

CASE No.

63

SOUTHERN DISTRICT

---

A LOT OF GROUND AT SAN GABRIEL GRANT

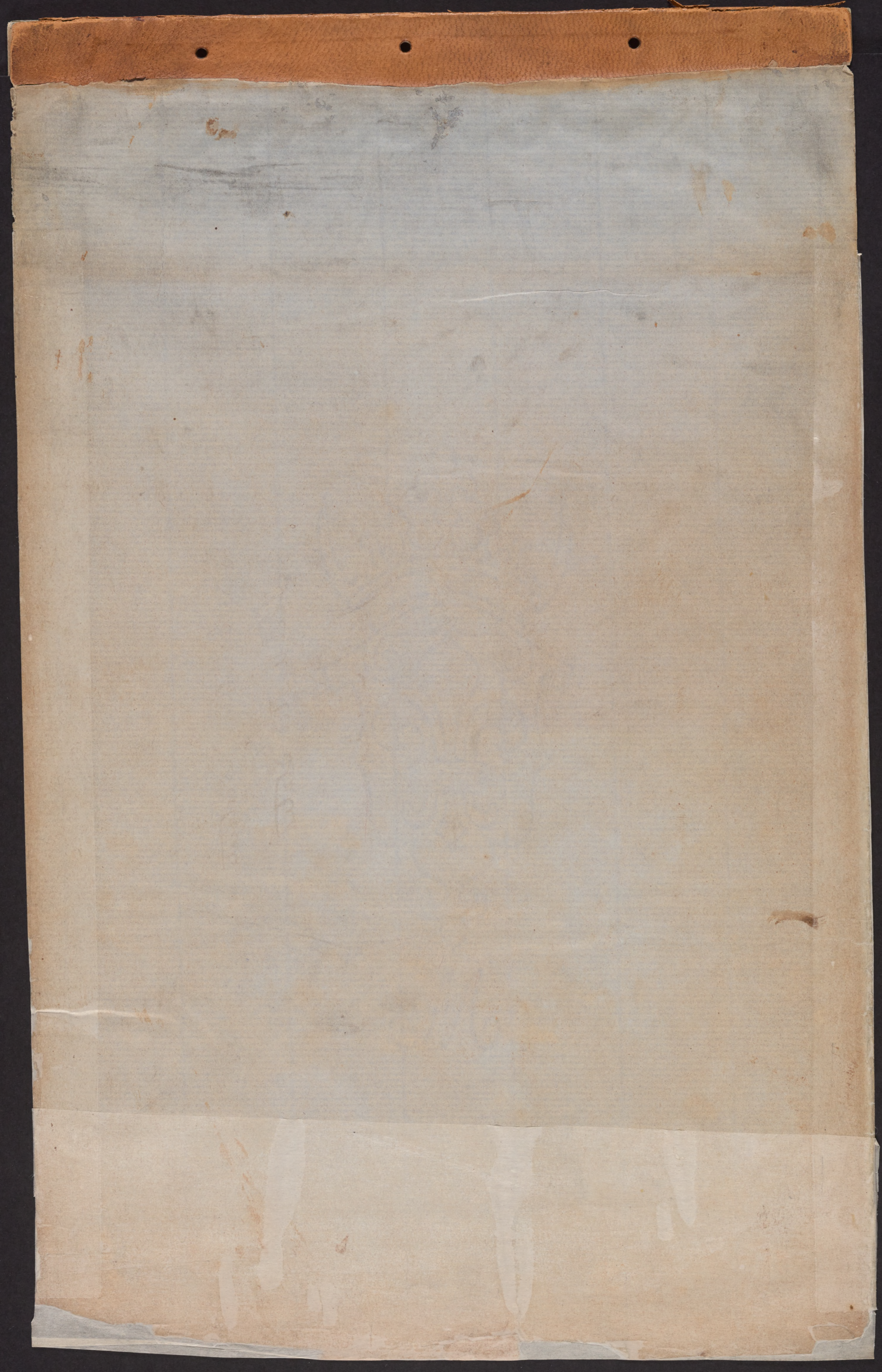
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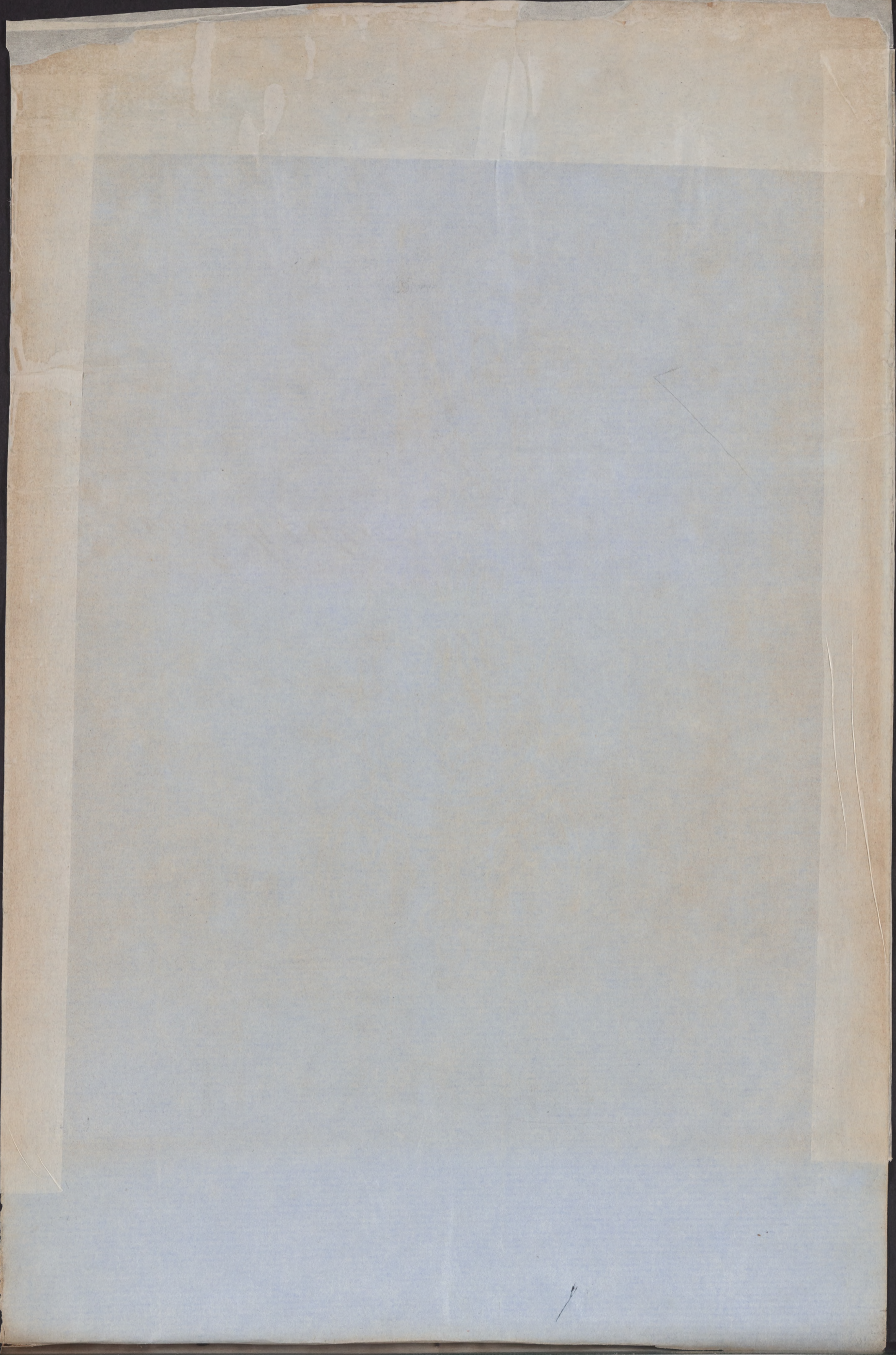
JOSE LEDESMA

