground cal-
 led to Perez - and with respect to Don Tomas Sanchez
 Mrs Coto gave him another ground which is called
 the Canaca Verde, equal to that which he held
 before as to extent and number of Varas, Perez
 agreeing not to impede the course of the water (and
 allow it to run) for the benefit of the widow and
 Tomas Sanchez, but after he shall have used the
 same water for his sowings and vineyard, the same
 belonging to Perez. On this day finally agreed and
 I noted the same in the minutes which I certified
 and subscribed with the attesting witnesses accor-
 ding to Law - Manuel Dominguez - Attest Ignacio
 Coronel - Attest Joaquin de los Rios y Ruiz
 On the thirteenth day of April One thousand eight
 hundred and forty two, being at the Paso de Bartolo
 for the practical performance of these proceedings
 I appointed two Officers and bearers whose names
 are omitted, because they do not know how to write
 They accepted undertaking under oath to perform
 their duties faithfully and legally which I certify
 and subscribed with the attesting witnesses according
 to Law - Manuel Dominguez Attest Ignacio
 Coronel Attest Joaquin de los Rios y Ruiz
 On the same day month and year being near the
 Paso de Bartolo Viejo for the purpose of making the
 measurements and delivering the possession to which

87 SD

PAGE 44

Don Juan Crespín Pérez is entitled of the aforesaid
 Paso de Bartolo all the legal requisites, having been
 completed with and the attesting witnesses and offi-
 cial line bearings being before me I caused to be
 measured a line consisting of fifty varas which
 was examined and verified by me and wooden
 poles were fastened to its extremities, after observation
 and calculation, under my direction the line was
 drawn from the aforesaid Paso de Bartolo Vico
 at a willow tree which stands on the bank of the
 river San Gabriel and this was measured and
 counted nine thousand varas which terminated at
 the East end at four willows marked for a land
 mark as the termination of a boundary line. The direc-
 tion was altered as we stood at the same point and
 the line was run from South to North which was
 counted and measured one thousand and five
 hundred varas which ended at a Peak where
 a land mark was ordered to be placed. From this
 point the course was again altered the line being
 run from East to West over the hills going down to
 and the dam and ending near the bank of the
 river where a land mark was ordered to be
 placed and there was counted and measured five
 thousand and eight hundred varas. From this point
 the course was changed and the fourth measurement
 was run from North to South on a direct line and
 there was measured and counted nine thousand
 eight hundred varas which ended where the measure-
 ments were commenced. Wherewith these proce-
 ding was concluded. The parties expressing themselves
 to be satisfied, and Mr Don Juan Crespín Pérez
 being concerned as in possession which I certified
 and subscribed for testimony with the attesting wit-
 nesses according to Law. Manacedo Aranguy Attest
 Ignacio Coronel. Attest Juan de los Rios Ruiz

49
Decree

Let certificates be issued to the party of these present proceedings in testimony of possession for his protection
I Manuel Dominguez 1st Justice of the Peace and of First Instance have so decreed ordered and subscribed with the attesting witnesses according to Law. Manuel Dominguez - Attest Ignacio Canales
Attest Louquin de los Rios Ruiz
Note On the same date the appropriate certificate was given - A flourish

87 SD
PAGE 46

A true copy of the Original to which I refer above from it is faithfully taken corrected and collated in these eight sheets of common paper besides the petitions and grants which are Originals taken on this day from the Book of Public Documents of the present year

In testimony of truth

Manuel Dominguez

Attest Igno. Canales - Attest Juan Sepulveda

Filed in Office Oct. 4th 1852

Geo. Joshua Peay

20

Doc. H. N. No. 4 to
Deps. of Hugo Reid.

87 SD
PAGE 47

En la ciudad y Condado de Los Angeles a los cinco dias del mes de Marzo de mil ochocientos cincuenta y dos. A todos los q. las presentes vieren, sabed: Como nosotros, **Tomasa Ontiveros** p. la parte 1.^a vecina del Estado de Cal.^e y Condado de los Ang.^s y p. **Bernadino Lopez** la parte 2.^a tambien vecino del Estado y Cond.^o referidos, voluntariamente y de comun acuerdo p. si y a nombre de otros herederos, subseions y de quien de ellos hubiese legitima representacion, hemos convenido en celebrar una permuta de fincas y acciones o de cosas a ellas, en los terminos y bajo las condiciones sig.^{tes}: 1.^a **Tomasa Ontiveros** como dueña de la parte q. le queda en el rancho o sitio llamado **S. Rafael** situado a la orilla del rio de **S. Gab.**, lo cede y traspasa a favor de **Bernadino Lopez** con todos los derechos y servidumbres, p. q. como dueño del referido sitio lo posea, goce, disfrute y haga de él el uso que mas le convenga como de cosa suya adquirida con justo y legal titulo. 2.^a Del terreno o sitio q. se refiere en la antecedente enclacion, **Tomasa Ontiveros** tiene comprometidas seiscientas varas, y en la parte q. ella misma señala, al **Vecino Ant.^o M.^o Valdez** quien tiene q. das p. otros ciento cincuenta **Vaquillas** de años arriba, con **Dro. Valdez** al uso del agua, **Leñas** y **Almujar**, maderas cuando las necesite p. su beneficio propio; siendo de la obligacion de **Bernadino Lopez**, desde hoy en adelante, de cumplir con este compromiso; quedando obligado unas **Ant.^o M.^o Valdez** de pagar los gastos en el entierro de **Tomasa Ontiveros** cuando fallezca, y en caso de fallecer **Valdez** primero lo harian sus hijos o **Albacas**.

3.^a **Bernadino Lopez** como dueño de una huerta y casa q. tiene en esta Ciudad situada entre las huertas de **J. M.^o Lopez** p. el Sur, lado de **Juan Valdez** p. el Norte, la de **Ant.^o M.^o Valdez** p. el Norte, y con el **Callejon** q. da salida p. **S. Pedro** p. el Norte, lo cede y traspasa a **finca**, a favor de **Tomasa Ontiveros**, con mas cien pesos en dinero efectivo, todo en traspaso del sitio expresado en la primera condicion de este contrato, a fin de q. como dueño de la citada huerta y casa, las posea, goce, disfrute y haga de ellas los usos q. mas le convengan como de cosa suya adquirida con justo y legal titulo; y de compromiso igualm.^{te} **Bernadino Lopez** a darle la subseion a **Tomasa Ontiveros** durante la vida de uno y otro. 4.^a **Bernadino Lopez** queda obligado a cumplir con el compromiso q. tiene pendiente con **Tomasa Ontiveros** con **Ant.^o M.^o Valdez** conforme se expresa en el **Art.^o 2.^o** de este documento. Bajo estas condiciones hemos convenido celebrar este contrato, el cual nos comprometemos los dos y cada uno a observar y cumplir cuanto queda estipulado en virtud de la presente permuta, haciendonos responsables a las faltas q. pudiere ocurrir, a cuyo fin obligamos nuestras personas y bienes, los de nuestros **Albacas** y legitimos representantes quienes llevarian a puro y debido efecto este contrato. En testimonio de lo cual ponemos nuestros nombres y sellos en la Ciudad y Jta. arriba citadas y en presencia de dos testigos = **Tomasa Ontiveros** = **Bernadino Lopez** = testigo = **W. G. Dryden** = testigo = **Narciso Botello** = **State of California** County of Los Angeles p. He is remembered that on this the 5th day of March A.D. 1852, personally appeared before me **William G. Dryden** a Notary Public in and for the County of Los Angeles **Bernadino Lopez** and **Tomasa Ontiveros**, known to me to be the persons described in and who executed the foregoing deed of exchange and later and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein expressed. In testimony whereof I have subscribed my name as Notary Public

and affixed the seal of my office in the city of Los Angeles this day and date above written = **W. G. Dryden**, Notary Public =

Filed in Office Nov. 4, 1852 - Geo. Fisher, Secy.

In the City of Los Angeles on the fifth day of the Month of March One thousand Eight hundred and fifty two - To all who may see these presents Know ye how the Tomaso Ontiveros of the first part resident of the State of California and County of Los Angeles and of the second part Bernadino Deed from Lopez also a resident of the State and County of California Antonio de la Cruz, voluntarily and of a common Accord for to Ourselves and in the Name of our heirs Successors Bernadino Lopez and whosoever of them may have legitimate right of Representation, have Agreed to make an Exchange of Tenements and claims or rights to the same on the terms and under the Conditions that follow

1. Tomaso Ontiveros, as Owner of the part which falls to her of the Rancho or place called San Rafael situate on the bank of the river of San Gabriel, cedes and transfers it to Bernadino Lopez with all the rights and privileges to the end that as Owner of said place, he may possess enjoy use and employ the same in the manner that may best suit him, as being his property acquired with just and lawful title - 2^d Of the trees or plants referred to in the foregoing Article - Tomaso Ontiveros has contracted to sell six hundred varas or a part to be apportioned by himself to Antonio Ma Valdez who is to give for the same one hundred and fifty hepers at least one year old, Valdez to have the use of blatta wood and other timber when he may require the same for his own benefit Bernadino Lopez being bound to fulfill said contract, Antonio Ma Valdez is moreover bound to pay the costs of the burial of Tomaso Ontiveros when she dies and in case he should die first his children or Executors will do the same

Exhibit F.
Deed from Lopez also a resident of the State and County of California Antonio de la Cruz, voluntarily and of a common Accord for to Ourselves and in the Name of our heirs Successors Bernadino Lopez and whosoever of them may have legitimate right of Representation, have Agreed to make an Exchange of Tenements and claims or rights to the same on the terms and under the Conditions that follow

Translation of 'Doc-
N. H. no. 4, annexed
to the deposition of
Hugo Reid, no. 4
1852.'

87 SD

PAGE 48

the West, that of Antonio Ma Valdez to the North and bounded by the Alley which issues towards San Pedro on the East, he cedes and transfers such tenement in favor of Tomas Ontiveras besides one hundred dollars in current money all in exchange for the land mentioned in the first Article of this contract to the end that as proprietor of such garden and house, he may possess and employ the same for such purposes as may best suit him as being his own property acquired by just and lawful title and Bernardino Lopez likewise binds himself to keep Tomas Ontiveras in necessities during their joint lives - 4. Bernardino Lopez is bound to fulfill the contract which Tomasa Ontiveras has pending with Antonio Ma Valdez as set forth in 2^d Article of this Document - Under these conditions and obligations we have agreed to execute this contract which we agree both and each of us to observe and fulfill as herein stipulated in virtue of the present exchange rendering ourselves responsible for the breaches that may occur, to which end we bind our persons and property those of our Executors and legitimate representatives who will carry this contract into effect and due effect.

In testimony whereof we place our names and seals in the City and on the date above mentioned and in presence of two Witnesses.

Tomasa X Ontiveras

Bernardino Lopez
S.S.

Witness W. S. Bryan Witness Narciso Botello
State of California, County of Los Angeles
Be it remembered that on this the fifth day of March in the year One thousand Eight hundred and seventy two, personally appeared before me William S. Bryan Notary Public in and for the County of Los Angeles Bernardino Lopez and

53

Tomaso Ontiveros known to me to be the persons
described in and who executed the foregoing deed
of Exchange and Carta and acknowledged to me
that they had executed the same freely and volun-
tarily for the uses and purposes therein expressed
In testimony whereof I have subscribed my name
as Notary Public and affixed the Seal of my
Office in the City of Los Angeles the day and
date above written

L.S.

W. G. Snyder
Notary Public

87 SD
PAGE 50

Filed in Office Oct. 4th 1852
Geo. Fishbein

87 SD
PAGE 50

1870

[Faint, illegible handwriting]

55

Doc. N. H. no. 6.
annexed to the depo-
sition of Hugo Reid -
taken before Comr.
H. Hall.

Pio Pico y Juan Perez.

87 SD
PAGE 51

En la Ciudad de los Angeles á los veinte dias del
 Mes de Agosto de mil ochocientos y cincuenta. Los que suscri-
 Doc. N. N. no. 6. bimos, vecinos de la misma Ciudad, hijos legitimos y here-
 amered to depo. of deros testamentarios del finado Sr. Juan Perez á los
 Hugo Reid tatter á los bienes que dejó á su fallecimiento y que se hallan
 before heron in seim pro indiviso, y al cargo de los Albaceas, declaramos que
 Melind Hall, hemos cedido, traspasado y vendido todos y qualquiera
 derechos q. a dichos bienes, tenemos tanto en los terrenos
 del Rancho de Sr. Rafael de los Yustos, como á
 los simorientes y demas que nos corresponden como
 á legitimos herederos, al Sr. D. Pio Pico de esta
 misma veindad en la cantidad de dos mil pesos
 en moneda corriente que tenemos recibida á nuestra
 satisfaccion, obligando ve el dicho señor Pico, á
 cubrir la parte que nos corresponda de las deudas
 que dejó nuestro finado padre. Declaramos igualmente de
 que la referida cantidad de dos mil pesos es su legitimo
 valor, y que no hemos encontrado quien tanto nos diera.
 Declaramos igualmente que desde hoy en adelante y
 para siempre jamas nos desapoderamos desistimos, y
 apartamos y a nuestros herederos y sucesores del dominio de
 propiedad ó cuales quiera otro derecho que nos pudiera com-
 petir a dichos bienes, y que en este contrato no hay dolo, error
 sustancial ni de calculo, lesion, ni engaño, y en el caso de
 que lo haya nos hacemos las partes constatables mutua
 gracia, y donacion pura, perfecta e irrevocable, y
 renunciarnos la ley 2^a Tit 1^o libro 10. de la nueva
 recopilacion que trata de la cesion en mas o menos de
 la mitad del justo precio, y las demas leyes que per-
 miten se anulen las transacciones por dolo, ó error
 sustancial ó de calculo, ó por otro motivo legal,
 para que jamas nos favorezca, mediante á no inter-
 venir cosa alguna de las susodichas en este contrato.
 y al cumplimiento de todo lo dicho oblimos nuestras

87 SD
PAGE 52

6495

52
Personas y bienes, sometiéndolo nos con ellos a los señores Jueces para que nos compelan y apresuren por la vía y forma que mejor les conenga. Así lo otorgamos y firmamos, y queremos se dé a esta obligación la misma fuerza que si fuera hecha ante escribano público

Pedro Perez

A nombre de mi esposa Crisanta

Perez por no saber escribir

Con consentimiento de Bern^{do} Lopez

Doña Maria del Rosario Pantoya

esposa de don Pedro Perez y a su ruego por no saber escribir

Comas A. Sanchez.

Con mi permiso a bendio mi esposa el derecho que la correspondio por ausencia paterna

Bern^{do} Lopez.

Consado de los Angeles agosto 22 de 1850.

Certifico yo Ignacio del Valle Recorder de este consado de los Angeles que comparecieron ante mi, Doña Maria Rosario Pantoya, Don Pedro Perez, Don Bernardino Lopez, y Doña Crisanta Perez todos personalmente a quienes conocí y dijeron que ellos habian otorgado este documento y que las firmas que previenen de Don Tomas Sanchez, a ruego de Rosario Pantoya, y Bernardino Lopez, al de su esposa; estas dos señoras me dijeron separadamente que las renunciaban como suyas y que no han sido violentadas ni atemorizadas para otorgar este contrato de venta

En cuyo testimonio lo firmo como Recorder y pongo mi sello oficial hoy 22 de agosto

de 1850

Ignacio del Valle

(seal
of the state
of
California)

Angeles agosto 23 de 1850.

87 SD
PAGE 54

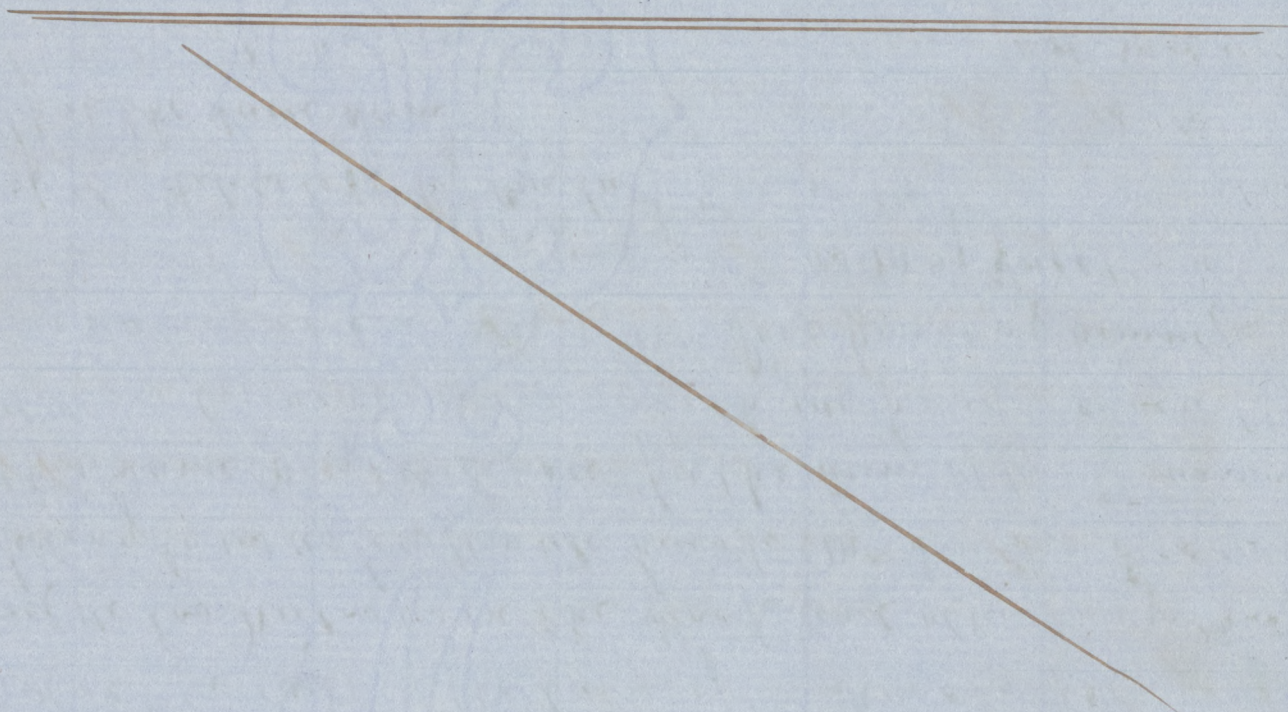
Esta escritura de venta me ha sido presentado hoy a los diez de la mañana por el S. D. Pio Pico a quien se lo devolvi despues de haberla registrado en el libro 1.º a f 29 y 30.

Ignacio del Valle

(seal)

Filed in office Nov. 4th 1852.

Geo Fisher
fy.



