

CASE No.

134

SOUTHERN DISTRICT

500 BY 200 VARAS, SAN GABRIEL GRANT

LUGARDO AGUILA ET AL

CLAIMANT

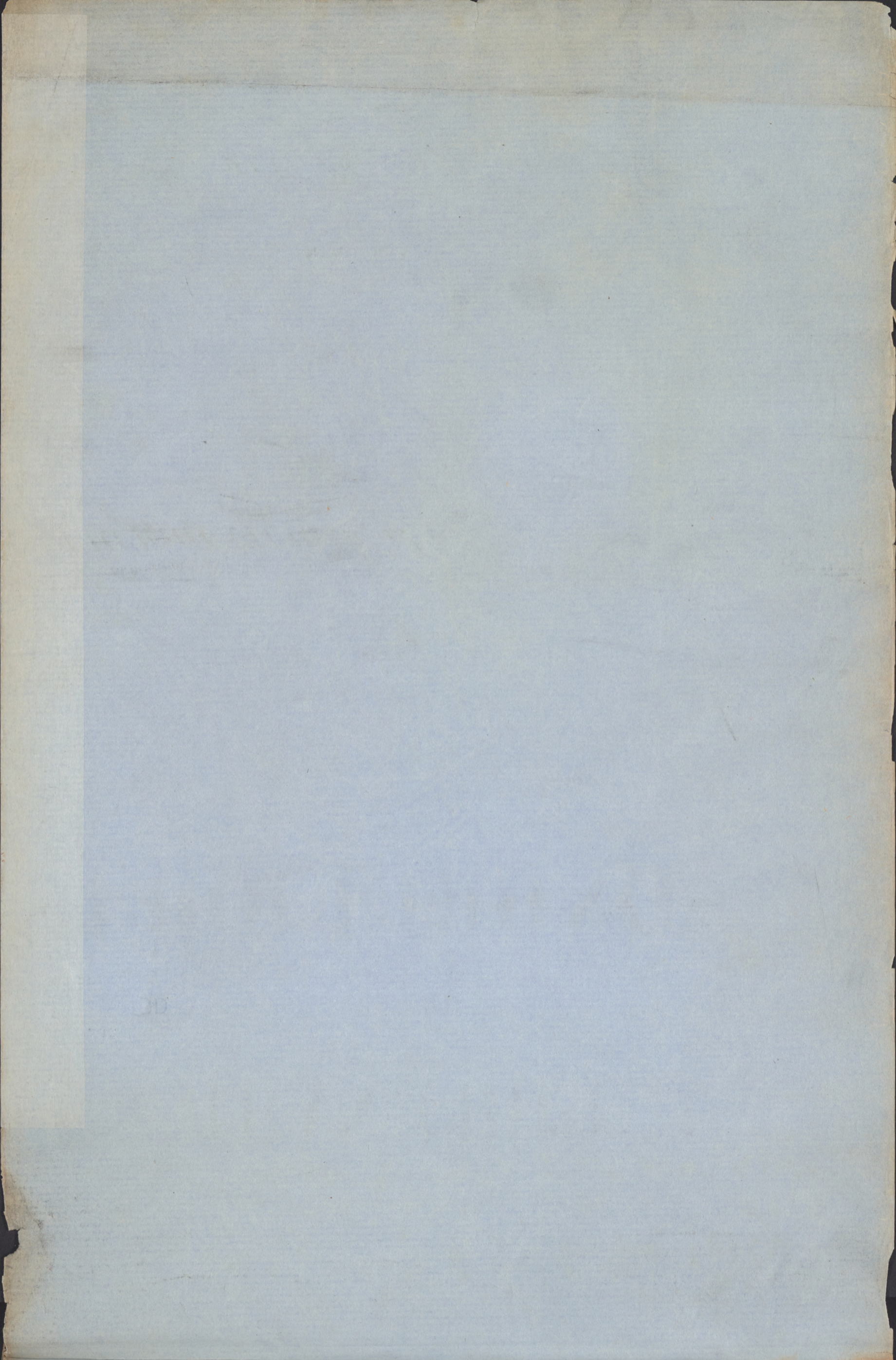
LAND CASE 134 SD

65 pgs.

MAR 1 1963

U.S.A.
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PROVER BOND
Dorminy

417
Southern District



TRANSCRIPT

134 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 417

Dugardo Aguila, et al, CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

500 by 250 varas.

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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 *twenty sixth 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;

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The Petition of *Luzan Aguila, et al,*
for ~~the~~ Place ~~named~~
of 500 by 200 varas,
was presented, and ordered to be filed and docketed with No. 417 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;

San Francisco, October 30, 1852.
In the same case, the Depositions of Abel Stearns and Diego Silvas, witnesses in behalf of the claimants, taken before Commissioner, Willard Hall, with Documents, marked W.S.T. Nos. 142, annexed to that of Abel Stearns, were filed, and are in the words and figures as follows, to wit:

(Vide page 496 of this Transcript.)

San Francisco, November 12, 1852.
In the same case, the Deposition of Antonio J. Coronel, a witness in behalf of the claimants, taken before Commissioner, Willard Hall, was filed, and is in the words and

figures as follows to wit:
 (Vide page 4 of this Transcript.)

San Francisco, September 21, 1853.
 In the same case, the counsel for the
 Claimants filed the following Stipulation, to
 wit:
 (Vide page 5 of this Transcript.)

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San Francisco October 31, 1853.
 Case No. 417 was submitted on briefs
 and taken under advisement by the Board.

San Francisco, February 28, 1854.
 In the same case, Commissioner,
 Thompson Campbell, delivered the Opinion
 of the Board, confirming the claim.
 (Vide page 16 of this Transcript.)

San Francisco, Aug. 18, 1854.
 In the same case, on motion of the U.S.
 Law agent, the following Order was made,
 to wit:
 (Vide page 19 of this Transcript.)

