

CASE No.

136

SOUTHERN DISTRICT

A LOT AT SAN GABRIEL GRANT

JUAN SILVAS

CLAIMANT

ro/ten

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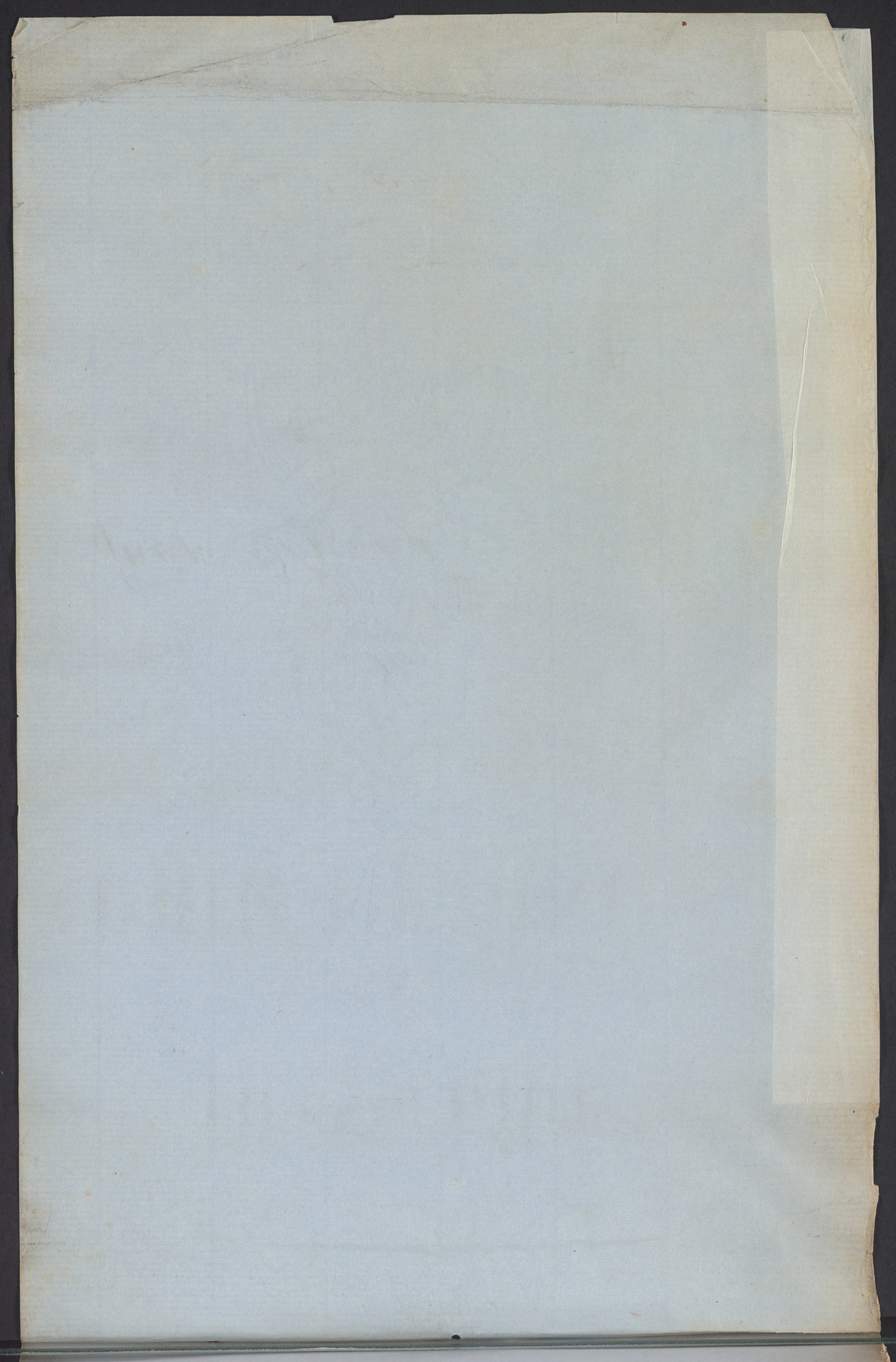
LAND CASE 136 SD

36 pgs.

MAR 1 1963

419

Southern District



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. *419*

Juan Silvas

CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR ~~THE PLACE NAMED~~

A Lot at San Gabriel.

