

CASE No.

17

SOUTHERN DISTRICT

LOS CERRITOS GRANT

JUAN TEMPLE

CLAIMANT

FEB 11 1963

Guaranteed
Plover Bond
25% Cotton Fiber
U.S.A.

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TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 351

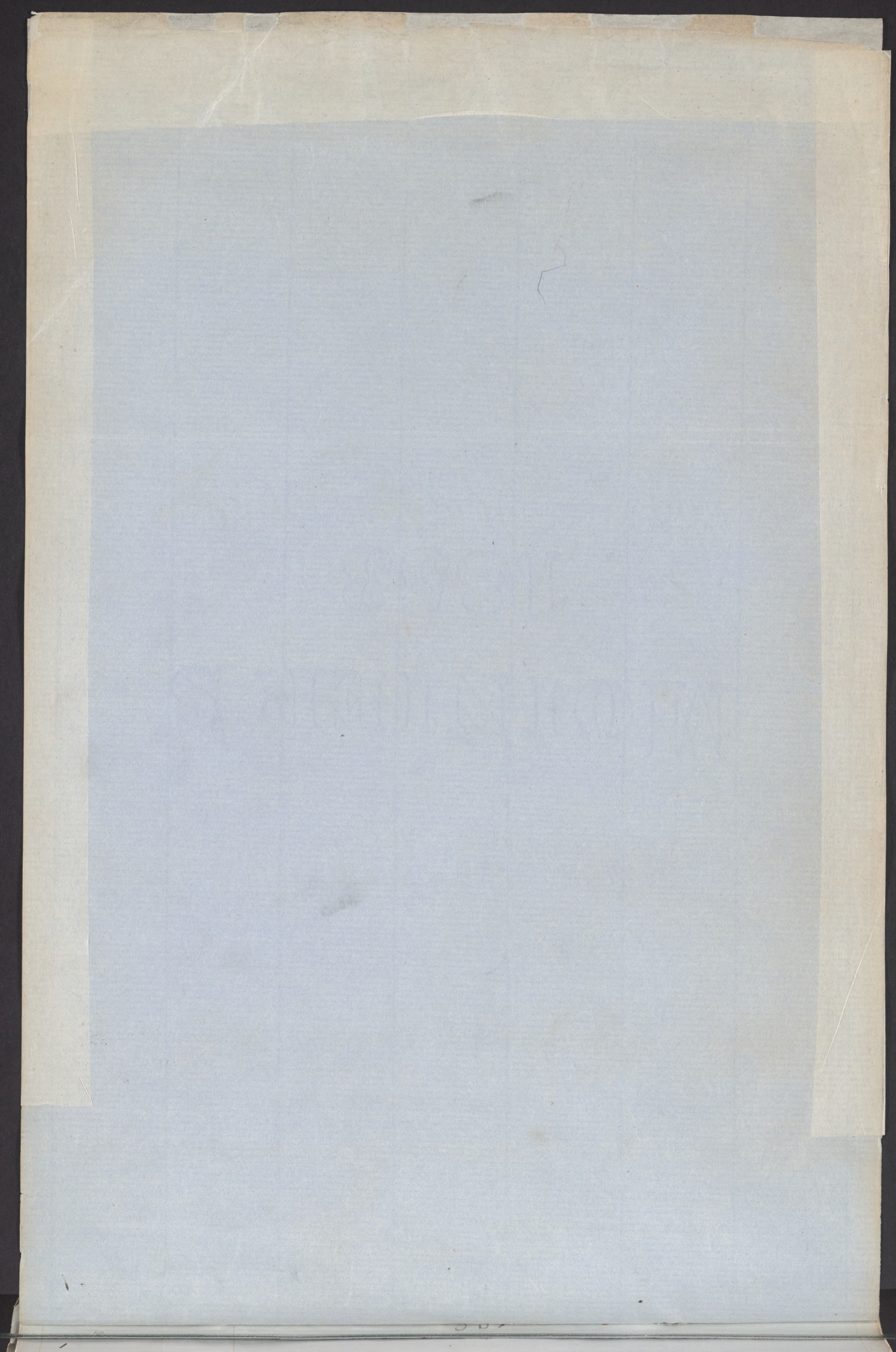
Quinn Temple CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Los Herritas



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of Juan Temple for the Place named Los Herritas

was presented, and ordered to be filed and docketed with No. 351 and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

Los Angeles Sept 22nd 1852

In case N^o 351 Juan Temple for the place named Los Herritas, the Deposition of Abel Stearns a witness in behalf of the claimant taken before Commissioner Henry J. Thornton with accompanying Documents Marked A B C D & E was filed and is in the words and figures as follows to wit
(Vide page 9 of this Transcript)

In the same case the deposition of Manuel Requena a witness in behalf of the claimant taken before Commissioner Henry J. Thornton was filed and is in words and figures as follows to wit
2 (Vide page 11 of this Transcript)

In the same case the Deposition of Rafael Guisado a Witness in behalf of the claimant taken before Commissioner Harry J Thornton was filed and is in words and figures as follows to wit
 (Vide page 8 of this Transcript)

In the same case the deposition of Antonio F Leonel a Witness in behalf of the claimant taken before Commissioner Harry J Thornton was filed and is in the words and figures as follows to wit
 (Vide page 12 of this Transcript)

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Los Angeles Sept 23rd 1852

In case No 351 Juan Temple for the place named Las Seritas, the Deposition of William Wolfskill a witness in behalf of the claimant taken before Commissioner James Wilson was filed and is in the words and figures as follows to wit
 (Vide page 13 of this Transcript)

In the same case the Deposition of Abel Stearns a witness in behalf of the claimant taken before Commissioner James Wilson was filed and is in the words and figures as follows to wit
 (Vide page 14 of this Transcript)

In the same case the Deposition of Narciso Botello a witness in behalf of the claimant taken before Commissioner James Wilson was filed and is in the words and figures as follows to wit
 (Vide page 16 of this Transcript)

Los

Las Angeles Sept 27th 1852

In case N^o 357 Juan Temple for the place named "Los Serritas, the counsel for the claimant filed the following Motion to wit (Vide page 55) of this Transcript)

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Which having been sustained it was Ordered that the Secretary compare the Copies with the Originals described in the above Motion and finding them correct to Certify the same and return them to the claimant upon the payment of the Fees established by Law for Certified Copies of papers or Records

Las Angeles Sept 28 1852

In case N^o 357 Juan Temple for the place named "Los Serritas, the counsel for the claimant filed the following Motion to wit (Vide page 56 of this Transcript)

Which Motion was taken under advisement

San Francisco Feby 28 1853

On Motion of the United States Asst Law Agent it was Ordered that the following case be placed on the Trial Docket to wit N^o 357 Juan Temple "Los Serritas,

San Francisco March 28th 1853

In case N^o 357 Juan Temple for the place named
"Los Serritas, Called, The counsel for the Claimant
Mr Hancock read the Petition and the Papers
in Evidence, The U S Asst Law Agent read
and filed his Brief Submitted and taken
under advisement by the Board

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San Francisco April 11th 1853

In case N^o 357 Juan Temple for the
place named "Los Serritas, Commissioner
Heilana Keall delivered the Opinion and the
Decree of Final Confirmation

Ordered That the said Opinion and Decree
of Final Confirmation be Recorded on the
Records of this Board

Which Opinion and Decree
are as follows to wit
(Vide page 57 of this Transcript)

To the Honorable Board of Commissioners for
ascertaining and settling Private land claims in the
State of California.

Petition

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Your Petitioner Don Juan Temple
of Los Angeles in the State of California respectfully rep-
resents to your Honorable Board that he claims a certain
tract of land called Las Conitas (Conitas) containing
five square leagues de ganaderia mayor a luto more or
less situated in the County of Los Angeles in the State of
California that he claims the same by virtue of a grant
in fee made to Don Manuel Nieto and in the authority
of the Mexican Government by Jose Figueroa, Buzar-
dar General of the Mexican Army, Commandant General
Inspector and Superior Political Chief of the Territory
of Upper California bearing date of the 22^d of May
1834.

Your petitioner further represents that on
the 16th day of December 1848 the said Rancho of
Las Conitas was conveyed to him by the legal representa-
tives or heirs of the late Manuel Nieto deceased in due
form by the said heirs through their representatives in
conjunction with the Presiding Judge and in the pres-
ence of assistants and instrumental witnesses, as is seen
by accompanying Doc marked D, since when your
petitioner has been in peaceful possession up to the
present time and without any knowledge of any inter-
fering claimant. But your petitioner is aware that
while yet the said Rancho was owned by his predecessors
attempts were made to dispossess it which proved upon
submission to the authorities wholly abortive as appears
by accompanying Doc marked "C" which not only
corroborates the proof of title, but shows the recognition
by two subsequent Governors Alvarado and Mich-
eltornes of ownership in the grantee or his successors
as also an inviolable tenure an Estate in fee simple

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An ancient Decree from the public domain under the Spanish law. Exclusively including all rights of appearance by announcement or any other mode whatsoever. Yet your petitioners relying in the present instance upon the aforesaid grant to Don Manuel Nieto as first named (the same being nothing more nor less than a request by the new government of the Mexican Republic through her forced particular portion of her deceased father's Estate, upon her announcement of a like portion of the Old (by the way of petition and for the purpose of a partition) further represents that the condition regarding a time to be built during the first year was duly complied with as will be proved in evidence. Also that said ideal possession was given to the grantee in entire conformity with the title as shown by accompanying Doc. marked B dated on the 13th of March 1835. And further that on the 24th day of December 1843. Judicial possession under the purchase was given your petitioners according to law and adopting the same Coimas as were formerly designated in the aforesaid possession of AD 1835 as is here shown by accompanying Doc. marked C.

Your petitioners further represents that in reference to that part of the Expediente or documents in this case which precede the grant, and likewise the Resino referred to in the said grant of Don Manuel Nieto as accompanying the documents they were a petition of the heirs of Manuel Nieto with its accompanying documents soliciting a partition of the tract of land known by the name of Santa Gertrudis, formerly held by the said Manuel Nieto and in a title from the Court of Old Spain amongst the heirs designating and naming the portions solicited in their names respectively and constituting a

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part of what is now called in the Public Archives
 the Expediente of Rancho Santa Gertrudis a traced
 copy of which is on file in the Office of the Secretary
 of Com^o Honorable Board in claim number 339
 to which for the Deseno and Petition in this case
 Your Honors are respectfully referred.

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Your Petitioner presents herewith
 the original title of grant to Dona Manuela
 Nieto marked A; Instrument of Judicial pos-
 session audit marked B, Petition of Guillermo
 Loto in favor of the heirs after an attempt to dismember
 said Rancho made by Don Juan Estro and
 Barnabé Guirada marked C; conveyance to
 your petitioner marked D; Judicial possession
 audit marked E. together with the translations
 of the same correspondingly marked A as also further
 a copy in Spanish of the said five documents asking
 that after the signatures of the original shall be proved
 then may be given him to serve as his security the
 Certificate of the Secretary of Com^o Honorable Board
 of their conformity with the originals together with
 the proof of signatures.

Your petitioner prays Com^o
 honorable Board to take into consideration his
 claim to said tract of land and decree his title to
 be valid and confirm the same according to the
 grant and Censals established by the Judicial
 tribunals of the government from which his title
 is derived. And your petitioner will Com^o pray

Don Juan Simple
 By Henry Hancock

Made at Los Angeles his Attorney
 this 20 day of Sept^r 1852 -

Filed in Office Sept 21. 1852.
 (Signed) Geo Fisher Secy.

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Office of the Board of
Commissioners of California
Land Claims.

Los Angeles Sept 22nd 1852.

Deposition
of
Rafael Guirao

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On this day before me Henry J. Thornton one of the
Commissioners for ascertaining and settling Private
Land Claims in California came Rafael Guirao a
Witness produced in behalf of the Claimant Juan
Pérez whose petition is No 351 on the docket of the
Commission & was duly sworn. His testimony Evidenced
being given in the Spanish Tongue was interpreted
by the Secretary.

The U.S. Law Agent was present.

Questions propounded by Claimants Counsel.
1st Question. What is your name age and place
of abode?

1st Answer. My name is Rafael Guirao age 53
years my residence is in Los Angeles.

2^d Question. Examine document B. Comento Marto
"A" and attached to the deposition of Abel Stearns
taken to day in this case and say if the signature there
to attached is your own signature.

Answer. It is

Ques. 3. Do you know by your own personal know-
ledge that the place called Las Conitas was inhabited
and stocked at the time you gave possession in
the 1835, also further do you know that a house was
built on the place at the time you gave the said
possession.

Ans. I do. It is true, I made the measurement
and gave Judicial possession to the grantee at that
time and there was a house with tenants, when I did
so on the referred to Rancho.

Cross Examination by the U.S. Law
Agent.

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Cross. Interrogatory No. 1. Was there any land under cultivation at the time —

Answer. 1st. There was some planted in Corn, how much I do not know.

2^d. Was the land claimed by any Mission at that time, or at any anterior period.

Ans. 2^d. I know that it was not claimed then nor at any other time by any Mission —

Cross Inty 3rd. Was the land within ten leagues of the Sea.

Ans. 3rd. It is within ten leagues of the Sea.

Refers Guadalupe.

Sworn to & Subscribed before me
this 22nd of September 1852.

Henry J. Thornton Com.

Filed in Office Sept 22nd 1852.

(Signed)

Geo. Fisher Secy

Office of the Board of Commissioners
of California Land Claims —
Los Angeles. Sept 22nd 1852.

Deposition
of
Ablet Stearns

On this day before Henry J. Thornton one of the Commissioners for ascertaining and settling private land claims in California Com. Ablet Stearns a witness produced in behalf of the Claimant John Simplo whose petition is No 351, on the docket of the Board & was duly sworn, his evidence being given in English —

The Law Agent was notified and attended.

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1st Question. What is your name age and place of residence.

1st Answer. My name is Abel Stearns, age is 54 years and place of residence Los Angeles.

2d Ques. Examine the documents marked A B, C D & E and attached to this deposition and say whether you know their signatures -

2d Answer. I know the signatures of Jose Figueras & Augustin B. Zamorano on Doc marked A Manuel Arzaga, Policarpio Lutz & Domingo Romero on Doc B, that of Geo Michetomas Guillemoleota on Doc C, also Jaquin de las Rias y Ruiz on Doc E, together with those of Felipe Valenzuela & Demetrio Bida on Doc D.

I know their signatures of course to be genuine and have seen most of them write them in the discharge of their official duties -

Question 3rd. Do you know personally Don Francisco Tapia Vicento Sanchez and Gil Stearns who are referred to in Doc G?

5th Answer. I know them all personally, and that they have all held the Office of Alcalde of this City and that the first named has also been Sheriff of this District -

Abel Stearns,

U. S. Law Agent present.

Sworn to & subscribed before me this 22d of September 1852.

Mary J. Thornton,
Counr.

Filed in Office Sept 22nd 1852

(signed)
Geo. Fisher Secy.

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Office of the Board of Commis-
sioners of California Land Claims
Los Angeles Sept 22nd 1852.

Deposition
of
Manuel
Reguena.

On this day before Henry J. Thornton one of the
Commissioners for ascertaining and settling Private
land Claims in California. Came Manuel Reguena
a witness produced in behalf of the Claimant
Juan Temple whose petition is in 351 on the docket
of the Board and was duly sworn his Evidence
being given in the Spanish Tongue, was interpreted
by the Secretary.

The U. S. Law Agent was present.

Questions propounded by Claimants
Counsel -

1st Question. What is your name age and place
of residence.

1st Ans. My name is Manuel Reguena my age
57 years. Place of residence is in Los Angeles.

2d Question. Examine the documents marked
A, B, C & E, and attached to this deposition and
Certificate marked "A" of Abel Stearns taken on this
day and on file in this case and say whether you
know their signatures -

2d Answer. I know the signatures of José
Figueras & Augustin B. Zamorano on Doc marked
A. Manuel Arzaga, Policarpio Leal & Domingo
Romero & also Francisco Bosaldo, on Doc B, that
of Goo Michettonna, Guillermo Coto, on Doc C, also
Jaquin de las Rias y Ruiz on Doc. E.

3rd Ques. What opportunities have you had
for learning the hand writing of the gentlemen above
referred to.

3rd Answer. I know from the fact that I have
been for two different years Alcalde of Las

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copies and having had customs with them
all and for which reason I know their signatures
to the said referred to documents to be genuine.

4th Question. Did you know personally Don
Francisco Tapia, Domingo Sanchez and Gil Keenan
who are referred to in No. marked C.

4th Answer. I knew them all personally and
that they have all had the Office of Alcalde of
this City and the first named has also been Prefect
of this District to my personal knowledge.

5th Question - Do you know the documents
before referred to to be genuine and the originals -

Answer 5th. I believe them to be both original
and genuine.

Manuel Requena.

U. S. Law Agent Present.

Sworn to & Subscribed before me this 22^o of
September 1852.

Mary S Thornton Comr. &c.

Filed in Office Sept 22^o 1852.

(Signed)

Geo. Fisher Secy.

Office of the Board of Comrs.
of California Land Claims.

Los Angeles. Sept 22nd 1852.

On this day before Mary S Thornton one of the
Commissioners for settling and settling Private
Land Claims in California came A. F. Coronel
a witness produced in behalf of the Claimant
Juan Temple whose petition is No 351 on the
Roll of the Commission, and he duly sworn

Deputy
of
A. F. Coronel

His Evidence being given in the Spanish Tongue was interpreted by the Secretary.

The U.S. Law Agent was notified & attended. Questions propounded by Claimants Com sub
1st. Question. What is your name age and place of residence.

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1st Answer. My name is Antonio F. Coronel my age 33 years. My residence is in Las Angeles Id. Question. Examine the documents marked C. A & C. and countermarked "A" attached to the deposition of Abu Adams taken this day in this case and say if your signatures thereto appearing as your genuine signatures.

2d. Answer. They are and made by me while in the Execution of my Judicial duties as Alcalde of Las Angeles.

3rd. Question. Do you believe the documents before referred to to be genuine.

Answer 3d. I do.

A. F. Coronel

U.S. Law Agent present.

The deposition of the Witness on the other side of this Sheet sworn to and subscribed before me this 22nd of September 1852.

Henry J. Thornton
Comy C.

Filed in Office Sept 22nd 1852.

(Signed) Geo F. This Secy.

Los Angeles Sept 23rd 1852.

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On this day before James Wilson one of the Com-
missioners for ascertaining and settling Private
Land Claims in California came Abel Stearns a
witness produced in behalf of the Claimant
Juan Temple whose Petition is No 351 on the
Records of the Board and was duly sworn his
Evidence being given in English.

The U. S. Law Agent was notified and
attended.

Abel Stearns a witness introduced
by Juan Temple Claimant in the above case being
duly sworn testifies & says. That in the year 1833
there was a house on the Rancho Las Comitas now
claimed by Juan Temple. That house was then
occupied there is and has been a house on said
Rancho ever since. The second house was built
about 1835. Since Mr Temple owned the Rancho
he has built a house on it. I think about 1844. It
the Rancho has been constantly occupied since
1833 to my knowledge -

Interrogatory by Law Agent.

The Rancho was occupied
in the earliest part of the time as a Stock Rancho
there was no cultivated field on it as I recollect. there
may have been but not within my knowledge since
Mr Temple purchased the Rancho. He has cultivated
the same to some extent probably he had some
40 or 50 acres enclosed I have resided in Los Angeles
since the year 1832. It is about 16 or 17 miles from
New Los Angeles to the Rancho Arroyo. I have never
known the land to be occupied by any mission -
Abel Stearns.

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Deposition
of Abel Stearns

Subscribed & Sworn to
Before me
James Wilson Commissioner.

Filed in Office Sept 23rd 1852.

(Signed)

Geo. Fisher Sayer

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Office of the Board of Commissioners
of California Land Claims.
Los Angeles Sept 23rd 1852.

Deposition
of
William Wolfstiel

On this day before James Wilson one of the
Commissioners for ascertaining and settling Private
Land Claims in California came William
Wolfstiel a Witness produced in behalf of the
Claimant Juan Tambo whose petition is No
351 on the docket of the Board and was duly sworn
his evidence being given in English.

The U S Law Agent was notified and
attended.

Questions propounded by Claimant's
Counsel.

1 Question - What is your name age and place
of residence?

1st answer. My name is William Wolfstiel
my age is 54 years. My residence is Los Angeles.

2. Question - Examine the document herewith
presented you marked C, and another marked
A" attached to this deposition and say whether
your signature thereon as also that of Antonio
F. Coronado likewise appearing thereon are
genuine?

2^d answer. My own signature to the said

Document as also that of Anto F. Coronel and
genuine signatures. I know the signature of said
Coronel quite well and know the signatures to said
document to be placed to it at the time said paper
purports to be dated viz on the 2nd day of Decr 1843.

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Interrogatus by the Law Agent.
I do not know that the land claimed in this case
was ever occupied by any mission. I never heard of
any such occupation of it. I have lived within 16
or 18 miles of the land most of the time since the
year 1831.

William Walpole.

Sept 23. 1852.

Subscribed & sworn to
Before me

James Wilson
Commissioner S.

Filed in Office Sept 23rd 1852.

(Signed)
Geo Fisher Secy.

Office of the Board of Comr
of California Land Claims,
Los Angeles Sept 23rd 1852.

Deposition
of
Narciso Botello

On this day before James Wilson one of the
Commissioners for ascertaining and settling
private Land Claims in the State of California
came Narciso Botello a witness produced in
behalf of the Claimant Juan Temple whose
petition is No 351 on the docket of the Board and
was duly sworn. His evidence being given
in the Spanish Tongue was interpreted by the

Secretary. The United States Law Agent
was duly notified and attended.

Francisco Botello a witness offered in
behalf of the Claimant Juan Torpe being duly
sworn testifies and says.

That he is 41 years of age and re-
sides in Las Vegas. Upon Examination of the
Documents marked to Countee marked J. W.
I say that the same is an original and genuine
document and my Signature and that of Manuel
Domínguez to said document are genuine Signa-
tures.

Questions by Law Agent.

My Signature and that of Manuel Domí-
nguez were put to the paper at the time that paper
was made.

Witness cannot say whether the land
was occupied by any Mission at that time or not.

Francisco Botello.

Sept 23rd 1852,

Subscribed & Sworn to.

Before me

James Wilson Comm.

Filed in Office Sept 23rd 1852.

(Signed)

Geo. Fisher Secy.

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Only 37½ folios

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*Documentos pertenecientes al Rancho
de los Cerritos propiedad de D. Juan Temple.*

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Habilitado provisionalmente por la administracion de la Aduana Maritima de Monterrey para los años de mil ochocientos treinta y tres y mil ochocientos treinta y cuatro.
Figueroa. José Rafael Gonzales.

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Documents
marked
A. B. C.
D & E
annexed
to the Dis-
position of
Abel Stearns

José Figueroa General de Brigada de los Ejercitos nacio-
nales Mexicanos, Comandante General y Inspector y Jefe
Superior Politico del territorio de la Alta California.
Por cuando Dona Manuela Piets tiene acreditado
su derecho a la testamentaria del finado Manuel
Piets, y tomando en consideracion la antigua y
pacifica posesion que tiene del paraje conocido con
el nombre de los Territos, colindante con los parajes
de San Pedro, Santa Gertrudis, los Coyotes, los Alamitos
y la costa de la mar; practicadas previamente las
Diligencias y averiguaciones correspondientes, segun lo
Dispuesto por las leyes y reglamentos; usando de
las facultades que me son conferidas, por Decreto
de veinte y siete del Julio del año anterior, a nombre
de la Nacion Mexicana, he venido en Declarar la
propiedad de el por referido paraje y Desquerele
ponga en pacifica posesion por las presentes letras
con entera conformidad a lo Dispuesto por las leyes
y sujeta a las condiciones siguientes.

