

CASE No.
153

SOUTHERN DISTRICT

TEMASCAL GRANT

MANUEL ANGUISOLA
CLAIMANT

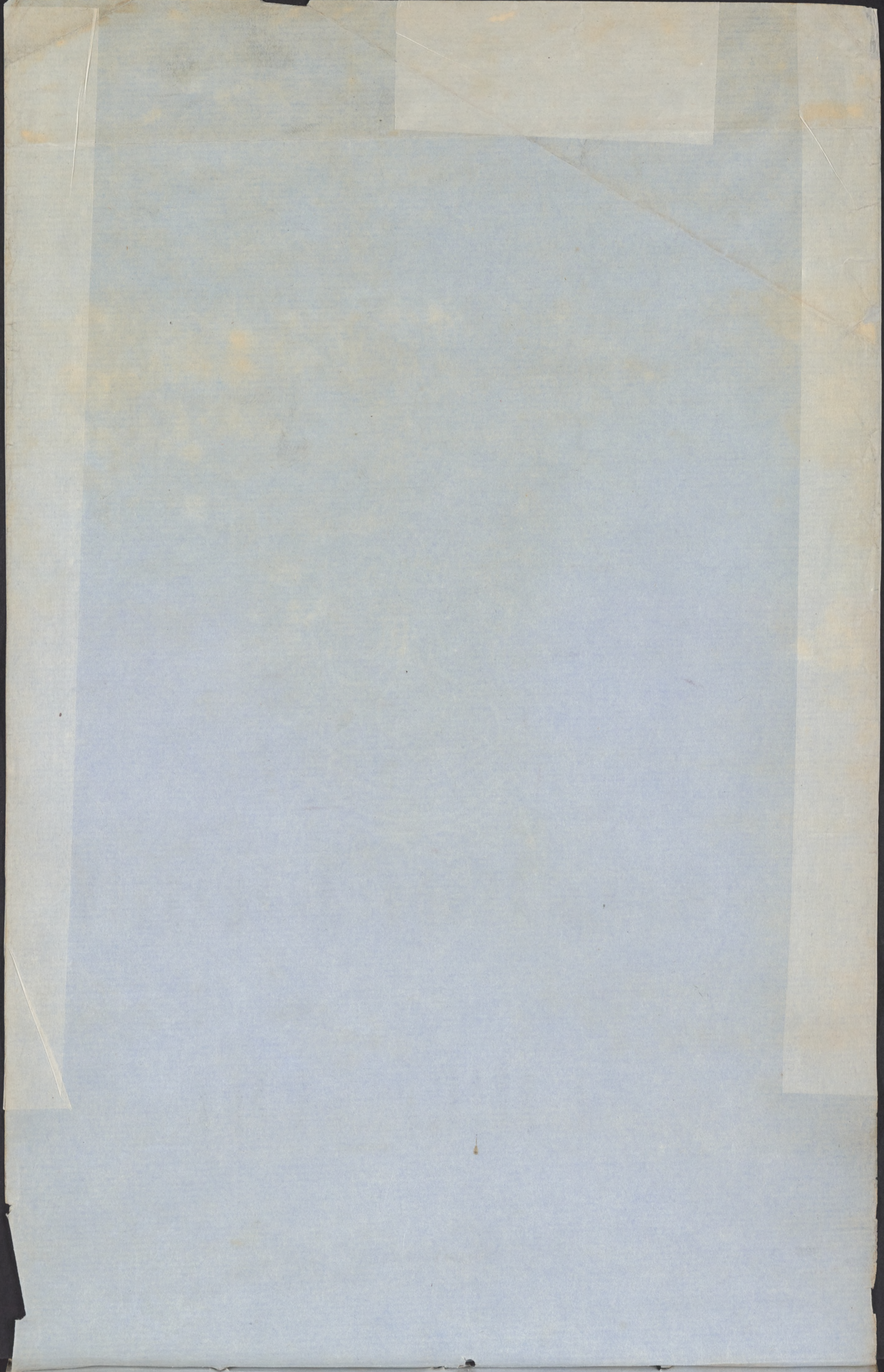
LAND CASE 153 SD pgs. 111

MAR 5 1963

U.S.A.
32nd COLLECTOR FEB
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521

5-3-1871



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TRANSCRIPT
OF THE
PROCEEDINGS
IN CASE

NO. 521

Manuel Anguisolca

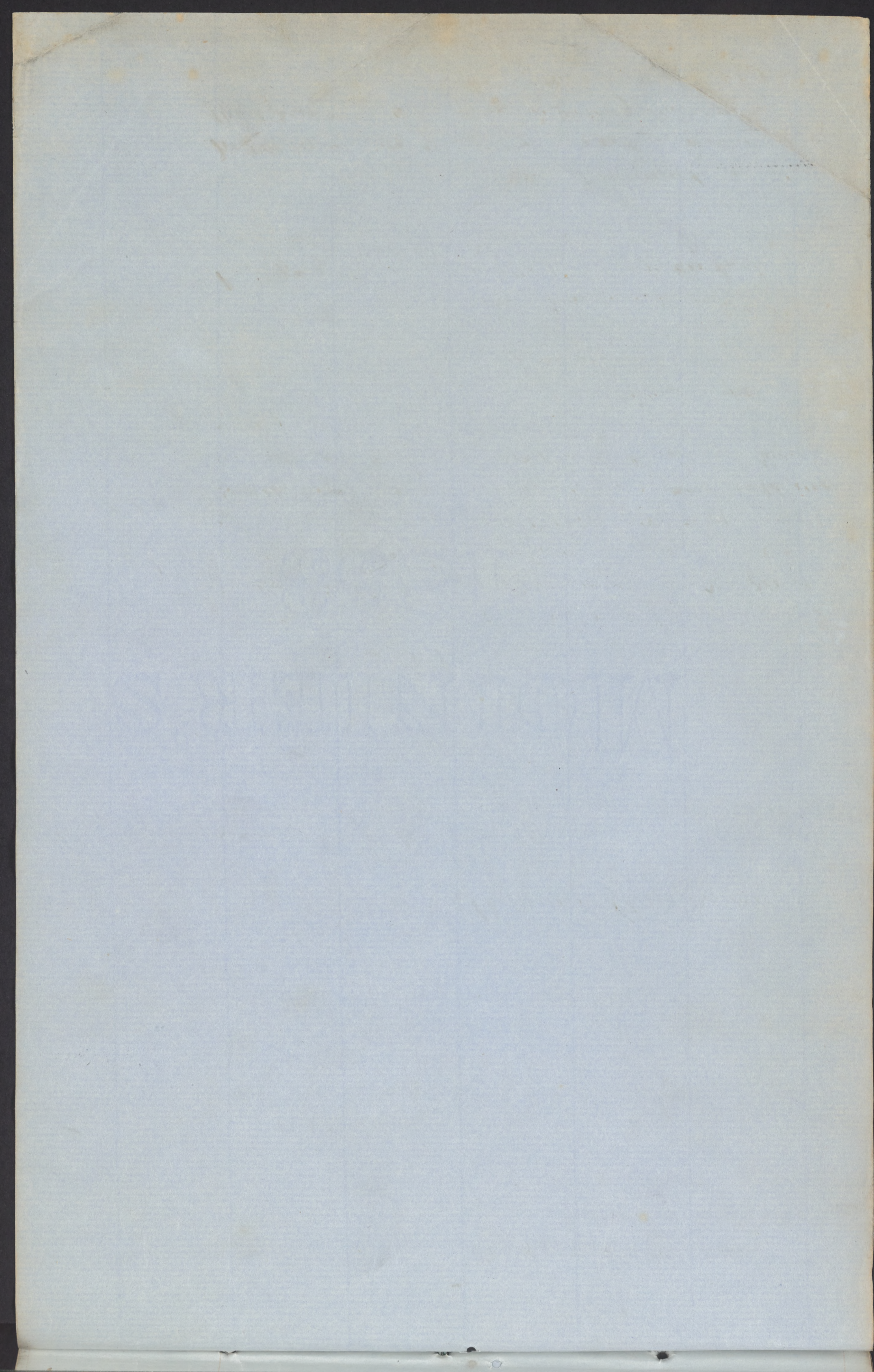
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Tomasca"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this 19th day of January, Anno Domini One Thousand Eight Hundred and Fifty-Three, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

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The Petition of Manuel Anguisola, for the Place named "Temascal," was presented, and ordered to be filed and docketed with No. 521 and is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco, January 29th 1853,
In Case No. 521, Manuel Anguisola for the place named "Temascal," the deposition of Jose Maria Coranubias, a witness in behalf of the claimant, taken before Commissioner Juliana Hall, with documents marked A. H. Nos. 1, 2, 3. Annexed thereto was filed.

(Vide page 4 of this Transcript.)

San Francisco, Oct. 5th 1853,
Case No. 521 was submitted on Brief on both sides and taken under advisement by the Board,

San Francisco, April 4th 1854,
In the same case Commissioner Alpheus Felch delivered the opinion of the Board respecting the claim;
(Vide page 4 of this Transcript.)

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San Francisco, Aug. 15th 1854.

In the same case, on motion of the United States
Law Agent, the following order was made, to wit;
(See page 44 of this Transcript.)

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PAGE 3



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

Petition.

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Your petitioner Manuel Anguisola a resident of Santa Buenaventura in the State of Sta Barbara respectfully represents to your honorable Board, that he claims a certain tract of land called the Pomaseal containing three Sitios of Grading land more or less situated in the County of Santa Barbara in the State of California, that he claims the same in fee in virtue of a grant made to Francisco Lopez and José Buellones under the authority of the Mexican Government by Manuel Micheltorena, Governor Commanding General and Inspector of both Californias dated the 17<sup>th</sup> of March 1843.

Your petitioner further represents that the said grantees on the 27<sup>th</sup> of September 1847 transferred their rights to your petitioner.

Your petitioner would further represent that Judicial possession of said tract of land was given to your petitioner on the 30<sup>th</sup> of November 1847 and the boundaries thereof designated and defined, and that the original grantees and your petitioner have been in the peaceable possession thereof ever since, that a house has been built on said tract of land; and that he has no knowledge of any interfering claim.

Your petitioner presents herewith the original Grant of said Land in the Spanish Language marked A. a sketch of the said Land marked C. The Prayer for the Grant marked D, the Judicial possession marked E and the Deed of sale marked F together with the translation of the said documents, and will make further proof of title if required by the Board.

Your petitioner prays your honorable Board to take into consideration his claim to said tract of land and decree his title to be valid and confirm the same.

And Your petitioner will for ever pray

N. Herbert

Attorney for Petitioner.

Filed in Office, Jan'y. 19<sup>th</sup> 1853. Geo. Fisher. Sec'y.



On this day before Com<sup>r</sup> Hill and Hall, came José Maria Covarrubias, a witness in behalf of the claimant Manuel Anguisola, - petition N<sup>o</sup> 521 and was duly sworn, his evidence being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

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Deposition of J. In answer to inquiries by Counsel for the Claimant the Maria Covarrubias witness testified as follows.

My name is José Maria Covarrubias, my age is Forty four years and I reside in Santa Barbara.

A paper is now shown me purporting to be a grant to Francisco Lopez and José Arellanes dated 17 March 1843. - I am acquainted with the hand writing and signatures of Manuel Michelmorena and Francisco Arellanes and believe their signatures on said paper to be genuine. Said paper is hereto annexed and marked H. H. N<sup>o</sup> 1.

A testimonial of Judicial possession is also shown me dated November 1847 and is hereto attached and marked H. H. N<sup>o</sup> 2.

I am acquainted with the hand writing and signatures of Vicente Moraga, Pablo de la Guerra, Praymondo Olivas, Juan P. Ayala, & Antonio Rodriguez, and believe their signatures on said document to be genuine.

A paper is also shown purporting to be an instrument of sale from the before named grantees to Manuel Anguisola dated 27<sup>th</sup> of September 1847. & is hereto attached and marked H. H. N<sup>o</sup> 3. - I am acquainted with the hand writing and signatures of Luis Carrillo, Guill. Carrillo, Miguel de la Guerra, José Lugo de Francisco R. Lopez and believe their signatures to said paper to be genuine.

I know the land described in the



5. said Grant. — A house was built on the land by the grantees immediately after the making of the Grant and it has been inhabited ever since. Lopez lived in the house with his family until the sale to the present claimant who has occupied it ever since. The land has ever since its first occupation been cultivated and used for the keeping of cattle.

José M<sup>a</sup> Covarrubias.

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Sworn and subscribed before me.

Hilland Hall.

Com<sup>r</sup>.

Filed in Office. Jan. 29<sup>th</sup> 1853.

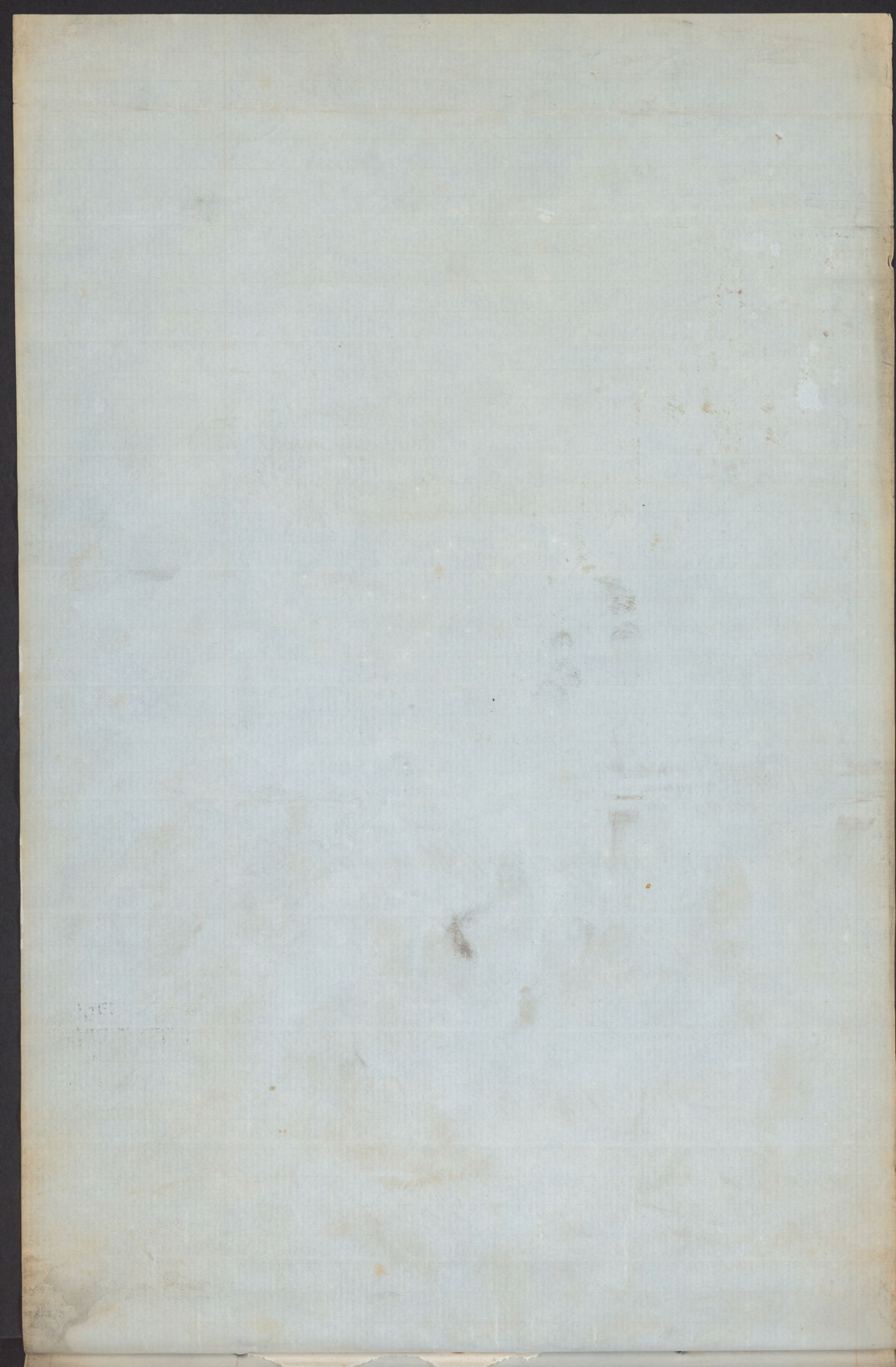
Geo. Fisher.