At the City of Los Angeles on the twentieth day of the
 Translation of deed Month of August One thousand Eight hundred and
 Pedro Perez Lopez fifty, we the undersigned residents of the same City
 heirs to Pio Pico. legitimate children and devisees of the late Don Juan
 Pico of the Estate which he left at his decease and
 which is undivided, and in charge of the Executors, do

Translation of "H.S.
 no. 6. annexed to the
 deposition of Hugo
 Reid, Nov. 4/52"

we declare that we have ceded transferred and sold all
 no. 6. annexed to the
 deposition of Hugo
 Reid, Nov. 4/52
 Estate as well in the lands of the Rancho of San Raf-
 ael de los Nietos as in the Stock and other things that
 belong to us as legitimate heirs to Mr Don Pio Pico of
 this same neighborhood for the sum of two thousand
 dollars current money which we have received to
 our satisfaction, said Mr Pico binding himself
 to satisfy such contingent part as may fall to us
 of the debts left by our late father. We likewise declare
 that the said sum of two thousand dollars is its
 legitimate value, and that we have not met with
 any one who would give us more. We likewise
 declare that hence forward and from us all
 release and quit with for ourselves and our heirs
 and Successors the Dominion property or what our
 right should may or pertain to us in said Estate, and
 that in this Contract there is no fraud, substantial
 error miscalculation, damage no deceit and in case
 that there is, We the contracting parties do make
 mutual gift and pure perfect and irrevocable dona-
 tion (of the same) and renounce Law 2^a Title 1^o
 Book 10 of the Nueva Recopilacion which treats
 of treats of persons for more or less than half of the just
 price, and the other Laws which permit transactions
 to be annulled for fraud or substantial error or miscal-
 culation or for other legal cause to the end that
 the same may never favor us by virtue of any of the
 aforementioned things intervening in this Contract
 and to the fulfillment of all the aforesaid we
 bind our persons and property subjecting ourselves

87 SD

PAGE 55

thencewith to the Honorable Judges to the end that they may Compel and Constrain us in such a way and Form as best may suit them - Thus granted and subscribed by us and wish the same force to attach to this obligation as if it were made before a Notary Public

Pedro Perez

In the name of my wife Ceresanta Perez she not knowing how to write -

Bernardo Lopez

My wife has with the consent of Dona Maria del Rosario Pantoja sold with my wife of Don Pedro Perez and her request she not permission the knowing how to write

Thomas A Sanchez

rights which belongs to her by her paternal inheritance Bernardino Lopez

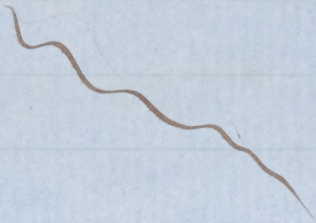
County of Los Angeles August 22nd 1850
I, Ignacio del Valle, Recorder of this County of Los Angeles, do certify that before me appeared Dona Maria Rosario Pantoja, Don Pedro Perez, Don Bernardino Lopez and Dona Ceresanta Perez all personally known to me and they swore that they have executed this Document, and as to the foregoing signatures of Don Thomas Sanchez at the request of Rosario Pantoja and Bernardino Lopez, at that of his wife, these two ladies told me separately that they acknowledge them as their own and they have not been undecieve through force or intimidation to execute this Contract of Sale -

In testimony whereof I subscribed the same as Recorder and affix my seal this 22nd day of August 1850

Ignacio del Valle R

Filed in Office Oct. 4th 1852

Geo. Tesher Secy



61

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



62

En la ciudad de los Angeles Estado de California,
Yo Mariano Silbas, Ciudadano del mismo Estado y condado,
Doc. N. N. no. 8 digo por estas letras de escritura de titulo, q se positivo ~~ba~~
Armed to the depoy cierto, que por y en consideracion de ochu cientos cuasen
y Nugo Reid-taken ta y dos pesos, en mis manos pagados por el Sr Pio -
before Leon^o Niland Pico en buena moneda de todo mi satisfacion, el recibo de
Hall.

87 SD
PAGE 57

los cuales, esta por este confesado, he vendido, traspasado
en alienacion perpetua y por estas letras vendo y traspaso
en Fee simple para siempre Jamas a Dho Pio Pico sus
herederos, albaceas y asignados, todo mi derecho, titulo y
interes, en y a un cierto terreno situado en el condado de
Los Angeles siendo dho terreno una parte indiviso del
Rancho llamado San Pae el propiedad del finado -
Juan Propin Perez, y que heredo Francisca Perez Silbas
por testamento de su padre. Ahora dha porcion de tierra
esta tenido por Francisca Perez Silbas y su marido
Mariano Silbas, como legitimos dueños de ello, con
~~el derecho mas patente~~ por testamentaria a favor
de mi esposa, para tenerlo, usarlo, y poseer de ello,
con el derecho mas patente como dueño efectivo por
compra y venta a Pio Pico, sus herederos, Albaceas
y asignados para siempre.

Yo Mariano Silbas me obligo, mis herede-
ros, Albaceas y asignados, de nunca molestar Dho Pio Pico,
en el uso, derecho y propiedad, ahora adquirido por el mas
Justo titulo, compra y venta, Pero defendare, como tam-
bien los que me represente, en todo tiempo, y contra toda
persona, el derecho de propiedad en dho terreno, ahora
vendido, traspasado y enagenado en alienacion perpetua,
con todos sus aguages, pasturas, muros, entradas y sali-
das a ello perteneciente

En cuyo testimonio he firmado esta escri-
tura de titulo en la Ciudad de los Angeles 29 de abril de 1835.

como testigos

Manuel F. Cordova. W. P. Dryden. . .

Mariano Silva. (seal)

87 SD
PAGE 58

En la Ciudad de los Angeles Estado de California —
Yo Francisca Perez, Silva, legitima esposa de Mariano Silva,
digo que por y en consideracion de un peso en mis manos pa-
gados por el for Pío Pico el recibo del cual está por esta confesado.
He vendido, trasparado y dado en alienacion perpetua a dho
Pío Pico sus herederos, Albaceas y asignados, todo mi derecho,
titulo y intereses que tengo por herencia del finado mi padre
Juan Crispin Perez, en el rancho de San Rafael cuyo par-
te ahora vendido, esta indiviso. para tenerlo, usarlo, y
posesionarse de ello, con el titulo mas competente
y por compra y venta a favor de dho Pío Pico para
siempre jamas. Por estas letras renuncio mi derecho en la
propiedad del dho parte indiviso, a dho Pico, quiero que su
derecho a la propiedad en dho terreno sea para siempre valadera.

En cuyo testimonio he rogado al Sr Guillermo —
Dryden que firma por mi en la Ciudad de los Angeles 18 de Julio de 1851.

Testigos

Francisca + Perez, Silva

(seal)

John Brentushoff
John G. NicholEstado de California }
County of Los Angeles }

Be it remembered that on this
the 18th day of July A. D. 1851 before me W. P. Dryden,
a notary Public in and for the County and city of Los An-
geles by letter patent under the Great Seal of the State
of California personally appeared Mariano Silva who
I know to be the individual who executed and acknowledged
the within deed of conveyance, that he did the same
freely and without restraint and for the purposes and
uses therein mentioned. Now at the same time

Came before me Francisca Perez Silba who I know to be the Individual who executed and the within deed of conveyance and that she executed and acknowledged the same for the use and purposes therein expressed; that I know her to be wife of Mariano Silba, and that I examined her separate and apart from her husband, and on this private examination she acknowledged that she executed the within deed of conveyance freely and without fear or compulsion from any one, and wished the same to be made perpetual.

(seal of notary public) In testimony whereof I have subscribed my name as Notary Public and affixed my official seal on the day and with the date above written.

W. G. Dryden.

Notary public.

Two 3 ps

Received the above document on this 22nd day of July. A. D. 1851. at 10 o'clock and recorded on the same day at 15 minutes past one o'clock. - P. No. on the same day and date in book 1 of deeds, page 24 at request of Pio Piu.

Benj. D. Wilson Recorder.
By Wilson Jones Secy.

Filed in office Nov. 4th. 1852

Geo Fisher
1852

Exhibit L

Translation of deed
 Selvas & wife to
 Pio Pico

Translation of N.
 N. no. 8. annexed
 to the depo. of Hugo
 Reid nov. 4. 1852.

87 SD
 PAGE 60

At the City of Los Angeles State of California
 I, Mariano Selvas Citizen of the Same State and
 County do say that by these "letters of writing" of
 title that it is positive and certain that you and
 in consideration of Eight hundred and forty two
 dollars paid in my name by Pio Pico in good
 money to my entire satisfaction the receipt
 whereof is hereby acknowledged I have sold
 transference in perpetual alienation and by these
 letters I sell and transfer in fee simple forever
 more to said Pio Pico his heirs Executors and assigns
 all my right title and interest in and to a certain
 piece of Land situate in the County of Los
 Angeles said tract being an undivided part of
 the Rancho called San Rafael, property of the
 late Juan Crispen Perez and which Francisco
 Perez Selvas inherited by devise from his father
 now said part of same is held by Francisco Perez
 Selvas and his husband Mariano Selvas as
 legitimate owners thereof to devise in favor of
 my wife - To have use and possess the same
 with the most manifest right, as absolute by
 purchase and sale to Pio Pico his heirs Execu-
 tors and assigns forever - I Mariano Selvas
 bind myself my heirs Executors and assigns never
 to molest said Pio Pico in the use right and
 property now acquired by the most just title
 purchase and sale, but will defend as (shall)
 likewise those who represent me in all time and
 against any person the right of property in said
 Land now sold transference and aliened in per-
 petual alienation with all its Springs of water
 pastures woods enclosures and spaces appertaining
 to the same - In testimony whereof I have signed
 this writing of title in the City of Los Angeles April
 28th 1851 -
 Mariano Selvas

Witness Manuel J. Coronel, U.S. Agent

In the City of Los Angeles and in consideration of
 One dollar in my hands paid by Mr Pio Pico the
 the receipt whereof is hereby acknowledged I have
 sold transferred and given in perpetual alienation
 to Juan Pio Pico his heirs Executors and assigns all
 my right title and interest which I have by inher-
 itance from the late my father Juan Crespo Pico
 in the Rancho of San Rafael which part now
 sold is undivided - To hold use and possess the
 same with the most competent and efficacious
 title by purchase and sale in favor of said
 Pio Pico forever more. By these letters I renounce
 my right in the property of said undivided part
 to Juan Pio and it is my will that his right to
 the property in said land be forever valid
 In testimony whereof I have requested Mr William
 Dwyden to sign for me in the City of Los Angeles
 July 18 - 1857

Witness
 John Baerkuhoff
 John G. Nichol

Francisco ^{del} Pico ^{del} Pico
 marks

Filed in Office Oct. 4th 1852
 Geo. Joshua Peay

87 SD
 PAGE 61

67
Supplemental
Petition

To the Honl. Board of U.S. Land Commission
is appointed to settle private Land claims in
California.

The supplemental petition of Pio Pico and Juan
Perez Council by Donce Joaquina Sepulveda and
Bernardo Guizado, respectfully sheweth

That since the filing of the petition of Pio Pico
and Juan Perez in cause No. 373 on the docket
of said Commission, the petitioners have been
advised by their Counsel to set forth in this their
supplemental petition the following facts, that
on or about the 22^d day of October A.D. 1843

Juan Gaspar Perez being seized and possessor
of the Rancho called and known as Paso de
Bartolo Viejo in the present County of Los Angeles
and more particularly described in papers in
said cause No. 373. Sold and conveyed unto your
petitioners Bernardino Guizado a small tract of

Land and portion of said Rancho of Paso de
Bartolo Viejo bounded as follows: Course North
to South from a winding in the Molino ditch of
Uceta which runs through said Rancho to a
Sycamore tree which exists where the flat ends
which Sycamore is the boundary of said Rancho
and of Donce Josefa Cota measuring along the
bank of the high ground which forms the bottom
there are One thousand two hundred varas and from
East to West measuring the same line descends
by the winding of the Molino ditch to the edge
of the river, there are three thousand seven hundred
three varas, where are put in Land marks a
heap of stones, following thence the measurement
down the edge of the river are meters & counters
One thousand two hundred varas which terminates
in the boundary of the said Rancho and that of
Donce Josefa Cota, the same being an Elero
(Arroyo) near to the large trunk of a Sycamore cut

87 SD
PAGE 62

for land wheels, said lands being more particularly described in the papers copies of which are herewith filed as part of this petition.

87 SD
PAGE 63

That on or about the 22nd day of October 1843 the said Juan Cuspin Perez sold and conveyed a small tract of land, part of said Rancho of Pasa de Bartolo "Vejo" to your petitioner Dona Louquina Sepulveda containing a plot of land one thousand by twelve hundred varas more or less and more particularly described in the deed of said Perez to said Louquina Sepulveda as well as the record of judicial possession, that said deed and a certified copy of judicial possession are in the possession of your petitioner Louquina Sepulveda and ready to be produced and proved, that copies of the said papers are herewith filed as part of this petition - your petitioner in view of the foregoing facts may pray leave to file this supplemental petition with all other papers and documents necessary to establish the foregoing facts and that they may be allowed to introduce the testimony of witnesses to be produced before your Hon. Board and that confirmation of the separate titles of the said Bernardino Guzman and Louquina Sepulveda may be made the same as if they had filed separate and distinct claims for said lands respectively - All of which your petitioner respectfully submit for such action as the Justice and nature of these claims may require

E. O. Crosby
of counsel for Claimants

Filed in Office Nov. 1st 1852
Geo. Fisher Secy

81. 602
69

no 353

87 SD
PAGE 64

J

Susan Peres of Bernard^{no} Guinabo.

J

VEB
EB

Conste por este documento que yo Juan Crespin
 Doc. N. N. No. 2, Perez por si y a nombre de mis herederos y de quien
 arrended to thee para ello tenga Fideiussor y Causa Cedi y tras
 depositivo of Hugo paso doy en venta formal y perpetua para siempre
 Real-tatem beque Jarnas a D^o Bernardino Guirado un pedazo del
 Corral. Heland Hall, terreno de mi Rancho llamado Paso de Bartolo,
 el cual terreno que havia venido al D^o D^o Bernar-
 dino Guirado se comprende, rumbo de Norte a Sur
 desde una vuelta que da la Sangra madre que
 corre por En medio de mi Rancho hasta un Aliso
 que esta adonde acaba el bajio, el cual Aliso es el
 lindero de mi Rancho y el de D^o Josefa Cota
 midiendo por toda la orilla del Alto que forma el
 bajio hay mil doscientas varas, y de Oriente al Pon-
 ente midiendo a la misma linea de la vuelta que
 da la Sangra madre hasta la orilla del Rio, hay
 tres mil y setecientas varas en donde le puse por
 mojones a un monton de piedras, siguiendo de alli
 la medida por toda la orilla del Rio abajo mide y
 conte mil y doscientas varas que rematan en el
 lindero de mi Rancho y el de D^o Josefa Cota el
 cual es un canal que esta cerca de un gran trunco
 de Aliso que contaron por ruedas de carreta, el-
 Agua que Usara en todos sus trabajos de labores
 sera la de la misma Sangra madre que corre por
 en medio de mi Rancho la cual tiene su nacimiento
 dentro de mi mismo sitio. Cuya venta hizo al D^o
 D. Bernardino Guirado quien me pago con todo
 el ganado que le toco de los diezmos en dos años
 que fue colector que son ochenta y tres cabezas
 entre Vacas, novillos, Baguillas y Cows, una
 manada de Yeguas de treinta y cinco cabezas con
 su respectivo Garanon, ocho potros broncos, dos

87 SD

PAGE 65

Cabayos de tienda y cincuenta y siete pesos que Dño
 Dño Guirado pagó por mi cuenta al Dño D. Manuel
 Requena. Y estando conforme en el espresado valor
 declaro que el terreno que he vendido al Dño D.
 Bernardino Guirado no vale mas, y si mas vale ó
 valer pueda del exceso en poca o mucha cantidad que
 sea, hago cesion al comprador, y le doy el presente
 documento que formalizaré Judicialmente en el
 mes de Enero ó Febrero del año proximo benidero de
 1844. Firmando por mi por no saber yo escribir
 mi hijo Pedro en presençia del encargado de Justicia
 de esta mision de S. Gabriel, D. Perfecto Hugo —
 Reus y de los testigos Bernardino Lopez y Fran^{co}
 Pantoya quienes tambien firmaron en la Mision
 de S. Gabriel a los veinte y dos dias del mes de
 octubre de mil ochocientos cuarenta y tres.

Por mi Dño padre.

Pedro Perez.

Pasó ante mi en esta Ca Mision
 de San Gabriel fecha ut supra.

Perfecto Hugo Reus.

Bernard^{mo} Lopez

Fran^{co} Pantoya.

En la Ciudad de Los Angeles a siete
 de feb^{ro} de 1844 ante mi el Alcalde juez de 1^a instan
 cia compareció D. Pedro Perez y dijo que le consta
 haber sido cierta y efectiva la venta que el difun
 to su Dño Padre hizo en favor de D. Bernardino
 Guirado del terreno que espresa la escritura que
 antecede, y que como primer albacea de su finado

72

Pare, para la autorizacion judicial la cual otorgo
firmando la con los de asistencia segun derecho.

Pedro Perez

asist.

Mig^l Segura

Stephen C. Foster

alcalde 1^o

asist-

Fran^{co} Bojorques.

87 SD

PAGE 67

Received upon this 13th day of June —
a. D. 1851 on Friday at 50 minutes past twelve
O'clock and received on the 21th day of June
a. D. 1851 at 10 o'clock a. m.

Beng. Swilson received.

by Wilson Jones Dep^{ty}.

Received in book 1 of views, pages 1, & 2

Beng. Swilson received.

by Wilson Jones Dep^{ty}.

Filed in off rec. 4th 1852

Geo Fisher.

1852.

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20

73

Sup. Petr
Exhibe B

Translation of
Doc. N. S. no. 2,
of Hugo Reid taken
before Gov. Milam
Hall.

87 SD

PAGE 68

May it appear by this document that I Juan Luis
 fern Perez in my own name and in that of my
 heirs and those who may therein have title claim
 and interest I sell and convey, give in sale
 proper and perpetual forever more to Don Benito
 Guadaño a parcel of land of my Rancho
 called "Paso de Bartolo" the same land I now sell
 Mr Bernardino Bartolo Guadaño comprises, course
 North to South from a winding in a mother ditch
 of water which runs through the middle of
 my Rancho to a Sycamore tree which exists where
 the flat ends, which Sycamore is the boundary
 of my Rancho and that of Dona Josefa Lota
 measuring along all the bank of the high ground
 which form the bottom, there are One thousand
 two hundred varas, and from the East to West
 measuring the same line described by the winding
 of the mother ditch to the edge of the river there
 are three thousand seven hundred varas when
 I put for Land mark a heap of stones, following
 from thence the measurement down the edge of the
 river I metered and counted one thousand two
 hundred varas which terminated in the boundary
 of my Rancho and that of Dona Josefa Lota, the
 the same being an Elm (Succo) near to the large
 trunk of a Sycamore cut for cart wheels, the
 water to be used in all his work of husbandry
 shall be that of the same mother ditch which
 runs in the middle of my Rancho, the same takes
 its source on my own land. which sale I made
 to Mr Bernardino Guadaño who paid me with
 all the cattle he received of the tythes in two
 years he was to get them which are Eighty three
 head between cows steers and heifers and bulls
 a band of mares of thirty five head with thirty two
 Eight wild colts, two horses in the reins and
 fifty seven dollars which said Mr Guadaño paid

87 SD
PAGE 69

on my account to Don. Manuel Reguero, and being
 conformable in such value, I declare that the
 land I have sold Mr Bernardino Guerao is not
 worth more, and if it be worth or may be worth
 more the excess in little or great amount I transfer
 to the purchaser and give him the present docu-
 ment, which I will formalize piececally in
 the month of January or February of next year
 of 1844 My Son Pedro signing for me as I know
 not how to write, in the presence of the Alcaide
 of Justice in this Mission San Gabriel.
 Don Perfecto Hays Reed; and of the witnesses
 Bernardino Lopez and Francisco Pantoja who
 likewise signed in the Mission of San Gabriel
 the twenty second day of October one thousand
 Eight hundred and forty three
 For my father Pedro Perez

Executed before me in this Ex Mission of San Gab-
 riel date as above

Perfecto Hays Reed
 Bernardino Lopez
 Francis Pantoja

In the City of the Angels February 7. 1848 before
 me, the Alcaide Judge of first Instance appeared
 Don Pedro Perez and says that he knows to be certain
 and true the sale that the deceased his father
 made in favor of ^{Don} Bernardino Guerao of the
 land as expressed in the foregoing deed and that
 as first executor of his late father he asks for
 the judicial authorization which he ratifies

Stephen Le Foster
 Pedro Perez
 1st Alcaide
 Alctup. Miguel Segura. Alctup. Francisco Rodriguez
 Given in office Nov. 1st 1852
 Geo. Fisk Secy

75-

87 SD

PAGE 70

Doc. N. N. no. 3.
annexed to the
depo. of Buys Reid
taken before Comr.
Melvin Hall.