1.º Que se someterá a las que estableceré
el reglamento que se ha de formar para la distribución
de terrenos baldios y q. entretanto ni la agraciada
ni sus herederos podrán dividir ni enagenar el
terreno de q. se ha hecho mención; imponer censo;
vinculo, fianza, hipoteca, ni otro gravamen aunque
sea por causa piousa, ni pasarlo a manos muertas.

2.º Podrá cercarlo sin perjudicar las traversias
caminos y terrerumbres; lo disfrutará libre y esclusi-
vamente Destinándolo al uso ó cultivo que
mas le aconvenga, pero dentro de un año a lo mas
fabricará casa y estara habitada.

3.º Podrá desde luego solicitar Del Juez
respectivo que le dé posesion Jurisdiccional en virtud
de este Despacho, por el cual se denunciaron los límites

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unos cubos de frutas o de otros de alguna utilidad
el que se hace referencia es de cinco

1

en cuyos límites pondrá á unas de las mojoneras, algunos arboles frutales ó silvestres de alguna utilidad

3

2.^a El terreno de que se hace referencia es de cinco sitios de Tacuado mayor por lo más ó menos segun explica el Deseño que corre en el expediente; el Juez que Diere la posesion lo hara medir conforme á ordenanza para señalar los linderos, quedando el sobrante que resulte á la nacion para los usos convenientes.

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5.^a Si contraviniere a estas condiciones perdura su Derecho al terreno y sera denunciabile por otro. En consecuencia mandado que serviendo le de titulo el presente y teniendose por firme y validero; se tome razon en el libro respectivo a que corresponde y se le entregue á la interesada para su resguardo y buenas fines. Dado en Monterrey á veinte y Dos de Mayo de mil ochocientos treinta y cuatro.

4

José Digueroa. Agustín V. Zamorano. Jui.

6

Que da tomada razon en el libro de asientos de títulos sobre adjudicacion de terrenos a fojas veinte y nueve n.^o 26 y obra en la Secretaria de mi cargo Monterrey veinte y Dos de Mayo de mil ochocientos treinta y cuatro. Zamorano.

B.

Testimonio de las Diligencias practicadas de la resmiada y posesion que se le dio á Dona Manuela Nieto de Lota de los sitios de su propiedad conocido con el nombre de los Cerritos.

"of.^o de emision."

Año de 1835.

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Jusgado 2.^o Constitucional de los Angeles. = Como las urgentes atenciones ocurridas en este oficio, no me dan lugar a que yo pasé personalmente á dar la correspondiente posesion á Dona Manuela Nieto del terreno que tiene declarado en su favor, he venido en nombrar á V. para que asociado con el Agrimensor Don Abel Estanues, se concluya V. al mencionado terreno llamado los Cerritos y la

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Los Regidos Don Rafael Guirardo

Decreto de admision.

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poseerme en debida forma con arreglo al titulo q. al efecto acompaño = Dias y libertad Arg. eles. 1.º de Mayo de 1835. Domingo Romero. = Pueblo de las

Arg. eles 13 De Mayo de 1835 = Por escrito el presente oficio y atento a la comision q. en el me confiere el Señor Alcalde Constitucional 2.º para que pase a posesionar a Dona Manuela Nieto del rancho de su propiedad conocido con el nombre de Cerritos y habiendo concurrido con el agrimensor Don Abel Stearnes para q. recienda los enunciados terrenos con total arreglo al Diseno q. corre en el expediente de la materia, previam^{te} practicado, y este en poder del Señor Jefe Superior Politico; parese por mi y los testigos de asis^{ta} al expresado ato y procedase a recienar la posesion indicada con total arreglo al mismo Diseno q. le confiere el expresado Jefe. El Ciudadano Rafael Guirardo, Regidor del illustre Ayuntamiento y Such ~~Comisario~~ Comisario para esta posesion, asi lo Decreté, unuclé y firmé con los testigos de mi asis^{ta} segun Dro. Hoy fee. Rafael Guirardo = caso Policarpo Real = asis^{ta} = Manuel Arzaya =

7 Cerritos a las catorce Dias Del mes de Marzo de mil ochocientos treinta y cinco; El Juez q. Suscurre habiendo hecho citacion de colindantes, comparecieron todos, esep^{to} Don Roberto Pardo, quien manifesto q. su ocupacion no se le permitian y hecho les saber el objeto de mi comision, procedi a la practica de lo remedido y posesion del rancho de los Cerritos propiedad de Dona Manuela Nieto que colinda por el Norte con el rancho de Santa Gertrudis a Dona Josefa Cota; por el Este con el rancho de las Corpotes y Alaruitos, propiedad de D^o Juan J. Nieto, y terrenos ocupados, por Don Roberto Pardo y Compañia; por el Sur con la Mar, y por el Oeste con el Rio de San Gabriel, que divide el rancho de San Pedro, y las terrenos ocupados por Don Antonio Maria Lugo, a cuyas propietarios les dije manifestarian algunos Documentos que

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"nombrante de
"cordeleros y med
"valores." y

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"Diligencia de mensurante

que a creditaren tener D^o. a aquellos terrenos de que
hira a poseer con uneylo a un titulo a D^a Manuela
el Pioto de Lota, y no habiendo presentado ningunos q. lo
acreditaran, lo mande poner por Diligencia que aut
vigo y firmo con los testigos de existencia segun
D^o. Doy fe. Rafael Guirado = as^o. Manuel
Arzaga = as^o. Polycarpo Seal = En el mismo dia
nombrante de nombre los oficiales mediciones y los cordeleros, para
Dar principio a la remediata, quienes despues de
haber aceptado su nombramiento, prometieron des
empennar fielmente su eneygo, no firmando por no
haber, lo hizo yo con los testigos de existencia segun
D^o. Doy fe. Rafael Guirado = existencia Manuel
Arzaga = existencia Polycarpo Seal = En el propio
luncho, Dia, mes y año yo el propio Juez comisionado
a efecto de verificar la remediata y posesion a Doña
Manuela Pioto de Lota, hice medir un cordel cons
tituido de ciento treinta varas, el cual fue examinado
y reconocido por el agrimensur Don Abel Stearnes
y puesto en unos ancos y baicdo de sus extremos
por la observacion y calculo del enunciado agri
mensur se tiro el cordel por su Disposicion en la
trilla del rio de San Gabriel en un palo de Aliso
que se puso de donde comenzo, la mediata con
Direccion al rumbo Este, diez y seis Grados al sur
y se fueron midiendo y contando seis mil quinientas
varas que remataron en la Sanja lindero de las otla
mitas y callotes y de este Mancho, donde se pusieron
Don palas de Aliso, por uno y otro lado de la ref
erencia Sanja en señal de posesion. Luego tom
ando el rumbo Sur diez y nueve Grados al Este
con Direccion a la misma Sanja se midieron y
contaron once mil quinientas varas q. remataron
en un estigo alto que esta muy inmediato a los
Alamitos al cual se le hizo una Cruz en la mis
ma Cortera con una huera dejandole de el dentro
de este sitio el alio conocido por el de Arcuel.
Despues tomando el rumbo Oeste, cinco y media
Grados al Norte, se midieron dos mil quinientas
varas y remataron en un llano de sacate Salado

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y se puso por mojonera un palo de San Seco, que es esquina de las Alamitos y Lenitas, siendo la causa de agua q. viene de las Pietas. La linea Divisiva de las Lagotes, Mamitos y este enunciado Rancho de las Lenitas. Despues tomando el rumbo Sur cuarenta Grados al Oeste se midieron Cuatro mil quinientas varas q. recuntaron al pie del Cerro, en donde se puso por mojonera una piedra grande. Se tomo luego al rumbo Sur de la falda del Cerro, y se contaron tres mil Doseientos cincuenta varas que recuntaron a la villa de la Playa del Inear, donde se puso una piedra en señal de mojonera. De aqui tomando toda la orilla de la playa por buena tierra, se fueron mediendo y contando Dos mil Varas, q. recuntaron antes de llegar al rio de San Gabriel en una lomita alta, y no pudiendo medir hasta la Vega del rio por la fragosa de la tierra quedo a favor de la interesada esta distancia, aunque es inutil por los malos pastos y satiales de q. abunda; y luego para concluir y cuadrar este sitio se tiro el cordel rumbo al Norte por toda la vega del rio; y se midieron y contaron Dies y ocho mil Setecientas cincuenta varas, q. finalizaron en la manonera de la Salida, con lo que se concluyo la recuntada de estos sitios, a Satisfacion de la interesada, lo q. prouego por su Diligencia que autorizo y firmo con las testigos de asistencia segun Dra. Doyfe. Rafael Guirardo. asistencia Manuel Arzaya = asistencia Polycarpo Scal. = Angeles de Mateo de Marzo de 1835 =

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16
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Decreto de Conclusión y recuntada del sitio de la salida.

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las diligencias que se mencionan en el decreto...

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Razon.

Razon = En la fecha de remitaron al Sr. Alcalde - las Diligencias que se mencionan en el Decreto anterior y para Constancia lo rubrique, las cuales se otorgan en papel comun por no haber en este Pueblo del Sello correspondiente.

Es copia de su original a que me refiero, la que autorizo y firmo con testigos de asis^a en este papel comun por no haber del sello correspondiente.

Masael Guiracato. asst. Manuel Ayaya. asst.
Polycarpo Seal. = es conforme este expediente con el original q. queda en el archivo de mi cargo el q. como Alcalde 2^o Constal de este pueblo lo autorizo y firmo con testigos de asistencia. Segun Dn. Domingo Gomez. asst. Manuel Ayaya.

15 asst. Francisco Beluacato.

J.M.

C.

Exmo Sr. Gobernador y Comand^{te} Gen^l

Muy Sr. Mayo 30

de 1813.

Guillermo Cota, Sargento de ymbalidos de

Pase al Sr. Prefecto una de las compañías presidiales de este pago informe y tenga Departamento, ante V.E. en la mas bast. muy presente el mer. ante foruna y como mas halla lugar - ito del cumplimiento en Derecho me presento y digo: que el Cuanto informe en sabido de la semana que paso fue el el pedido de las Sr. Suez 1^o de esta ciudad al Bracho de los Cerritos, con objeto de ver y obligar

Nichelt^o

una si esta baldio, y al mismo tiempo inquirir los perjuicios que se causan

de los Cerritos, con objeto de ver y obligar a un si esta baldio, y al mismo tiempo inquirir los perjuicios que se causan

de las Ev. linolantes, cuyas indagaciones las prohibieron los señores D^o Juan Josten Director el presente y D^o Bernandino Guiracato para probar respect^o al Sr. Suez que la Denuncia que han hecho sabe de 1^o Instancia de el litio el legal. Senor al ver semejante esta ciudad, p^o que paso mi eaberto de t^otesa por que Cumpliendo con el sup. espeno in^o abitable la ruina de mi orior Decreto q. antecofamilia, y he bida ante la publica producea el informe magnanimidad de V.E. hacer le pres q^o se pide a esta Pref- este; que cincuenta y nueve años setura, en virtud de tiene mi familia y a uno y una parte hallarse esta in^oria de estos de proceivno pacifico en las seritos

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por ser el actual Jefe que este sitio vino a mis hijos y hijas por
 esto interesado en el creencia materia, y q. su concesion fue
 aumento de q. se trata. por serseias recomendables de mi
 Man^d Dominguez. Luego, que yo por mi parte e' servido
 Narciso Botello. en las armas un tiempo dilatado q
 17 sirv. se me adeuda una cantidad respectada
 que he obtenido largas onrasas como

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es de diez Comandado diez años en esta ciudad y que
 ultimamente mis servicios han sido limitados con que
 N.E. Conosera que soy en union de mi familia, mal-
 adero legitimo, pues fuera del merito militar, la
 larga estabilidad en el sitio ha hecho prescribir todo
 otro derecho y reasumirse este en los actuales poses
 24 -ores pues asi lo explican las leyes y esta recibidos
 por las mejores publicestas; pero las Denunciantes
 albiarando estos principios tan conocidos con subterf
 -ugios, por que el Branche de las Cerritos tiene casa
 y conales; algun ganado y caballeria, y con resp
 -ecto a mi numerosa familia en su mayoria son

18 mugeres de suerte que no se que perjuicio puedan
 hacer a las coluidantes; y si acaso recienten de las
 tres hombres que tengo; por que non se han que juar
 en la autoridad para su castigo? como lo hicieron
 25 con uno que hoy es soldado de la Compañia de
 Sta Barbara y no que se valea de pretexto para
 que Darse con el sitio.

El año de mil ochocientos cuarenta y uno hicieron
 y qual sollicitud las señores Dⁿ Antonio 16^a Hugo, Mi-
 -quel Gray, Dⁿ Juan Sepulveda, Dⁿ Diego Sepulv
 -eda, y Dⁿ Santiago Yonson y como nada sacaron
 Del Gobierno Departamental establecieron silencio
 para sorprender a N.E. como nada burriedad en
 el pais. Si Del Branche que Denunciaron nada tiene

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el estado y bienes que Desean las Denunciantes
 se hace lo posible por que ya dije a N.E. que el
 -erario me adeuda mucho, mi estado es octogui
 -avio, mis fuenas se consumieron en el servicio
 y faltavolo ena y las recensas en consecuencia
 Dierta la ruina de una familia, Sin embargo
 el Branche no se halla Des poblado ni es de las

esperacion - Digaue N.E. quita Desea Desea

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terrenos Den un ciñbles con que bago de esta Lin en un
esprovecion i Diganme V.E. quien Derru sero mas
atendiado = Por tanto a la vista justificacion del D.
Suplico que en atencion a mi merito y segun lo Juri-
- cia que me asiste se tenga por y nbalida la Denun-
- cia ya a mi familia se le Dije las gras de este costo
patrimonial en lo que recibire gracia por ser de
Justicia dignandose admitir la presente en papel
comun por falta de sellado.

Angeles Mayo 29 de 1843.
Guillermo Cota.

Sr. Prefecto.

En vista del Superior Decreto q. antecede, hasta hoy
puede tomar el informe de los señores Don Tibur-
- cio Lapin, Don Gil Barra, y Don Vicente Sanchez
segun este resulta con prouada cuanto dice el
Sr Don Guillermo Cota en su escrito, por lo que
se debe omitir toda amplacion en el asunto que
sea molesta a la Superioridad.

Angeles Junio 21 de 1843.
Ant^o J. Corraoel.

{ seal }

Mmo Sr.

Con lo practicado p^a el Sr Juez 1^o de Paz de esta
Ciudad quien le pase el presente expediente p^a que
produzca el informe proveyendo p^a V.E. lo Derruelvo
a esa Superioridad p^a las fines q^e leuregan.
Angeles Julio 6 de 1843.

Man^l Dominguez.

{ seal }

Angeles Julio 7 de 1843. Naraso Botello.

En vista de lo Delgado es informado autorramente
vuelvar a la Prefectura 2^a p^a que haga notificar
a las Denunciante del terreno, ha enviado los serate
pliego, no ha lugar a su solicitud y entregando
original este a casa p^a su satisfacion.

Abichettoreno.

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D.
Documentos del Francho de los territos. y
Escritura de la venta del Oro de los territos.
Año de 1843. =

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Habilitado provisionalmente por la actualidad maritima del puerto de Monterrey, en el Departamento de las Californias para el año de mil ochocientos cuarenta y tres.

Micheltorena. Manuel Casanueva.

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22

Seal { En la ciudad de Los Angeles del Departamento de las Californias a las Diez y seis dias del mes de Diciembre de mil ochocientos cuarenta y tres, ante mi Antonio Franco Coronel, Jefe de primer nombramiento de esta referida ciudad y su Demarcacion y por ante mis testigos de asistencia con quienes a etus por receptor a falta de escribano publico aunas de las instituciones que al fin se nombraron, comparecieron los señores Don Guillermo Cota, Don Manuel Dominguez, Don Pedro Dominguez, Don Rafael Gallardo. El primer representa la persona de sus hijos Antonio Maria Cota, Acuanolo Cota, Francisco idem, Rey mundo idem, Benito idem, y las mujeres Maria Antonia Acota y Lucida. El Segundo representa la persona de su esposa Doña Garcia Cota, el tercero la de su esposa Doña Maria De Jesus Cota, de Dominguez y el cuarto la de Doña Concepcion Cota de Gallardo y dijeron estos señores que facultados plenamente para hacer la venta del Dto que tienen las herederos de la finca de Doña Anastasio la Mito de Cota, en el sitio y en el rancho de las Cenizas Cota en esta jurisdiccion como fuere el Documento y titulos presentados en el acto. A nombre de sus poderdantes de las herederos suscesores y de quien de mas hubiere titulo Voy y Causa en cualquier manera,

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Vendese y Dan en venta, real y enajenacion perpetua por juro de heredad para siempre y aunas al Señor Don Juan Temple de este Comencio y a las suyas, el Desecho y propiedad que tienen sus poderdantes en el mencionado rancho, de las cenizas que se compone de cinco sitios de ganado

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potencia a sus herederos de la finca de Cota

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De Ganado mayor polo' mas o' nuevos. Cuyo terreno les pertenece a las herederos De la finada Nieta de Lota Declarando a nombre de sus poderdantes que nomi-
 -nados herederos, que este terreno no se halla vendido niagenado ni enajenado, que esta libre de tributo memoria, Capellanias, Virreinato, patronato, fianza y lo otro gravamen legal perpetuo, temporal, especial, Gen-
 -eral, tacito y expreso y como tal se le vendio, con todas las entradas, salidas, partes y abrevaderos, mo-
 -ntes, Yeguas deheras agnadas, censos, usos costumbres fabricas, estension, legatias y servidumbres y Demas Casas anexas que ha tenido y tiene y les pertenecen segun Derecho en la cantidad de tres mil pesas y sesenta y cinco mas que es la mitad en plata, fisica o cuñada y la mitad en efectos a precio de plata, incluyendo en esta venta el freno y Señal con la unica condicion, De que el ganado que se halla con las cenizas de la Propiedad de las lotas, se tomara temple a precios de ararnero segun sus clases lo mismo la carabala, exceptando algunos caballos que se sacaran ventados, y las Deudas de escritura seran a mediad. Del precio convenido en esta escritura

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Se Dan ya por satisfechas las partes otorgantes, que por tanto renuncian la excepcion que pudieran poner por no constar de presente la ley, el titulo 1º para su formalizacion a favor del comprador lo mas firme y eficaz Carta de pago que a su Seguridad conduzca y asi mismo Declaran que el justo precio y verdad era valor del repetido terreno es en el puesto en esta escritura que no vale mas ni hallaron quien mas la Dize, y si mas vale o' valer pueden Diserir en pola' o' mucho Dinero, a nombre de sus poderdantes hacen a favor del comprador De sus herederos y sucesores gracia y Donacion, para firme y perfecta e' irrevocable en sanidad con menciones y Demas firmes, legales, renuncian la ley 2º titulo 1º novisimo Recopilacion que trata de los Contratos de Venta breves y otros en que hay lievo con mas o' menos de la mitad del justo precio y las cuatro años que previene para pedir succion

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 Con mas o' menos de la mitad del justo precio y las cuatro años que previene para pedir succion

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o supleniente a su jura valor las que ha por pasadas como si efectivamente la establecieron, y desde hoy en adelante para siempre se desapoderan desisten quitan y apartan a sus herederos, sucesores del Dominio propiedad, posesion, titulo, Voy, recurso, y Otro Cualquiera Derecho que las compete al enumerado terreno, lo ceden, renuncian, y traspasan con las acciones reales, personales, utiles mistas directas y efectivas en el comprador o en que en la compra puse entre para que la posea, goce, cambie enagenase y dispongan de ello a su eleccion, como de cosa suya adquirida con legitimo y justo titulo le compraren poder irrevocable con libre franquea y General Administracion y se constituyan, procurador, actor en su propia causa, para que de su autoridad o judicialmente ceda y se apodere del nominado terreno y del tomo y posesion la real tenencia y posesion que por Derecho le compete y para que no necesite tomar la posesion de la propia autoridad de esta escritura, con la cual sin otro acto de aprehension ha de ser visto haberle tomado y traspasado. En el actuario se constituyen sus paduantes tenedores y precarios poseedores en legal forma, y se obligan los otorgantes a que dicho terreno sera cierto seguro y efectivo a el comprador y que nadie le inquietara ni movera pleito sobre su posesion goce y disfrute, ni contra ello apareciera gravamen alguno, y si se le inquietara movere o apareceren luego que el otorgante primero y los demas que le acompañaron, como tambien sus paduantes sean requeridos, conforme a Derecho, salieran a la Defensa y le seguiran a sus expensas en todas instancias y tribunales, hasta efectuarlos y dejar al comprador y a las suyas con libre uso y quieta y pacifica posesion, no pudiendo con seguirlo, le declaran Otro igual en valor fabrica sitio, renta y comodidades, o en sus defecto lo restituiran la cantidad que ha desembolsado las mayores utiles acciones, precios y voluntarias

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que a la sazón tengan, el mayor valor que con el tiempo
adquieran y de todos los Gastos e intereses que se le
siguieren e mejoraren, para todo lo cual se les han
p. poder ejecutar solo en virtud de esta escritura
o juramento del que le pasea o en quien difiere su
cumplido y lo Melera de otro puerro. Ya la total obser-
vancia de todo lo referido obligan los otorgantes sus
personas y bienes habrales y por haber, y con ellos
se someten al fuero y jurisdicción de las Señores
Jueces y Justicias que de este negocio puedan y veran
conocer con forme a Dio para que les compelen y
aprenien por toda via efectiva como si fuese en
sentencia pasada en autoridad de cosa juzgada
con sentidlo y no apelado, renuncian su pieno
dominio y vecindad, las leyes de su favor y
de ~~favor~~ y de ~~favor~~ con la General del Dio en
forma en cuyo testimonio así lo otorgaron y firm-
aron con mi go y las de a certencia segun Dio ley
securas las instrumentales sus ll. Marcos Berona
y Martin Aragon Daype. = Antonio Franco
Coronel = Gutierrez Cota. = Manuel. Dominguez
a cargo de Pedro Dominguez = Samuel Carpenter.
Rafael Gallardo = asst = Vicente (Vicente) Guerrero.
asst = Felipe Valenzuela. = instrument^l Marcos Berona.
= instrument^l = Martin Aragon. = entos
regiones. = Don Pedro Dominguez = V^o.

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Concluida con su original a que me remito
del cual se saco, copia fiel y legalmente y se
traha en el libro de instrumentos publicos y se
saca hoy dia de la fecha.

En testimonio de verdad. Ant^o F. Coronell.
asst. Felipe Valenzuela. asst. Demetrio Villa.

Asgado 1^o

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Se recubieron Cuarenta pesos imp^{te} del papel sellado y Dios
de la escritura de las corritas que pague Don
Juan Temple. Acaqu^{to} D^o 18 - de 1843.
Don. G. Lh. = Antonio. F. Coronell.