Secretary.

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map 7

Año de 1827.

Expediente promovido por los vecinos a Sta Barbara  
Cuid. Francisco Lopez y José Arellanes  
del paraje de Lemuscal.  
Nº 520.

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Sr. Jefe del 2º Distrito.

Expediente.

Arg. Inenoryale 1843. Juan Lopez y José Arellanes vecinos  
D. conforuad con la del Partido de Santa Barbara haute  
leyes y reglamentos de p. s. respectivamente y conforme. Hayo lugar  
la materia, informand en derecho ha en presente; que en  
Suez de Pay del Partido Natural de tener a la fha un voto cum  
esta Barbara, si el - eno de Ganado y bestias Caballerias  
terreno que dolo atan que estan pa oleicudo las mayor. estas  
las utereras parecerias con respecto a r. y no ha que poder la  
a comunidad, lo p m i n g e d u e n y en atencion a estas nes tiempos  
o particular, si esta la estuua bondad precibad de cup  
Compreuio a las lo implan de la bondad de v. s. aqui de  
leguas literales. No que le nos Conecta el terreno que  
limitos, si las uterarias marifiesta el adguato de eno conouio  
- a los tienen si en el con el nombre de Lemuscal el cual es un  
pa Cubrin las, y la equiliq ur varolio que se haga a la co medi  
- ita necesarias pader - a liones del Rancho de San Plun  
apreuido, Contu a l g a n y lo estauo, pareando S. J y el valle  
que pareia necesario y por otra parte del Rancho de San  
a d u e n r a l a m a t e r i a C a r l a s A n t o n i o C a r i l l o q u e s t a n d o  
y hera cuando au buelra el terreno pretendido, en el Sentro  
el Expediente a esta de ambas ranchos mas por las otras  
pefectura pº las mas de las partes inmediata que los siguen  
fines conuenientes. al dicho paraje una es la luer. - de  
la Sierra del valle, y la otra las comen -  
- Argi ello. - que alu el frute para el rancho de  
St Francisco, las cuales se han en

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de su distancia poca mas de ocho leguas. Por tanto  
A. S. Reuvirante Suplicamos el que admita este Sobedito  
y que corran las debidas informaciones de acuerdo de que  
el lugar que pretendemos es tanto de la necesidad que  
Nuestro Dho. como tambien para poner unas cortas lumbas  
para la manutencion. Dispensando el que pida esta en  
papel comun por no haber en este lugar el papel que  
conviene para or en que estando lo habiendos conocido es  
debido de su notoria bondad mereced y gracia  
juzgando lo necesario y no ser de malicia de de. —

Sto Barbara. Enero 13 de 1842.

Francisco Lopez. Amigo del Interado. Jose Arzobispo.  
por no poder firmar. Manuel Lopez.

Sr. Prefecto.

Los ciudadanos en esta instancia obtienen los requisitos legales  
para ser atendidos, tienen bienes permanentes que forman  
y son acredores por sus meritos personales a ser atendidos  
El tenens que pretenden esta baldio, se hallen fuera de las  
leguas litorales y dentro de los limites de que trata  
la ley de la materia en la comprension de Dho. sitio  
hay muy corto numero de Ganado bronco perteneciente  
a la chuvia de Sr. Fernandez. Lo que tengo el honor  
de decir a V. S. por via de informe, obsequiando lo sup  
previendo de 14 de Enero ultimo.

Sto Barbara. 10 de febrero de 1843.

Joan. Cavillo.

Exmo. Senor.

Mandados practicar el informe correspondiente a cerca  
de la Sobedita de los vecinos al partido de Santa  
Barbara. Cuid. Francisco Lopez y Jose Arzobispo  
del parage conocido con el nombre de Emacal  
resulta por el informe de que el Dho. pueblo, estan baldios  
y obtienen los pretendientes los requisitos necesarios para  
ser atendidos; en tal concepto solo resta a esta prefectura  
poner en el Superior Conocimiento de V. S. que el primero  
que representa, tiene concedido por el Gobierno en este



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map 2

Deposita en union de ~~San~~ Benigno Pedro Lopez  
 el terreno contiguo al parage llamado Lujunga en yate  
 libre de 1840 con puesto de un sitio y medio de ganado  
 mayor. Espero sin embargo de la esperta V.E. con una  
 ciento resuelva lo que fuere de su Superior agrado.  
 Angeles. Febrero. 24 de 1843. J. Argüello.

Angeles Mayo 1º de 1841.

Insirame el Administrador de San Fernando.  
 Michelta.

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*Benigno Lopez a Chaparral.*

San Fernando. Mayo. 2 de 1843.

Hago cargo del expediente de los Señores Francisco Lopez  
 y José Arellanes del parage llamado el Leuaneal  
 que solicitan algo: a V.E. que no tengo conocimiento  
 de Dho. parage. que parecen por estar muy retirado  
 de este establecimiento y creo que habrá mas que uno que  
 otra restricción de esta ciudad, y para ser no hay cosa  
 conveniente para que se les conceda Dho. parage que  
 solicitan si V.E. hagane por conveniente.

Con respecto al parage de Lujunga que hace mención  
 el Sr. Proyecto que es del primer representante de esta  
 solicitud que es D. Lopez le que le dio su parte a su  
 Benigno Pedro Lopez por la creacion de Agua tanto  
 por las labores de Lujunga y aun para las tierras  
 semejantes es un poco escaso es cuanto puedo exponer

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a r. l. en ragon de la Justicia. Jose' M<sup>o</sup> Villanar.

Los Angeles 17 de 1843.

Es presente el titulo puestas las formalidades de culto  
Micheltorena.

Angeles. Mayo 14 de 1843.

Vista la peticion con que al principio este Sup<sup>te</sup> este  
los vizorues del Sr. Reg<sup>to</sup> de este Juzgado de 1<sup>o</sup> de  
el de Luz de Paz de Sta Barbara y el de administracion  
de San Fernando con todo lo demas que le tubo presente  
y no conuenio de conformidad con las leyes y reglamentos  
de la materia el cual es en propiedad del terreno  
llamado el Zamaral el Ciudadano Francisco Lopez y Jose  
Arreyanes, colindando por la parte del N. con el rancho  
de Don Carlos S. Carrillo y por el Sur con el de Don Ignacio  
del Valle. Librese el correspondiente Despacho y dirigase  
este Sup<sup>te</sup> a la Santa Junta de Partidos para su aprobacion  
El Sr. Don Manuel Micheltorena Gobernador Comandante  
General e Inspector de ambas Californias asi lo mande  
secreto y firmo de que doy fe.

Michelt<sup>o</sup>.

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

I John C. Mayo, Surveyor General of the United States  
for the State of California and as such now having  
in my office and in my charge and custody, a portion  
of the Archives of the former Mexican and Spanish  
Territory or Department of Upper California, by virtue  
of the power in me vested by law, do hereby certify  
that the 8 preceding and hereunto annexed pages  
of tracing paper, numbered from one to eight inclusive  
exhibit a true and accurate copy of a certain document  
now on file and forming a part of the said archives  
in this office.

In Testimony Whereof I have hereunto signed  
my name officially and caused my seal of office

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10.

to be affixed at the City of San Francisco this nineteenth  
day of October. of the year. 1853.

(official Seal) John C. Haigs. Surveyor General of the  
U. States for California.

Filed in office. Feb. 13. 1854.

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53.

Geo. Fisher.

Secy.

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1843.

Report of Proceedings (Expediente) instituted  
by the Citizens Francisco Lopez and José Arellanes  
residents of Santa Barbara for the land called  
Femaseal.

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N<sup>o</sup> 520.



To the Prefet of the 3<sup>d</sup> District.



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Los Angeles. Jan<sup>y</sup>. 17<sup>th</sup> 43 a small number of cattle which are now suffering extremely on account of not having a place to put them in conformity with the laws and regulations of on, in consequence thereof, we find the matter, the Justice of ourselves in the extreme necessity the Peace of the Jurisdiction to implore from your kindness of <sup>the</sup> Barbara, will report that you may grant us the land of the lands herein prayed shown by the annexed sketch, knowing for belongs to a community by the name of Fernaseal, which or corporation or to any paid vacant land, laying in the particular individual, its neighborhood of the Rancho of San is within the ten littoral Francisco, occupied by Don Ygnacio leagues or the 30 boxwerdel Valle on one side and the ran leagues, of the parties po-cho of Don Carlos Carrillo on the less property to put other, the land herein claimed lay thereon, and the other ing in the center of both Ranchos qualifications in order the two sides of the said land to be heard and all are bounded on one by the range that maybe necessary of mountains called the Valle and to throw light on the on the other side by the hills facing Subject; and thus per the Rancho of San Francisco which eted, he will return are eight miles leagues off. We hum the report of proceedingly pray that our prayer be admit (Expediente) to this eted that the necessary informations Prefecture for the other be had; in as much as the place necessary ends.

Argüello  
we pray for is of as great necessity to us, as we have stated and besides to make thereon certain crops for our sustenance. Excusing us for handling this on this ordinary paper, there not being any of the proper stamps, or favor for which we shall for ever be grateful. receiving from your well known kindness mercy and countiffulness, making oath to all that may be necessary and that no malice is intended.

Sta Barbara. Jan<sup>y</sup>. 12. 1822.

Franco Lopez.

Signed by me at the request of José Arrellanes who does not know how to sign. F<sup>co</sup> Lopez.



To the Prefect.

The parties to these proceedings possess all the legal qualifications in order to be heard, they have moveable property to protect and merit on account of their personal qualities to be listened to. The land they pray for is vacant, is beyond the ten littoral leagues and within the 30 border leagues mentioned by the law on the subject. On the said tract there is a very small quantity of wild cattle belonging to the Mission of San Francisco Fernando, which I have the honor to communicate to you by way of report, in obedience to your Superior order of the 17<sup>th</sup> of Jan'y. last.

Santa Barbara. Feby. 30. 1843.  
Joaquin Carrillo.

Sir:

Upon your order to prepare the required report in relation to the prayer of the residents of Santa Barbara, the citizens Pedro Lopez and Jose Arrellanes for the land known by the name of Temascal, it appears by the report of the Judge of said Jurisdiction that it is vacant and that the petitioners possess the necessary qualifications in order to be heard, therefore, nothing else remains to this prefecture than to place under your eyes, the fact that the petitioner just named herein, had granted to him on the 4<sup>th</sup> of Oct.<sup>r</sup> 1840 by the Government of this Department, in conjunction with his brother Pedro Lopez the land called Refugia, composed of one and a half square league (un Sitio y medio de Landado mayor). However with this information, with more certainty you may decide whatever maybe your Superior will.

Angeles.

March. 1<sup>st</sup>

Then comes  
on the original  
the Sketch on  
Pite.

1843.

Let the Administrator of San Fernando report.

Michaeltoena.



San Fernando. March. 3.<sup>d</sup> 1823.

Having taken charge of the Report of Proceedings (Expediente) of Francisco Lopez and José Arrellanes for the place called Temascal prayed for by them. I Report to you that I do not know not know the tract they pray for, it being so distant from this establishment and I believe that there is no other but a few wild cattle of this Mission on said tract, and as to me there is no objection that said tract they pray for, be granted to them if you think it meet.

In Preference to the tract called Tufunga mentioned by the Prefect as belonging to the party first mentioned in the petition, that is Francisco Lopez, I know that he ceded his part of it to his brother Pedro Lopez on account of the scarcity of water for cultivation and to some extent even for the cattle. This is all that I can say before you in favor of Justice.

José M.<sup>re</sup> Villaraso.

Angeles. March. 17.<sup>th</sup> 1823.

In consequence of the petition which, gave rise to this Report of proceedings (Expediente) the Report of the Prefect of this Second District, the one of the Justice of the Peace of the Parram and the one of the Administrator of San Fernando, with all that is found necessary and proper, in accordance with the Laws and Regulations on the Subject, I declare the Citizens Francisco Lopez and José Arrellanes, the owners of the land called Temascal bounded on the North by the Rancho of Carlos A. Carrillo, on the South by that of Ignacio del Valle. Let the proper order be given and let the Expediente be sent to the Departmental Deputation for its approbation.

Don Manuel Micheltorena Governor Commandant General and Inspector of both Californias, thus has ordered, decreed and signed. In faith whereof.

Micheltorena

Filed in Office. Feby. 13.<sup>th</sup> 1852.

Geo. Fisher?

Secretary.



Manuel Micheltorena, Governor General, Commandant  
and Inspector of both Californias.

Translation of  
Original Grant.

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Whereas the citizens *Fco Lopez* and *Jose Arellanes* have prayed for their personal benefit and that of their families for the land known by the name of the *Fernascas* bounded by the *Ranchos* of *Carlos Carrillo* and *Ignacio del Valle*, the formalities and statements required by the laws and regulations having been previously complied with using of the faculties conferred upon me in the name of the Mexican Nation, I have granted the above mentioned land declaring it their property by virtue of these presents subject to the approval of the Legislative Assembly and under the following conditions.

1<sup>o</sup> They may enclose it without prejudice to the crossings and servitudes, they will enjoy it freely and exclusively applying it to the use or cultivation which to them may seem best, but within one year at the most they shall build thereon a house which shall be occupied.

2<sup>o</sup> They will solicit of the proper Judge the Judicial possession in virtue of this order for which purpose the boundaries shall be marked out wherever land marks, fruit and forest trees of the same use shall be placed.

3<sup>o</sup> The land hereby granted is of three leagues of grazing land, according to the sketch annexed to the Expediente. The Judge who will give the possession shall have the land measured agreeably to ordinance the surplus to remain to the nation for its use.

4<sup>o</sup> If the petitioners do not comply with the above conditions, they will lose all rights to the land which may be granted to others.

Wherefore I order that this be their Title and be held firm and valid, that entry be made in the proper books and it be handed to the interested parties for their security and other ends.

Given in the city of Los Angeles the 17<sup>th</sup> day of March 1843.

Manuel Micheltorena.

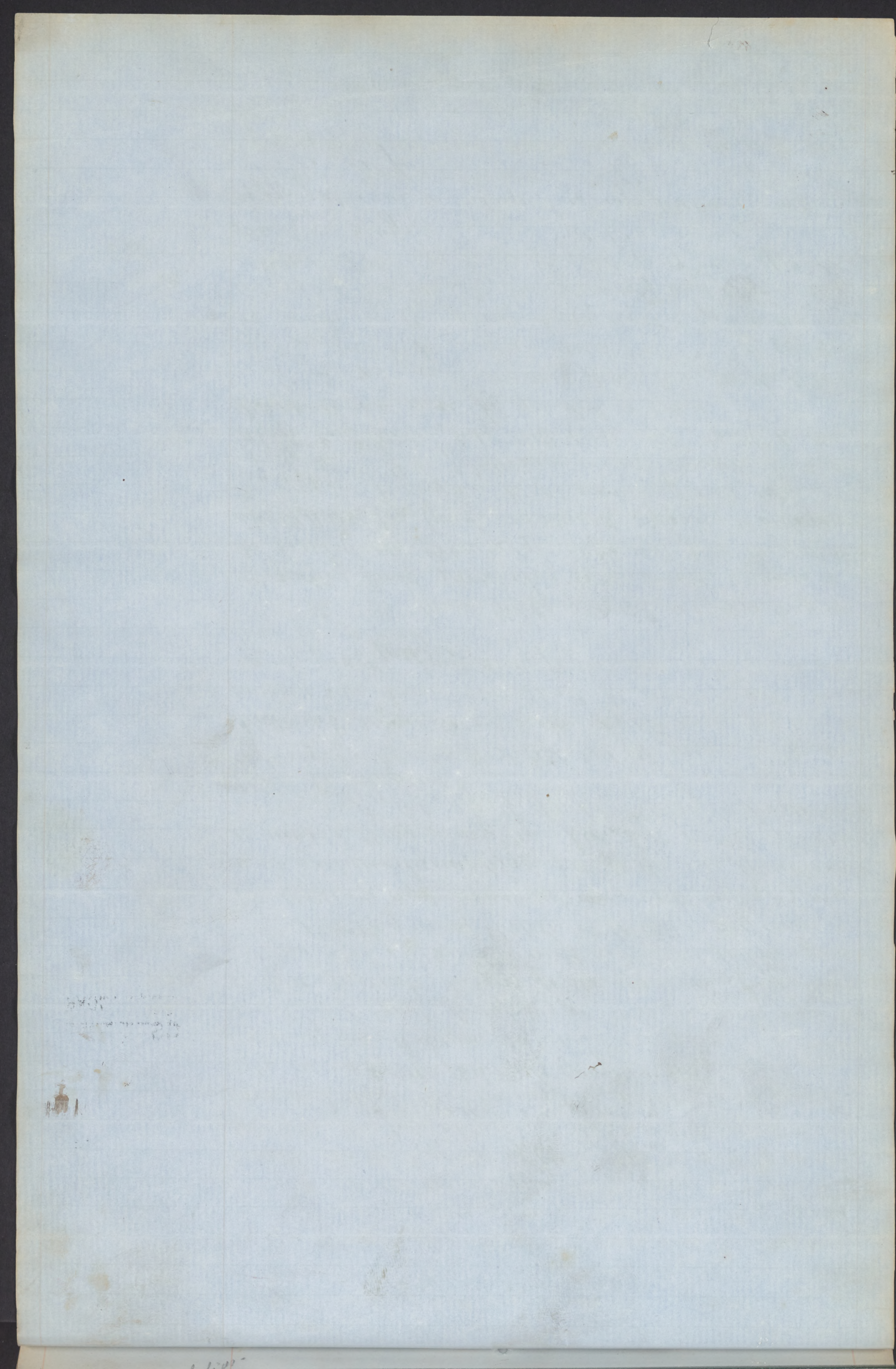
*Fco Arce*. Secretary pro tem.