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Petition of
Aguila & wife134 SD
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To the Honorable The United State Commissioners for
ascertaining and settling land claims in California
Legardo Aguila and Pascuala Garces his wife
residents of the County of Los Angeles, State of
California respectfully represent That the said
Pascualis Garces is owner in fee simple of a tract of
land situate in said County, Originally granted
to Manuel Dolores by Manuel Melchiorre whole
Governor of California and possessor of ample power
in the premises, dated the 15th May A.D. 1843: the one
half of which grant was sold by the said grantee
to the said Pascualis Garces by deed dated May
3rd A.D. 1845. Said tract lies near the Mission of
San Gabriel, around the house and Garden estate
owned by said grantee, the land marks of which
still appear and consists of 500 Varas square the
Northern half of which is the one sold to one of your
petitioners, the other to Juan Solus. There is no inter-
fering claim. The conditions of said grant have been
complied with. The land has not been surveyed by
the U.S. Survey General for California -
Your petitioners rely upon the following documentary
evidence filed herewith, in support of their claim
1st copy of the Original grant Marked A
2^d copy of Deed of Conveyance Marked B
A translation of said grant is also filed herewith
They will rely upon such parol evidence as may be
necessary to sustain their claim. And they pray
that your Superior Wisdom and Sense of Justice
may confirm them in the property and possession
of said claim -

Scott & Knapp
Attys for Petitioners

Oct. 25th 1852

Filed in Office Oct. 26th 1852. Geo. Fisher Secy

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52

H

Los Angeles Nov. 12th 1852

Deposition of
A F Coroneel

On this day before Comr H Hall came Anto F
Coroneel a witness in behalf of the claimants
Lugardo Aquilera et al petition No. 417 and was
duly sworn his evidence being interpreted by the
Secretary -

The U. S. Associate Law Agent was present
In answer to questions by Counsel for the claimants
the witness testified as follows

My name is Antonio F Coroneel my age is thirty
three years and I reside in Los Angeles

I know Lugardo Aquilera and his wife. I have
seen him cultivating a piece of land near the garden
called Cucate and near the Mesero of San Gabriel
I have seen him there frequently for six or seven years
past, he has an Adobe house there in which he
resided about 18 months ago when he left
and went to the mines A F Coroneel

Sworn & subscribed before me

Hiland Hall Comr.

Filed in Office Nov. 13th 1852

Geo. Fisher Secy

Los Angeles Oct. 30th 1852

Deposition of
Abel Stearns

On this day before Comr Hiland Hall came
Abel Stearns a witness in behalf of the claimants
Lugardo Aquilera et al petition No 417 and was
duly sworn his evidence being given in English.

The U. S. Associate Law Agent was present -

In Answer to enquiries by the Counsel for claimants
the witness testified as follows -

My name is Abel Stearns my age is fifty four
years and I reside in the City of Los Angeles. I have
lived in California over twenty three years

I am acquainted with the hand writing and
signature of Manuel Melchiorre and Francisco
Ace & P. Hugo Reese

A paper is now shown me purporting to be a grant

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3
to Manuel Solano of a tract of Land of five hundred varas square dated 15th May 1843 to which is attached a testimonial of previous possession dated May 1845. The signatures of the said Melchior and Ace and Ace upon said paper I believe to be genuine - said paper is here annexed marked A. A. No 1. I Hugo Ace was at the time of said previous possession acting as assistant Justice of the peace - I am also acquainted with the hand writing & signatures of Vicente Marquez & Benigno Lopez -

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A paper is now shown me purporting to be a conveyance from Manuel Solano to Pascual Garcia dated May 5 - 1845 -

I believe the signatures of the said Marquez & Lopez on said paper to be genuine - I was acquainted with Manuel Solano now deceased & tho I am not familiar with his signature I believe that which appears on said paper to be his - said paper is here annexed & marked A. A. No. 2.

The Regional grantee Solano occupies a piece of Land near the Mission of San Gabriel

Question by the Assistant Land Agent
Do you know any circumstances which should have induced the Governor to issue a title like the present without any other condition annexed to it than he should never sell or alienate the Land

Answer. I do not

Have you seen many such grants
Ans. I have not Abel Stearns
Sworn & Subscribed

Before me Helms Hall Com
Filed in Office Oct. 30th 1852. Geo. Fisher Secy

Los Angeles Oct. 30th 1852

Deposition of
Diego Silvas

On this day before Lemuel A. Hull came
Diego Silvas a witness in behalf of the claimant
Luzardo Aguero et al. petition No. 417 and was
duly sworn, his evidence being given in Spanish
was interpreted by the Secretary -

The U.S. Associate Law Agent was present

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

My name is Diego Silvas my age is thirty years
and I reside in the County of Los Angeles near
San Gabriel -

I know the land granted to Manuel Solares
near San Gabriel - of about one thousand varas
I think Solares received the land by having
a vineyard there which he planted & by cultivating
the land - I can not tell how long

On further reflection I think it was some six or
a seven years ago -

Diego ^{do} Silvas
made

Sworn & subscribed

Before me

Lemuel A. Hull Clerk

Filed in Office Oct 30th 1852

Geo. Fisher

Sey.

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1885
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7.
Manuel Micheltorena Gobernador Comandante G.
e Inspector del Departamento de ambas Californias
(Seul) Por cuanto Manuel Olivera Ciudadano
Mexicano por naturalizacion ha pretendido para su
beneficio personal y el de su familia un terreno de quinientos
varas en cuadro en el establecimiento de San Gabriel en
donde tiene ya publicada Casa y Huerta segun dispone
del R. P. Mro. Juan Tomas Estenaga: practicados previ-
-amente las diligencias y averiguaciones concernientes
segun lo dispuesto por leyes y reglamentos: usando de las
facultades que me son conferidas a nombre de la Nacion
Mexicana he tenido en concederle el terreno mencionado
declarandole la propiedad de el por las presentes let-
-ras; y sujeto a las condiciones de no poder venderlo
ni enajenarlo. Si contraviere a esta condicion
perderá su derecho al terreno y sera denunciado
por otro. En consecuencia mandado que sirvi-
-endo le de titulo el presente y teniendolo por firmado
y valido se tome rason de el en el Libro a que corres-
-ponde y se entregue al interesado para su resguardo
y demas fines. Dado en la Ciudad de los Angeles
a quince de Mayo de mil ochocientos Cuarenta
y tres. Manuel Micheltorena.

Francisco Arce. Int^o.

Buena rason de esta concecion en el
libro respectivo a fs. 3.

Francisco Arce.

administr^{on} auxiliar { Por pedimento del R. Padre
de Justicia. } J. y Tomas Estenaga que se le
medien en el terreno al interesado segun su titulo
presentes Don Lugardo Aguila y Manuel Ant^o
Mayor domo de la Nacion, le di proteccion de las
quinientos varas; mas este Señor habia agarrado
Ciento treinta y cuatro varas mas por un rumbo
y 7 veinte por otro, los cuales se le quitó por cuanto
le hicieron irregulares y conformes segun se deben

llevan las cosas p[er]o que en lo futuro no hayan
equivocos ni que tampoco salgan perjudicados los
quodios de la Nacion.

San Gabriel 13 de Mayo de 1825.

J. Mayo Peid.

He vendido al Sr. Lugardo Aguila quinientas
varas del presente titulo corriendo del Oeste a
Este y doscientos cincuenta varas de Norte al Sur, por
el lado del Norte siendo la mitad del terreno.

San Gabriel Mayo 5^o de 1825.

Filed in Office. Oct. 30th 1852.

Gen. Fisher.

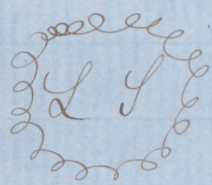
Secy.

