

CASE No.

33

SOUTHERN DISTRICT

POTRERO DE FELIPE LUGO GRANT

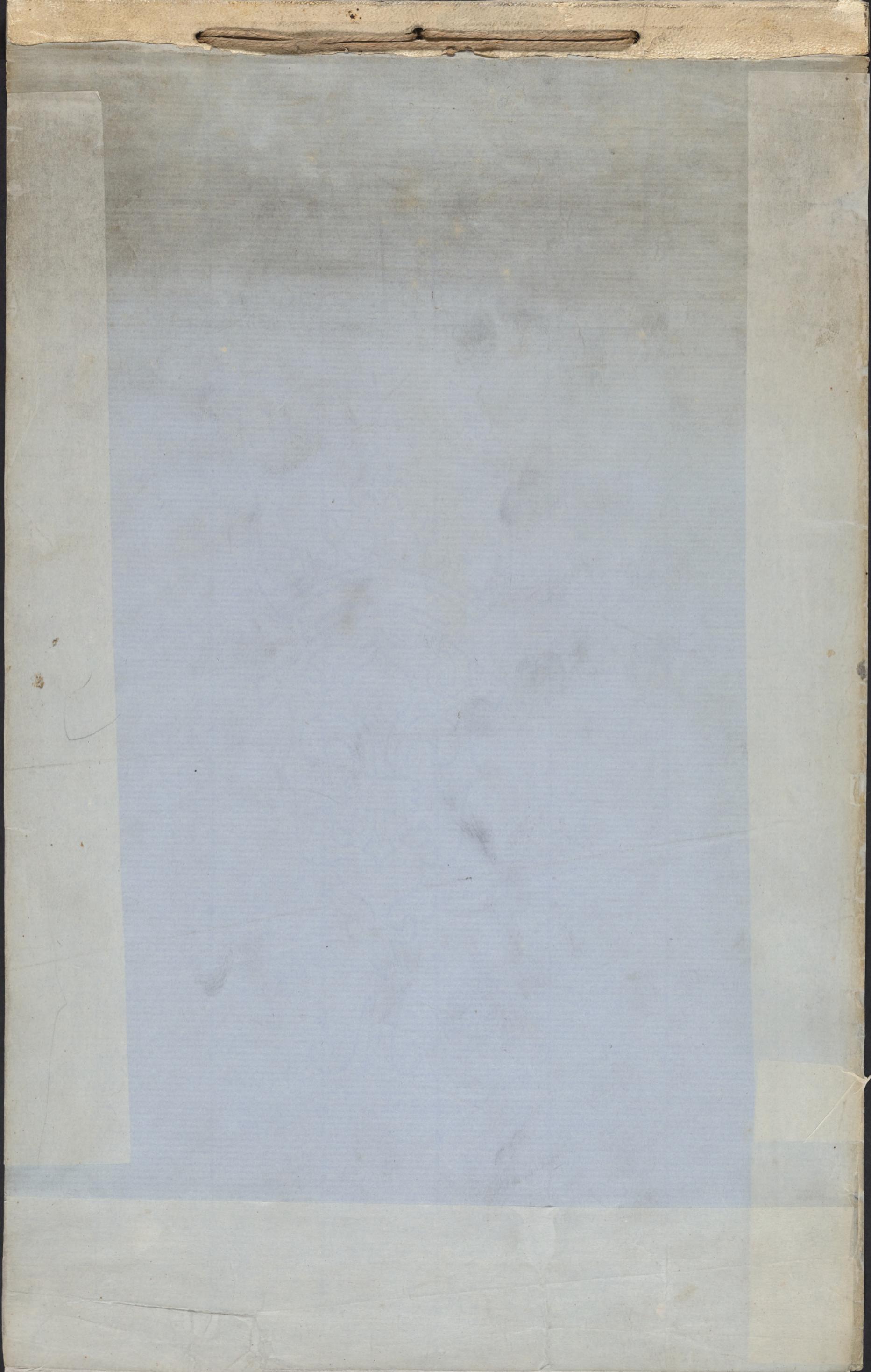
GEORGE MORILLO AND MARIA V. ROMERO

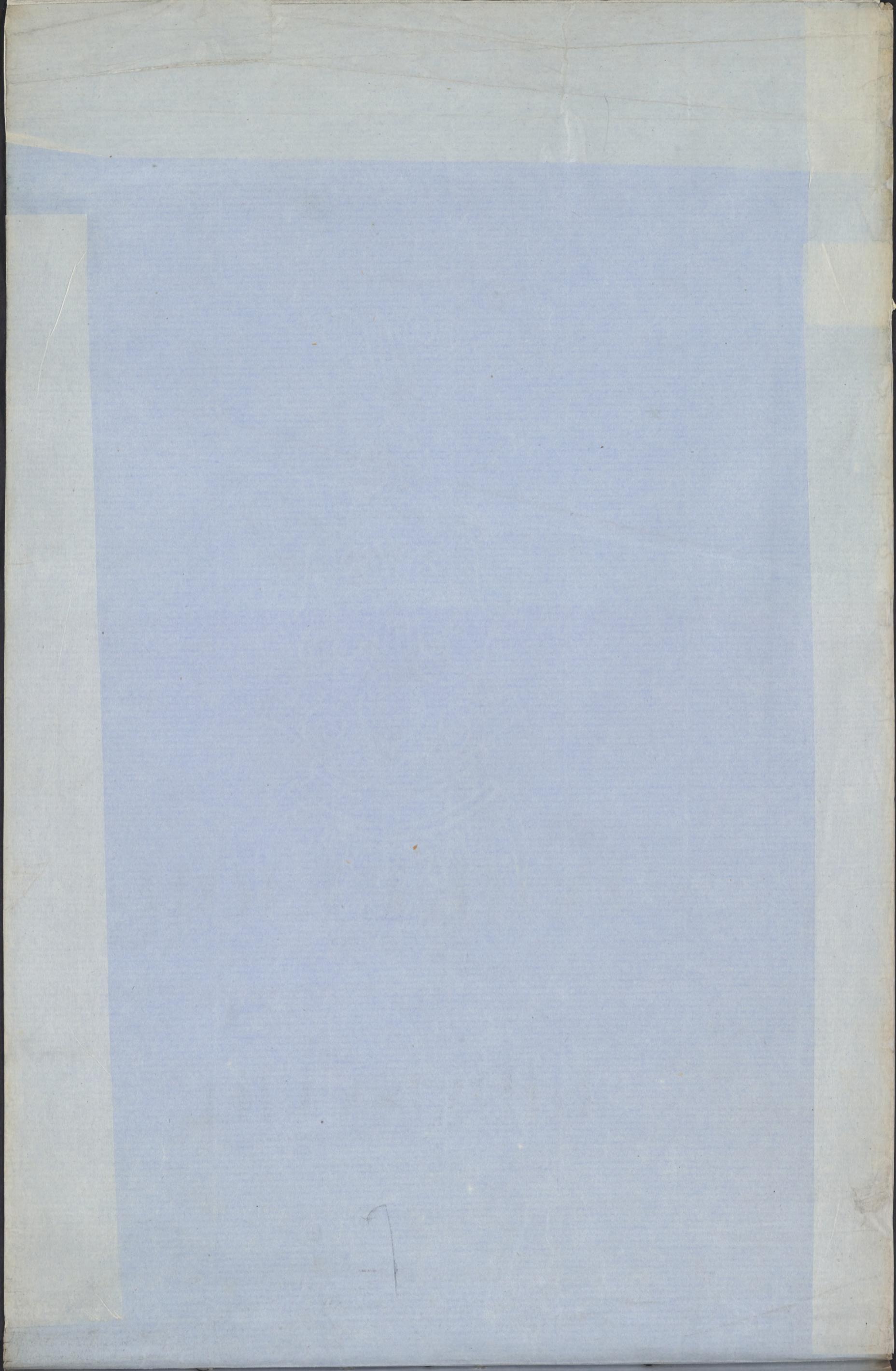
CLAIMANT

LAND CASE 33 SD PAGES 82

FEB 13 1963

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TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 432

*George Morillo & 3
Maria V. Romero 3*

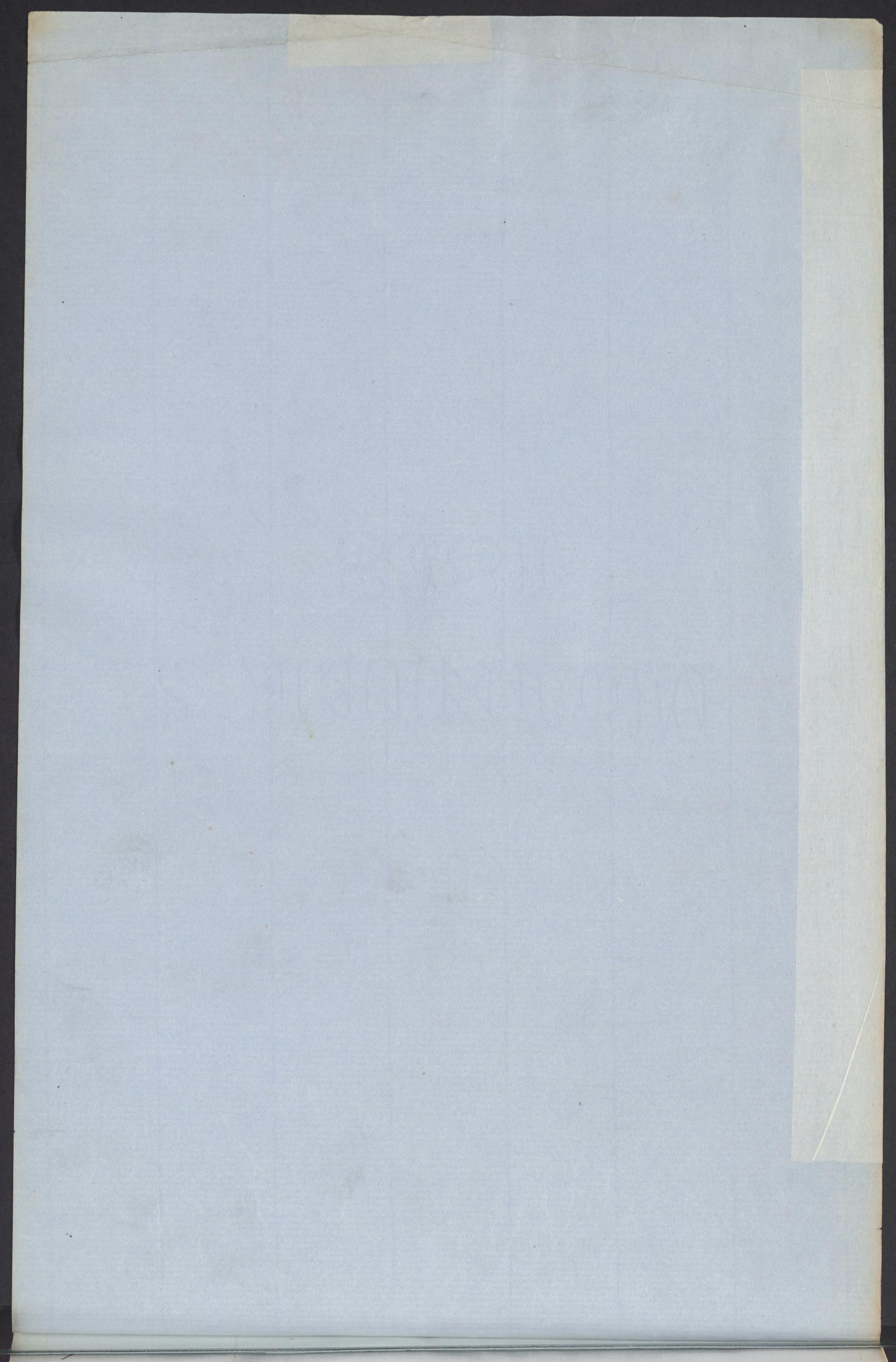
CLAIMANT S.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Potrero de Felipe Lugo"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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PAGE 2

Be it Remembered, that on this *First day of November*, 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 *George Morillo and Maria V. Romero* for the Place named "*Potrero de Felipe Ingo*" was presented, and ordered to be filed and docketed with No. 432, and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

Los Angeles November 21st 1852.
In Case no. 432 *George Morillo et al.* for the place named "*Potrero de Felipe Ingo*," the deposition of *Augusto Reid*, a witness in behalf of the Claimants, taken before Commissioner *William Hall* with documents marked *A. N. Nos 1 & 2*, and translations thereof marked *B & D* annexed thereto was filed;
(vide page 5 of this Transcript)