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Received the above foregoing Document for record
on the 6th Day of May A. D. 1852 at 13. Minutes

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part 11. 6' clock de f. recorded. Wilson Jones. =
Recorded the same at 55 minutes past
11 o'clk A.M. of same Day and Date at request
of Latin People in book 1. of Deeds. page
169 de 170. 171. 172. Wilson Jones. Recorder.

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En la Ciudad de los Angeles Del Departamento
De las Californias a las Veinte y siete Dias Del
mes De Aho de mil ochocientos Cuarenta y tres
Yo Antonio Franco Coronel Juez de primer
instanciamiento De esta referida Ciudad y sus
Demarcaciones ante a la Sabiduria Verdad
que ha echo D^o Juan Peuple para que le dé
poteccion Jurisdica al rancho que se nombra las
Cenitas, y Del que adquirio el derecho por venta
que Debe le hicieron los Dueños, segun consta
por las Documentos presentados en el Juzgado
de cargo, parece por mi y testigos de asistencia
y previa Citacion de coluidantes proscolase a
la pociion indicada. Asi yo Decreté, mandé
y firmé con las de asistencia segun Derecho =
Antonio Franco Coronel = asistencia = Felipe
Valenzuela = Basilio Valdez = asistencia =

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En Seguinda, mandé oficio a las Señores coluid
-antes D. Abel Stearnes. Dona Francisca Oure
Don Samuel Carpenter, los que no habiendo
manifestarlo ninguna esepcion les dije proce
-dia al reconocimiento De lindas y pociion
respectiva, lo que buerato por diligencia que
autovice y firmé con las de asistencia segun
Derecho = Antonio Franco Coronel = asistencia
Felipe Valenzuela = asistencia Basilio Valdez =

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A continuation y con diferencia de poco mas
me hallé en el rancho de las Cenitas y tomando
las autuaciones que practicaron el Dia hote de
Aho de mil ochocientos treinta y cinco cuando
se lo Dia pociion a Dona Manuela Costa de
Veto, a la vista de las coluidantes se les dio
lectura y concluida dijeron. las citadas coluid
-antes que van conformes y combenidos en las

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linderos y rumbos que allí manea para conocer el terreno de los enunciados terrenos Citios. A consecuencia y no habiendo obstaculo de posesion Sumaria a Don Juan Temple el cual fue reconocido como propietario al Derecho con lo que se dio por satisfecho la parte y ser concluyo el acto, lo que asiendo por Diligencia que autours y firmo con los Coludantes y los de a existencia segun Derecho = Antonio V. Coronell = Samuel Carpenter = A nombre De Dona Francisco Orive De Acueducto = Augusto Olvera = Abel Stearnes = a existencia Felipe Casanova = a existencia = Basilio Valdey = Entregue esta Diligencia a la parte para su resguardo las que se practicara en papel comun por falta de sellado = Antonio V. Coronell. a existencia = Basilio Valdey = Nota = Se entregaron esta Diligencia en tres foyas untes. = Rubrico.

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Conquerata con su original a que me remito y se saco con miyo camponelo May Dia De la fecha en estas das foyas de papel comun por falta de sellado = Day fe.

52

Antonio V. Coronell = att. Jany De las Prad. y Quin asistencia Guillermo Wolfshull. =

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Filed in office Sept. 21st 1852.

Geo. Fisher
Secretary.

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[Faint, illegible handwriting covering the majority of the page]

1870
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Seal First. Six Dollars.

Provisionally authorized by the Mexican Custom House of Monterey for the years one thousand eight hundred and forty three and four.

Figueroa Jose Bayan Gonzalez.

Jose Figueroa Brigadier General of the Mexican Army, Commandant General Inspector and Superior Political Chief of the Territory of Upper California.

Inasmuch as Dona Manuela Nito has her right accretions related to the Executorship of the deceased Manuel Nito and taking into consideration her long and peaceable possession of the tract of land known by the name of Las Semitas (Cerritos) Command by the tracts of land San Pedro Santa Gertrudis, Las Coyotas, Las Almitas and the Sea Coast, the usual forms and Requiris Concerning the same being previously complied with as ordered by the laws and regulations - In use of the authority conferred on me by the Act of the 27th of July last year (1833) I now declare in the name of the Mexican Nation, the said tract of land to be her property and that she be put in peaceable possession in virtue of these presents with entire compliance with all that the law requires and under the following conditions. First, she shall be subject to those conditions which the regulations to be formed shall establish relative to the distribution of waste lands, and in the meantime within the granted territories can either divide or dispose of the lands which have been mentioned, nor lay any imposts (Censos) Encumbrances Cond. hypothecation or any other incumbrances even for Public Purposes, or transfer it in Mortmain -

Second. She may enclose it, without interfering with crossings roads and Semitadas enjoying it freely and exclusively putting it to the use or cultivation which

Translation
of
Grant
No. 1.

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may be most agreeable to her. Not above year at most she shall build a house on it and that to be inhabited third. She may at once solicit the Superior Judge to give her Judicial Possession by virtue of this Grant by which the bounds will be marked at the limits of which not only the land marks are to be put but also some fruit trees or others of some utility.

Fourth. The land defined to be of four leagues for neat Cattle, a little more or less as explained in the map attached to the documents. The Judge who gives possession will cause it to be measured according to law so as to show the bounds and leaving what remains over to the Nation for proper uses.

Fifth. Should she contravene these conditions she will lose her right to the land and it may be claimed by another.

In consequence of order that these presents serve as title and holding them to be firm and valid that they be entered into the Corresponding Book and that this be delivered to the interested person for his security and other purposes.

Guernin Monterey May 22nd 1834
(signed) Jose Figueroa.

Augustin Gamorano Secy.

Registered in the Book Menduigutiles on adjudication of land page 29. No 26 which exists in this Office and under my charge.

Monterey 22nd 1834.

(signed) Gamorano Secy.

I certify the foregoing to be a true and correct translation from the original Spanish document on file in this Office in Case No 351. Juan Temple for the Place named "Las Semitas".

(signed) Geo. Fisher. Secy.

Filed in Office Sept 21. 1852 (signed) Geo Fisher Secy.

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To His Excellency of the Governor and Com-
mandant General

Government of
the Department of
the Californias

C. C.
Translation
of
C.

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Angels May 30. 1843.
Pass this petition to
the Prefect for him
to inform me. Hoping
particularly in mind
the merits of the sup-
plicant when you give
the information asked
for respecting the
Semitas -

Michetto

Angels June 8. 1843.
Let these documents
be directed to the
Judge of the 1stth
instance of this city
that he complying
with the Supreme
Decree which con-
tains proaves the
information asked
for of this Office as
the present Prefect
finds himself prohib-
ited being an
interested party to
the subject matter of
Manuel Dominguez
Narciso Botello
Secy.

Guillermo Cota Sergeant of
Mails of one of the Companies
of the Garrison of this Department
says your Excellency with most
ample form and laudable manner
present myself and say that on
Saturday of the past week the 1st
Judge of this City went to the farm
of the Semitas, with the object of seeing
and investigating if it was waste
(balda) and at the same time en-
quire into the abuses which the
neighbors suffer or complain of.
Such investigations were asked for
by the gentleman Don Juan Pastor
and Don Bernardino Guirado to
prove that the announcement they
have made of the tract of land is
legal. It is to see such proceedings
has caused me with affliction
for I expect the inevitable ruin of
my Family and have hastened
before the well known majority
of your Excellency to make known
to you that for fifty three years
my family and I am myself a
part of which time have had peace-
able possession of the Semitas that
it came to my children by inheritance
from their mother and that it
concession was made for the
incommensurable services of my
Father in law. that I myself have
served a long time in arms

that there is due me a respectable Sum, that I have obtained
 honorable Offices, such as Commissioned Judge for ten years
 in this City, and lastly that my services have been without fault
 by which your Excellency may know that myself in union with
 my family are truly legitimate. Even having innocently the
 Military Warrants, the long permanency on this track of land, has
 preserved all other rights, the real ownership being in the
 actual possessor, thus the laws are explained and under-
 stood by the best writers, but the Anomalous forgetting this
 principle wish to obtain the triumph of subtle laws. As Sir
 I say by subtle laws, as the Farm of the Semitas has a house
 and yards for Cattle together with some Cattle and horses.

And with respect to my numerous family more than half
 are females what injuries they can commit on the neighbors
 I do not know, and if any of my three Sons, have committed
 injuries why have they not been complained of, to the Author-
 ities, that they may be chastised, as they did to one who is
 now a Soldier in the Company of Santa Barbara and not
 use this as a pretext to get the track of land.

In the year 1841 the Semita Solicitation was
 made by Don Antonio M^o Lugo, Don Miguel Pray D^o,
 Juan Sepulveda, Don Dago Sepulveda, and Don Santiago
 Jonson and as they obtained nothing from the Departmental
 Government, they kept silent to surprise your Excellency as
 a new authority in the Country. If the denounced Farm
 has not the Care and Merit wished by the denouncers all that
 is possible is done for as I have said to your Excellency
 the Treasury is owing me much, my age & Cough, my strength
 has been consumed in the Public Service the want of
 these and other means as a certain consequence will be the
 ruin of my Family, nevertheless the track of land is not
 disreputated it is not without Stock, nor is it of the
 denumerable class of lands under this sincere Exposition
 tell me your Excellency who ought to be most attended
 to. For the reasons expressed to the Equity of your

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Excellency, I supplicate, that in attention to my merits and the Just. Co that assists me, You will hold invalid the denouncement and to my family leave the Enjoyment of this small Patrimony in which I shall never spare any to being Justico, Deign to receive this on Common paper in the absence of seal.

August May 29th. 1843

Guillermo Coto.

Sir Prefect.

In view of the Superior Decree which antedates until to day I could not take the information of the gentleman Dr. Narciso Tapia Dr. Gil Naranjo and Dr. Vicente Sanchez, according to which the result is that all that Dr. Guillermo Coto says in his petition is proved for which reason all amplification ought to be omitted in this case which might molest his Excellency.

August June 24th 1843.

Anto F Coronel.

Very Excellent Sir.

With what has been practised by the 1st Justico of the Peace of this City to whom I passed the present documents for him to procure the information required by Your Excellency for the purpose you may Judge proper.

August July 6th 1843.

Mano Dominguez

Narciso Botella &c.

August July 7. 1843.

In view of what has been alleged and being mischievously informed, I return these documents to the Sr. Prefecto's Office to cause the denunciations of the land to be nullified. Making them void this sheet there is no place or motion (ground) for this solicitation and deliver this original to Coto for his satisfaction.

Michetto

Department of
Government of the
California as
officer

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I Attest the foregoing to be a true and correct translation from the original Spanish document on file in this Office in Case No. 351. Juan Temple for the Place named Las Comitas.

Geo Fisher Secy.

Filed in Office Sept 21. 1852.

(signed)

Geo Fisher Secy.

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SD

PAGE

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B. B.

Translation
 Juridical
 possession
 to Man^l. Nieto

Testimony of the proceedings practiced in the
 admittance and possession given to Dona Manuela
 Nieto de Cota of the tract of land (Cintas) known by
 the name of Las Cintas (seritas) in the year 1835

Official dispatch
 of the Commission

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Second Constitutional Tribunal of Las
 Angles. As the agent Cuisnips of this Office does not
 permit me to go personally to give the corresponding pos-
 session to Dona Manuela Nieto of the land declared
 in her favor I have named you associate with the Ser-
 jeant Don Abel Strams to repair to the said land called
 the Cintas and put her in possession in due form con-
 formable to the Title which accompanies for that effect
 or purpase.

God and Liberty. Angles 18th March 1835.
 Dominguez Romero. To the Municipal Officer
 (Regidor) Don Rafael Garrado.

Town of Las Angles 13th of March 1835.

The present Official Communication being received
 and in compliance to the Commission which the 2^a.
 Constitutional Magistrato (Alcalde) Confers on me to
 go and give Dona Manuela Nieto possession of the
 farm (the property) known by the name of the Cintas
 and having agreed with the Serjeant Don Abel
 Strams to amasare the afor mentioned lands with
 entire conformity with the previously executed do-
 cuments existing in the possession of the Superior
 Political Chief. I repair with a sufficient witnesses
 (passed for my y testijas asistencias) to the Expressed
 Maca (Cito) and let me proceed to verify the indi-
 cated possession with entire conformity with the
 Title (Dispatch) Confirmed by the said Chief. The
 Citizen Rafael Garrado, Member of the Illustrious

Assembly (Regidor del Ilustre Ayuntamiento) and
 Commissary Judge for this possession, thus ordered
 41 orders and signs (as lo diere made by firm) with
 my assistant witnesses according to law, which I
 authorize — Rafael Garrido —
 Assistant witnesses: Policarpo Gal & Manuel
 Arzaga.

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In the farm of the Arroyos the 14th of March
 1835. The Judge who subscribes having called the
 adjoining Claimants, all of whom appeared except
 Robert Prado who made manifest that his occupations
 would not permit him and having made known the
 object of my Commission I proceed to put into Execu-
 tion the measurement and possession of the Farm
 (semitas) of the Arroyos, the property of Doña Manuela
 Nieto, which is bounded on the North by the farm of
 Santa Gertruda, belonging to Doña Josefa Cota, on
 the East by the farms of the Coyotes, & Almitas the property
 of Juan Jose Nieto and lands occupied by Robert Par-
 do & Co on the South by the Sea and on the West by the
 River, San Gabriel which divides it from San Pedro
 and the lands occupied by Don Antonio. Maria Lujo
 to which proprietors I said that they may show any
 documents, which may prove the title they may have
 to the lands I am about to give possession of to Doña
 Manuela Nieto de Cota in conformity to her title, and
 by they not having presented any to that effect I order
 the same to be noted, which I authorize and sign with
 my the assistant witnesses according to law.

Attest Rafael Garrido —
 Manuel Arzaga. Policarpo Gal.

On the same Day I named two measuring and line
 carriers for commencing the measurement who after
 having accepted promised faithfully to discharge said
 duty, they not signing, not knowing how, I sign with

the assistant witnesses according to law.

Attest Rafael Garrido.

Assistant Witnesses. Manuel Argaya Polycarpio Gab.

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In the same Rancho, a day month and year
 of the proper Commissioner Judge to effect and verify
 the measurement and possession to Doña Manuela
 Nieto de Cota, caused a line to be measured consisting of
 1300 varas, the same was examined and tried by the
 Surveyor Mr Abel Adams which being fastened to stakes
 and extended to its extremities with previous observations
 and calculations of the said Surveyor at whose
 direction the line was extended at the edge of the river
 San Gabriel river from a Sycamore stake which was
 not at the place of commencement in direction East Six
 teen degrees South, measuring counting 8150 yards ter-
 minating in the ditch, the boundary between the Alamitas
 Coyotes and this farm at which was put on each side
 of the ditch two shells of Sycamores as land marks. soon
 afterwards taking the course South 19° East in the direc-
 tion of the said ditch was measured and counted 1150
 varas. terminating at a high Sycamore tree which is very
 near the Alamitas in the center of which was made a
 trap with an axis passing inside of this tract of land a
 Sycamore tree known as the Sycamore of the Sandy
 place. afterwards taking the course West 3 1/2° West was
 measured 2500 varas which terminated in a plain of
 salt grass and at the termination of which was put a
 large stick of Alder wood as a land mark which is the
 corner of the Alamitas and Cintas, the ditch of water
 which from the Nieto estero dividing line between the
 Coyotes Alamitas and the said Farm of the Cintas
 afterwards taking the course S 40° West was measured
 4500 varas which terminated at the foot of the hill
 in which was put a large stone as a land mark. soon
 afterwards took the course South from the corner of the

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hill and ^{measured} 3250 varas which terminated at the edge of the sea beach at which place was put a stone as a land mark, from this taking the whole edge of the beach as good land was measured and counted 2000 varas which terminated at a high knoll before arriving at the line of San Gabriel, and not being able to measure to the cause of the river on account of the bad state of the land, this distance remains in favor of the interested party, although it is easily owing to the bad pasture and the abundance of salts. Afterwards to conclude and compute this farm or tract of land the line was extended north along the bank of the river 18750 varas which terminated at the land mark of the Emmerment and concluded the measurement of this tract of land to the satisfaction of the interested party which I note & authorize and sign with the aforesaid witnesses according to law to which I testify on pain of perjury.

Rafael Garrido

Assistant witnesses, Manuel Arzaga and Policarpo Leal. Angeles 26. March 1835.

Being concluded the present proceedings of the measurement and possession given to Don Manuel a Nieto de Coto to his satisfaction let there be transmitted to the first Constitutional Magistrat, that he may give them giving to the interested party an authenticated copy thereof.

Rafael Garrido Regidor of the Illustrious Ayuntamiento & Comunioned for this possession thus decreed and signed with assisting witnesses according to law. Attest Rafael Garrido - Assisting witnesses Manuel Arzaga, Policarpo Leal. Note on this day the proceedings mentioned in the foregoing were transmitted to the Senior Alcalde. In testimony whereof I sign these presents with my public which were instituted on common paper

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there being no proper stamped paper in this town.

Copy of the original to which I refer. which copy I authorize and sign with the assistant witnesses on common paper there being no sealed paper com-
poning -

Rafael Garrido -

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Assistant witnesses -
Manuel Arzaga
Policarpo Teab.

These documents conform to the original which remain in this Office under my charge which as J^{to} Alcalde of this Town I authorize and sign with assistant witnesses according to law.

Domingo Romero.

Assistant witnesses
Manuel Arzaga and
Francisco Balbuena.

I certify the foregoing to be a true and correct translation from the original Spanish document on file in this Office in Case No 351. Juan Temple for the place named "Las Seritas."

Geo. Fisher Secy.

Filed in Office Sept 21st 1852.

(Signed)
Geo Fisher Secy

The first part of the book is devoted to a description of the various species of plants and animals which are found in the island of Sumatra. The author has been very particular in his descriptions, and has given many interesting details of their habits and modes of life.

In the second part of the book, the author describes the various tribes of people which inhabit the island, and gives a detailed account of their customs, manners, and languages. He also describes the various religions which are practiced in the island, and the different sects which are found in each of them.

The third part of the book is devoted to a description of the various minerals and metals which are found in Sumatra, and the different methods which are used for their extraction. The author also describes the various manufactures which are carried on in the island, and the different articles of commerce which are exported and imported.

The fourth part of the book is devoted to a description of the various diseases which are prevalent in Sumatra, and the different methods which are used for their cure. The author also describes the various medical practices which are followed in the island, and the different kinds of medicine which are used.

The fifth part of the book is devoted to a description of the various customs and manners which are practiced in Sumatra, and the different kinds of festivals and amusements which are followed. The author also describes the various laws and regulations which are in force in the island, and the different kinds of punishments which are inflicted.

The sixth part of the book is devoted to a description of the various geographical features of Sumatra, and the different kinds of climate which are found in the different parts of the island. The author also describes the various kinds of soil which are found in the island, and the different kinds of crops which are raised.

The seventh part of the book is devoted to a description of the various historical events which have taken place in Sumatra, and the different kinds of wars and revolutions which have been carried on. The author also describes the various kinds of government which have been established in the island, and the different kinds of laws which have been enacted.

The eighth part of the book is devoted to a description of the various kinds of art and science which are practiced in Sumatra, and the different kinds of books and manuscripts which are found. The author also describes the various kinds of music and dancing which are followed in the island, and the different kinds of games and sports which are played.

The ninth part of the book is devoted to a description of the various kinds of superstitions and迷信 which are practiced in Sumatra, and the different kinds of magic and sorcery which are used. The author also describes the various kinds of omens and portents which are believed in, and the different kinds of prophecies which are given.

The tenth part of the book is devoted to a description of the various kinds of legends and traditions which are found in Sumatra, and the different kinds of stories and fables which are told. The author also describes the various kinds of myths and legends which are believed in, and the different kinds of heroes and heroines which are mentioned.

The eleventh part of the book is devoted to a description of the various kinds of poetry and literature which are found in Sumatra, and the different kinds of plays and dramas which are acted. The author also describes the various kinds of songs and ballads which are sung, and the different kinds of books and manuscripts which are written.

The twelfth part of the book is devoted to a description of the various kinds of natural history and philosophy which are practiced in Sumatra, and the different kinds of experiments and observations which are made. The author also describes the various kinds of theories and opinions which are held, and the different kinds of discoveries and inventions which are made.

The thirteenth part of the book is devoted to a description of the various kinds of natural history and philosophy which are practiced in Sumatra, and the different kinds of experiments and observations which are made. The author also describes the various kinds of theories and opinions which are held, and the different kinds of discoveries and inventions which are made.

The fourteenth part of the book is devoted to a description of the various kinds of natural history and philosophy which are practiced in Sumatra, and the different kinds of experiments and observations which are made. The author also describes the various kinds of theories and opinions which are held, and the different kinds of discoveries and inventions which are made.

The fifteenth part of the book is devoted to a description of the various kinds of natural history and philosophy which are practiced in Sumatra, and the different kinds of experiments and observations which are made. The author also describes the various kinds of theories and opinions which are held, and the different kinds of discoveries and inventions which are made.

47 312

Seal Just Eight Dollars.

Provisionally authorized by the Maritime Custom House in the Deptmt of the Californias of Monterey for the year One thousand Eight hundred and forty three.

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Nichetorina

Manuel Castaneda.