Entry of this provisional Grant has been made in the proper book.

Arce.

Filed in office. Jan. 19<sup>th</sup> 1853. Geo. Fisher. Secy







16

5-3- febrero

Manuel Micheltorena Gobernador Armandante Jefe  
e Inspector de ambas Californias.

(Seul) Por cuanto los ciudadanos Juan Lopez y Jose Arrellanes  
han pretendido para la beneficio personal y el de sus  
familias el parage conocido con el nombre del Raniscal  
colindante con el Rancho de D<sup>no</sup> Carlos Carrillo y con el de  
Ciudadano Ignacio del Valle, practicadas previamente las  
diligencias y averiguaciones concernientes segun lo dispuesto  
por leyes y reglamentos, usando de las facultades que me son  
conferidas a nombre de la nacion Mexicana, he venido en  
concederles la propiedad de el por las presentes letras. Supli-  
candose a la aprobacion de la Santa Junta Departamental  
y bajo las condiciones siguientes.

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A

Grmas

1

1<sup>a</sup> Podra sercarlo sin perjudicar las haciendas caminos  
y servidumbres, lo otorgara libre y escluyente destinando  
lo al uso o cultivo que mas le acomode pero dentro de un año  
a la mas fabricara casa y estara habitada.

2<sup>a</sup> Se le otorgan del Juez respectivo que le es la posesion  
jurisica en virtud de este despacho por el cual se otorgara  
an los linderos en cuyos limites pondra sus mojones  
algunos arboles frutales o libres de alguna utilidad.

2

3<sup>a</sup> El terreno de que se hace Donacion es de los sitios  
de Ganado Mayor segun explicael oficio que corre  
agregado al sup<sup>to</sup>. respectivo. El Juez que diere la posesion  
lo hara medir conforme a ordenanza quedando el  
libre ante a la nacion para los usos concernientes.

4<sup>a</sup> Si Contraviene a estas condiciones perduran  
su derecho al terreno y sera Denunciable por otro.

En consecuencia mando que serviendo de  
titulo el presente y teniendo por firme y valido  
se tome razon de el en el libro a que corresponde  
y se entregue a los interesados para su resguardo  
y demas fines. Dado en la Ciudad de las  
Angeles a diez y siete de Mayo de mil ochocientos  
Cuarenta y tres.

3

Manuel Micheltorena.

Chanciller Jefe Int<sup>o</sup>.



17

Queda tomada razón de esta cancelación provisional  
en el libro respectivo a fol. 1.

Atte.

Filed in Office. Aug. 19. 1853.

Geo. Fisher.

Secy.

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Los. Prefecto del 2º Instituto.

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PAGE 19

Dº Lopez y Toré Arreñanes vecinos del Partido de  
Sta Barbara hntº V. S.º respectuº y conformes hayo lugar  
en derecho hacen presente; que en virtud de tener a la pha.  
un corte numero de Ganado y bestias caballares las que  
estan padeciendo las mayores estrafines con respecto a  
no tener un lugar en que poder las reducir, y en otras  
- cion. estos nos hemos en la estrema necesidad de impo-  
- poner a la bondad de V. S.º aqui de que se nos conceda  
el terreno que manifiesta el adjunto diciendo conocido con  
el nombre de Lemasal el cual es un lugar batelico  
que se haga a las inmediaciones del Rancho de San  
Jº y lo otro paseando S. Yº del valle, y por  
otra parte (el Rancho de D. Carlos Antonio Carrillo)  
quedando el terreno pretendido en el centro de ambos  
ranchos, mas por las otras dos partes inmediatas  
que contiguan al dho. parage una es la cuesta  
de la Sierra del valle, y la otra las lomerias que van  
el frente para el Rancho de San Juanito. Cuales  
se hacen a la distancia poco mas de ocho leguas  
Por tanto A. P. S. Removiendo Suplicamos al que  
admite esta nra. Solicitud y que corran las debidas  
informaciones aserviendo de que el lugar que pre-  
- tendemos nos es tanto de la necesidad que llevamos  
Dho. Como tambien para hacer mas ciertas siembras  
para la mantencion Dispensando el que valga esta  
en papel comun por no haber en este lugar del  
Jefe que corresponde favor que enteramente le heriamos  
le convicidos recibiendo de su notaria bondad merced  
y gracia jurando lo necesario y no ser de malicia  
= Santa Barbara Dno 12 de 1842. - Dº Lopez.  
Arreñanes. por un  
saber primer = Franco. Lopez. = Augº. Dno 14. 1843.  
= De conformidad con las leyes y reglamentos  
de la materia, informo el Jefe del partido de Sta  
Barbara, Si el terreno que solicitan las citadas

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pertenencia a Comunidad, Corporación o particular  
 Si esta Compraventa en las 10 leguas litorales o 30 límites  
 -rajes, Si los interesados tienen bienes para cubrirlo  
 y requisitos necesarios para ser atendidos, con todo  
 lo demás <sup>mayores</sup> que parezca necesario o ilustrar la materia  
 y habiendo así hecho el Super<sup>te</sup> o esta Prefectura para  
 las dichas fines que sean convenientes. = Argu<sup>to</sup> el Sr.  
 Señor Prefecto. Los interesados en esta instancia obt-  
 -ienen los requisitos legales para ser atendidos tienen  
 bienes suficientes que fomentan y son acredores por  
 sus meritos personales o ser atendidos. = El terreno  
 que pretenden esta valdía, se haya fuera de las  
 leguas litorales y dentro de los límites de que trata  
 la ley de la materia; en la comprensión de Dto. Si hay  
 muy corto número de Ganado bravo, perteneciente a la  
 Milicia de S. Fernando. = Lo que tengo el honor de decir  
 al Sr. por vía de informe obsequiando su Superior  
 precepto de 19 de En<sup>o</sup> último. Santa Barbara. 20 de Febr<sup>o</sup>  
 de 1843. = Laquin Cavillo. = Excmo Señor. Mandada  
 practicar el informe correspondiente acerca de la solicitud  
 de los vecinos del partido de Sta Barbara Ciudadanos  
 J<sup>os</sup> Lopez y José Arellanes, del parage conocido con  
 el nombre de Llanas, resulta por el informe del  
 Juez de Dto. partido, estar valdío, y obtener los pre-  
 -requisitos necesarios para ser atendidos  
 en tal concepto solo resta a esta Prefectura poner en el  
 Superior conocimiento del Sr. que el primero que repres-  
 -enta tiene concebido por el Gobierno de este Depart<sup>o</sup>  
 en unión de un benemérito Pedro Lopez, el terreno  
 contiguo del parage llamado Lujunga en y se gbe  
 al Dto Compuerto de un sitio y sembrar de ganado  
 mayor pero sin embargo de lo expuesto P.D. Con  
 mas cierto es alvora lo que fuere de su Superior  
 agrado = Arg<sup>to</sup>. febrero. 24 de 1843. S. Argu<sup>to</sup>.  
 = Angeles. Mayo. 1<sup>o</sup> de 1843. = Informe al  
 Administrador de San Fernando. = Michelt<sup>o</sup>.



San Fernando. Mayo. 2<sup>o</sup> de 1843. = Hecho cargo  
del Expediente de las Señores Juan<sup>to</sup> Lopez y Jose<sup>to</sup> Vill  
anes del parage llamado el Temascal que solicitan  
Dijo a V.E. que no tengo conocimiento de Dho. parage. que  
pueden por estar muy retirado de este Establecimiento  
y creo que habra marginado que ohe los broncos de  
esta Mission y para un no hay inconveniente para  
que se les conceda Dho. parage que solicitan de V.E.  
hayan por conveniente. = Son respecto al parage  
de Lapungu que hace mencion el señor Pefeeto que  
es el primer representante en esta solicitud que es  
Juan<sup>to</sup> Lopez. Si que le dedis su parte a su hermano  
Pedro Lopez por las creases de etguu, tanto para  
las labores de siembra y aun para las labores de  
cultivos es un poco escaso. Cuanto pueolo exponer a  
V.E. en ragon de la Justicia. = Jose<sup>to</sup> M<sup>a</sup>. Villae.

Francisco. Atee. Oficial Primero y Secretario  
Int<sup>o</sup> del Despacho del Gob<sup>no</sup> del Departamento.

Certifico que la presente Copia incluso con el  
dictamen respectivo, es igual al Expediente que obra  
en la Secretaria de mi cargo. Angeles. Mayo  
14 de 1843.

Francisco Atee.

Filed in office. Jan. 19. 1853.

Geo. Fisher.

Secy.



1000



To the Prefect of the 2<sup>d</sup> District.

Translation of  
prayer for grant  
E.

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For Lopez & Jose Amellanes residents of Santa Barbara agreeably to law respectfully presents themselves before you & represent, that possessing at this date a small number of cattle & horses which are suffering on account of their not having a place within which to confine them, they therefore find themselves in the necessity to pray for the grant of the land described in the annexed sketch & known by the name of Tamaral which is vacant & is in the neighborhood of the neighborhood of the Branch of San Francisco owned by Ignacio del Valle & the rancho of Don Carlos Antonio Canales, the land petitioned for being between the two aforesaid ranchos but one of the other sides being bounded by the ridge of the valley & the other by the hills fronting the Rancho of San Francisco distant about eight leagues from one another.

We therefore humbly pray that our prayer may be granted & that the necessary informations may be made to ascertain whether the land prayed for is as specious to us as we have represented as also for the raising of crops for our maintenance, praying to be received for presenting our demand on this ordinary paper in default of stamped paper which could not be found in this place, for which favor, mercy & grace from your well known kindness we shall eternally be grateful, making the necessary oath & declaring that there is no fraud.

For Lopez. In the name of Jose Amellanes  
not knowing how to sign. For Lopez.

Agreeably to the laws & regulations the Justice of the Peace of St. Barbara shall inquire whether the land prayed for belongs to any community, corporation or individual, if it is within the 10 literal or boundary leagues, whether the parties have cattle to put on it & the necessary qualifications & all the necessary particulars to explain the matter & thereupon return the expediente to this prefecture for such other purposes as may be necessary.

Uguello.  
Prefect.

The parties possess all the legal requirements for the purpose, they possess cattle & are industrious for their personal qualities & their prayer should be granted. The land they pray for is vacant; it is beyond the 10 literal and 20 boundary lines alluded to in the law, there is thereon only a



few cattle belonging to the mission of San Fernando, which I hereby submit according to your decree of the 17<sup>th</sup> of January last.

Sta Barbara Feby 20<sup>th</sup> 1843.

Joaquin Carrillo.

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Sir.

You are required to take the necessary information relative to the prayer of the citizens Fr<sup>co</sup> Lopez & Jose Anallanes residents of Sta Barbara, as to the land known by the name of Tamaral. It appears by the report of the Judge that said land is vacant & that the petitioners possess the necessary qualifications to obtain the grant. It therefore only remains for this Prefecture to request of you to ascertain whether a piece of land near the one prayed for & called Tojunga has not already been granted by this Government on the 7<sup>th</sup> of Nov 1840 to Fr<sup>co</sup> Lopez & his brother Pedro Lopez, said land being of one & a half square league of grazing land. However without regard to what has been ascertained above, with more facilities you will decide whatever you may think most proper.

Los Angeles Feby 27<sup>th</sup> 1843.

S. Arguello.

Los Angeles March 1<sup>st</sup> 1843.

The administrator of San Fernando shall make the inquiries.

Michel Tourn.

San Fernando March 2<sup>d</sup> 1843.

I have taken into consideration the expedient of Fr<sup>co</sup> Lopez & Jose Anallanes praying for the land called the Tamaral & I answer to your Excellency that I do not know the land prayed for it being very distant from this establishment. I believe there is on it but a few wild cattle belonging to this Mission, & should you think it proper to grant them the land you might do it as to me I think there is no objections.

As to the land of Tojunga spoken of by the Prefect I know that Fr<sup>co</sup> Lopez on account of the scarcity of water as well for the cattle as for the crops gave it to his brother Pedro Lopez. This being all I can state to your Excellency for the sake of justice.

Jose Maria Villavicencia.



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For Arce first officer & Secretary for term of the De-  
partmental Assembly certify that the present copy together  
with the design is a true copy of the capedule in the office  
under my charge.

Los Angeles March 17<sup>th</sup> 1840.

For Arce.

Filed in Office Jan'y 19<sup>th</sup> 1852.

Geo. Fisher.  
Secy.

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Don Alcalde. 1º de este lugar.

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Mmanuel Anguivola Vecino de esta Jurisdicción ante V. en  
debió la forma Compuneseo y oligo; que habiendo obtenido  
por vía de compra hecha a las Señores Francisco  
Lopez y José Arganes la propiedad del terreno  
conocido con el nombre de Lemascal, según lo demues-  
tra el adjunta Escritura que acompaña así como el  
título y origen por los cuales fui concedido por el Gobierno  
del Departam<sup>to</sup> a D<sup>nos</sup>. Señores el mencionado Parage  
suplico a V. se sirva dar me la posesión Judicial de Mito  
con arreglo a los documentos que llevo referidos. Suplico  
admitir esta en papel común por no haber sido llamado  
Juno no ser de malicia de.

Sta Barbara. Nov. 10 de 1847.

Aruego del Interesado.

Vicente Moraga.

Sta Barbara. Noviembre 10 de 1847.

En virtud de la antecedente Solicitus procedase por el  
el presente Juez a la medición Señalm<sup>to</sup> de linderos y  
posesión Judicial del terreno de Lemascal que solicita  
el interesado en este Expediente con arreglo a los docu-  
mentos que acompanya; Señalando p<sup>o</sup> efectuar lo el día  
Veinte del corriente y para lo que se citan en Conboleta  
de comparendo a los Coludantes. Migo el Alcalde Pri-  
-mero Constitucionel del partido de Sta Barbara lo mande  
decretar y firme, actuando por receptoria con testigos  
de asistencia por falta de Secretario público. Doy fe.  
Pablo de la Guerra. Raymundo Obis. Vicente Moraga.

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En la misma fecha presente Sr. Manuel Anguiv-  
ola se le notifico el auto que antecede y de el cursando  
dijo: que lo oye y le oye por citados y lo firmo con migo  
y los testigos de asistencia con quien actua en la  
forma ordinaria. Doy fe.

Pablo de la Guerra. Raymundo Obis. Vicente Moraga.

En la misma fecha se libraron las boletas  
que se mandan en el primero mencionado y para que

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Conte por diligencia. Le rubique. — Rubique.