Posecion a favor de Doña
Juaguina Machade.

Año de 1847.

Conste por este documento que Yo Juan Crespin
 Perez por si y a nombre de mis herederos y de quien
 p^a ello tenga titulo, Not^a y Causa Cedo y traspaso, soy
 en venta formal y perpetua p^a siempre jamas a
 D^a Juaguina Sepulveda viuda del Finado Juan
 Poyorina, un pedazo del terreno de mi Rancho —
 llamado Paso de Bartolo, el cual terreno que haora
 vendo a la S^{ra} D^a Juaguina se comprende por
 mas o ~~menos~~ abajo de los sauces de la guarda Nalla
 rumbo de Norte a Sur por toda la orilla de la
 s^anja de agua que corre a la tierra de D. Tomas Sanchez
 Colima, mil y cien varas, las que rematan a la
 esquina del cerco de la Fuente del expresado D. Tomas
 Sanchez; y de d^{ha} esquina rumbo de oriente a
 poniente a la linea de un Aliso grande el cual
 es lindero de mi Rancho y el de D^a Josefa Cota, —
 hasta la orilla del alto donde esta un bajio lindero
 de D. Bernardino Guisado; mil cuarenta y una varas,
 de donde siguiendo la medida tercera rumbo de sur
 a norte por la misma orilla del alto que deja el
 bajio, mil y cien varas que remataron cerca de la
 s^anja madre que corre p^a mi Rancho en donde se
 marque por lindero un palo y mande clavar; —
 siguiendo la cuarta medida rumbo del poniente al
 oriente novecientas varas que remataron donde
 comence la medida en la misma s^anja de agua
 que corre a la siembra del expresado D. Tomas
 Sanchez. El agua de la cual para uso p^a sus
 viñedos y demas sembrados, sera el de la misma
 s^anja madre que corre p^a en medio de mi Rancho
 la cual tiene su nacimiento dentro de mi mismo
 sitio. Cuya venta hice a la S^{ra} D^a Juaguina
 Sepulveda quien me pago con cuarenta y cinco —

77

reces una junta de Bullas, dou Yeguas, y un
carayo de rienda. Y estando conforme en el espre-
sado valor declaro que el terreno que he vendido a
la Sra D^a Juaguina no vale mas, y si mas vale,
ó valer pueda del exceso en poco ó mucha cantidad
que sea hago cesion a la compradora; y le doy el
presente documento que formalizare Judicialm^{te}
en el mes de Abril ó Mayo del presente año de
1844. firmando por mi por no saber yo escribir, mi
hijo Pedro en presençia del Encargado de Justicia
de esta Misión de S. Gabriel, D. Perfecto Hugo
Reis y de los testigos Bernardino Lopez y Fran^{co} -
Pantoya quienes tambien firmaron. En la Misión
de San Gabriel á los doce dias del mes de marzo
de mil ochocientos cuarenta y cuatro.

Por mi S^r Padre

Pedro Perez

Fran^{co} Pantoya

pasó ante mi

D. Hugo Reis.

En la Ciudad de los Angeles de la Alta Ca-
lifornia á los diez y seis dias del mes de Junio de mil
ochocientos cuarenta y siete, anuente á la solitud
verbal que hace D^a Juaguina Sepulveda; para
que se le di posesion Juridica de un pedazo de Tierra
que compró al finado Juan Perez, sita en el Rancho
de los Nietos; pasen por mi y testigos de asistencia,
y previa citacion de colindantes y nombramiento de
coveleiros, dese la posesion arreglada á la estructura
de venta que presentó y es de fecha dou de marzo de
mil ochocientos cuarenta y cuatro. Asi yo Enrique
Avila Alcalde segundo de vote y mandé con los

de asistencia segun derecho = Enrique Avila, asistencia Tomas Sanchez Colima, asistencia Bernardino Girado. En la fecha se paso oficio a los colibrantes que no manifestaron objecion alguna y se nombraron dos cordeleros los que se juramentaron en forma y por no saber escribir se omiten sus nombres: y se pone por diligencia que autorize y firme con los de asistencia, Enrique Avila, asistencia Tomas Sanchez, asistencia Bernardino Girado. acto continuo y hagando me en el punto de los Mictos, para remediar y poner en posesion de el Juicio a la viuda Juaguina Sepulveda, por ante mi y testigos de asistencia mande medir un cordel constante de cincuenta varas al que se ataron a sus estremos unos saucos de madera, y previa observacion y calculo por mi disposicion se tiro el primer Cordel desde la sanga madre de Norte a Sur, donde se midieron y contaron mil cien varas que remataron en la esquina de la huerta de don Tomas Colima. De este punto se tiro el segundo cordel de Oriente a Poniente, y se midieron y contaron mil cincuenta varas que remataron en el bajio a linea recta a donde igualmente se mando poner otra mojonera. De este lugar y tirando el cordel de N. a Sur y endose por la orilla del Bajio, y se contaron mil cincuenta varas que remataron adelante de la casa de don Bernardino Girado donde tambien deberan poner una mojonera. De aqui se tiro el cordel de Poniente a Oriente y se midieron y contaron novecientas varas que remataron donde se impero, con lo que se concluyo el acto y se dio por legal y bien echa la venta que hizo el finado Juan Perez a Doña Juaguina Sepulveda lo que autorizo y firmo con los de asistencia, segun derecho. Enrique Avila,

79

asistencia Tomas Sanchez Colima, asistencia
Bernardino Guirado. En la fecha y a petición
de la interesada se dió testimonio en papel comun
por falta de sellado.

87 SD
PAGE 74

Concuerda con su original que se haya
en el protocolo de este año del que se saw, corri-
gió y confrontó en estas dos fojas de papel comun
por falta de sellado fecha us supra.

Enrique Avila.

^{ano}
Ignacio Coronel

^{ano}
Joagⁿ de los Rios y Ruiz.

Filed in office Nov. 4th 1859

Geo Fisher

Secy.

This Indenture made and entered into on this 19th day of Feb-
Doc. H. H. no. 7, may, A. D. 1857, by and between Pedro Romero & Maria Antonia, his
amused to the depo. wife of the first part and Pio Pico of the second part, all of the County of
of Hugo Reid tatter Los Angeles and State of California; Now this Indenture witnesseth, that
before Court H. Hall, for and in consideration of the sum of One thousand dollars, by the said
party of the second part to the said parties of the first part in hand
paid at and before the enrolling and delivery of these presents, the
receipt whereof is hereby acknowledged, the said parties of the first part
have bargained and sold, and by these presents do bargain and sell
unto the said party of the second part, his heirs and assigns forever,
all the right, title, and interest, whatsoever, which they the said
parties of the first part may or can have, the said Maria An-
tonia, as daughter and one of the heirs of Juan Cuspin Perez,
deceased, and the said Pedro Romero by virtue of his

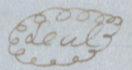
Doc. 7 continued,

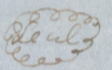
87 SD
PAGE 75

marriage with the said Maria Antonia, in and to the follow-
ing tract of land, of which the said Juan C. Perez died seized, lying
and being in the County of Los Angeles and State of California, and
known and described as follows, to wit, being the tract of land
known by the name of the Paso of Bartolo, the other children
heirs of the said Juan C. Perez, being Francisca Perez Silbas, intermarried
with Mariano Silbas, Pedro Peres, Chryscanta Perez Lopez, intermarried
with Bernardino Lopez, and Juan Perez, together with Tomasa Gutierrez
Perez, widow of the said Juan C. Perez. To have and to hold the
right, title and interest of the said parties of the first part in
and to the said tract of land, and every part thereof, unto him the
said Pio Pico and his heirs and assigns forever. In testimony
whereof the said parties of the first part have hereunto subscribed
their names and affixed their seals on this 19th day of Feb'y A.D. 1851.

Witness,

Benjⁿ. Wilson.

Pedro^{his} + Romero 

Maria^{her} + Anto^a Perez 

State of California

County of Los Angeles I on this 19th day of Feb'y A.D. 1851, before me
Benj. S. Wilson, Clerk of the County Court of Los Angeles aforesaid, person-
ally appeared Pedro Romero & Maria Anto^a Perez, his wife, who are known
to me as the persons described in & who executed the foregoing instrument &
writing, & acknowledged that they executed the same freely & voluntarily
for the purposes therein mentioned, she, the said M^{rs} Antonia being by me
examined separate and apart from her said husband, & acknowledged
that she executed said instrument freely & voluntarily, and without
fear, under influence or compulsion of her said husband; for the
purposes and uses therein mentioned.

In testimony whereof I have hereunto subscribed my name, as Clerk
(S. S.) aforesaid, and affixed the Seal thereof, on this 19th day of Feb'y A.D. 1851.

B. S. Wilson, County Clerk,

Received on this 22^d day of July A.D. 1851 at 10 o'clock, & recorded the same
on the same day & date at 30 minutes past 12 o'clock in the Book 1
of Mortgages, Books &c at page 25 of said Book at request of Pio Pico.

Filed in Office Nov. 4th 1852,
(signed) Geo. Fisher, Sec.

Sup. Petn
Exhibit D

Translation of
"Doc. H. H. no. 3,
annexed to the
depos: of Hugo Reid
taken before Comrs
Melank Hall,

87 SD

PAGE 76

Be it known by this Document that I Juan Crispin Perez
for myself and in the name of my heirs and of whom
ever may have title claim and right do cease and
transfer give in absolute and perpetual sale for ever
more to Dona Louguin Sepulveda widow of the late
Juan Poguerena a parcel of the land of my Rancho
called Paso de Bartolo, which land now sold by
me to Dona Louguin is situated a little below the
willoos (Succes) whose position determines the line
from North to South along the Edge of the Agueda
that runs to the land of Don Tomas Sanchez Colo
ma One thousand One Hundred varas which
terminate at the corner of the piece of the garden of
of the said Don Tomas Sanchez and from said corner
course from East to West to the line of a large tree
more (aliso) which is in the boundary of my Rancho
and that of Do Josefa Cota to the edge of the high
land where there is a bottom, the boundary of Don
Bernardino Guada One thousand and fifty One varas
whence following the third measurement course
from South to North along the edge of the same high
land that forms the bottom, One thousand One hun
dred varas which ends near to the mother ditch
which runs through my Rancho, when I appeared
for a Land mark a stake, I order to be drawn
following the fourth measurement, course from
West to East nine hundred varas which ends
where I began the measurement at the same aqua
duct which runs to the field of said Tomas Sanchez
The water which she will make use of for her ven
ganes and other plantings shall be that of the said
mother ditch which runs through the middle of
my Rancho which takes its source within my own
premises, which sale I have made to Señora Dona
Louguin Sepulveda who paid me with forty five
head of Cattle, a yoke of Oxen twelve mares and
a horse broken to the bridle, and being satisfied with

87 SD
PAGE 77

the said amount I declare that the tract which I have sold to Senor Don Louquin is not worth more I assign the balance to the sum a smaller or greater sum to the purchaser and I give to the present document which I will cause to be sanctioned in due form of Law in the month of April or May of the present year 1844 my son Pedro signing for me as I do not know how to write. In presence of the Alcalde of this Mission of San Gabriel, Don Perfecto Hugo Reid and of the witnesses Bernardino Lopez and Fran^{co} Pontaja who likewise subscribe their names at the Mission of San Gabriel on the twelfth day of the month of March one thousand Eight hundred and forty four

For my father Pedro Perez
Executed in my presence Fran^{co} Pontaja
P. Hugo Reid

At the City of Los Angeles in the California on the sixteenth of the month of June one thousand Eight hundred and forty seven in compliance with the verbal petition made by Don Louquin Sepulveda to the end that the said Alcalde possess be given to him of a parcel of land which he purchased from the late Juan Perez situated at the Rancho of Los Nietos Ordered that I with the attesting witnesses do appear thereto and after summons to the owners of neighboring premises, and appointment of Lino beaus give the delivery of possession in accordance with the deed of sale which she presents dated twelfth of March one thousand Eight hundred and forty four. I Enrique Avila Secano Alcalde have so Ordered and decree with the attesting witnesses according to Law. Enrique Avila - Attest Tomas Sanchez Colima Attest Bernardino Lomas

On the same date notice was sent to the owners of neighboring premises who made no objections and two line bearers whose names are omitted they not knowing how to write, which is set down in the Minutes certified and subscribed by me with the attesting witnesses according to Law Enrique Oviedo Attest Don Tomas Sanchez Colima

Attest Bernardino Guerales
Immediately afterwards and being at the premises of Los Nitos to measure and deliver judicial possession thereof to the widow Doña Juana Sepulveda in my presence and that of the witnesses I caused to be measured a line consisting of fifty varas to whose extremities wooden poles were fastened and after observing and calculating the course and in my directions the first line was drawn from the mother ditch from North to South, then was measured and counted one thousand one hundred varas which ended at the corner of the garden of Don Tomas Colima. From this point the second line was drawn from East to West and then was measured and counted one thousand and fifty varas which ended at the Low Lane in a straight line where another Lane mark was likewise ordered to be placed. From this place and drawing the line from North to South going along the edge of the Low Lane and then was measured one thousand and fifty varas which ended beyond the house of Don Bernardino Guerales where also a Lane mark is to be placed. Since the line was drawn from West to East and then was measured and counted nine hundred varas which ended at the place of Beginning. Herewith terminated the proceedings, and the rule made by the late Juan Perez to Don Doña Juana Sepulveda was adjudged legal and valid which I certify and subscribe with the attesting witnesses according to Law Enrique Oviedo

84

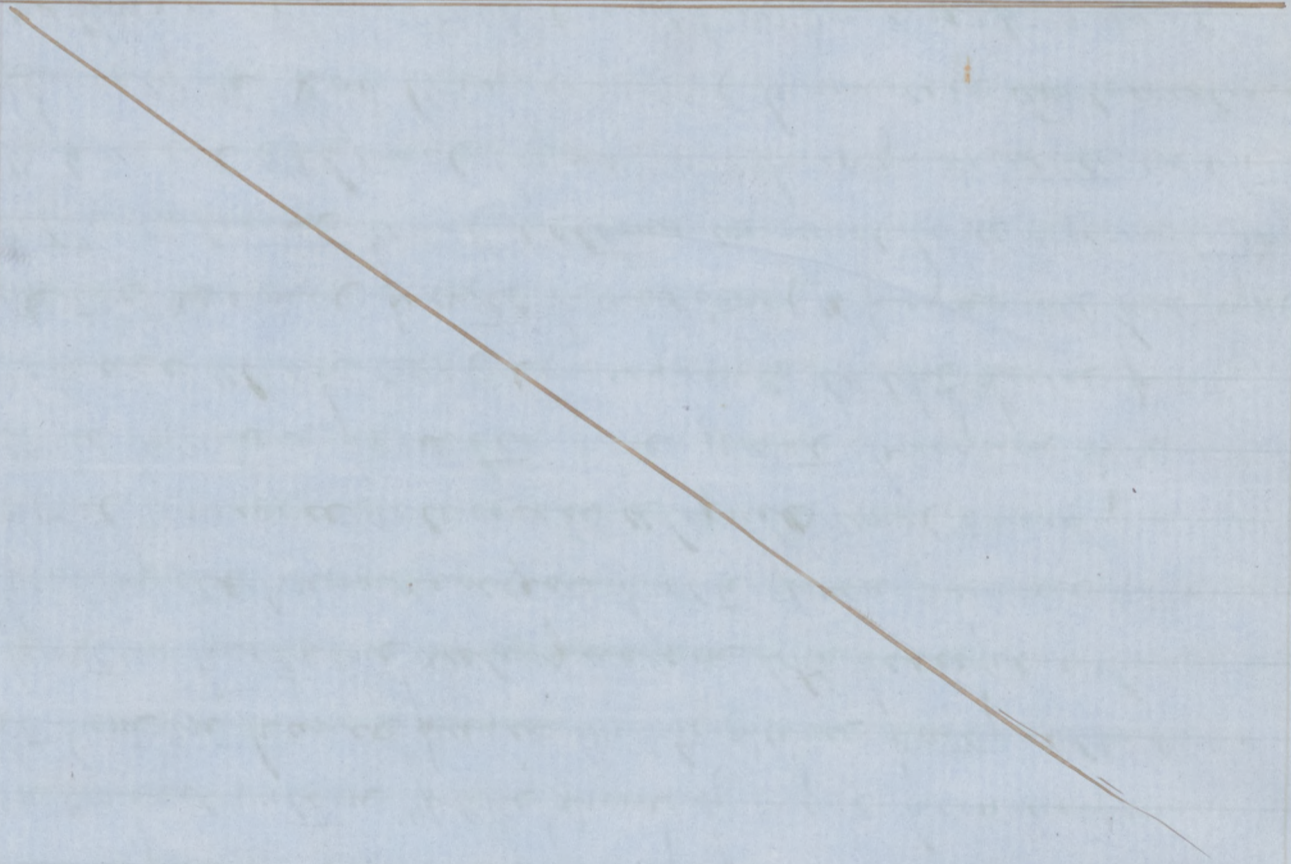
Attest Tomas Sanchez Coloma = Attest Bernardino
Garcia

On the same date and at the request
of the party in interest certificates was given on com-
mon paper for want of the stamps.
A true copy of the Original which is found in the
record of this year and from which it was taken
corrected and collated in these two sheets of
common paper there being none stamps -

87 SD
PAGE 79

Same date - Enriquez Avila
Attest - Jno. Canales
Attest. Lougr. de los Rios y Ruiz

Filed in Office Nov. 15th 1852
Geo. Fisher Secy



WIFE

"No No No" ...

83

"H. H. No 5"
annexed to the
depo: of Hugo Reid
taken before Geo. W.
Melville Hall.