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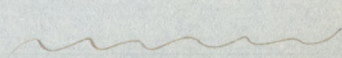
Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

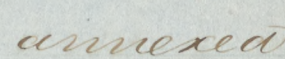
Be it Remembered, that on this *twenty sixth day of October*, Anno Domini One Thousand Eight Hundred and Fifty-*Two*, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

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The Petition of *Juan Silvas* 
 for the Place named
a Lot at San Gabriel, 
was presented, and ordered to be filed and docketed with No. 419, 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 15th 1852.
In Case no. 419, Juan Silvas for a lot of land at San Gabriel, the deposition of *Hugo Reid*, a witness in behalf of the claimant, taken before Commissioner *Melano Hall*, with document marked *A. H. no. 1*, and a translation thereof marked  annexed thereto was filed;

(Vide page *4* of this Transcript.)


San Francisco, Oct. 31st 1853.
Case no. 419 was submitted on Briefs and taken under advisement by the Board,


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San Francisco March 14th 1854,
In the same case Commissioner Thompson Campbell
delivered the Opinion of the Board confirming the
claim;

(Vide page 16 of this Transcript)

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San Francisco Aug. 15th 1854,
In the same case, on motion of the United States
Law Agent, the following order was made to wit,
(Vide page 19 of this Transcript)

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To the Honorable

The United States Commissioner
for ascertaining and settling Land Claims in
California.

Petition

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Your Petitioner Juan Silva, a resident
of the County of Los Angeles State of California
respectfully represents: That he claims as
owner in fee simple a tract of land situate
in said county which was originally granted
to Manuel Solivera by Manuel Michel-
torena while Governor of California and having
ample powers in the premises by deed of
concession in fee simple bearing date May
15th 1843. That the said Solivera sold one
half of the same to your petitioner by
deed of conveyance bearing date December
15th A.D. 1846. That said tract of
land is situated near the Mission of San Gabriel,
and contains 500 Varas by 250 Varas, the
whole claim having the original landmarks
placed by the proper authority around the
house and garden established by said original
Grantee before the said grant was made to
him. That all the conditions of
said grant have been fulfilled as the laws
required. There is no interfering claim

It has not been surveyed by the U.S.
Surveyor General for California.

Your petitioner relies in support of his
claim upon the following documentary evidence
filed herewith:

- 1st A Copy of Original Grant marked "A"
- 2nd Copy of Deed of Conveyance marked "B"

The translation of said copy of
Grant accompanies this marked 1.

Your petition further relies upon such
parol evidence, as may be deemed necessary to
prove his claim, and he prays that your
superior wisdom and sense of justice may con-
firm him in property and possession of
said claim.

And as in duty bound of
Juan Silvas by
Scott & Granger his Atty.

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Oct 28th 1882,

Filed in Office October 26th 1882

Geo. Fisher Sec

San Angeles Nov 15th 1882,

Deposition of
Hugo Reid

On this day before Com^r Neiland Hull came
Hugo Reid a witness in behalf of the Claimant
Juan Silvas, petition N^o 419 and was
duly sworn, his evidence being given in
English.

The U.S. Associate Law Agent
was present.

In answer to enquiries by Counsel for
the Claimants the witness testified as
follows,

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

A paper is shown me purporting to be a
transfer from Manuel de Lacerda to Juan

Silvas dated 15th December 1846.

I am acquainted with the signature of said
Seiveira to said papers and I believe it to
be genuine. I am acquainted with his
signature, said paper is hereto annexed
& marked H. H. N^o 1.

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I know the land described in said papers
I made out said paper at the request
of the signer and saw him sign it.

I should have signed it as Justice of the
Peace, but for some reason which I do not
now remember, I omitted to do so.

I gave judicial possession in the first
instance as Justice of the Peace to Manuel de
Seivera of the whole land granted & afterwards
measured and staked off the part conveyed to
Juan Silvas being one half of the original
grant. Said Manuel de Seivera lived
on the land from the time of giving posses-
sion under the grant until he transferred
to Silvas & Silvas has been in possession
from that time to the present, & living
on it. He has now two houses
on it, and it is all fenced in and culti-
vated.