San Francisco Aug. 18th 1853.
Case no. 432 (*Geo. Morillo et al.*) called: The Counsel for the Claimants read the evidence; Argued, submitted and taken under advisement;

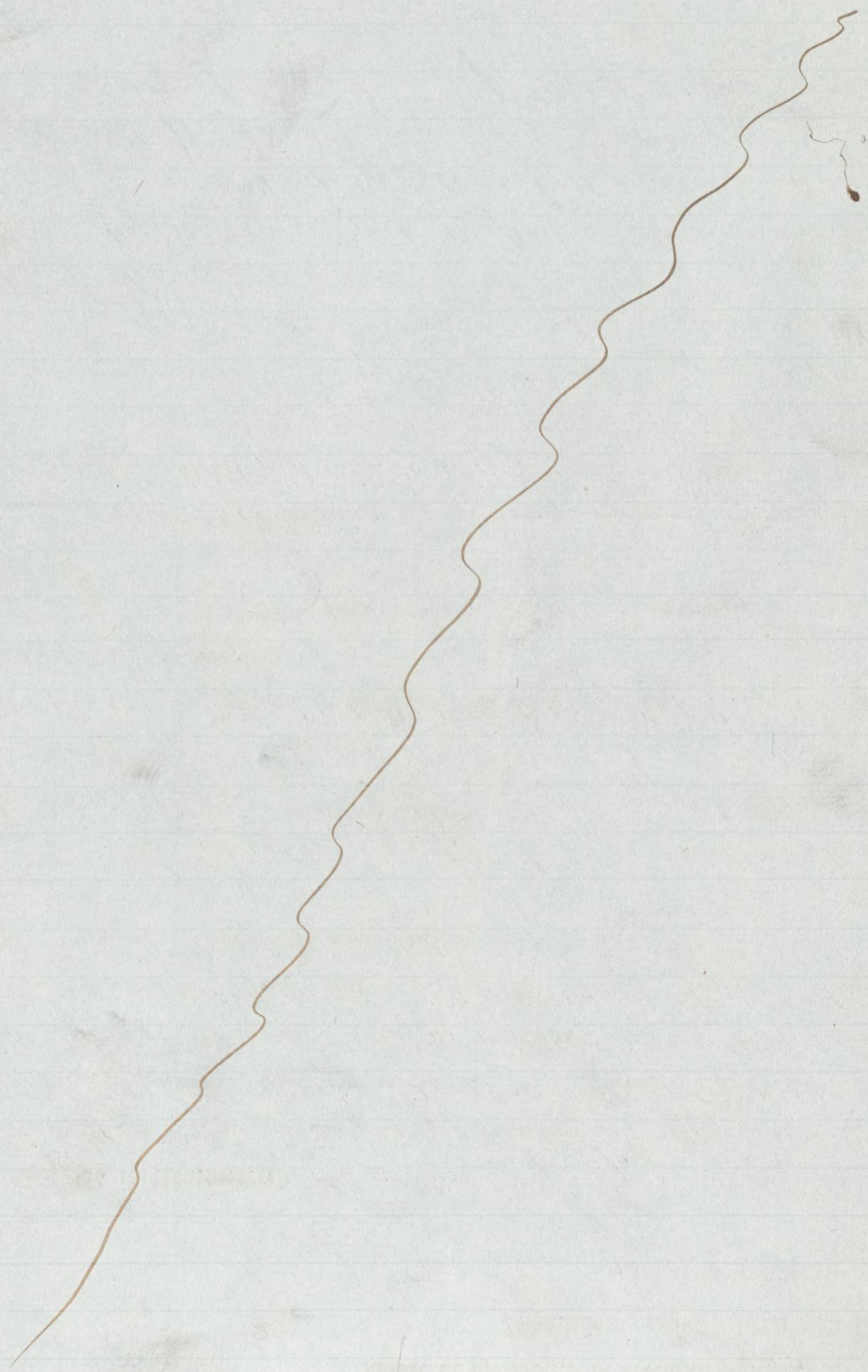
2

San Francisco Oct. 11th 1853.

In Case No. 432 George Munro & Co for the sum
named "Portion de Sûreté" Commissioners
Thompson Campbell delivered the opinion of the
Board, confirming the claim.

(See page 30 of this Fragment)

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PAGE 3



To the Hon. the Board of the U S Land Com-
missioners appointed to settle private land claims
in California

Petition

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PAGE 4

The petition of Jorge Novillo &
María Neudugo Romero respectfully sheweth
That on or about the 18th day of April AD 1845
Pío Pico then Governor of California, in the name
of the Mexican Nation by virtue of the laws
then in force, the customs & usages of the coun-
try affecting grants of land in California
granted in full property unto the said
Jorge Novillo one of your petitioners &odoro
Romero the husband of the other of your
petitioners the tract of land known by the
name of Potrón de Felipe Lugo and more
particularly described in the Patent Maps
relating to the grant of said lands copies
of said papers being herewith filed as
part of this petition as well as the record
of papers & maps relating to the grant of
said lands now in the custody of the
U S General for California
Copies of said papers & maps so soon as the
same can be obtained your petitioners pray
leave to file as part of this petition
and your petitioners further shew that
they are informed & believe the said grant
was duly approved by the Departmental Assembly
of California
And your petitioners further shew that juridi-
cal possession was given of said lands by
the proper officer having jurisdiction of
that subject matter as is more at large
set forth in a copy of an official paper
herewith filed as part of this petition, that
said original paper is now in the hands
of your petitioners ready to be produced
& proven as your Hon. Board shall direct

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PAGE 5

and your petitioners further show that
 in or about the year ad the said Teodoro
 Romero departed this life leaving him
 surviving the said Maria Perdomo Romero
 his wife & one of your petitioners & five chil-
 dren to wit Domingo Romero Jose Jesus Romero
 Maria Epitania Romero Juana Maria Romero
 & Maria Victoria Romero, that by the last
 will & testament of the said Teodoro Romero
 the said tract of land hereby claimed
 was left to the said Maria Perdomo Romero
 his wife during her life & the remainder to
 his five children in interest & names
 & set forth a copy of said testament being
 herewith filed as part of this petition

And your petitioners further show that from
 about the date of said grant the said Jose
 Vicente & Teodoro Romero took peaceable
 & quiet possession of said lands & they
 & their families have ever since then &
 now have the peaceable & quiet possession
 & occupation of all of said lands

There is no conflicting claim to known
 to your petitioners, the said lands have not
 been surveyed by the U.S. Surveyor General
 for California

In view of the foregoing facts your
 petitioners pray that the title to said lands may
 be confirmed to your petitioners by this Hon-
 orable Board. The evidence upon which your petitioners
 rely in this case are the records of this grant, papers
 & maps in the custody of the U.S. Surveyor General
 for California & require papers in the hands of your
 petitioners & ready to be produced & proven & the testi-
 mony of witnesses to be produced before your Hon-
 orable Board. Respectfully submitted for such action as the
 Justice & nature of the claim may require

Filed in office of } E.O. Crosby
 300 1852 J. Fisher Secy } of course for claimants

f

Los Angeles Nov 4th 1832

Deposition
of Hugo Reid

On this day before Com H Hice came
Hugo Reid a witness in behalf of the claim
ants Jorge Morillo + Maria A Romero pet
ition No 432 + was duly sworn his evidence
being given in English

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PAGE 6

The U.S. Associate Law agent was present
In answer to inquiries by counsel for the cla
- vivants the witness testified as follows

My name Hugo Reid my age is forty one years
at San Gabriel in the county of Los Angeles
I have resided nineteen years in California

I am acquainted with the hand writing +
signatures of Pio Pico Juan Bandune Ben
- to Sanchez Ignacio Coronel Manuel Sep
- ulveda

A paper is now shown me purporting to be a
grant to Jorge Morillo of land called Petron
de Felipe Lugo dated April 18 1845 to which
is attached a testimonial of judicial posses
- sion given in August 1845. The signatures of
the said several persons appearing on said
paper, I believe to be genuine. Said paper
is herewith annexed + marked H H No 1

I am acquainted with the hand writing
+ signatures of Francisco J. Almonar Louis
Jordens Barulo Pally Amante Moraga
Juan Bonet Benwardino Lopez + Jose Lopez
A paper purporting to be the wife of Teodoro
Romero dated Dec: 16th 1846 is now shown
me. The signatures of the said several
persons appearing on said paper I believe
to be genuine

Said paper is herewith annexed + marked
H H No 2

9

I am acquainted with the rancho before named, It is situated about four miles from San Sabrie where I reside, It has been occupied by Roman Monillo ever since it was granted them, It is now occupied by Monillo & the widow of Roman they built a house on the land within a year after the grant & lived on it and stock on it & have cultivated the land

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In answer to enquiries by the associate land agents the witness says he knows of no opposing claim to the land

Henry Reid

Sworn & subscribed before me

Helena Hull

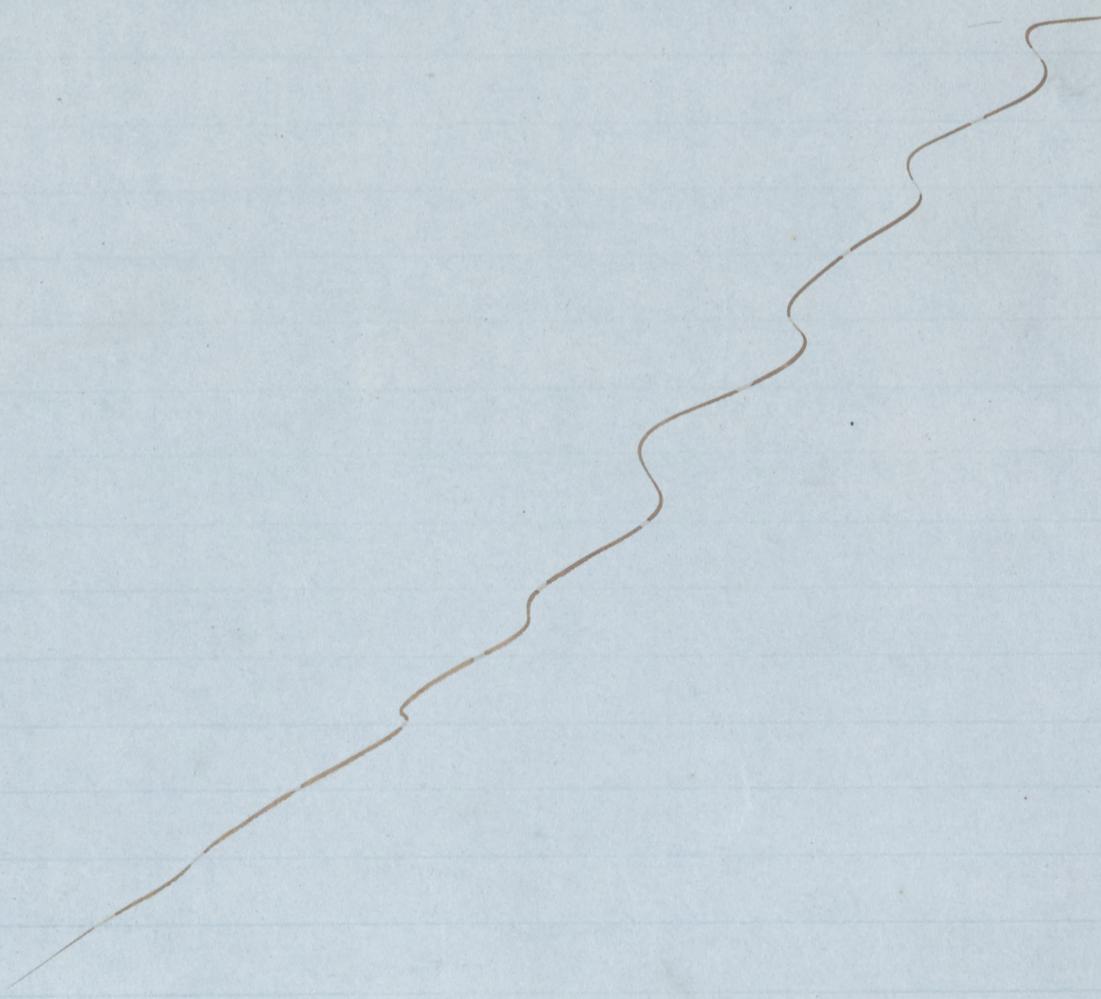
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130.