CLAIMANT

FEB 17 1963

*Permanized*  
PLOVER BOND  
25% COTTON FIBER  
U.S.A.





# TRANSCRIPT

OF THE

# PROCEEDINGS

IN CASE

NO. 447

*José Ledesma*

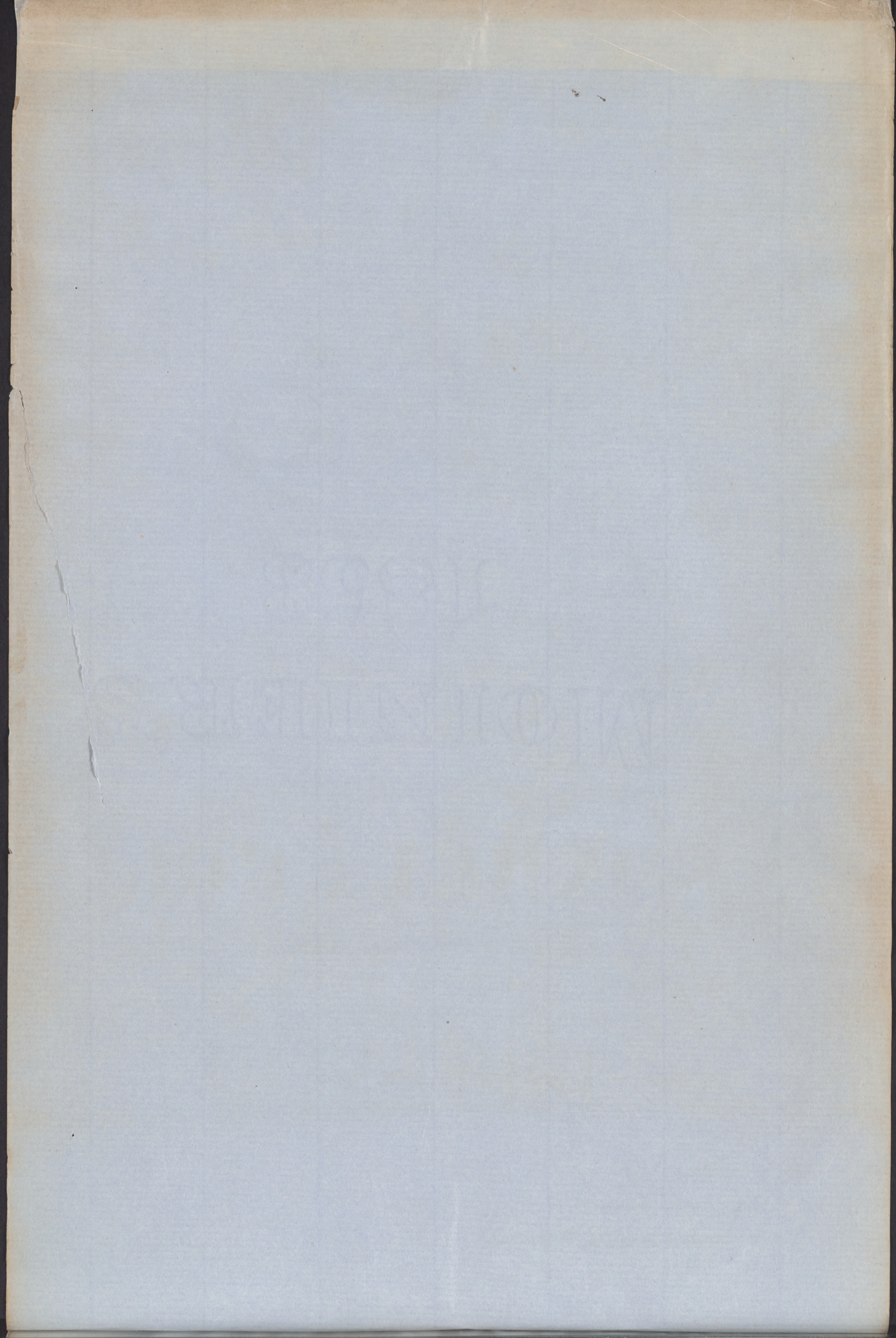
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*A Lot of ground at San Gabriel*



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 *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 *José Lederma* for the Place named *A Lot of ground at San Gabriel* was presented, and ordered to be filed and docketed with No. *447* 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 5<sup>th</sup> 1852.*

In Case No. *447* *José Lederma* for a lot of ground at San Gabriel, the deposition of *Rufo Reid*, a witness in behalf of the claimant, taken before Commissioner *Herman Hall*, with argument marked *N. H. no. 1* and a translation thereof marked *B. Amexa* thereon was filed;

(Vide page *4* of this Transcript)

*San Francisco Sept. 1<sup>st</sup> 1853.*

Case No. *447* *José Lederma* for a lot at the Mission of San Gabriel, Calla; The Counsel for the Claimant read the Evidence, argued submitted and taken under advisement.