The other half of the grant to said
De Seivera I measured and staked off
to Pascuala Garcia wife of Eugenio
Aguilar by order of Manuel de Seivera
I was at the time acting as Justice of
the Peace. I understood him he had
received payment for the transfer in full
and that the transfers were full and entire
Aguilar has occupied the said land
from that time to present.
Nengo Reid.

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sworn & subscribed
Before me
Heiland Neal
Clerk

Filed in Office Nov. 15th 1852.
Chas. Fisher Sec.

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Sporn loc 1176 fams/

Translation of
Doc. H. H. N. 1.

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At the Ex Mission of San Gabriel on the 15th day of the month of December, 1846 I sold and transferred to Senor Don Juan Silvas, his heirs and successors, a tract of land belonging to me situate S. E. of the Mill-pond (Laguna del Molino) of said Mission to have to hold and enjoy the same as they may deem convenient, relinquishing unto them all my right, title, and interest, thereto, and the right, title, and interest of my heirs and successors, and no one shall make any reclamation for said tract of land, or bring suit therefor; and if at any time, whatever there should be any reclamation by my heirs or others, I hereby covenant and by these presents bind myself to furnish them with another tract of land to his satisfaction as also to pay him for the improvements which he may have made therein or in default thereof, to pay to him five hundred dollars in actual coin, and also to pay him besides for the said improvements.

The said tract of land contains 500 Varas in length, and 25 vs in width, being one half of that described in my title, having already transferred the other half, and I received and hereby acknowledge myself satisfied therewith, the value of the said land, being the sum of \$200^{00/100} and I know that no one would have paid more for it, because the said sum is its full value -

And for the faithful compliance with this indenture, I hereby covenant and bind myself with all my present and

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future property, relinquishing the benefits of any law or exception which might militate in my favor in any executive proceedings, and considering this extra judicial sale as valid, as though it were judicial and in accordance with all the formalities of the Law, I sign it in the presence of two witnesses, and the Auxiliary Judge of the same place, and on common paper, for the want of corresponding stamped
(Signed) Manuel de Oliveira

I George Fisher, Secretary to the U.S. Land Commission to ascertain & 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. 419, wherein Juan Velvas claims 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 aforesaid Commission San Francisco, this 28th day of Feb'y A.D. 1854.
Geo. Fisher Sec

Dated in Office Nov^r 16th 1852
Geo. Fisher Sec.

(Span Doc follows)

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Manuel Micheltorena Gobernador Comen-
dante General e Inspector del departamen-
to de Ambas Californias. Por cuanto
Manuel Dolivera Ciudadano Mexicano
por naturalizacion, ha pretendido para
su beneficio personal y el de su familia el
un terreno de quinientas varas en cuadrada
en el establecimiento de San Gabriel en
donde tiene ya habricada Casa y Huerta
segun el informe del R. J. Plute Sr. Tomas
Estenega; practicadas previamente las
diligencias y averiguaciones convenientes
segun lo dispuesto por leyes y reglamentos
usando de las facultades que me son con-
feridas a nombre de la Nacion Mexicana
he venido en concederle el terreno men-
cionado declarandole la propiedad de el por
las presentes letras y sugeto a la condicion
de no poderlo vender ni enagenar. Si contra-
viere a esta pretencion perdera su derecho
al terreno y sera denunciabile por otro. En
conocencia mando que otorgandole de
titulo el presente y teniendose por firme y vale-
dero, se tome razon de el en el libro que correspon-
de y se entregue al interesado para su resguar-
do y demas fines. Dado en la Ciudad de
los Angeles a quince dias de Mayo de Mil
ochocientos cuarenta y tres.

Manuel Micheltorena ^{ey} J. Teranes Arce Rio ^{2^{da}}
Queda tomada razon de esta Conocion en el
Libro respectivo a fs. J. Teranes Arce.

Administ. Ausiliar de Justicia. Por pidimien-
to del R. P. Estenega Estenega q. se le midie
en el terreno, al interesado segun su titulo
presentes Sr. Luzaido Aguilar y Man. Ant.
Mayor domo de la Misión. le de posesion

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de las quinientas Varas. Mas este senor
habra agarrado Ciento treinta y cuatro varas
mas por un Rumbos y Veinte por otro: los cua
les se le quite poni en dote linderos arregla
dos y conforme segun se deben llevar las
cadas para que en la futura no haya equi
vocos, ni que tampoco salgan perjudicados
los Indios de la Mision.