R. A.
Translation
of "A"

In the City of Los Angeles of the Department of the Californias, this 16th day of December 1843 before me Antonio Franco Coronel first named Judge of the above named City and its Annexations and before my Assesant witnesses with whom I act by delegated authority for want of a Notary Public and also the instrumental witnesses, who at the end will be named appeared Don Guillermo Cota, Don Manuel Dominguez, Don Pedro Dominguez and Don Rafael Gallardo. The first representing his Children viz Jose Maria Leonardi, Francisco y Benito Cota, as also the females Maria Antonio Corta and Louisa Cota The second representing his wife Don Gracia Cota The third his wife Doña de Jesus Cota de Dominguez and the fourth his wife Doña Concepcion Cota de Gallardo and these persons said, that having full power to sell the right which the heirs of the late Manuel Benito de Cota have in the place and farm of the Ceritas in this Jurisdiction as was proved by the documents and titles presented in the act, in the name of their principals or constituents, their heirs Successors and whosoever of them may have title here and there in any manner do sell and give in full and per petual alienation by right of inheritance forever and over to Don Juan Temple and his heirs the right and property, which they had in the said farm of the Ceritas which contains four leagues for that canto, a title more or less which land belongs to the heirs of the late Nieto de Cota declaring in the names of their

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principals. that the aforesaid land is not sold alienated or pledged. that it is free from all Ecclesiastical Benefices. Outalment patronage. bond or any other incumbrance be it perpetual. temporal special general tacit or Express. and as such they sell it with all Entrances. outlets waters. usages. Customs. Edifices Extentions and Privileges of all kinds and all other things annexed which it has had or has and belonging to it according to law. in the sum of three thousand and twenty five dollars which is one half in Coina money and the other half in goods at market prices in this place including in this sale the branding iron and ear marks with the only condition that the Cattle which shall be found on the Cintas. belonging to the Cotas. the said Simple will or shall take at the Tany prices according to this Chap. The same with the horses except bond which will be taken away Coentro Coanad. the duties or fees for the writings will be one half for each party. The price agreed upon in this writing is acknowledged to be received by the Sellers for which they announce the exception which might be put for not being Civility present (Law 9. Title 1 Part 5) and they execute in favor of the Purchasers. the most firm and efficacious note or document of payment which will conduce to his security and that they themselves declare that the Just price and true value of the said lands is that which is put in this writing. that it was not worth more. nor any one be found who would give more if it is worth more or could be worth more. the excess in more or less is given in their names in favor of the purchaser heirs and successors. A mission and donation purely solely perfect and irrevocable in sanity with the presentation of this instrument to the Competent Judge for his approbation and all other legal securities.

copy

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the law 2nd title 1st part except =

They understood the Law 2^d title 1st with respect =
 relation. which treats of contracts of Sale. Carta and
 others in which the Sale has been made for more or less
 than half of its Past value and the four years which
 it gives presumed to ask for a Revision or the Remain
 der of its Past value. they Consider as paid and from
 to day in futuro. they dispossess detach and take
 a part from their heirs and Successors the Dominion
 right of property. possession. title void and all other
 rights. They are understood and transfer with all the
 Real. personal usefull. Annet mixed and Executive
 Actions to the purchaser or whomever may represent
 him. that he or they may possess Copy Exchange. use
 sell and dispose of it at his or their own Election as
 a thing of his own acquire d. by a legitimate and Just
 title. conferring irrevocable power. with true frank and
 general Administration. Constituting him attorney in
 his own case. that by his own authority or Judicially
 he may take possession of the said land. and with the
 taking and holding. the best occupation which the
 law gives and to avoid the necessity of taking it
 an Authorized Copy of this writing is actual to be given
 to him. which without any other act of apprehension
 will be deemed as if it had been taken and transferred
 in the mean time the principals (or the Sellers) constitute
 him holder and temporary possessor in legal form and
 they (obliged themselves) stipulate that said land
 shall be true secured and effective. to the purchasers
 and that no one shall dispute him or promote a Law
 Suit on account of his possession enjoyment or use. and
 that there shall not appear any incumbrance on it, and
 if any one should dispute him or them, promote a
 Law Suit. or that there should appear any incumbrance
 the said Seller or Authorized of this instrument and those
 who accompany him as well as their principals are
 required accordingly to appear in the defense as soon

as they shall be legally notified, and will follow it in all instances and tribunals to final Judgment in his favor and will have the purchase and his heirs in full and quiet and peaceable possession, and in case they shall not be able to obtain the same to give another of the same value & rights, lands rents & conveniences or in default thereof to restore the sum which has been paid with all useful necessary and voluntary improvements, which at the time it may have the granted value it may have acquired in the lapse of time and all the expenses and interest, which shall have followed or have been caused, all of which can only be executed by virtue of this writing or oath of him who shall pass it or to whom its value may have been yielded and which will release him from other proof.

And for the full observance of all aforesaid to the Sellers obligate themselves, their persons and property, which they now have or may have and with them and it, they subject themselves to the Judicial power and Jurisdiction of the Judges and authorities, which in this case may and ought to take Cognizance of the matter according to the law to compel and obligate them in all Execution ways, as if it were a thing sentenced, consented unto and not appealable renouncing their Privileges, Residences, the laws in their favor and defenses, and all their rights generally in form. In testimony of which they the Sellers authorized and signed with me and the Apostolic Princes according to law. The Citizens Marcello Pedona and Martin Aragon, being instrumental witnesses, which I authorize.

Antonio Frances Coronel, Guillermo leota, Manuel Dominguez. By petition of Pedro Dominguez, Manuel Capentor, Rafael Gallardo, Apostolic Princes, Jose Vicente Guerrero and Felipe

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 Balanzuela. Witnesses of this Instrument Marcelo
 Pedona and Martin Aragon, the interline Don
 Pedro Dominguez is valid.

This agrees with the original to which I refer
 and from which it was taken. Correct, true and
 legally and to be found in the Book of Public
 Instruments taken to day of the date.

In testimony of the truth,

Antonio T. Coronet.

Assistant witnesses

Felipe Valenzuela and
 Demetrio Della.

I Certify the foregoing to be a true and
 correct translation from the Original Spanish
 as caused on file in this Office in Case No 351. Juan
 Temple for the place named "Las Cenizas."
 Geo Fisher Secy.

Filed in Office Sept 21. 1852.

(Signed)

Geo Fisher Secy.

[Faint, illegible handwriting covering the majority of the page]

In the City of Los Angeles of the Department of the Californias 27th of December 1843.

I Antonio Franco Coronel first named Judge of this Honorable City and its Amortizations in consequence to the verbal Solicitation made by Don Juan Temple to give him Judicial possession of the farm called Las Cintas which he acquired by purchase of the owners, as proved by the documents presented in this Tribunal and on my charge, let me appear with Assistant witnesses previous citation of adjoining Claimants and let me proceed to give the indicated possession, thus I decree order and sign with the Assistant witnesses according to law.

Anto Franco Coronel.

Assistant Witnesses.

Philipo Balanzuela

Bassido Balda.

Immediately I ordered an official note to the adjoining neighbors Don Abel Stearns Don Francisco Uribe and Don Samuel Carpenter they not having manifested any Exception I told them that I should proceed to examine the land marks and possession respectively which I put as a form and authorize and sign with the assisting witnesses according to law Antonio Franco Coronel Assistant witnesses. Philipo Balanzuela and Bassido Balda. In continuation and with a difference of a few hours I found myself at the Farm of the Cintas and taking the former possession which was practised the 13th day of March 1835 at which time was given possession to Don Manuel Nita de Cota and in the presence of the adjoining neighbors I read it after concluding the reading of which the said adjoining neighbors were conformable to the land marks and courses

E. E.
Translation
of
the

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described therein to know or determine the land of the
aforesaid. Ermitas. In consequence, there being no
obstacle I gave Judicial possession to Don Juan
Temple, he being acknowledged to be the Proprietor
of the rights with which the party was satisfied
and the act concluded. Which I put as a firm
and the adjoining neighbors authorize, and sign with
the Assistant witnesses according to law.

Antonio F. Coronel.

Samuel Carpenter in the name of Ana Fran-
cisco Urua de Leonari and Augustin Olvera,
Abel Thomas, Assistant witnesses, Felipe Balanza
do and Basilio Baldas.

Let these proceedings be delivered to the party
for his security, they being made on Common paper
for want of Seal. Antonio F. Coronel

Assistant witnesses -

Philipo Balanzuela and
Basilio Baldas.

Let these proceedings were delivered on three
written folios. This agrees with the original to which
I refer from which it was taken correct. And com-
pared to day of the date, on these two pages of Common
paper for want of Seal, to which I give faith or
authorize

Antonio F. Coronel

Assistant witnesses -

Seagr. de las Pias y Ruiz and
Guillermo Noelskill.

I certify the foregoing to be a true and correct trans-
lation from the original Spanish document on
file in this Office in Case No 351, Juan Temple for the
place named "Las Seritas".

Geo. Fisher Secy.

Filed in Office Sept 21st 1852. (Sign) Geo Fisher Secy

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35-

Before the Board of U. S. Land Commissioners for ascertaining and settling private Land Claims in California.

Don Juan Temple

vs

United States

vs

17 SD

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Motion

Now at Los Angeles on this 27th day of September A.D. 1852 Comes Don Juan Temple and moves your Honorable Board for an order that the Secretary be instructed to examine the papers and correct the 5 Copies with their originals of papers in Claim No 351 of the Board to attach to each his Certificate of their correctness and to deliver them to certify to the Claimant for his security or whatsoever purposes they may serve.

Henry H. Bennett

Atty for Claimant

Filed in Office Sept 27th 1852.

(Signed)

Geo Fisher Secy.

Before the U.S. Board of Land Com-
missioners -

Juan Temple

vs

United States.

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Motion

Now this 28 day of Sept 1852

Comes Don Juan Temple, and moves your
honorable Board that Claim No 351. be placed
on the main Docket -

The Law Agent having been duly notified
(verbally.)

Henry James et al
Atty for Claimant -

Filed in Office Sept 28. 1852.

Regd
Geo Fisher Secy.

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No 351. Juan Semplo Claimant.

The Claimant asks for the Confirmation to him of a tract of land called Las Cintas, containing five square leagues, a title more or less situated in the County of Los Angeles.

Opinion

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It appears from original papers given in Evidence, confirmed by documents remaining in the public Archives, that the land claimed is a portion of a much larger tract which for many years had been occupied by Manuel Nieto and his heirs under a concession received from the Spanish authorities and that the year 1834 the whole tract was divided among the heirs and separate grants issued by Governor Figueroa to each of them for distinct parcels. The land claimed in this case being granted to Manuel Nieto a daughter and his May 22, 1834.

It is also shown that Judicial possession was duly given to the grantee the 25th of March 1835 that his heirs conveyed the land to the Claimant December 16th 1843 & that Judicial possession under his conveyance was given him on the 27th of the said month. The building of a house in due time & the occupancy of the land from a period long previous to the grant, down to the present time is also proved.

It further appears by authentic documentary evidence that upon an attempt made in 1843 to announce the land to Don Micheltorona after obtaining reports on the subject from the local authorities recognized the title mentioned under Governor Figueroa as valid & refused to sustain the claim of the Announcers.

The land claimed is within ten leagues of the Sea Coast, the Coast being made one of the

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boundaries, and there is no evidence that the grant was approved by the Territorial Deputation. These objections have been heretofore considered and overruled in former cases. We do not regard them as forming any objection to the confirmation of the claim. It is accordingly confirmed to the extent of five square leagues, the surplus being reserved to the Nation by the terms of the grant. Commissioners Thornton concerning in the usual. Hiland Hoalt.

No 351. Juan Timpla Claimant

This Board upon full consideration having come to the conclusion that this claim is valid now makes the following decree for its final confirmation. It is decreed that the said claim be confirmed to the extent and quantity of five square leagues being the same land described in the grant and of which Judicial possession was proved to have been given. Provided that the said quantity of land granted and now confirmed to the claimant be contained within the boundaries called for in the said grant & if there be less than the said quantity within said bounds, then be confirmed to the claimant that less quantity.

Given under our hands this 11th day of April 1853.

Hiland Hoalt } Commissioners
Henry Thornton }

Filed in Office April 11. 1853.

(Signed) Geo Fisher Secy.

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 *fifty eight* — pages, numbered from
1 to *58*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
said Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. *357* on the Docket of the said Board,
wherein *Juan, Temple* is

the Claimant — against the United States, for the place known by
the name of *Los Herritos* —

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

G. Fisher.

sig.

17

SD

Office of the Attorney General of the United States,

Washington, 11th September 1854.

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Juan Temple

vs.

The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 30th day of June 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

No 17.
U. S. District Court
Southern District of California

Juan Lina Temple

vs

The U. States.

Notice of appeal from Atty. Gen.

Filed Nov 7th 1834.

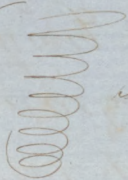
J. E. Jam.
clerk.

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

Juan Temple
vs
The United States



N^o 351.

To the Honorable Isaac S. K. Ogier Judge of the
District Court of the United States for the Southern
District of California.

The petition of Pacificus Ord (of Monterey County)
Attorney of the United States for the Southern District
of California, who petitions in this behalf for the
United States, and being present here in Court in
his proper person, in the name and behalf of the
United States represents as follows.

That heretofore, to wit, on or about the 21st day of
September AD 1852, Juan Temple presented a pe-
tition to the Commissioners to ascertain and settle
the private land claims in the State of California,
~~claiming a tract of land of about five square leagues~~
in the words and figures following, to wit. "Your
"petitioner Don Juan Temple of Los Angeles in the
"State of California respectfully represents to your
"Honorable Board, that he claims a certain tract
"of land called Las Serritas (Serritas) containing
"five square leagues de ganada Mayor a little more
"or less situated in the County of Los Angeles in
"the State of California, that he claims the same
"by virtue of a grant in fee made to Dona Manuela
"Nieto under the Authority of the Mexican Govern-
"ment by Jose Figueroa, Brigadier General of the
"Mexican Army, Commandant General Inspector

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and Superior Political Chief of the Territory of
 Upper California bearing date of the 22nd of May
 1834. Your petitioner further represents that on the
 16th day of December 1843 the said Rancho of Las
 Cerritas was conveyed to him by the legal represen-
 tatives or heirs of the late Manuela Nieto, deceased
 in due form by the said heirs, through their repre-
 sentatives in conjunction with the presiding Judge
 and in the presence of a sistant and instrumentab
 Mitrepe, as is seen by accompanying doc^{ment} mark-
 ed D, since when your petitioner has been in peaceable
 possession up to the present time, and without any
 knowledge of any interfering claimant. But your
 petitioner, is aware that while yet the said Rancho
 was owned by his predecessors attempts were
 made to denounce it which proved upon submission
 to the authorities wholly abortive as appears by
 accompanying Doc marked "C" which not only
 corroborate the proof of title, but shows the recog-
 nition by two subsequent Governors Alvarado and
 Micheltorena of ownership in the Grantee or his
 successors as also an irrevocable tenure an Estate
 in fee simple an ancient severance from the public
 domain under the Spanish rule conclusively pre-
 cluding all rights of defeasance by denouncement
 or any other made whatsoever. Yet your petitioner
 relying in the present instance upon the aforesaid
 grant to Dona Manuela Nieto as first named
 (the same being nothing more nor less than a re-
 grant by the new Government of the Mexican
 Republic moving to her for a particular portion
 of her deceased fathers Estate, upon her renounce-
 ment of a like portion of the Old by the way of

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"petition and for the purpose of a partition) further
 "represents that the Condition requiring a house
 "to be built during the first year was duly com-
 "plied with as will be proved in Evidence, also
 "that Judicial possession was given the grantee
 "in entire Conformity with the title as shown by
 "a accompanying Doc marked "B" dated on the 13th
 "of March 1835. And further that on the 27th day of
 "December 1843 Judicial possession under the purchase
 "was given your petitioner according to law and
 "adopting the same bounds as were formerly desig-
 "nated in the aforesaid possession of AD 1835 as is
 "here shown by accompanying Doc "E". Your
 "petitioner further represents that in reference to
 "that part of the expediente or documents in this
 "Case which precedes the grant and likewise the
 "Desino referred to in the said grant of Dona
 "Manuela Nieto as accompanying the documents
 "they were a petition of the heirs of Manuela Nieto
 "with its accompaniments soliciting a partition of
 "the tract of land known by the name of Santa
 "Gertrudes, formerly held by the said Manuela
 "Nieto under a title from the Govt of Old Spain
 "amongst the heirs designating and naming
 "the portions solicited in their names respectively
 "and constituting a part of what is now called
 "in the public Archives the Expediente of Rancho
 "Santa Gertrudes, a traced copy of which is on
 "file in the Office of the Secretary of your
 "Honorable Board in claim number 339 to which
 "for the Desino and petition in this case your
 "Honors are respectfully referred. Your petitioner
 "presents herewith the original title or grant

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to Doña Manuela Nieto marked "A", Instrument
 of Judicial possession under it marked B, petition
 of Guillermo Cota in favor of the heirs after
 an attempt to denounce said Rancho made by
 Don Juan Foster and Barnedino Guirada mar-
 ked "C", Conveyance to your petitioner marked "D"
 Judicial possession under it marked E, together
 with the translations of the same correspondingly
 marked "D" as also further a Copy in Spanish
 of the said five documents asking that after
 the signatures of the Original shall be proved
 then may be given him to serve as his security
 the Certificate of the Secretary of your Honorable
 Board of their Conformity with the originals to-
 gether with the proof of signatures. Your petitioner
 prays your Honorable Board to take into consider-
 ation his claim to said tract of land and de-
 cree his title to be valid and confirm the same,
 according to the grant, and bounds established by
 the Judicial tribunals of the government from
 which his title is derived. And your petitioner will
 ever pray."

Your petitioner further represents that thereafter,
 to wit, on the 11th day of April AD 1853 the said
 Commissioners confirmed by final decree the said
 claim of the said Juan Temple, in the words and
 figures following, to wit. "No. 331. Juan Temple
 Claimant. This Board upon full consideration hav-
 ing come to the Conclusion, that this claim is
 valid now makes the following decree for its
 final confirmation viz. It is decreed that the
 said claim be confirmed to the extent and
 quantity of five square leagues being the same

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"land described in the grant and of which
 "Judicial possession was proved to have been given.
 "Provided, that the said quantity of land granted
 "and now confirmed to the Claimant be contained
 "within the boundaries called for in the said grant
 "and if there be less than the said quantity within
 "said bounds, then we confirm to the Claimant, that
 "less quantity. Given under our hands this 11th day of
 April 1853. (Signed) Miland Hall } Commis-
 Harry J Thornton } sioners.

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That thereafter to wit, on the 27th day of June AD 1854 a duly certified transcript of the said decree and proceedings, and the papers and evidence on which it was founded in said Cause, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked N^o 351, reference to which it is prayed may be had and made a part of this petition.

That on the 30th day of June AD 1854 the Honorable Caleb Cushing Attorney General of the United States received a duly certified duplicate of said transcript of said final decree, and proceedings, of said Commissioners in said Cause, (N^o 351,) and the papers and evidence on which said decree was founded.

That thereafter, to wit, on the 7th day of November AD 1854, the said Attorney General of the United States, filed, or caused to be filed, on behalf of the United States, a Notice with the said Clerk of said District Court, for the Southern District of California, that the Appeal in said Cause of Juan Temple vs The United States, from the decision of the said

Commissioners to ascertain and settle the private land claims in the State of California, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States.

Your petitioner further represents that the said land claimed as aforesaid, is within the Jurisdiction of this Honorable Court.

And your petitioner further represents and insists that the said decree of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence apparent in said certified transcript of said Cause now on Appeal from said Commissioners to this Honorable Court.

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

1. That the said Juan Temple shows no valid title to the said land claimed by him as aforesaid; and it is denied that he has any.
2. That the said land claimed as aforesaid, is within ten leagues of the sea coast; and was not therefore subject to colonization or grant, by the said Governor of California, without the previous authority of the Supreme General Executive power.
3. That at the date of the said alleged grant, the said land claimed as aforesaid, was occupied by the Missions of California; and particularly the mission of San Gabriel; and could not therefore be colonized.
4. That the said alleged grant has not the conditions required by, and is not made in entire conformity

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with the law of the 18th of August AD 1824, and the regulations of the 21st of November AD 1828.

5. That the description of the said land in said grant of Governor Figueroa is vague, indefinite and uncertain.

6. That there is no evidence that the said grant was approved by the Territorial Deputation or Departmental Assembly; and it is denied that it was so approved.

7. That no definitive title to said Manuela Nieto is shown by Claimant; And it is denied there ever was one.

8. That the Judicial possession alleged to have been given said Manuela Nieto de Cota by Rafael Guirado on the 13th of March AD 1835, is not according to law; that there is no evidence that said Guirado was a Judicial Officer at that time with authority to give Judicial possession; that the alleged Domingo Romero (2^o Alcalde) had no lawful authority to deputize Rafael Guirado and Abel Stearnes to make the survey and give Judicial possession of the land to said Manuela Nieto; that ^{as he did} ~~these~~ ^{they} acts are void; that they did not measure said land according to the said grant of said Governor Figueroa, ^{or} according to law; that the said measurement and boundaries made by said Rafael Guirado and others, are vague and indefinite.

9. That the alleged sale of said tract of land, by Guillerms Cota, Manuel Dominguez, Pedro Dominguez and Rafael Gallardo, pretending to represent the heirs of the said Manuela Nieto, was in violation of the express terms of the said grant of said Governor Figueroa, and was a forfeiture of the said grant.

10. That there is no evidence of the death of said Manuela Nieto.

11. That there is no evidence that the persons, Jose Maria Leonardo,

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Francisco, and Benito Cota, and Maria Antonia Loreta and Louiza Cota, and Gracia Cota, Jesus Cota de Dominguez and Concepcion Cota de Gallardo called the heirs of said Manuela Nieto in the alleged deed from them, were such heirs, and that they were her sole heirs.

12 That the alleged act of Sale of said land granted by Governor Figueroa, as aforesaid, was not made by the heirs of the said alleged Manuela Nieto; nor is there any evidence that Guillermo Cota, Manuel Dominguez, Pedro Dominguez and Rafael Gallardo had any right or title to the said land; or that they had any lawful authority of the heirs of Manuela Nieto to make such sale; nor was said alleged sale lawfully made in obedience to any decree or order of any lawful Court or Judge, and the said alleged vendors, having no right or title to sell, no title to said land passed from them to said Juan Temple. And the said alleged act of sale contains no description of said tract of land by which it can be known and identified as the same land, alleged to have been granted by Governor Figueroa to said Manuela Nieto on the 22^d of May AD 1834, as aforesaid, and it is therefore void for uncertainty.

13. That the alleged act of Judicial possession by Antonio F. Coronel to Juan Temple, of said land dated the 27th of December AD 1843, shows that said Coronel, did nothing more than read the said act of Judicial possession in favor of said Manuela Nieto de Cota of the said date of the 13th of March AD 1835, in the presence of the adjoining neighbors; that the said first act of Judicial possession and measurements being ~~void and~~

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invalid and uncertain, the reading of the same by said coronel, on said 27th of December AD 1843 in presence of the neighbors, could not give said Juan Temple any ~~the~~ right or title. ~~There~~ the said Manuela Nieto ^{not having any valid title} never ~~has~~ ^{never} had at the date of said alleged purchase by said Temple, claimant.

14. That there is no map shown by claimant, according to which the said grant of Governor Figueroa to Manuela Nieto was made, and which is referred to in said grant, and is an essential part thereof.

15. That there is no evidence that the alleged Grantee Manuela Nieto, built a house within a year on the land granted her, and that it was occupied.

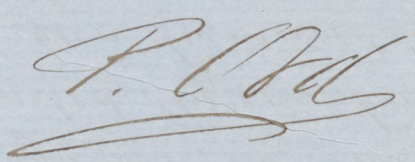
16. And it is alleged that the said Juan Temple, claimant, as aforesaid, was not by birth a citizen of Mexico, and that he was by birth a citizen of the United States, and that at the time of the said alleged purchase he was not a naturalized citizen of Mexico, and could not therefore ^{there} lawfully acquire, or hold lands in fee in California, ~~as alleged~~.

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

Wherefore the said Pacificus Ord Attorney of the United States for the Southern District of California, by reason of the premises, and the laws and Statutes in such case made and provided, prays that the said Juan Temple, or his attorney, may be served with a copy of this petition, and that

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68 This Honorable Court will review the said decision or final decree of Confirmation of said Commissioners to ascertain and settle the private land claims in the State of California, and decide on the validity of the said claim of said Juan Temple, for said land claimed and confirmed as aforesaid, and that the same may be decreed invalid. And all such other Orders, Judgments or decrees as may be just. With Costs, and general relief.



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

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17. No 79
(No 337. Plans)

Juan Temple
Ads.

The United States.

Petition of Mr. Temple
for review.

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Filed Dec 21. 1854.
J. E. Franck
clerk.