Filed in office Nov 4th 1832

Geo Fisher

Deey



7

1 L. 10.

1845

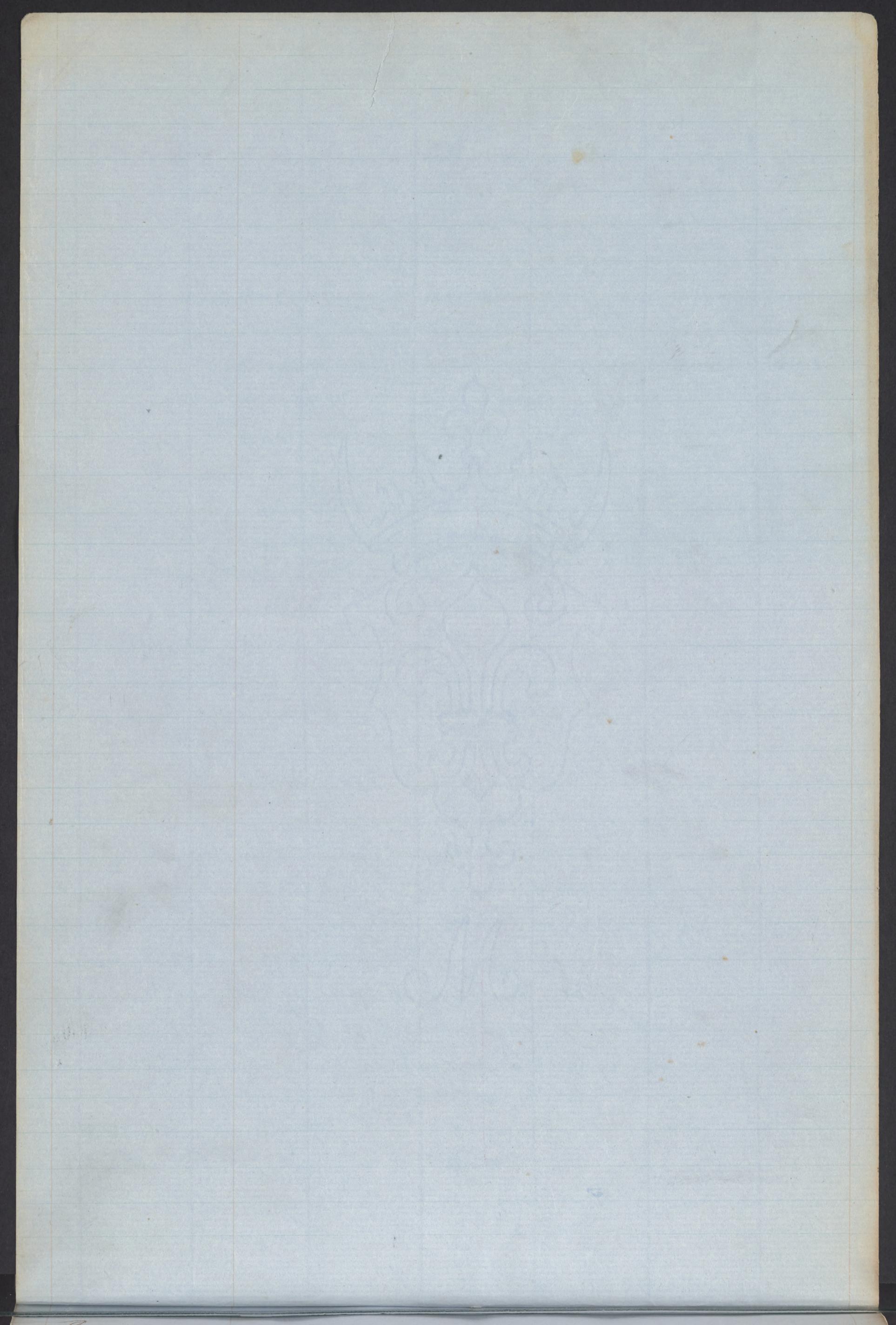
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Expediente promovido p^r Jorge
Morillo y Teodoro Romero en pre-
tension de un Terreno de la Misión
de S.^a Gabriel.

San

444

San



8

2. S. A. K.

Exmo. S. Gobernador del Departamento.

Angels Marzo 17 de 1845.

Informe el R. P. Minis Jorge Morillo yodoro Romero de S. Gabriel y uno de este vecindad ante V. E. seguida produccion como mejor ^{con} combenzo parece el Sr. el Mtro. A. nos deciendo: que tenemos ^{en} cantidad de esta algunos bienes de ganado mayor y Cabayada que no tenemos su donde colocarlos, y queriendo al mismo tiempo

Pico.

Angels Abril 8 de 1845.

Devueltose á como importante rano de los intereses p. g. Agricultura pedimos á V. E. acompañen el corrape digno consecarnos un ^{pe-} pondante diseño á duso de terreno que se halla fin de que se les ^{salda} en las pertenencias de puede entender el título mision vieja de S. Gabriel ^{con-} conocido con el nombre de

Pico.

Potro de Felipe Longo y parte de otro potro que es ^{ta} mas abajo de este al

3. S. A. K.

rumbo del Poniente del que se le dió á Srta Caecilia Soto p. el Gobierno anterior poco mas de la mitad, conformandonos en recibir la estencion de terreno q. el R. P. Mtro. de S. Gabriel quiera darnos en el informe que V. E. deba pedirle. Por tanto á V. E. ^{re-}vidand. suplicamos se digna mandar practicar todas las diligencias necesarias para que se nos dé el título de propiedad de lo que recibiremos merced y gracia. Sirbiendose admitirnos esta en papel comun p. no haber del sellado correspondiente.

Angels Mo. 17 de 1845

George Morillo.

Yodoro Romero.

Mision de San Gabriel Mro. 18 de 1845

Excmo. Señor.

4. S. N. C.

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PAGE 10

El terreno que solicitan los Sres. Jorge Morillo y Teodoro Romero no lo ocupan los bienes de la Mision y como tengo conocimiento de que estos Sres. son hombres potros honrados cargados de familia y empuesos p.^a a cultivo de las tierras, pueda V.E. si lo tubiere habien estenderles titulo del terreno siguiente:

Dada la orilla del Rio p.^a el camino real que va de la Puente a S. Gabriel hasta el primer aliso que se encuentra a la mano derecha en un lado del camino, de donde toman el rumbo del poniente encontraron con la Siemga q. queda al Norte del Potrero de Felipe Lugo y pasando p.^a toan la orilla de Sta. Siemga saldrán al otro potrero que esta mas arajo de este lto llegar a una fila de Saucis lindero de la cillería Soto de Puerto q. quedan p.^a linderos al Oriente el Camino de la Puente al Norte la Siemga y el Bosque, al Poniente la fila de Saucis y al Sur el Rio de Cuseu.

J. Tomas Estenaga

Angelos Marzo 31 de 1845.

Dada al Ilustre Ayuntamiento cuenta con la instancia que antecede, se mando pasar a la Comision de Valdios.

Vto Sanchez
pte

Y. Coronel
Escrito.

11

S. D. M.

Al Y. Ayuntamiento.

no. 11

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PAGE 11

La Comision de terrenos á practicados las dili-
gencias respectivas á la beauria del terreno que se
hace mención en el presente merito se alla entre-
ramente baldio, por lo que pone la Comision á
la deliberacion de V.S. el acuerdo siguiente, se les
pueda conceder á los interesados en esta instancia
el terreno que señala el R. P. Fr. Tomas Es-
tunega en su informe.

Aug. 4 de Ab. de 1845.

Cristobal Avistlar. Filipe Lugo.

Aug. 5 de Ab. de 1845.

Dado cuenta al Ilre. Ayuntamiento en sesion
de hoy se aprobó, por lo que podra elevarse á la
Superioridad,

Vto. Sanchez-
Pa.

Y. Coronel
Srio.

Se expedio el titulo respectivos hoy dia de la
fta.

Aug. 17 Abril 18 de 1845.

J. Bancini
Srio.

Queda tomada razon de este en el libro
respectivo

None follows the map

7. S. N. Angeles Mayo 8 de 1846

Dado cuenta en sesion de hoy con este Expediente á la Exma. Asamblea Departamental, se mandó pasar á la Comision de Terrenos Baldios.

Fis. Pico

Presid.^{te}

Agustin Olvera

S. S.

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PAGE 12

E. S.

La Comision de Terrenos Baldios á examinar el presente Exped.^{te} promovido p.^o los C.^o Jorge Morillo y Leonardo Romero del parage Potrero de la Misión Vieja de S. Gab.^l q.^o el Gob.^o Dist.^o les concedió con arreglo á las leyes de la materia, p.^o cuya virtud pone á la deliberacion de V.E. la proposicion siguiente.

8. S. N. C. Jorge Morillo y Leonardo Romero del parage Potrero de la Misión Vieja de S. Gab.^l de p.^o titulo librado con fecha 18 de Abril del año p.^o p.^o conforme á la ley de 18 de Agosto de 1824 y el art. 5.^o del Reglam.^{to} de 21 de Set.^o de 1828.
Sala de Com.^o en la Ciudad de los Anj.^o Mayo 22 de 1846. S. Argiuello.

Angeles Junio 3 de 1846.

En sesion de este dia aprobó la Exma. Asamblea Departamental la proposicion del dictamen anterior.

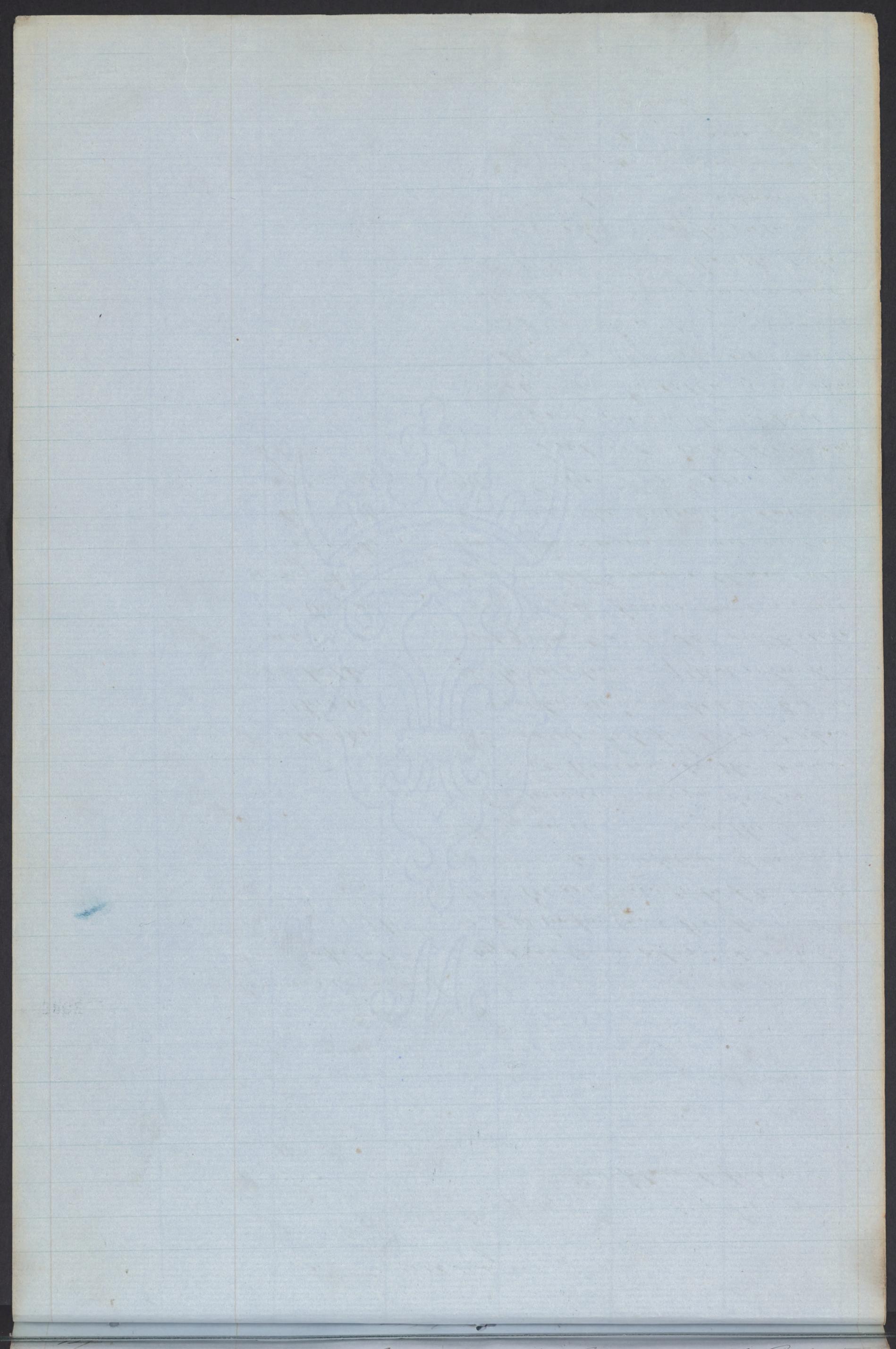
Office of the Surveyor General of the United States for
California.