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San Gabriel 13 de Mayo de 1845

P. Hugo Reid

He vendido el Sr. Ligado Aguilar quin
ientas Varas del presente titulo. corriendo
del Oeste al Este y doscientos, varas de
Norte al Sud por el lado del Norte siendo
la mitad del terreno.

San Gabriel Mayo 5 de 1845

Sealed in Office Oct. 26th 1852
Geo. F. Fisher Secy

Manuel Micheltona, Governor, Commandant
General, and Inspector of the Department of
both Californias.

Translation of
Grant

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Whereas Manuel Solivera, 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. P. M. Tomas Estenaga,
the proceedings and respective enquiries
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 loose his right to the
land and it shall be denounceable by another

Wherefore I order the present serving him
for title and being considered firm and valid
account thereof be taken in the corresponding
Book, and it be delivered to the party inter-
ested for his protection and further ends.

Given in the City of Los Angeles May
fifteenth one thousand eight hundred and
forty three.

Manuel Micheltona
Guanaco Arce

See ad int^m

Account of this grant remains taken with
respective Book page 3^d

Guanaco Arce

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Filed in Office Oct 26th 1852,
Genl Fisher Secy

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Specimens

En la Coe. Mision de San Gabriel à los 15 dia del mes de Diciembre de mil ochocientos cuarenta y seis; Vendi enagenè un terreno de mi propiedad situado al Sud Este de la Laguna del Anolino de esta mision al Sr Don Juan Olivas sus herederos y sucesores, para tener y hacer de el lo que le convenga: cediendole todo mi derecho y el derecho que me asiste, con mi accion y el derecho y accion q. asiste à mis herederos y sucesores, sin q. ninguno podra hacer reclamo sobre dicho terreno ni meter pleito y si hubiera algun reclamo en cuales quier tiempo por mis herederos ò otros, me prometo y me obligo de darle otro terreno à sus gusto y pagar por las mejoras que haya hecho; ò en su defecto pagarle quinientos Pesos en plata efectivo y à mas pagarle por las mejoras. Dicho terreno consta de quinientos Varas de largo y doscientas y cincuenta Varas de ancho siendo la mitad de lo q. se va mi titulo, habiendo y enagenado la otra mitad. y recibí y me doy por satisfecho el Valor del dicho terreno siendo la cantidad de Doscientos pesos \$200 \$ y con eso que ninguno me hubiera pagado mas por ser justo el valor: Y para el buen cumplimiento de la presente me prometo y me obligo con mis bienes habidos y por haber renunciando toda ley ò excepcion que pudiere favorecerme en la via ejecutiva; considerando esta venta es judicial tan valida como si fuera judicial con todas las requisitas que requieren las leyes: Y mandado ante dos testigos y el juez curciliar del lugar y en papel comun por no haber del

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sello of. corresponde.

Manoel de Livierra

Filed in Office Nov^r 15th 1852

Geo. Fisher Secy.

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Translation
of Transfer to
Silvas

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In the Ex mission of San Gabriel on the 15th day of December 1846, I sold and alienated a tract of land of my own situated to South East of the Laguna del Molino of this Mission unto Don Juan Silvas, his heirs and successors to hold and to do with it what may suit them, granting him all my right and the right vested in me, together with my own cause of action and the right and cause of action vested in my heirs and successors, so that nobody shall have the power to make any claim to said land, nor to enter any law suit, and if there should be at any time any adverse claim through my heirs or any other party, I promise and bind myself to give him another land at his pleasure and to pay for the improvements there may have been done; and in default thereof to pay him five hundred dollars in current silver coin, and besides pay him for the improvements.

Said land consists of five hundred varas in length and two hundred & fifty varas in breadth, being the half of what is left me in my title deed; having already alienated the other half and received and been satisfied for the value of said land being the sum of two hundred dollars (\$200) and I am aware that no one would have given me more, as it is its just value.

And for the fair fulfillment of the present, I promise and bind myself together with my present and future property, waiving every law and exception that might

favor me in an executive way, consid-
ering this extra judicial sale as valid as
if it were a judicial one with all the require-
ments prescribed by Law; Subscribing before
witnesses and the Auxiliary judge of the
place on common paper, not having the
corresponding stamped paper,
Manuel L. Solivera

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Filed in Office March 1st 1854,
G. Fisher
Sec.