San Francisco December 6/1853

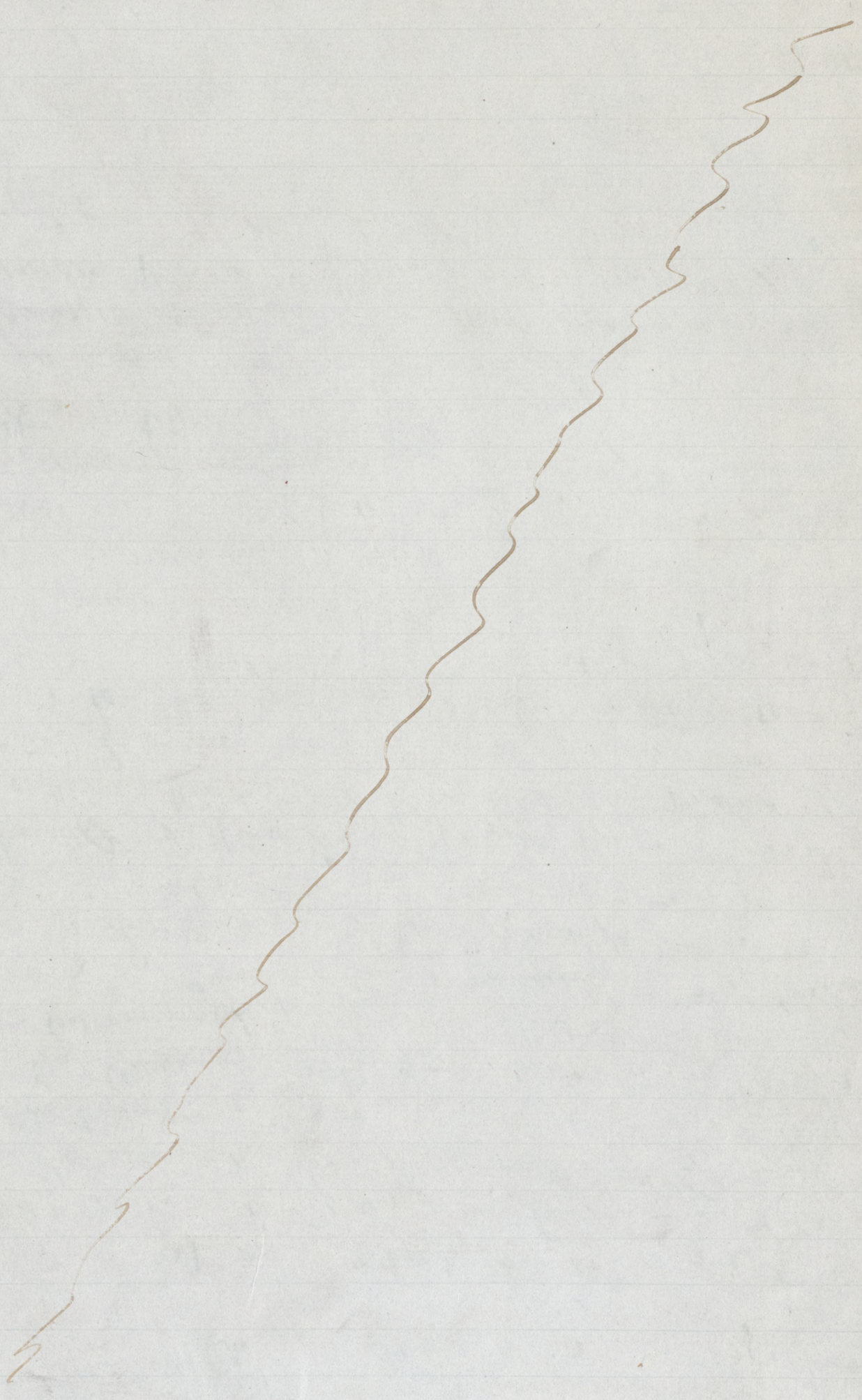
In the same case Commissioner Thompson  
Campbell delivered the opinion of the Board,  
confirming the claim.

(Vide page 8 of the Transcript)



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Supplement

To the Board of U.S. Land Commissioners  
appointed to settle Private Land Claims  
in California,

The Petition of José Ledesma respectfully  
represents:

Petition

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That on or about the 18<sup>th</sup> day of April  
A.D. 1845 Pio Pico, then Governor of California  
in the name of the Mexican Nation, by virtue  
of the laws in force, the usages and customs  
of the Country affecting grants of Land  
in California granted in full property the  
tract of Land at the Exmission of San Gabriel  
in the present County of Los Angeles, con-  
taining about four hundred varas in  
length by two hundred varas in breadth,  
as described in the papers and maps rela-  
ting to said grant of Land.

That the original Grant of said Land  
together with papers relating to judicial  
possession of the same are now in  
possession of your petitioner ready to be  
produced and proved, and copies of the said  
grant and papers are herewith <sup>presented</sup> as part of  
this petition.

Your Petitioner has occupied said  
lands since the date of said grant and is now  
in the peaceable and quiet occupation of the  
same. There is no conflicting claim  
thereto known to your Petitioner, and the said  
lands have not been surveyed by the U.S.  
Surveyor General for California.

The Evidence upon which your petitioner  
relies in support of this claim consists of  
the records relating to this grant in the  
Archives now in Custody of the U.S.  
Surveyor General for California, original  
papers in the possession of your peti-  
tioner ready to be produced and proved  
and the testimony of witnesses to be pro-  
duced before your Honorable Board.

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All of which he respectfully submits for such  
action as the justice and nature of this  
claim may require.

O. V. Crossby  
Of Counsel for Claimant

Filed in Office Nov 11 1882.

Geo. Fisher Sec.

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Deposition of  
Mengo Reid

San Angeles Nov 11 1882.

On this day before Comr. Heiland Hall came  
Mengo Reid, a witness in behalf of the  
claimant Jose Ledesma, petition No 447  
and was duly sworn his evidence being  
given in English

The U.S. Associate Land Agent was present.

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

My name is Mengo Reid, I reside at San  
Gabriel in the County of Los Angeles & have  
resided nineteen years in California.

I am acquainted with the hand writing  
& signature of Pio Pico & Juan Bandini

A paper is now shown me purporting  
to be a grant to Jose Ledesma dated 18<sup>th</sup> of  
April 1845, with a certificate of the giving  
of possession endorsed thereon dated May  
3<sup>rd</sup> 1845.

The signatures of said Pico & Bandini  
on said paper I believe to be genuine.

At the date of said certificate I was a  
Justice of the Peace and I gave possession

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as therein stated, my name to said certificate is my genuine signature, said paper is hereto annexed & marked H.C. No. 1. The genuine signature of Felipe Reid is also upon said certificate.