I Samuel S. King, Surveyor General of the United States for the State of California, and as such having in my Office, and under my charge and control, a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, do hereby certify that the eight preceding and herunto annexed pages of tracing paper numbered from one to eight inclusive, and each of which is verified by my initials (S.S.K.) exhibit true and accurate copies of certain Documents on file and forming part of the said Archives in this Office.

In testimony whereof I have herunto signed my name, and affixed my private seal (not having a seal of Office) at the City of San Francisco, this 23rd day of October 1852.

Saml. S. King
Sur. Gen. Cal.

Filed in Office Aug. 8th 1853.
(Signed) Geo. Fisher,
Secy.



To his Excellency the Governor of the Department

Translation

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PAGE 14

Angels March 17 1845
 We Jorge Morillo + Todoros
 Romanos of this place before you
 Let the Reverend Excellency in the most proper
 Father Minister of form do appear saying that we
 San Gabriel rep own some stock meat cattle +
 out and next let stud + have no place to raise the
 the Illustrious Sire + as we are desirous at
 Common Council of the same time to devote ourselves
 this Capital to agriculture a branch as profitable
 produce thin as it is important We beseech
 report your Excellency to be pleased to
 Pico grant unto us a piece of land
 which we occupy in the premises
 of the Mission vieja de San
 Gabriel known by the name of

Angels April 8. 1845
 Let this be return of another Petition below this one
 men to the peti at the westward of that which
 trons in order was granted to Señora Casilda
 that they accom Lota by the former Government
 -pany the appro being a little more than one
 -pinate sketch half of the same we are content
 so that the title to accept the extent of land
 maybe made which the Rev Father Minister
 out to them of San Gabriel may be pleas
 Pico ed to give us, in the report
 which you Excellency may have
 to ask him. Wherefore we humbly
 beseech your Excellency to deign to
 order the necessary proceedings
 to be taken in order that the title
 of ownership maybe given to us
 whom we shall receive favor + grace
 Replena to admit this on common
 paper there being none of the
 appropriate stamp
 Angels March 17 1845

Jorge Norillo
 Teodoro Romera

Mission of San Gabriel March 31. 1845

Your Excellency

The tract situated

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by the Señores Jorge Norillo & Teodoro Romera is not occupied by any cattle of the Mission & as I have knowledge that these Señores are poor honorable incumbents with family & industrious in cultivating the soil Your Excellency may if you deem proper issue to them the title of the following tract From the bank of the river along the high way that goes from the Puente de San Gabriel to the first Coyamora (aliso) found on the right hand on one side of the road whence a west course will lead into the Swamp that lies north from the Potrero de Felipe Lugo & following along the edge of said Swamp another Potrero is found that lies below this one until reaching a row of willows the boundary of Casilda Sota So that the born runs are to the East the road from the Puente to the North the Swamp & the thicket, West the row of willows & South the river Arroyo

For Thomas Estenega

Angels March 31. 1845

Reported to the Illustrisimo Municipal Council the foregoing petition which was referred to the Comisario on vacant lands

Atte Sanchez President
 J. G. Coronel Secretary ad int

Illustrious Common Council

The committee of public lands has taken the appropriate proceedings concerning the viewing of the tract mentioned in the present writing. It is entirely unoccupied. Wherefore the Counsellor submits to the deliberation of Your Honor the following article: The tract designated by the Rev Father Fr. Tomas Estenaga in his report may be granted to the parties to this petition.

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Angeles April 4 1845

Cristobal Aguilar Felipe Lugo

Angeles April 5th 1845

The foregoing was submitted to the Illustrious Municipal Council in session of to day and approved. Wherefore it may be forwarded to the Government.

Atc Sanchez President
Joaquin Leonel Secy.

The area to the premises in question was seen on this day.

Angeles April 18 1845

J. Bandini Secy.

This title is entered of record in the appropriate Book.

Angeles May 8 1846

In session of to day these minutes of proceedings were submitted to the Most Excellent the Departmental Assembly, the matter was referred to the committee on waste lands.

Pi Pi's President
Agustin Olvera L. S.

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Your Excellency

The Committee on waste
lands has examined these present Minutes
of proceedings instituted upon the Motion
of the citizens Jorge Morillo & Teodoro
Nomen of the tract Potreros de la Mission
vieja de San Gabriel which the Departmen-
tal Government granted them in accordance
with the laws affecting the matter where
fore it submits to the deliberation of your
Excellency the following resolution

Approve the grant made to the citizens
Jorge Morillo & Teodoro Nomen of the tract
Potreros de la Mission vieja de San Gabriel
by title dated 15. June of last year con-
formably to the Law of August 15. 1824
& Art 5 of the Regulation of November 21
1828

Committee Rooms at the
City of Los Angeles May 22 1846 } P. Aguielles

Angels June 3 1846

In session of to day the
Most Excellent the Departmental assembly
has approved the resolution of the fore-
going report

175-

Filed in Office Aug 8 1853

Geo Fisher Secy

18

Doc. N.º N.º 1

—
Possession

—
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Possession del Potrero

de

Felipe Lugo,

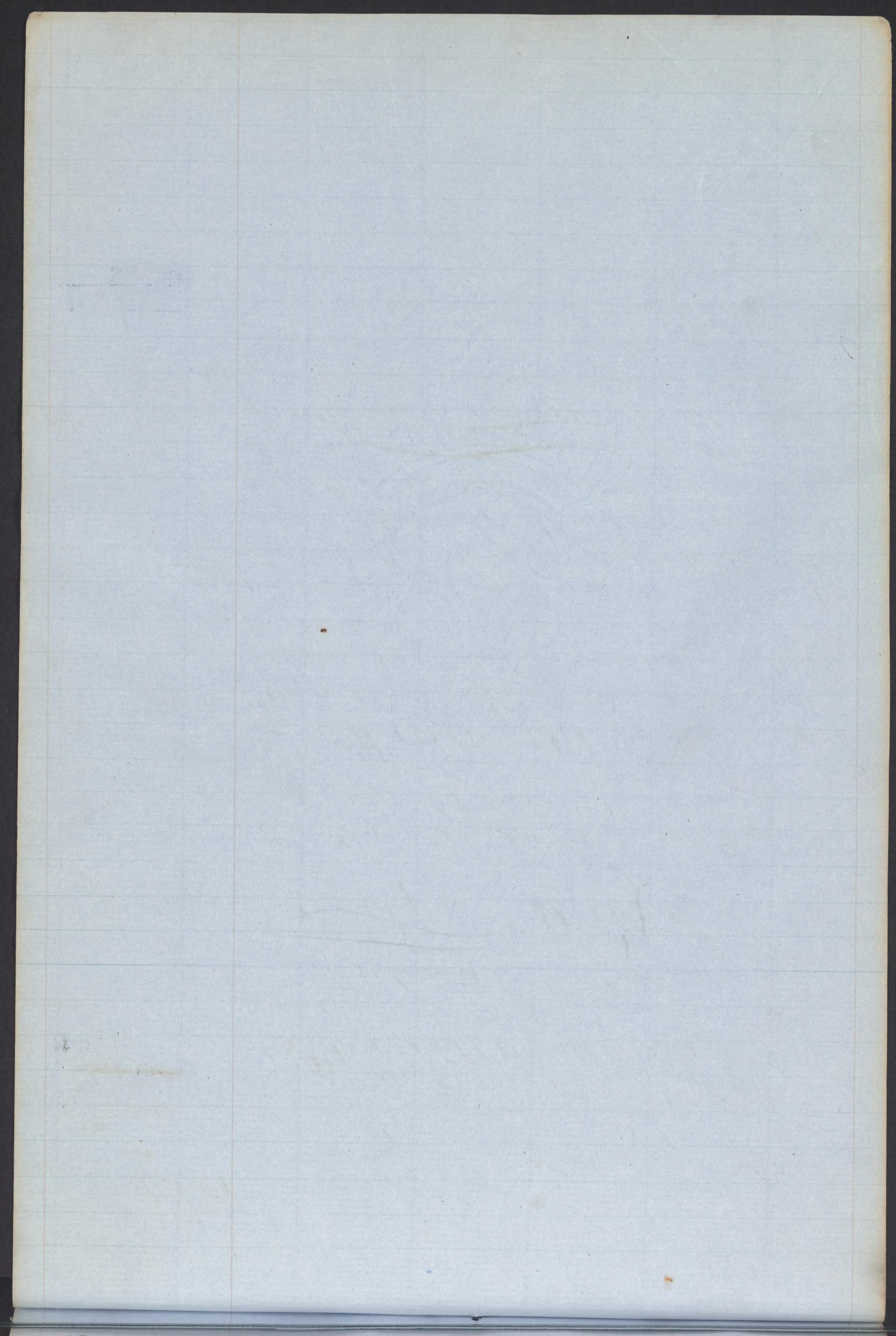
en la

Mision Vieja.

Año de 1845—

A decorative flourish consisting of a large, stylized letter 'L' with a long horizontal stroke and a vertical stroke that curves into a series of loops and a wavy tail.

25 f.



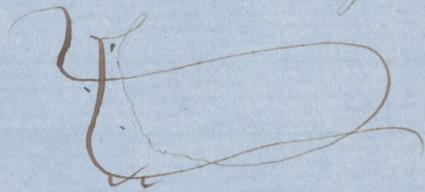
N. N. N. 1

Sello Segundo Cuatro Pesos.

Habilitado provisionalmente por la Aduana
Marítima del Puerto de Monterey, en el
Departamento de las Californias, para los
años de mil ochocientos cuarenta y cuatro
y mil ochocientos cuarenta y cinco.

Micheltorina

Pablo de la Guerra

Pío Pico Gobernador interino del Departa-
mento de Californias.

Por cuanto George Morillo y Ferrero
Romero han pretendido para su beneficio
personal y el de sus familias un terreno
en la cercanias de la Misión Vieja de
S. Gabriel conocido con el nombre de po-
turo de Felipe Luzo y parte de otro al
rumbo del poniente que se adjudico a Se-
ñora Casilda Soto segun se demarca en
el diseño que acompaño á su solicitud
practicadas previamente las diligencias
y averiguaciones consiguientes segun lo
dispuesto por leyes y reglamentos de la
materia usando de las facultades que
me son conferidas á nombre de la Na-
cion Mexicana he venido en concederles
el terreno mencionado declarandolos la
propiedad de él por las presentes letras
de conformidad con las leyes y con en-
tera sujecion á la aprobacion de la Ex-
ma. Asamblea Departamental y bajo

las condiciones siguientes.

1.^a Podrán cercar el terreno que se les adjudica sin perjudicar las travesías caminos y servidumbres; lo disfrutarán libre y exclusivamente destinándolo al uso y cultivo que mas les acomode; pero dentro de un año lo tendrán ocupado con casa habitada y bienes semovientes.

2.^a Cuando se les confirme la propiedad solicitarán del Juez respectivo les dé la posesión jurídica en virtud de este Despacho por el cual se demarcarán los linderos poniendo las mojones necesarias.

3.^a El terreno de que se hace donación es puramente de de la orilla del arroyo por el camino real que va de la Puente a S.^m Gabriel hasta el primer aliso que se encuentra á la mano derecha en un lado del camino que contiene poco mas ó menos mil varas y de la Ciénega del potrero de Felipe Lugo por toda la orilla hasta una fila de sauces que forman el lindero de Casilda Poto poco mas de cuatro mil varas segun el diseño que obra en el Expediente. El Juez que diere la posesión lo hará medir conforme á ordenanza dejando el sobrante que resulte á beneficio de la Nación para los usos convenientes.

En consecuencia mando que sirviéndole de título el presente se tome razón del mismo en el libro á que corresponda y se entregue á los interesados para su resguardo y demás fines. Dado en la Ciudad de los Angeles Capital del Departamento de

California a 18 de Abril de 1845

Pio Pico

Juan Bandini
Pico

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Queda tomada razon de este superior despacho en el libro respectivo

fha ut supra

Bandini

Por Juz 1.º de 1.ª Instancia

George Morrill, y Teodoro Romero, de esta vecindad, ante V. como mas halla lugar en Dto y al nuestro comparendo, ambos decimos, que en los potreros sitos de la Misión Vieja de San Gabriel, hemos adquirido un corto terreno, el cual el hemos comprado al R. P. Fr. Tomas Estenega este Dto. y el titulo que ante cede, el que debidamente acompañamos, nos pone en necesidad de pedir la posesion de Dho. terreno, segun lo demarca el diceno y el titulo lo expresa. Por tanto A V. suplicamos nos de la posesion que pedimos, pues haci es de justicia, dispensandonos el uso del papel comun por fal del sellado respectivo. Juramos lo necesario

Angelis Agosto 8, de 1845.