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

Juan Temple
Ads. } No. 357
United States }

Before Honorable Isaac L. K. Ogier
U.S. District Judge

The answer of Juan Temple Apl^{te} to the Petition or Bill of Complaint filed in this Honorable Court on the 21st day of December 1834 by Pacificus Ord Esq. District Attorney of the United States for the said Southern District of California in behalf of the United States

And now the said Juan Temple Apl^{te} appearing and reserving to himself all manner of advantage and all exceptions to the said Petition or Bill of Complaint and protesting against the same - answers and says - that true it is that heretofore to wit. on or about the 21st day of September 1832 he did present a petition to the Commissioners to ascertain and settle private land claims in the State of California, claiming a tract of land of about five square leagues, that he in his (the said Juan Temple) petition to the said Commissioners he did claim a ^{certain} tract of land called Los Carritos (Serritos) containing five square leagues de ganado mayor or a little more or less situated in the county

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of Los Angeles State of California, that he claims the same by virtue of a grant in fee made to Doña Manuela Nieto under the authority of the Mexican Government by Jose Figueroa Brigadier General of the Mexican Army. Inspector General and Superior Political Chief of Upper California bearing date of the 22^d day of May 1834 and on the 16th of December 1843 conveyed to him (the said Temple) by the legal representatives or heirs of the late Manuela Nieto decreed in due form by the said heirs through their representatives in conjunction with the presiding Judge and in the presence of assistant and instrumental witnesses, all of which is referred to in the said Petition or Bill of Complaint by the said District Attorney of the United States to this Honorable Court in the above entitled cause; The said Juan Temple Apl^{te} prays that his said petition to the said Commissioners together with all and singular the conveyances and Documents papers and transcript with all their references to plans and maps, or the legal and authentic copies and transcripts thereof may be taken down and considered as a part of this answer.

And the said Juan Temple Apl^{te} further answering admits that true it is that the said board of Land Commissioners "decreed that the said claim be confirmed to the extent and quantity of five square leagues, being the same land described in the grant and of which judicial possession was proved to have been given Provided that the said quantity of land granted and now confirmed to the claimant

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be contained within the boundaries called for in the said grant and if there be less than said quantity within the said bounds then that less quantity was confirmed to the said claimant; and that he believes the proceedings orders and decrees of the said Commissioners on his petition to them for the said lands are correctly set out, and truly stated in the Petition or Bill of Complaint of the District Attorney aforesaid to this Honorable Court, and that in so far as relates to filing the transcript in the said cause No. 361 with the Clerk of the Court and the action of the Attorney General of the United States in reference to the Notice of Appeal thereon and his intention to prosecute the said appeal he the said Appl^e according to his information and belief, or of any knowledge thereof sufficient to form a belief takes them to be true.

The said Appl^e admits that the land claimed by him is within the jurisdiction of this Honorable Court

And the said Juan Temple further answering negatives and denies the allegation in said Petition or Bill of Complaint of the said Dist. Atty. wherein it is represented and insisted that the said decree of the 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. But on the contrary, the said Temple avers and affirms that the said decree of the said Commissioners is

just and that his claim to said land was rightfully confirmed to him by the said Commissioners, and not erroneous as alledged by said District Attorney in his Petition or Bill of Complaint in this cause

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And the said Juan Temple further answering negatives and denies the charge and allegation set out in the said Petition or Bill of Complaint of the said District Attorney as the 1st ground of Complaint as follows, to wit —
"That the said Temple shows no valid title to the said land claimed by him as aforesaid, and it is denied that he has any; but on the contrary the said Juan Temple avers that he did in fact show exhibit and prove before the said Commissioners a good and valid title or titles; and that he has such good and valid title and titles there to

And as to the second ground of Complaint set out in the said Petition or Bill of Complaint of the said Dist. Atty. in this cause the said Temple saith that he admits "that the said land claimed as aforesaid, is within ten leagues of the sea coast," but he denies that such being the fact, renders his claim or title there to invalid or in any way impairs or invalidates his right and title to the said land; and the said Temple denies that there is or was any necessity, upon him in establishing the validity of his claim to the said lands, to show the approval of the Supreme government or Executive power, to his grant

for said lands as aforesaid by the Governor of California. Whether the said grant was so approved or not the said Temple cannot say of his own knowledge, but he the said Temple avers that the presumption of the law and equity is that the said grant was approved.

And as to the 3^d ground of complaint as set forth by the said Dist. Atty, in his Petition or Bill of Complaint, the said Temple further answering negatives and denies that the said lands so claimed by him, and confirmed to him by the said Commissioners was at the time of the said grant in the possession of the Missions of California and particularly of the Mission San Gabriel; but on the contrary the said Temple avers and declares that at the time of the grant and for a period long anterior to the same, the said Mission of San Gabriel by the directors thereof had in various ways acknowledged the right of the Claimant and his predecessors to the said land.

And as to the 4th ground of complaint as set out by the said Dist. Atty, in his Petition or Bill of Complaint "that the said alleged grant has not the conditions required by, and is not made in entire conformity with the law of the 18th of August. I =

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"1824 and the regulations of the
21st of Nov^r 1828" The said
Temple further answering negatives
and denies the truthfulness of said allegation.

~~And as to the 5th ground of com-~~
~~plaint of the said Dist. Attorney, and on~~
The contrary avers that it has the
conditions required by and was made in
entire conformity with the said
law of the 18th of August 1824 and
regulations of the 21st of Nov^r 1828.

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And as to the 5th ground of
complaint as set forth by the said
Dist. Atty in his Petition or Bill of
Complaint wherein he alleges "that the
description of the land in the said grant
of Governor Figueroa is vague and
"indefinite and uncertain" the said
Temple further answering negatives
and denies that the description is thus
defective; but on the contrary avers
and declares that it is in conformity
with that which is prescribed by
the of the regulations of the
21st of Nov^r 1828.

And as to the 6th ground of Com-
plaint "That there is no evidence that
the said grant was approved by the Territo-
rial Deputation or Departmental Assam-
bly; and it is denied that it was so ap-
proved" as set out by said Dist Atty
in his Petition or Bill of Com-
plaint, The said Temple further an-
swering says that whether or no the
said grant made as aforesaid was approved
by the said Territorial Deputation or Depart-

mental Assembly or not he cannot say of his own knowledge but that the said Temple ^{Apl^{ts}} avers and on his belief declares it to be true that it is not necessary or material to the validity of the said grant to the said land aforesaid for him the said Temple claimant of the said land to show or prove the approval of the Territorial Deputation or Departmental Assembly of the said grant that such approval is in law and equity to be presumed; - as it was the duty of the Governor making the grant to do all things requisite to make the grant definitively valid to his grantee

And the said Temple Apl^{ts} further answering negatives and denies the 7th Charge set out in the Petition or Bill of Complaint of the said Dist. Atty. wherein it is charged that ~~the said grant ever existed~~ that no "definitive title to said Manuela Nieto is shown by claimant and that it is deemed that there ever was one" and the said Temple Apl^{ts} on the contrary avers and declares it to be true of his belief that the said title to Manuela Nieto by Governor Figueroa, is a definitive title and that the land described therein in law and equity rightfully belongs to him

And as to the 8th ground of complaint as set out by the said Dist. Atty.

in his Petition or bill of complaint
 aforesaid. That the judicial possession
 "was not according to law" That
 "There is no evidence that said Guardo was
 "a judicial officer at that time with
 "authority to give judicial possession
 "That the alleged Domingo Romero (2^d
 "Alcalde) had no lawful authority to
 "appoint Rafael Guirado, and Abel
 "Sturns to make the survey, and
 "give judicial possession of the land
 "to the said Manuela Nieto as he did, that
 "These acts are void; that they did not
 "measure said land according to said
 "grant of said Governor Figueroa, or
 "according to law; that the said meas-
 "urement and boundaries made by said
 "Rafael Guirado and others, are vague
 "and indefinite" - The said Temple
 "Apl^e negates and denies the said
 "allegations, and on the contrary avers
 "and declares it to be true, that the said
 "judicial Possession was according to law
 "that the said Rafael Guirado was a judi-
 "cial officer at the time, with authority
 "(under the circumstances) to give judicial
 "possession, as may be seen by reference
 "to the ~~act~~ ^{evidence} documentary on file in this
 "cause, concerning the said act; That
 "the said Domingo Romero had authority
 "(as 2^d Alcalde) to direct the act to be per-
 "formed by the said Guirado with the
 "aid of the Surveyor Don Abel Sturns,
 "and denies that their acts thus performed
 "are void, And the said Temple Apl^e
 "further denies that the said measurement

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~~tion~~

~~The said Temple Apl^{te} desires that the said allegations are false, negative and~~ and boundaries made by the said Guirado
are vague and indefinite; but on
the contrary avers and declares, that
the said judicial officer did cause the
said land to be measured and the Monu-
ments to be established and judicial
possession thereof to be given to the
said Manuela Pute, strictly accord-
ing to the law and usages of the country
where said land is situated, at the time
said act was done and performed

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And the said Temple Apl^{te} further
answering saith, that as to the 9th ground
of complaint as set out by the said
Dist. Atty. in his Petition or Bill of Com-
plaint, "The violation of the express terms of the
said grant of said Governor Figueroa in
respect to alienation if in violation to the
terms of the grant aforesaid was not in
violation of the law of the 18th of August
1824 ^{rather of} ~~not~~ the regulations, of 1828 nor
of any express legislation of the Mexican
Government appertaining to the matter,
and consequently the said Temple Apl^{te}
denies that such sale operated as a for-
feiture of the said grant as alleged by the
said Dist Attorney

And as to the 10th ground of complaint
set out by said Dist Attorney in his
Petition or Bill of Complaint in this
cause the said Temple Apl^{te} negatives
and denies "that there is no evidence of the
death of the said Manuela Pute" but on
the contrary avers and declares that the doc-
umentary evidence on file in the cause and

shown by the transcript of the same herein before referred to discloses sufficient proof of the fact to justify the Commissioners aforesaid in ^{their} admission of the fact

And as to the 11th ground of complaint set out by the said Dist. Atty. in his Petition or Bill of Complaint in this cause. The said Temple Aff^{ts} denies the allegation that there is "no evidence" ^{that} the persons therein enumerated were heirs, but on the contrary avers and declares that they were accounted and recognized as such by the authorities of the jurisdiction within which they lived

And as to the 12th ground of complaint ~~is~~ set out by the said Dist. Atty. in his Petition or Bill of complaint in this cause. therein it is alleged that the act of sale was not made by the heirs of the said Manuela Nieto "nor any evidence that Guillermo Cota, Manuel Dominguez Pido Dominguez and Rafael Guirado had any right or title to the said land, or that they had any lawful authority of the heirs of Manuela Nieto to make such sale, or that such sale was lawfully made in obedience to any decree or order of any lawful court or Judge" and that the said alleged vendors "having no right or title to sell no title to said land passed from them to said Juan Temple, and that the said alleged act of sale contains no descrip-

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"-tion of said tract of land by which it
"can be known and identified as the
"same land alleged to have been granted
"by Governor Figueroa to the said
"Manuela Ninto on the 22 day of May
"17834 as aforesaid, and that it is
"therefore void for uncertainty" The
said Jmple Apl^e further answer-
ing negatives and denies ~~that~~ all and sin-
gular of the said allegations of the said
12th ground of Complaint (save that which
alleges that ~~to~~ there is no evidence
that Guillermo Cota Manuel Dominguez
~~and~~ Rafael Girard and Pedro Domi-
nguez had any right or title to said
land"): but that on the contrary the
documentary evidence on file in this
cause and shown by the transcript
of the proceedings of the Commission
both of which have been heretofore re-
ferred to, show the true nature of
the said act of sale, and the ground-
-lessness of the aforesaid allegations of the
said Dist. Atty.

And as to the 13th ground of complaint
as set forth by the said District Atty-
in his Petition or Bill of Complaint
in this cause the said Apl^e Jmple
avows and declares that the document of
judicial possession therein referred to
does give him all of the right which
on its face purports to do —

And as to the 14th ground of com-
-plaint as set out by the said Dist Atty.
in his Petition or Bill of Complaint ~~is~~

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83 This cause "That there is no map
shown by claimant according to which
the said grant of Governor Figueroa
to Manuela Nieto was made, and
which is referred to in said grant, and
is an essential part thereof" The said
Temple Apl^e further answering says
that besides his prayer in his petition
to the aforesaid Commissioners that if
errone might be had to ^{the evidence} claim it:
before them, the facts are that the
United States had the original in its
custody and keeping, as a matter of
record and that as such, that
portion of the evidence should
not be questioned but taken as a matter
proved by record —

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And as to the 15th ground of complaint
as set out by the said Dist Attorney in
his Petition or Bill of Complaint in
this cause the said Temple Apl^e
further answering negatives and denies
the allegation, "That there is no evidence
that the alleged grantee Manuela
Nieto built a house within a year on
the land granted her and that it was
occupied" but on the contrary it is
proved that there was a house on the
grant within a year after its issuance
and that it was inhabited

And as to the 16th ground of com-
plaint as set forth by the said Dist
Atty. in his Petition or Bill of Complaint
in this cause the said Temple Apl^e
negatives and denies the charge that

he was not at the time of the
said purchase ~~he was not~~ a nat-
-uralized citizen of Mexico, ~~the said~~
~~Temple~~ ~~sepl^{er}~~ but on the contrary the
said Temple avers and asserts it to be
true that he was a naturalized citizen
of Mexico, and had full right and
legal qualification to take have
and to hold land in California under
the laws of Mexico

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And the said Temple Apl^{le}
further answering ~~says~~ that
denies that there was any legal
necessity for further compliance
on his part with other conditions
to establish the validity of his
claim and grant aforesaid All of
which is filed in answer to the
said Petition or Bill of Complaint
of the said Dist Atty in this
honorable Court in the above en-
-titled cause Wherefore by reason
of which the said Juan Temple
Respectfully submits to the Honorable
the United States District Judge
now here for the Southern District
of California, that upon review
of the said proceedings and decree
of the aforesaid Commissioners in
said cause N^o 351 wherein the said
Juan Temple was Claimant and
the United States were Defendants
His Honor will reaffirm the said decree
of the said Commissioners and further
-decree the said claim of the said Juan
Temple to the land aforesaid

to contain five square leagues ^{a little} more or
 less according to the design that runs
 with the Expediente as expressed by
 the grant and of which judicial pos-
 session was given, and to be good, and to
 confirm the same to him, with costs -

State of California
 Southern District
 of the United States
 District Court
 March 6 1833

Henry Hancock
 Atty for Appl^t

17 SD
 PAGE 83

I served this answer on P Best Attorney
of the United States, by delivering to him
personally a certified copy of the same
at his office in the Southern District
of California this March 21st 1855

Edward Hunt
U S Marshal

Sworn to & subscribed before
me this 21st March 1855.

J. S. Farr.
Clerk.

No 17.

United States District Court
Southern District of Cal.

Juan Temple,

appellé

advs.

The United States,

appels.

Answer of Appellee.

Filed March 6th 1855.

J. S. Farr.

Clerk.

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Henry Hancock,

Atty for Appellee.

17 SD

PAGE

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In the United States Dist
Court for the Southern Dist
of California in Session on this 11th
day of April 1833 at Los Angeles
County of Los Angeles

17 SD
PAGE 85

Juan Supt Appell } N^o 17
add } Transcript
United States Appellants } N^o 351

On Motion of Henry Hancock
atly for Appellu it is ordered ~~that~~
by the Court that either party
may take further evidence in
the above entitled cause

Henry Hancock
Atly for Appellu

No 17,
U.S. Dist Court
Southern Dist of Cal.

Juan Temple
Appellee
vs
United States
Appellant

Order to take
further testimony

Filed April 11th 1885
C. E. Fox
clk.

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17 SD
PAGE 86

In the United States District Court
for the Southern District of California
in session at Los Angeles County of Los
Angeles on this 12th Day of
April 1853 -

Juan Temple Appellee } Claim No. 17
ad } Transit
United States Appellant } No. 351

Rancho Los Cerritos

Before Hon. J. H. Ogier U. S. Dist
Judge for the Southern Dist of Cal.

Pacificus Ord. Ex. U. S. Dist. Atty.
for the Southern Dist of Cal. and
Henry Hancock of Los Angeles attorneys
of record appearing. On application
for continuance, by Henry Hancock atty
for Juan Temple Appellee, in the above
entitled cause, accompanied by
an affidavit showing cause, it is ordered
by the Court, that the above entitled
cause be continued to the next
Term of this Court at Los
Angeles -

No 17

U.S. Dist. Court

Southern Dist of Cal.

Juan Temple
Appellee
ad
United States
Appellant

Application for
Continuance

Filed April 12th 1885

J. S. Jan.
clerk.

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17 SD
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In the United States District Court for
the Southern District of California; in
Session at Los Angeles, Los Angeles County, Cal.
on this 12th day of April A. D. 1833

Juan Temple Appellee } Claim No: 17
ad. } Transcript No:
United States Appellant } 351. Rancho Las
Cerritos —

17 SD
PAGE 89

Before Hon. J. S. K. Ogier U. S. District
Judge for the Southern Dist of California

Henry Hancock Atty. for Juan Temple
Appellee, in the above entitled cause, maketh
oath and saith, that he cannot safely proceed
to trial, in the above entitled cause; for that,
from the time of service of the Petition for a
review of the Decree of Confirmation, by the U.S.
Land Commission, up to the present moment,
he has been unable to procure, certain
documentary evidence, which he believes
to exist, concerning, the occupation of the
land in question, by the Mission of San
Gabriel; about the date of the grant
and previously — and that in order to do
so, he will be compelled to make
a journey to San Francisco, for the purpose
of examining the Archives of the former
Departmental Government, of California
That from the fact of this claim's having
been adjudicated at an early date, by
the U.S. Land Commission, prior to the exercise
by that body, of the most rigid conformity, to
the strictest rules of, exclusively, judicially —
Tribunals; There were some items of
evidence then deemed immaterial from the nature of

The case as well as of their office) omitted; for
which reason; there is much more labor
& perform in meeting the many points
of objection raised by the aforesaid
United States Dist Atty in this case
than we can possibly do, during the
present term of this Court; being com-
pelled as he is to be absent for some
time, from this place - And the
said affiant further saith, that this
his affidavit is true

Henry Hancock
Atty for Appellee

Sworn at Los Angeles
this 12th day of April
1853 before me
J. E. Jan.
CLK.

No 17 - SD
U. S. Dist Court
Southern Dist. of Cal.

Juan Temple
Appellee
ad
United States
Appellant

Affidavit
Setting forth grounds
for Continuance

Filed April 12th 1855.

17 SD
PAGE 91
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J. E. San.
clerk.

Juan Temple Appellee

a ds.

United States Appellants

Transcript No. 351

In the matter of

The Rancho Los Cerritos

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

The Appellee in the above entitled cause
Juan Temple being duly sworn deposes
and says that concerning his having
been a Naturalized citizen of Mexico, in
April 1828 he became a resident of
Los Angeles California, and that up to 1830 had
not been absent but for a few months at a time,
that during the early part of his residence in
California, he made application to the proper
authorities for a letter of Naturalization; and
was married with a Mexican, and native of
the Territory of California, ^{as early as in 1830} with whom he lived up to
the change of Government, by whom he had issue
prior to 1843, and with whom he still lives;
That in 1839 or 1840 letters of Naturalization came
to the Prefect of this 2^d Dist for himself and
several other persons, but that the one intended
for him, never came into his possession, nor
does he now know what became of it, but that
he had since 1830 been considered and
treated as a Naturalized citizen, was owner

No 17
Jann Temple
Appeller
ad
United States

Rancho
Los Cerritos

Affidavit of
Appeller

Filed Sept 29th 1855

J. C. Jan,
clerk

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1.

The United States, applt. }
vs. } No 17.
Juan Temple appee }
Los Cerritos.

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Deposition of George J. Rice, a witness on the part of Appellee, taken before me Charles C. Carr, U.S. Commissioner for the Southern Dist of California, at the City of Los Angeles, on this 29th day of Sept. ad. 1855. Present, Henry Hancock, atty for Appellee P. Ard, U.S. atty. George J. Rice, being by me first duly sworn, to questions propounded by Counsel for the several parties answers as follows

- 1 ques. What is your name age and place of residence
Ans. My name is George J. Rice, my age is fifty six, my residence in Los Angeles.
- 1 ques. Are you acquainted with Juan Temple the appellee in this case, and if so, please state how long you have been acquainted with him.
Ans. I am, My acquaintance with him dates back 31 years. We were engaged in business as partners here in California about the year 1824, and continued so till about the year 1834.
- ques. Do you know anything about Mr Temple's having been a naturalized citizen of Mexico, if so, state all you know about it.
Ans. - All I know is that Mr Temple in conjunction with myself had taken all the necessary steps required by the Government to become naturalized, and that we forwarded our applications accompanied with the requisite documents to the Governor of

2

California, to obtain our letters of Citizenship. I think this was in the year 1829. I never heard anything from the Governor afterwards upon the subject. I left California in ~~1829~~ 1835, and returned in 1849.

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Ques. In what way were these applications forwarded?

Ans. By the Government express, the only mode then used for the transmission of letters. Cross examined by the U.S. Atty.

Ques. What were the necessary steps required by the Government to obtain letters of naturalization

Ans. Having resided in the Country for a certain time, with visible means of support, and to forward in your application to the Government, your certificate of baptism - that is all I believe. Those were all the requisites, I believe, at that time, to obtain letters of naturalization.

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PAGE 95
Ques. Did you see Mr Temple's certificate of baptism -

Ans. - I saw the document purporting to be his certificate of baptism.

Ques. - Do you know if Mr Temple was baptized, if so, when, where, and by whom.

Ans. I know that he was, by general reputation, not of my own knowledge, when where and by whom he was baptized I really do not remember. Re-examined by Counsel for Appellee -

Ques. Was the Appellee married during the time he was in business with you and if so,

Ans. whether to a native ~~not~~ of California or not.

Ans. - He was married and to a native Californian

Ques. Had he any issue by that marriage.

Ans.

if so, what.

He had one daughter born about the year 1831. The daughter and her mother are still alive to the best of my knowledge, I have not seen them since 1849.

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Geo. J. Rice

Sworn to and subscribed
before me this 29th
day of Sept. A.D. 1855.

J. E. Farr.

U.S. Comm.

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No 17.

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

The United States.
Appels.

— vs. —

~~The~~ Inan Temple.
Appellee.

Deposition of George J.
Rice, a witness for appellee.

Filed Sept 29th 1855.

C. E. C.
clerk.

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17 SD
PAGE 97

To the Supreme Political Chief.
The Citizen Succano Gregalba native of the State
of Sonora and resident of this Territory with
sufficient power ^{of atty.} from the Citizen Juan Jose
Niño whose right & cause I represent to your
Honor with due respect, and at the most proper
time would make known that in the year 1784
there was granted to him by his Excellency
the Governor Don Pedro Fages to wit Don Manuel
Niño the possession of land which is set forth
in the Diagram which I have the honor to ac-
company with this:

He having died, his heirs
amongst whom he who gives me Power of Attorney
was the head or principal one, continued in
peaceable possession occupying the said land
as legitimate owners. that they have continued
and maintained this state of things for more
than twenty nine years that have elapsed
until the present date without having been
molested in the enjoyment of these rights.
That the title papers having been lost which
legalized their rights to the property in the land.