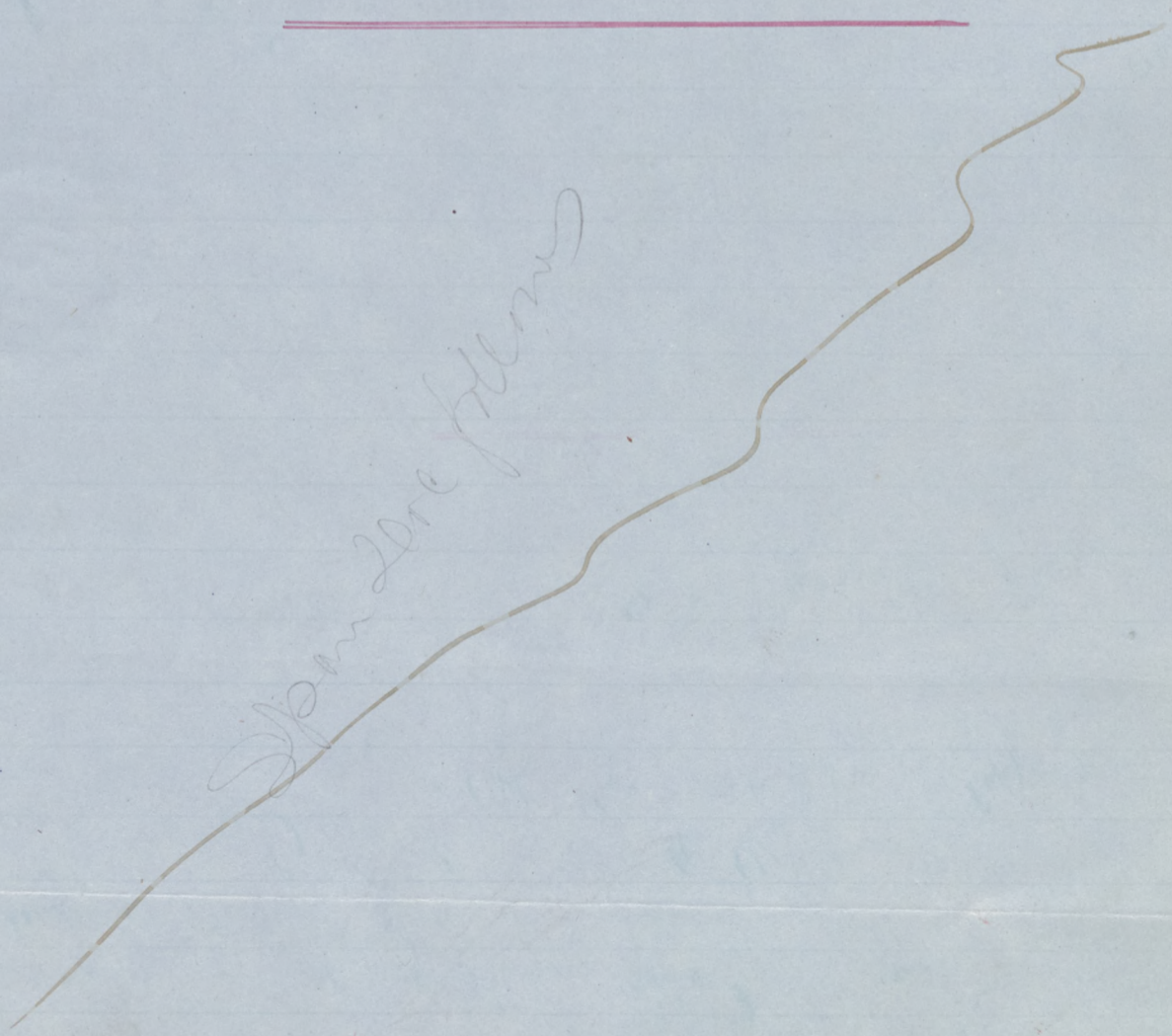
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PAGE 6

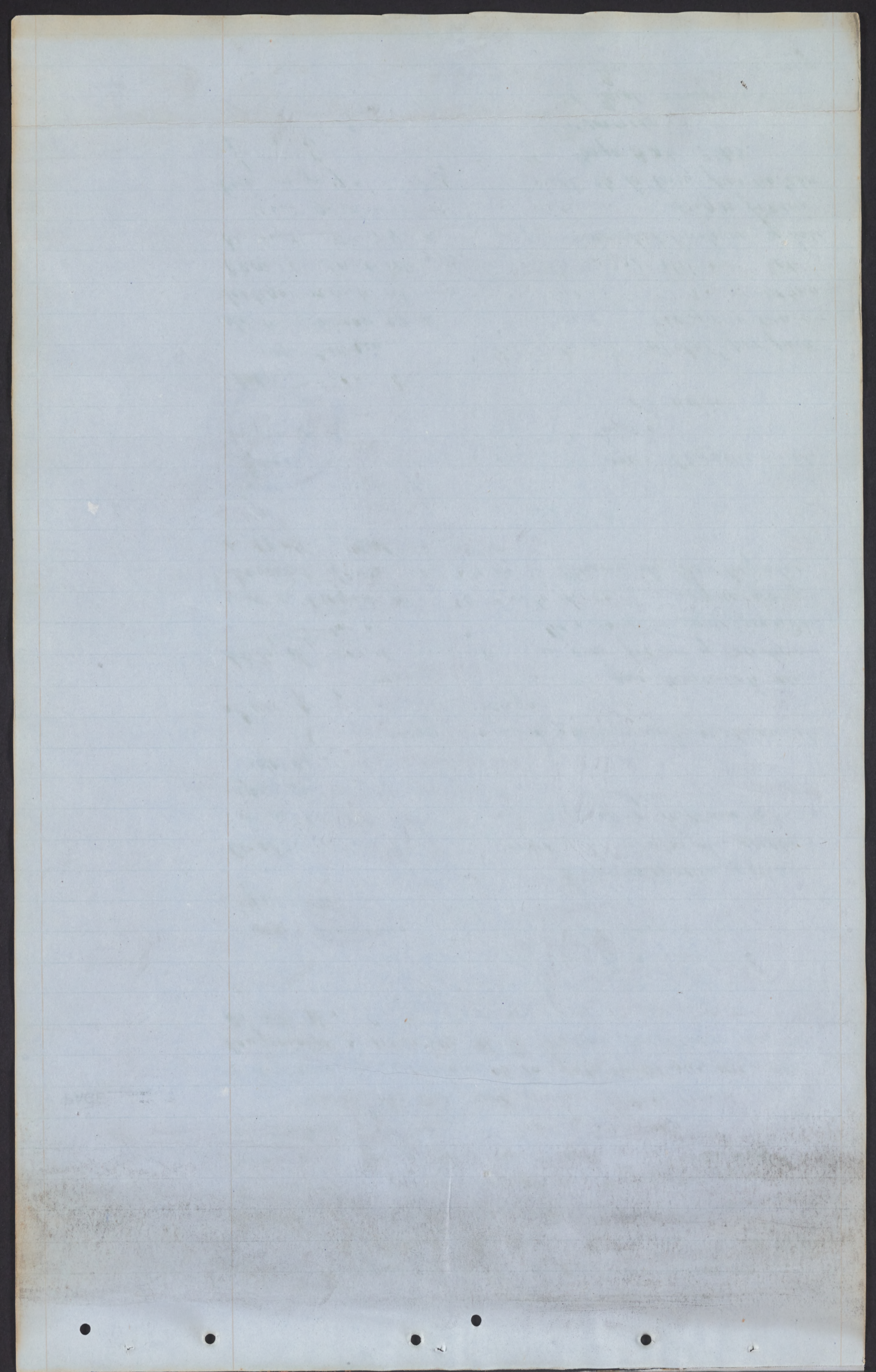
Soledad had occupied the land described in the grant, before it was granted him. He had a house on it and lived in it, & he has continued living on the land to the present time, having this year built a new adobe house on it.