Por no saber firmar hacen

señal de Cruz.

George Morillo + Teodoro Romero +

Angelos Agosto 12 de 1845.

Por presentado y admitido en cuanto
ha lugar, como lo piden los solicitantes
y desales la posicion respectiva. Asi yo
Vicente Sanchez Alcalde 1.^o decreté man-
de y firmé con los de asistencia segun
dno.

Vicente Sanchez
ata.

ata.

Yy.^o Coronel. Manuel Sepulveda

En la Ciudad de los Angeles del De-
partamento de California a los doce dias
del mes de Agosto de mil ochocientos
cuarenta y cinco; amente a una instancia,
que presentaron los vecinos George Morillo
y Teodoro Romero, para que se les de pose-
cion juridica de un terreno en las cercanias
de la Misión Vieja de San Gabriel co-
nocida con el nombre de Potrero de Felipe
Lugo y parte del inmediato a Casilda So-
to, cuyo solar se los concedió el Gobierno
Superior con fecha diez y ocho de Abril del
presente año. Pasese por mí y los testigos
de asistencia al mencionado sitio y pro-
cedase dar la posicion respectiva con total
arreglo al titulo que presente en el acto; ci-
tandose a la fecha a los colindantes y to-
mando las providencias que requiere el caso

Rubric

Así yo vicente Sanchez Alcalde 1.^o y Juez
de 1.^o instancia decreto manda y firme
con los de asistencia según derecho =
Vicente Sanchez = asse. Ygnacio Coronel
= asse. Agustín Olvera = — — — —

En seguida pase oficio á los señores
colindantes para que concurren a sus
linderos, y les manifesté el objeto á que
me dirigia al punto de las inmediaciones
de la Misión Vieja, pues iba á poner en
posicion del Potrero de Felipe Lugo á los ve-
cinos Jorge Morillo y Teodoro Romero, de lo
que quedaron entendidos sin manifestar
objecion alguna, y se pone por diligencia =
Vicente Sanchez = asse = Ygnacio Coronel
= asse = Agustín Olvera = — — — —

En seguida estando en el Potrero de Fe-
lipe Lugo, nombree dos oficiales cordeleros,
los que por no saber escribir se omiten sus
nombres, y los que aceptaron bajo juramento,
ofreciendo desempeñar fiel y legalmente su
encargo, y se pone por diligencia que au-
torizé y firme con los de asistencia según
derecho = Vicente Sanchez = asse = Ygnacio
Coronel = asse = Agustín Olvera = — — — —

En la fecha y hallandome en el Potrero
de Felipe Lugo con el objeto de verificar las
medidas y posicion que corresponde á los
señores Don Jorge Morillo y Don Teodoro
Romero, y estando ante mí los testigos de
asistencia y los oficiales cordeleros, hice me-
dir un cordel constante de cincuenta varas,
al que mande atar á sus extremos unos
lanceos de madera y practicados todos los re-

Rubric

quisitos de ley. previa observacion y calculo por mi disposicion se tiro el cordel bajo el Sureste desde la orilla del Padron y viniendo por todo el lindero de Casilda Soto, se midieron y contaron setecientas varas que remataron en otro lindero de Manuel Antonio; de aqui se cambio la direccion y tomando para el rumbo Noroeste se midieron y contaron cuatro mil setecientas varas, que remataron en el camino real del Puente frente a un Sano; de este lugar y con direccion al Oriente aunque algo cargado al Sur yendo por todo el camino, se midieron y contaron mil varas, que remataron en el rio lindero de la Puente; De aqui se cambio de direccion y yéndose por el rumbo Suroeste se midieron y contaron cuatro mil seiscientas varas que remataron en el lugar donde se comienza lindero de Casilda Soto. allí se les dio a Morillo y Romero a nombre de la Nacion Mexicana, el poder, posesion y tenorio del terreno medido, y se les intimó formalmente que pusiesen sus mojones. Con lo que se concluyo el acto que firmé con los de asistencia según derecho — Vicente Sanchez — asna. Ygnacio Coronel — asna. Agustín Ochoa — — — — —

Desele testimonio a las partes de las presentes diligencias para su resguardo. Así yo el Juez que suscribe decreté mandé y firme con los de asistencia según derecho — Vicente Sanchez — asna Ygnacio

Rubric 3

Coronel - asna. Agustín Olvera - -
En la fecha se dio el testimonio res-
pectivo - - - - - rubrica. - -

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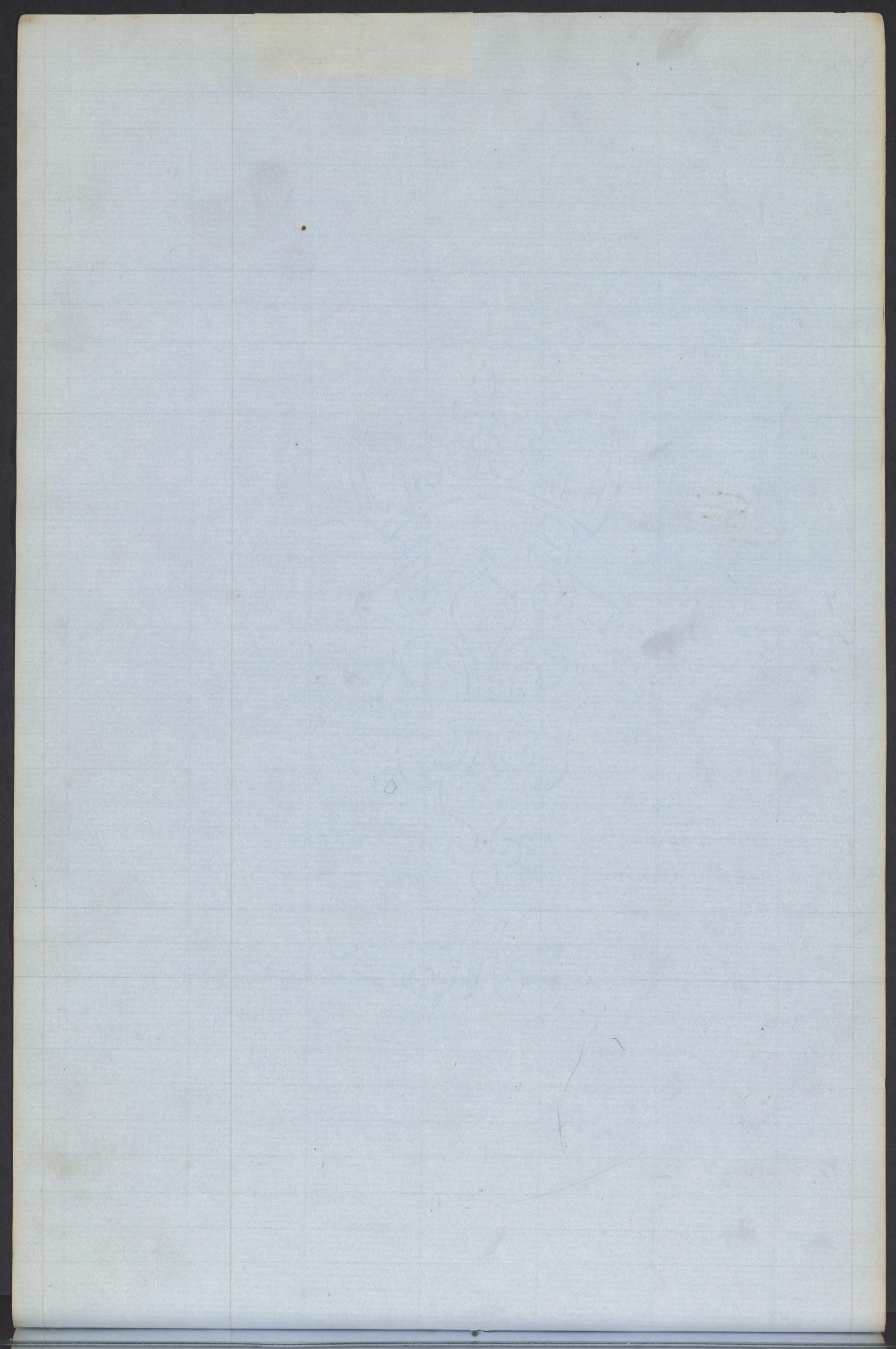
Concuerda con su original de que
doy fé y se halla en libro de Instru-
mentos publicos de este año del que
se saca ~~corregio~~ y conpronto en estas
cuatro fojas de papel común fuera
del título y instancias - fecha ut
supra -

Vicente Sanchez
asna. asna.
Yy. Coronel

Filed in Office Nov. 4th 1852

(Signed) Geo. Fisher
Geo. Fisher

[Large decorative flourish]



Dic. H. H. No 2

(Will)

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En el nombre de Dios nuestro Señor y la Virgen Sta. Maria concebida sin pecado Original Amen. Sea publico y notorio a los que la presente carta de mi testamento vieren, como yo Ferrero Romero natural del Departamento de Sonora hallandome enfermo y en mi entera y cabal juicio cumplida memoria y entendimiento natural (de que hago gracia a la divina Magestad) temiendo que la muerte como propension natural a toda criatura viviente, no me acaesca ó sorprenda mi vida sin tener dispuestas las cosas que son y tocan al descargo de mi conciencia.

1.^a Clausula - Dispongo y ordeno mi testamento confesando el misterio de la Santisima Trinidad Padre, Hijo y Espiritu Santo, y todo lo demas que creo y confieso Nro. Madre la Sta. Yglesia C. A. R. bajo cuyo fei he vivido y protesto vivir y morir como fei cristiano y mando y encomiendo mi alma a Dios Nro. Señor que la crea y redime con el infinito valor de su preciosa sangre pidiendo perdon de mis culpas; y el cuerpo mudo a la tierra de que fue formado, y que cuando acaesca mi fallecimiento quiera sea sepultado en el Campo Santo de esta Ciudad.

2.^a Clausula - Qten mando se digan doce misas en la Mision de San Gabriel para bien de mi alma las que seran pagadas con una llunta de Vuellas.

3.^a Qten declaro dover a D.^o Enrique Dalton

cincuenta pesos.

4.^a Yten declaro dever a Juan Matias Sanchez siete pesos y una baca.

5.^a Yten declaro dever a Pedro Pous cuatro pesos cuatro rrs.

6.^a Yten declaro dever a José Maria Lugo tres pesos.

7.^a Yten declaro dever a Bernabel Orantes dos pesos dos rrs.

8.^a Yten declaro dever a Valentin el Indio dos pesos seis rrs.

9.^a Yten declaro dever a Estevan Quintana una liegua -

10.^a Yten declaro me deve Ygnacio Moaña Abarado una liegua bronca.

11.^a Yten Declaro me deve Franco Rojas una baca parida y una potrro de falsarrienda

12.^a Yten declaro me deve D.^o Vicente Sanchez un toruno por el cual le di cinco pesos, y el que deve entregar tan luego como lo reclamé mi esposa.

13.^a Yten declaro tener en el monte de la Mision un pedazo de tierra constante del numero de varas que resa en el titulo que tenemos yo y Jorge Morillo cuya tierra deve partirse por iguales partes entre yo y el.

14. Yten declaro tener un jacal de tuli en que habita mi familia -

15. Yten declaro tener cinco vacas mansas siete lieguas broncas de biento un potrro manso y dos y media lluntro de buelles con que se han de pagar las misas.

16. Yten declaro tener en el presidio del Poisson de Sonora por erencia que que me

dejaron mis padres segun consta una carta que me mando mi hermana Margarita Romero una casa de terrado con siete piezas, corral y trascorral y en la misma casa un molino de rastra para moler trigo.

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17— Ytuo declaro tener en el mismo punto de Sonora por la misma provincia una tierra de labor constante poco mas o menos de cuatrocientas varas de largo, y trescientas de ancho, y algunos arboles frutales repartidos en las cabeseras de la tierra.

18— Ytuo declaro ser casado con Maria Berdugo de cuyo matrimonio tuvo cinco hijos dos hombres y tres mujeres, llamados el primero Domingo el Segundo Jose Jesus Romero, y las mujeres Maria Epifania, Juana Maria y Maria Varvara Romero, y pagadas mis deudas todo se le queda a mi mujer para que ella y mis hijos disfruten de lo quedare libramiento.