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9 The No 1



Manuel Mechetrona, Governor, Commanding General and Inspector of the Department of both Calafornias

Whereas Manuel Dolvora a Mexican Citizen by Naturalization having petitioned for his personal benefit and that of his family a tract of land 500 Varas square at the establishment of San Gabriel upon which according to the report of the Rev. Father Menesta Fray Tomas Estenaga he already has a house erected and a garden planted, the usual Orders and Maminations having been previously had and complied with according to the requirements of the Laws and regulations in the success of the Authority conferred upon me, in the name of the Mexican Nation I have concluded to grant to him the same tract of land hereby declaring to him the Ownership thereof subject to the conditions, that he can neither sell nor transfer the same

If he contravenes this provision he shall lose his right to the land and it may be alienated by another

Therefore I order that this survey him as a title and being held as binding and valid to an entry there of be made in the corresponding book and that this be delivered to the interested party for his security and convenient purposes

Given in the City of Los Angeles this 15th day of May 1843

(Signed) Manuel Mechetrona
(Signed) Fran^{co}. Azeo Secy ad interim

An entry of this grant is made in the respective book page 30

(Signed) Fran^{co}. Azeo

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Auxiliary Administration
Of Justice

}
}
}

At the solicitation of the Rev. Father Fray Thomas Esternagu, that the tract of Land should be measured to the interested party according to his title Messrs Seguros Aguila and Manuel Antonio Mayordomo of the Mission being present, I gave him possession of the 500 Varas; but the said party have surveyed in one direction 134 Varas, and in the other 20 Varas, more, which I took from him, established his boundary according to Law and as probably as things should be done in order to avoid that there be any future misunderstanding and the Indians of the Mission ultimately injured - San Gabriel May 13th 1835

(Signed) P. Diego Reice

I have sold to Juan Seguros Aguila of the present title 500 Varas from E to W and 250 Varas from N. to S on the Northern side being one half of the tract of Land - San Gabriel May 5. 1845

I being Tesha Secretary of the U. S Land Commission to ascertain and settle the private Land claims in the State of California hereby certify that the foregoing is a true and correct translation of a Spanish document in Case No 417 wherein Diego Aguila et al claim a tract of Land near San Gabriel now on file in this office - In testimony whereof I have hereunto signed my name Office of the Secretary of the Oficeses Commission - San Francisco this 28th day of Feb'y A.D. 1854

Geo. Tesha Secy

Filed in Office Oct. 30th 1852

Geo. Tesha Secy -

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Por la presente digo Yo el infrascripto que he vendido
 enajenado y cedido todo el derecho que me asiste en
 favor de la Señora Pascuala Garcia sus herederos
 y sucesores por siempre a la mitad del terreno que me
 pertenece: cuya mitad contiene quinientas varas de
 largo del Nor Oeste al Sud Este contando desde la
 crux que va del molino hasta la Mision y Dos
 Sientos y cincuenta varas de ancho al Sud - Oeste al
 Nor - Este, y cuyo terreno queda al Nor Este del mio
 Y en pago del derecho que me asiste a dicho terreno
 he recibido a mi entera satisfaccion en presencia de
 su marido Señor Leonardo Aguilar quien aprobo
 el contrato la cantidad de ochenta pesos de cuya
 cantidad me doy por recibido y que ningun otro
 me hubienn pagado mas. Y en cualquiera disputa
 o diferencia que haya en cuanto a dicho terreno
 me obligo a salir a defenderlo a mis propios costos
 o mis herederos o sucesores en mi lugar y si fuere
 despojado de dicho terreno o parte de ello por causa
 que haya originado en mi le conseguire otro terreno
 mejor o al igual para satisfacerle. Y en todo
 cumplimiento de la presente escritura extrajudicial
 me obligo con mi persona, bienes habidos y por
 haber, y en un punto toda ley. a mi favor, con tiva
 - auto la presente tan balotio como si fuere con todos
 los requisitos que requieren las leyes.

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Firmando ante dos testigos y en papel comun
 por no haber en el lugar del sello que corresponde

Mision de San Gabriel Mayo cinco de mil ochocientos
 cuarenta y cinco.

Manuel Delivera. Como testigo. Vicente Moraga
 Como testigo. Bernardino Lopez.

Filed in office. Oct. 30th 1852.

Geo. Fisher.

Secy.

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12 H. H. No 2.

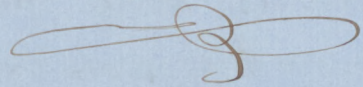
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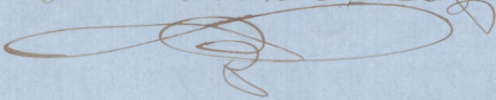
I the undersigned do hereby declare that I have sold transferred and ceded in favor of Mrs. Pusecater Gurew her heirs and Successors all my right to the One half of the tract of land which belongs to me, which half embraces in length from N. 1/4 to S. E. 500 Varas and in breadth 250 Varas from S. 1/4 to N. E. Beginning at the ditch which runs from the well to the Mission, which land lies to the N. E. to mine, and in payment of my said right to said land I have received to my entire satisfaction in the presence of her husband Mr. Segundo Agueda who approved the tract, the sum of Eighty dollars which sum I acknowledge to have received and that no other person would have paid mine and in any dispute or difference whatever that may arise in regard to said land and my self to depend it at my own cost or my heirs or Successors in my stead, and if should the law dispose of the said land or of any part thereof through any cause that might have originated by or through me to satisfy her I will procure I will procure another tract of land better or equal to it for the due fulfillment of this said judicial instrument I bind my person, the property which I now possess or may in future acquire, Relinquishing all law in my favor, and consider this instrument as binding as though as though it were made with all the formalities which the laws require sign my self in the presence of two witnesses and in common paper, because there is no corresponding Stamp in the place - Mission of San Gabriel May 5th 1845
Monuel de Lorenza

(Signed) Vicente Moraga
(Signed) Bernard Lopez & Alitrujos

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I George Fisher Secretary to the U.S. Land Comm
join to ascertain and settle the private land
claims in the State of California hereby certify
that the foregoing is a true and correct translation
of a Spanish Document in Case No 417 - wherein
Guarido Aguila et al claim a piece of land
near the Mission of San Gabriel now on file
in this Office - In testimony whereof I have
hereunto signed my name, Officer of the Secre
tary of the aforesaid Commission -
San Francisco this 25th day of Feb. 1854

Geo. Fisher Secy


Filed in office Feb. 25 1854
Geo. Fisher Secy


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14 II
Translation of
Grant

Manuel Micheltorena Governor Commandant General
and Inspector of the Department of both California