87 SD
PAGE 80

This Indenture made and entered into in the City
of Los Angeles on this the twenty third day of March
in the year of Our Lord One thousand Eight hundred
and fifty two, between Bernardino Lopez of the
first part and Pio Pico of the second part both of
the County of Los Angeles and State of California
Witnesseth: That the party of the first part for and
in consideration of the sum of Eight hundred dollars
to him in hand paid by the second party of the second
part to his entire satisfaction the receipt whereof is
hereby acknowledged hath given granted bargained
sold remised released aliened and conveyed and
does by these presents give grant bargain sell remise
release alien and convey unto the second party
of the second part heirs and assigns all his right
title interest and claims in and to a certain tract
or parcel of land lying and being situate in the
County of Los Angeles and bounded and described
as follows to wit: Being that part of the Rancho of
San Rafael situate on the one side of the river
San Gabriel and which Tomas Ontiveras hereto
per testamento de su Marido, and which the said
Tomas Ontiveras has exchanged with Bernardino
Lopez for a certain house and garden which did
belong to Bernardino Lopez as appears by the deed
of exchange and contract between Tomas Ontiveras
and Bernardino Lopez bearing date fifth day of
March A.D. 1852 together with all and singular
the privileges thereunto appertaining or in any wise
belonging to the said parcel of land exchanged
and bartered by Tomas Ontiveras to Bernardino
Lopez with all the tenements hereditaments and
appurtenances belonging to the same. To have and
to hold the above the above granted and described
premises unto the said party of the second part
heirs and assigns to his and their proper use
and behoof forever

And now the said party of the second part for him self his heirs and assigns Executors and Administrators do Covenant with the said party of the second part his heirs and assigns, that the said party of the first part is lawfully seized in fee simple of the afore granted premises, that they are free from all incumbrance, that the said party of the first part has good right to sell the same to the said party of the second part as aforesaid, that the said party of the first part will and his heirs Executors and Administrators shall warrant and defend the same to the said party of the second part his heirs and assigns forever against the lawful demands of all persons

In testimony whereof I the said party of the first part have hereunto set my hand and seal in the City of Los Angeles the day and date first above written

Bernardo Lopez

Signed Sealed and
delivered in presence of
O. Morgan
Julian Chavez

Know all men by these presents that I Raquelita Cruz de Lopez wife of Bernardino Lopez of the City of Los Angeles State of California for and in consideration of the sum of One dollar to me in hand paid by Pio Pico the receipt whereof is here by acknowledged, have bargained parted sold and released released and conveyed and do by these presents part bargain sell release and convey unto the said Pio Pico his heirs and assigns all my right title interest and claims in a certain tract of land by the above and foregoing deed of conveyance from my husband Bernardino Lopez to the said Pio Pico

87

renouncing hereby all my right to the said described premises set forth in the conveyance of my husband Bernardino Lopez to the said Pio Pico confirming all the acts of my husband in the premises as well for myself as my heirs and assigns, the tract of land being then exchanged and parted by Tomas Ontiveros ^{wife of} to Bernardino Lopez for a certain tract of land and house situated in the city of Los Angeles - In testimony whereof I have hereunto set my hand and seal in the city of Los Angeles this 23rd March A.D. 1852

87 SD
PAGE 82

Signed, sealed and delivered in presence of ^{her} ~~her~~ ^{mark} ~~mark~~
 ~~Ulises Jones~~ Rafael Cresantes X De Lopez
 Ulises Jones
 W. G. Bryan

State of California }
County of Los Angeles } ss

Be it remembered

that on the twenty three day of March in the year of Our Lord One thousand eight hundred and fifty two personally appeared before me William G Bryan a Notary Public in and for the County of Los Angeles, Bernardino Lopez known to me to be the person described in and who executed the foregoing deed of conveyance and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned and at the same time being present Raquelita Cresantes wife of the said Bernardino Lopez personally known to me to be the person whose name is subscribed to the foregoing deed of conveyance as a party thereto that she was made acquainted with the contents of said deed of conveyance by her husband Bernardino Lopez to Pio Pico and that being examined apart and without the hearing of her husband that she executed the same freely and voluntarily

W. G. BRYAN

without fear or compulsion or undue influence
her husband and that she does wish to retract
the same

In testimony whereof I have subscribed
my name as Notary Public and affixed
the seal of my Office in the City of
Los Angeles the day and date above
written

W. G. Dryden
Notary Public

87 SD
PAGE 83

Received the foregoing document for record
on the 3rd day of May A.D. 1852 at 5 minutes
past 9 o'clock A.M. and received the same ^{on the 3rd day of May, 1852} at
42 minutes past 10 o'clock A.M. at request of
Pio Pico in Book of deeds pages 166. 167. 168. 169

Wilson Jones
Recorder

Filed in Office Nov. 4th 1852
Geo. Fisher
Secy



89

Pio Pico & als
 as
 The United States } To the place called Paso de
 } Bartolo "Kejo" containing two
 } square leagues ^{land} in Los Angeles
 } County -

Opinion of Board
 by Com Felch

87 SD
 PAGE 84

The petition was filed in this case originally by Pio Pico and Juan Perez alleging a grant of the land called Paso de Bartolo "Kejo" by Governor Figueroa to Juan Crispin Perez in 1835. The petition states the death of said grantee the inheritance by Juan Juan Perez as one of his heirs, of one undivided tenth part of the premises, and ownership by Juan Pio Pico of the interest of all the other heirs by purchase and conveyance to him. A supplemental petition was subsequent filed in the case by Pio and Perez in conjunction with Don Joaquin Sepulveda and Bernardino Guirado alleging that each of the two last named had purchased a small portion of said land by meters and bounds of Juan Juan Crispin Perez in his life time and received his conveyance for the same. The parties join in the prayer for a confirmation of the land to them according to their respective pretensions. As all the petitioners claim under the title of Juan Crispin Perez the first question presented is whether he had a valid grant of the land. The claimants have introduced in evidence a true copy of the Expediente from the Archives the Original grant to Juan Juan Crispin Perez and the records of judicial possession duly proved. The application for the grant appears to have been made September 1833 and after obtaining several reports on the subject for information Governor Figueroa issued the grant bearing date June 12th 1835. The approval of the departmental assembly was obtained on the 29th day of August 1835 and judicial possession of the land was given to said grantee April 30th 1842.

The record of judicial possession shows that a controversy with the owners of adjoining lands arose when the measurement was made, but is now finally adjusted between the parties and the possession duly given of the lands with defined limits and boundaries - The deposition of Hugo Perea shows that said grantee lived on the lands before the grant was made and that he had a house upon ^{it} and cattle horses and sheep and continued to live upon cultivate the lands from that time until his death in 1847 - The proof is ample to show his right to the premises under his grant - A deed executed before the Alcalde is given in evidence by which said Juan Crispin Perez conveyed to Bernardino Guada the portion of the premises which is claimed by the latter in this case - This deed was made on the 22nd October 1843 - A similar deed of conveyance from Juan Crispin Perez to Dominga Sepulveda another of the petitioners, is presented bearing date March 21st 1844 and conveying to the latter the portion of the premises claimed by her - With the exception of the small portions covered by the two deeds above mentioned executed by the grantee in his life time, the whole property remained so far as appears by the proof in Juan Crispin Perez at the time of his death in March or April 1847 - The petitioner Juan Perez claims in the petition to be one of the heirs of Juan Crispin Perez, and as such claims one undivided tenth part of the property - His documentary evidence of title in him is presented - Fio Perea claims the remaining interest of said grantee in the property held by him at the time of his death, and to show title to it in himself - He introduces first a deed from Tomaso Ontiveros to Bernardino Lopez dated March 5th 1852

91

Second. A conveyance from Bernardino Lopez & wife to Pio Pio dated March 23rd 1852. Third. A conveyance from Pedro Perez and his wife Maria Antonia Pontaza: Bernardino Lopez and his wife Ursula Perez to Juan Pio Pio dated August 20th 1850.

Fourth. A conveyance from Pedro Romero and his wife Maria Antonia to Pio Pio dated February 19 1851. Fifth. A conveyance from Mariano Silvas and his wife Francisca Perez Silvas dated April 28. 1851

87 SD
PAGE 86

The first of these deeds alleges no connection of the grantee with the original grantee of the land nor does it show how she acquired any title in it. The other deeds contain allegations of different interests in the persons by whom they are executed some as his heirs and others as devisees of Juan Crispin Perez. There is no proof in the case known to show that any of them were either heirs or devisees of said original grantee. There is now evidence to connect them in any manner with the deceased nor to show that they had any interest in the premises which they convey either before or convey. This link in the chain of title being wanting the petitioner Pio Pio has shown no interest in himself in the premises which can be confirmed. The petitioner Juan Perez is in no better condition. He has given no evidence that he is the son of the said or that he holds by devise any interest in the property in question. The two last mentioned applicants cannot therefore be entitled to a confirmation.

The other two who hold separate patents of the land under deeds from Juan Crispin Perez executed in his lifetime are entitled to confirmation of the land therein devised to them.

Filed in Office Dec 27th 1853
Geo. Fisher Secy

92

1849
Q2

93

Pio Pico & als

vs

The United States

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Decree

87 SD
PAGE 87

In this case on hearing the proofs and allegations it is adjudged by the Commission that the said claim of the petitioners Pio Pico and Juan Perez are not valid, and the application of said Pico and Perez, respectively for a confirmation thereof is therefore hereby denied and it is further adjudged that the claim of the petitioner Joaquin Sepulveda is valid as to the portion of the Land which is described & bounded as follows to wit: Being part of the Rancho called Puso de Bartolo, and situated a little below the willows whose position determines the line from North to South along the edge of the Alameda that runs to the land of Don Tomas Sanchez Colima, One thousand One hundred varas which terminates at the corner of the fence of the garden of the said Don Tomas Sanchez, and from said corner course from East to West to the line of a large Agave (aliso) which is in the boundary of said Rancho and that of Dona Josefa Cota to the edge of the high land where there is a bottom, the boundary of Don Benarmino Garcia, One thousand and Forty One varas whence following the third measurement, course from South to North along the edge of the same high land that form the bottom One thousand One hundred varas terminating near to the Mocho ditch, which runs through said Rancho at a stake placed for a land mark, thence course from West to East nine hundred varas to the place of Beginning at the same Alameda which runs to the fence of said Tomas Sanchez, The land hereby confirmed to said Joaquin Sepulveda as being the same land conveyed to him by Juan Gaspar Perez on the twelfth day of March 1844

reference for further description thereof to be had to the conveyance of the same and the judicial possession thereof given to her under said deed of conveyance the testimonial of which is on file in this case and it is further adjudged that the claims of the petitioner Bernardino Guirado is valid as to the portion which is described and bounded as follows to wit Being a part of said Rancho Pasa de Bartolo Viejo and comprising the Land Course North to South from a blending in the Mother ditch of water which runs through the middle of said Rancho to a byeam or tree which exists when the flat mees, which byeam is the boundary of said Rancho and that of Don Josefa Cotea measuring along all the bank of the high ground which forms the bottom, there are one thousand and two hundred varas, and from the East to the West measuring the same line described by the winding of the Mother ditch to the edge of the River, there are three thousand seven hundred varas to a heap of stones placed for a Land mark. Thence running down by the Edge of the River one thousand two hundred varas to the boundary line between said Rancho and that of Don Josefa Cotea the same being an Elcra (Stream) near a large trunk of a byeam cut for a Cart wheel being the same premises conveyed by Juan Cuspin Prieto to said Bernardino Guirado on the second day of October 1843. Reference to be had to the documentary Evidence now on file in this case. And it is hereby decreed that the two parcels of Land above particularly described be confirmed and they are hereby confirmed to said Doña Juana Sepulveda and Bernardino Guirado respectively.

Alphus Welch
Thompson Campbell
Filed in office R. Lee Thompson
Dec. 27. 1853. Geo. John See

Commissioner

Office of the Board of Commissioners,

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

I, *George Fisher* Secretary to Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *Ninety four* pages, numbered from 1 to *94*, 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. *373* on the Docket of the said Board, wherein

Pio Pico et al are the Claimant against the United States, for the place known by name of "*Paso de Bartolo*"

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



87

U. S. DISTRICT COURT,
Southern District of California.

No. 87. *Docket*

THE UNITED STATES.

87

Pro Pico et al
"Paso de Bartolo."

TRANSCRIPT OF THE RECORD
FROM THE
BOARD OF U. S. LAND COMMISSIONERS,
In Case No. *373*

Filed, *September 27th* 1854

W. H. Carter
clerk

87

No. 373



Clerks office of the District Court
of the United States for the Southern Dis-
trict of California.

87 SD
PAGE 90

Whereas the Commissioners con-
stituted for the purpose of ascertaining and
settling private land claims in the state
of California, by the act of congress of the
U. S. of America, approved on the 3^d of
March 1851, entitled "An Act to ascer-
tain and settle the private land claims
in the State of California, did on the twenty
seventh day of December eight and hundred
fifty three, by their decision of that date
decide against the claim presented by the
undersigned to the said Commissioners,
which claim is for land lying in the said
Southern District, and is numbered three
hundred seventy three on the docket of
claims before said Board, - and the said
claimants being desirous that the said
District Court should review the said de-
cision, - now hereby give this notice
in the said Clerks office of their intention
to prosecute an appeal, as is provided
by the 12th Section of an act entitled
"An Act making appropriations for the
civil and diplomatic expenses of the
government for the year ending the 30th of

of June 1853, and for other purposes,
which said act was approved on the 31st
of August 1852.

Pio Pico & Juan Perez
by E. O. Crosby
of counsel.

To the Clerk of the U. S.
District Court of the Southern
District of California
18th of January, 1854.

87 SD
PAGE 91

N^o 87.
U. S. District Court
Southern District

Pío Pico & Juan
Peres, appellants

vs
The United States
appellee.

Notice of Appeal.

No. 4.

Filed Jan'y. 24/54

A. S. Taylor
Clerk

87 SD
PAGE 92

E. O. Crosby
of Counsel.

87.

87 SD
PAGE 93

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

Pio Pico et al.
vs.
The United States. } 373.

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 87.

U. S. District Court.

Southern District.

Appeal notice

The United States

vs -

Pio Pico et al -

Filed Jan'y 10th 1838.

J. E. San.
clk.

87 SD

PAGE 94

Don Pedro & Juan Perea } In the United States
 appellants }
 vs } District Court for the
 United States } Southern District of
 } California -

87 SD
 PAGE 95

Appeal from the final decision of the Board
 of Commissioners to ascertain & settle the Public
 Land Claim in the State of California taken
 on the 20th September 1854 by the said Board
 having filed with the Clerk of said Court a
 certified Transcript of their proceedings & decision
 of the papers & records upon which the same
 are founded in the said cause being Number
 373 on the docket of said Board -

NOTICE is hereby given that Don Pedro &
 Juan Perea, appellants in the above entitled cause
 claimants before the said Board in a claim
 before the said Board for a tract of land
 called "Passo de Bartolo Vayo" situated in
 the said Southern District, filed before
 said Board October 4th 1852 & being on its docket
 No 373, will prosecute the appeal herein
 from the final decision of said Board
 entered on December 22nd 1853 adverse
 to & against said Appellants & Claim-
 ants -

Done at San Francisco
 March 19th 1855 } atty for Don Pedro & Juan Perea
 } appellants & claimants

1287
U.S. Dist. Court for the Southern
District of California

Don Pedro Juan Perea
vs appellants
United States

Passo de Portales Vago

Notice of intention
to prosecute appeal

Filed March 19th 1857

87 SD

PAGE 96

J. E. Carr
clerk.

J. P. ...
att. ...

Pío Pío & Juan } N^o 87 = In the
Perez - Appellants } United States Dist.
vs } Court for the Southern
United States } District of California
Petition for Review.

87 SD
PAGE 97

To the Hon: Isaac S. K. Ogden, Dis-
trict Judge of the United States, sitting
for the Southern District of Cal-
ifornia -

The petition of Pío Pío & Juan
Perez, both residents of the same
state & district respectfully sheweth
that on the 12th June 1835, José Figueroa
Superior Judicial chief of Alta
California, gave & delivered to
Juan Nepomuceno Perez a good & valid
grant in fee simple of a certain
tract of land situated in Los Angeles
county in the said Southern District
of California & in in the jurisdiction
of this court, bounded & descri-
bed ~~as follows~~ as follows: Bounding
with the old road of San Juan Guadalupe,
The Rancho of the same name, River
& Mission of San Gabriel, by the
Hills of the Northeast & Hills of
the Cañada Verde; said tract of

land known by the name of "Paso
de Basilio Viejo -"

Some petitioners further shew that
afterwards to wit on the 29th Aug
1839, said grant became definitively
=ly void by the approbation of the
departmental assembly -

87 SD
PAGE 98
Some petitioners further shew
that afterwards to wit in the
month of April 1842 the tract
of land above granted described
was juridically surveyed & measured
as its metes & bounds accurately
ascertained & established & judicial
possession thereof delivered by
competent ^{authority} to the said grantee.

Some petitioners further aver
that the said Juan Nepomuceno
Perez duly complied with
all the conditions of his grant
& held possession of the granted
premises from the date of the
said grant until his death
which occurred in the spring of 1847 -
that at his death he left living
Tomasa Oubirens, his wife &
the following children issue

of his marriage viz Pedro

of his marriage viz Pedro
Perez, Juan Perez, the plaintiff,
Crisanta, wife of Pascual
Lopez, Francisca wife of Mariano
Silvas & Maria Antonia, wife
of Pedro Romero - that the
said Pedro, one of the Plaintiffs,
for one & legal consideration
& in virtue of good & void deed
agreed all the title of the
said Pedro, the said Crisanta & the
said Francisca & the said
eight & title the said Tomasa
might have had in the pre-
mises & that the said Juan
the other of the Plaintiffs remains
with the share that he inher-
ed from his father & expressed
that the said Juan Crisanta
left a wife but that said
will do not vary the legal
rule of inheritance - that after
his death his wife & their
apprises succeeded to his prop-
erty & remain & they & their appris-
es have full & still have possession
of the said premises, exact
of two parents & as hereafter

described —

These Plaintiffs further aver
that on October 4th 1852, they filed
their petition claiming said
land together with suitable
proof, before the commissioners
appointed in pursuance of an
act or laws entitled "An Act
to ascertain & settle the Mineral
Land Claims ^{in the State of} California" appro-
ved March 3rd 1851 while sitting
on a Board of that afternoon
to wit on December 7th 1853, the
said commissioners proceeded
to decide on the validity of
their said claim & then signed
the same by their final decree
that afternoon to wit on Septem-
ber the 20th 1854 an appeal
was taken from said decree
by the said commissioners being
filed with ^{the} Clerk of this Court
sent a certified transcript of
their proceedings & final decision
of the papers & evidence upon which
the same are founded & that
afterwards to wit on March
19th, these Plaintiffs filed with the

Clerk of said Court a notice of

192, these Plaintiffs file with the

Club of said point a notice of their intention to prosecute said appeal.

These Plaintiffs do make particular reference to said original pronouncement a pray that the same may be taken as a part of this ~~present~~ petition.

87 SD
PAGE 101

Plaintiffs further aver that their said claim is good and valid according to Law & that the said final decree is erroneous.

Wherefore these Plaintiffs pray that your Honor do reverse the said decree of the said former proceedings & amend the same & decree upon the validity of the claim of your petitioner & adjudge it to be good & valid & to confirm the same to your petitioner in the shares & proportions above stated with the exception of the said two parcels sold by the said Don Blas de Quiroga in his life time to Bernardino Guando & to Juana de la Cruz for a more particular description of which reference

is hereby made to some artificial
transcript

And these Plaintiffs pray for
such or further relief as the
nature of their case may
require or as Law & Equity
may grant

And as in duty bound

Hemicentia Brewster
atty for Pliffs.

87 SD

PAGE 102

487

U.S. Dist. Court for the
Southern Dist. of California.