19— Ytuo declaro ser mi voluntad reclame mi mujer o mis hijos la casa y tierras de labor que estan en Sonora y que todo quede en beneficio de mi familia. Y otorgo esto mi testamento en la Ciudad de los Aug. ante los testigos L. C. Basilio Baltes Visente Moraga y Juan Buit, y suplico al Sr. presente Juez D. Luis Jordan interponga su autoridad y autorise el presente testamento, como en efecto yo el Ciudadano Luis Jordan Regidor segundo y Alcalde primero en turno constitucional de esta Ciudad de los Aug. certifico y doy fe que la presente disposicion testamentaria paso ante mi y que otorgante.

cuando enfermo esta en su entero juicio y entendimiento natural y por constancia lo autorizo y firmo con los testigos de mi asistencia siendo los instrumentales los C. C. Basilio Baldes, Vicente Moraga y Juan Baut presentis y vecinos autorizandolo en papel comun por no haver del sellado que corresponda en la referida Ciudad de los Angeles a dias y seis de Octubre de mil ochocientos cuarenta y seis.

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A ruego de Sr. Teodoro Romero
Franc. S. Alvarado

instrument.

Basilio Valdez

instrument.

Juan Baut

asista,

Bernard Lopez

instrument.

Vicente Moraga,

asista,

José Lopez

Filed in Office Nov. 4th 1852

(Signed) Geo. Fisher

Second Class Stamp Four Dollars

Issued provisionally by the Mexican Customs of
 the Port of Monterey in the Department of the Californias
 -mins for the years eighteen hundred & forty five
 +
 Medical possession Micheltorena Poble de la Guern

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(23)

Pio Pio Governor ad interim of the
 Department of the Californias

Whereas Jorge Morillo
 & Rodolfo Romero have claimed for their per-
 sonal benefit & that of their families shares
 in the neighborhood of those of the Old Mission
 of San Gabriel known by the name of Potos
 de Felipe Lugo & part of another towards the West
 which was adjudicated to Señora Casilda Lugo
 according as marked in the design which was
 subjoined to their petition the proceedings &
 investigations in that behalf having first
 been taken according to the tenor of laws &
 Regulations affecting the matter, in the exer-
 cise of the powers conferred upon me in the
 name of the Mexican Nation, I have come to
 grant to them the aforesaid tract declaring
 unto them the ownership thereof by the present
 letters in conformity with the laws & with
 entire subjection to the approval of the Most
 Excellent the Departmental Assembly &
 under the following conditions
 1 They may fence the land adjudicated to
 them without prejudice to the cross roads
 high way & rights of way, they shall enjoy
 it fully & exclusively devoting it to the use
 & cultivation that best may suit them
 but within one year they shall have it
 occupied with an inhabited dwelling
 house & with cattle
 2 When the ownership shall have been

conferred they shall solve the competent Magistrate to give them the judicial possession by virtue of this patent. Such Judge shall assign the boundaries the necessary legal marks being set up.

3. The tract hereby granted is mostly from the bank of the stream along the highway that goes from the Puente to San Sabrie to the first Sycamore (aliso) which is met with on the right hand side of the road the dimension more or less being one thousand varas & from the quadrant of the Puente (Spacious enclosure or clearing) of Felipe Sings all along the edge to a row of willows that form the boundary of Casita. It is a little more than four thousand varas according to the sketch which is filed with the minutes of Proceedings. The Judge who may give possession shall cause the same to be measured according to order and leaving the surplus that may result for the benefit of the nation for its behooving uses.

It is to be noted that these presents serving as their title be entered of record in the appropriate book & delivered to the parties in interest for their protection & other purposes.

Given at the City of Los Angeles Capital of the Department of California on the 18th of April 1845

Per Meo

Juan Bandini Secretary

This superior patent is entered of record in the appropriate Book

Dated as above

Bandini

To the Judge of First Instance

Sir

Mr George Monillo & Teodoro Romero of this place before you in such manner & form as may be most efficient in law & most useful to our cause; Do both state that among the Petitions of the Alta Mission of San Gabriel we have acquired a small tract of land which we have purchased from the Mer Father Fr. Juan Estenaga; This right & the foregoing title which we duly annex place us under the necessity of requesting the delivery of possession of said land according as marked by the design & expressed by the title. We therefore beseech you to give us the delivery of possession which we ask for; This being according to Justice.

Excuse us for using common paper there being none of the proper stamp; We make the necessary verifications.

Angels Aug 8. 1849

They subscribe with a sign of the cross not knowing how to write their names

George Monillo & Teodoro Romero X

Angels August 12 1849

The above being presented & admitted to all legal intent according to the request of the petitioners; let the appropriate delivery of possession be made; I Vicente Sanchez Just Alcalde here seen & read and subscribed with the attesting witnesses according to Law.

Ite Sanchez

Attest J. G. Coroneel Attest Mariano Sepulveda

At the City of Los Angeles in the Department of California on the twelfth day of the month.

of August one thousand eight hundred & forty five in compliance with a petition presented by the residents of this place George Mirella & Teodoro Romero to the end that the judicial possession be given to them of a tract in the neighborhood of the Alta Mission of San Gabriel known by the name of Potrero de Felipe Lago & part of that adjoining Casaca Potrero which lot was granted them by the Superior Government under date 18 of April of the present year, ordered that I refer with the attesting witnesses to the aforementioned premises & proceed to give the due possession in total accordance with the title which was presented at the same time summons for that purpose being served upon the owners of adjoining lands & those states being taken which the case requires, I Vincente Sanchez first Alcalde & Judge of the first Instance have so decreed ordered & subscribed with the attesting witnesses according to law Vincente Sanchez, attest Ignacio Leonora, attest Agustin Olvera

In continuation I served notice upon Messrs the owners of neighboring lands, that they should be present at their bounding lines & stated to them the object of my visit to premises in the neighborhood of the Alta Mission viz that I was going to delimit possession of the Potrero of Felipe Lago to the residents of this place George Mirella & Teodoro Romero whom of they took notice without stating any objection & the same is noted in the Minutes, Vincente Sanchez, attest Ignacio Leonora, attest Agustin Olvera

Immediately afterwards being at the Potrero of Felipe Lago I appointed two officine members whose names are omitted they not knowing how to write they accepted under oath

promising to discharge their office faithfully & legally
 & I make a minute thereof which I certified and
 subscribed with the attesting witnesses according to
 Law Vicente Sanchez attest Ignacio Coroneo
 attest Agustin Alvarez

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On the same date & being at the Potrero of Felipe
 Leizaola for the object of effecting the removal of
 cuts & delivery of possession to which Manuel Don
 George Morillo & Don Pedro Romero are entitled
 & having in my presence the attesting witnesses &
 official line bearers, I caused to be measured
 a line consisting of fifty varas & ordered some
 wooden poles to be fastened to its extremities and
 all the requisites of Law being complied with
 after observation & calculation under my direction
 the first line was drawn towards the South East
 from the edge of the steep bank of the river &
 following the boundary of Casilda Soto, there
 were measured & counted seven hundred
 varas which ended at another boundary
 of Manuel Antonio Heene the direction
 was altered & taking a North West course
 there were measured & counted four thou-
 sand seven hundred varas which
 ended at the main road of the Puente in front
 of a miller from this spot & in an Eastern
 direction though somewhat deviating
 towards the South following along the
 road there were measured & counted one
 thousand varas which ended at the river
 which is the boundary of the Puente Hence
 the direction was altered & following a
 South West course there were measured
 & counted four thousand six hundred
 varas which ended at the point of beg-
 inning in the boundary of Casilda Soto
 there was given to Morillo Romero in the
 name of the Mexican Nation the power
 possession & lordship of the land so

measured & formal intimation was made
to them that they should set up their land
marks, where with the proceeding was con-
cluded & I subscribed the same with the
attending witnesses according to law Vicente
Sanchez attest Ignacio Coronel attest
Agustin Obeso

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Let a certified copy issue to the parties of the
present Minutes for their protection, & the
undersigned Judge have so decreed & ordered
& subscribed with the attending witnesses
according to law Vicente Sanchez attest
Ignacio Coronel attest Agustin Obeso

On the same date the appropriate certified
copy was given A. Corral

A true copy of the original which I certify
said original is found in the Book of
Public Instruments of this Year & from it
this was taken with correction & collation
on three four sheets of common paper
besides the title & petition

Date as above

Victe Sanchez
attest Ignacio Coronel attest

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Filed in office Nov^r 1832
Geo Fisher
Clerk

Jorge Morillo & Maria
de Romeros

Potran de Felipe Lugo

The United States

Opinion

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The papers on file in this case show that on the 18 day of April A.D. 1845 Jorge Morillo & Teresa Romeros obtained from Governor Pio Pico a grant of land known by the name of Potran de Felipe Lugo which grant was duly approved by the Departmental Assembly & juridical possession given by the proper officer all of which is satisfactorily proved. It also appears from documents on file in this case that Teresa Romeros the husband of Maria D. Romeros (one of the present claimants) is dead & that by his last will & Testament he bequeathed to his said wife Maria Berdugo his entire interest in the tract of land granted to Morillo & Morillo jointly during her life & the remainder to his child ren. It is proven by the deposition of Hugo Reid that Morillo & Romeros the original Grantees built a house on the land within one year after the date of the grant & that they lived in the house, that they had stock on the rancho & cultivated the land & that Morillo & the widow of Romeros still continue to reside on the place. The description of the land granted is made sufficiently definite by the officer who made the juridical measurement & with the aid of the map on file which is made evidence in the case there will be no difficulty in ascertaining the precise land granted. We are therefore of opinion that the claim in this case should be confirmed.

Filed in office Oct 18. 1853

Geo Fisher Secy

George Morillo et al
by
The United States

Declar

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In this case on hearing the proofs & allegations it is adjudged by the Commission that the claim of the said petitioner is valid & it is therefore decreed that the same be confirmed, the lands of which confirmation are hereby made are situated in the neighborhood of the old Mission of San Sabriel & are known by the name of Potrillo de Felipe Legos, the same formerly occupied by Jorge Morillo & Diosdado Romero, & are bounded & described as follows to wit: Commencing at the point where the main road of the Puente leading to San Sabriel, crosses the Arroyo de Araya, which is the boundary of the Puente running thence in a south west westerly course down & along said Arroyo four thousand six hundred varas to the boundary of land known as the land of Casilda Soto, thence towards the north-east following the boundary of said Casilda Soto's land seven hundred varas thence four thousand seven hundred varas to a point in said main road in front of a willow which is one thousand varas from the place of beginning thence in a direction a little south of east along said road one thousand varas to the place of beginning on the bank of said creek reference for further description, to be had to a map which is made a part of a Document marked Exhibit No 1 filed in this case

Filed in office
18. 1853
Geo Fisher Clerk

Alpheus Felch
Thompson Campbell
Rory Thompson
Clerk

Office of the Board of Commissioners,
To ascertain and settle the Private Land Claims in the State of California.

I, *George Fisher*, Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing *Thirty-seven* pages, numbered from 1 to *37*, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 432 on the Docket of the said Board, wherein *George Morillo & Maria V. Romeros* are

the Claimants against the United States, for the place known by the name of "*Patron de Felipe Luzo*."



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

Geo. Fisher
[Signature]

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U. S. DISTRICT COURT,
San Francisco District of California.

No. 33 Docket

THE UNITED STATES,

vs.

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G. Morillo & M^a Romero
for Antonio de Felipe L.

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 432

August 22nd 1854

W. H. Carter,
Clerk

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Office of the Attorney General of the United States,

Washington, 11th September 1854.

George Morillo y Maria v. Romero

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.

Clint

Attorney General.

N^o 33.

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

The United States

vs

George Morrice y Maria S.
Romero.

Notice of appeal.

Filed Nov. 7th 1884.

J. E. San
Clerk

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

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George Morillo vs
Maria Verdugo Romero
ads. No 432,
The United States

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

The petitioner 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 be-
half of the United States, represents as follows.