Whereas Manuel Doloveca a Mexican
Citizen by naturalization has asked for his personal
benefit and that of his family a tract of land of
five hundred varas square in the establishment of
San Gabriel where he has already fixed a house
and a garden according to the report of the R. F. M.
Tomás Estenago, the proceedings and respective
engagements having been previously gone through with
as directed by the Laws and Regulations, exercising
the Authority conferred upon me, I have concluded
in the name of the Mexican Nation to grant him
the aforesaid land declaring it to be his property
by the present Letters and subject to the condition
that he cannot sell or alienate it. If he shall
violate this condition he shall lose his right to the
land and it shall be denounceable by another
Wherefore I order the present serving him for a title
and being considered from and valid account
thereof be taken in the Corresponding Book and
it be delivered to the party interested for his protec-
tion and further uses -

Given in the City of Los Angeles May fifteenth
One thousand eight hundred and fifty three -

Manl. Micheltorena

Francisco Arce

Secretary

Account of this grant remaining taken in the
respective Book page 3rd

Francisco Arce

Filed in office Oct. 26th 1852

Geo. Fisher Secy

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570
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15

Agreement of
Counsel

Lugar do Aquiles Hoije }
vs }
United States }
}

Before the U S Commissioner for ascertainment and
settling dead man's private Land claims in the
Tepic at Los Angeles Cal. 1852

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It is hereby agreed between the United States Land
Agent and City for plaintiffs that the deposition
of Hugo Reed given in Case 419 may be used
as evidence on the trial of the above entitled
Cause

Robert Greenhow
Scott & Knapp

Filed in office Sept 31-1853
Geo. Fishie

177
39 25

111
Lugardo Aguila and
Pascuala Garcia his wife }
vs } 500 Varas by
The United States }
}

Opinion of Board
by Com. Campbell
The petitioners in this case deduce their title from the Government - First by a grant issued by Governor Mecheltana to Manuel Dolores bearing date the 15th day of A.D. 1843. Secondly by a deed of Conveyance from the said Dolores to the said Pascuala Garcia wife of the said Lugardo said deed bears date the 5th day of May A.D. 1845 - The foregoing grant and deed are both properly proved and authenticated -

It is agreed on the part of the opposite Luis Agonc and the Counsel for the petitioners that the deposition of Hugo Reid filed in Case No. 419 may be used as evidence in this case

The grant in this case calls for five hundred varas square, the deed exhibited by the grantee as aforesaid transfers to Pascuala Garcia the one half of said tract of land, which half embraces in length from N.W. to S.E. five hundred varas and in width two hundred and fifty varas from South West to North East -

There is some little discrepancy in the testimony in regard to the occupancy of the land by Dolores the first grantee - Hugo Reid in his deposition filed in Case No. 419 testifies that he gave the judicial possession to Dolores in the first instance and that Dolores lived on the land from the time possession was given until he sold the one half to Silvas the claimant in No. 419. He also testifies that he started off at the request of Dolores the part sold to Pascuala Garcia wife of Lugardo Aguila, and that they have occupied that part from that time to the present -

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It is proved by the deposition of Abel Stearns that Dolivera occupied a piece of land near the Mission of San Gabriel.

It is proved by the deposition of Diego Selvas that Dolivera occupied the land by having a vineyard there which he planted, and by cultivating the land but he expressly states that Dolivera does not live on the place.

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Although the evidence as to the actual residence of the Original grantee on the land is rather contradictory, all the witnesses agree as to the cultivation of the land by Dolivera which in my judgment shows a substantial compliance with the conditions of the Law. Besides it is recited in the grant itself that the party at the time the grant was made had fixed a house and garden on the premises. The description of the land granted is not very definitely described, but as it is in proof that the one half claimed in case No. 417 is all fenced in and cultivated and as the dees from Dolivera describes with great certainty that part of the Original grant claimed in this case I think it can be located without much difficulty. A decree of confirmation will therefore be entered.

Lugardo Aquila and
Pascuala Garcia his wife
vs
The United States

Decree

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In this case on hearing
the proofs and allegations it is adjudged by the
Commission that the claim of the said Pascuala
Garcia wife of the said Lugardo Aquila is valid
and it is therefore decreed that the same be
confirmed

The lands of which confirmation is here by made are
situated near the Mission of San Gabriel and on
a part of a lot of land containing five hundred
varas square granted by Governor Manuel Michel
Lorenz to one Manuel Dolera in the year 1843 at
which time there were a house and garden on the
lands so granted as aforesaid. The lands hereby
confirmed consists of one half of the said five
hundred varas and are described as follows
in length from N.W. to S.E. five hundred varas
beginning at the ditch which runs from the mill
to the Mission, and in width two hundred and
fifty varas from S.W. to N.E. on which there
is an adobe house formerly occupied by the
petitioner

Alpheus Felch
Thompson Campbell
R. Aug. Thompson

Commissioners

Filed in Office Feb. 28. 1854

Geo. Fisher Secy

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And it appearing to the Satisfaction of
this Board, that the Land hereby adjudicated
is situated in the Southern District of
California it is hereby

Ordered: that the
two Transcripts of the Proceedings and
of the decisions in this case and of
the papers and evidence upon which
the same are founded, be made out,
and duly certified by the Secretary, one
of which Transcripts shall be filed
with the Clerk of the United States
District Court for the Southern District
of California, and the other be transmitted
to the Attorney General of the United
States

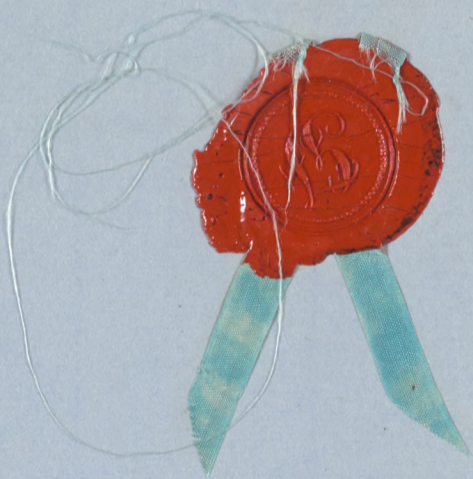
● Office of the Board of Commissioners,

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

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I, *George Fisher*, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *eighteen* pages, numbered from 1 to 18, 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. 417 on the Docket of the said Board, wherein *Pedro Aguilera, et al* are

the Claimants against the United States, for the place known by the name of *500 by 250 varas*.



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

Geo. Fisher
G. Fisher

134

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

No. 134, *Docket*

THE UNITED STATES,

134

*Lugardo Aquila,
et al.*

"500 by 250 Varas."