He cultivated the land and has it fenced.  
Felipe Reid

Sworn & Subscribed  
Before me  
Holand Hall Clerk

Filed in Office Nov 5<sup>th</sup> 1852.  
Geo. Fishers Sec





17604  
Causa 447.  
9 de Mayo 1863  
O. 163

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El Ciudadano Don Pio, primer vocal de la Junta Asam-  
blea y Gobernador interino del Departamento de California.  
Por cuanto Jose Sotomayor de la Misión de San  
Gabriel ha pretendido para su beneficio personal y el de  
su familia la propiedad de un terreno de Cuatrocientos  
varas de largo y doscientos de ancho, contiguo a las tierras  
de Valencia y Manuel Sales y que ocupó sus labores  
practicadas las diligencias convenientes segun leyes  
y reglamentos, usando de las facultades que me son  
conferidas a nombre de la Nacion Mexicana, por decreto  
de este dia, he venido en concederle la propiedad de  
terreno que solicita entendiendose esto de entera confor-  
midad con las leyes, y sujeta a la aprobacion de la  
Junta Asamblea Departamental, bajo las condiciones  
siguientes.

1<sup>a</sup>. El terreno de que se le hace donacion es el de  
Cuatrocientos varas de largo y doscientos de ancho de  
tierras de labor y el Jefe respectivo le dara la posesi-  
on en vista de este despacho, haciendolo fijar los  
linderos correspondientes.

2<sup>a</sup>. Lo disfrutara libre y esclusiva de destinandolo  
al uso que mas le convenga.

In consecuencia mando que servandole de  
titulo el presente y teniendolo por firme y verdadero  
se tome razon de el en el libro a que corresponde  
y se entregue al interesado para su resguardo y  
demas fines. Dado en la Ciudad de Los Angeles  
a 18 de Abril de 1845.

Pio Pio.

Juan Bautista Soto.

Queda tomada razon de este Superior Despacho en el  
libro respectivo. Fecha en Lupa.

Bautista.

Administracion Auxiliar {  
de Justicia. { Presentes Manuel Cortes por parte  
de la Misión de S. Felipe Presid y Prospero como  
testigos para el interesado Cuatrocientos varas de largo  
este al Sur este, y doscientos varas del Sur este  
al Sur este, quealandose fijando los linderos; y habi-  
endo quedado satisfecho, uno de los testigos firmo  
con migo y el otro para la Señal de la Cruz por no saber  
firmar. San Gabriel. Mayo 3 de 1845.

S. Hugo Presid.

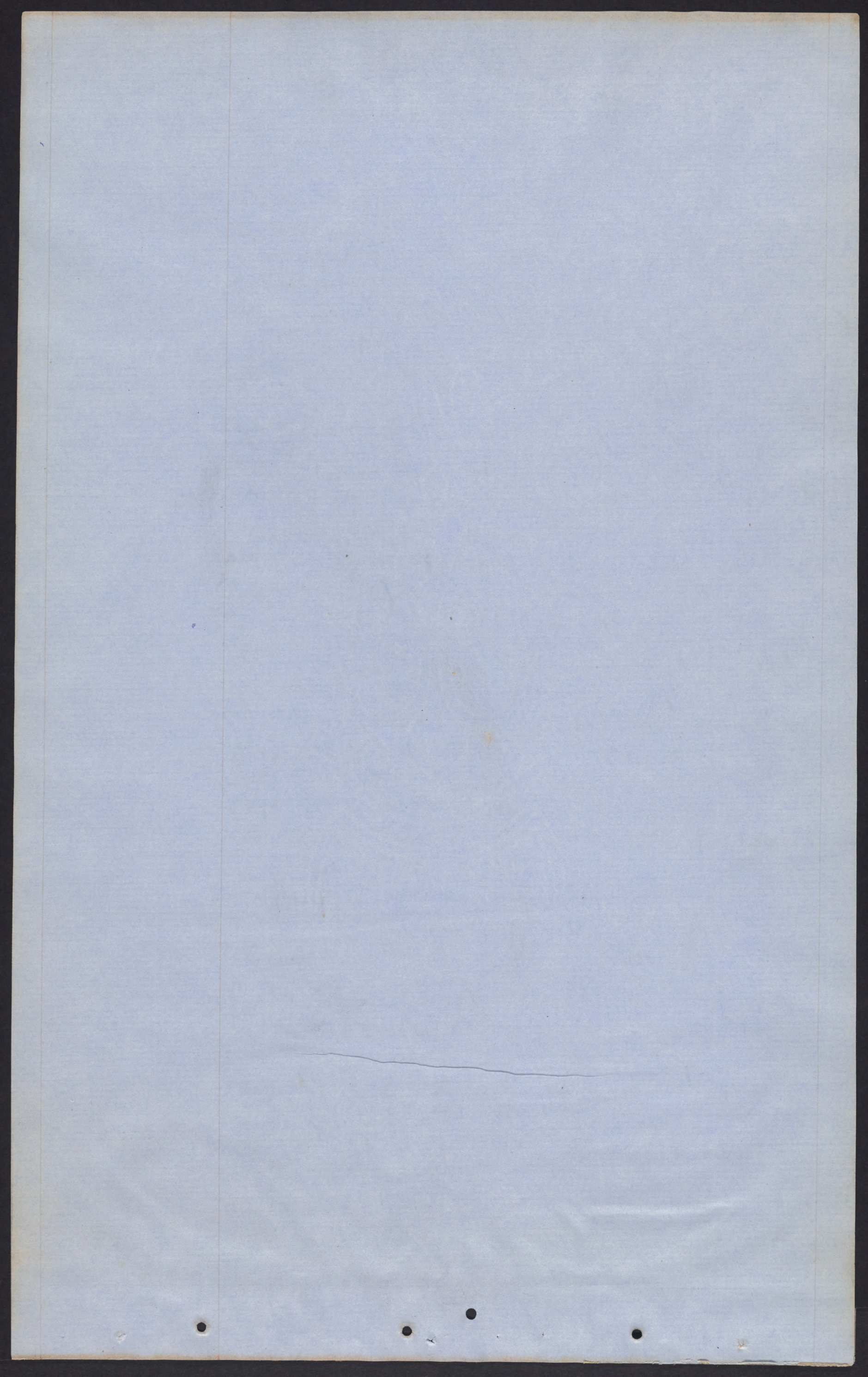
Presencia de

Felipe Cortes. Prospero +

Filed in Office Nov. 5. 1852.

Geo. Fisher - Secretary.

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The Citizen Pio Pico. Senior Member of the Most Excellent the Assembly and Governor ad interim of the Department of California.

Whereas Jose Ledesma of the Mission of San Gabriel has claimed for his personal benefit and that of his family the ownership of a tract of four hundred Varas in length and two hundred in breadth contiguous to the lands of Valencia and Manuel Sales, and which he occupies with planting, the proper proceedings having been instituted according to laws and regulations, in the exercise of the faculties conferred upon me in the name of the Mexican Nation, by Decree of this day I have come to grant to him the ownership of the Tract he solicits, this being understood as in entire conformity with the laws and subject to the approbation of the Most Excellent Departmental Assembly under the following conditions.

1<sup>st</sup> The Tract hereby granted is four hundred Varas in length, and two hundred in breadth planting grounds, and the competent Magistrate will give him the possession upon this patent being presented to him, causing the proper boundaries to be assigned.

2<sup>nd</sup> He may enjoy it freely and exclusively devoting it to such use as best may suit him.