That heretofore, to wit, on or about the 1st day of
November AD 1832, George Morillo and Maria Verdugo
Romero presented a petition to the Commissioners
to ascertain and settle the private land claims in
the State of California, claiming the tract of land
called "Potrero de Felipe Sugo", in the words and fig-
ures following, to wit, "The petition of Jorge Morillo
and Maria Verdugo Romero respectfully sheweth
That on or about the 18th day of April AD 1845 Pio
Pico then Governor of California, in the name of

"the Mexican Nation by virtue of the laws then
 "in force, the customs and usages of the Country
 "affecting grants of land in California granted
 "in full property unto the said Jorge Morillo
 "one of your petitioners and Teodoro Romero the
 "husband of the other of your petitioners the tract
 "of land known by the name of Potrero de Felipe
 "Lugo and more particularly described in the
 "papers and Maps relating to the grant of
 "said lands Copies of said papers being herewith
 "filed as part of this petition as well as the
 "record of papers and maps relating to the
 "grant of said lands now in the Custody of
 "the U S Surveyor General for California Copies
 "of said papers and maps so soon as the same
 "can be obtained your petitioners pray leave to
 "file as part of this petition And your petitioners
 "further show that they are informed and believe
 "the said grant was duly approved by the De-
 "partmental Assembly of California And your
 "petitioners further show that Juridical possession
 "was given of said lands by the proper Officer
 "having jurisdiction of that subject matter as
 "is more at large set forth in a Copy of an official
 "paper herewith filed as part of this petition.
 "That said original paper is now in the hands
 "of your petitioners ready to be produced and proved
 "as your Hon. Board shall direct And your

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„petitioners further show that in or about the year
„AD the said Teodoro Romero departed this
„life leaving him surviving the said Maria Verdugo
„Romero his wife and one of your petitioners and five
„children to wit Domingo Romero Jose Jesus Romero
„Maria Epifania Romero Juana Maria Romero
„and Maria Urbano Romero, that by the last will
„and testament of the said Teodoro Romero the said
„tract of land hereby claimed was left to the said
„Maria Verdugo Romero his wife during her life
„and the remainder to his five children herein
„before named and set forth, a copy of said
„testament being herewith filed as part of this
„petition And your petitioners further show
„that from about the date of said grant the said
„Jorge Morillo and Teodoro Romero took peaceable
„and quiet possession of said lands and they and
„their families have ever since had and now
„have the peaceable and quiet possession and
„occupation of all of said lands There is no
„conflicting claim thereto known to your peti-
„tioners. The said lands have not been surveyed
„by the U S Surveyor General for California In
„view of the foregoing facts your petitioners pray
„that the title to said lands may be confirmed
„to your petitioners by this Hon^d Board The
„evidence upon which your petitioners rely in
„this case are the records of this grant, papers

"and Maps in the Custody of the U S Surveyor
 "General for California original papers in the
 "hands of your petitioners and ready to be produ-
 "ced and proved and the testimony of Witnesses to
 "be produced before your Hon Board Respectfully
 "submitted for such action as the Justice and
 "nature of the claim may require".

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Your petitioner further represents that thereafter,
 to wit, on the 18th day of October AD 1853, the said
 Commissioners confirmed by final decree the said
 claim of the said George Morillo and Maria Verdugo
 Romero, in the words and figures following, to wit.
 "George Morillo et al vs The United States In
 "this case on hearing the proofs and allegations it
 "is adjudged by the Commission that the claim of
 "the said petitioner is valid and it is therefore decreed
 "that the same be confirmed. The lands of which
 "Confirmation are hereby made are situated in the
 "neighborhood of the Old mission of San Gabriel and
 "are known by the name of Potrero de Felipe Lugo and
 "are the same formerly occupied by Jorge Morillo
 "and Teodoro Romero, and are bounded and described
 "as follows to wit; Commencing at the point where
 "the main road of the Puente leading to San Gabriel,
 "crosses the arroyo de Aruga, which is the boundary
 "of the Puente running thence in a South West-
 "wardly course down and along said Arroyo four
 "thousand six hundred varas to the boundary of land

known as the land of Casilda Soto, thence towards the
North east following the boundry of said Casilda
Soto's land seven hundred varas thence four thou-
sand seven hundred varas to a point in said main
road in front of a willow which is one thousand
varas from the place of beginning Thence in a
direction a little South of East along said road
one thousand varas to the place of beginning on the
bank of said creek reference for further description,
to be had to a map which is made a part of a
document marked Exhibit No 1 filed in this case.

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"Alpheus Felch" }

"Thompson Campbell" } Comrs "

"R Aug Thompson" }

Filed in Office Oct 18, 1853 Geo Fisher Secy "

That thereafter, to wit, on the 22^d day of August
AD 1854, a duly certified transcript of the said
decree and proceedings, and the papers and evi-
dence 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 432, 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
Calit Cushing Attorney General of the United States,
received a duly certified duplicate of said transcript
of said final decree and proceedings of said commis-

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sioners in said Cause, (No 432) and the papers and evidence on which said decree was founded.

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That thereafter, to wit, on the 7th day of November A.D. 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 George Morillo and Maria Verdugo Romero 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 the said decree erroneous, on the following grounds.

1. That the said George Morillo and Maria Verdugo Romero, show no valid title to the said land claimed by them as aforesaid. And it is denied that they have any.
2. That the said alleged grant of Governor Pio Pico was made in violation of the 4th Article of the Colonization law of Mexico of the 18th of August A.D. 1824, in this, that the land granted as alleged by Claimants, was and is within ten leagues of the Sea Coast. And there is no evidence by Claimants, that the Supreme General Executive power of Mexico previously approved of the Colonization of the lands of California, within ten leagues of the Sea Coast. And it is denied that such previous consent of said Supreme General Executive power of Mexico in such case was ever had.
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 by the Mission of San Gabriel.
4. That the said alleged grant has not the conditions required by, and is not made in entire conformity with the law of Mexico of the 18th of August A.D. 1824, and the regulations for the Colonization of the Territories of Mexico, of the 21st of November A.D. 1828.
5. That the said alleged grant of Pio Pico for said land is void for want of certainty in the description of the land.
6. That no definitive title for said land was ever given the said claimants, and that therefore the alleged

Juridical survey and possession by Vicente Sanchez was unlawful; (~~that the alleged Juridical possession was not asked for or given until the month of August, A.D. 1849, which was after the 7th of July A.D. 1846, the day upon which the United States acquired California, and that such pretended Juridical possession was therefore unlawful and void.~~) That said alleged Juridical possession and survey was not made according to the said alleged grant, and map, or according to the Ordinance or law; that it is vague and indefinite.

7. That there is no evidence that Vicente Sanchez who pretended to give Juridical possession of the said land, was 1st Alcalde of Los Angeles on the 12th of August A.D. 1846, and that he had lawful Jurisdiction and authority to give the said Claimants Juridical possession of the said land. And it is denied that the said Sanchez was first Alcalde of Los Angeles on the 12th of August A.D. 1846, and that he had at that time lawful jurisdiction and authority to give the Juridical possession of the said land to the said Claimants, as alleged.

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

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Wherefore the said Pacificus Ord Attorney of the United States for the Southern District of California, for and in behalf of the United States, by reason of the premises, and the laws and Statutes in such case made and provided, prays that the said George Morillo and Maria Verdugo Romero, or their Attorney, may be served with a copy of this petition, and that this Honorable Court will review the said decision or final decree of Confirmation of said Commissioners to ascertain and settle the private land claims in the State of California, and decide on the validity of the said claim of said George Morillo and Maria Verdugo Romero 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.

P. Ord

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

33.

N^o 432.

George Merrill, and
Maria Verdugo Romero
vs.
The United States.

Petition for review by atty
of U.S. &

Filed Dec 29. 1854.

J. S. Farr
clerk

33 SD

PAGE 50

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

TO

The President of the United States,

George Morillo and Maria Verdugo Romero,

33 SD

PAGE 51

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 ninth* 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 U. S. Land Commissioners to ascertain and settle the private land claims in the State of California, of the Claim of *George Morillo and Maria Verdugo Romero* for a tract of land called *San Pedro de Yehpe Lugo*, in the County of Los Angeles, California, which said claim was presented by you to said Commissioners on the first day of November A. D. 1852, and by them confirmed on the 18th day of October, 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 *fifteenth* day of *February* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

J. E. Lawrence
Clerk.

Rec'd by [unclear] 1855

United States of America,

Southern District of California,

U. S. District Court.

*George Howells and Maria
Ferdinando Romero.*

*add. 437
The United States.*

SUMMONS.

*Received February 19-1855
Edward Hunter
U. S. Marshal*

I served this summons along with the proper copy of the petition upon *Maria Verdugo Romero* one of the within named defendants by leaving with her personally a true copy of the same in the county of Los Angeles at her residence in the Southern District of California on the nineteenth day of February A. D. 185 five

Sworn to and subscribed before me, *this 21st*
7 Feb/ A.D. 1855 } *f. E. Lawrence* Clerk.

Edward Hunter
U. S. Marshal

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

TO

The President of the United States,

George Morillo and Maria Verdugo Romero.

33 SD

PAGE 53

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 Ninth* 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 Dd, 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 U.S. Land Commissioners to ascertain and settle the private land claims in the State of California, of the claim of George Morillo and Maria Verdugo Romero, for a tract of land called *Potrero de Felipe Lugo*, in the County of Los Angeles California, which said claim was presented by you to said Commissioners on the first day of *November* A.D. 1852, and by them confirmed on the 18th day of *October* 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 *fifteenth* day of *February* in the year of our Lord one thousand eight hundred and fifty-*five* at Los Angeles aforesaid.

J. S. Farr.
Clerk.

1855
Feb 17
1855

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

George Monillo and Maria }
Verdugo Romero }
ad. }
The United States. } 402

SUMMONS.

Received February 17-1855
Edward Hunter
U. S. Marshal

33 SD
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I served this summons along with the proper copy of the petition upon *George Monillo*
one of the within named defendants by
leaving with him personally a
true copy thereof in Los Angeles
county
at his residence — in the Southern District of California on
the nineteenth day of February A. D. 1855
Sworn to and subscribed before me, this 20th day of February 1855 } *Edward Hunter*
J. S. Jones Clerk. }
W. H. what

George Morillo, and
Maria Verdugo Romero,

ads.

The United States,

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

No 432.

33 SD
PAGE 55

To the Hon, Isaac S. H. Clev, Judge of the District Court
of the United States for the Southern District of California,

The Answer of George Morillo, and Maria Verdugo
Romero, citizens of the United States, residing in the County
of Los Angeles, in the State of California, to the petition
of review, filed in the above entitled cause, at the suit
of the United States against them, praying that a certain
final decree of confirmation entered in their favor by
the U. S. Land Commissioners appointed to ascertain
and settle the private land claims in the State of Cali-
fornia, in a certain claim for a tract of land called
"Potrero de Felipe Lugo," ^{may be set aside or reversed} respectfully represents; that
these Defendants admit that they did present their pe-
tition to the said Commissioners, for the tract of land
described in said petition, and that the said Com-
missioners did enter a final decree of Confirmation
in their behalf for the said tract of land.

And these Defendants, further answering, say, that
they claim the said tract of land called "Potrero
de Felipe Lugo," with the metes and bounds referred
to in the Transcript from said Commissioners, relating
to their said claim, which Transcript was filed in
the Clerk's Office of your Hon Court, on the 22^d day
of August, 1854, and is herein specially referred to, and
made a part of this answer, that they claim the same

in virtue of a grant in fee thereof, made to ~~Don~~ George Morillo, and Teodoro Romero, the husband of Maria Verdugo Romero, one of these Defendants, as set forth in their petition presented to said Commissioners, filed in the office of the Secretary of the Board of said Commissioners on the 1st day of November, 1852, as appears in said Transcript— by Pio Pico, then Governor of California, on the 18th day of April 1845, by virtue of authority in him vested by law that the metes and bounds of said claim are accurately defined in the map and judicial survey and possession thereof, both of which appear in said Transcript herein specially referred to, and made a part of this answer.

And these Defendants further answering, say, that they have faithfully discharged all the conditions imposed upon them by said grant. And they further aver that their said claim is valid as appears by the said Transcript and the decree of the said Commissioners, and as will be made to appear by such further proof as may be taken by order of your Honor, and that the final decree of said Commissioners is valid according to the laws, customs and usages of Spain and Mexico, as they existed in California, and according to the Treaty of Guadalupe Hidalgo, the laws of Nations, the principles of equity, and the decisions of the Supreme Court of the United States, as far as they are applicable.

And Defendants further answering, deny all and singular the allegations in Plaintiff's petition

contained, excepting such as are herein specially admitted.
And these Defendants further aver, that there exists no
cause by reason of anything alleged in said petition,
why said final decree should be declared invalid.

Wherefore the said Defendants pray that your
Honor do declare the said final decree of said
Commissioners, as well as the claim and title of
these Defendants, to the said land, to be valid.

They pray that the petition of the United States be
dismissed, and for costs and general relief.