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

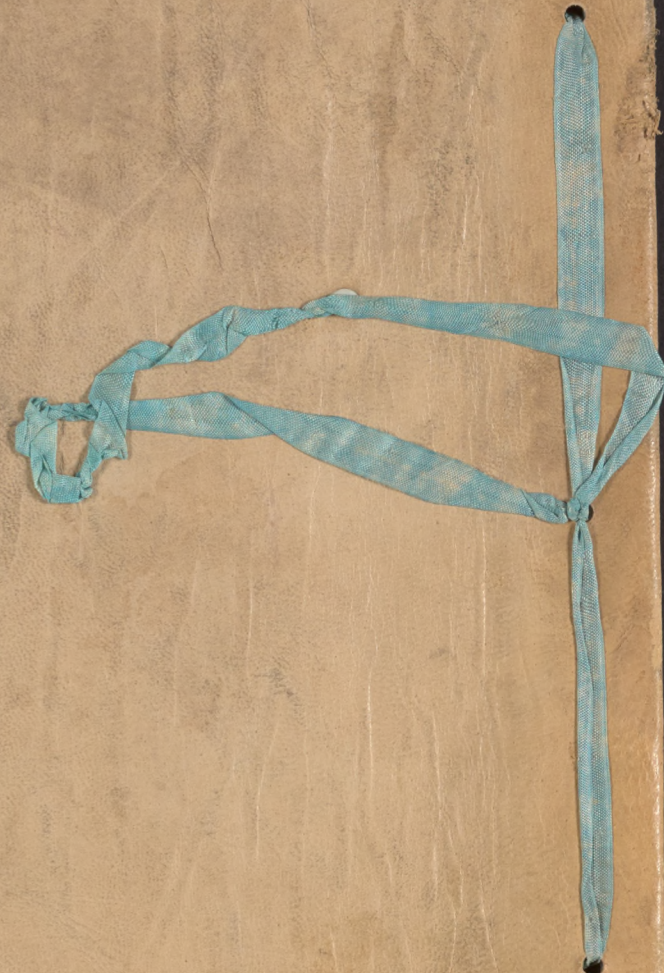
In Case No. 417.

Filed, *November 8th,* 1854.

*G. E. Carr
Clerk.*

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Nov 11 1854



Office of the Attorney General of the United States,

Washington, 17th January 1855.

Lugardo Aquela et al. }
 vs. } 417.
 The United States }

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 28th day of September 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Anthony

Attorney General.

No 134.

U.S. District Court
Southern District

The United States
vs -
Suzardo Aquila,
et al -

Notice of appeal from atty. Gen.

Filed Feb'y 27th 1855.

J. E. Farr.
clk.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

Lugardo Aguila et al. }
vs. } 417.
The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 28th day of September 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Clarking

Attorney General.

No 134.

U.S. District Court
Southern dist of Cal.

The United States,

vs.

Lugardo Aquila, et al.

Appeal Notice.

Filed March 8th 1855.

C. E. Farr.
clerk.

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

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

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Luzardo Aguila, et al, app^{rs}
ad^{vs},
The United States, app^t

Docket No. 134.

Transcript No. 417.

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

The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 26th day of October — A. D. 1852, Luzardo Aguila, & Pascuala Garcia, his wife,

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land near the Mission of San Gabriel situated in the County of Los Angeles State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 28th day of February A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioners. That thereafter, to wit: on or about the 8th day of November A. D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 417; reference to which it is prayed may be had and made part of this petition. That on or about the 28th day of September A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

said claim should have been rejected by them. And the said claimant, having no valid right or title derived from the Spanish or Mexican Governments, to the land claimed as aforesaid, the lawful right and title in and to the said land was acquired by, and it now belongs to the United States, by virtue of conquest, and the Treaty of peace, friendship, limits and settlement, between the United States and the Republic of Mexico, made at the City of Guadalupe Hidalgo, February 2d, A. D. 1848.

Wherefore, the said Pacificus Ord, Attorney of the United States for the Southern District of California, for and in behalf of the United States, by reason of the premises, and in pursuance of the Act of Congress, entitled "An Act to ascertain and settle the Private Land Claims in the State of California," approved March 3d, A. D. 1851, and the laws and statutes in such case made and provided, prays that the said claimants or ~~his~~^{their} attorney may be served with a copy of this petition; and that this Honorable Court will review the said decision of said Commissioners, and reverse the same; and decide on the validity of the same, and decree the alleged title to be invalid: with costs and general relief.

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PAGE 26

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

evidence on which said decision was founded. That thereafter, to wit:
on ^{or about} the 27th day of February A. D. 1855, the said
Attorney-General of the United States filed, or caused to be filed, in
behalf of the United States, a notice with the Clerk of said District
Court of the United States, that the appeal in said cause from the said
decision of the said Commissioners, in the District Court of the United
States for the Southern District of California, would be prosecuted by the
United States. Your petitioner further represents, that the land claimed,
as aforesaid, is situate in the Southern District of California, and within
the jurisdiction of this Honorable Court. Your petitioner further represents
and insists, that the said claim is invalid; and the said decision of said
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for
many errors and imperfections of law and evidence, apparent in said certified
transcript of the proceedings and decisions of said Commissioners in said
cause, filed and appealed from as aforesaid. And your petitioner denies all
and singular, each and every allegation in the said petition of said claimants
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimants ~~has~~ ^{have} any valid right or title to said land claimed
as aforesaid, or any part thereof.

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PAGE 10 27

And no sufficient proof having been made of the allegations in said pe-
tition to said Commissioners, or in support of the said claim, no decision con-
firming the same should have been made by said Commissioners; but the

No 134.

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

Lugardo Aquila, et al
appée.

ads.

The United States.
applr.

Petition for Review.

Filed Nov 8th 1838.

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J. E. Sawyer
clerk.

P. Ord. Usatly

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

TO

The President of the United States,

Lugardo Aguilar and Pasencela Garcia
(his wife)

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

J. Ord U.S. Atty. for the Southern District of California in behalf of the United States praying said Court to reverse the decision of the U.S. Land Commissioners of the 28th day of February A.D. 1854 confirming your claim to the land near the Mission of San Gabriel, situate in the County of Los Angeles and appealed by the ~~Att.~~ Attorney General of the United States

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

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

C. E. Farr.

Clerk.

Marshals Cost

Copying Summons	60
Serving Summons	3,00
Serving Petition	3,00
	<u>6,60</u>

134

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

Lugardo Aquila, et al. appes.

vol. { No 134.

The United States, app. lvs.

SUMMONS.

Return 13th 1855

Edward Hunter
Not Marshal

134 SD
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PAGE

I served this summons along with the proper copy of the petition upon *W P Dossey*
 owner of the land by delivering to
 him personally a true copy of the
 same
 at *Los Angeles* in the Southern District of California on
 the *twentieth* day of *November* A. D. 1855.

Sworn to and subscribed before me, *Nov 21*
1855 }
J. J. [Signature] Clerk.