En el Rancho de Lemaral a las veinte de  
noviembre de mil ochocientos Cuarenta y siete, en cumplimiento  
-ento de la alta libranza a las Alcaldes del expresado  
Rancho, concurrieron Don José de Jesús Carrillo como apoderado  
-rado de la padre D<sup>na</sup> Carlos Carrillo y a quien se admitió  
que le sirva a proveer a la medición de las tierras  
y posesión de la misma a favor de D<sup>na</sup> Manuel Anguizola  
y algo quedan entendido y firmó en habiendo comparecido  
Dr. Ignacio del valle apesar de la bolita que le habia  
y para Constancia lo firmó con los de mi asistencia  
de que doy fe. Pablo de la Guerra.

Raymundo Olivar. — Manuel Moraga.

En Leguiza y a las diez de estas autos nombré  
por mediadores en la presente posesión a los ciudadanos  
Antonio Rodríguez y Juan Pablo Ayala quienes por la  
la aceptación y juramento procedan al desamparo  
de su cargo y para Constancia lo pongo por diligencia  
que firmó con los de mi asistencia.

Raymundo Olivar. Pablo de la Guerra. Vito Moraga.

En la fha. y en el expresado rancho se  
ratificó el auto que antecede a los ciudadanos Antonio  
-onio Rodríguez y Juan Pablo Ayala, y entendidos dijeron  
que aceptan y aceptaban dicho cargo de mediadores  
y juraron por Dios nuestro Señor y una señal de Cruz  
hacer lo fiel y legalmente a todo su leal, saber y entender  
sin dolo ni fraude contra persona alguna y lo firman  
con sus nombres y los de mi asistencia. Doy fe.

Raymundo Olivar. Pablo de la Guerra. Vito Moraga.

Juan P. Ayala. Antonio Rodríguez.

En continencia y a las diez de estas autos nombré  
precereu un corral con que se han de medir las  
tierras de dicho rancho y que las mediadores lo  
mudan de a' cuarenta Varas lo que firmó con  
los de mi asistencia de que doy fe.

Pablo de la Guerra. Raymundo Olivar. Vito Moraga.



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En seguida y en presencia de mi el escribano Atcalote  
 las mediciones mencionadas, tomaron un cordel comp-  
 uesto al efecto para medir tierras, y con una vara  
 de medir usual Mexicana midieron cuarenta varas  
 por dicho cordel para con el hacer la referida medición  
 y para que conste lo rubrique. ~ En la misma finca  
 y en el referido rancho de Temascal situado como las  
 ruinas de la moriana y el escribano fue por proceder  
 a la medición de tierras que se ha de hacer a D. Manuel  
 Anguila mandé a los medidores nombrados se fijasen  
 en el lindero de D. Carlos Camillo que es alrede un ramillete  
 de cucas que está en el Cumbre de una loma que se haya  
 algo dentro de la Cañada nombrada de Pino y el  
 lado derecho del arroyo del mismo nombre y mata  
 en unos cueros alios que se encuentran cerca del mismo  
 arroyo, alineados con dicho ramillete de encinas de  
 Sur-este a noroeste. Puestas pues dichas mediciones  
 en el mencionado lindero y tomando el rumbo no. este  
 seguida la cañada arriba, hasta donde el arroyo de  
 Pino (que corre por toda la cañada) forma un coeno  
 el cual lo hace venir hasta allí con rumbo S. nord. este  
 se midieron ciento cincuenta varas, y por pudiendo seg-  
 uir dichas mediciones alrede este punto para ningún  
 rumbo a causa de la quiebra del terreno alio por y  
 el fue de estos autos, se fijase por lindero el conito  
 mencionado; alrede este lugar atravesado por todo  
 el arroyo, hasta llegar a un moro o pequeño prom-  
 ontorio de tierra se fijó este punto para proseguir  
 las mediciones y tirando el cordel desde dicho moro  
 rumbo Norte Sur Norte se midieron cuarenta varas que  
 pudiéndose fijar, objeto alguno remarcable por lindero  
 derecho por otra parte el terreno muy irregularo dijese  
 que su lindero por este rumbo fuese una línea paralela  
 con el dicho arroyo de Pino, alrede el lindero de  
 Don Carlos Camillo, guardando medir luego de  
 distancia al dicho arroyo hasta ponerle frente del



ya repetido le caso formulado con este un triangulo.  
Volviendo al dicho punto del muro, y tomando rumbo  
del sonrorente entrando y siguiendo la lanchada del  
Lemascal, hasta encontrar la cuesta pequena que sirve  
de lindero al Rancho de San Francisco y en cuyo pie por  
el lado de Pino, haya un pequeno aguaje. Le medienon  
liento liumento cordales, y llegando que le hubo a atepunto  
le en contra con el mismo trapiço de una poderosa can-  
-tinuar las medidas por la razon dicha de lo indicado  
en la tierra; aries que fué preciso tirar otra paralela  
de una legua y media de distancia con el arroyo al  
Pino, rematandola por el Sur Sureste con las lomas que  
forman los linderos de Camacho, y por el Nor. Norte  
hasta encontrar con la perpendicular querrija de la  
dicha paralela que le tino al lado espuesto; con la que  
concluyo el acto de mediacion. Y para constancia  
lo firmé por auto con las testigos de asistencia de  
que day fe.

Pablo de la Guerra. Raymundo Ortega. Vte. Morraza.  
Juan P. Agata. Antonio Rodriguez.  
En el referido Rancho de la lanchada del Lemascal  
y en el mismo dia mes y año. Don Manuel Ang-  
-uila vecino de este partido de Sta Barbara  
acompanado del Alcalde y testigos de asistencia  
de otros autos. Dijo: que habiendome medido las  
tierras de este Rancho segun consta con el auto an-  
-terior, tomaba y toma la reduccion y corporal posesion  
de dichas tierras medidas, pues le pertenecen por las  
juntas de documentos que legalmente ha obtenido; ecri-  
y por ende por ellas, amando yerbas, esparcio pajas  
de tierra, corapis rocas de las achales y hizo otras  
demonstraciones y actos de posesion en senal de lo que  
dijo tomaba de dichas tierras. Y por el dicho Alcaide  
mandé que desde este mes lo tuvieran y gozaran  
por sus arrendatarios y pasen a ellas. Se tachó  
lo espuesto al pie de dicho Don Manuel Anguila



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que para memoria en lo venidero y consideracion de los  
derechos se le entregue estas diligencias originales que  
- cuado en el Juzgado con testimonio por la abogada Cons-  
- tancia y lo firmó con miyo y los testigos de asistencia.  
Doy fe: Raymundo Oribas. Pablo de la Guerra.  
Vte. Morraza. = En la fha. se sacó el testimonio con-  
- pudente y se archivó en el Juzgado primero del  
partido de Santa Barbara y por Constancia lo firmó con  
miyo y los de mi asistencia. Según derecho doy fe.  
Pablo de la Guerra. Raymundo Oribas. Vte. Morraza.  
En la propia fha. se entrego estas diligencias al interado  
en cinco folios whites para los fines que le combengan  
y por Constancia lo rubrique.

Que talaha pagados los derechos correspondientes.  
Guerra.

Filed in office. Janry. 19. 1853.

Geo. Fisher.

Secy.

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11 v

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1891  
The first of the year  
was a very dry one  
and the crops were  
very poor.

The second of the year  
was a very wet one  
and the crops were  
very good.

The third of the year  
was a very dry one  
and the crops were  
very poor.

The fourth of the year  
was a very wet one  
and the crops were  
very good.

The fifth of the year  
was a very dry one  
and the crops were  
very poor.



Senior Alcalde of this Place.

Manuel Anguiscola a resident of this place appearing agreeably to forms and says: that having obtained by means of purchase from Francisco Lopez and Jose Orellanes the property known as the Temascal as described by the document hereto annexed together with the plot and Grant in virtue of which it was granted by the Departmental Government to the aforesaid persons, he therefore prays that the usual Judicial possession be given to him agreeably to the above mentioned documents praying that this petition be admitted on this ordinary paper in the absence of stamped paper. He Swears no malice. &c. &c.

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C

Judicial Possession.

Santa Barbara November 10. 1827.

At the Solicitation of the party.

Signed. Vicente Morago.

Santa Barbara Nov. 10<sup>th</sup> 1827.

Agreeably to the above petition let the measurement establishment of boundaries and Judicial possession of the land known as the Temascal prayed for agreeably to the accompanying documents be proceeded to by me the present Judge, fixing for that purpose the twentieth day of the present month for which the adjoining land owners were summoned to appear.

Thus I 1<sup>st</sup> Constitutional Alcalde of the Partido of Santa Barbara, ordered decreed and signed it, acting ad interim with the assisting witness in the absence of a Public notary. - I attest.

Signed. Pablo de la Guerra.

Signed. Raymondo Oribaso. Sgt. Vicente Moraga.

On the same day the above was notified to Manuel Anguiscola who understood it and who said that he admitted notice of the same and signed it with me and the assisting witnesses with whom I acted according to the ordinary form.

Certificate to Pablo de la Guerra.

Signed. Raymondo Oribaso. Vicente Moraga.

On the same day the notices already referred to were delivered and in testimony whereof I made my flourish.

At the Rancho of Temascal on the 20<sup>th</sup>



November 1844 agreeably to the notice delivered to the owners of land adjoining the aforesaid Rancho appeared Don José de Jesús Carrillo as attorney of his father Don Carlos Carrillo and who was informed that the measurement, the defining of the limits and the Judicial possession was going to be proceeded with in favor of Don Manuel Anguisola he acknowledged notice thereof and signed Don Ignacio del Valle, not appearing although notified. In testimony whereof I signed the same with the assisting witnesses.

Certified to. Pablo de la Guerra.  
Raymundo Oribas. Vicente Moraga.

In continuation of the Judge in these proceedings, appointed Citizens Antonio Brodriquer and Juan Pablo Ayala as measurers in the present possession, who after having accepted and been sworn proceeded to the discharge of the duties of their appointment. In testimony whereof I note it as a decree which I sign with my assisting witnesses. which I attest.

Pablo de la Guerra.  
" Raymundo Oribas.  
Vicente Moraga.

On the above date and at the aforesaid Rancho, I notified the above proceedings to Citizens Antonio Brodriquer and Juan Pablo Ayala, who said that they accepted the appointment as measurers and sworn before God on God and by the Sign of the Holy Cross that they would before perform their duties faithfully and legally according to their best ability and understanding without fraud or injury to anyone and they signed these presents with the assisting witnesses.

Certified to Pablo de la Guerra.  
Raymundo Oribas. Vicente Moraga.  
Antonio Brodriquer. Juan P. Ayala.

Whereafter I, the aforesaid Alcalde ordered that a line for the purpose of measuring the lands of Said Rancho be brought to me and that the measurers measure it fifty varas, which fact I sign with the assisting witnesses.

Pablo de la Guerra.  
Witnesses Raymundo Oribas.  
Vicente Moraga.



After which and in the presence of the aforesaid Alcalde the measurers of aforesaid took a line, used to measure lands and with a Mexican vara, they measured off fifty varas of said for the purpose of making the aforesaid measurement and in testimony whereof I have affixed my flourish.

On the same day and at the aforesaid Rancho of Temascal it being about nine in the morning, I the aforesaid Judge proceeding to the measurement of land to be made for the benefit of Manuel Arguizola ordered the said measurers to place themselves on the line of Don Carlos Carrillo which is from a cluster of oaks on the top of a hill being a little (algo) inside of the valley called the Piro on the right side of the stream of the same name, ending where some pine siyambres are to be found near the same stream, on the same line with the cluster of oaks from South East to North West. The measures being placed as aforesaid, taking a North East direction following up the valley to where the stream of Piro (which runs along the whole valley) forms an angle (recodo) which causes it to arrive at that place in an East North East direction, they measured one hundred and fifty cords. and it being impossible to continue the same measurement from this point in any direction on account of the mountainousness of the land, I the Judge presiding over these proceedings ordered that the above angle recodo be considered as a boundary thence returning along the stream to a small elevation (morro) this was settled as a point from which to continue the measurement: and drawing the cord from this elevation (morro) in a West South-West direction fifty varas were measured, and not being able to fix upon (no pudierose fijar) any remarkable object as a boundary on account of the mountainousness of the land I ordered that the boundary in this direction should be a line parallel with the said stream of Piro from the boundary line of Don Carlos Carrillo keeping at a distance of half a league from said arroyo until arriving at a point in the front of the aforesaid angle (recodo) forming with this (recodo) a rectangle. Returning to the aforesaid elevation (morro) and taking an East North East direction, entering and following the valley of Temascal to the small ridge



(cuesta) which is the boundary of the Rancho of San Man-  
-cisco at the foot of which and on the side of the Pico  
there is a little pond (aguaje) one hundred and fifty  
cords were measured; and encountering at this place  
the same difficulties of measuring on account of the said  
unevenness of the land it was necessary to draw  
another line of one league and a half, parallel with  
the stream of the Pico, terminating South South East  
at the hills which form the boundaries of Camulo; and  
on the North-north west until it intersects the perpend-  
-icular falling from the other parallel line of the  
opposite side; thus terminating the measurement; and  
in testimony whereof I signed these presents with the  
assisting witnesses.

Certified to.

Pablo de la Guerra.

Signed. Raymundo Orobaso.

Vicente Moraga.

Juan P. Ayala.

Antonio Rodriguez.

At the aforesaid Rancho de la comoda de Camulo and  
on the same day, month and year Don Manuel  
Angusola, accompanied by the Alcalde and the wit-  
-nesses to these proceedings, declared that the lands of  
this Rancho having been measured as appears by the  
foregoing proceedings, he took and does take true and  
actual possession of said measured lands as they belong  
to him according to the true documents legally obtained  
by him. There entered upon and walked around on  
said lands, threw about handfuls of earth, broke  
limbs of trees and did other acts of possession in sign  
of that which he said he took of the said land  
and I the aforesaid Alcalde ordered that henceforth  
said Angusola be known as the true owner and  
possessor of said lands.

For the proof of the foregoing proceedings in the  
future and for the preservation of his rights said  
Manuel Angusola prayed that the original  
proceedings be handed to him, proof thereof remaining  
in the Court in faith thereof. And I signed the  
same with the witnesses assisting me. Certified to

Pablo de la Guerra.

Raymundo. Orobaso.

Vicente Moraga.

On the above date proof hereof was taken and  
filed in the first Office of Santa Barbara in faith



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Whereof I have signed these presents with the assisting witnesses according to law. Certified to  
Pablo de la Guerra.  
Raymondo Oribaso. Vicente Moraga.

On the above date these proceedings were delivered to the party, being on five leaves for the uses he thinks fit. In faith whereof I placed my flourish. "flourish."  
The proper fees were paid.  
Guerra.

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I hereby certify the foregoing to be a true and accurate translation of a Spanish Original in case n<sup>o</sup> 521 wherein Manuel Arquisola claims Tenuaseal now on file in this Office.

In testimony whereof I have hereunto signed my name; Office of the Secretary of the U. S. Land Commission. San Francisco this 24<sup>th</sup> day of March A.D. 1854.

Geo. Fisher.  
Secretary.

Filed in office. Jan'y 19. 1853.

Geo. Fisher.  
Sec'y.

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5482

PM

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Seal

H.