Agustine Olvera
Attorney in fact
of Defendants.

Delivered this answer on Perol Attorney of the United States, by leaving with him at his office, at Los Angeles, California, a certified copy hereof this March 19th 1855

Edward Hunt
U S Marshal

marshals cost
\$ 3.00

Sworn to & subscribed before me
this 19th March 1855

J. S. Hunt
J. S. Hunt

No ~~42~~. 33.

United States District Court
Southern District of California

George W. Merrill, and

Manuel Rodriguez Romero,

Appellants

vs.

The United States,

Appellee.

Answer of Appellees.

Filed February 21st 1855

J. S. Hunt
Clerk.

33 SD

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U. S. District Court
George Morillo &
Maria Rudugo Romero
Appellees

No 33.

33 SD
PAGE 59

vs

The United States
Appellants

And now at this day comes the said
Appellees by Myron Norton & Augustin
Olvera their Attorneys, and moves the
Court ^{for an order} to take further testimony in
the above entitled case by ^{inter partes}
Myron Norton
Atty for Appellees.

U. S. District Court

George Morrill &
Maria Viduaga Romero

Appellees

vs. No 33.

The United States

Appellant

Motion for order
to take testimony,

Filed April 9th 1855.

J. E. Farr
clerk.

G. Merrills & M. G. Romero }
ads.

The United States.

N^o 33.

Transcript N^o 432.
Monterey June term 1855.

33 SD

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In the U^s Dist. Court for the Southern District of California - Hon. Isaac S. T. Ogier Judge.

It is stipulated ^{by} between Myron Norton Atty for claimants, ~~Attorney~~ And Pacificus Ord Atty for the U^s State, in the above entitled cause, that all objections as to the regularity ~~of the~~ or legality of this present term ^{or sitting} of the Court at Monterey, are hereby waived in said cause.

And it is further stipulated and admitted that the lands claimed in this cause, are situated in the County of ^{& in the Southern District of} Los Angeles, State of California, and within the jurisdiction of said Court; as alleged in ^{the} petition for review of U^s Dist Atty.

And it is further stipulated and admitted that the Transcript in this cause, was received by the Attorney General of the U^s States, and the notice of appeal given ^{in the manner} at the time and place, as alleged in said petition for review.

June

1855.

P. Ord U^s Dist Atty

Myron Norton

Atty for claimants

N^o 33.

G. Norillo vs G. Romero

ads.

The United States

Stipulation of Attys

June 14th 1855.

Filed June 14th 1855 / G. E. Carr.
Ck.

33 SD

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The United States

Appellants

vs

George Morillo &

Maria V Romero

Appellees

In the United States

District Court for

the Southern District

of California

No 33. "Portrero de Felipe

Sugo"

33 SD

PAGE

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It is hereby stipulated and agreed by
 and between Pacificus Ord. Attorney of
 the United States, and Myron Norton
 Attorney for the appellees in this case,
 that the said case be set down for trial
 and finally submitted to the court
 at this present ^{June} term thereof, at the
 city of Monterey; hereby waiving any
 and all objections that might be,
 as to the regularity of the said term.
 Monterey June 14. 1855

P. D. D. Dr. T. Atty

Myron Norton
 Atty for appellees

N^o 33.
U. S. District Court
Southern Dist California

United States
Appellate
(No 33) vs

George Merritt
vs
Mariano Romero
Appellees.

Stipulation,

Filed June 14th 1835.

J. E. Fox
clerk

33 SD

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In the U. S. District Court
for the Southern District of California,
Special Term Sept 1853,
Los Angeles,

33 SD
PAGE 65

G. Merrill & M. V. Romero, } N. 33,
vs App^{ts} (Precedent N. 432)
The United States, }
App^t.

On motion of Plaid Attorney of the
United States for the Southern District
of California, it is, 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 United States, in the above
entitled cause, entered on or
about the 19th day of September
A. D. 1853,

J. Ord
Caddil Att^y

No 33.
U.S. Dist Court
South Dist of Cal.

Y. Morillo & M. V. Romero.
appes.

ads.

The United States
applt.

Motion & order of
appeal to U. S. Supreme
Court on motion of
C. P. A. Usally.

Filed Oct. 18th 1888.

J. J. Jones
Clerk

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

Hon. Isaac S. H. Ogden Judge.
December term A.D. 1856

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The United States
Appellant
vs
George Morrill et al
Appellees
No 33

The Attorney General of
the United States having given notice that the
appeal to the Supreme Court from the decision of
this Court in the above entitled cause will not be
prosecuted by the United States, and a stipulation
having been entered into by the United States
District Attorney, and the Attorney of the
Plaintiff that the order granting an appeal
to the Supreme Court heretofore made in this
cause be vacated, and that the Decree of this
Court heretofore rendered, in this cause, may by
order of this Court be made final. It is
Ordered, adjudged and decreed that the order
granting an appeal to the Supreme Court
heretofore made in this cause be and the same
is hereby vacated and that the Plaintiff have
leave to proceed under the decree of this Court
heretofore rendered in this cause as under

a final decree

Samuel D. Ogden
vs. J. M. Fudge

No 88

United States District Court
Southern Dist California

The United States
appellant

vs

George Thornillo et al
appellee

Order Vacating appeal

Filed 23rd February 1857
The Clerk of the Court
J. M. Fudge
Secy

California Land Claims.

Attorney General's Office

10 September 1851.

33 SD

PAGE 69

Sir:

In the case of the claim of George Morillo and Maria V. Romero, confirmed to the claimants by the Commissioners, Case no. four hundred and thirty-two, (432), 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

Yours

Pacificus Ord Esq.

U. S. Atty for the

Southern Dist. of California

33

Morillo
to
ia. B. Romero

432

33 SD
PAGE 70

Oct 21 1836

33

Moore

vs. B. I.

43

33

PAGE

Dec 2

Hon J. S. M. Equis Judge

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

December Term AD 1856

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PAGE 71

The United States

appellant

George Morrell et al
appellees

1856

In pursuance of a letter from the Attorney General of the United States herewith annexed giving notice that in the above case the appeal in the Supreme Court will not be prosecuted by the United States. It is hereby stipulated and agreed by and between the parties that the order granting an appeal to the Supreme Court heretofore made in the above case be vacated and that the decree of the Court heretofore rendered in this case, may by order of the Court be made final.

F. Ord.

Dist. Atty.

Wm. M. Norton
attor. for appellees

No. 1 Dist Court
South Dist Cal a

No. 33

The United States
appellant

vs

George Morillo et al
appellee

Filed July 23^d 1857

Opins
CLR

Stipulation

to create Order of
appeal to Supreme Court

33 SD

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Maps are remarkably clear in describing the natural land marks and boundaries.

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PAGE 74

These must control the Courses and distances, for the first are certain and the latter uncertain. These are then, of the Priest of San Gabriel, and the grant as shown by the petition, maps, reports.

1st ~~The~~ point ^{of} the River Azusa, where the ~~Point~~ high ^{road} crosses; thence (Westerly) along the south side of the road to a Sycamore tree on the right hand side of the road; 2nd thence (Southwesterly) (see report of ~~the~~ (Tomas Estenaga, the Priest of the mission (of San Gabriel p. 15, of ~~report~~ ^{Transcript} (translation)) (I also the petition of Morrell & Romero (to Gov. Pico, p. 14, (translation) which show (clearly what land was asked for - and (what was granted) to the Swamp (Cienega) of the Proteros of Felipe Lugo (see map p. 10, of Transcript) and along the entire edge (Westerly) of the same to a row of Willows, which forms the boundary of Casildo Soto, and in the same direction to the River. 3rd thence up and along the River to the place of beginning, and no more (permanently) says the 3rd Condition of the grant. The decree of the Commissioners

33 SD
PAGE 75

follows the juridical possession, with the exception that it begins at a point of the Puente Road and River; and thence comes down the River 4600 Varas to the point of Casildo Soto land; thence North East by Casildo Soto's land 700 Varas; thence to the ~~Willow~~ point in front of a Willow on the Puente Road 4700 Varas; thence along said road to place of beginning 1000 Varas. - The act of juridical possession and the decree of the Commissioners make the figure of the land quadrangular; while it is plainly evident by the petition of the Claimant to Pico, asking for the land, and the report of the Priest of the mission of San Gabriel, who was better able to describe it than the said petitioner, and the map accompanying the said petition, that the land granted was triangular in form. The Alcalde certainly deviated from the plainly described boundaries of the grant; and he began the measurement, correctly perhaps, at the point on the river and Casildo Soto's land, and run thence in a direct line ^{South East (North East?)} 700 Varas. But ~~at this point~~ ^{at this point} he abandons the direct line along ~~to~~ the row of Willows.

by the edge of the swamps, and on to the Lycamure tree, which he should have continued, and goes off in a North West direction to a Willow on the Puerto Road. It is not known what were the reasons or motives of the Alcalde, in making this great deviation from the terms of the grant. It does not seem likely that it could have been an error; for the words of the grant, and the natural boundaries laid down on the map are too plain ^{to be mistaken.}

33 SD
PAGE 76

He might, however, have believed that, as the land was marked "vacant" in the map, he could do no great injury to any person likely to object, at the time; and he therefore threw it in for good measure. It cannot be said that the Alcalde had any granting power; - he was bound strictly by the ^{terms of the} grant, and when he went beyond them, he acted either ignorantly or fraudulently; - And the pretended act juridical act of possession, was ^{therefore} void - if not wholly - at least for the excess of land given by him to the grantees.

If the Court should be of opinion that the grant is valid, it will not hesitate we believe to reform the decree of the Commissioners, so that the land really

5

granted, according to the natural boundaries
in the grant, shall be confirmed to the
Claimants, and not the land given by
Sauchy, in his juridical possession and
Confirmed by the Commissioners.

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Respectfully Submitted
J. M.
Dir. Att. Nt.

N^o 33.
Merrillo, J. Romero

ad.

The United States.

N^o 33, Transcript N^o 432.

Brief of the U.S.
District Attorney.

Jorge Murillo & Maria T. Romero

vs.

The United States

33 SD

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For the Postero de Felipe Lejos.

The Grant in this case, was made by Gov. Pico on the 18th of April 1845, and was approved by the Departmental Assembly, on the 22nd of May 1846 - the land was occupied and a house built upon it within the year. All the conditions have been complied with and the grant is a perfect. The description of the land in the Grant and in the map accompanying it is sufficiently definite to show what was intended to be granted and to enable a surveyor to ^{locate} ~~survey~~ the tract, ^{the judicial} Act of ~~judicial~~ possession and the description in the Grant and the map accompanying it say in some particulars -

The land grant as described in the Grant itself, the map accompanying the petition & the report of the Minister of the Mission to whom it was referred, fix the boundaries of the tract to be, ~~Quia Aguda on the East and South East running to a point where some crosses the tract of Cuidada Lita.~~

The road from San Gabriel to the Puente

G. Muiillo & M. A. Romero
vs
The United States

Opinion

Filed Sept 19th 1850.

J. C. Farr,
clerk.

on the North East commencing at the
bank of the River Agusa and running
westwardly a little inclined to the north
along said road to ^{the first} a Sycamore tree on
the right hand side of the road; and
fixes the length of that line to be the same
said canvas a little more or less - from
the willow tree in a south easterly direction
to what is called the Cienega of the Po-
trero of Felipe Lugo and along that
Cienega to a row of willows the boundary
line of the land of Casilda Sota & along
the boundary line of Casilda Sota to
the bank of the river Agusa - thence in
a north easterly direction along the bank
of the River to the place of beginning -
these are the boundaries laid down in the
map which accompanied the Grant -
which are described in the Grant itself
and by the Priest of the mission to whom
the petition was referred; The Justice
of the Peace in giving the possession
seems to have followed their boundary
except that he commenced at the
~~road~~ and the bank of the river and
the boundary of Sota and ran his first
line North East. along Sota's line, and
then he diverged to the North West. and away

from the Cienega, why this was done is not
accounted for, if we look at the map it
will be possible to understand how he came
here - now from the south east corner of
Soto line in a north west direction and
how he reached the road at a point, one
thousand varas as he says from the
corner of the line and the road, at
that point is reached by running from
Cañada Lita's corner in a north westerly
direction if we take the map as
a guide. What was granted is clearly shown
in the ~~map~~ the Grant & accompanying
map, and if the Judge in giving the pos-
session deed in his measurement and
included more than was granted in
giving possession it can not avail the claim-
ant as that officer had no power to grant,
the grant was specially reserved in the
Grant - ~~and the deed~~

The Grant will be confirmed but the
the decree must confine the claimant
to the boundaries I have designated