Opinion by
Commissioner
Thompson Campbell

Juan Vilva }
vs } Place near San Gabriel
The United States }

The Petitioners in this deduces title
from the Government of Mexico, which by
a grant bearing date the 15th of May 1843, made
to one Manuel Solivera, by Governor Micheltonna
Second by Deed of Conveyance from the
said Solivera bearing date the 15th day of
December A.D. 1846.

Said Deed of Conveyance is proved to
have been properly executed.

The original Grant has not been filed
in this case, but is filed and duly proved
in Case No. 41) which case has been
heretofore decided by the Commission and a
Decree of Confirmation duly entered for one
half of the five or hundred Varas embraced

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in said original grant. Both the cases were submitted at the same time and with the understanding that they should be considered together. I will therefore consider the original grant as filed and proved in this case. As the merits of the original grant were fully considered in Case No. 417 it is unnecessary to do more in this case than refer to the opinion filed in that case. A Decree of Confirmation will be entered in conformity with the prayer of the petitioners.

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Filed in Office March 14, 1854.
Geo. Fisher Sec.

Decree
Juan Silvas }
vs }
The United States }

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

The lands of which confirmation are hereby made are situated near the Mission of San Gabriel, and are the same upon which the petitioner now resides and are a part of a lot of land containing five hundred varas square, granted by Governor Micheltreana to one Dolores in the year 1843.

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at which time there was a house and garden
on the land so granted.

The lands hereby confirmed is one half of the said
tract of five hundred varas, and is all fenced
in, and has upon it two houses, reference
for further description to be had to the opinion
and above filed in Case N^o. 417 and to the
original grant filed in this case, and also
to the deed from Colivera to the petitioners

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Alphus Dulch
Thompson Campbell
R. Aug. Thompson
Commissioners

Filed in Office March 14th 1854.
Geo. Fisher Sec.

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 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,

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Office of the Board of Commissioners,

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

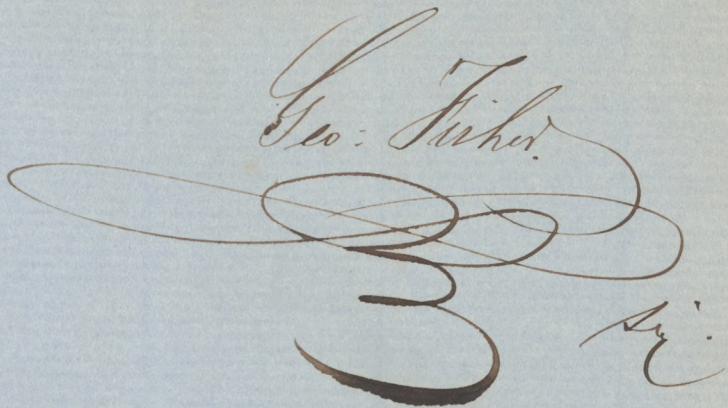
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I, *George Fisher*, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *nineteen* — pages, numbered from 1 to *19*, both inclusive, to contain a true, 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. *419* on the Docket of the said Board, wherein *Juan Silvas* is —

the Claimant against the United States, for the place known by the name of *a Lot at San Gabriel*.

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



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

No. 136. Docket

THE UNITED STATES,

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Juan Silvas.

"A Lot at San Gabriel"

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 419.

Filed, November 8th 1854,

f. E. Farr,
Clerk.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

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Juan Silvas

vs.

The United States.

419.

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 October 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Causins

Attorney General.

S. C.

No 136.

U. S. District Court
Southern District

The United States
vs.
Juan Silvas

Notice of Appeal from Atty. Gen.

Filed Feb 27th 1855.

C. E. Jan.

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

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PAGE Duplicate

Juan Silva

vs.

The United States.

} 419.

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 October 1854, the appeal in the district court of the United States for the district of California will be prosecuted by the United States.

Cushing

Attorney General.

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Juan Silvas, app^t.

Docket No. 136.

vs.

The United States, app^t.

Transcript No. 419.