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En el pueblo de Santa Barbara del Departamento de las Californias a las veinte y siete dias del mes de Septiembre de mil ochocientos Cuarenta y siete ante mi Luis Carrillo, Alcalde 2º de esta Municipalidad (f. en ejercicio por ausencia del 1º) y por ante los testigos de mi asistª con quienes actúo por receptoria a falta de Jefe -curo publico, a unas de las instrumentales que aspien -se de no minoran compracion de Dn Juanº Lopez, apad -enado por su Padre Dn Francisco Lopez y D. José Arellanes, a quienes doy de Conasco, y obligo que por si y a nombre de sus herederos y sucesores y de quien de ellos alguno tiene título, Roy, Causa o cual -quiera manera, vender y dan en venta, real y enagenacion perpetua por uno de bondad para siempre y para a D. Manuel, Anguila y a hijos el Rancho que tienen de su propiedad conocido con el nombre del Temascal, colindante con el Rancho de D. Carlos Carrillo y con el D. Don Ignacio del Valle, el cual terreno contiene tres sitios de Ganado mayor, segun el título de con -cesion y asien respectivo, incluidos los documentos de todo lo que asen entregan en dicha forma a Dn Juanº Lopez a nombre de su poderante y D. José Arellanes, a D. Manuel Anguila, en cuyo rancho tienen derecho por haberselo concedido legalmente el Superior Gobº Departamental en diez y siete de Mayo de mil ochocientos Cuarenta y tres por cuyo título se corresponde a su poderante y Don José Arellanes en posesion y propiedad, el cual declaran y aseguran no tener lo vendido, empinado ni en todo ni parte, y que esta libre de título menciona Capellanía, Vicario, fianza y de otro gravamen real perpetuo, temporal especial, General, lo cito y apelo y como tal se lo venden, quedando a entregarlo en la forma y f. Disposicion que particularmente an combinado en la cantidad de no cientos treinta.



pesos los que se recibidos en la manera siguiente.  
 D. Francisco Lopez Diez pesos en plata, y cincuenta en  
 efectos, y Don Jose Arellanes, ciento setenta en plata  
 y diez en efectos, los que declararon haber recibido los den-  
 -dadores habiendo recibido a toda su satisfaccion y que  
 por tanto renunciaron la opcion que podian oponer  
 para no contar de presentarse los sel. 7º titulo 1º parte 5ª  
 formalizan Don Francisco Lopez y nombre de su pariente  
 Don Jose Arellanes a favor del comprador la  
 mas firme y eficaz carta de venta que aun seguridad  
 Conduzca y asi mismo que el justo precio y verdadero  
 valor del expresado Rancho con los tantos pesos que  
 no vale mas ni daban quien mas les diere para el  
 y si mas vale o valer pudiese del dresado en plata o  
 mucha suma hacen a favor del comprador y de  
 sus herederos y sucesores, gracia y otorgacion para  
 mena, perfecta e irrevocable en su vida con sus  
 -un con y algunas firmas legales y unanimes la ley  
 2. titulo 1º libro 1º para recopilacion y hasta de los  
 Contratos de venta traques y de otro en que hay lecion  
 en mas o menos de la mitad de su justo precio  
 y los cuatro años que se pedia para pedir su posesion  
 recesion o su aumento a su justo valor, los que van  
 por pagados como si esplicitamente se otorgasen y desde  
 hoy en adelante para siempre se otorgaran  
 existen, quitan y apartan a sus herederos y suces-  
 -ores, del dominio propiedad, posesion que le comp-  
 -eta el comunado Rancho de Leden, renunciaron y han  
 -pasan con las acciones reales y personales, civiles, mixtas  
 directas y efectivas en el comprador y en cual la suya  
 represente para que la posea, cambie, enagone, use  
 y aliponga de el a su eleccion, como de cualquier  
 adquisicion como legitima a justo titulo, le confieren  
 poder irrevocable con libre franquea y general admon.  
 y le constituyen procurador, actor en su propia causa  
 para que de su autoridad o judicialmente entre

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9

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ni moverná pble sobre le en quietara, juraron alguno q si se le inquietare  
 supropiedad pveine moriene o apareciere, luego que las otorgantes o sus  
 goze y disfrute in herederos y sucesores Sean requeridos conforme a  
 contra ello aporocua elenecho Saldoñan a mi Defensa y lo Seguran a sus  
 y

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 PAGE 37

y de aporere la real tenencia y posesion que por derecho  
 le compete y para que no presente to mar la piven solo  
 de copia, autouada por la presente escritura, con lo  
 cual su oho acto de apren eion ha de ser visto, haberla  
 tomada apren eion y haser done le y en el uitenin  
 de Constituyesen, sus inquitimas, herederos, y procanios  
 poseedores en legal forma y se obligan a q.º Dho. laecho  
 Sena Ciento, Leguno y ofectino al comprador y nabi'e  
 oriarlos y dejar al comprador a las dallas en libre  
 udo quietu y pacifica posesion, y no pudiendo consig  
 -uirlo le daran oho igual en valor del sitio, ruta  
 y comodidad y en su defecto le restituaran la cautividad  
 que han desembolsado las mejoras, abites, puecias  
 y voluntarias y o la sason tengan el mayor valor  
 y extension que con el tiempo adquirien de todas  
 las costas, gastos intereses y memorcales, que se  
 quieren. he irregoraren por todo lo cual se la ha de  
 poder efectuar en virtud de esta escritura y juramento  
 del que la i de quines le representan en quiere difiere  
 de importe y le valeha en oha prueba, Esta observancia  
 de todo lo referido obligan sus personas, bienes abitos  
 y por lohen, remuneran las leyes de su fazon y  
 defensa, con la g'ral del derecho en fazon, y conspiron  
 amplio poder a las dhas Jueces que de este negocio  
 deben conocer, conforme a Dho. para que les oreni  
 -en a su cumplimiento como detentia depositar a  
 de Juz competente para en autoridad de este  
 Juzgado y consecutiva que por tal le reciben y  
 la firman con miso y las de sus acitios co-  
 licando las instrumentales las ciudadanas Cerruillo  
 Antonio Rodriguez, y Pascal Botillo presentes



37

de este puerto. Luis Carrillo.  
Guillermo Carrillo. = José Lugo. A luego José Arriaga  
de José Arrellanes por no saber escribir.  
Francisco R. Lopez. Miguel de la Guerra.

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Filed in office. Jan. 19. 1853.

Geo. Fisher.

Secy.



Translation of  
deed of sale.  
Document C.

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In the Port of Santa Barbara of the department of California on the 27<sup>th</sup> day of the month of September 1847 Before me Louis Camille 2<sup>d</sup> Alcalde of this Municipality acting in the absence of the 1<sup>st</sup> before the assisting notaries with whom I acted in the absence of a Public Notary & with the other notaries which for the purpose were appointed appeared before me Don Feo Lopez in the name of his father Don Feo Lopez & Don Jose Arullanes whom I authorized & whom I know, who said: that for themselves their heirs and assigns & for whomsoever holds a title under them they sell to Don Manuel Angerriola the Rancho which they own and which is known by the name of Tamarcat, bounded by the Rancho of Don Carlos Camille & the one of Don Ignacia del Valle which land contains three sitios of grazing land according to the original grant & sketch & the documents handed to said purchaser in due form by Don Feo Lopez in the name of his father & Don Jose Arullanes which Rancho they own by a grant legally made to them by Superior Departmental Government on the 17<sup>th</sup> day of March 1843, & by virtue whereof the said Lopez Arullanes, which property they declare not to have sold, alienated nor given in pledge in whole nor in part, that it is free of taxes or encumbrances whatsoever, & as such they sell the aforesaid Rancho to be hereafter delivered according to particular forms, for the sum of three hundred & thirty dollars, which have been received in the following manner by Lopez, one hundred dollars in cash & fifty dollars in merchandize & Arullanes twenty dollars cash & ten dollars in merchandize, which the vendors declare to have received to their entire satisfaction & they not having been paid in the presence of the officer, they therefore reserve the exception which might be set up under the law 7 title 10. Feo Lopez in the name of his father & Jose Arullanes hereby execute the most firm & valid deed of sale which his security may require, & the vendors declare that the above mentioned price is the real value of said Rancho, that it is not worth more & if it was worth more, the difference of the price either lower or elevated shall be in favor of the purchaser, his heirs or assigns as a pure irrevocable & complete donation made in good faith with exhibition & other binding formalities, the vendors announcing the law 7 title 10 & Book 10 of the recopilacion which treats of the contracts of sale, exchange & other contracts in which there may be lesion for more or less than the just price & also the four years within which the rescission of the contract may be asked or the payment of



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an additional amount to reach its just price which four years is agreed to have elapsed as if really it was so in fact and from this day hereafter they abandon all the rights, title and interest which they or their heirs may have in the ownership & possession of the aforesaid Rancho, ceding, renouncing & transferring it with all its real, personal, useful, mixed, civil & effectual actions in favor of the purchaser, in order that he may possess, exchange, use, alienate & dispose of it as he may desire & as of a property of his own legitimately acquired & under a just title, they confer unto him irrevocable power with the free & general administration, & they constitute him attorney & plaintiff in his own cause in order that of his own authority or judicially he may take the real possession of the said Rancho which should be right to them as purchasers & in order to avoid all difficulties the present is handed unto him with which without any other further act they will be actually in possession, & in the meanwhile he is constituted their tenant & possessor of said Rancho by a precavious title in legal form & they bind themselves that the said Rancho shall really, actually & effectually be the property of said purchaser that no one shall disturb him in his possession nor encumber the same, & if he is disturbed as even as the vendor or their heirs or successors shall be acquired they shall appear in his defence according to law & defend him at their expense in all actions & tribunals until judgment & until the purchaser or those standing in his stead shall be in the free enjoyment & in the quiet & pacific possession of said Rancho & in case this result could not be obtained, other land equal in value & in size shall be given him & default thereof the purchase money shall be returned to him together with the actual & increased value of the precise useful & voluntary improvements according to valuation with the costs, interests, deteriorations, incurred, for which he or his assigns may sue them in virtue of this document & oath, & obtain the value of the damages suffered without further proof, & for the execution thereof they bind themselves their actual property & those they may hereafter acquire. They renounce all & singular the laws in their favor or for their defence & they confer to the Judge having jurisdiction full power to compel them to execute the conditions of this deed & by a formal judgment having the force of no Indulto or a judgment by confession & as such they declare it & sign it with me & the



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assisting witnesses the others being the citizens Juan Cam-  
anillo, Antonio Rodriguez & Pascual Botiller witnesses  
present & residents of this place.

Juan Camillo  
Guillermo Camillo, at the request  
of José Amallan he not knowing how  
to sign.

Fco Lopez.

Miguel de la Guerra.  
José Lugo.

Filed in Office Jan'y 19<sup>th</sup> 1853.

Geo. Fisher.  
Secy.

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4-10-11  
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The United - States. } For the place called  
Fermuscal in Santa Barbara County containing three  
Square leagues of land.

Opinion.

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PAGE 42

It is alleged in the petition to the Commission that the land claimed was granted by Governor Micheltorena to Francisco Lopez and Jose Arellanes on the 17<sup>th</sup> day of March 1843 and that said grantees conveyed the same to the present claimant on the 4<sup>th</sup> day of September 1847. The Grant and conveyance are given in evidence in the case.

The deposition of Jose Maria Covarrubias shows a full compliance as to inhabitants and cultivation of the land by the grantees previous to the conveyance to Anyusola.

The land granted is specified in the conditions of the Grant to be three Square leagues in extent and Judicial measurement was required to be obtained by the grantee in order to define and segregate the land granted. The tract of land within the limits of which the three Square leagues were to be surveyed is described in the petition as lying in the neighborhood of the Rancho of San Francisco, occupied by Don Ignacio del Valle on one side and the Rancho of Don Carlos Carrillo on the other, the land herein claimed lying in the center of both Ranchos the two other sides of the said land are bounded on one by the Range of Mountains called the Valle and on the other side by the hills facing the rancho of San Francisco which are eight leagues off. In the decree of concession the land is described as bounded on the north by the Rancho of Carlos C. Carrillo, on the south by that of Ignacio del Valle which is called San Francisco without specifying either of the other sides. It is difficult to know from this vague description the exterior limits of the large tract of land here described. The distance of the hills specified as one of the boundaries from the Rancho of San Francisco, the opposite side would indicate its extent in one direction to be eight leagues within these limits the land granted three Square leagues - was to be located by Judicial measurement.

a testimonial of the act of Judicial possession



and measurement is given in evidence, but the description of the proceedings and of the land intended to be segregated in satisfaction of the grant are so imperfect and indeed contradictory that they can not be relied upon to aid in the matter. If any thing can be inferred from them in regard to the location of the land surveyed, it would seem to be that the survey embraced a tract of land extending the whole length of the premises above described north and south, and being two leagues in width from east to west. This would give the claimant many times over the quantity of land granted to him.

There is a map attached to the original documents but it gives no information of value on the subject. It has no scale of distances and designates none of the boundaries of the land. At the bottom of this map however is placed an explanation giving the extent of the land from north to south as three leagues from east to west one and a half league, intended evidently to denote the extent of the land granted, containing three leagues. A palpable alteration has been made in the figures in this note changing them so as to make the land three leagues from north to south and two and a half leagues from east to west, making the contents of the premises seven and a half square leagues instead of three the quantity granted.

A survey of this character in order to segregate the land granted, must be made within the limits and according to the terms specified in the grant. It is a survey of a specified quantity and the land segregated by the Judicial Officer making the measurement, should be defined by such certain and accurate description as to be enabled to enable the surveyor to retrace the limits by the calls specified in the memorial of the Judicial possession.

After a careful examination of the papers presented in the case we are of opinion that the description contained in the return of Judicial measurement is too vague, uncertain and contradictory to segregate any portion of the land, that portion must be under any rational construction of the description, a much larger piece of land than is conceded by the grant, and totally inconsistent with it. It must therefore be regarded as constituting no evidence of the segregation of the land claimed.

This view of the character of the act of



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Judicial possession and the utter insufficiency of it as  
a basis of the rights of the claimant, renders it unnecessary  
to discuss the question as to the authority of making  
such a Judicial measurement at the time this bears  
date to wit on the 40 November 1847.

The claim must be rejected.

Rejected

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Filed in Office. April 4. 1852.

Geo. Fisher  
Scrib.



1



WCE  
20



444

Manuel Aguilar

vs.

The United States

In this case on hearing the proofs and allegations it is adjudged by the Commission that the said claim of the petition is not valid and his application for a confirmation therefore is therefore denied.

Alpheus Heleh.

Thompson Campbell.

Commissioners.

A. Aug. Thompson.

Decree.

Filed in office. April 4<sup>th</sup> 1854.

Geo. Fisher.

Secy.

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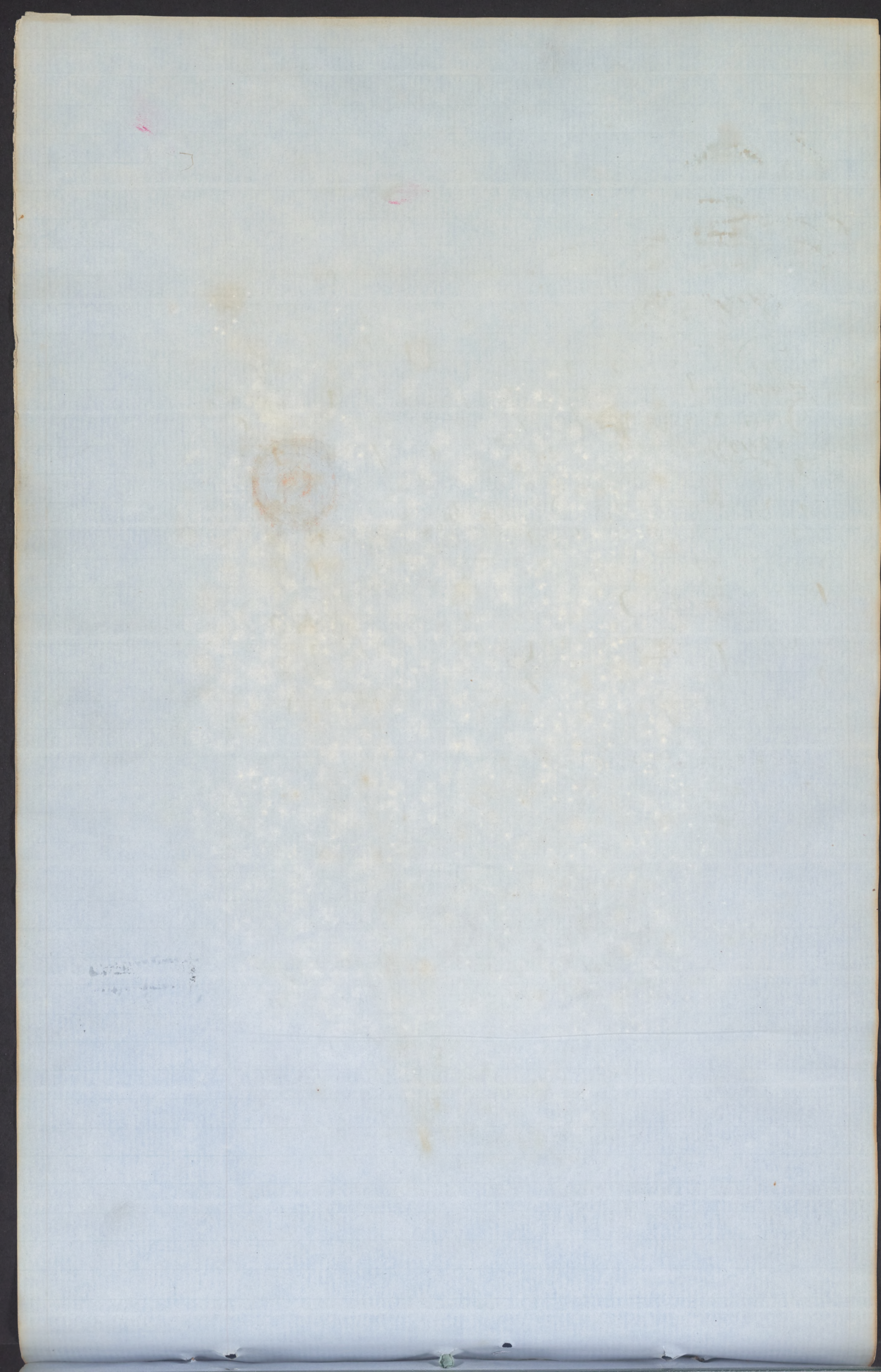
SD

PAGE

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And it appearing to the satisfaction of this Board that the land hereby adjudicated is situated in the Southern District of California, it is hereby Ordered, that two Transcripts of the Proceedings and of the decisions in this case, and of the papers and evidence upon which the same are founded be made out and duly certified by the Secretary one of which Transcripts shall be filed with the Clerk of the United States District for the Southern Judicial District of California and the other be transmitted to the Attorney General of the United States







Office of the Board of Commissioners,

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

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I, *George Fisher* Secretary to  
Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *forty four* pages, numbered from  
1 to *44*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *521* on the Docket of the said Board,  
wherein *Manuel Arguisola* is

the Claimant against the United States, for the place known by  
the name of *"Fernascato"*

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

*Geo. Fisher*



153

U. S. DISTRICT COURT,  
District of California.

No. 153. Docket

THE UNITED STATES,

vs.