Edward Hunter
 M.A. *Att. whal.*

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

TO

The President of the United States,

Lugardo Aguilar and Pascuala Garcia
(his wife)

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

J. Ord U.S. Attorney for the
Southern Dist of California praying the said
Court to review the decision of the U.S. Land
Commissioners of the 28th day of February A.D.
1854 Confirming your claim to the land near the
Mission of San Gabriel, situate in the County of
Los Angeles and appealed by the Attorney
General of the United States

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

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

J. E. Fane

Clerk.

134

Mendels Brit

Copying summons & co.
Harris do 3.
Petition 3.
J. T. Co

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

Lugardo Aguila, et al. appes.

ads. { no 134.
F }

The United States, appls.

SUMMONS.

Rec'd Nov 13th 1855
Edward Hunter
U.S. Marshal

134 SD

PAGE 32

I served this summons along with the proper copy of the petition upon *H. P. Dorsey* owner of the land, by delivering to him personally a true copy of the same,

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

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

Edward Hunter
U.S. Marshal.

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

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PAGE 33

Lugardo Aguirre
et al
vs
United States

Case No. 134
Transcript No 41C

And now comes the above named
appellant and for answer to the petition for Review
filed herein by the appellants, avers that his title
to the lands claimed by him in this case, and des-
cribed with said Petition of Review and in
the Transcript of the proceedings of the
United States Land Commission therein referred
to, is good and valid — Therefore this appellant
prays for the judgment of this Honorable
Court, that the decision of the Board of
United States Land Commission may be affirmed,
and that the title of the said appellant to the said
lands may ~~may~~ be deemed to be valid, and that
he may be hence reimbursed with his costs therein
expended, & such further relief as to equity and
Conscience belong and his case may require

A. P. Donsery

No 134

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

Jugardo Aquada Et al

M. J. Dorsey

vs.

The United States

Answer to Petition for Review

Filed Dec. 6th 1855

C. C. Carr
Clerk

By Jam. A. Dunsmuir
Depty.

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I served this answer on Ford M. Mathey
by delivering to him a copy this Dec 14th 1855

Edward Hunter

U.S. Marshal

00'E#

Manuel East

J. F. R. Barton Sheriff of Los Angeles County State of California do Certify that by virtue of an Execution issued out of the office of R. H. Dimmock a Justice of the Peace for the Township and County of Los Angeles and to me directed against Eugenio Aguilar and Pasquala Silvas his wife and in favor of Jonathan R. Scott and Lewis Granger for the sum of sixty dollars and costs of suit amounting in all to eighty dollars and sixty cents, and accruing costs I did levy upon and seize all the right title and interest of said Eugenio Aguilar and Pasquala his wife to a certain piece of land situated in the Township of San Gabriel County of Los Angeles State of California and bounded as follows to wit, on the South by the Claim of A. W. Lane on the North and east by the Claim of O. Buckins, and on the west by the lands of Diego Navarro and Nazario Duarte with all the improvements and appurtenances thereunto belonging being the land now in charge of O. Buckins as a gent lying between the Mission of San Gabriel and the old Mill pond of the old mission mill. on the third day of Feb. 1854 and after giving more than twenty days notice by posting up printed notices in three public places in the Townships of San Gabriel and Los Angeles in the former of which the land is situated the latter in which the sale was to take place particularly describing said land. I did proceed to sell the same at the Court House door in the City of Los Angeles as the Law directs to the highest bidder on the 28th day of Feb. 1854 between the hours of ten o'clock in the forenoon & four o'clock in the afternoon, at which sale H. F. Dorsey offered the sum of one hundred and eighty five dollars for said land and this being the last and highest bid offered the same

was struck off to him and he having paid me
the aforesaid sum of one hundred and eighty five
dollars will be entitled to a deed for the same
unless the same is redeemed in six months
from the 28th day of Feb- 1854 the aforesaid
land is about 200 varas wide east and west
by about 500 varas north and south more
or less.

Given under my hand this first day of March
one thousand eight hundred and fifty four

J. R. Barton
Sheriff of
Los Angeles County

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Certificate of
Sheriff's Sale To
H. P. Torsey

No 134.

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

Luzardo Aguilar et al
appes

ad.

The United States
Appls.

Certificate of sale.

Filed ~~Feb 27~~ th 1856.

C. E. Jam
ca.

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Sheriff's Sale.

BY virtue of an Execution, issued out of Justice's Court, in favor of J. R. Scott and Lewis Granger, and against Luzardo Aguilar and Pascuala Silvas, his wife, for eighty dollars sixty cents, and the accruing costs thereon, and interest at the rate of ten per cent. I have levied upon and seized all the right title and interest of said Luzardo Aguilar and Pascuala his wife, in and to all that piece or parcel of land lying and being in the township of San Gabriel near the laguna and old mill, being the same piece of land which is now in the charge of O. Buckias, being about 200 varas east and west by about 500 north and south more or less. Bounded on the south by the claim of A. W. Lane, on the north and east by the claim of O. Buckias, on the west by the lands of Diego Navarra and Nasario Duarte, with all the buildings and appurtenances thereunto belonging. Which I shall expose for sale at public auction as the law directs, at the Court House door in the city and county of Los Angeles, on the 25th day of February, A.D., 1854, at 10 o'clock A. M.

Terms cash.
February 3rd, 1854.

J. R. BARTON Sheriff.

Luzan do Aguilar et al

appels

ass.

The United States,

appls

No 134.

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Testimony of George Haussen a witness for appellee in the above cause taken in Open Court on the trial of said cause, Ford vs. applt Myron Horton for appellee. Feb 29th 1856.

George Haussen being duly sworn

§ §

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

Ans. My name is George Haussen, my age 32 years, my residence to Cayles.

Ques. Look at the map now shown you, ^{marked} "No 134. Exhibit A. f. E. f." & state whether or not you made an actual survey of the land claimed in this case, and whether or not said map is a correct delineation of the land claimed herein. And also describe

Ans.

the manner in which you made
the Survey (objected to by the Usatz)
I made a Survey of the land claimed
in this case. The map shown
me is a correct plot of the land,
made by me on the 11th of Feb'y 1856.
I was called upon by Captain Doney
to make this Survey, I went out
with him & found Jose Alvar at
the place, who said that he knows
Luzardo Aguilas land, and pointed
out to me the boundary lines of
the same, as follows. He stated
that a point at the north edge of the
Sanga which is two chains &
fourteen links south west of the
south west corner of the house of
Luzardo Aguilas, & called the point
of Commencement, & then showed me
the lines more particularly delineated
in the map (as was objected to by
the Usatz) Geo Manser

Worn & subscribed
before me this 29th day of
Feb'y 1856.
J. E. Spang
Clerk.

No 134.

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

Luis de Aguilar
et al App'ees

— ad. —

The United States
app'ly.

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Reposition of George
Kansen.