He applied many times to the Supreme Political Chief, that in and by virtue of the existing evidences in the Archives, he would give him a new title, but in vain did he repeat his solicitations until the kindness of your Honor did him the favor to extend it, giving him testimony of the only proof that could be found in the Archives; But it is sufficient to make known the legality with which he has possessed the above mentioned land, as is set forth in the proceedings which I respectfully transmit, in five useful leaves, to the end that granting it to be sufficient and lawful, you will in sense of justice give him the corresponding title, and command that to him be given judicial possession

And desiring that all the heirs should enjoy the bounty conceded to his deceased father, I supplicate your Honor if there should be no inconvenience that separate titles may be given for the part that corresponds to each one, as is designated in the Diagram of those lands; the part called "Santo Fernando" to Don Juana Cota and her children as widow of the deceased Jose Antonio Nieto; and the balance that composes the places called the "Coyotes", "Alamitos", "Palo Alto" &c for him who gives me power of Attorney Don Juan Jose Nieto who as the head of the family has determined to effect these divisions for the benefit of his relations, to avoid all pounds for litigation, he sincerely asks that possession may be given each one of the part corresponding to each one, in such decision. I petition your Honor to be so kind as to grant my request, and that I may obtain the favor and justice I implore

I swear that it is not through malice & that it is necessary

San Diego 26th July 1833,

Luciano Trigalva

San Diego July 27 1833.

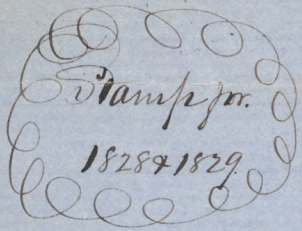
The present petition examined:
The peaceable and never interrupted possession
with which Manuel Nieto and his heirs, have
enjoyed the lands, known by public notoriety
and marked in the Diagrams: Having seen
the instance wherein the lands were granted
by Governor Pedro Fages. to the above men-
tioned Nieto with every thing else which
he had present and saw was convenient,
in full conformity with the laws and
regulations of the matter, and subject to the
conditions which they set forth they are
declared owners of the landed estate to
Man Nieto "Coyotes" "Alamitos" and "Palo Alto"
to Donna Mansuello Nieto, the place called
"Derritas", to Donna Josefa Cota, the widow
of Don Antonio Maria Nieto the place called
"Santa Gertrudis", to Dona Catarina Ruiz the
widow of Don Jose Antonio Nieto, the place
called "Las Balsas."

Give them the corresponding
titles.

It is ordered that judicial possession
be given to them as they have claimed,
caused the parties to be informed: And as re-
spects the titles, which cannot be issued until
my arrival at the Capitol, give them certified
testimony of this provisional decree which
will serve in the meantime as a safeguard
to the parties interested.

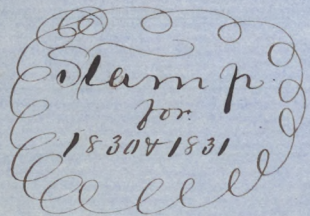
Jose Figueroa
Supreme Political Chief of this Territory, this
order, decree, and sign which I attest
Jose Figueroa

103 Augustin V. Lamorano.
Secretary.



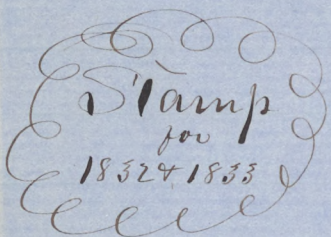
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Seal of the Third Class. Two Reals.
For the years. One thousand Eight Hundred
and Twenty-Six and Eight Hundred and Twenty
Seven



Monterey 21st Dec: 1833.

Complete what is an-
nounced in the foregoing decree, issuing the letters
with the provision that by them, the judicial
possession shall be given to the parties; with
reference to the ancient and continued grant
and possession which they have had thereof



17 SD
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Jose Figueroa
General of Brigade & Com^{te} General, Supreme
Political Chief of the Territory. Thus I com-
manded it, decreed and signed it, which
I attest.

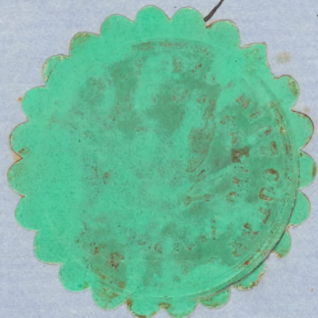
Jose Figueroa

Augustin V. Camorano

Secretary

Filed in Office, Sept 11th 1852.
Geo: Fisher, Secy:

I Chas C Carr Clerk of the Dist^{ct} Ct of the United
States for the Southth Dist^{ct} of California hereby
certify the foregoing to be a true and correct
copy of the Translation of the Expediente in case
N^o: 194 of the Records in my office, so far as
the same purports to be,



In witness whereof I have here to
set my hand and the seal
of said Court at the City of Los
Angeles this 27th day of Sept: 1855

C. C. Carr Clerk
By John W. Gray dep

N^o 17

Juan Templ

ads.

United States

Rancho Carritos

Translation of a part
of Expediente in case
N^o 161

~~Filed in office~~

Filed Oct 1st 1855

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L. E. Carr.
dk.

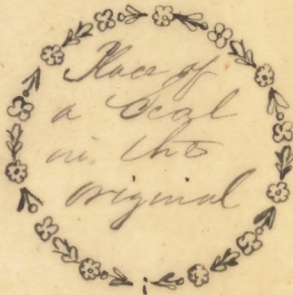
17 SD

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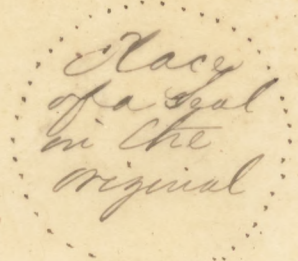
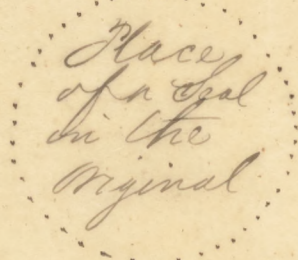
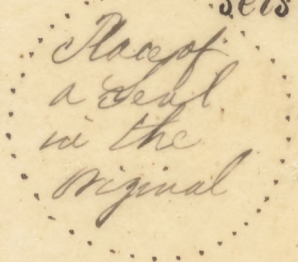
SELLO TERCERO

Para los años de mil
seis y ochocientos



DOS REALES.

ochocientos veinte y
veinte y siete.



Los. Jefe Supremo Politico

El Ciudadano Luciano Gualba
natural del Estado de Sonora y aborinda...
en este Territorio, con poder bastante del Ciudad...
dano Juan Los Nieto cuyo derecho y accion
Represento, a V. S. con el debido Respeto y po...
el ocaso mas oportuno Jago presento: q'
el año de 1784 se fue concedido en prop.
por el Sr. Gobernador D. Pedro Lopez a
Manuel Nieto la posesion de terreno q' dem
el Dicho q' con el debido Respeto acion

In
S. Diego 27. de Julio de
1833.

Vista la presente ins-
tancia; sabido por notorie-
dad publica la posesion
pacifica y sana intencun-
pida con q' Manuel
Nieto y sus herederos han
sufocado de los terrenos
demarcados en Dicho; visto
el expediente en que consta
la concesion de otro terreno
hecho por el Governador

Quo habiendo fallido, sus
dado entre quienes hanse Cabuar mi poder
dante, siguieron en pacifica pose
ocupando dicho terreno como legi
propietarios: q' en este estado se han m
uido mas tra de veinte y nueve años
han transcurrido hasta la fecha, sin se
teranquidad en el goce de sus derecho

D. Pedro Papis al mención. Ha habiendose extraviado los títulos q.
 nado Nieto, con todo lo de- legitimaran la propiedad del terreno, ocurriero
 mas que se tubo presente varias veces al Jefe Superior Político para q.
 y via con vino: de total en virtud de las constancias existentes en
 conformidad con las leyes el archivo se le expediera nuevo título,
 y Reglamentos de la materia mas en vano repetio sus ocurrencias, hasta q.
 y consiguieron á las condiciones de V. S. se le sirviera atendiendo libran
 que señalen, redeclaran dole testimonio de la unica Constancia q.
 ... uno en propiedad de se encontró en el archivo, para q.
 ... Juan Trié Nieto de los te a combenir la legitimidad con que ha
 ... cas es nombrados los procurado el mencionado terreno, como se demue
 ... otes, Alamitos, y Palo- cas en el Expediente q.
 ... io: á D. Estanislao, para en 6 folios utiles, afino de q.
 ... icio de los señores: á lo por bastante y legal de sierva en
 ... a Josefa Costa viuda en merito de Justicia como se lo supli
 ... D. Antonio Maria en merito de Justicia como se lo supli
 ... icio, de Santa Gertrudis: ca, librando el título correspondiente y
 ... á D. Catalina Ruiz viu- mandas q.
 ... da de D. José Antonio mandas q.
 ... icio del paraje de las que dexoso de q.
 ... bras. Librense los fautos de la merced concedida con fin de
 ... ulos correspondientes, Papeles, Suplicas a V. S. q.
 ... endue dar la prese- conbeniente, se expedan por separado
 ... n jurídica que pre- los títulos de las partes q.
 ... du: hagase saber - respondes según queda de marcado en el
 ... as partes; y respecto mismo dibujo en esta terminos.

aque no sepuden es-
tender los titulos heos.
estas en la Capital, li-
bre provisionalmente
un testimonio certificado
de este Decreto para q.
entre tanto les sirvan
de guardado á los interesa-
dos. El Sr. D. Jose
Figueroa Jefe sup.
Politico de este territorio
asi lo mando decretó
y firmó de que doy
fe.

Jose Figueroa
[Signature]

Agustin Zambrano
[Signature]

el paraje de Santa Gertrudis para
D^a Louisa Cota y sus hijos como viuda
del finado Antonio Maria Nieto: el
paraje de las Bolsas para D^a Cata-
rina Prius y sus hijos como viuda de
el finado Jose Antonio Nieto: el paraje
los Sermitos para D^a Mariana Nieto
y el Palo en q. se comprenden los pa-
rajes nombrados los Coyotes Alamitos Ja-
alto y. para mi poderdante D. J.
Jose Nieto; quien como causa de
familias ha resuelto efectuar estas
particiones en beneficio de sus de sus deudos
y para evitar todo motivo de litigio
pido encarecidamente se posesione a ca-
da uno de la parte q. le corresponde
en tal concepto.

et U.S. suplico se sirva acudir á mi solicitud
en q. Merced gracia y Justicia q.
importa: Turo no sea de malicia y
lo necesario D^o San Diego veinte
y seis de Julio de mill ochocientos
veintay tres.

Luciano Gajalca Jton
[Signature]

(4)

SELLO TERCERO

Para los años de mil
seis y ochocientos



DOS REALES.

ochocientos veinte y
veinte y siete.

Receipt
a Seal
in the
Original

xxxxx Diciembre 21 de 1833.

Receipt
a Seal
in the
Original

Cumplase lo mandado en el antecedente Decreto, esepi-
diendo los Titulos con prevencion a que por los
seles de la posesion Judicial, respecto a quella
antigua y dilatada consuecion y posesion q. tienen
señor. El Sr. D. Jose Figueroa Gral. de Brigada
y comand. de Gral. Jefe Superior Político y Territorial
a lo mandado en el Decreto, y firmo de que doy fe.

Jose Figueroa

Agustin P. Zamorano
Srio.

Receipt
a Seal
in the
Original



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

I, JOHN C. HAYS, Surveyor General of the United States for the State of California, and as such, having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, by virtue of the power vested in me by law, Do hereby Certify, that the *Folio* - preceding, and hereunto annexed pages of tracing paper numbered from one to *Folio* - inclusive, exhibit a true and accurate copy of a portion of a certain document, entitled: "1833 Expediente relativo a' los linderos del Rancho de S^{ta} Gertrudis que posee el Ciudadano Juan Jose Nieto. 103" and now on file forming part of the said Archives in this office. Pages *12* are attested with red ink to indicate such portions as are true & worn as in the original.

In Testimony Whereof, I have hereunto signed my name officially and caused my Seal of Office to be affixed, at the City of San Francisco, this *Twenty Second* day of *September* 185*5*.



John C. Hays

U. S. Surveyor General for California.

Extract from the 2nd Section of the Act of Congress "providing for the Survey of Public Lands in California, and for other purposes." Approved, March 3d, 1853.

"The Secretary of the Interior is hereby authorized to cause an official Seal to be prepared for the Office of the said Surveyor General (California) and any copy or extract from the plats, field notes and other records and documents on file in his office, when attested as such by the said Seal and the signature of the Surveyor General, shall, in all judicial matters, have the same force and effect as the original."

The signature of John C. Hays as it occurs above is admitted to be his genuine signature

T. O. M.

No 17 SD

Juan Temple

advs.
United States

Trancho Carritos

Extract from
Expendents in case
No 161

~~Filed in office~~

Filed Oct 17 1855

C. E. Lawrence
Clerk

Exhibit A, C. E. U. S. Comm.

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PAGE 108

Office of the Recorder

of the United States

U. S. Recorder General

Vertical text on the right edge, possibly a stamp or official notice.

State of California
County of Los Angeles set.

County Clerk of the County Court of Los Angeles County, and as such Manager ~~my~~ my office and in my charge and custody a portion of the archives of the former Spanish and Mexican Territory or Department of Upper California, do hereby certify that on the foregoing and annexed true paper is copied and traced a full true and correct facsimile of all that is found concerning the Naturalization of Don Juan Temple, as the same appears of record in said archives in Book No 15. Catella "Porados de Correspondencia de oficio con el Gob^o, autoridades subalternas, decretos informes y a llebado en la prefectura del 2^o Distrito desde el 20 de Mayo de 1843." - now on file in my office.



Witness my hand and the seal of said Court hereunto affixed this 27th day of September A.D. 1855. at the City of Los Angeles

John W. Shaw
Clerk.

The signature of John W. Shaw as it occurs above is admitted to be his genuine signature

N^o 17
Juan Temple
ad
United States

Rancho
Los Cerritos

Certificate of
Clerk of Los Angeles
County as to extract
from Record of
Prospector -

~~Filed in office~~

Filed Oct 1st 1855

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J. C. Carr.

Investigation of
San Juan Temple
Prospector of the

N^o 17

Juan Temple Appeller }
a ds. } Los Corritos
United States Appellant }

Translation of an
extract from Prefector's record

17 SD
PAGE 112

"At the instance, of D. J. Temple soliciting
"papers of Naturalization Angles Dec 29th
"1843 The same is sent, together with the
"necessary information of this Prefecture to
"his Excellency the Governor of this Department
"for his superior knowledge and resolution
"M. D. N. D. S." (Manuel Dominguez Narces Botilla
Secretary)

"Information

"Cited in the foregoing decree, Excellent Señor the
"Prefecture of this 2^d District in view of the
"present solicitation made to your Excellency in
"order that you may see that Señor Don J. Temple
"the interested party in this is entitled to receive
"the favor which he asks, then that the fact
"of his continued residence in this city for the
"time which is cited and his good conduct may
"be more effective he is married to a Mexican
"w. is proprietor of some (various tracts) ~~tracts~~
"of real property, which he has legally acquired
"in this same city, and (also) in its vicinity in
"virtue of which Your Excellency may resolve

"that which may be your superior
"pleasure Angeles Decr 29 1843 M. D.
"N. B. S. (Manuel Dominguez Narciso Botello Secy)

"I accompany to G. E. a petition of
"Don J. Temple citizen of this city in solici-
"tation of his letter of Naturalization to the
"End that it may serve to give an account
"with this (the foregoing) to G. E. for your superior
"knowledge & decision"

"Your Excellency will
"please admit my professions of esteem
"and respect God & Liberty Angeles Decr
"29 1843 M. D. (Manuel Dominguez) —

"Señor Secretary of the Departmental
"Government"

N^o 17

Juan Temple
Appellant

ads

United States
Appellant

Rancho Los
Carritos

Translation of
Extract from the
Proprietors record

~~Filed in office~~

Filed Oct 1st 1850

117 J. E. Carr
C. W.

Juan Temple, Appellee.

ad.

No. 17.

The United States App'ts. } Los Cerritos.

17 SD

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PAGE

Deposition of Abel Stearns, a witness on the part of Appellee in the above entitled cause, taken before me, Charles S. Carr, U. S. Commissioner for the Southern Dist of California, at my Office in the City of Los Angeles, this 10th day of Oct. 1855, and to be read in evidence on the Trial of this case. Abel Stearns being by me first duly sworn, to questions propounded by Counsel, answers as follows.

(P. Ord. U.S. dist. for app'ts. N. Hancock, attorney for Appellee)

1. ques. What is your name and place of residence?

ans. Abel Stearns, 54 years of age, residence Los Angeles.

2 ques. Were you acquainted with Manuela Nieto de Cota, the grantee of the Rancho Los Cerritos of the County of Los Angeles, if so, state whether she is living or not, and if not, when she died?

ans. I knew her, she died some fifteen or fourteen years ago.

3. ques. Were Jose Maria Cota, Leonardo Cota, Francisco Raymundo and Benito Cota, and the females Maria, Antonia, Loreta and Lourde Cota, together with Dona Gracia, and Maria de Jesus Cota de Dominguez, and Dona Concepcion Cota de Gallado, children of the said Dona Manuela Nieto?

ans. They were her reputed children.

4 ques. Were there any other children than these?

ans. I never knew of any others.

5 ques. Please state what you may know about the location of the Rancho Los Cerritos. (Question objected to by U.S. atty)

ans. The Ranch of Los Cerritos is located on the east side of the River San Gabriel, in the County of Los Angeles, on the Sea Shore. The Pacific ocean is the southern boundary of said Ranch (that part of the answer relating to boundary

objected to by U.S. Atty)

6th ques.

Have you resided long in this County
If so how long—

ans.

I have resided here 24 years.

7th ques.

Have you or not been employed
both by the authorities and by parties,
to execute surveys during your residence
here—

ans.

I have.

8th ques.

Have you ever been employed to
make surveys of this Ranch and lands
in its vicinity, if so, when and by whom
employed—

ans.

I was employed by the ~~sa~~ Nietos to make
surveys of ^{their} several Ranchos, I think this
was about 1833 and 1834, I was afterwards
in 1835, I was appointed ^{by} the Alcalde to
resurvey those same Ranchos, one the
Cerritos and the others, Los Coyotes, Alamitos,
Bolsas and Santa Gertrudes, at the time
of giving the judicial possession.

9th ques.

In making these surveys did you use a
Compass.

ans.

I did.

10th ques.

Look at the trace a diseño, ~~now off~~ annexed
to a traced extract of an Expediente from the
Archives of the former Government, now offered
in evidence and marked "Exhibit A. f. e. f.
U. S. Comr." and state if you recognize the
same as a part of your work, in the execution
of the survey heretofore alluded to, for the Nietos.

ans.

I have looked at it and believe it to be
a Copy of the Diagram made by me.

11th ques.

Did you have this same map as a guide
when you assisted in giving judicial
possession of the Ranchos of Los Cerritos

as before stated. (Objected to by U.S. Atty)

Ans.

12 ques.

I did not have the map. I had so recently surveyed said Ranch, that I was enabled to follow the same boundaries that had been laid down, and I think I may have had ~~the~~ notes of the first survey.

12 ques.

While delivering judicial possession and when upon the southern boundary of the same, the document of judicial possession recites, "from this, taking the whole edge of the Beach as good land, was measured and counted 3000 varas which terminated at a high knoll before arriving at the River San Gabriel, and not being able to measure to the edge of the River on account of the bad state of the land, this distance remains in favor of the interested party, although it is useless owing to the bad pasture and abundance of Salts, afterwards to conclude or complete this farm or tract of land the line was extended north along the bank of the River 18,750 varas, which terminated at the land mark of the Commencement."

Please state the character of the high knoll mentioned in the said document as before stated. (Objected to as to former ^{subject matter} ~~substance~~ of U.S. Atty.)

Ans.

The knoll spoken of there, must, I presume be considered as a bluff, instead of a knoll. It is the termination of the table land towards the River.

13 ques.

State in explanation of this portion of the record of judicial possession, as to what was the estimated distance from the bluff to the River in the direction and in continuation of the southern boundary, and also if the southern boundary was considered as ending

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at the bluff on the River, if at the River at what point? (objected to by U.S. Atty, as to form and subject matter)

Ans. To the best of my recollection the distance from the Bluff to the River was about from 15 hundred to 2000 varas. The termination of that boundary of the Ranch was at the mouth of the River, near the sea.

14 ques. - Referring to the last distance named 18,750 varas. I find on referring to the Transcript Copy on file in this case of the original in Spanish, that the words heretofore quoted of that transcript, "to wit, extended north along the bank of the River 18,750 varas, read in the Spanish - se tiro el cordel rumbo al Norte toda la seña del Rio, y se midieron y contaron diez y ocho mil ^{Sete cientos} ~~setenta~~ cincuenta varas." State if you are acquainted with the Spanish language, and if so, ~~what~~ what is understood by the last Spanish quotation.

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Ans. (Objected to as to form and subject matter by the U.S. Atty)

Ans. I am acquainted with the Spanish language - The Spanish quotation ~~referred~~ to refers to the measurement of the boundary line on the River San Gabriel - "La seña del Rio" means the "Bank of the River".

15 ques. - In measuring the last line of 18,750 varas, state the mode practiced in doing it, and at what point you struck the water of the River, ~~and~~ (objected to as to form and subject matter by Atty of U.S.)

Ans. From the Beach until striking the water of the River, I think we ^{must} have run a distance of about 3500 varas. The line was measured with a cordel ^{until it struck the River} and then continued

the measurement on or near the banks of the River until arriving at the boundary where we commenced.

16. Ques. In your last answer you state that "From the Beach" do you mean by the beach the same as the termination of the table land or bluff herein before alluded to? (objected to by U.S. Atty. as to form and subject matter?)

Ans. I mean that we started from the point of the Bluff near the sea. ~~proceeding~~

17. Ques. State the Character of the land which you were unable to measure (objected to by U.S. Atty. as to form and subject matter) and whether the width of 1500. to 2000 varas herein before stated to be the estimated width between the Bluff and the Plain, widened out or narrowed on proceeding up the River, and about the number of acres of land in that portion you were unable to measure.

Ans. The land was at that time low marshy and muddy with several pools of water, from the Beach up the River it narrowed until it came to a point, where the River strikes the Hills or near that place, There might be 1500 hundred acres, more or less,

in that portion we could not measure
(Question & ans. objected to by U.S. Atty. as to form & subject matter.)
18. Ques. Look at the Asiño of that portion of the Nieto Ranch, marked thereon Los Corritos heretofore alluded to in this deposition, and in connection with the scale annexed to that traced Copy, and state, what by the aid of the said traced Asiño, you would pronounce the entire area of the tract called

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PAGE 118

ans. Los Cerritos to be. (objected to as to form a subject matter by U.S. atty.)
I should think there are about 5 square leagues.

19th ques. Mark with a pencil the point of the tracea diseño, where the Bluff is located from which you state the line ran to the point of the Hills, and also designate that point on the River where the estimated distance of 3000 or 3500 varas will end, and connect the Bluff with that point by a pencil line so as to leave that portion which you were unable to measure, in the way that it may be known from the balance of the tract constituting the Ranch of Los Cerritos. (objected to by U.S. atty, as to form and subject matter)

ans. The point, ^{which is} marked with the figure "1" on the tracea diseño, is what I would judge to be about the place of the Bluff, that ~~marked~~ figure ~~2~~ which I marked figure "2" is the point of the Hills where we struck the River, the line which I have drawn between figures "1" and "2" in pencil on the said tracea diseño, shows about ^{the} land ~~walked over~~ ~~and~~ measured, and leaves that portion we were unable to measure, between the pencil line and the River as shown on the diseño. By this means I estimated the distance we were unable to measure.

20th ques. (objected to by U.S. atty, as to form a subject matter)
Was that portion heretofore spoken of as the part you were unable to measure included in the tract of land of which judicial possession was given? (objected to by U.S. atty, as to form a subject matter)

ans. It was

21st ques. Are you acquainted with how I employ the appellee in the above entitled cause, if so, state how

long you have known him?