Pio Pico & Son Deeds
vs appellants

United States

Pasadena Bartolo Deeds

Petition for Review

Filed March 19th 1855

C. E. Jan.
clerk.

87 SD

PAGE 103

A. A. Brent
atty for P. & S.

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

TO

The President of the United States,

87 SD

PAGE 104

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

GREETING:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against ~~you, and each of you~~ ^{The United States} in the District Court of the United States, in and for the Southern District of California, on the *Nineteenth* day of *March* 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

Pio Pico and Juan Perez, praying the said Court to review upon the grounds therein set forth, the decision of the Board of U.S. Land Commissioners, to ascertain and settle the private land claims in the State of California, in their claim to a certain tract of land situate in Los Angeles County in said District State, and known by the name of "Pase de Bartolo Sijo", which said claim was presented to said Commissioners on the 4th of October 1852, and was by them rejected on the 7th of December 1853.

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 Plaintiffs will apply to the Court for the relief therein demanded.~~

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

J. E. Farr,
Clerk.

No. 87
March 27

United States of America,
Southern District of California,
U. S. District Court.

Pro Se, a Juan Perez,
87 SD Appellants
VS. 8087.
United States, Appellees.

SUMMONS.
Rec'd this 27th day
of March 1855.
Edward Hunter
U.S. Marshal, by
R. J. Jones, deputy
Marshal

I served this summons along with the proper copy of the petition upon *Pacificus Co*
att'y of the United States by leaving with for the
Southern District of California in the County of
Los Angeles.

at *his office*
the *27th*

day of *March*

in the Southern District of California or
A. D. 1855.

Sworn to and subscribed before me, *this 27th*
March 1855.

J. E. Jones Clerk.

Edward Hunter
U.S. Marshal, by
R. J. Jones
Deputy

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

Pio Pico, and Juan Perez } N^o 87. (N^o 373 of
Appellants } Transcript). Answer of

vs.

The United States.

The United States, to
The petition of the ap-
pellants, praying the
Court to review the decision
of the U.S. Land Commissioners.

The answer of Pacificus Ord., Attorney of the United States for the Southern District of California, in behalf of the United States, to the petition of Pio Pico, and Juan Perez, residents of said State and District, (filed March 19th 1853) alleging that on the 4th October 1852, they filed their petition before the Commissioners appointed in pursuance of an act of Congress entitled "an act to ascertain and settle the private land claims in the State of California", approved March 3rd 1851, while sitting as a Board, claiming a ^{certain} tract of land, situate in Los Angeles County, in said District, and bounded and described as follows:
Bounding with the old road of Santa

87 SD.

PAGE 106

2.

Gertrudes, the Rancho of the Same, River
and Mispim of San Gabriel, by the Hills
of the North East and Hills of the river
Cañada Verde, and known by the name
of "Paso de Bartolo Viejo"; and that
afterwards, on the 7th of December 1833,
The said Commisaries proceeded to de-
cide on the validity of their said claim,
and rejected the same, by their final
decree; and praying your Honor to
review the said decree of the said
Commisaries, and annul the same,
and decide upon the validity of their
claim, and to adjudge it to be good and
valid, and to confirm the same to them
in the shares and proportions to which
they may be entitled, and for general
relief.

And the said Attorney, answering
said petition, in behalf of the United
States, denies, generally, all and singular,
each and every allegation in the said
petition contained; and he denies specially;
"That on the 12th June 1835, José Figueroa
"Superior Political Chief of Alta California,
"issued and delivered to Juan Crispan Perez
"a good and valid grant in fee simple"

87 SD
PAGE 107

"of a certain tract of land situate in
 "Los Angeles County in the said Southern
 "District aforesaid and in the jurisdiction
 "of this Court, bounded and described
 "as follows: Bounding with the old road
 "of Santa Gertrudes, the Rancho of the
 "same name, River and Mission of
 "San Gabriel, by the Hills of the North
 "East and Hills of the Canada Verde; said
 "tract of land known by the name of
 "Paso de Bartolo Viejo". That afterwards
 "to wit on the 29th Aug. 1839, said grant
 "became definitively valid by the ap=
 "probation of the Departmental Assembly.
 "That afterwards, to wit, in the month
 "of April 1842, the tract of land above
 "described, was ^{judicially} ~~judicially~~ surveyed and
 "measured, its metes and bounds accu=
 "rately ascertained and established,
 "and judicial possession thereof delivered
 "by competent authority, to the said
 "grantee. That the said Juan Crispin
 "Perez duly complied with all the con=
 "ditions of his grant and held possession
 "of the granted premises from the date of
 "the said grant, until his death, which
 "occurred in the Spring of 1847. That"

87 SD
 PAGE 108

" at his death he left living Tomasa -
 " Oativeras his wife, and the following -
 " Children issue of his Marriage, viz, -
 " Pedro Perez, Juan Perez the petitioner, -
 " Crescenta, wife of Bernardino Lopez, Francisca,
 " wife of Mariano Silvas, & Maria Antonia,
 " wife of Pedro Romero. That the said
 " Pedro one of the Plaintiffs, for due and
 " legal Consideration, and in virtue
 " of good and valid deeds acquired
 " all the title of the said Pedro, the
 " said Crescenta, and the said Francisca,
 " and whatever right or title the
 " said Tomasa might have had
 " in the premises, and that the said
 " Juan the other of the Plaintiffs, re=
 " mains with the share that he
 " inherited from his father as afore=
 " said; that the said Juan Crispin
 " left a Will, but that said Will -
 " did not vary the legal rule of -
 " inheritance; that after his death -
 " his heirs succeeded to his possessions
 " & seized & ~~took~~ they and their assigns
 " have held and still hold possession
 " of the said premises, except of the
 " parcels as hereinafter described. That"

87 SD
 PAGE 109

WCF 116
 20

"Their said claim is good and valid according to law, and that the said final decree is erroneous"; as alleged in said petition.

And the said Attorney of the United States, in pursuance of the provisions of the said act of Congress approved the 3rd of March 1851, here-in fully and distinctly sets forth the grounds on which the said claim is invalid, to wit:—

1. That the said alleged grant of said Jose Figueras, dated the 12th of June 1835, was made in violation of the 4th article of the Colonization law of Mexico, of the 18th of August A.D. 1824, in this;— That the land granted, as alleged by claimants, was and is within ten leagues of the Sea Coast. And there is no evidence, shown by said claimants, that the Supreme ^{general} Executive power of Mexico previously approved of the Colonization of the public lands in Upper California, lying within ten leagues of the Sea Coast. And it is denied that the previous consent of said Supreme ^{general} Executive power of Mexico, in such, was ever had.

87 SD

PAGE 110

11. That at the date of the said alleged grant, the said land, ~~was~~ or about one half thereof, was occupied by, or in the possession of the Missions of Upper California. That the said land, or a large part thereof, was then occupied by the Mission of San Gabriel; and was not therefore open to Colonization, ^{or grant,} by the said José Figueroa.

111. That the said alleged grant has not the conditions required by, and is not made in entire conformity with the said law of Mexico, of the 18th of August 1824, and the Regulations for the Colonization of the Territories of Mexico, of the date of the 21st of November 1828.

IV. That at the date of the said alleged grant of said José Figueroa, the said Juan Crispin Perez, the said land, or a large part thereof, was owned and occupied by the Widow and heirs of José Antonio (or Antonio Maria) Nieto, deceased: And that, therefore, the said José Figueroa had no lawful authority to grant the said land, or a large part thereof, to the said Juan Crispin Perez,

87 SD

PAGE 111

EXCE 75
20

as alleged.

V. That there is no evidence, that the said Widow and heirs of the said Nieto, or any of them, ever abandoned the said land, or any part thereof, or conveyed their right or title to the same, or any ^{certain} part thereof, to the said Juan Crispin Perez. And it is denied, that the said Widow and heirs of the said Nieto, or any of them, ever abandoned said land, or any part thereof, or conveyed their right or title to the same, or any certain part thereof, to the said Juan Crispin Perez.

VI. That the said Claimants have failed to produce the original grant of said land, by Josi Figueroa, to said Juan Crispin Perez, dated the 13th of June 1835, alleged to have been issued and delivered to said Juan Crispin Perez, by said Josi Figueroa. And it is denied, that on the 13th of June 1835, the said Josi Figueroa, issued, and delivered to the said Juan Crispin Perez, a good and valid grant in fee simple, for the said tract of land, bounded and named as aforesaid, as

87 SD
PAGE 112

EXHIBIT III

alleged.

VII. That it appears by a paper or document, shown by said Claimants - purporting to be a copy of a decree of José Figueroa, dated June 12th 1835, granting land to Juan Crispin Perez, that the alleged grant (if ever made, which is denied) was made subject to the approbation or disapprobation of the Territorial Deputation, and the Supreme government; and, further, that it was necessary that the said Juan Crispin Perez, should present himself again, after the approbation of the said alleged grant, to the said Governor, for a complete, or final title. And there is no evidence that the said Juan Crispin Perez, ever presented himself to said Governor, or any other lawful authority, after the date of the ^{said} paper, purporting to be a decree, as aforesaid, and that he asked for and received from said José Figueroa, or any other Governor, or lawful authority of the Territory or Department of Upper California, a valid grant, or a definitive title for the said land. And it is denied that the said Juan Crispin

87 SD
PAGE 113

9.

Perez, ever performed the Conditions of the said pretended decree of said Figueroa of said date; and that the said Figueroa, or any other lawful Governor of the said Territory or Department of Upper California, ever issued, and delivered to the said Juan Crispin Perez, a valid grant, or definitive title, for the said land.

87 SD
PAGE 114

VIII. That the pretended Copy of the said alleged grant of José Figueroa, - shown by said Claimants, is not executed upon the lawful stamped paper. - That it is not duly authenticated and proved. That there is no evidence - that the alleged original grant, issued and delivered to said Juan Crispin Perez, as alleged, has been lost or destroyed, and the said pretended Copy of the said alleged grant, is of no validity.

IX. That the said pretended Copy of the said alleged original grant, does not contain any sufficient description of the locality, extent, and boundaries of the land claimed, by which it can be identified and surveyed. That the Map referred to in the said alleged

grant, is vague and indefinite. And the said alleged grant is vague, indefinite, and void for uncertainty.

X. That there is no evidence that the paper or document, ^{shown by claimants,} purporting to be a copy of an original petition of Juan Crispin Perez, to the Prefect of the Second District, dated April 5th 1842, asking for an order for the juridical possession of the place called Paso de Bartolo Viejo, is genuine, and that the name of Juan Crispin Perez, appearing thereon in writing, is his genuine signature. And the genuineness of the said pretended petition, and signature of said Juan Crispin Perez, was denied.

XI. That the paper or document, shown by claimants, purporting to be a testimonial of the juridical measurement and possession of said land, by Manuel Dominguez, and purporting to have been made on or about the 29th and 30th of April 1842, is not executed upon the lawful stamped paper. That the said alleged juridical acts were not made according to the alleged original grant of José Figueroa, and the map, and information (Noticias) referred to in the ^(Expediente) alleged proceedings, in relation to the said

87 SD

PAGE 115

alleged grant. That the said land was not measured, and the possession given according to the ordinance, or law. And that the ^{said} alleged judicial acts of survey, measurement, and possession of the said land, are vague, indefinite, and void.

XII. That there is no evidence that the said Manuel Dominguez, was Justice of the Peace and of the First Instance, of the City of Los Angeles, on the 29th and 30th of April 1842, and that he then had lawful authority, as such, to perform the said alleged judicial acts of survey, measurement, and possession of the said land, in favor of the said Juan Crispin Perez. And it is denied that the said Manuel Dominguez, was Justice of the Peace and of the First Instance, of the said place, at said time, and that he then had jurisdiction, or lawful authority, to perform the said alleged judicial acts.

XIII. That there is no evidence that the said alleged grant of said Jose Figueroa to said Juan Crispin Perez, was ever approved by the Supreme government of Mexico. And it is denied that it was ever approved by the said Supreme government.

87 SD
PAGE 116

1842
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XIV. That there is no evidence that the said Juan Crispin Perez, performed the conditions of the said alleged grant of said Jose Figueroa. And it is denied that he performed the conditions of the said alleged grant.

87 SD
PAGE 117

XV. That there is no evidence that the said Juan Crispin Perez, built a house upon the said alleged certain tract of land, known by the name of Pazo de Bartolo Vieja, and alleged to have been granted as aforesaid, within one year from the date of the said alleged grant or the date of the said alleged judicial possession; and that it was inhabited; and that he cultivated the said land. And it is denied that he built a house upon the said alleged certain tract of land of said name, alleged to have been granted him, as aforesaid, and that it was inhabited within one year from the date of the date of the said alleged grant, or the date of the said alleged judicial possession; and that he cultivated the said land.

XVI. That the alleged deed, shown by claimants, from Pedro Perez, to Pedro, of

his right, title and interest, in the lands of the "Rancho of San Rafael de los Nietos", dated August 20th 1850, is not executed, acknowledged, and proved according to law. That the description of the land in said alleged conveyance, does not correspond with the description of the said alleged certain tract of land, - alleged to have been granted by José Figueroa, to said Juan Crispien Perez, ^{as aforesaid} - That the said alleged conveyance, - contains no description of the locality, - extent, and boundaries of any certain tract of tracts of land, by which the same could be identified and surveyed. And the said alleged deed from said Pedro Perez, to said Pio Pico, is - vague, indefinite, and void for un-
 -certainty. That the pretended sig-
 -nature of Crescenta Perez, to said alleged deed, purporting to have been written, at her request, by her husband Bernardino Lopez, and the pretended acknowl-
 -edgment by her of the said act, are of no validity. That the pretended sig-
 -nature of Maria del Rosario Pantoja, - the pretended wife of Pedro Perez, to said

87 SD
 PAGE 118

alleged Deed, purporting to have been written, at her request, by Tomas A. Sanchez, and the pretended acknowledgment by her of the said act, are of no validity.

XVII. That the alleged Deed, ^{shown by claimants,} from Mariano Silvas, to Pio Pico, of all his right, title, and interest, to "an undivided part of the Rancho called San Rafael," dated April 28th, ^{(1851),} contains no description of the locality, extent, and boundaries of the land, pretended to have been conveyed, by which it can be identified and surveyed. And there is no description of the land in the said alleged Deed, which corresponds with the description of the said alleged certain tract of land, alleged to have been granted by said Don Figueroa, to said Juan Compi Perez, as aforesaid. And the said alleged Deed from said Mariano Silvas, to said Pio Pico, is vague, indefinite, and void for uncertainty.

XVIII. That the ~~said~~ alleged Deed, shown by claimants, from Francisca Perez Silvas, to Pio Pico, of all her right, title,

87 SD
PAGE 119

22
20

and interest, to the "Rancho of San Rafael", dated July 18th (1831). Contains no description of the locality, extent, — and boundaries of the land, pretended to have been conveyed, by which it can be identified and surveyed, — And there is no description of the land, in the said alleged deed, — which corresponds with the description of the said alleged certain tract of land, alleged to have been granted by said Don Figueroa, to said Juan Crispin Perez, as aforesaid. And the said alleged deed from said Francisca Perez Silva, to said Pio Pio, is vague, indefinite, and void for uncertainty.

XIX. That the alleged deed (exchange), shown by Claimants, from Tomasa Ontiveros, the alleged widow of said Juan Crispin Perez, to Bernardino Lopez, for her part of the "Rancho or place" called San Rafael, situate on the bank of the River San Gabriel", dated March 5th 1832, contains no description of the locality, extent, and boundaries of the land, pretended to have been conveyed, by which it can be identified

and surveyed. And there is no description in the said alleged Deed, which corresponds with the description of the said alleged certain tract of land, alleged to have been granted by said Don Figueras, to said Juan Crispin Perez, ^{as aforesaid}. And the said alleged Deed from said Tomasa Ontiveros, to said Bernardino Lopez, is vague, indefinite, and void for uncertainty.

XX. That there is no evidence that the said Tomasa Ontiveros, the alleged widow of said Juan Crispin Perez, had any right, title, or interest in said alleged certain tract of land, alleged to have been granted by said Don Figueras, to said Juan Crispin Perez, as aforesaid. And it is denied that the said Tomasa or Ontiveros, had, at the time of the said alleged sale by her to said Bernardino Lopez, any right, title, or interest in the said alleged certain tract of land, alleged to have been granted by said Don Figueras, to said Juan Crispin Perez, as aforesaid.

XXI. That the alleged Deed, shown by Claimants, from Bernardino Lopez

87 SD

PAGE 121

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87 SD
PAGE 122

To Pio Pico, of all his right, title and interest to "that part of the Rancho of San Rafael, situated on the one side of the River San Gabriel, in Los Angeles County, which he acquired from Tomasa Ontiveros by Deed of exchange dated 5th March 1852," dated March 23rd 1852, contains no description of the locality, extent, and boundaries of the land, pretended to have been conveyed, by which it can be identified and surveyed. And there is no description in the said alleged Deed, which corresponds with the description of the said alleged certain tract of land, alleged to have been granted by said Don Figueroa, to said Juan Crispin Perez, as aforesaid. And the said alleged Deed from said Bernardino Lopez, to said Pio Pico, is vague, indefinite, and void for uncertainty.

XXII. That the alleged Deed from Crescenta (meaning Rafaela Crescenta de Lopez?) Wife of Bernardino Lopez, to Pio Pico, of all her right, title, and interest, "to a certain tract of land by the above conveyance from her husband Bernardino"

"Lopez", dated March 23^o 1852, contains no description of the locality, extent, and boundaries of the land, pretended to have been conveyed, by which it can be identified and surveyed.

And the said alleged deed of the said Corrienta, to said Pio Pico, is vague, indefinite, and void for uncertainty.

XXIII. That the said claimants show no conveyance from Maria Antonia, Wife of Pedro Romero, of her alleged interest in said certain tract of land, alleged to have been granted by ^{said} Don Piqueroa, to said Juan Crispin Perez, as aforesaid; and claimed by the said Pio Pico, in the said petition to the said Commissioners. And it is denied that the said Pio Pico, or the said ~~Juan Pico~~ ^{two} ~~had~~, or had a deed of conveyance of the said alleged interest, in said certain tract of land, of the said Maria Antonia, in the said alleged certain tract of land, called Paso de Bartolo Veyo, as alleged in said petition of said claimants to said Commissioners.

XXIV. That there is no evidence that the said Tomasa Ortiveros, was the

87 SD
PAGE 123

lawful wife, widow, and testamentary heir, of the said Juan Crispin Perez, as alleged. And it is denied that she was the lawful wife & widow; and that she was an heir of the said Juan Crispin Perez, as alleged.

XXV. That there is no evidence that the said Pedro Perez, Juan Perez, Cosentia Perez, (wife of Bernardino Lopez) Francisca, (wife of Mariano Silva) and Maria Antonia, (wife of Pedro Romero) are the only legitimate children, and, with the said alleged Widow Tomasa, the only testamentary and legal heirs to the said ^{alleged} certain tract of land, called Bartolo Pasa de Bartolo ^{or any part thereof} Vieja, ^{as} pretended to have been granted by said Josi Fiqueroa, to the said Juan Crispin Perez, as aforesaid. And it is denied that the said Tomasa Antiveros, and the said Pedro, Juan, Cosentia, Francisca, and Maria Antonia, are the only testamentary and legal heirs of the said ^{said} ~~said~~ Juan Crispin Perez, deceased, ^{as} alleged by claimants.