Wherefore I order that this presents serving him for a title and being held as firm and valid be entered of record in the Book to which it appertains and delivered to the party in interest for his protection and further ends.

Given at the City of Los Angeles 18<sup>th</sup> of

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"B"

Translation of  
Grant & Juridical  
Possession

J

April 1848.

Pío Pico  
Juan Bandini

Sec.

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This Superior patent is entered of record  
in the appropriate Book.

Same date.  
Bandini

Auxiliary Justices }  
Lomb

In the presence of Manuel Antonio in  
behalf of the Mission and Sr. Felipe Reid  
and Prospero as witnesses, I measured  
to the party in interest four hundred varas  
from North West to South East, and two  
hundred varas from North East to South  
West, his boundaries being assigned  
and he being satisfied, one of the witnesses  
subscribed with me and the other affixed  
the sign of the cross not knowing how  
to sign.

P. Henry Reid

In presence of  
Felipe Reid  
Prospero +

Filed in Office Nov<sup>r</sup> 7<sup>th</sup> 1852.  
Sec<sup>y</sup> Fisher, Sec

Opinion  
Jose Ledesma  
vs  
The United States } "Look at San Gabriel"

The papers on file in this case show that,  
on the 18<sup>th</sup> day of A.P. 1848. Pio Pico, granted



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To the said Claimant a tract of land four hundred varas in length and two hundred in breadth, lying contiguous to the lands of Valencia and Manuel Sales, and which at the time of the grant were occupied by the said petitioners "with planting". The signatures of Governor Pio Pico, and Juan Bardini Secretary are both proved to be in their hand printing.

The above grant is accompanied by a certificate of judicial measure, signed by P. Xerigo Ruiz whose signature is also proved to be genuine.

The Claimant has proved, by the testimony of Xerigo that he occupied the land described in the said grant before it was granted to him, that he had a house on it, in which he lived, and that he had continued to live on the land up to that time, that he had built another adobe house upon it, and that he had cultivated the land, and had it fenced.

There is no proof that any approval of said grant was even made by the Departmental Assembly.

The Equities proved in this case are clear and conclusive.

The grant is for a small tract of land, and made to a Mestizte Mission, of the "Mission of San Gabriel".

These small grants made to <sup>Indian</sup> Missions seem to be made, as a general thing, without <sup>the usual</sup> formalities and conditions, which characterize other grants, but notwithstanding this objection, they belong to the Most Meritorious class of grants, and the class of persons to whom they were made, had certainly very strong claims upon the Mexican Government for protection.

The only question in the case, is the question of description and boundary, but I think taking the grant, and the

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certificate of measurement, together with the testimony of Hengo Reid, there will be but little difficulty in ascertaining the boundaries of the land granted.

It is proved by the deposition of Hengo Reid, that the land was not only cultivated, but that it was fenced: the grant describes the land as being at the time of making the grant occupied with planting, the reasonable inference therefore is, that the tract was fenced at the date of the grant, and has continued to be occupied in the same way ever since.

This being the case the officer authorized to make the survey will have no difficulty in ascertaining the precise tract granted.

The Claimant is therefore entitled to confirmation.

Filed in Office Dec 6' 1853, Gen. Fisher Sec, Jose Ledesma

vs  
The United States } In this case on hearing the proof and allegations, it is adjudged, by the Commission that the claim of the said petitioners is valid, and it is therefore decreed that the same be confirmed. The lands of which confirmation are hereby made, are situated as San Gabriel, and are the same now occupied by the said Jose Ledesma, and are bounded & described as follows, to wit: lying contiguous to the lands of Valencia, and Manuel Sales, the same being enclosed by a fence measuring from North West, to South East four hundred varas, and from North East to South West two hundred varas, containing in all eight thousand square varas.

Alphens Felch  
Thompson Campbell  
R. Aug. Thompson  
Commissioners

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Decree

Filed in Office  
Dec 6' 1853  
Gen. Fisher  
Sec

Office of the Board of Commissioners,

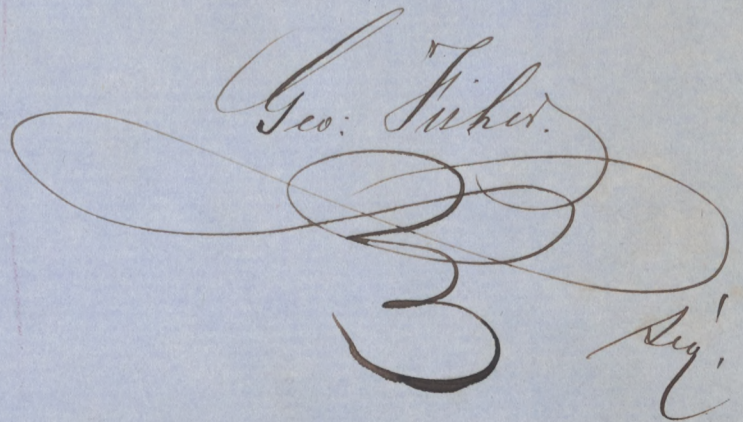
To ascertain and settle the Private Land Claims in the State of California.

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 *Ten* pages, numbered from 1 to *10*, 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. *447* on the Docket of the said Board, wherein *José Ledesma* is

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

In Testimony Whereof, I hereunto set my hand and affix my private Seal (not having a Seal of Office) at San Francisco, California, this *Twenty second* day of *August* A. D. *185*, and of the Independence of the United States of America the seventy-*eighth*.

*Geo. Fisher.*



*Geo. Fisher.*



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

No. *63* Packet

THE UNITED STATES,

vs.

*José Ledesma*  
63

*"Lot a San Gabriel."*

TRANSCRIPT OF THE RECORD  
FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,  
in Case No. *447*

Filed, *August 30th* 185*4*

*W. H. Baxter*  
Clerk

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Office of the Attorney General of the United States,

Washington, 30th November 1854.

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José Lederna

vs.

The United States

} 447.

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 18th day of August 1854 the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cumby

Attorney General.

No. 63.

U. S. District Court.

Southern District

The United States

vs.

José Lozano —

Appeal Notice —

Filed July 10<sup>th</sup> 1855.

J. S. Farr  
Clerk.

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

Los Angeles County, State of California.

José Ledesma

advs.

The United States

Nº 63 (Transcript Nº 441)

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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 Los Angeles  
County) Attorney of the United States for the  
Southern District of California, who petitions  
in this behalf for the United States; and being  
present here in Court in his proper person, in the  
name and behalf of the United States, repre-  
sents as follows.

That heretofore, to wit, on or about the  
1<sup>st</sup> day of November A.D. 1852 José Ledesma  
presented a petition to the Commissioners to as-  
certain and settle the private land claims in  
the State of California, claiming a lot of land  
400 varas in length by 200 in breadth, at San  
Gabriel in the County of Los Angeles, in  
the words and figures following, viz.