Ans. - I am, and have known him since the year 1830.

22^d Ques. - Where has the Appellee resided during your acquaintance with him -

Ans. - He has always resided here in Los Angeles, except temporary absence

23^d Ques. - Was he previous to 1848, absent for any length of time, at any one time.

Ans. - I never knew him to be absent for any length of time -

24^a Ques. - State what you may know as to his having been a naturalized citizen of Mexico / objected to by U.S. Atty

Ans. - I think that in the year 1839, I was in the office of the Prefect of this District on the arrival of the mail from Monterey, the Prefect told me he had received seven letters of Naturalization for individuals residents of this District among whom was Juan Temple at the same time showing me the papers, and I saw that one was for Juan Temple (answer objected to by U.S. Atty)

25th Ques. - Who was the Prefect at that time and is he still living?

Ans. - Cosme D. Peña - who to the best of my knowledge is dead - whilst here in ^{Los Angeles} California he had his office in a room in my house.

26th Ques. - Did he remain here long after you saw this document in his office.

Ans. - He was here as Prefect some months

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125 after I saw these documents.)

27 ques. - State in what condition the Prefect's Records have been kept here since that is to say, whether they have been kept entire or not, or whether the Office has been kept in our place or not?

ans. I do not know in what order they have been kept, but should think they had not been kept in very good order, or been well preserved. At every change of the Officer, the office itself was changed.

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28 ques. - During your acquaintance with the appellee in the above entitled cause while under the Mexican rule here in California, has he so far as your acquaintance with his conduct here in California been treated as a naturalized citizen or no,

ans. He was generally considered and respected here, as a citizen of Mexico, and was frequently called upon to perform the duties of a citizen. I know of no instance in which he was not treated as a citizen of Mexico.

29 ques. - Have you ever known him to perform duties peculiar to citizens alone.

ans. I recollect very distinctly that in the year 1836, to the best of my recollection, he was one of the Commissioners appointed by the Ayuntamiento of Los Angeles to assist in taking the census of the District of Los Angeles,

and I think on several occasions I have known him to be called upon as hombre bueno to sit with the judge in judicial cases, a duty which by Mexican law, required him to be a citizen - I have never known any other Juan Temple in California than the appellee in the above entitled cause.

Ques 30.

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Have you ever known the appellee in this cause to have owned any other farm or Ranch than that of Los Corritos.

Ans.

I have known him to own a vineyard in this City, also he purchased a tract of land in 1843 which was sold at auction - besides these I am not aware that he has owned any other lands than Los Corritos.

Cross examined by U.S. Atty.

Ques. ^{Did you read} the papers which were shown ^{you} by the Prefect about the year 1839.

Ans. I do not recollect whether I did or not.
(The U.S. Atty reserving all legal exceptions to the foregoing questions & answers)

Abel Stearns

sworn to & subscribed
 before me, Oct 10th 1835
 J. S. Jaws.
 U.S. Commr

No 17. - SD

W Dist Court,
South Div. of Cal.

John Temple
appellee

vs.

The United States
appellant

Deportation of
Abel Stearns,

17 SD
PAGE 123

Filed Oct 10th 1855

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J. E. Fox
Clerk

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

Juan Temple

Appellee

vs

The United States

Appellant

No 17.

"Los Ceritos"

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To Juan Temple or his attorneys

Take notice that the
above entitled cause will be brought
to a hearing by the United States
on Friday the 19th day of October A.D.
1853, or as soon thereafter as the
same can be heard by the court.
Los Angeles October 11, 1853.

J. P. D. S.
Attorney

No 17.
Juan Temple

and

The United States

Notice of hearings
by a Slave

Filed Oct 11th 1835

J. E. Jones
Clerk.

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17

SD

PAGE

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P. Ord. usatly

Som 25 pl on plata

Consta por el presente documento que yo Guillermo Cota he recibido de Dn. Juan Temple la cantidad de veinte cinco pesos por el fierro y señal de los Cerritos, los cuales han sido usado por mi hace mas de veinte cinco años, y para constancia he firmado este documento con dos testigos, quienes dar tanta fuerza, fe y validacion como si fuese hecho este documento ante Escribano Publico, en la ciudad de los Angeles el dia diez y seis de Dec. del año de mil ochocientos quarenta y tres, en papel comun por no haber del sellado

Como testigo

Guillermo Cota

Delipre Lugo

como testigo

Rafael Gallardo

Received the above for Record on the Sunday of May 10 1852. at 14 minutes past 10 O'clock am
Wm. A. Jones Recorder

Recorded the same on the same day & date at 12 minutes past 5 O'clock pm at request of John Temple in book 10 of deeds page 173
Wm. A. Jones Recorder

N^o 17

Juan Temple
Appellee

ad
United States
Appellant

Rec^t for Brand
of Rancho Los Cerritos
by Guillermo Cota

Exhibit J. N^o 1

Filed Oct 15th 1885

J. E. San.
C. A. D.

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17 SD

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[Faint handwritten text, likely bleed-through from the reverse side of the page]

[Faint handwritten text, likely bleed-through from the reverse side of the page]

Sone 272 p. 6^{er}

Consta por el presente documento que Yo Fran.^{co} Cota he recibido de Juan Temple la cantidad de doscientos setenta dos pesos seis reales por todo mi derecho al sitio o parage llamado los Cerritos como heredero de mi finada madre Manuela Nieto de Cota y por la dicha cantidad he vendido y cedido para mi y mis herederos dicho derecho al dicho Juan Temple y sus herederos segun consta en el documento de venta del ante dicho sitio de los Cerritos, y por no saber firmar, mi hermano Leonardo firma por mi con dos testigos quienes dar tanto fe, fuerza y validacion como si fuese hecho este documento ante Escribano Publico, en la Ciudad de los Angeles el dia diez y seis de Diciembre del año de mil ochocientos y quarenta tres, en papel comun por no haver selo sellado

Por mi hermano Fran.^{co} Cota
Leonardo Cota

como testigo-

Santiago McPherson

[Signature]

Como Testigo

Juan de Dios

Padilla

[Signature]

Recorded the within instrument this 2^d day of
October A.D. 1855. at 8 1/2 o'clock P.M.
on page 314 of Book N^o. 2 of Deeds.
Mortgages &c at request of John Temple.

John W. Shon
Co Recorder

No 17

John Temple
Appellee

vs

United States
Appellant

Rec'd & Affirmed

of said Term

for Court by

Francisco Cota

Exhibit A. N^o. 2.

Filed Oct 13th 1855

J. C. Lane
Clerk

133

Consta por el presente documento que
Yo, Asencion Cota de Gallardo he
recibido de don Juan Temple la can-
tidad de doscientos setenta y dos pesos con
seis reales por todo mi derecho al sitio
o paraje llamado los Cerritos como he-
redera de mi finada madre Manuela
Nieta de Cotas y por la dicha cantidad he
vendido y cedido para mi y mis herede-
ros el dicho derecho al dicho Juan Temple
y sus herederos segun consta en el documento
de venta de dicho sitio llamado los Cerr-
itos; y por no saber firmar, mi Esposo Sr.
Rafael Gallardo firma por mi con dos
testigos quienes dar tanto fe, fuerza y val-
idacion como si fuese hecho este documento
ante Escribano publico, en la Ciudad de
los Angeles el dia diez y seis de Diciem-
del año de mil ochocientos y quarenta
tres, en papel comun por no haver del
sellado correspondiente

Como testigo

Rafael Gallardo

Cañudo, Aguilera

Como testigo

Alexandro Bell

Recorded the above instrument this 2nd day of October AD
1855. at 8 1/2 o'clock P.M. on page 314. of Book No. 2
of Deeds, Mortgages &c at request of John Temple.

John Wilson
Co-Recorder

Tom 242 p. 6.

f.c. f.us. com. 7

Consta por el presente documento que
Yo Guillermo Cota como tutor y apor-
-derado de mi hijo Leonito mi hijo
Louiza y mi hijo Benito, he recibido de
Don Juan Temple la cantidad de
Ochocientos diez y ocho pesos un real por
todo sus derechos al sitio o paraje llamado
los Cerritos, como herederos a su finada
madre Manuela Nieto de Cota y por la
dicha cantidad ellos han vendido y cedido
para ellos y sus herederos el ante dicho de-
-recho al dicho Juan Temple y sus here-
-deros segun consta el documento de venta
del ante dicho sitio llamado los Cerritos
y para constancia he firmado este docu-
-mento con dos testigos en sus nombres y
por ellos, cuyo testimonio es tan valido q.
si fuese hecho este documento ante Escrib-
-ano Publico, en la Ciudad de los Angeles
el dia diez y seis de Diciembre del año
de mil ochocientos y quarenta tres en
papel comun por no haver del sellado

Como testigo Guillermo Cota
Fran. J. Albarrado
Como testigo
Juan. Dominguez

Recorded the above instrument this 2^d day of
October 1855. at 8 1/2 o'clock A.M. on pages 314 and 315. of Book
No 2 of Deeds Mortgage &c at request of John Temple
John W. H. R. 135.

Don Juan Temple

N^o 17

Juan Simplicio
Appellee

ads

United States

Appellant

The 5 of Doña Ascension
Cota de Gallardo and Santa
Sofia Cota, together with
Bonito Cota for their
portions of the purchase
money of Los Carrizos

17 SD 136

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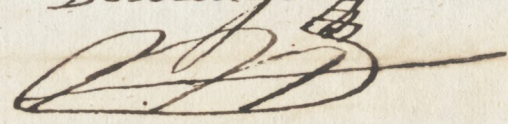
Filed Oct 15th 1885

"
J. C. Jan.
clerk.

Exhib. H

Don Juan Temple

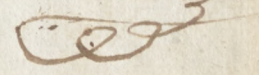
Consta por el presente Documento que YO Gracia Cota de Domingues he recibido de Don Juan Temple la cantidad de doscientos setenta dos pesos seis reales por todo mi derecho al sitio o parage llamado los Cerritos como heredera de mi finada madre Manuela Nieto de Cota, por la dicha cantidad he vendido y cedido para mi y mis herederos dicho derecho al dicho Juan Temple y sus herederos segun consta en el documento de Venta del ante dicho sitio llamado los Cerritos, y por no saber firmar, mi marido Don Mart. Dominguez firma por mi con dos testigos quienes dar tanto fe, fuerza, y validacion como si fuese hecho este documento ante Escribano Publico, en la Ciudad de los Angeles el dia diez y seis de Diciembre del año de mil ochocientos y quarenta tres, en papel comun por no haver del sellado correspondiente

Mar. Dominguez


Como testigo

Mar. J. Alvarado


como testigo

Lemuel Carpentier


Recorded the within instrument this 2^d day
of October A.D. 1855. at 8 1/2 o'clock. A.M.
on page 315. of Book N^o 2. of Deeds,
Mortgages &c at request of John Temple

John W. Shaw
Clerk of Records

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Consta por el presente documento que Yo Maria de Jesus Cota de Dominguez he recibido de Dn. Juan Temple la cantidad de doscientos setenta y dos pesos seis reales por todo mi derecho al sitio o parage llamado Los Cerritos como heredera de mi finada madre, Manuela Nito de Cota; y por la dicha cantidad he vendido y cedido para mi y mis herederos dicho derecho al dicho Juan Temple y sus herederos segun consta en el documento de venta del ante dicho sitio llamado Los Cerritos; y por no saber firmar mi hermano Leonardo Cota firma por mi con dos testigos quienes dar tanto fe, fuerza y validacion como si fuese hecho este documento ante Escribano Publico, en la Ciudad de los Angeles el dia diez y seis de Diciembre del año de mil ochocientos quarenta tres, en papel comun por no haver del sellado correspondiente.

Don Juan Temple

Por mi hermana M^{ca} de Jesus Cota

como testigo

Abel Stearns

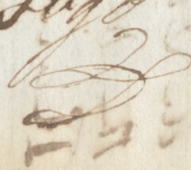
Leonardo Cota



como testigo

139

Felipe Lugo



Recorded the within instrument, this 2^d day of
October A.D. 1855. at 8 1/2 o'clock A.M. on page
316 of Book No 2 of Deeds, Mortgages &c. at
request of John Temple.

John W. Shore.

C^o Recorder.

No 17

Juan Temple

Appellee

vs

United States

Appellant

Trust & Apprimancer

of Don Gracia Cota

& Maria Jesus Cota

de Dominguez in

the Matter of the

Rancho Los Lunos

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Filed Oct 18th 1855

17 SD J. C. Lane

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Exhibit

Consta por el presente documento
Que Yo Leonardo Cota he recibido
de don Juan Temple la cantidad de
doscientos y ~~setenta~~ ^{ochenta} dos pesos con seis
reales por todo mi derecho al Sitio o pa-
-saje llamado los Cerritos como her-
-edero de mi finada madre Manuela
Nieta de Cota, y por la dicha cantidad
he vendido y cedido para mi y mis here-
-deros, dicho derecho al dicho Juan Tem-
-ple y sus herederos segun consta en el
documento de Venta delante dicho Sitio
llamado los Cerritos, y para constancia he
firmado este de mi punto con dos testigos
quienos dar tanto fe, fuerza, y validacion
como si fuese hecho este documento
ante Escribano Publico, en la Ciudad
de los Angeles el dia diez y seis de
Diciembre del año de mil ochocientos
y quarenta tres, en papel comen por
no haver del sellado correspondiente.

San 24 de fe. 63

como testigo

J. G. Villalobos

Leonardo Cota

como testigo

Lemuel Carpenter

lit. I. f. e. f. del. Com.

17 SD
PAGE 138

PAGE 138
SD

Recorded this 2^d day
of October A.D. 1855.
at 8 1/2 o'clock P.M. at
request of Dr. Juan Temple
on page 312, of Book No. 2.
of Deeds Mortgages
John W. Shaw
Clerk Recorder

RECORDED

142

Recorded
1855

1855

Tom 2 p. 6

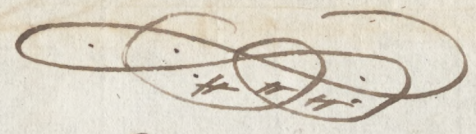
Consta por el presente Documento que Yo Maria Antonio Cota he recibido de Don Juan Temple la cantidad de dos Cientos setenta y dos pesos, seis reales por todo mi derecho al sitio o paraje llamado los Cerritos como heredera de mi finada madre Manuela Nieto de Cota, y por la dicha cantidad he vendido y cedido para mi y mis herederos de derecho al sitio llamado ~~los~~ los Cerritos, y por no saber escribir, mi hermano Leonardo Cota firma por mi con dos testigos quienes dar tanto fe, fuerza, y validacion como si fuese hecho este documento ante Escribano Publico, en la Ciudad de los Angeles el dia diez y seis del mes de Diciembre del año de mil ochocientos y quarenta tres, en papel comun por no haver del sellado correspondiente

Por mi hermana M^a Antonia Cota—

Como Testigo

Leonardo Cota

Man. L. Dominguez



Como Testigo

Fran. J. Albarran



Recorded the above instrument this

Vertical text in the left margin, possibly a list of names or a ledger entry, including "143" and "148".

2^d day of October A.D. 1855. at 8 1/2 o'clock
A.M. on page 312. of Book No. 22. of
Deeds Mortgage at request of John Temple.

John W. Shaw

Recorded

SD
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No 17

Exhibit

Dear Temple
ads
Appellen

United States
Appellant

Trust & Appraisers
of Leonard and
Mrs. Antonia Cota
in the matter of the sale
of Los Cortes

Filed Oct 19th 1855

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J. W. Shaw
Clerk

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SD

lib. 9. f. 1. ar. 1. 2. Com. Consta por el presente Documento q. Yo
Guillermo Cota como padre y tutor de mi
hijo Jose M.^a Cota he recibido de D.^o
Juan Temple la cantidad de doscientos
setenta dos pesos seis reales por todo el
derecho al sitio ó parage llamado Los
Cerritos como heredero á su finada ma-
-dre Manuela Nieto de Cota mi Esposa
q. fue, y por la dicha cantidad he ven-
-dido y cedido en nombre de mi dicho
hijo Jose M.^a Cota para él y sus herederos
al dicho Temple y sus herederos segun
consta el documento de venta del ante
dicho sitio de los Cerritos y para con-
-stancia he firmado este documento con
dos testigos quienes dar tanto fé, fuerza y
validacion como si fuese hecho ante
ante Escribano Publico en la Ciudad
de los Angeles el dia diez y seis de Dic-
de Año de mil ochocientos y quarenta y
tres, en papel comun por no haver del
sellado correspondiente

Guillermo Cota

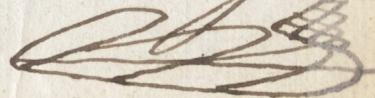
Como Testigo

Juan. J. Albarado



Como Testigo

Juan. Dominguez



Recorded the within instrument this 2^d day
of October A.D. 1855. at 8 1/2 o'clock A.M.
on page 313 of Book N^o 2 of Deeds,
Mortgages &c at request of John Temple.

John W. Stone
Recorder

17 SD
PAGE 142

Consta por el presente Documento que Yo Raymundo Cota he recibido de don Juan Temple la cantidad de doscientos setenta dos pesos seis reales por todo mi derecho al sitio o pasaje llamado los Cerritos como heredero de mi finada madre, Manuela Nute de Cota y por la dicha cantidad he vendido y cedido para mi y mis herederos dicho derecho al dicho Juan Temple y sus herederos segun consta en el documento de venta de dicho sitio llamado los Cerritos, y por no saber firmar mi hermano Leonardo Cota firma por mi con dos testigos quienes dar tanto fe, fuerza y validacion como si fuese hecho ante Escribano Publico, en la Ciudad de los Angeles el dia diez y seis de Decem. del año de mil ocho cientos y quaranta tres, en papel comun por no haver del sellado
Yo mi hermano Raymundo
Leonardo Cota

como testigo

Samuel Carpenter



como testigo

Santiago Johnson

Recorded the above instrument this 2^d day of October
AD 1853 at 8 1/2 o'clock A.M. on page 313 of Book
W.D. of Deeds & Mortgage, at request of John Temple.
John W. Stone
Co. Recorder

No 17

Juan Simplicio
Appellante

vs

United States

Appellante

Dec^t of Jose M^e Cota
by Guillermo Cota -
for Los Carrizos

Also Dec^t of Raymundo
Cota by Leonardo Cota
for Los Carrizos

Filed Oct 13th 1855

J. C. Carrizos
Ced.

148
17

SD

PAGE 144

32

Be it known by the present document
that I William Cota as tutor and agent
of ~~my wife~~ my daughters Louisa & Louisa
and my son Bonito Cota have received
of Juan Sumpul the sum of \$878.12 1/2
for all of their rights to the sitio or place
called Los Carritos, as heirs of their deceased
mother Manuela Nieta de Cota and for said
sum they have sold and ceded for themselves
and their heirs the aforesaid right to Juan
Sumpul and his heirs according to the doc-
-ument of sale of the said rancho sitio
called Los Carritos and in affirmance of
which I sign this document with two
witnesses in their names and for them, which
testimony has the same validity as though it
were signed before a Notary Public in the
city of Los Angeles on this 16th day of Dec-
-r 1843 on common paper for want of
the sealed corresponding

as witness

Guillermo Cota

Mano J. Albaro

as witness

Manuel Dominguez

I have a \$878.125

copy
Luis Luyth
appellu
ad
United States
appellant

Rec+affirmation
of sale by Guillen
Cota for his daughters
Lorita & Loura &
son Bonito Cota.

Translation

150

Filed Oct 13th 1895

J. E. Jan.
Clerk.

17 SD

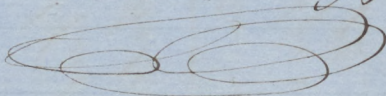
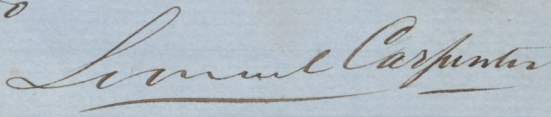
PAGE 146

17 SD
PAGE 147

\$272.75-

Be it known by the present document that I Maria de Jesus Cota de Dominguez have received of Juan Temple the sum two hundred and seventy two dollars six reales for all of my right in the sitio or place called Los Cerritos, as heir of my deceased mother Manuela Nieto de Cota; and for the said sum have sold and ceded for myself and my heirs said tract to said Juan Temple and his heirs according to what is seen in the document of sale of the aforesaid Rancho called Los Cerritos and on account of my not knowing how to write my husband Don Manuel Dominguez signs for me with two witnesses, who give to this document as much faith, force and validity as if it were made before an Escribano Publico (Public Notary) in the city of Los Angeles this 16th day of December 1843 on common paper for want of sealed paper corresponding

Manuel Dominguez
Com testigo

Francisco F. Alvarado  Manuel Carpinter 

N^o 17

Juan Temple
Appeller

vs

United States
Appellant

Translation of
Deed & Affirmance
of Sale of the Rancho
Los Carrizos by
Maria Jesus Cota
de Dominguez

Filed Oct 18th 1855

J. S. Jan,
Clerk.

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17 SD

PAGE 148

17 SD
PAGE 149

San on #27275-

Be it known by this present
Document that I Leonardo Cota
have received of Juan Temple
the sum of two hundred and seventy
two dollars & ⁷⁵/₁₀₀ of a dollar in full for
my right in the Branch Los Cerritos
as heir of my deceased Mother Manuela
Pinto de Cota, and for the said sum
have sold and ceded for myself and
my heirs said right to said Temple
and his heirs, according to the Docu-
ment of sale of the said Branch
called Los Cerritos, and in witness of
which I sign this of my
with two witnesses giving to it the
same validity and force as if execu-
ted before a public Notary - in the
City of Los Angeles on this 16th
of December 1843. Using
common paper for want of the
sealed corresponding

Signed Leonardo Cota

as witness

Dimitrio Villa

as witness

Samuel Carpenter

N^o 17
Juan Simplicio
Appellu
ad
United States
Appellant

Translation
of Test and
affirmance of
Sale of Rancho
Los Corritos by
Leonardo Cota

Filed Oct 13th 1855
J. E. Jan.
Clerk.