Filed Feb^y 29th 1856.
J. S. Janney
Clk

The United States, appellants }
vs. } no 134 -
Lagardo Aguilar. }

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Deposition of Jose Maria Silva
a witness on the part of appellee
in the above entitled cause, taken this
28th day of Feb^y 1856. before Chas. E. Can-
nis Corns for California, Present
J.M. Usaty.

Douglas was sworn as Interpreter.

Jose Maria Silva being duly sworn
in answer to questions of Counsel for
the several parties, deposes as follows

- Ques. What is your name age & place of
residence.
- Ans. My name is Jose Maria Silva, my residence
the mission of San Gabriel, about age
about 30 years.
- Ques. Do you know the land claimed
in this case by Lagardo Aguilar
& Jya, where is it located, & how
has been occupied.
- Ans. I know the land claimed in
this case. It is located north of

the mission of San Gabriel near the Laguna, and was occupied by Eugenio Aguilera with a house in which he lived he also farmed the land. I have known Eugenio living on this land for about eight years, for the last two he been at the placeres.

Ques. In what direction does this land lie from the garden of Cuati.

Ans. It lies to the west of Cuati. The house built by Eugenio is about 800 varas from the Laguna, in a southerly direction.

Ques. Who lived on this tract of land before Aguilera.

Ans. Manuel, ~~the~~ Portuguese, who was married to a native of the mission.

Ques. Does the house in which Manuel lived still exist.

Ans. No, it was a hilly house. Manuel was living there when I first came.

Ques. Is this land the same of Eugenio the same that was surveyed a short time ago in your presence. (objected to by the U.S. Atty.)

Ans. It is —

Ques. How long ago was this survey made. (objected to by us) -

Ans. About a month ago - The

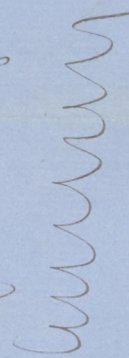
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survey ^{included} contained five hundred varas in length & 250 in width - This was all the quantity of land measured or surveyed - This was the same land which was in the possession of Don Pedro Aguilar

his
Jose Maria Xilias
mark.

Sworn to & subscribed
this 28th day of Feb'y 1836.
Before me

J. E. Farr,
U.S. Com.



No 134

U.S. Dist Court
South West of Cal

Juquardo Aquilantel
appellee

vs

The United States
appellant

Deportation of Juan M. Gilvos

Filed July 29th 1856

J. E. Lawrence
clerk

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Luzardo Aguilera et al Appes
vs, No 134.
The United States
Appellants,

Deposition of Geo Hansen, a witness
on the part of Appellee in the above
cause, taken in Open Court on
the trial of said cause the 29th day of
Feb'y 1856. P. Ord. usally by
Norton for Appellee.

George Hansen being duly sworn deposes
as follows

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

Ans. My name is George Hansen my
residence Los Angeles, my age 32 years

Ques. State to the Court more particularly
the manner in which you made
the survey of the land claimed in
this ^{case} from ^{what} documents or other evidence
you found the initial point of the survey,
(objected to by the United States Attorney)

Ans. I got the description from a deed
of conveyance to Luzardo Aguilera
Jose Alvas whom I asked

whether he knows the land claimed
in this case, stated that he knew
the tract for a long time, that
Luzardo Aguilar had bought it from
Manuel Portuguese, & that it after
wards came into possession of
Captain Jorsey, and that it is
the half of a 500 vara tract, which
was granted to Don Manuel Portuguese.
Look at the deed of sale contained
on page 11. of the Transcript in
this case & state whether or
not it is a copy of the deed you
have mentioned under which
you made the survey of the land
claimed in this case. (objected to
by the usally)

Ans. I did get the description of the tract
I surveyed from ^{the} ~~that~~ deed in
the Transcript referred to.

Geo Mansur,

Book to subscribed

this 29th of Feb 1856.

Before me

J. E. San
Cox.

[Handwritten signature]

No 134

U. S. Dist Court
South Dist of Cal.

Luzardo Aguilar et al
appears.
advs.

The United States
applts.

Deposition of Geo
Hansen.

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Filed Feb 29th 1856.

J. E. Jones
clerk

Luzardo Aguilar et allos }
ads. } No 134.
The United States, Appls. }

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PAGE 48

Ques. What is your name and place
of residence

Ans. My name is James R Barton my
age 36 years. my residence
Los Angeles County

Ques. Were you or were you not
Sheriff of the County of Los Angeles
in the years 1854 & 1855.

Ans. I was.

Ques. Look at the paper now shown
you are endorsed "Certificate of sale

the other endorsed "Deed from J. R. Barton, Sheriff" both of which were filed in this case on the 28th day of Feb 1856. & state whether or not, you ever sold or conveyed the land mentioned therein, & if so, where, in favor of whom, and against whom was execution issued if sold on execution, and if so, are they the same papers executed by you at the time they respectively bear date.

Ans. I have examined the papers. They were executed by me, at the time they bear date. I sold the land under execution in favor of J. R. Scott & Lewis, Sranger and against Leonardo Aguilar & ^{It is the same land as was directed to be sold upon by J. R. Scott.} Pascuala Alvar his wife.

Ques. Who was the purchaser at said sale.

Ans. A. P. Dorsey was the purchaser.

J. R. Barton
Sworn to & subscribed
this 3rd day of March 1856.
before me
J. E. [Signature]
[Signature]

W 134

Depos. of James R
Barton

Filed March 3^d 1836

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PAGE 50

Lugardo Aguilae
adv. } No 134.
The United States, }

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

Ans. My name is Jonathan R. Scott, my age ⁴³ ~~44~~ years, my residence the County of Los Angeles.

Ques. Were you or not one of the Attorneys in this case when it was presented before the U.S. Land Commission.

Ans. Yes. Mr. Grainger & myself were the Attorneys.

Ques. Was or was not the land claimed in this case sold upon execution

by the Sheriff of Los Angeles -
Lippo, state in whose favor
was execution issued & against
whom, & about what time the property
was sold, and who was the
purchaser, & state further whether
or not the property sold upon said
execution, is the same land claimed
in this case. And if you
cannot state positively, state
the same from your best
information and belief. (Object
to by the Usual)

Ans. Mr. Gausser & I brought suit against
Lagardo Aguilar & wife, I think,
before Kimball & Simnick. The
year I cant state, but I should
think it was the year 1854.
Judgment was recovered & execution
issued. Thus far I know. I myself
directed the Sheriff to levy upon
and sell the land mentioned
in this case. I was in San Francisco
at the time the sale took
place. When I came back
I examined the papers to see that
every thing had been proceeded
in regular order. And from the papers

No 134

Depos. of
Jonathan Scott

Filed March 28 1886

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United States District Court
Southern District of California
Los Angeles December Term 1855

134 SD
PAGE 55

William D. Forsay

appellee

^{vs}
The United States

appellants

No. 134.