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

The Petitioner 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, Juan Silvas,

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 14th day of March A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. 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. 419; reference to which it is prayed may be had and made part of this petition. That on or about the 30th day of October A. D. 1854, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

evidence on which said decision was founded. That thereafter, to wit: ^{or about} on 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 claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said petition to said Commissioners, or in support of the said claim, no decision confirming the same should have been made by said Commissioners; but the

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

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

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

No 136.

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

Juan Sivas. app'ee

vs.

The United States, app'rs.

Petition for Review,

Filed Nov 8th, 1855.

J. E. Con.
Clerk.

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P. O. M. U. S. Atty.

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

TO

The President of the United States,

Don Silvas

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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 review the decision of the U.S. Land Commissioners of the 11th day of March A.D. 1854 confirming your claim to the land called near the mission of the San Gabriel in this County & State and which has been 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. Farr

Clerk.



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United States of America,

Southern District of California,

U. S. DISTRICT COURT.

Juan Silvas Appellee

vs *No 136*

The United States

Appellant

SUMMONS. *D*

Rec'd Nov 13-1855

Edward Hunter

U S Marshal

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I served this summons along with the proper copy of the petition upon *Juan Silvas*
not found, and from the
best information is dead

at the *4th* day of *Dec*

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

Sworn to and subscribed before me, *this*

5th day of Dec, 1855 *J. E. Jan* Clerk.

Edward Hunter
U. S. Marshal.

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

Juan Silva, App^{ee} } Case No. 130
 a07 } } Lot at San Gabriel
The United States App^{ts} } } Transcript 419

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This cause coming on to be heard on
Appeal from the final decision of the
United States Board of Land Commis-
sioners to ascertain & 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
Notice of appeal have been duly filed ac-
cording to law, and Counsel for the respec-
tive parties having been heard, it is ordered
adjudged and decreed,

That the decision of said Board of Com-
missioners be and hereby is, affirmed,
And it is further adjudged and decreed
that the decision claim of the appellee
is good and valid, and the same is here-
by confirmed to him as follows.

The lands of which confirmation is
hereby made are situate near the Mis-
sion of San Gabriel in the County of Los

Angles, and are the same upon which
the Petitioner or Appellee now resides, and
are a part of a lot of land containing
five hundred varas square granted
by Governor Micheltorena to one Dolivera
May 15th 1843, at which time there was a
house & garden on the land so granted

The land hereby confirmed is one half
of the said Tract of five hundred varas square
and is all fenced in, and has upon it two
houses, reference being had to the original
Grant filed in this case, and also to the Deed
from Dolivera to the Appellee.

James K. Ogier
U S Srs Judge

Case 136

Dolivera
Appellee

vs

The U. S. States
App't

Deenee

Filed July 18th 1857

Quins
at R

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Record on Page 220

In The District Court of the United
States Southern Dist of California

Juan Silva

Case 136

Appellee

vs

Lot at San Gabriel

The United States

Appellants

Manuscript 419

136 SD

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And now comes the above named
Appellee by J R Scott his attorney and
for answer to the Petition for Review
filed in this case by the Appellants says,
That his title to the lands claimed
in this case is good and valid.

Wherefore he prays the judgment
of this Hon. Court, that the decision of
the United States Board of Land Com-
missioners may be affirmed, and his
title to said lands may be decreed to be
valid, and for his costs and general re-
lief.

J. R. Scott

Atty for Appellee

by J W Sanders.

Case 136

Juan Silva

App'ee

ad

The U. States

App'ly.

Answer

Filed Feb. 17 1857

C. Sims clk
J. W. Coleman
Secy

136 SD
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California Land Claims
Attorney General's Office
9 Feby 1857.

Mr.

In the case of the claim of
Juan Silva, confirmed to
the claimant by the Commis-
sioners, case no. four hundred and
nineteen, (419), appeal will not
be prosecuted by the United States.

Am.

Respectfully

Antonio

Pacific, Ad Esq
U. S. Attorney,
Los Angeles -

No. 136,

Leushing's (Atty General)
notices that appeal will
not be prosecuted —

Filed 4 March 1858.
to Sims book.
for W. W. Stetson,
Deputy.

No. 136

U. S. Dist. Court
South^o Dist. of Cal^a

Juan Silvas
appet

vs

The United States
app^t

Laud near the mission
of San Gabriel

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