XXVI. And, that the said claimants fail to show, in their said petition

87 SD
PAGE 124

the respective share, or shares, portion
or portions of the land claimed, to
which they, or either of them, might
be entitled to. And the said petition
to this Hon^{ble} Court, filed as aforesaid,
is vague and insufficient.

87 SD
PAGE 125

Wherefore, the premises considered,
the said Attorney, Respondent in
behalf of the United States, prays
that the said Claimants Pio Pae,
and Juan Perez, may be served with
copies of this answer; and that, -
after due proceedings, this Honorable
Court will decide the said claim
of the said petitioners for said tract,
^{or tract, portion, or portions}
of ^{said} land, to be invalid; and to de-
-creet costs against them. And
general relief.

F. Ord (of Monterey County)
Attorney of the United States
for the Southern District of
California.

I Sewed this answer on J Lancaster Brent
attorney for ~~defendants~~ Plaintiffs by
delivering to him two copies of the
same, at the city of Los Angeles in
the Southern District of California
this April 5th 1855

Coward Hunter
U. S. Marshal

Sworn to and subscribed
before me this 5th day of April 1855.

J. E. Farr
clerk.

No 87.

United States District Court
Southern Dist of California.

Pio Pico & Juan Perez,
Appellants.

vs.

The United States,
Appellees.

Answer of Appellees.

Filed March 29th 1855

87 SD
PAGE 126
J. E. Farr
clerk.

Marshals Cost
for answer 5.00

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

Pis Pico et al

vs

The United States

No. 87. (Transcript No 373)

87 SD
PAGE 127

To the Honorable Isaac S. H. Ogden, 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
4th day of October A. D. 1852, Pis Pico,
and Juan Perez, 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 Paso de Bartolo, ^{Vieja} in
the County of Los Angeles in the words
and figures following viz.

"The petition of Pio Pico and Juan Perez
 "respectfully sheweth- That on or about
 "the 12th day of June A.D 1835 Jose Fig-
 "ueroa then Governor of California in
 "the name of the Mexican nation by
 "virtue of the Colonization laws of August
 "18th 1824 the regulations of Nov 21st 1828
 "the various laws of Mexico and the Customs
 "and usages of the Country affecting
 "grants of land in California granted in
 "full propriety unto Juan Crescen Perez
 "the tract of land and Rancho known by
 "the name of Paso de Bartolo Viejo con-
 "taining two leagues of land as bounded
 "and described in the papers and maps
 "among the archives now in the Custody
 "of the M.S. Surveyor General of California,
 "as well as the original papers and
 "maps relating to said grant of land
 "herby claimed. Copies of all of said
 "papers and maps being herewith filed,
 "to which your petitioners pray leave to
 "refer as part of this petition, Yours
 "petitioners further show that the said
 "grant was approved by the Departmental
 "assembly of California on or about the
 "29th day of August 1839 as appears of

87 SD
 PAGE 128

87 SD
PAGE 129

" record in the Archives now in Custody
 " of the U. S. Surveyor General for Califor-
 " nia a copy of all which said papers
 " and records are herewith filed and to
 " which your petitioners for greater certainty
 " prays leave to refer as part of this petition
 " And your petitioners further show, that
 " on or about the 30th day of April A. D.
 " 1842 the said Juan Crespen Perez was
 " put in juridical possession of said lands
 " by the proper officer having jurisdiction
 " of such matters as appears by the
 " papers and maps relating to said
 " grant of land the originals of which
 " said papers and maps are in the
 " hands of your petitioners ready to be
 " produced and proved; that Copies of
 " all said papers and maps are here-
 " with filed, and your petitioners pray
 " leave to refer to the same for greater
 " certainty as part of this petition,
 " and your petitioners further show
 " that the said Juan Crespen Perez died
 " leaving Thomas Ontiveras his wife and
 " five children to wit, Pedro Perez, Juan
 " Perez, one of your petitioners, Cresante
 " Perez now the wife of Bernardino
 " Lopez, Francisca Perez now the wife of

" Mariano Silvas and Maria Antonia Perez
 " now the wife of Pedro Romero. all of
 " ~~whom~~ ^{whom} have conveyed their respective
 " interests in said lands to your petitioners
 " Pio Pico except said Juan Perez who
 " is a joint petitioner with said Pio Pico
 " and claims one undivided tenth part
 " thereof, that copies of all the aforementioned
 " Conveyances and transfers are herewith
 " filed, to which your petitions pray
 " leave to refer for greater certainty as
 " part of this petition. That said Rancho
 " and lands have been in the peaceable
 " and quiet possession of said Juan
 " Crespin Perez from the date of said
 " grant and since that time of said
 " widow and heirs of said Juan Crespin
 " Perez and your petitioners who are
 " now in the undisturbed and quiet
 " possession of said lands and Rancho
 " with all the appurtenances belonging
 " to the same. There is no conflicting
 " claim thereto known to your petitioners.
 " The said land have not been surveyed
 " by U.S. Surveyor General for California
 " although the same have been surveyed
 " and measured. The evidence upon which

87 SD
 PAGE 130

" Your petitioners rely in this case, are the
 " records of this grant in the office and in
 " the custody of the U. S. Surveyor General
 " for California - original papers and maps
 " in their hands relating to said lands copies
 " of all which said papers are herewith
 " filed and your petitioners pray leave to
 " refer to the same as part of this petition -
 " And the testimony of witnesses to be produced
 " before your Hon Board -

87 SD
 PAGE 131

" Respectfully Submitted for such
 " action as the justice and nature of the
 " Claim may require."

That thereafter, to wit, on or about the first
 of November A. D. 1852, the said Pio Pico,
 and Juan Perez, joined by Joaquina Sepul-
 crida, and Bernardo Guirado, presented an
 amended or supplemental petition, to the
 aforesaid petition of said Pio Pico and Juan
 Crispin Perez, in the words and figures
 following to wit.

" The supplemental petition of Pio Pico and
 " Juan Perez, joined by Dona Joaquina
 " Sepulcrida and Bernardo Guirado, respectfully
 " sheweth That since the filing of the
 " petition of Pio Pico and Juan Perez in
 " Cause No 373, on the Docket of said Com-
 " mission, the petitioners have been advised

" by their Counsel to set forth in this their
 " supplemental petition the following facts,
 " that on or about the 22^d day of October
 " A D 1843 Juan Crispin Perez being seized
 " and possessed of the Rancho called and
 " known as Paso de Bartola Vieja in the
 " present County of Las Angles. and more
 " particularly described in papers in said
 " Cause No 373. sold and conveyed unto
 " your petitioner Bernardino Jurado a
 " small tract of land and portion of
 " said Rancho of Paso de Bartola Vieja
 " bounded as follows; Course from North
 " to South from a winding in the mother
 " ditch of water which runs through said
 " Rancho to a Oycauore tree which exists
 " where the flat ends, which Oycauore
 " is the boundary of said Rancho and of
 " Dona Josefa Cata measuring along the
 " bank of the high ground which forms
 " the bottom there are one thousand two
 " hundred varas and from East to West
 " measuring the same line described by
 " the winding of the mother ditch to
 " the edge of the river, there are three
 " thousand seven hundred varas, where
 " are put for land marks a heap of

87 SD

PAGE 132

" Stones, following thence the measurement
 " down the edge of the river are meted
 " and counted one thousand two hundred
 " varas which terminated in the boundary
 " of the said Rancho and that of Dona
 " Josefa Cata, the same being an Elder
 " (Escriba) near the large trunk of a lye
 " amove cut for Capt. Whels, said lands
 " being more particularly described in
 " the papers Copies of which are herewith
 " filed as part of this petition -
 " That on or about the 22^d day of October
 " 1843. the said Juan Crispin Perez sold
 " and conveyed a small tract of Land,
 " part of said Rancho of Paso de Bartolo
 " Vieja to your petitioner Dona Joaquina
 " Sepulveda containing a plat of land
 " one thousand by twelve hundred varas
 " more or less and more particularly
 " described in the deed of said Perez
 " to said Perez Joaquin Sepulveda as
 " well as the record of the juridical
 " possession, that said deed and a jurid-
 " ical copy of juridical possession are
 " in the possession of your petitioner
 " Joaquin Sepulveda and ready to be
 " produced and proved, that Copies of
 " the said papers are herewith filed as

87 SD
 PAGE 133

" as part of this petition - Your petitioners
 " in view of the foregoing facts pray pray
 " leave to file this Supplemental petition
 " with all other papers and documents
 " necessary to establish the foregoing facts
 " and that they may be allowed to intro-
 " duce the testimony of Witnesses to be
 " produced before your Hon'ble Board and
 " that Confirmation of the separate ~~titles~~
 " titles of the said Bernardino Guirado
 " and Joaquin Sepulveda may be made
 " the same as if they had filed separate
 " and distinct Claims for said lands
 " respectively - all of which your Peti-
 " tioners respectfully submit for such
 " action as the justice and nature of
 " these Claims may require."

87 SD
 PAGE 134

Your petitioner further represents that throughout
 to wit, that on the 27th day of December
 A.D. 1853 the said Commissioners Confirmed,
 by final decree, the said Claim of the said
 Pedro and Juan ~~Perez~~ ^{by Joaquin}
 Sepulveda, ^{& Bernardino Guirado} in the words and figures
 following to wit: -

" In this case on hearing the proofs and alle-
 " gations it is adjudged by the Commission
 " that the said Claim of the petitioners Pío

" Pico and Juan Pury are not valid, and the
 " application of said Pico and Pury respectively
 " for a Confirmation thereof is therefore hereby
 " denied And it is further adjudged that the
 " claim of the petitioner Joaquina Sepulveda
 " is valid as to the portion of the land which
 " is described and bounded as follows to wit;
 " Being part of the Rancho called Paso de
 " Bartola, and situated a little below the
 " Willows whose position determines the line
 " from North to South along the edge of the
 " aqueduct that runs to the land of Don
 " Tomas Sanchez Coloma, one thousand one hun-
 " dred varas which terminates at the corner of
 " the fence of the garden of the said Don
 " Tomas Sanchez and from said corner course
 " from East to West to the line of a large
 " Sycamore (aliso) which is in the boundary
 " of said Rancho and that of Doña Josefa
 " Cota to the edge of the high land where
 " there is a baston the boundary of Don
 " Bernardino Guinda, one thousand and
 " ~~forty~~ ^{forty} one varas whence following the
 " the said measurement, course from ~~East~~ ^{South}
 " to ~~West~~ ^{North} along the edge of the same
 " high land that from the bottom
 " one thousand one hundred varas termina-
 " ting near ^{to} the mother ditch, which



" runs through said Rancho at a stake.
 " placed for a land mark, thence Course
 " from West to East nine hundred varas
 " to the place of beginning at the same
 " Aqueduct which runs to the fence of
 " said Tomas Sanchez. The land hereby
 " confirmed to said Joaquina Sepulveda
 " being the same land conveyed to her by
 " Juan Crescen Perez on the twelfth day
 " of March 1844, reference for further
 " description thereof to be had to the Convey
 " ance of the same and the juridical
 " possession thereof given to her under
 " said deed of conveyance the testimonial
 " of which is on file in this case
 " and it is further adjudged that the
 " claim of the petitioner Bernardino
 " Guirado is valid as to the portion
 " which is described and bounded as follows
 " to wit being a part of said Rancho
 " Paso de Bartolo Vieja and comprising
 " the land Course North to South from a
 " Winding in the ^{Mother} ~~xxxxxxx~~ ditch of Water
 " which runs through the middle of said
 " Rancho to a Sycamore tree which exists
 " where the flat ends, which Sycamore is
 " the boundary of said Rancho and that
 " of Doña Josefa Cata measuring ~~all~~ along

87 SD
 PAGE 136

410

87 SD,
PAGE 137

" ^{all} the high bank of the high ground which
 " forms the bottom, there are one thousand
 " and two hundred varas, and from the
 " East to the West measuring the same
 " line described by the winding of the
 " ~~river~~ ^{Mother's} ditch to the edge of the river,
 " there are three thousand seven hundred
 " varas to a heap of stones placed for a
 " land mark - thence running down by the
 " edge of the river one thousand two
 " hundred varas to the boundary line between
 " said Rancho and that of Doña Josefa
 " Cota the same being an Elder (Docuso)
 " near a large trunk of a Sycamore cut
 " for cart wheels being the same premises
 " as conveyed by Juan Crispin Perez
 " to said Bernardino Guirado, on the
 " 2nd day of October 1843 - reference to
 " be had to the Documentary evidence
 " now on file in this case and it is hereby
 " decreed that the two parcels of land
 " above particularly described be confirmed
 " and they are hereby confirmed to said
 " Joaquina Sepulveda and Bernardino
 " Guirado respectively."

" Stephens Finch
 " Thompson Campbell

"H. Aug Thompson,
Commissioners"

That thereafter, to wit, on the 20th 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 No 87 (Transcript No 373); reference to which it is prayed may be had and made a part of this petition.

87 SD
PAGE 138

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 (No 373) and the papers and evidence on which said decree was founded.

That thereafter, to wit, on the 10th day of January A.D. 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 Joaquina Sepulveda and Bernardino Guirado 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.

87 SD
PAGE 139

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 this Honorable Court.

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

I. And the said Attorney denies all and singular ~~the~~ each and every allegation in the said petition of the said Claimants

REC 751
20

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 Claimants has shown any or sufficient evidence of the Validity of the said Claim.

87 SD
PAGE 140

II That the said alleged grant of José Figueroa was made in violation of the 4th article of the Colonization law of Mexico of the 18th of August A. D. 1824, in this; that the land granted, as alleged by Claimants, was and is within ten leagues of the Sea Coast; and there is no evidence shown by Claimants, that the Supreme General Executive power of Mexico, previously approved of the Colonization of the public lands in Upper California, 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 to have been granted, or the one half thereof, was occupied by, or in the

possession of the missions of the Territory of Upper California; and it was occupied particularly by the mission of San Gabriel, and could not therefore be colonized.

87 SD
PAGE 141

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 of November A.D. 1828.

V. That at the date of the said alleged grant of said José Figueroa, to said Perez, the said land, or about the one half thereof, was owned or occupied by the widows and heirs of ^{Manuel Nieto} ~~the~~ deceased, & ~~Antonia Maria Nieto, deceased,~~ ^{Antonia Maria Nieto, deceased,} and, that therefore the said Figueroa had no lawful authority to grant the said land to said Perez, as alleged.

VI. That there is no evidence that the said widows and heirs of said Nieto, or any of them, ever abandoned said land, ~~and~~ ^{or} sold and conveyed their right to the same, or any part thereof, to the said Juan Crispin Perez. And

It is denied that the said Widows and heirs, or any of them, ever abandoned, or Conveyed their rights or title to the same, or any certain part thereof, to said Juan Crispin Perez.

87 SD
PAGE 142

VII. That the said Claimants fail to show the alleged original grant of said Jose Figueroa to said Juan Crispin Perez, for said tract of land, dated the 12th of June 1835. And it is denied that the said Jose Figueroa ever made and delivered the said alleged grant of said land to said Juan Crispin Perez.

VIII. That it appears by a paper, ^{shown by claimants} purporting to be a copy of a decree of Jose Figueroa dated June 12th 1835, granting land to Juan Crispin Perez, that the alleged grant was made subject to the approbation or disapprobation of the Territorial Deputation; And also that it was necessary that the said Perez should present himself thereafter for a Complete title, and there is no evidence that the said Perez, ever presented himself ^{by said pretended decree of June 12, 1835} as required, or received from said Governor, or other lawful authorities of California, a Complete grant or definitive title

for said land, as required by said laws, and it is denied that said Perez ever asked for, and received a complete grant or definitive title for said land.

IX. That the pretended copy of said alleged original grant, shown by Claimants, is not executed upon the lawful stamped paper. That it is not duly authenticated. That the ^{existence and} copy of the ^{sufficiently} original grant is not ^{proved}.

X. That the said pretended copy of said ^{alleged} original grant, does not contain a sufficient description of the locality, extent, and boundaries of the land claimed, by which it can be identified and surveyed. That the map referred to therein is vague and indefinite, and the said alleged grant is vague, indefinite, and void for uncertainty.

XI. That there is evidence that the paper, purporting to be an original petition of Juan Crispin Perez to the Prefect of the second District, dated April 5th 1842, asking for an ^{order} for the juridical possession of the ^{place} called Paso de Pantolo, is genuine, and that the name of Juan Crispin Perez appearing thereon, is his genuine

87 SD
PAGE 143

19

signature, is ~~denied~~. And the genuineness of said paper and said Signature is denied.

XII. That the paper shown by Claimants, purporting to be a testimonial of the juridical measurement and possession of said land, by Manuel Dominguez, purporting to have been made on or about the 29th and 30th of April 1842, is not executed upon the lawful stamped paper. That the said ^{alleged} juridical acts were not made according to the alleged original grant and the map and papers (noticias) referred to in the proceedings in relation to said alleged grant. That the said land was not measured and the possession given according to the ordinance, or law. That the said alleged juridical act or acts are vague, indefinite and void.

XIII. That there is no evidence that the said Manuel Dominguez, was Justice of the peace and of the first Instance, of the City of Los Angeles, on the 29th & 30th of April 1842, and that he ^{then} had ~~then~~ lawful authority, as such, to make the Survey and give the juridical possession of the said land in favor of the said Juan Crispian Perez. And it is denied that the said

Dominguez was Justice of the Peace and of the First Instance of said place, at said time, and that he then had lawful jurisdiction, or authority to perform said alleged juridical act or acts.

87 SD
PAGE 145

XIV. That there is no sufficient evidence that the said alleged grant of said Figueroa to said Perez was ever approved by the Supreme Government of Mexico, and it is denied that it was ever approved by said ~~Spanish~~ Government.

XV. That there is no evidence that the said Juan Crispin Perez, performed the Conditions of the said alleged grant of said date. And it is denied that he performed the Conditions of the said alleged grant.

XVI. That there is no evidence that the said Juan Crispin Perez built a house upon said alleged Antau tract of land, and that it was inhabited, within one year from the date of the said alleged grant, or the said alleged juridical possession; and that he cultivated the said land. And it is denied that he built a house upon said land, and inhabited it within one year from the date of the said alleged grant

COPIE 145
87 SD

or said alleged juridical survey & possession of said land by said Manuel Dominguez, and that he cultivated the said land.

XVII. That there is no sufficient evidence that on the 22^d of October 1843, the said Juan Crispin Perez, sold and conveyed, a portion of his said alleged Rancho of Paso de Bartolo Vieja, to Bernardino Guirado, one of the said Claimants. And it is denied that the said Perez ever sold and conveyed a portion of said land to said Guirado as alleged.

XVIII. That the pretended deed of conveyance of said date is not the act of the said Juan Crispin Perez. That it is not executed upon the lawful stamped paper; That it is not made and executed according to law. That there is no evidence that the said alleged portion of said Rancho alleged to have been conveyed as aforesaid, is embraced within the boundaries of the said alleged original grant to said Perez.

XVIII. That there is no sufficient evidence that on the 22^d of October 1843 (12th of March 1844) the said Juan Crispin Perez sold and conveyed a portion of his said ^{alleged} Rancho of Paso de Bartolo Vieja to Joaquina Sepulveda, one of the said Claimants.