This cause coming on to be heard on an appeal from the decision of the Commissioners to ascertain and settle the Private Land Claims in the State of California, under an act of Congress approved March 3 1851 upon the Transcript of the proceedings and decision, and the papers and evidence on which said decision was founded, and further evidence adduced in this Court. And it appearing that said Transcript has been duly filed according to law and Counsel for the respective parties having been heard. It is ordered adjudged and decreed that the Claim of the appellee above mentioned is good and valid, and the same is hereby confirmed to the extent of. The land of which confirmation is hereby made is a certain tract of land near the Mission of San Gabriel in the County of Los Angeles being the ~~said~~ one half, of a certain tract of land granted by Governor Manuel Micheltreino, to one Manuel Dolvera in the year 1843. and which said tract of land is more particularly described in the Deposition of Hugo Reid, and the map made by George Hanson, Deputy County Surveyor of the County of Los Angeles, on file in this case

The whole of said tract of land containing
500 Varas square
Dated at Quito
12 5 Dns Page

No. 134.

U.S. Dist Court
South Dist of California

R. J. Laney

appellant

v

The United States

appellant

134 SD
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Recru

Record exhibit 29. 1887

Filed March 7 1888

C. E. Gam

clerk

by Morgan

Recorded July 26 1887

on page 874 88.

IN THE DISTRICT COURT OF THE UNITED STATES,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

Los Angeles, December Term, 1855.

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*Luzardo Aguilar et al. v.
William P. Dorsey.*

APPELLEE, §
VS.
UNITED STATES,
APPELLANT.

No. 134.
(No. 417 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 3^d day of March A. D. 1856.

*P. Ord
Dist. Ct.*

No 134

U.S. Dist Court
South Dist of California

Luzardo Aguilar Etals &
Allard & Dorsey ³
Appellees

vs
The United States
Appellants

Notice of Appeal S.C.

Filed March 4th 1886

C. E. Carr Clerk

By O. Mayan Deputy

California Land Claims

Attorney General's Office

4 October, 1856.

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PAGE

Sir

In the case of the claim of Lugardo Aguilo et al. confirmed to the claimants by the Commissioner, case no. four hundred and seventeen (417), and also confirmed an appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am

Respectfully
Obedient

Principals Ord Secy

U. S. Attorney

Los Angeles

VV

134

Luzardo Aguilar Etal.

417

Notice that appeal
will not be prosecuted

Notice that appeal
will not be prosecuted

Filed 24th February 1857

Clerk
J. M. Coleman
Sep.

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Recd Nov 4 1836.

To All to whom these presents shall come I J. P.
Barton Sheriff of Los Angeles County Send
Greeting:—Whereas by a writ of Execution issued
out of the Court of J. H. Dimmick a Justice of the
Peace for the Township of Los Angeles County of
Los Angeles. I was commanded to make of the goods and
chattles of Sugardo Aguila and Pasquala Silvas his wife
in my County eighty and $\frac{40}{100}$ Dollars which Jonathan P.
Scott and Lewis Granger had recovered against them
in said Court for their damages which they had sustained
as well by reason of the not performing certain promises
as for their costs and charges and that if sufficient goods
and chattles could not be found that then I should cause
the said damages to be made of the real estate of the
said Defendants. And whereas after the coming of the said
writ to me and before the return thereof, I did by
virtue of the said writ, seize and take the lands
herein after particularly described and have for want
of goods and chattles in my County of the said Sugardo
Aguila and Pasquala Silvas his wife to satisfy the said
damages sold the said land, as is hereinafter mentioned
at public Auction according to the Statute in such
case provided on the twenty eighth day of February one
thousand eight hundred and fifty four to H. P. Dorsey
for one hundred and eighty five dollars, being the
highest sum bid for the same, and whereas upon
the said sale I made out and subscribed a certificate
thereof, containing a particular description of the prem-
ises sold, the price bid for the same the whole considera-
tion money paid and the time when such sale would
become absolute and the purchaser would be entitled
to a conveyance according to law which certificate
I delivered to the said purchaser, a duplicate of which
I afterwards filed with the Clerk of the County of

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PAGE
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Los Angeles, And whereas the said premises after the expiration of six months from the time of said sale, remained unredeemed, and no creditor of the said Lugardo Agula & Pasquala Silvas hath acquired the right or title of the said purchaser, according to the Statute in such case Made and provided;

Now therefore know ye that I the said J. R. Barton the Sheriff aforesaid by virtue of the said writ of Execution and of the Statutes in such case made and provided, in consideration of the said sum of one hundred and eighty five dollars to me in hand paid by the said H. P. Dorsey the receipt whereof is hereby acknowledged, have granted bargained and sold and by these presents do grant bargain and sell unto the said H. P. Dorsey and to his heirs and assigns for ever, all the right title and interest of Lugardo Agula and Pasquala Silvas his wife in and to all that piece or parcel of land lying and being in the Township of San Gabriel near the Laguna and old Mill being about two hundred yards East and West by about five hundred yards North and South more or less, bounded on the South by the claim of A. W. Lane, on the North and East by the claim of O. Buckins, on the west by the lands of Diego Navara and Nasario Duarte with all the appurtenances thereunto pertaining, To have and to hold the said land and premises and every part thereof with the appurtenances unto the said H. P. Dorsey his heirs and assigns forever as fully and absolutely as I the said J. R. Barton as Sheriff aforesaid and under the authority aforesaid, might could or ought to sell and convey the same;

In witness whereof I have hereunto set my hand and seal this thirteenth day of September A. D. one thousand eight hundred and fifty five

J. R. Barton
Sheriff of
Los Angeles County

State of California
County of Los Angeles

On this fifth day of December
1855 personally appeared before me a Notary
Public in and for the said County, M. Barton
known to me to be the person described in, and
who executed the within instrument who acknowledged
to me that he executed the same freely and voluntarily
and for the uses and purposes therein mentioned.

In testimony whereof I have
hereunto signed my name
and affixed my official
seal the day and year
last above written

J. William Purdie
Notary Public



Deed of
M. Barton Sheriff
To
H. J. Dosey

10134

Report Court
San Diego Dist of Cal.

Lupardo Aguilar
applicant
adv.

The Mortgages
adv.

Deed from J. B. Barton
Sheriff

Filed

134. S. D.

United States

vs

Lugardo Aquila
et al

See minutes of

Feb'y 29 - 1856 -

Mar' 1. 1856

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Borsey
vs
N. Statis } No. 134.

Please make a copy of the
deposition of Mercedo Perez
file the same in this case
of 10 days

Los Angeles Feb 29/56 Yours &c
Myron Norton
to be learn copy atty for appelle
to clerk & c.

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Norton order for
certified copy