153

Manuel Anguicola,

In "Temescal"

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 521.

Filed, November 8th, 1854

J. E. Carr  
Clerk.

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This Indenture made this 5th day of December.  
A.D. One thousand eight hundred and fifty four.  
Between Manuel Anguisola and Concepcion Loren-  
zana his wife parties of the first part, and Ramon de la Cuesta  
and Francisco Gonzalez Camino of the second part, all of  
the County of Santa Barbara and State of California,

Witnesseth that the said parties of the first part  
for and in consideration of the sum of One dollar, lawful  
money of the United States of America to them in hand paid  
by the said parties of the second part, at or before the sealing  
and delivery of these presents the receipt whereof is hereby  
acknowledged have remised released and quit-claimed  
and by these presents do remise release and quit-claim  
unto the said parties of the second part, and to their heirs  
and assigns forever, All their right title and interest in  
and to a certain Rancho lying and situate in the County of  
Santa Barbara and known as Rancho "Piro," said Rancho  
containing Three square leagues or sitios de ganado mayor  
more or less: Together with all and singular the tenements  
hereditaments and appurtenances, including the crown and  
mark, thereunto belonging, or in anywise appertaining,  
and the reversion and reversions remainder and remainders  
rents issues and profits thereof.

And also all the estate, right, title, interest, personal  
property, possession, claim and demand whatsoever, as well  
in law as in equity of the said parties of the first part of  
in or to the above described premises and every part and  
parcel thereof with the appurtenances. To Have and To Hold  
all and singular the abovementioned and described premises to-  
gether with the appurtenances unto the said parties of the second part  
their heirs and assigns forever.

In Witness whereof the said parties of the first part have  
hereunto set their hands and seals the day and year first above written.

Witness From: This Concepcion Lorenzana Manuel Anguisola  
for A. Hinchman de Anguisola her mark



State of California  
County of Santa Barbara } ss

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On this sixth day of December A D One thousand eight hundred and fifty four personally appeared before me George P Fisher County Clerk in and for the said County Manuel Anguisola and Concepcion Lorenzana his wife known to me to be the persons described in and who executed the foregoing conveyance who acknowledged to me that they had executed the same freely and voluntarily and for the uses and purposes therein mentioned: and the said Concepcion Lorenzana having been by me first made acquainted with the contents of such conveyance acknowledged on an examination by me had, apart from and without the hearing of her husband that she executed the same freely and voluntarily without fear or compulsion or undue influence of her husband and that she does not wish to retract the execution of the same.

In testimony whereof I have  
herunto set my hand and the  
seal of the County Court on the day  
and Year last above written  
George P Fisher  
County Clerk

State of California  
County of Santa Barbara }

Ad hereby certify that the foregoing instrument is recorded in Liber B of Deeds page 118 of the Records of the Records office in and for the County aforesaid.

George P Fisher Recorder  
By S. A. Hutchinson Depy



Manuel. Anguisola  
& Concepcion Lorenzana.  
his wife. — — — —

— — — — To — — — —  
Ramon de la Cuesta.  
Francisco Gonzales Camino.

Deed.

Nº-153

Manuel Anguisola  
Appellant  
vs.  
The United States  
Appellee

Deed

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Filed for record in this  
office on the 6<sup>th</sup> day of De-  
cember A.D. 1854. at 2.  
o'clock P.M. by Ramon  
de la Cuesta.

George D. Fisher  
Recorder  
By J. H. Vinchman  
Clerk

Fees paid

Filed Dec 13<sup>th</sup> 1854

Chas  
Clerk



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Office of the Attorney General of the United States,

Washington, 17th January 1855.

Mannul Anguisola  
vs.  
The United States. } 521.

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

Clarking

Attorney General.



United States District Court for the Southern  
District of California.

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PAGE 51

Manuel Anguila }  
Appellant } Petition of the appellant  
is } praying the court to  
The United States } review the decision of  
Appellee } the United States land  
Commission.

Your petitioner Manuel Anguila respectfully  
Shew that on or about the 17<sup>th</sup> day of March 1843  
on the petition of Francisco Lopez and Jose Arrellanes  
to the proper authorities Governor Micheltorena granted  
to them a certain tract of land or Rancho in the  
County of Santa Barbara of three square leagues  
called Tomas cal which they conveyed unto your petitioner  
on the 27<sup>th</sup> day of September 1847 and Juicial possession  
was given thereof to your petitioner That the said  
land was occupied improved cultivated and stocked  
with cattle according to law.

That the said land or Rancho is situated  
in the Southern District of California.

Your petitioner further Shew that on the 19<sup>th</sup>  
day of January A.D. 1853 he presented his claim  
for the aforesaid three leagues of land before the United  
States land commission appointed under the act of  
Congress passed on the third of March 1851 entitled  
an act to ascertain and settle the private land claims  
in the State of California when sitting as a board and  
prayed the said board to confirm his title. That on the  
4<sup>th</sup> day of April 1854 the said board of Commissioners  
decided upon the validity of your petitioners claim and  
rejected it.

Your petitioner pray that a transcript of the  
record of the board of Commissioners on the claim present



ted to them as aforesaid and of the documentary evidence and testimony of the witnesses on which it was founded which is filed with the clerk of this court as directed by the 12<sup>th</sup> Section of the act of Congress passed on the 31<sup>st</sup> of August 1853 entitled an act making appropriations for the civil and diplomatic expenses of the government ending on the 30<sup>th</sup> of June 1853 and for other purposes, may be held and considered as part of this petition.

Wherefore your petitioner appealing from the said decision of the board of commissioners present this petition to the honorable the district court in which the land is situated and he prays this honorable court to reverse the said decision of the said board of commissioners and to decide upon the validity of his claim.

W. Hubert

Attorney for Petitioner



no 153.

United States District  
Court for the Southern  
District of California

Manuel Arguisola  
Appellant  
vs  
The United States  
Appellee

Petition of appeal from  
U.S. Land commission

no 521.

Filed Feb 5<sup>th</sup> 1855.

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J. E. Farr  
clerk.

A. Hubert  
Attorney for Petitioner



United States District Court for the Southern  
District of California

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PAGE 54

Seamuel Inguisola } notice of intention to  
Appellant } prosecute the appeal  
" } from the decision of the  
The United States } board of land commissioners.  
Appellee }

Seamuel Inguisola claimant of the land known as the Rancho of Tenascal situate in the county of Santa Barbara and the Southern District of California hereby give notice of his intention to prosecute his appeal from the decision of the board of land commissioners rendered in his claim for the said land which was presented before the said board of commissioners and by them rejected, ~~that~~ claim being that which is numbered No 321, the transcript whereof is filed in this office.

A Hubert

Attorney for petitioners.



No 153.

United States District  
Court for the Southern  
District of California

The annul *Anguisola*  
Appellants  
vs

The United States  
Appellee

Notice to prosecute the  
appeal from the decision  
of the board of N S Land  
Commission

No 521.

Filed Feb 5<sup>th</sup> 1855.

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J. S. Fox.  
CLK.

N. Hubert  
Attorney for Petitioner



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

TO

The President of the United States,

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*Pacificus Ord Attorney of the United States  
for the Southern District of California.*

GREETING :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against ~~you, and each of you~~ <sup>the United States</sup>, in the District Court of the United States, in and for the Southern District of California, on the *fifth* day of *February* 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

*Manuel Anguisola, praying the said Court to review, upon the grounds therein set forth, the decision of the U.S. Land Commissioners to ascertain and settle the private land claims in the State of California, of his claim for a tract of land called Tomascaal, in the County of Santa Barbara, California, containing three square leagues: which said claim was presented by said Manuel Anguisola to said Commissioners, on the 19th day of January, A.D. 1853. and was by them rejected on the 4th day of April A.D. 1854.*

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 therein demanded.*

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

*J. C. Farr.*  
Clerk.



No 153.

Marshals cost

Copying Summons 1,20  
Serving 11 4,00  
Serving Petition 4,00  
\$9,20

Return Feb 24 1855

United States of America,

Southern District of California,

U. S. DISTRICT COURT.

Manuel Anguivola  
Appellant

VS.

The United States  
Appellee.

SUMMONS.

Received February 23 1855

Edward Hunter  
U.S. Marshal

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PAGE

I served this summons along with the proper copy of the petition upon *Pacificus Osth*  
*Attorney of the United States* by leaving with  
him a *certified copy* of the same in  
the county of Los Angeles

at *his office*  
the *twenty fourth* day of *February* in the Southern District of California on  
A. D. 185 *five*

Sworn to and subscribed before me, *this 24th day of Feb*  
*A.D. 1855.* *J. E. Jones* Clerk.

*Edward Hunter*  
U. S. Marshal.



1.

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

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Manuel Anguisola (No. 521. of Transcript)  
Appellant } Answer to the petition of  
vs. } Appellant for a review  
The United States } of the decision of these  
Appellees. } United States Land  
Commissioners.

The answer of Pacificus Ord, Attorney  
of the United States for the Southern  
District of California, in behalf of the United  
States, to the petition of Manuel Anguisola  
(filed 5<sup>th</sup> February 1855) alleging, - that on  
the 19<sup>th</sup> day of January AD 1833, he pre-  
sented his claim to the United States  
Land Commissioners appointed under the  
act of Congress, passed on the third of  
March 1831, entitled, 'An act to ascertain  
and settle the private land claims in  
the State of California', to a certain tract  
of land or Rancho, in the County of Santa  
Barbara, of three square leagues, called  
'Tomasca', and prayed the said Board  
to confirm it; And that on the 4<sup>th</sup>  
day of April 1854, the said Commissioners  
decided upon the validity of said



2.

claim, and rejected it: And praying  
This Honorable Court to review the said  
decision of the said Board of Commissioners  
and to decide upon the validity of his  
claim.

And the said Attorney, answering  
said petition, in behalf of the United  
States, denies generally, all and singular,  
each and every allegation in the said  
petition contained; and denies specially,  
- "that on or about the 17<sup>th</sup> day of  
"March 1843, on the petition of Francisco  
"Lopez and Jose Arrellanes to the proper  
"authorities, Governor Micheltorena granted  
"to them a certain tract of land or Rancho  
"in the County of Santa Barbara of three  
"square leagues called Temascal, which  
"they conveyed unto your petitioner on  
"the 27<sup>th</sup> day of September 1847, and  
"Judicial possession was given thereof to  
"your petitioner. That the said land  
"was occupied, improved, cultivated,  
"and stocked with cattle according to  
"law", as alleged in said petition.

And the said Attorney of the United  
States, in pursuance of the provisions  
of the said act of Congress of the 3<sup>rd</sup>  
of March 1837, herein fully sets forth.



The grounds on which the said claim is invalid - To wit:-

1. That the said alleged grant of Manuel Michelterena, dated the 17<sup>th</sup> of March 1843, 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. 1824, in this; - That the land granted, as alleged by Claimant, was and is within ten leagues of the Sea Coast, And there is no evidence shown by said 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 the previous Consent of said Supreme General Executive power of Mexico, in such case, was ever had.

II. That at the date of the said alleged grant, the said land was occupied by, and in the possession of the Indians of the Territory of Upper California; and particularly by the Indians of San Fernando, - and could not therefore be Colonized.

III. That the said alleged grant has not the Conditions Required by,



and <sup>is</sup> ~~are~~ not made in entire conformity <sup>4,</sup>  
with the said law of Mexico, of the  
18<sup>th</sup> of August AD 1824, and the Regu-  
lations for the Colonization of the Terri-  
tories of Mexico, of the 21<sup>st</sup> of November  
1828.

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PAGE 61  
IV. That the said alleged grant of  
Manuel Micheltorena of said date,  
contains no description of the locality,  
extent, and boundaries of the land,  
pretended to have been granted, by which  
it can be identified and surveyed.  
And it is vague, indefinite, and void  
for uncertainty.

V. That the Map shown by the said  
Claimant does not aid the description  
of the land in the said alleged grant:-  
And it is also vague, indefinite and  
uncertain.

VI. That the said alleged grant is  
not executed upon the lawful stamped  
paper.

VII. That there is no evidence that  
the said alleged grant was ever ap-  
proved by the Departmental Junta, or  
Assembly of California, or the Supreme  
Government of Mexico. And it is denied  
that it was ever approved by the said

5.



Departmental Junta or Assembly, or Supreme Government.

VIII. That there is no evidence that the said alleged original grantees, performed all the conditions, or requirements of the said alleged grant. And it is denied that they built a house upon the said tract of land within one year from the date of the said alleged grant, and that it was inhabited; and that they cultivated the said land; and that they solicited the respective Judge for the judicial possession of the land; and that they received judicial possession of the same, in virtue of the said alleged grant, within one year from the date of the said alleged grant, or at any time thereafter.

IX. That the alleged transfer, or act of sale of Francisco Lopez, and José Arellanes, the alleged original grantees, to Manuel Anguisola, the Claimant, dated the 27<sup>th</sup> of September 1847, conveyed no right, title, or interest <sup>in said land</sup> to the said Claimant; - for the reasons, - That the said alleged grant, not having been then approved by the Departmental



Junta of Californias, or the Supreme Government of Mexico - and the said alleged grantees not having the lawful possession of the said land - and not having performed the conditions of the said alleged grant, and the requirements of the law, they had not <sup>then</sup> perfect ownership of the said tract of land. And the title in fee <sup>said alleged original grantees</sup> had not passed to

X. That there is no evidence that the said Francisco Lopez, one of the said alleged original grantees, joined in the said alleged transfer, or act of sale of said land. And it is denied that the <sup>said</sup> Francisco Lopez, who pretended to convey to said claimant, the one undivided half of said tract of land, had any lawful authority so to do; And it is denied that the said claimant, acquired, by said alleged act of sale, any right, title or interest of the said Francisco Lopez, the alleged original grantee, in and to said tract of land.