And it is denied that the said Perez ever sold and conveyed a portion of said land to said Sepulveda, as alleged.

87 SD
PAGE 147

XX. That the pretended deed of conveyance ^{to said Sepulveda} of said date, is not the act of said Juan Crispen Perez; That it is not executed upon the lawful stamped paper; That it is not made and executed according to law. That there is no evidence that the said alleged portion of said Rancho, alleged to have been conveyed as aforesaid is embraced within the boundaries of the said ^{alleged} original grant to said Perez.

XXI. That the said Juan Crispen Perez never having received a valid title for said named tract of land, and not having performed the conditions of the said alleged grant of said Figueroa of said date, he had no lawful title in said lands, or tracts of land, on the 22^d of October 1843, and the 12th of March 1844, the dates of the said alleged Deeds of Conveyance from him to the said Bernards Guirado, and to the said Joaquina Sepulveda; and the said Claimants, therefore acquired no valid title to said portions of said Rancho, by ^{virtue of} said alleged Deeds of Conveyance.

And no sufficient proof having been made by said Claimants of the allegations of their said petition, or in support of their 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 Claimants having no valid right or title, derived from the Spanish, or Mexican Government, to the said land claimed by them, 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 Republic of Mexico, dated at the City of Guadalupe Hidalgo February 2nd 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 3rd A.D. 1851, and the laws and

Statutes in such Case made and provided,
 prays that the said Joaquina Sepulveda and
 Bernardino Guirado 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 Commis-
 sioners to ascertain, and settle the private
 land claims in the State of California and
 decide on the validity of the said Claim
 of said Joaquina Sepulveda and Bernardino Guirado
 for said Land Claim and Confirmed as
 aforesaid; and that the same may be decreed
 invalid. And all such other orders, Judgments
 or decrees, as may be just, with Costs, and
 general relief.

87 SD
 PAGE 149

J. Ord

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

No 87

U. S. District Court
S. Dist of Cal

Pis Pis et al

vs

The U States

Petition of U States
for review

Filed Aug 13th 1858

J. E. Farr
clerk

87 SD
PAGE 150

The U States

200
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Pu Tivobuen } No 87 - U.S.
Dum - } trial part
 } for the death
United States } trial of Calypso
 } in

87 SD
PAGE 151

And now come the Plaintiff
a more the you the trial part
for an order to take further
evidence herein -
then instructions -
act for this -

[Faint, illegible handwriting]

No 87
Dio Tuo a
Susan Truon

vs
United States

Application
for order to take
particular evidence

Filed April 9th 1885

J. E. San.
clerk.

87 SD

PAGE 152

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

TO

The President of the United States,

Joaquina Sepulveda & Bernardino Guirado.

87 SD
PAGE 153

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 *Thirteenth* day of *August* 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. atty. of the United States
for the Southern district of California, in behalf of the United States, praying the said Court to review, upon the grounds therein set forth, the decision of the Commissioners to ascertain & settle the private lands claims in California, of the Claim of Pio Pico et al. for a tract of Land Called Paso de Bartolo Viejo. Situate in the County of Los Angeles, which claim was presented to said Commissioners on or about the 4th of Oct. 1852, & by them decided on or about the 24th of December 1853.

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 *Fourteenth* day of *September* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

J. E. Farr
Clerk.

No 87.

Marshals cost -
 Copying Summons, 90
 Serving " " 3.00
 " Petition 3.00
 Mileage in each
 15 miles at 90¢ / 1.35
 1.35
 9.15

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

Pio Pico, et al.

vs.

The United States.

SUMMONS.

Return April 14th 1855
 Edward Hunter
 U.S. Marshal

87 SP 154
 PAGE

I served this summons along with the proper copy of the petition upon *Bernardino Guerrero* personally by delivering to him a copy of the same

in the County of Los Angeles in the Southern District of California on the 15th day of September A. D. 1855.

Sworn to and subscribed before me,

Clerk.

Edward Hunter
 U.S. Marshal.

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

TO

The President of the United States,

Joaquina Sepulveda & Bernardino Guinado

87 SD

PAGE 155

GREETING :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against you, ^{and each of you,} ~~and each of you,~~ in the District Court of the United States, in and for the Southern District of California, on the *Thirteenth* — day of *August* — in the year of our Lord one thousand eight hundred and fifty- *5*, at the City and County of Los Angeles, in said District, by *Pacificus Ord Atty: of the U.S. for the South. Dist. of Cal.* in behalf of the United States, for the *South. Dist. of Cal.* praying the S^d Ct. to reverse upon the grounds therein set forth, the decision of final Confirmation of the *Com Missions* to ascertain & settle the private land claims in the State of California of the *Claim of Pio Pico et al.* for a tract of land called *Paso de Bartolo Viejo* in the County of *Los Angeles* ~~in the State of~~ *which said*

Claim was presented to the *Comm.* on or about the *4th day of Oct 1852.* & by them confirmed on or about the *27th Decr. AD 1853*

and that you, ^{and each of 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 *14th* day of *September* in the year of our Lord one thousand eight hundred and fifty- *5* at Los Angeles aforesaid.

C. E. Carr
Clerk.

By John W. Ross Deputy

No. 87.

United States of America,

Southern District of California,

U. S. DISTRICT COURT.

Pis Pico, et al

vs.

The United States,

SUMMONS.

Receiv'd Sept 14 1885

Edward Hunter

U. S. D. Ct.

87 SD

156 PAGE

Marked to cost
 Service three dollars
 each for publication
 Summons 50
 Copy of summons 90
 Mulago's costs 185
 at 9 cts for
 each 185
 \$ 185

I served this summons along with the proper copy of the petition upon *Joaquina Sepulveda* personally by delivering to her a copy of the same.

at her residence Los Angeles in the Southern District of California on the 17th day of Sept. A. D. 1885.

Sworn to and subscribed before me,

Clerk.

Edward Hunter
U. S. Clerk.

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

The United States

87 SD Appellant

PAGE 157

Case No 87.

By
Bernardino Guirado
& Joaquina Sepulveda
Appellees

And now come the above named
Appellees, Bernardino Guirado and Joaquina
Sepulveda, and for answer to the Petition for
review filed by the United States in this case,
deny generally the allegations in said Petition
contained; and for further answer these
Appellants ^{ees} ~~ees~~ avow that their title to the premises
claimed by them as in said Petition mentioned
is valid, and they pray that as to them the de-
cision of the Board of Land Commissioners may
be affirmed and their title may be decreed
to be valid.

Done at San Francisco

Atty Gen Appellus

I have served this answer upon P. Oro U.S.
Atty by delivering to him a true Copy of the same
at Los Angeles January 4th 1856.

Edward Hunter
U S Marshal
for M Goodman
Deputy

Case 8th July -

In U.S. Dist Court for the
South. Dist of California

Andres Stokes

Appellant

vs

Bernardino Guirac

& Joaquina Espulveda

Appellees.

Plaintiff of Appellees.

Filed September 22nd 1855

D. B. Carrall
By His App. Atty

87 SD
PAGE 158

Wardlaw Cook
Shewing Answer to S. 07

D. G. Hartman
Attorney for Appellees.

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

87 SD
PAGE 159

Dio Dico et al
Appellants

vs
The United States
Appellees.

Case No 87

Transcript. 343.
"Daseo de Bartolo Viejo".

In this case it having been order-
ed by the Court, that the Transcript be
returned by the Clerk of this Court to the ^{Secretary} Clerk
of the United States Land Commission, in or-
der that the same may be amended; it is here-
by stipulated and agreed that no right of
the United States or of the Claimants shall
be affected by said order in any respect.

Agreement

atty for Dio & Dico
appellants

P. M. Dico, of the U.S. State
for the Southern Dist. of Cal.

Case No. 87.
U.S. Dist. Court, Southern
District of California

Lio Lico et al.

Appellants

vs

The United States

Appellees.

Stipulation

Filed Oct 11th 1850

J. C. Jan.
Clerk.

87 SD

PAGE 160

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

Rio Pico et al.

Appellants

Case No 87.

87 SD
PAGE 161

The United States

Appellees

Transcript 373.

"Paso de Bartolo Viejo".

In this case it being suggested
by Lancaster Brent, Counsel for Rio Pico
and Juan Perez, two of the Appellants, that
the Transcript of the Record from the United
States Board of Land Commissioners is im-
perfect, it is by the Court

Ordered - That, the District
Attorney being notified and consenting
thereto, the Original Transcript be returned
to the Office of the Secretary of said Board
of Commissioners, by the Clerk of this Court,
in order that the same may be amended
and that a perfect copy of the Original
Documents may be submitted to this Court.

No Spanish of Deed of Exchange between

Tomasa Gutierrez + Bernardino Lopez & al

Case No 87-

U. S. District Court
Southth Dist. of California

Pio Pico et al.

Appellants

vs

The United States

Appellees.

Order to Return Transcript

Filed Oct 11th 1855.

J. E. Jan.

clerk

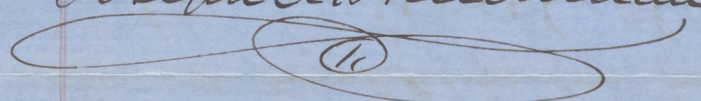
Translation -
Deed of Bernardino
Lopez & wife to Pio
Pico.

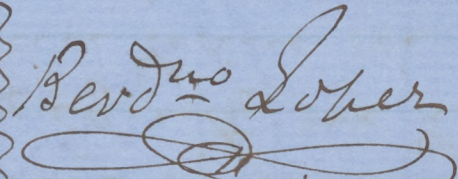
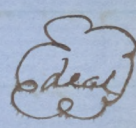
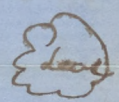
87 SD
PAGE 163

Know all by these Presents, that
Bernardino Lopez and Crisanta
Lopez his wife, of the County of Los
Angeles and State of California,
for and in consideration of one
dollar in silver to us paid and
placed in hand by Pio Pico of the
same County and State, which by
these presents we confess to have re-
ceived, have bargained, granted, sold
and conveyed, and by these presents
bargain, grant, sell, and convey,
unto the aforesaid Pio Pico, his heirs
and successors forever, all the right
title, interest, claim or demand,
which by law or by Equity we have
in possession, or can have in expec-
tancy in and to all that tract of
land, situate and being in the afore-
said County of Los Angeles, known
by the names of the "Paso de Barto-
lo" and "San Rafael", which tract of
land was granted to Juan Crispin
Perez by Jose Figueroa, Political Chief
of Upper California by title of conces-
sion, dated the twelfth of June, one
thousand, eight hundred and thirty
five, and of which judicial possession
was given to the aforesaid Juan
Crispin Perez, by Manuel Dominguez
Judge of First Instance for the ad-

87 SD
PAGE 164

ministration of the Law, in April, one thousand, eight hundred and forty two, (to which Title and Act of judicial Profession reference is made as forming part of these Presents), together with all the improvements, hereditaments and appurtenances pertaining, or which may in any manner pertain, to said tract of land. In testimony whereof, We have signed these Presents and thereto set our seals in the city of Los Angeles, the ninth day of October, of the Year one thousand eight hundred and fifty five.

Sealed and delivered
in presence of
Joseph A. Hinckman


Per  Lopez 
 (Vicente ^{her} Perez) 
 Quate

(Acknowledgement and Certificate of Record follow in English)

Case No 87.
U.S. Dist Court, Southern
Dist of California

Pio Pico et al.
Appellants
vs
The United States
Appellees.

Translation of Deed
of Lopez and wife to
Claimant Pico.

Filed May 8th 1886.

J. E. Cox.
Att

87 SD
PAGE 165

J. E. Brent.

Pío Pico et al
vs. } No 87.
The United States. }

Testimony of Jose Antonio Carrillo, taken
in open Court on the trial of the
above cause this 6th day of Jan'y
1856. Com. G. Dryden was
sworn as Interpreter.

Jose Antonio Carrillo being
duely sworn deposes as follows

Ques. What is your name age & place
of residence.

Ans. My name is Jose Antonio Carrillo,
my age about 45, my residence
Los Angeles.

Ques. Did you know Juan Chiripin
Perez in his lifetime.

Ans. I did.

Ques. Who did he marry

ans. Tomasa Ontiveras.

Ques. Do you know what children
he had by that marriage & if so
give their names.

Ans. I do. There was called Pedro, another
Juan or Juanito another a daughter
named Francisca, another daughter
named Maria Antonia - also Maria
Crisanta. I know no other.

ques. Who did Pedro Perez marry,

Ans. I do not remember her name
by I know she was the daughter
of Francisco Pantoja. I now remember
that her name was Maria del Rosario

ques. Who did Crisanta marry,

Ans. She married Bernardino Lopez.

ques. With who did Francisca marry

Ans. With Mariano Silva,

ques. With whom did Maria Antonia
marry.

Ans. With Pedro Romero.

Cross examined by Ad. Atty.

ques. When did Juan Crispin Perez
die,

Ans. Although I was at his funeral I
cannot exactly remember - I
think it was in 1847 or 1848.

ques. Were the children whose names
you have mentioned all living at
the time of the death of said Perez,

Ans. Yes they were all living.

ques. When did Perez's wife die

ans. I don't remember - He died
after her husband.

ques. Are the children you have named
the only children of Peter, left at his
death.

ans. I knew no others.

Jose Ant. Carrillo

87 SD
PAGE 168

Sworn to & subscribed
the 8th day of May
1856. before me

C. E. Carr
CA

No 87.

U. S. Dist Court.
Waltham Dist of Va D.

Pio Pico, et al
applt

vs.

The United States.
appes.

Testimony of Don Antonio
Carillo, sworn for
applt.

Filed Aug 8th 1856.
C. S. Carr
C. M.

87 SD


PAGE 169

This Indenture made between James R. Barton Sheriff of Los Angeles County, State of California of the first part and J. R. Scott & Lewis Granger of the county of Los Angeles of the second part, Whereas by virtue of two certain executions issued out of the District Court of the 1st Judicial District, County of Los Angeles dated March 24th AD 1854 issued at the suits of Francisca Perez de Silvas against Pio Pico & Francisca Perez de Silvas against Anarana Silvas, and directed to the said Sheriff, wherein he was commanded to make certain moneys in said Executions specified out of the personal property of the said Francisca Perez de Silvas, and if sufficient personal property could not be found, then to make the same out of any real estate which the said Silvas may have owned, previous to a certain day mentioned, in the said Executions and sufficient personal property not being found to satisfy said Executions, the said Sheriff did levy and seize on all the right, title interest & estate of said Francisca Perez de Silvas in and to the premises hereinafter conveyed and described, on the 17th day of April AD 1854 at the door of the Court house in the City and County of Los Angeles, did sell the said premises, having first given due notice of said sale according to law, of the time and place of said sale, the said premises were struck off to the said J. R. Scott & Lewis Granger for the sum of one hundred and eighty nine dollars, being the last and highest bidder therefor and whereas the said premises for the space of six months from

the said 17th day of April AD 1854, to wit;
up to the 17th day of October AD 1854 remained
unredeemed by the said Francisca Perez de Selvas
or by any other person having a right to redeem
the same, Now therefore this Indenture witnesseth
that the said party of the first part by virtue
of the previous Executions, and in pursuance
of law and in Consideration of the sum of
money so bidden as aforesaid and duly to him
in hands paid by the said J R Scott & Lewis Group
has bargained, sold and conveyed and does by
these presents bargain, sell, and convey in fee
unto the said parties of the second part, all
the right title and estate the said Francisca
Perez de Selvas had upon the 24th day of March
AD 1854, or any time thereafter in and to all
that tract or parcel of land lying in the township
of Monte, County of Los Angeles, and known as
the Rancho and the lands and tenements
thereof, to have and to hold the said above
described premises unto the use and behoof
of the said parties of the second part, their
heirs and assigns forever, as fully and as
absolutely as the party of the first part as Sheriff
can or ought to have and to hold by virtue
of the aforesaid Executions and the law relating
thereto,

In testimony whereof the party of the first part
as Sheriff, as aforesaid has hereunto set his hand
and seal the twenty sixth day of September AD
1855 in the aforesaid City and County,

J. R. Barton
Sheriff of
Los Angeles County



State of California
County of Los Angeles

On this 26th day of
September A.D. 1855 before me Kimball
H. Dimmick a Notary Public in and
for said County personally came James
R. Barton to me known to be the
person described in and who executed
the foregoing instrument and Sheriff of
the County aforesaid who acknowledged
to me that he executed the same freely
and voluntarily and for the uses and
purposes therein mentioned as Sheriff aforesaid.

Witness My hand and official
Seal the day and year above
mentioned

K. H. Dimmick,
Notary Public

Recorded the foregoing instrument this 29th day of
September A.D. 1855 at 15 minutes before 6 o'clock P.M.
in Book of Deeds No. 3 pages 204 & 205 at request of
John W. Shaw Recorder
of James H. Coleman Deputy

[Faint, illegible handwritten text, possibly bleed-through from the reverse side]

Sherriff of Los Angeles Co.

Scott & Granger

Via Mail 8th 1836

*J. E. San
C. W. Allen*

*Recorded this 29th September
A.D. 1855 at 15 minutes before
6 o'clock P.M. at request of*

Jan 2 55

37 SD
PAGE 173

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

Pio Pico et al

Appellants

Case No 87

87 SD

PAGE 174

by

The United States

Pase de Bartolo Viejo

Appellees

Be it remembered that on
the trial of the above entitled cause
on the cross examination of Abel
Spears, a witness produced and
sworn on behalf of the Appellants
the following question was asked -
said witness, by the United States
District Attorney, Who occupied the
land ~~previous~~ ^{previous} to and about the
time of the grant by Figueroa to
Perez,

To which question the Appellants
by their attorney object, but the Court
overrules the exception objection and
allows said question to be asked -
to which overruling of the same Ap-
pellants except, and file this their
bill of exceptions, Praying the Court
to sign the same which is accordingly
done this 7th day of January 1856.

Samuel Algin, U. S. Dist Judge

Case No 87.

U.S. Dist Court Southern
Dist of California

Fio Pico et al -
Appellants

vs

The United States
Appellees

Appellants Exceptions

Filed May 18th 1856.

J. S. Fox
Clerk

87 SD

PAGE 175

J. Brent

Pu Rico et al }
vs } No 87.
The United States. }

87 SD
PAGE 176

Testimony of Abel Stearns, a witness
for Appellant taken in open Court
on the Trial of the above entitled cause,
on ~~Abel Stearns~~ the 8th day of
Jan'y A.D. 1856.

Abel Stearns being duly sworn
deposes & says

Ques. What is your name age & place
of residence,

Ans. My name is Abel Stearns,
my age fifty seven, my residence
~~Los Angeles~~

Ques. Did you know ~~and~~ Juan
Crispin Berens in his life time,

Ans. I did

Ques. Do you know the Rancho oc-
cupied by him in his life time
in this County?

Ans. I do.

Ques. State if you please the name

or names of said Rancho

ans. The Rancho is generally called by the name of Rancho de Bartolo, some times Cas de Bartolo, and I think the name given to it by Peres was San Rafael but it is seldom called by that name. It used to be frequently called Rancho of Peres.