"The Petition of José Ledesma respect-  
fully represents;

"That on or about the 10<sup>th</sup> day

of April A.D. 1845 Pio Pico, then Governor of California in the name of the Mexican Nation, "by virtue of the laws in force, the usages and "customs of the Country affecting grants of "Land in California granted in full propu- "ty the tract of land at the Comission of "San Gabriel in the present County of Los "Angeles, containing about four hundred "varas in ~~length~~ by two hundred varas in "breadth, as described in the papers and maps "relating to said grant of landt."

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"That the original grant of said lands "together with papers relating to juridical "possession of the same are now in possession "of your petitioner ready to be produced and "proved, and copies of the said grant and "papers are herewith presented as part of this "petition."

"Your petitioner has occupied said "lands since the date of said grant and is "now in the peaceable and quiet occupation "of the same.

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

"The evidence upon which your "petitioner relies in support of this claim



"consists of the records relating to this grant  
 "in the archives now in the custody of the  
 "U. S. Surveyor General for California, orig-  
 "inal papers in the possession of your pe-  
 "titioner ready to be produced and proved  
 "and the testimony of witnesses to be produ-  
 "ced before your Hon. Board."

"All of which he respectfully submits  
 "for such action as the justice and nature  
 "of this claim may require."

Your petitioner further represents that  
 there after, to wit on the 6<sup>th</sup> day of December  
 A. D. 1853 the said Commissioners confirmed, by  
 final decree, the said claim of the said José  
 Ledesma in the words, and figures following,  
 to wit,

"In this case on hearing the proof  
 "and allegations, it is adjudged by the Com-  
 "mission that the claim of the said petition-  
 "er is valid, and it is therefore decreed that  
 "the same be confirmed. "The lands of  
 "which confirmation are hereby made, are  
 "situated at San Gabriel, and are the same  
 "now occupied by the said José Ledesma,  
 "and are bounded & described as follows, to wit,  
 "lying contiguous to the lands of Valencia,  
 "and Manuel Salas, the same being enclosed

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"by a fence + measuring from North West,  
"to South East, four hundred varas, and from  
"North East to South West two hundred varas,  
"containing in all eighty thousand square  
"varas."

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"Alpheus Felch" }  
"Thompson Campbell" }  
"R. Aug. Thompson" }  
"Commissioners"

That thereafter, to wit, on or about the 30<sup>th</sup>  
day of August A.D. 1854, a duly certified tran-  
script 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 Cal-  
ifornia and marked N<sup>o</sup> 63 (Transcript N<sup>o</sup> 447),  
reference to which it is prayed may be had  
and made a part of this petition.

That on the 18<sup>th</sup> day of August A.D. 1854  
the Honorable Caleb Cushing Attorney Gen-  
eral of the United States received a duly cer-  
tified duplicate of said transcript of said  
final decree and proceedings of said Commif-  
sioners in said cause (N<sup>o</sup> 447) and the papers  
and evidence on which said decree was founded.  
That thereafter, to wit, on the 10<sup>th</sup> day of Jan-

January A.D. 1855, the said Attorney General of the United States, filed or caused to be filed, on behalf of the United States, a notice with the said clerk of said District Court for the Southern District of California, that the appeal, in said cause of José Ledesma, 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 ~~reversed~~ reversed, and set aside, for many errors, and imperfections of law and evidence apparent in said certified transcript of said cause, now on appeal from said Commissioners to this Honorable Court.

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

I. And the said Attorney denies all and singular each and every allegation in the

said petition of said Claimant, to said Com-  
-missioners of said date. And he further denies  
that any grant for said land was ever made  
as alleged in said petition. And he denies feur-  
-ther that the said claimant has shown any, or  
sufficient evidence of the validity of the said  
claim.

II. That the said alleged grant of Governor  
Pico was made in violation of the 4<sup>th</sup> article  
of the Colonization law of Mexico of the 18<sup>th</sup> of  
August A.D. 1834, in this; that the land granted,  
as alleged by claimant, was and is within  
ten leagues of the sea coast; and there is no ev-  
-idence shown by claimant, that the Supreme  
General Executive power of Mexico, previously  
approved of the Colonization of the public lands  
in Upper California lying within ten leagues  
of the sea coast. And it is denied that such  
previous consent of said Supreme General Exec-  
-utive power of Mexico in such case was ever  
had.

III. That at the date of the said alleged  
grant, the said land claimed as aforesaid,  
was occupied by, and in the possession of the  
missions of the territory of Upper California;  
and it was held and occupied particularly by

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the Mission of San Gabriel; and could not therefore be colonized.

IV. That the said alleged grant has not the conditions required by, and is not made in entire conformity with the laws of Mexico of the 10<sup>th</sup> day of August A.D. 1824, and the regulations for the colonization of the Territories of Mexico of the 31<sup>st</sup> November A.D. 1828.

V. That the claimant fails to show his petition to said Governor for said land, and the corresponding map - or <sup>authentic</sup> copies thereof.

VI. That he fails to show the Records in the Archives in the Custody of the United States Surveyor General of California relating to said alleged grant, or <sup>authentic</sup> copies thereof, referred to in his said petition to said Commissioners filed November 1<sup>st</sup> 1852.

VII. That the said alleged grant of said Pio Pico, is not upon stamped paper; and no reason is assigned therein for its being upon common paper.

VIII. That the said alleged grant, contains no certain description of the locality and boundaries of the said land, so that it can be identified and surveyed. And it is void for uncertainty.

IX. That said alleged grant has not the

conditions requiring the <sup>alleged</sup> grantee to occupy or cultivate the land within a proportionate or fixed time, as required by law.

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X. That the pretended act of juridical possession of Hugo Reid Auxilliary Justice dated San Gabriel May 3<sup>rd</sup> 1845, is not upon stamped paper; and no reason is assigned therein for its being upon common paper. That it was not made according to the ordinance, or law, or the alleged grant. That it does not describe the location or the metes and bounds of the land claimed, so that it can be identified and surveyed. And it is vague, indefinite and void.

XI. That there is no evidence that Hugo Reid, at the time of said pretended juridical possession of said land, (May 3<sup>rd</sup> 1845) was an auxilliary Justice at San Gabriel, and had as such, lawful authority to locate, measure, and give juridical possession of said land to said Ledesma, in virtue of said alleged grant. And it is denied that he was such auxilliary Justice at said time and of said place; and that he had, as such, lawful authority to locate, measure, and give the juridical possession of said land to said José Ledesma, in virtue of said alleged grant.

XII. That there is no sufficient evidence

XII. That there is no sufficient evidence that the said Sedesma built a house upon the said land, and occupied it, within one year from the date of said alleged grant; and that he cultivated the said land.

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XIII. That there is no evidence that the said alleged grant was ever approved by the Departmental Assembly of California, or the Supreme Government of Mexico.

XIV. And that the said claimant shows no definitive grant for the said land.

And no sufficient 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.

And the said claimant having no valid right or title, derived from the Spanish, or Mexican Government, to the said land claimed by him, as aforesaid, the lawful right, or title in and to the said land, was acquired by, and it now belongs to the said United States, by virtue of the treaty of peace, friendship, limits, and settlement, with the Republic of Mexico, dated at the City of Guadalupe Hidalgo.