XI. That the ~~said~~ alleged judicial possession of the said land, by Pablo de la Guerra, to the said Manuel Anguisola, claimant, dated the 10<sup>th</sup> & 20<sup>th</sup> of November (1847), is illegal and void, - for the reasons:-



7.  
That the said Anguisola had no lawful right or title to said land at that time;— That the said Pablo de la Guerra had no lawful authority to survey and give the judicial possession of said land to said Anguisola;— That the said alleged act is not made according to the said alleged grant, and the map referred to therein, nor according to the ordinance or law, <sup>that</sup> ~~and~~ it is vague and indefinite; <sup>and</sup> that the said alleged act is not upon stamped paper.

XII. That there is no evidence that the said Pablo de la Guerra was, at the time of said alleged judicial act of possession, First Alcalde of the Partido of Santa Barbara, and that <sup>he then</sup> ~~had~~ <sup>had</sup> lawful authority, as such, to survey and give the judicial possession of the said tract of land to said claimant. And his authority to perform said alleged judicial act or acts, is denied.

20  
XIII. That the said claimant shows no definitively valid grant, or title to the said tract of land, claimed by him as aforesaid. And it is denied



that he has, or ever had any despici-  
-tively valid grant, or title, to the  
said tract of land, claimed as afore-  
-said.

Wherefore, the premises considered,  
the said Attorney, Respondent in  
behalf of the United States, prays  
that the said claimant may be  
served with a copy of this answer;  
and, that after due proceedings,  
this Honorable Court will decide  
the said claim of said petitioner  
for said tract of land, to be invalid;  
and to decree costs against him:-  
and general relief.

J. W. D. (of Monterey County)

Attorney of the United States for  
the Southern District of California



No 153.

United States District Court,  
Southern District of California.

Manuel Anguicola,  
Appellant.

vs.

The United States,  
Appellee.

Shower of U. S. Attorney.

Filed Feb'y 28th 1855.

J. E. Lawrence,  
Clerk.

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I return this answer not served, after diligent  
search for the within named Manuel Anguicola  
I am informed & believe that he has left  
the ~~country~~ State & is not in this district  
this 13<sup>th</sup> April 1855.

Edward Hunter  
U. S. Marshal  
By R. S. Jones,  
Deputy

Sworn to and subscribed  
before me this 14<sup>th</sup> day  
of April A.D. 1855.

J. E. Lawrence,  
Clerk.



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

M. Anguissola

vs.

The United States,

N<sup>o</sup> 153.

Transcript N<sup>o</sup> 521.

By Manuel Anguissola  
or his Attorney.

Take Notice that the above entitled  
Cause will be brought to a hearing  
by the United States, on Friday the  
19<sup>th</sup> day of October A.D. 1835; or at  
some thereafter as the same can  
be heard by the Court.

Los Angeles

October 11<sup>th</sup> 1835.

P. Ord  
Att. Dist. Atty.



N<sup>o</sup> 153.

Mart. Anguisol  
us.

The United States.

Notice of hearing -  
by W. S. L. S.

Filed Oct 11<sup>th</sup> 1855.

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J. E. fan.  
C. H.

W. S. L. S.



N<sup>o</sup> 153

Manuel Anguierola }  
advs Appellant } Termascal  
United States Appeller }

1836

December Term of U.S. Dist  
Court for the Southern Dist of Cal.  
Before Hon. Isaac P. H. Ogier  
Judge

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Synopsis of  
Transcript

page 3

Petition of claimant to Commission of date  
Jan'y 19, 1833 asking confirmation of 3 Leagues

" 485 Disposition of Don José Maria Corraubias in  
proof of signatures building a house occupa-  
-tion and cultivation taken Jan'y 29 1833  
Diseño N<sup>o</sup> 1

647 Expediente of Francisco Lopez and Jon Arrellano  
of date Jan'y 12 1842 & Marginal order  
of Prefect Jan'y 17, 1842

708 Alcalde report 27<sup>th</sup> Feby 1843 and order of  
Gov<sup>r</sup> Micheltoune March 1<sup>st</sup> 1843 That  
the Administrator of San Fernando inform  
Diseño N<sup>o</sup> 2

849 Report of Administrator and order  
of Gov<sup>r</sup> That title be issued 17<sup>th</sup> March/43

9410 Certificate of U.S. Gen. General



Page 11

Fifth page of Translation  
of Expediente

12, 13 & 14 Translations of Expediente and  
Acru

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15 Translation of Grant

16 & 17 Original Grant

18, 19, 20

22 & 23.

Copy of Expediente & Grant made and cer-  
tified by Francisco Arce the Secretary  
& first officer of the Departmental Assembly  
of date March 17 1843

24 & 28 Judicial Possession in  
1847

29 & 33 Translation of same

34 & 37 Document of Sale from Lopez Arrellanes  
to Claimant

38 & 39 Translation of same

41 & 43 Opinion of Land Commission

44 Acru



No 153

Manuel Anguicola  
Appellant  
United States  
Appellate

Temascal  
Synopsis  
of Transcript

Filed Dec 30<sup>th</sup> 1884  
Ofms  
clerk

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U. S. District Court, Southern District  
of the State of California  
Los Angeles County.

Manuel Anguisola, Appellant } Timascal  
vs. }  
The United States, Appellee } Docker No. 153

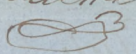
State of California

County of San Francisco : Roman Dela Cuesta  
being duly sworn says that he claims a certain in-  
terest in the Rancho of Timascal, as assignee of  
the nominal Appellant Manuel Anguisola, and that  
he was such assignee before this cause was appealed  
to the District Court. Deponent further says that he  
employed Mr. Hubert, a lawyer residing in the  
City of San Francisco, to take an appeal in this  
cause from the decision of the Board of Land Com-  
missioners to the United States District Court, and  
to prosecute said Appeal in said Court. Deponent  
further says that he has been informed and verily  
believes that said Hubert did not appear to prose-  
cute said Appeal in said Court, and that  
said Appeal was finally decided without having  
been defended on the part of this deponent.  
Deponent further says that he has been in-  
formed by Counsel and verily believes that he  
the deponent, as assignee of said Anguisola,  
has a good valid claim in the said Rancho



of Tennesseal as against the United States,  
and deponent further says that he verily  
believes that he can establish such claim  
before the said District Court, in case  
there should be granted a rehearing of the  
said Appeal. Deponent further says that  
he verily believes that said Appeal was  
lost in said District Court solely in consequence  
of the absence of his said Attorney Haber.

Subscribed and sworn  
to before me this 30<sup>th</sup> day of July  
A.D. 1886.

Roman de la Cuesta  


J. J. Thibault  
Notary Public  




N<sup>o</sup> 153

Manuel Anquisola  
Appellant  
ad  
United States  
Appeller

---

Affidavit of Don.  
Ramon de la Cruz

---

✓ Filed Dec<sup>r</sup>, 30<sup>th</sup> 1886  
C. S. S. S.  
Clerk

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No.

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

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Before Hon Isaac S. H. Ogier  
Decr Term 1856

Manuel Arguissola alias  
Ramon De La Cruz <sup>Francisco Gonzalez Camino</sup>  
ad, Appellant } Rancho. Imposed  
United States Appellee } Dec R' 153.

Now comes Attorney of Appellant  
in the above cause, and moves  
this Honorable Court for an order  
vacating the order <sup>to enter a decree rejecting the</sup> ~~of the~~  
<sup>claim of Appellant</sup> ~~herein~~ <sup>Made</sup> ~~on~~ <sup>on</sup> the  
19<sup>th</sup> day of Feb<sup>y</sup> 1856 and for leave  
of this Honorable Court to  
take further evidence  
Harry Hancock



N<sup>o</sup> 153

Mannul Anguier  
ad<sup>s</sup> Appellans  
H. G. Appellans

---

Motion

Filed Dec<sup>r</sup> 30<sup>th</sup> 1834

Wm  
Chk



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

The annul Anguissola  
vs  
The United States

It being impossible for me  
to attend to the above case, upon  
the application of Messrs Gonzales  
& Cuerta representing themselves as the  
purchasers of the Rancho of  
Tinasca in the County of San Bernardino  
I hereby authorize them to take  
murther Attorney.

San Francisco Oct 30 / 56  
A Hubert



N<sup>o</sup> 153

Mamul Anguisola  
Appellant.  
ad  
United States

Letter of Counsel

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Filed Dec<sup>r</sup> 30<sup>th</sup> 1886

Smms  
clerk



No 153

In the United States District Court  
for the Southern District of Cal-  
ifornia Before Hon J. H. Ogier  
Judge

December Term 1836

~~Mamut Aguilera~~ <sup>alias</sup>  
~~Ramon de la Cuesta~~ <sup>vs Francisco Gonzalez Camino</sup>  
Appellant } Rancho  
ad } Temascal  
United States Appellee }

Upon Motion by Attorney of Claimant  
in the above entitled cause. moving  
for an order to vacate the order of  
to enter a decree rejecting the claim of Appellant.  
~~dismissal~~ heretofore made to wit on  
the 19<sup>th</sup> of Feb<sup>y</sup> 1836 and for leave  
to take further evidence. The  
Affidavit of Don Ramon de la Cuesta  
being read and the respective Council  
having been heard It is ordered  
adjudged and decreed That the said  
order of dismissal be vacated and that  
the cause be restored to the Docket  
of this Court, and it is further ordered  
and decreed That the <sup>order to enter a decree rejecting</sup> ~~dismissal~~ heretofore ren-  
dered in this cause be and the same  
is hereby <sup>annulled</sup> ~~ordered~~ and leave given  
the respective parties to take further  
evidence

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N<sup>o</sup> 153

Mammal Anguiscola  
ad<sup>s</sup> Appellant  
United States  
Appellee

Order vacating  
order of dismissal

Filed Dec<sup>r</sup> 30<sup>th</sup> 1884

C. Sims  
Clerk



Rancho Ymasecal  
Manuel Anguicola Appellant } N<sup>o</sup> 153  
as  
United States Appellee }

Before the United States Dist. Court  
for the Southern Dist of California  
December Term 1856

Francis Gonzales Camino resident of  
Santa Barbara County State of California  
Makes oath and that he is the same  
Francisco Gonzales Camino who is mentioned  
in the deed of conveyance from the appellant  
to himself and Don Ramon de la Cuesta  
on the 6<sup>th</sup> day of December 1854 and  
herewith filed in this Hon. Court and that  
the tract of land thus conveyed and therein  
called "Piro" is the identical tract which  
is claimed as the Rancho Ymasecal  
that the said Rancho is well known by  
the name of Piro, as well as "Ymasecal"  
under the misnomer in the said deed  
of Piro in lieu of Ymasecal

Francisco Gonzalez Camino

Sworn publicly before  
me this 13<sup>th</sup> day of July 1857  
J. W. McCreary



N<sup>o</sup> 153

Manuel Anzuresola  
Appellant  
ad  
United States  
Appellate

---

Appellant of  
Don Francisco  
Gonzales Camino

Filed Aug 13<sup>th</sup> 1887

Spms  
del

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Deposition of Pedro Lopez, taken before  
E. S. Smith United States Commissioner for the  
~~Southern~~ District of California at the  
United States Court House in the City of  
Los Angeles on Monday the 12th day of  
January A.D. 1857 at 3 o'clock P.M. on  
behalf of the appellants by Consent and  
agreement of parties to be used in testi-  
-mony in a certain Cause now pending  
in the United States District Court for  
the Southern District of California, being  
Case No. ~~23~~ on Docket of said Court, wherein  
the United States are appellee and Manuel  
Anguerosola appellants

Present P. Arch W.  
J. M. on behalf of Appellees and Henry  
Hamrick Esq on behalf of appellant



Mamuel Augustola  
app'tts

The United States  
app'm

No 153

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Pablo Lopez being duly sworn on the part  
of the appellant. deposes and says. as  
follows.

Qunt.

What is your name, age and  
place of residence -

Answer

My age is 57 years. I reside in  
San Francisco in this County

Qunt

Do you know the Rancho Called  
Tumacac in the County of Santa  
Barbara

Answer

Yes, I do.

Qunt

Please state how long you have  
known it, and whether you have  
any interest in it or not

Answer

I have known it ever since the  
year it was granted to my brother  
Francisco Lopez & Don Aurellines  
and I have no interest whatever in  
the <sup>said</sup> tract of land

Qunt

Please state what you know  
of its location and boundaries  
It is situated in the mountains  
<sup>of the Sierra Nevada to the west of</sup>

Answer



and adjoining the Ranch of San Francisco  
and also the Ranch of Cashes. Antonio  
Carrillo deceased. and upon the side when  
it adjoins the Ranch of San Francisco, a  
ridge "Cuchillo" of hills was the recognized  
boundary, upon another side the boundary  
line of the aforesaid Carrillo was known as  
the boundary, on the north I was not aware  
of the boundary line, it being a mountain-  
ous country. An arroyo runs through the  
central part of said Ranch which is called  
"Pyro", by which name it was known until the tract  
was applied for when it was given the name  
of "Tumascal". in consequence. I believe of a  
Tumascal having been made there by the  
Indians. to enjoy the "hot air bath"

Ques

State in what manner the land is  
situated on the Arroyo in respect  
to where it commences and ends on the  
same - Objected to by US Atty

Answer

I think it may be a league and a half  
in extent along the Arroyo. from the place  
to the opposite line near the mouth of the  
Cañada

Ques

Does this Ranch lie principally in  
a Cañada Objected to by US Atty

Answer

This land is in the Cañada  
within the Mountains

Ques

How much land do you think  
there is in the Ranch you have known as  
Tumascal Objected to by US Atty

Answer

I do not know how much land  
there may be in the tract, the Cañada being  
narrow bounded by high hills & mountains



Just Don are here shown the map of the transcript in this case No 1 marked "Sketch No. 521" and requested to state whether by it you recognise the Land called "Ternascales" in this case.

Objected to by US Atty

Ans

I do recognise the Land called

"Ternascales" by it. On the left hand side of the map is the Entrance of the Cañada

And upon the Banks of the Arroyo near the Centre of the map, is the Location of the "Ternascales". I mean by that the "Indian meat house".

Just Please state whether you know the places shown on the map as, "Plano grande" and "Mesa grande"

Objected to by US Atty

Ans

I do

Just Do they ~~and the~~ together with the different Cañadas shown on the map as also the Arroyo and different "Sornes" constitute a part of the track of Land which you have known as the Rancho "Ternascales".

Objected to by US Atty

Ans

Yes, they do,

Just Please show on the map, the locality of the "Placerito", heretofore named by you in this deposition —

Objected to by US Atty

Ans

The "placerito" is on the right hand ~~border~~ border of that portion of this map



representing Lands in the immediate vicinity of the "Arroyo", (Objected to by W. S. Latty)

Just Please state into what that Arroyo discharges itself — (Objected to by W. S. Latty)

Ans It empties into the Arroyo which runs from San Francisco to Santa Clara —

Just At about what distance from the mouth of the Canada ~~do~~ hitherfore referred to does it empty in the Arroyo that runs from San Francisco to Santa Clara, (Objected to by W. S. Latty)

Ans About a league more or less

Just What is the Character of the Country opposite to the mouth of the Canada and in the direction of the point where the Arroyo discharges itself into the Arroyo that runs from San Francisco to Santa Clara, (Objected to by W. S. Latty)

Ans It is of a Rocky & Sandy Character

Just Are there any high hills in that direction (Objected to by W. S. Latty)

Ans There are —

Just How far distant are they from the mouth of the Canada

(Objected to by W. S. Latty)

Ans I cannot say — ~~the~~ From the mouth of the Canada in the direction of the hills the Country is broad, I can't calculate the distance,



Just State by whom the Land is owned between  
the mouth of the Canada heretofore referred  
to by you as being on one side of the Rancho  
"Temascal" and the place where the arroyo  
of that same Canada discharges itself into  
the arroyo heretofore named by you as  
running from San Francisco to Santa Clara  
Objected by US Atty

Ans The Arroyo from where it comes out  
of the Mountains at the mouth of the Canada  
until it joins the other mentioned Arroyo  
is the boundary line of the Lands of Don Igna-  
tio del Valle called "Camulas" and the  
Lands on the other side of this arroyo  
belong to the Ranch of Don Carlos Corrallo

Just Do you know the track of Land called  
"San Francisco", if so, state where this  
situated, in regard to the track of Land  
called "Temascal" claimed in this  
case, — (Objected by US Atty)

Ans I do — It is separated from the  
Lands of "Temascal" by a ridge of hills

Just Is the Rancho "Camula" a part of  
of the track of Lands claimed ~~San Francisco~~  
by Don Ignatius del Valle called San-  
Francisco. (Objected by US Atty)

Ans It is the same track as the  
track called San Francisco —



Qust Are here shown the map No 3  
accompanying this transcript. State, if  
you recognise, the Land shown by it  
~~(physically existing)~~

Ans I do not understand this map

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Crap Communion by US Atty

Qust Do you know how broad?