87 SD
PAGE 177

ques. About where is this Rancho situated in this County.

ans. On the East side of the San Gabriel River, about three leagues from the City of Los Angeles.

ques. Is it or not the same place of or which Pio Pico now resides

ans. It is the same place

ques. Was or was not Juan Crispin Perez, called San Perez as well as Juan Crispin Perez

ans. He was generally called San Perez

ques. Cross examined by usally.

ques. How far is this Rancho from the Sea Coast.

ans. It is eight leagues a little more or less.

ques. Did the Mission of San Gabriel
ever occupy any portion of this
Rancho, if so when & how.

ans. In the year 1831, ^{the mission of} San Gabriel
had a field of corn on it, and
I think also in 1832. The corn
field was on a piece of land
bordering on the River west of Fico's
House.

ques. Who occupied the land if any
one previous to ~~the~~ ^{about the time of} the grant to
~~Peres~~ (question of fact to be by the
atly for appellants, & objection over-
ruled)

ans. A part of it had been occupied
by the Nietos, and was so occupied
at the time of the grant. It was
the ^{southern} ~~northern~~ part of the Rancho
of ~~Santa Gertrudes~~ that was occupied.
That part then formed a part
of the Rancho of Santa Gertrudes.

Reexamination in Chief.

ques. At the time of the grant to Peres
was any portion of the Rancho
occupied by the mission of San
Gabriel

ans. No, there was none of it ~~then~~ occupied
by that mission.

Ques. To whom was the Rancho of Santa Gertrudes granted

Ans. To Josefa Cota de Nieto. She was the ^{widow} wife of Antonio Maria Nieto,

Ques. Previous to the grant by Figueroa to Pres., had there been any division of the San Gertrudes Rancho as between the Nietos

Ans. I ~~do not know~~ that the Rancho of Santa Gertrudes has never been divided to my knowledge. The Rancho of Santa Gertrudes was a part of the Rancho called Rancho of the Nietos. The lands of the Nietos were divided among the Nietos and parts made to each one previous to the grant to Pres.

Ques. Was or was not the Rancho of Santa Gertrudes that part of the Nieto Rancho at the time of the division, granted to Josefa Cota.

Ans. It was. Abel Stearns

Subscribed
at Los Angeles Caly 8th 1856.
before me. J. E. Sam
ACK

87 SD
PAGE 179

No 87.

U. S. Dist Court,
San Francisco Cal.

Pio Pico, et al
applt.

vs.

The United States
appes.

Testimony of Abel
Stearns, a witness for
applt. —

Filed Jan'y 8th 1856.

87 SD
PAGE 180

J. C. Lang
clerk.

87 SD
PAGE 181

Sabed todos por estas presentes, que nosotros Bernar-
dino Lopez y Crisanta Perez su mujer, del Condado de
Los Angeles, y Estado de California, por y en consideracion
de un peso en plata a nosotros pagado y puesto en mano
por Fio Fio del mismo Condado y Estado, que por las
presentes confesamos haber recibido, hemos contratado,
cedido, arrendado, y enagenado, y por estas presentes con-
tratamos, cedemos, vendemos, y enagenamos al expresa-
do Fio Fio, sus herederos y sucesores para siempre, todo
el derecho, titulo, interes, pretension o demanda, que por
las leyes o por la justicia tenemos en posesion, o podemos
tener en expectativa en y a todo aquel terreno situado y
estando en el mencionado Condado de Los Angeles,
conocido por los nombres de "Faseo de Bartolo" y "San
Rafael", cuyo terreno fue concedido a Juan Crispin Perez
por Jose Figueroa, Jefe Politico de la Alta California,
por titulo de concesion fechado el doce de Junio de mil
ochocientos treinta y cinco, y fue dada posesion juridica
al expresado Juan Crispin Perez, por Manuel Dominguez,
Jefe de Primera Instancia por Ministerio de la Ley, en
Abril de mil ochocientos cuarenta y dos, (a cuyo titulo y
fe de posesion juridica se refiere como formando parte
de estas presentes,) juntamente con todas las mejoras,
heredades, y adjuantos pertenecientes o que puedan de
manera alguno pertenecer a dicho terreno. En fe de lo
cual hemos firmado estas presentes, y las hemos puesto
nuestros sellos en la ciudad de Los Angeles, el dia nueve
de Octubre del año de mil ochocientos cincuenta y
cinco.

Sellado y entregado
en presencia de
Joseph M. ...

Bern^{no} Lopez
Crisanta Perez
conj.



State of California
County of Los Angeles

On this Ninth day
of October A.D. One thousand eight hundred and fifty
five before me John W. Shore, County Clerk of the County
Court of Los Angeles County, personally appeared Bern-
nardino Lopez and Crisanto Perez his wife, personally
known to me to be the individuals described in and who
executed the within Instrument, who acknowledged
to me that they executed the same freely and vol-
untarily, and for the uses and purposes therein men-
tioned, and the said Crisanto Perez personally known
to me to be the Wife of the said Bernardino Lopez,
being by me made acquainted with the contents of
said Instrument, acknowledged to me on an exam-
ination apart from and without the hearing of her
said husband, that she executed the same freely and
voluntarily without fear or compulsion or undue
influence of her said husband, and that she does
not wish to retract the execution of the same.

In Witness whereof I have
hereunto subscribed my name and
affixed the Seal of said Court, this
day and year last above written

John W. Shore Co. Clerk
J. Joseph & Touchman Depy

Recorded the foregoing instrument this 9th day of October A.D.
1855 at 4 1/2 o'clock P.M. in Book of Deeds No. 3 pages 215 & 216 at
request of J. P. Borrodo

John W. Shore Recorder
J. James & Coleman Depy



Deed

Wm de Lopez et al

to

Pio Pico

Filed Aug 8th 1856
L. E. Carr

Recorded October 9th 1855
at 7.50 P.M. at the
request of J. P. Brodie

87 SD
PAGE 183

fee of 2.50
ackn 2
\$4.50

This Indenture, made the *Twenty Sixth* day
of *September* in the year one thousand eight hundred and fifty *five*
BETWEEN *Jonathan R Scott and Mary A Scott his wife*
and Lewis Granger and Isabella Granger his
wife residents of Los Angeles City and
County, parties of the first part & Pio Pico party

of the second part, Witnesseth, That the said part *is* of the first part, in consideration of the sum
of *One hundred and eighty nine dollars*
to *them* duly paid before the delivery hereof, have bargained, sold, and quit-claimed, and by
these presents do bargain, sell, and quit claim to the said party of the second part, *his* heirs
and a-signs, for ever, ALL *thin* right, title, interest, claim and demand, both at law and in
equity, as well in possession as in expectancy, of, in, and to a certain peice or parcel of
Land, situate and being *in the township of Monte County of Los*
Angelas, bounded westerly by the San Gabriel river
Northly by the ranchos owned by Mr Workman
& John Roland, easterly by the lands known as
the Coyotes and Southly by the lands owned
by Tomas Colima & Bernardino Quirado, the
lands herein intended to be conveyed is the same
tract, heretofore known as the rancho del Paso Bartolomeo
& now more commonly known as the "Ranchito", the interest
herby intended to be conveyed is the interest acquired by the
parties of the 1st part by virtue of a deed of conveyance
executed by James R Barton Sheriff of Los Angeles County
dated Sept 26th AD 1855, purporting to convey to the
parties of the first part all the interest of Francisca
Perz de Silvas in said lands

with all and singular the hereditaments and the appurtenances thereunto belonging

In Witness whereof, the said parties of the first part, have hereunto set *their*
hand & seal & the day and year first above written.

Sealed and delivered in presence of

H. W. Dimmick

Jonathan R Scott
Mary A Scott
L Granger
J. W. Granger



STATE OF CALIFORNIA, }
County of Los Angeles } SS.

On this 26th day of September in the year of our Lord, one thousand eight hundred and fifty-five personally appeared before me - Johnathan R Scott and Mary A Scott his wife and Lewis Granger and Isabel Granger his wife

known to me to be the persons described in, and who executed the foregoing Instrument, who acknowledged to me that they executed the same

freely and voluntarily, and for the uses and purposes therein mentioned.

And the said Mary A. Scott and Isabel Granger to me personally known to be the persons whose names are subscribed to the foregoing Instrument as a party thereto having been by me made acquainted with the contents of said conveyance. They each for herself acknowledged to me upon an examination apart from and without the hearing of their said husbands that they executed the same freely and voluntarily without fear or compulsion or undue influence of their said husbands, and that they do not wish to retract the execution of the same. In Witness whereof, I have herunto set my hand and af-

fixed my Official Seal, the day and year first above written.

J. H. Dimmick

Notary Public

[Signature]



I send a full true and correct copy of the foregoing Instrument this 29th September A.D. 1855 at 6 1/4 O'Clock P. M. in Book of Deeds No. 3 page 203 at Request of Pio Pico

John W. How Record
J. James H. Coleman

Dear

Scott's Garage &
Wares
to
Rio Rico

Filed Aug 8th 1856.

J. E. Gann

Recorded this 29th September
A. D. 1855 at 15 minutes be-
fore 6 o'clock P. M. at request
of Rio Rico

Fee \$ 2 55

87 SD

PAGE 186

In the United States District Court, in and
for the Southern District of California.

Dio Lico, and
Juan Perez

Appellants

vs

The United States

Appellees.

and

The United States

Appellant

vs

Joaquina Sepulveda
& Bernardino Guirado

Case No 87.

Transcript, No 373

"Laso de Bartolo Viejo."

87 SD
PAGE 187

No	Page	
1.	3.4.5.	Petition of Dio Lico & Juan Perez.
2.	6.7.8.	Deposition of Hugo Reid.
3.	10.11.	Petition of Juan Perez & Juan C. Perez to Governor, with Governor marginal order of refer- ence to Ayuntamiento, and to Padre of San Gabriel.
4.	11.	Answer of Ayuntamiento
5.	11.12.	Answer of Padre.
6.	12.	Order of Governor to Alcalde of Los Angeles, to make investigations on certain points
7.	13.	Answer of Jose Perez, Alcalde
8.	14.	Order of Governor, returning documents for further information.
9.		Map.
10.	17.18.	Remonstrance of Juan Jose Nieto.
11.	18.	Order of Gov ^r to Nieto to define boundaries
12.	18.19.	Answer of Nieto, ordered to be annexed.
13.	19.20.	Decree of Grant to Juan Crispin Perez.
14.	20.21.22.	Title.
15.	22.	Order of Assembly, referring Grant to Com- missionary Decant-Land.

Copies from archives.

No	Page		
16.	22.23.	from archive	Report of Committee
17.	23.		Approval of Report by Assembly
18.	23.		Certificate of Surveyor General to fore- going Copies from Archives.
87 SD			Translation of Petition
PAGE 188	25.		
19.	25.26.		Marginal Order } No 3.
20.	26.		Answer of Ayuntamiento No 4.
21.	27.		Order Same " 5.
22.	27.		Order to Alcaide " 6.
23.	28.		Answer of " " 7.
24.	28.29.		Order to " " " 8.
25.	29.30.		Remonstrance " 109.
26.	30.		Order to Nieta " 10.
27.	30.31.		Answer of Nieta " 12.
28.	31.32		Decree of Grant " 13.
29.	32.		Order of Assembly " 14.
30.	32.33.		Report of Committee " 15.
31.	33.		Approval. " 16.
32.	36.		Petition of Juan C. Perez to Prefect of 2 nd District, with marginal order to 1 st Judge.
33.	37.38.39.		Certified Copy of Title
34.	39@ 42.		Certified Copy of Judicial Possession
35.	43.		Translation of Petition & Order No 32
36.	44.45.		Title " 33
37.	46@ 49.		to Judicial Possession " 34
37 1/2	50		Deed of Escheat of Tomasa Antiveras & Bernardino Lopez.
38.	51.52.53		Transferred from Tomasa Antiveras to Bernardino Lopez.
39.	56.57.		Deed from Pedro Perez & wife, Crisanta Perez and Bernardino Lopez her husband to Don Lico.
40.	59.60.		Translation of Deed. No 39.
41.	62.63.64.		Deed of Marians Silvas and Francisca Perez his wife to Don Lico.
42.	65.66.		Translation of Deed. No 41.

No.	Page.	
43.	67.68.	Supplemental Petition of Pio Lico & Juan Lerer, joined with Joaquina Sepulveda & Bernardino Guirado.
37 SD PAGE 189		
44.	70.71.	Deed, Juan C. Lerer, to Bernardino Guirado.
45	71.72.	Approval of same by Administrator of Estate of J. C. Lerer.
46	73.74.	Translations of Deed & Approval Nos 44, 45.
47	76.77.	Deed, Juan C. Lerer to Joaquina Sepulveda.
48.	77.78.79.	Judicial Possession to Doña Joaquina.
48½	79.80	Deed of Pedro Zamora & wife to Claimant
49.	81.82	Translation of Deed No 47.
50	82.83	to Judicial Poss. No 48.
51.	85.86.	Deed, Bernardino Lopez, to Pio Lico.
52.	86.87.	Ratification by wife
53.	89.91.	Minion
54.	93.94.	Decree of Rejection as to Lico & Lerer & of Confirmation as to Guirado and Sepulveda

Case No 87

In United States Dist.
Court. Southern Dist.
of California.

Lis Dico et al.

Appellants

vs

The United States

Appellee.

Index of Transcript.

Filed July 8th 1886.

J. E. Jones
Clerk

87 SD

PAGE 190

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

Pio Fico + Juan Perez }
Appellants } Case No 84
+ Bernardino Guirado }
+ Joaquina Sepulveda }
Appellees } "Paso de Bartolo"
As + Ads }
The United States }
Appellees + } Transcript 373.
Appellants. }

87 SD
PAGE 191

This Cause coming on to be heard on Appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, under an Act of Congress, approved, March 3^d 1851, on a Transcript of the Proceedings and Decision of said Board and of the Papers and evidence upon which said decision was founded, and it appearing to the Court that said Transcript and the Notices of Appeal have 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 of said Board as to the above named Appellants, Pio Fico and Juan Perez, be, and the same hereby is, reversed, and that as to the above named Appellees, Bernardino Guirado and Joaquina

sepulveda, the same be, and hereby is, confirmed; and it is further adjudged and decreed that the claim of the aforesaid Pio Pico, Juan Perez, Bernardino Guivado and Joaquina Sepulveda is good and valid and the same is hereby confirmed to them to the extent of two square leagues of land within the boundaries described in the Grant and in the Map and Expediente to which the Grant refers, to wit; the old Road to Santa Gertrudes, the Rancho of Santa Gertrudes, the River of San Gabriel, the Mission lands of San Gabriel, the Hills on the North-east, and the Hills of the Cañada Verde, including a portion of the Rancho of Santa Gertrudes, as far as the house of Juan Crispin Perez; Provided that if there should be less than two square leagues of land within said boundaries, then Confirmation is hereby made to the aforesaid parties of such less quantity.

Confirming to said Pio Pico and Juan Perez the whole of the above confirmed Premises, except the parcels thereof hereinafter confirmed to said Bernardino Guivado and Joaquina Sepulveda -

To Bernardino Guivado a certain parcel of said Premises, as described in the conveyance of Juan Crispin Perez to said Guivado, or so much thereof as

may be contained within the boundaries
of the entire tract ^{as} above set forth

To Doña Juana Sepulveda, a certain
parcel of said premises as described in
the conveyance of Juan Crispin Perez
to her, filed in this case, or to much there-
of as may be embraced within the bound-
aries first above mentioned

Manuel C. C. C.
U S Dist Judge

Jan 20 87.
U.S. Dist. Court, South
Dist. of California.

Pio Pico + Juan Perez
Appellants

+
Bernardino Guirado
+ Joaquina Sepulveda
Appellees

vs + ad

The United States

Appellees + Appellants.
Remand on page 111

Decree

Filed Feb 4th 1836.

J. E. San.
C. H.

IN THE DISTRICT COURT OF THE UNITED STATES,

FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

Los Angeles, December Term, 1855.

87 SD
PAGE 195

Pio Pico, Juan Perez, etc.

APPELLEE,

VS.

UNITED STATES,

APPELLANT.

No. 87.

(No. 373. of Transcript.)

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 4th day of February A. D. 1856.

*P. Ord
Dist. Atty.*

No. 87,

U.S. District Court
Southern District of California

Pro Rico, Juan Perez et al
appellus
ad
The United States
appellants

- Notice of Appeal, &c
Filed March 14th 1856
C. E. Canaan Clerk
By C. Morgan Esq

California Land Claims.

Attorney General's Office

18 September 1856.

97 SD
PAGE 197

Sir,

In the case of the claims of Pio Pico & al., confirmed to the claimants by the Commissioners, Case no. three hundred and seventy three, (373), 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

Chase

Pacificus Otd Esq.

U. S. Atty for the

Southern Dist. of California

vv

87

Pio Pico et al.

373

Filed 24th February 1854

Cesaris et al.
of St. Columan
Dep.

87 SD

PAGE 198

Recd Oct 21 1856

RECEIVED
FEB 24 1854

At chambers } In the United States Dist
Sept 25th 1857 } Court for the Southern
87 SD } Dist. of California

PAGE 199

Hon Isaac S. R. Ogier Judge
Pie Pie Juan Terry Judge Suplente
vs & ad
The United States Appellant

vs } Term 2^o
Appellee } Court N^o 87

The Attorney General of the United States having given notice that the appeal to the Supreme Court from the decision of this Court ~~will not be~~ in the above entitled cause will not be prosecuted by the United States and a stipulation having been entered into between the United States District Attorney and the Attorney for the Claimant that the order granting an appeal to the Supreme Court of the United States heretofore made in this cause be vacated, and that the decree heretofore made in this Court may by order of this Court be made final is it is Ordered ad-
-judged and decreed, that the order granting an appeal to the Supreme Court heretofore made in this cause be and the same is hereby vacated, and that the claimant have leave to proceed under the decree of this Court already made as a final decree

Isaac S. R. Ogier
U S Dist Judge

No. 87

Order to Vacate appeal

Filed this 25th Sept.

1857

Series 112

J. Coleman
Dep.

87 SD

PAGE 200

In the District Court of the ~~Third~~
United States Southern District
of California

87 SD

PAGE 201

Pro Rico et al

No 84.

vs
The United States

Case de Partole.

On motion of the attorneys
of the Claimant Rio Rico, and sa-
tisfactory and sufficient reasons
being shown,

It is ordered,

That service be made in
this case, on the U. States Surveyor
General for California, of a copy
of the Decree amending Survey
this day entered in Case No 194
Samuel Carpenter, Claimant, and
also a copy of this order.

Walter M. Haight
U. S. Dist Judge. S. Dist Cal.

Today

In U.S. Dist. Court
of the Dist. of Cal.

Rio Rico et al.

vs

The United States

- Order -

Filed Oct. 4. 1862

John P. Whelan
Clerk

87 SD

PAGE 202

Robert Brown

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

87 SD

PAGE 203

Pio Rico et al.

vs

The United States

No 87.

Paso de Bartolo.

Now comes Pio Rico, Claimant herein by Scott & Brown his attorneys and prays for an order that service be made, as in this case, on the U. S. Surveyor General for California, of the Decree of this Court, this day entered in Case No 194. For the reason that, as appears by the titles and records and decrees on file in said cases Nos 194 & 87, the lands of "Paso de Bartolo" & "Santa Gertrudis" are adjoining lands.

Scott & Brown
Atty. of Rico.

2087
U. S. Dist Court.

Rio Rico et al

vs

The U. States

Motion

Filed Oct. 4. '62

John Whelan
clk

87 SD
PAGE 204

Swain & Drown