10.  
-go, February 3<sup>rd</sup>, A.D. 1848.

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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 in pursuance of the act of Congress entitled "An act to ascertain, and settle the private land claims in the State of California" Approved March 3<sup>rd</sup> A.D. 1851, and the laws and statutes in such case made and provided, prays that the said José Ledesma 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 upon the validity of the said claim of said José Ledesma, for said land claimed and confirmed as aforesaid; and that the same may be deemed invalid. And all such other orders, judgements, or decrees as may be just. With costs, and general relief.

P. Ord

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

11.





No 63

U.S. Dist Court  
S. Dist of Cal<sup>a</sup>

Jose Ledesma  
adv

The United States

Petition of the U. States  
for Review

Filed Aug. 13 1855

J. E. Fox  
CLK.

63 SD  
PAGE 25

R. B. Dickratty

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

José Ledesma

Appellee

vs

The United States

Appellant

Case No. 63,

400 by 200 varas near  
San Gabriel.

And now comes the said appellee by  
Norton & Brown his Attorneys, and for  
answer to the petition of review filed  
in this case by the United States District  
Attorney, says,

That his title to the lands  
claimed by him in this case is good  
and valid.

Wherefore he prays that this  
Honorable Court will affirm the decision  
of the Board of United States Land Com-  
missioners in this case, and decree  
the title of the said appellee to the  
said lands claimed by him to be  
good and valid, and confirm the same  
to the said appellee; and for such other  
or further and general relief in the  
premises, as to this Honorable Court  
shall seem just and equitable.

Norton & Brown  
Attys for Appellee

63 SD  
PAGE 26

I have served this Answer upon  
P. Oes U. S. Atty by delivering to him  
personally a true copy of the same  
at Los Angeles January 14<sup>th</sup> 1856

Edward Hunter  
U. S. Marshal  
per M. D. Goodman  
Deputy.

No. 63.

N. W. District Court

Southern Dist of California

Josi Lecceasira

Appellee

vs

The United States

Appellant

Answer

Filed Jan'y 11<sup>th</sup> 1856.

63 SD

PAGE 27

J. S. Jones  
Clerk

W. D. Goodman

Marshals Court

Serving Answer \$2.

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

December Term 1856

José Ledesma

Los Angeles

Appellee

No. 63.

vs

The United States

Lot at San Gabriel

Appellant

400 by 200 varas.

This cause coming on to be heard,  
on appeal from the final decision of the  
Board of United States Land Commission-  
ers "to ascertain and settle the private land  
claims in the State of California" under an  
act of Congress approved March 3<sup>d</sup>, 1851,  
upon the Transcript of the proceedings, papers  
and evidence had and taken before the said  
Board; And it appearing that the said  
Transcript and a notice of the intention of  
the appellants to prosecute the said appeal  
have been duly filed with the clerk of  
this court; And counsel for the respective  
parties having been heard - It is or-  
dered, adjudged and decreed by the Court,  
that the decision of the said commis-  
sioners be affirmed, and that the title of  
the said appellee, José Ledesma to the  
lands claimed in this case be decreed to be  
good and valid. The lands of which con-  
firmation is hereby <sup>an</sup> made are situated in  
the county of Los Angeles, and known by  
the name of <sup>and are the same that were</sup>  
occupied by the appellee José Ledesma, <sup>and heretofore</sup> on  
the 1<sup>st</sup> day of Nov 4<sup>th</sup> 1852, and bounded

and described as follows to wit; lying  
contiguous to the lands of Valencia,  
and Manuel Salas, ~~the same~~ ~~triangular~~  
~~the said 5<sup>th</sup> day of November~~ ~~causing~~  
~~executed in by the said~~ ~~appellation~~ ~~José~~  
~~Salas~~, and measuring from north  
west to south east four hundred <sup>spanish</sup> varas,  
and from north east to south west  
two hundred Spanish varas - containing  
in all eighty thousand square varas,  
and the ~~same~~ said claim is hereby  
convinced to the extent of four hundred  
varas in length by two hundred varas  
in breadth and no more, and for  
a more particular <sup>of said land reference</sup> description, is  
hereby made to the original grant  
made by Pio Pico then Governor  
of California, on the 18<sup>th</sup> day of  
April 4<sup>th</sup> 1845 and the records of  
judicial possession and testimony  
on file in this case

James K. Ogden  
Notary Public  
for the State of California

No 63.

U. S. Dist Court  
South Dist of California

Jose Ledesma  
appellant  
vs

The United States  
appellants.

Dover,

Filed July 12<sup>th</sup> 1857  
Clerk  
Recorded in page 1687

California Land Claims  
Attorney General's Office  
11 Feb. 1857.

Sir:  
In the case of the claim of  
Jose Lederma, confirmed to the  
claimant by the Commissioners,  
Case no. four hundred and forty-  
seven, (447). Appeal will not be  
prosecuted by the United States.

Yours,  
Respectfully,

*Carson*

Pacific No Esq  
U.S. Attorney  
Los Angeles.



No. 63.

Filed 4 March 1858,  
C. King, Clerk,  
for W. W. Stetson,  
Deputy.

UNITED STATES OF AMERICA, }  
Southern District of California, } SS.

The President of the United States,

TO

*José Ledesma*

63 SD

PAGE 33

Greeting:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *You* in the District Court of the United States, in and for the Southern District of California, on the *13<sup>th</sup>* day of *August*, in the year of our Lord one thousand eight hundred and fifty-*five*, at the City and County of Los Angeles, in said District, by

*P. Oro, U.S. Atty for  
the Southern Dist of California, praying  
said Court to review the Decision of the  
U.S. Law Commissioners confirming  
your claim to a tract of Land called  
'Solar in San Gabriel'*

and that *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 the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *17<sup>th</sup>* day of *December* A. D. 185*5*.

*Signet* *E. Sawyer* CLERK.  
a true Copy of the Original Summons  
*Edward Hunter*  
U.S. Marshal  
*Jr. M. C. Goodman*  
Deputy

Members Cost

Copying Summs, 50

Services 3.00

Petition 3.00

Miscase

2.16  
\$8.75

No. 63.

UNITED STATES OF AMERICA,  
Southern District of California,  
U. S. District Court.

Jose Laderna  
vs  
The United States

SUMMONS.

Received 185

U. S. MARSHAL.

63 SD

PAGE 34

I served this Summons, together with a certified copy of the Petition, upon *Jose Laderna*  
(or an Indian who said that was his name) by delivering a copy near  
the mission of San Gabriel  
his residence Los Angeles, in the Southern District of California, on  
the 9<sup>th</sup> day of Jan A. D. 1856.

Sworn to and subscribed before me, this 10<sup>th</sup>  
day of Jan 1856.  
*J. E. Fan*  
CLERK.

*Edward Hunt*  
U. S. MARSHAL.

*José Ledesma,*  
*appellee,*

— *vs.* —

*The United States,*  
*appellant.*

*Lot near San Gabriel.*