Ans I do not

Qust Do you know how wide?

Ans I do not

Qust When ~~you~~ were you first on the  
Rancho of "Terres ad"?

Ans At the time that Don Antonio del  
Valle was administrador of the Mission  
of San Fernando. I think it was in  
the year AD 1835 - and the last time  
I was on the Rancho, I do not  
recollect what year it was. - It was when  
I went there to take a lot of cattle belong-  
ing to Mr. Gonzales -

Qust Who lived on the Rancho when  
you were on it the last time

Ans There was some natives of Lower  
California living there one by the name  
of Francisco Castillo. I do not remember  
the names of the others - There were also  
some Indians living there.

Qust Who owned the Rancho at that  
time?

Ans Francisco Gonzales Carrasco and  
Ramon Roman. ~~Alonso~~ De Cuesta



Ques Did you ever see the <sup>said</sup> map No 1 ~~said~~  
~~you~~ When did you <sup>first</sup> see the map No 1, if  
ever, before it was shown you on this  
Examination, if you where was it shown  
you, by whom & who was present

Ans. I had I have before seen it  
This morning was the first time that  
I ~~had~~ even saw it. — No one showed it  
to me this morning, I saw it laying on  
the table while they were taking my  
deposition this morning and it was  
now shown to me at this Examination

Ques Look at the said map No 1  
and point out if you can, the Loca-  
tion of the "Mesa Grande"

Ans. The witness points to a place on  
the map <sup>now</sup> marked with "A" in pencil  
as the place designated as the "Mesa Grande"  
Saying at the time that the map is  
very badly made

Placed by <sup>Mr</sup> Lopez  
mark

Shown & Subst. before me this 13<sup>th</sup>  
day of January A.D. 1837

J. P. Jones  
Not Com<sup>m</sup>



United States of America  
State of California  
County of Los Angeles

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I, J. C. Smith, United States District Commissioner for the District of California, do hereby Certify that the foregoing deposition of Pedro Lopez, was taken before me in accordance with the request and agreement of the said attorneys, at the United States Court House in the City of Los Angeles State of California on behalf of the Appellants, that the said Pedro Lopez was by me duly sworn according to law as a witness in said Cause in the Caption of this deposition mentioned, and after being so sworn his testimony was by me reduced to writing in his presence and that of the said attorneys, and after having been by me carefully read to him and by him corrected as he desired was by him signed in my presence.

In witness whereof I hereunto set my hand and affix my private seal (having no seal of the office) this 13th day of January 1857

J. C. Smith  
U.S. District Commissioner



No. 153

U.S. District Court  
for Southern Dist Cal.

Marcos Anguerosola  
appellant

vs  
The United States  
appellee

Deposition of Pedro Lopez

Filed this 13th January

A.D. 1884

Cecilio M.  
J. M. Coleman  
Clerk

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*Manuel Anguissola*

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*Appellant*

Case No.

*133*

*The United States, Appellees*

## Deposition of

*Ignacio del Valle*

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on *Monday*, the *19<sup>th</sup>* day of *January* A. D. 1857, at *3* o'clock *P* M., on said day, on behalf of the *Appellant* by the *Consent and agreement of the attorneys of the parties* to be used as testimony in a certain cause now pending in the *United States Dist Court for the Southern Dist of California* being Case No. *133*, on the Docket of said Court, wherein *Manuel Anguissola* *is* ~~are~~ appellant, and *The United States* are appellees.

Present *Henry Hancock Esq* Attorney in behalf of the appellant  
and *John W. City* in behalf of appellees.

Just What is your name, age and place of Residence

Ans My name is *Ignacio del Valle*  
I am *48* years of age and reside in *Los Angeles County, State of California*

Just Do you know the Rancho "Temascal" in the County of Santa Barbara and, if so, how long have you known it.

Ans I do and have known it about *13<sup>th</sup>* years

Just Have you any interest in the Rancho

Ans I have none

Just Is this Ranch ever called by any other



name than that of "Tumascal", if so, by  
what?

Ans Yes, It is called "Peru"

Just By which name is it best known, by "Peru"  
or Tumascal?

Ans It is 'more generally called' "Peru"  
than "Tumascal"

Just Please state what you know of the Etymology and  
Borrowing of this Ranch? (Objected to by us all)

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Ans I have not been able  
to ride over it. I can only go in the Cañada  
in the center of which is an "Arroyo" called  
"Peru" — The "Arroyo" of my Cañada  
is very narrow, and the Ballance of  
the Ranch is generally too rough to be  
traveled over. Consisting of high hills.  
I believe the Claimant asked  
for four leagues ~~that~~ <sup>the South length</sup> It is bound-  
ed on one side by the Rancho of ~~Colonel~~  
San Cayetano now owned by Moore  
and on the South East by the Rancho  
called San Francisco which Rancho I  
have known since 1839. It having been  
the property of my Father and is the property  
of myself and others and has been since  
the decease of my Father (Objected to by us  
all)

Ygnacio del Valle

More & sub: before me this 1st day  
of January 1837 — Signed & sworn to  
m



**I, C. Sims,**

of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil cases pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing

Depositions of *Symeo al Valle* was taken before me on the *19<sup>th</sup>* day of *January*, A. D. 185*7*, according to the *agreement*

*and request*  
*of the parties*

at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the

That the said *Symeo al Valle* was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

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In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this *19<sup>th</sup>* day of *January*, A. D. 185*7*

*C. Sims*

United States Commissioner.



No. 153

United States District Court for the  
Southern District of California.

*Mmanuel Anguerosato*  
appellant  
vs  
*The United States*  
appellee

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Deposition of

Filed this

*Ygnacio Del Valle*  
*19th January 1857*  
*Witness etc*  
*J. A. Coleman*  
*Dep*



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

December Term 1856

Mannul Anguizola Appellant }  
ad } No. 153  
The United States Appeller }

PAGE

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Upon hearing of this cause this day  
it is hereby ordered adjudged & decreed  
that Ramon de la Cuesta and Francisco  
Gonzales Camino be substituted as parties  
in the above entitled cause in  
lieu of their assignor (committor) the  
Appellant Mannul Anguizola



Nº-153

Ramon de la Cuesta  
and Francisco Gonzales  
de Carrino Appellants  
ad

The United States  
Appellants

Order of Substitution

Filed this 20th February  
1854  
C. Smith clerk  
J. M. Lechman  
sep

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In the District Court of the United  
States for the Southern District of  
California December Term 1836

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Before Hon Isaac I. H. Ogier

U. S. Dist Judge

Manuel Anguisola

ad Appellans }

N<sup>o</sup>. 153

United States Appellans }

Now comes Ramon de la  
Cuesta and Francisco Gonzales  
Camino and move that upon  
the showing heretofore made  
in this cause, by them, that  
they be substituted as parties  
in lieu of their assignor the  
appellant in this cause

Henry Hancock  
Atty. of Appellants

---



N<sup>o</sup> 153

Manuel Anguizola  
Appellant  
ad  
The United States

Motion for  
Substitution  
of parties

Filed this 20th February  
1854  
Le Sueur ckt  
J. M. Coleman  
dep

Tanner

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N<sup>o</sup> 153



In the United States District Court for  
the Southern District of California  
December Term 1836

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Hon Isaac G. H. Ogier Judge

Ramona la Cuesta and Francisco  
Gonzales Carrino, Appellants } District  
ad } N: 153  
The United States Appeller }

This Cause coming on to be heard at a  
regular term of this Honorable Court  
on appeal from the decision of  
the United States Land Commissioners  
for ascertaining and settling private  
land claims in the State of Cal-  
ifornia appointed under an act  
of Congress approved on the 3<sup>d</sup> day  
of March 1837, upon a Transcript  
of the proceedings, decision, papers  
and evidence upon which such  
decision was founded, and it appearing  
that said Transcript was duly  
filed according to law, and  
Counsel for the respective  
parties having been heard  
It is ordered adjudged and  
decided that the said decision of



The said Land Commissioners  
be reversed, and the same is  
hereby reversed, and that the claim  
of the said Appellants ~~is a good and~~  
~~valid claim~~ ~~Francisco~~ Ramon  
de la Cruz and Francisco  
Gonzales Camino to the Rancho  
"Amascal" situated in the County  
of Santa Barbara California is  
a good and valid claim, and  
their title thereto is hereby confirmed  
to the extent of three square leagues  
of land and no more to be  
located agreeably to the calls  
of the <sup>original</sup> grant ~~and the map referred~~  
~~thereto.~~

Quarrel K. Ogier  
U S District Judge



N<sup>o</sup> 153

No 153

Ramon de la Cruz  
et al  
appls

Deem

Filed Feb 21<sup>st</sup> 1857  
Gives  
CR

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Recorded on Page 228



THE PRESIDENT OF THE UNITED STATES OF AMERICA,



To the Honorable the Judges of the District Court  
of the United States, for the Southern District  
of California

Greeting:

Whereas, lately, in the District Court of the United States, for the Southern District  
of California before you, in a cause

between Ramon de la Buesta & Francisco Gonzales Camino  
Substituted for Manuel Aguisola Appellants and  
The United States appellees, the decree of the Said  
District Court was in the following words, viz:

"This cause coming on to be heard at a regular term of  
this honorable court, on appeal from the decision of the  
United States Land Commissioners, for ascertaining  
and settling private land claims in the State of California  
appointed under an act of Congress, approved on the  
3<sup>d</sup> day of March, 1851, upon a transcript of the proceed-  
-ings, decision, papers, and evidence upon which such  
decision was founded, and it appearing that said  
transcript was duly filed according to law, and the  
counsel for the respective parties having been heard,  
it is ordered, adjudged, and decreed that the said decision  
of the said land commissioners be reversed, and the  
same is hereby reversed; and that the claim of the  
said appellants, Ramon de la Buesta & Francisco Gonza-  
-les Camino, to the rancho "Temascal," situated in the  
County of Santa Barbara, California, is a good & valid  
claim, and their title thereto is hereby confirmed to the extent  
of three square leagues of land, and no more, to be located  
agreeably to the calls of the original grant."



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as by the inspection of the transcript of the record \_\_\_\_\_

\_\_\_\_\_ of the said *District*

Court, which was brought into the Supreme Court of the United States, by virtue of *an appeal*

agreeably to the act of Congress, \_\_\_\_\_

\_\_\_\_\_ in such case made and provided, fully and at large appears.



And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *fifty three* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel: On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be and the same is hereby affirmed 33 Feb:

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02  
PAGE 3249



You, therefore, are hereby commanded that such further proceedings be had in  
said cause,

as according to right and justice, and the laws of the United States ought to be had, the said Appeal  
notwithstanding:

Witness the Honorable Roger B. Taney Chief Justice of said Supreme Court, the  
first Monday of December in the year of our Lord one thousand eight hundred  
and Sixty three

COSTS OF       
Clerk..... \$       
Attorney... \$     

\$     

Taxed by

Geo. Middleton

Clerk of the Supreme Court of the United States.

No. 118 December Term, 1863.

MANDATE

SUPREME COURT UNITED STATES.

Ms 753

The State vs Augustus

Filed Oct. 18 1864

John W. McKim Clerk

Decree ordered to be  
sent to Secretary

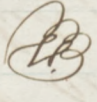
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This Indenture made this sixth day of December  
AD One Thousand eight hundred and fifty four. Be-  
tween Manuel Aguilar and Concepcion Lorenzana  
his wife parties of the first part and Ramon de la  
Cuesta and Francisca Gonzales Camacho of the second  
part. all of the County of Santa Barbara and State of  
California. Witnesseth, That the said parties of the first  
part for and in consideration of the sum of one dollar  
lawful money of the United States of America to  
them in hand paid by the said parties of the second  
part, at or before the executing and delivery of these  
presents the receipt whereof is hereby acknowledged  
have remised, released and quit Claimed, and by  
these presents do remise, release and quit Claim  
unto the said parties of the second part, and to their  
heirs and assigns forever. All their right title and  
interest in and to a certain Rancho lying and situate  
in the County of Santa Barbara and known as Rancho  
"Pino" said Rancho containing three square leagues  
or "Sitios de ganado Mayor" more or less, Together  
with all and singular the tenements, hereditaments  
and appurtenances, including the iron and mark  
thereunto belonging, or in anywise appertaining &  
the reversion and reversions, Remainders and remain-  
ders, rents, issues and profits thereof. And also  
all the Estate, right, title, interest, personal prop-  
erty, possession, Claim and Demand whatsoever  
as well in law as in equity of the said parties  
of the first part of in or to the above described  
premises and every part and parcel thereof with  
the appurtenances. To have and to hold all and  
singular the above mentioned and described pre-  
mises together with the appurtenances unto the said  
parties of the second part their heirs and assigns



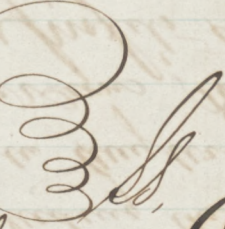
forever. In Witness Whereof the said parties of the  
first part have hereunto set their hands and seals  
the day and year first above written

M Manuel <sup>his</sup> Augustola   
<sub>mark</sub>

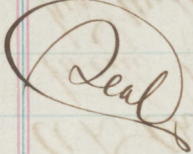
Concepcion Lorenzana de Augustola 

Teste J. A. Fisher  
J. A. Nieman

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State of California  
County of Santa Barbara 

On this fifth day of  
December A D One thousand eight hundred and fifty  
four personally appeared before me George D Fisher  
County Clerk in and for the said County Manuel  
Augustola and Concepcion Lorenzana his wife known  
to me to be the persons described in and who exe-  
cuted the foregoing Conveyance who acknowledged  
to me that they had executed the same freely and  
voluntarily and for the uses and purposes therein  
mentioned; And the said Concepcion Lorenzana  
having been by me first made acquainted with  
the contents of such conveyance acknowledged  
on an examination by me had a part from and  
without the hearing of her husband that she  
executed the same freely and voluntarily without  
fear or compulsion or undue influence of her  
husband and that she does not wish to retract  
the execution of the same



In testimony Whereof I have hereunto  
set my hand and the seal of the  
County Court on the day and year



As above written  
George D Fisher  
County Clerk

State of California  
County of Santa Barbara

I do hereby certify that the  
 foregoing instrument is recorded in Liber B of Deeds, page  
 118 of the Records, of the Recorder's office in and for  
 the County aforesaid

George D Fisher, Recorder  
By J. A. Neichman Depy

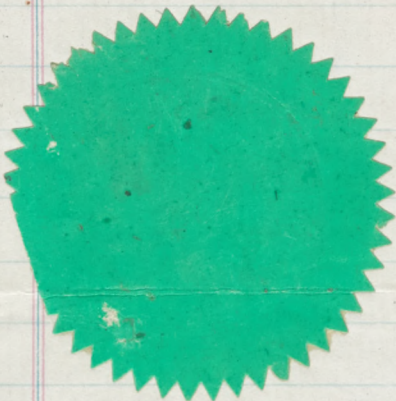
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United States of America  
State of California

I John J. Whelan Clerk of  
 the United States Court for the District of California do hereby certify the above  
 and foregoing to be a full true and correct copy of the  
 original Deed filed in my office in Case No 153. Ramon  
 dela Cuesta et al, successors to Manuel Augustola vs the  
 United States, and which was withdrawn from the file  
 by order of said Court made Dec 9<sup>th</sup> 1865.

Witness my hand and the Seal of said  
 Court at Monterey the 9<sup>th</sup> day  
 of December A.D. 1865

John J. Whelan  
Clerk of said Court





No 153

U. S. Dist. Court  
South Dist Cal

Mmanuel Aguinaldo  
Appellant

vs  
The United States

Copy of  
Deed from Aguinaldo to  
Cuesta. filed in place of original  
filed Jan'y 13. 1857.

This 9th day of Dec. 1865

John D. Wheeler  
Clerk

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Entered in each volume  
made L. C. 11