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17 SD

PAGE 150

17 SD
PAGE 151

There are \$272.75

This Document shows & be it known by the same that I William (Guillermo) Cota as father and tutor of my son Jose Maria Cota, have received of Don Juan Temple the sum of two hundred and seventy two dollars six reales, for all of his right in the ~~Tracto~~ Place called Los Carritos, as heir of his deceased Mother Manuela Nieto de Cota my wife that was, and for the said quantity I have sold and ~~ceded~~ ceded in the name of my said son Jose M^e Cota for him and his heirs according to the contents of this document of sale of the aforesaid tract of Los Carritos in proof of which I have signed this document with two witnesses who give such faith (by which the same faith force & validity) force and validity is given to this act as if signed before an Escribano Publico in the city of Los Angeles this 16th day of Dec^r 1843 on common paper for not having the corresponding sealed

signed Guillermo Cota

Como testigo

Fran^{co} J. Albarado

Como Testigo

Raul Dominguez

Rec 22 Oct
1853

[Faint, mirrored handwriting, likely bleed-through from the reverse side of the page]

N^o 17

Man Temple
ad
United States

Translation
of final receipt
Guillermo Cota for
Jose Maria Cota

Trust

Filed Oct^r 13th 1853.
A. E. Carr clk
By John W. Rose Dep

156

17 SD
PAGE 152

17 SD
PAGE 153

Be it known by this present
document that I Guillermo Cota have
received of Don Juan Temple the sum
of \$25 for the front brand of the Los
Corritos, which I have been using for
myself for more than 25 years in con-
-firmation of which I ~~have~~ signed this
document with two witnesses who give the
same force and validity as though signed
before a Public Notary in Los Angeles
on this 16th of Decr 1843. on common
paper for want of the corresponding sealed

Thru m \$25.

as witness (Signed)

Guillermo Cota

Felipe Lopez

as witness
Rafael Cuervo

No 17
Juan Temple
Appeller
ad
United States
Appellant

Los Corritos

Rect for brand
by Guillermo Cota

Translation

Filed Oct 13th 1855

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17 SD

PAGE

154

J. E. Jan.
Clerk

Jan 22/2, 75

Be it known by the present Document that I Raymond Cota have received of Don Juan Temple the sum of two hundred and seventy two dollars, six reales for all of my right to the sitio or place called Los Carritos, as heir of my ~~mother~~ deceased mother Manuela Nieto de Cota, and for said quantity have sold and ceded for myself and heirs said right to said Temple and his heirs according to the contents of this document of sale of said place called Los Carritos, and on account of not knowing how to write my brother Leonard Cota signs for me with two witnesses giving the same force and validity as if it had been made before a Public Notary in the City of Los Angeles on this 16th day of Decr 1843 on common paper on account of not having the corresponding seal

For my brother
Com testigo Raymond Leonard Cota
Samuel Carpenter
Com testigo
Santiago Johnson

17 SD
PAGE 155

N^o 17 alias
351

Guam Imp^{ts}

ads

United States

Translation
of final receipt of
Ramundo Cota

160

Filed Oct 18th 1855

J. E. Fass
Clerk

17 SD
PAGE 156

Be it known by the present Document
 that I Francisco Cota have received of
 Juan Temple the sum of \$2,72,95 for
 all of my right in the sitio or place
 called Los Cerritos as heir of my deceased
 Mother Manuela Nuto de Cota, and for
 said sum have sold and ceded for
 myself and my heirs according to the
 document of sale of the said Rancho of
 Los Cerritos, and since I do not know
 how to write my brother Leonardo signs
 for me with two witnesses, who give
 such faith force & validity as if the
 same were made before a Notary
 Public in the city of Los Angeles
 Decr 10^o 1843 on common paper for
 want of sealed

I have on \$27,295

(Signed) For my brother Francisco
 Cota - Leonardo
 Cota

As witness (Signed) Witnesses
 Santiago McKinlay Juan de Dios Padilla

17 SD
 PAGE 157

[Faint handwritten notes or ledger entries at the bottom of the page]

Juan Temple
ad
United States

Receipt and
affirmance by
Francisco Cota
of sale of Los
Carritos
Translation

162

Filed Oct 13th 1855

J. E. Fox
Clerk

[Faint, illegible handwritten text in Spanish, likely a receipt or legal document, covering the left and center pages.]

17 SD
PAGE 159
I have an \$272.75

Be it known by the present Document
that I Ascencion Cota de Gallado
has received of Don Juan Temple
The sum of \$272.75 for all of my right
to the sitio or place called Los Carritos
as heir of my deceased Mother Manuela
Nieta de Cota and for the said sum have sold
and ceded for myself and my heirs the said right
to the said Juan Temple and his heirs according
to what is contained in the document of sale of the
said sitio called Los Carritos, and on account of not
knowing how to sign my husband Don Rafael
Guirado signs for me with two witnesses
who give such faith force and validity, as if
this document were made before a Notary —
in Los Angeles on this 16th day of Decr 1843
made on common paper for not being
the sealed corresponding

Signe Rafael Guirado

as witness
Cesoldo Aguilera

as witness
Alexandro Bell

N^o 17

Don Simón
Appellu

ad

United States
Appellans

Don Asuncion
Cota de Gallado -
Bret Affirmance
of sale

Translation

164

Filed Oct 15th 1885

J. E. Janney
Clerk.

17 SD

PAGE 160



Be it known by the present Doc-
 =ument that I Gracia Cota de Domin-
 =guez have received of Juan Temple
 the sum of \$272,75 for all of my
 right to the Sitio or place called
 Los Carritos as heir of my deceased mother
 Manuela Pinto de Cota and for the
 said sum have sold and ceded for my-
 =self and my heirs said Rancho to said
 Juan Temple and his heirs according
 to ~~what~~ this document of sale of
 the said Rancho called Los Carritos and
 since I do not know how to write my
 husband Manuel Dominguez signs for
 me with two witnesses who give the same
 faith for ever and validity as if this document
 were made by a notary Public in the city
 of Los Angeles Dec 16th 1843 on common
 paper for not having the corresponding
 sealed

(Signed) Manuel Dominguez

as witness

Francis J. Albarado

as witness

Samuel Carpenter

17 SD
 PAGE 161

The sum \$272,75

No 17

Juan Supt
Appellee

vs

United States

Appellant

Trust of Don
Gracia Cota
de Dominguez

Trustee

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Filed Oct 18th 1885

J. C. Jan.
Clerk.

17 SD

PAGE

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Juan Temple Appellee } No. 17
ad } Transcript
United States Appellant } No. 351

17 SD
PAGE 163

In the Matter of Leaneho
Los Cerritos

Special Term of U. S. Dist
Court for Southern Dist of Cal
Sept 1853

Before Hon. A. H. Ogier
U. S. Dist Judge for the S. Dist

Appellee Brief

Contents of Transcript from the
U. S. Land Commission

Pages

- 142 Statements that certain depositions
were taken & documents to wit: —
A. Original Grant to Manuela Nieto
B. Judicial Possession
C. Petition of Don Guillermo Cota husband of grantee
concerning an attempt to denounce the
rancho belonging to his wife's family, and
Order of Governor Micheltoreno thereon
D. Conveyance to Temple
E. Judicial Delivery to Temple,
were filed, and reference to pages
167 of transcript from 9 to 16
3 Note of Motion of Claimant & reference to p. 55 & 56

& Motion of U. S. Law Agent to place
the case on trial & set

4 Call & Submission on 28th March 1853
Delivery of Opinion by U. S. Land Com. Apr 11, 1853
& Note of record with reference to p. 57

5, 6, 7 Dep. of Claimant to U. S. Land Commissioners
8 Dep. of Rafael Guirado in proof of his signature
on Doc B, that there was a house & it inhabi-
-ted also, that the Ranch was not claimed
by any Mission

9 10 } Dep. of Don Abel Stearns in proof
& 14 } of signatures appearing on Docs A, B, C, D & E
& that there was a house on the Ranch
in 1833 & that it was inhabited &c
also that the same was not to his
knowledge claimed by any Mission

11 12 Dep. of Don Manuel Tequena in
proof of Signatures of Docs. A, B, C, D & E.

15 Dep. of William Wolfskill in proof
of signature & that the Mission did not
to his knowledge claim the land

16 17 Dep. of Narciso Botella concerning
his own & Don Manuel Dominguez signature
on Doc C.

13th Deposition of Antonio F. Coronel
in proof of his signatures on Docs. -
C, D & E, & that they were made before him
while in the execution of his official
duties as Alcalde of Los Angeles

17 SD
PAGE 164

From

388538 Copies of Spanish Documents
A. B. C. D & E.

38854 Translations of Documents
A. B. C. D & E.

53 Motion of claimant asking certified
copies of Docs, A. B. C. D & E.

57958 Opinion and Decree of the U. S.
Land Commissioners, confirm-
ing the claim

17 SD
PAGE 165

Proceedings before U. S. Dist. Court

Filing of Transcript 27th June
1854

Notice of Appeal by Atty. Genl.
Nov 7, 1854

Petition for review filed Dec. 21, 1854

Petition for review served Feb 7
24th 1855

Answer filed March 6 1855

Copy of Answer served March 21st 1855

Motion to take further evidence
- by Claimant & for postponement
with aff - April 12 1833

Appidavit of Claimant con-
-cerning naturalization filed 29th
Sept. 1833 -

Deposition of George Trice
- taken on the 29th of Sept. 1833

Certified trace of Decrees & extract from
Decree of Governor ~~Macdonald~~ ^{Figueron} in
reference to partition of the Puerto Rancho
&c together with translation filed
1st 7 October ~~18~~ 1833

Certified trace from local
Archives & Translation filed Oct
1st 1833

Deposition of Don Abel Torres
filed Oct 10th 1833

Notice for hearing on 19th of
Oct by U. S. Dist Atty.

Deposition of Leonardo Cota taken
Oct 13th proving signatures of documents
Marked Exhibits F. G. A. P. J. K. & filed same
date - with translations

Claimant Appella in
the above entitled cause
relies

Firstly, Upon the grant
(Doc A) made to Doña Manuela Nieto of date
May 24th 1834 by "Brigadier General
Jose Figueroa Political Chief of
California" declaring that, the grantee
having had her right in the estate of
her deceased father allowed, taking
into consideration the long & peaceable pos-
-session which she had had, reciting the
boundaries, and that every prerequisite
required by the laws, ^{or regulations} had been complied
with; & that in the exercise of the
powers conferred on him, by (or on
account of) the decree of the 27th of July
of the preceding year (concerning
the distribution of the estate of Manuel Nieto) -
with entire conformity with the
provisions of the laws & regulations
by that document declared the
property of the place to be hers -
subject to conditions, and that she
should be put in possession of it -

17 SD
PAGE 167

This grant, as it recites, ~~was~~
"Por decreto del ano anterior" was issued in
conformity with the decree of the said
Gov^r Figueroa concerning the partition of the
Nieto Tranche of date July 27th 1833 which
recognizes the right of the heirs of Manuel Nieto
and decrees to them (including Manuela Nieto the

granted in this case) a provisional title to serve till he could arrive at the Capital where he would issue the titles (proper) which title in this case was ordered to be despatched in Decr 1833 by Gov. Figueroa, in conformity with which on the 22^d of May 1834 the Title was issued with some conditions all of which were subsequent - Certified trace from the archives, accompanying diseño, & Doc. A both on file in this case

17 SD
PAGE 1688

That the conditions were subsequent, and have been complied with so far as they had force, reference is hereby made to the decision of the Supreme Court of the U. S. States in case No 72. John Charles Fremont, Appellant vs United States, - Appellee - and that the house was built & inhabited, the Deposition of Don Abel Stern on file in the case, of 23^d of Sept 1853 et al, that judicial possession was given to B, & its proofs, as well as, the Deposition of Don Abel Stern concerning the same taken before this Court - and that the condition restraining sale, was informal and of no force, see opinion in case 72 heretofore cited.

It will be observed that the grant has no condition requiring the Approval of the Departmental Assembly and further, that the order of Governor

Micheltorero, made at the instance
of Guillermo Cota (husband of the granted) at
at a time when certain parties wished to
denounce the Rancho Los Carritos, virtually
amounting (considering the character of Governor Manuel
Micheltorero's mission and powers) to an approval
and confirmation by the Supreme Government of
Mexico Document A together with Document
C. with order of Governor Micheltorero annexed of date
July 7th 1843

Secondly, for that the Appellee
in this cause, was a Naturalized Citizen
of Mexico and competent to purchase,
citation is made to the Depositions of
George Rice and Abel Sterns on file in
this case; and that he had acquired it legally,
to a certified trace of proceedings before the
Inspector (upon a reapplication made under the
law of the 11th of March 1842 for a letter of
naturalization (which by some means had never
yet come to his possession) in connection with last
Deposition of Abel Sterns showing that the
appellee could have owned no other Rancho in
this jurisdiction, than the Los Carritos
3^d "Naturalization has a retroactive
effect and confirms a former title"
Jackson ex dem. Culverhouse against Black
2^d Ed. of Johnsons Cases Vol. 1 page 399.

174 Thirdly Upon, the transfer
from the heirs of the grantee, to
the Appellee in this cause, made on
the 16th of December 1843, and
judicial delivery of the 26th of same
month. Documents D & E, on file
in this cause, as also exhibits A, G, H,
I & K filed on the 13th of Oct 1835

17 SD
PAGE 170

No 17

Juan Temple
Appellant
ad
United States
Appellant

Los Cerritos

Appellus Brief

Filed Oct. 13th 1855
D. C. Cancl^r
R. W. Hoop Dep

175

17 SD

PAGE 171

Inan Temple, appie

vs.

No 17.

The United States, applt. } Los Cerritos.

Deposition of Leonardo Cota, a witness on the part of Appellee, taken before me Charles C. Carr. U.S. Commissioner for the Southern District of California at Los Angeles on this 15th day of Oct. A.D. 1885. To be read in evidence on the trial of this cause. Present P. Ord. U.S. atty. Henry Hancock atty for Appellee. Leonardo Cota being duly sworn, in answer to questions of Counsel, states as follows

17 SD
PAGE 172

Ques.

What is your name age, & place of residence

Ans.

My name is Leonardo Cota, my age 37 years, residence in County of San Bernardino

Ques.

Do you know the signatures of Manuel Dominguez, Francisco J. Alvarado, Samuel Carpenter, Abel Stearns, Felipe Lugo.

Ans.

I have seen them sign their names, and I know their signatures.

Ques.

Look at the Document here shown you marked "Exhibit A. J. S. J. S. Com." purporting to be a document concerning the Sale of the Cerritos, and say whether the signatures which they appear therein together with your own are genuine or not.

Ans.

I believe them all to be genuine. I know them to be genuine.

Ques.

Look at the document here shown you marked "Exhibit G. f. & f. Astor." purporting to relate to the sale of the Ceritos, and state whether the signatures of Guillermo Cota, Francisco J. Alvarado, Samuel Carpenter, Manuel Dominguez and Santiago Johnson together with your own ~~and~~ where they appear in said document are genuine or not.

17 SD

PAGE 173

Ans.

I pronounce them to be genuine.

Ques.

Look at the document now shown you marked "Exhibit H. f. & f. Astor." purporting to relate to the sale of the Rancho of Los Ceritos, and state whether you know the signatures of Guillermo Cota, Francisco J. Alvarado, Manuel Dominguez, Rafael Gaillardo, Cipriano Aguilar & Alejandro Bell, and state whether those signatures where they appear in said document are genuine or not.

Ans.

I know their signatures, and pronounce those in said document to be genuine.

Ques.

Look at the document here shown you marked "Exhibit I. f. & f. Astor." purporting to relate to the sale of the Rancho Los Ceritos, and state whether you know the signatures of Demetrio Villa, Samuel Carpenter, Manuel Dominguez, Pascual

I. Alvarado, and whether your own
with theirs as they appear said document
are genuine or not.

Ans. I know them. They are all genuine.

Leonardo Cota

17 SD
PAGE 174

Ques: Look at the document here shown you
marked Exhibit J. N. 1, purporting to
relate to the sale of the Rancho Los Cerritos
& state whether you know the signatures of
Guillermo Cota, Felipe Lugo & Rafael Gallardo
and state whether those signatures, when they
appear in said document, are genuine or
not.

Ans: I know their signatures, and pronounce
those in said document to be genuine.

Ques. Look at the document here shown you
marked Exhibit K. N. 2, purporting to relate
to the sale of the Rancho Los Cerritos & state
whether you know the signatures of Santiago
Atkinson, Leonardo Cota, & Juan Diego Padilla
and state whether those signatures, when they
appear in said document, are genuine or not.

Ans: I know these signatures. They are genuine.
I swore to & subscribed
this 13th day of Oct. 1855.

Leonardo Cota

C. E. Carr
U.S. Commr

No 17.

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

Iran Temple, appellee

vs.

The United States, Appellant.

—

Reposition of Nevada Co. by
another for Appellee.

179

Filed Oct 13th 1855.

17 SD
PAGE 175

C. E. Carr
Ck.

Juan Temple Appellee
ad } Rancho
United States Appellant } Los Cerritos

United States Dist. Court
for the Southern District
of California

~~This may certify that~~ It is hereby stipulated and
agreed by the undersigned District Attorney
of the United States for and on the part
of the United States ^{and Henry Hancock, Atty for Juan Temple Appellee} ~~that it is a matter~~
~~of the U.S.~~ that the ^{said} Appellee in the above en-
-titled cause that Juan Temple is a
native born citizen of the Republic
of the United States of America

P. O. M.
U. S. Dist. Atty.
for the Southern Dist. of Cal.
Henry Hancock
Atty of Appellee

No 17

West Coast
South West California

John Temple
appellee

^{vs}
The United States
appellant

Deportation

Filed Aug 17 1856

J. E. Hau CLK
by C. W. Ingou & Co

181 17 SD
PAGE 177

[Handwritten mark]

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

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

17 SD
PAGE 178

Juan Temple

.....
APPELLEE,
VS.
UNITED STATES,
APPELLANT.

} No. *17*.
(No. *357* 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 *28* day of *February* A. D. 1856.

P. Ord.
Dist. Ct.

No 1st

U.S. District Court
Southern District of California

Juan Temple
appellee

vs
The United States
appellants

Court of Appeal S.C.

Filed May 15 1830

C. Egan cler

185

By Robinson Depy

17 SD

PAGE 179

Juan Temple Appellee } No 17
vs } "Los Corritos"
United States Appellant }

United States District Court for the Southern District of
California

This cause coming on to be heard at a
Regular Term of this Court on an appeal from the
decision of the Commissioners to ascertain and settle private land
claims in the State of California, under the act of Congress
approved on the 3^d of March 1851 upon the Transcript of the
decision and proceedings and the papers and evidence on which
said decision was founded, together with such further evidence
as has been taken by this court, and it appearing that said
Transcript has been filed according to law, and counsel for
the respective parties having been heard, It is ordered and
adjudged and decreed that the decision of the said Com-
missioners be affirmed, and that the claim of the said
Juan Temple Appellee herein to the land described in
the grant in this case, is a good and valid claim, and
the same is hereby confirmed to the extent of five leagues
according to the Judicial Possession given of the said
land Provided that the said quantity be contained within
the limits called for in the said grant, but if there be
less than the said named quantity, then the claim of
the said Appellee to the said less quantity is confirmed

David S. Ogden
U S Dist Judge

No 17.

U.S. Dist. Court
Fifth Dist of Cal.

John Temple
appellee
vs
The United States
appellant.

Recd

17 SD
PAGE 181

Filed Mch 4th 1856

C. E. Law Clerk

183

by Morgan Deputy

Recorded on Page 247

In the District Court of the United States for the Southern Dist of California
Over Term 1856

17 SD
PAGE 182

Before Hon E. S. R. Ogier
Judge

Juan Sanchez Appellee }
vs } No 17
United States Appellant } Term N. 351.

The Attorney General of the United States
having informed by letter that the
appeal to the Supreme Court of the
United States will not be prosecuted
by the United States in this cause
and a stipulation having been entered
into by the District Attorney for vacating
the order granting an appeal to
the Supreme Court of the United States
and for leave to the Claimant to ~~file~~
proceed under the ^{of this Court} decree heretofore
und^{er} _{in his favor} as a final decree.

On Motion of the United States Dist
Attorney It is ^{adjudged} ~~adjudged~~ ^{and decreed} ~~and decreed~~
and decreed that the ^{judgment made} order granting
an appeal in this case to the Supreme
Court of the United States be annul'd
the same is hereby vacated, and
the Claimant hereafter to proceed under
the decree of this Court heretofore und^{er}
in his favor as a final decree.

No 19

Order to dismiss appeal

Filed Jan 18th 1857
G. W. Jones
clerk

California Land Claims.

Attorney General's Office

29 September 1856.

17 SD
PAGE 184

Sir:

In the case of the claim of Juan Temple, confirmed to the claimant by the Commission, case no. three hundred and fifty-one (351), and also confirmed on appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am

Respectfully

Cushing

J. Ord Esq

U. S. Attorney

Los Angeles.

17

Juan Temple

331

Letter of entry land

17 SD

PAGE 185

Filed July 12th 1837
C. J. Jones
Clerk

189

Recd Nov 4 1836

In the United States Dist Court
for the Southern Dist. of Cal.

Decr Jan 1836

John Temple Appellee
vs

United States Appellant } No. 77
} Term No. 357

17 SD
PAGE 186

In pursuance of a letter from the
Attorney General of the United States
herewith annexed, saying that it is
not the intention of the United States
to prosecute an appeal in said cause
It is hereby stipulated by and between
the parties that an order be entered
of record in this cause vacating
the order of appeal heretofore
granted and that the claimant here
leave to proceed under the decree of
this Court heretofore rendered in
his favor as a final decree
Los Angeles

July 12 1836

P. D. W.
Dist. Atty.

U.S. Dist. Atty.
Henry Hancock
Atty for Claimant

Ar 19

Manipulation of Rates

Filed Aug 15th 1859

Charles
Clark

187

17 SD

PAGE 187

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

TO

The President of the United States,

Juan Temple.

17 SD

PAGE 188

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 *Twenty first* day of *December* in the year of our Lord one thousand eight hundred and fifty-*four* at the City and County of Los Angeles, in said District, by

Pacificus Ord, Attorney of the United States for the Southern District of California, in behalf of the United States, praying the said Court to review upon the grounds therein set forth, the decision of final confirmation of the Commissioners to ascertain and settle the private land claims in the State of California, of the claim of Juan Temple for a tract of land called Los Corritos, in the County of Los Angeles, California, to the extent of about five leagues, which said claim was presented by your petition to said Commissioners on or about the 21st day of September, A.D. 1852, and by them confirmed on or about the 11th day of April A.D. 1853.

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

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

J. E. Farr,
Clerk.

Marshal's Cost
 Copying Summons 1,20
 four papers 4,00
 serving summons 4,00
 in petition 4,00
 \$9,20

No 17
 PD Feb 24 1855

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

Juan Temple
 Advt. ^{357c}
 of the United States.

SUMMONS.
 Received July 12, 1855
 Edward Hunter
 U. S. Marshal

71 17 SD
 PAGE 189

I served this summons along with the proper copy of the petition upon *Henry Hancock*
Attorney of Juan Temple by leaving with him
 personally a true copy of the same in
 the county of Los Angeles

at *the city of Los Angeles*
 the *twenty fourth* day of *February* in the Southern District of California on
 A. D. 185 *five*

Sworn to and subscribed before me, *this 25th*
day of Feb'y 1855. *J. E. Farr.* Clerk.

Edward Hunter
 Marshal

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 first day of Sept^r
Anno Domini One Thousand Eight Hundred and Fifty Two,
before the Commissioners to ascertain and settle the Private Land
Claims in the State of California, sitting as a Board in the City
of San-Francisco, in the State aforesaid, in the United States
of America, the following Proceedings were had, to wit;

The Petition of Juan Temple for the Place named
"Los Ferridos" was presented, and ordered to be filed and
docteted with No. 351. and is as follows, to wit;

(Vide page 5 of this Transcript.)

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

Los Angeles Sept^r 22nd 1852
In Case No. 351 Juan Temple for the Place
named "Los Ferridos" the deposition of Abel Stearns a wit-
ness in behalf of the Claimant taken before Commissioner
Harry J. Thornton with accompanying documents marked
A.B.C.D. & E. was filed and is in the words and figures
as follows, to wit;

(Vide Page 9 of this Transcript)

In the same case the deposition of Manuel Requena
a witness in behalf of the Claimant taken before Harry J.
Thornton was filed, and is in the words and figures as
follows, to wit;

(Vide Page 11 of this Transcript)