

CASE No.  
161

SOUTHERN DISTRICT

LA LAGUNA GRANT

ABEL STEARNS  
CLAIMANT

ON  
OFILM

Upon application and request of Attorney General Fred N. Howser of the State of California, by Hartwell H. Linney, Chief Assistant Attorney General, the Clerk of this Court is hereby directed to transmit to the Clerk of the United States District Court at Los Angeles, California, for inspection by deputies of the Attorney General, Docket No. 161, Transcript No. 346, Abel Stearns, Appellant, v. United States.

Dated: May 14, 1948.

*Michael J. Roche*

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Judge of the United States District  
Court.

*Returned Oct 12 - 1948*

May 15, 1948

Mr. Edmund L. Smith,  
Clerk, U.S. District Court,  
Los Angeles, California

Re: Abel Stearns vs. United States,  
No. 161 SD

Dear Mr. Smith:

At the request of the Attorney General of the State of California, Judge Roche has signed an order directing us to transmit the papers in the above entitled case to your office for the purpose of having them available for inspection by deputies from his office.

Accordingly, we are transmitting herewith all of the papers in the case, (including a map) which consists of 158 pages. It is intended that the papers remain in your custody, and when they are through with their inspection, we shall appreciate your returning them to us. Thank you.

Yours sincerely,

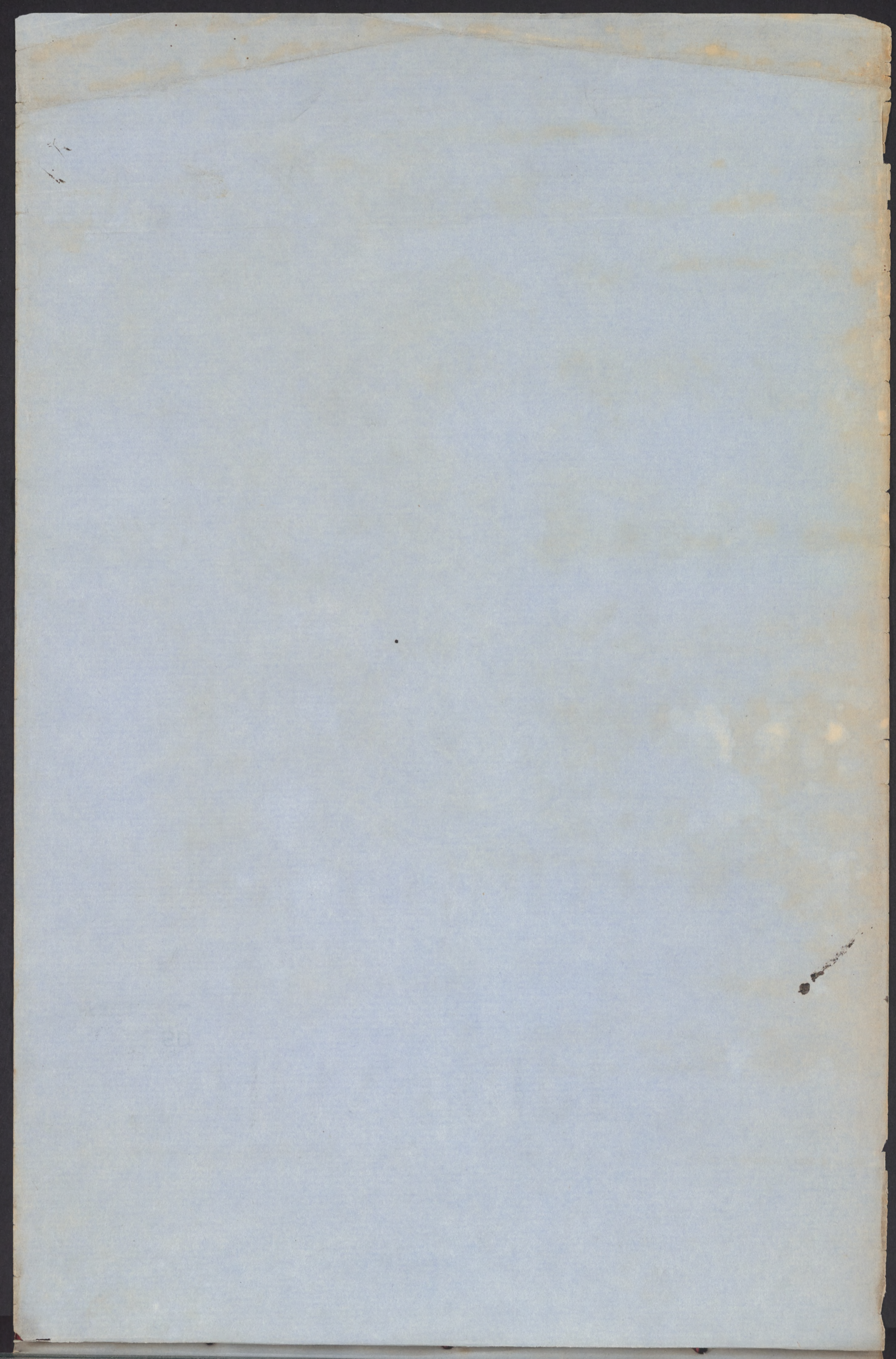
C. W. Calbreath, Clerk,

By

C.M. Taylor  
Deputy Clerk

346

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# TRANSCRIPT

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PAGE 1

OF THE

# PROCEEDINGS

IN CASE

NO. 346

*Abel Stearnes*

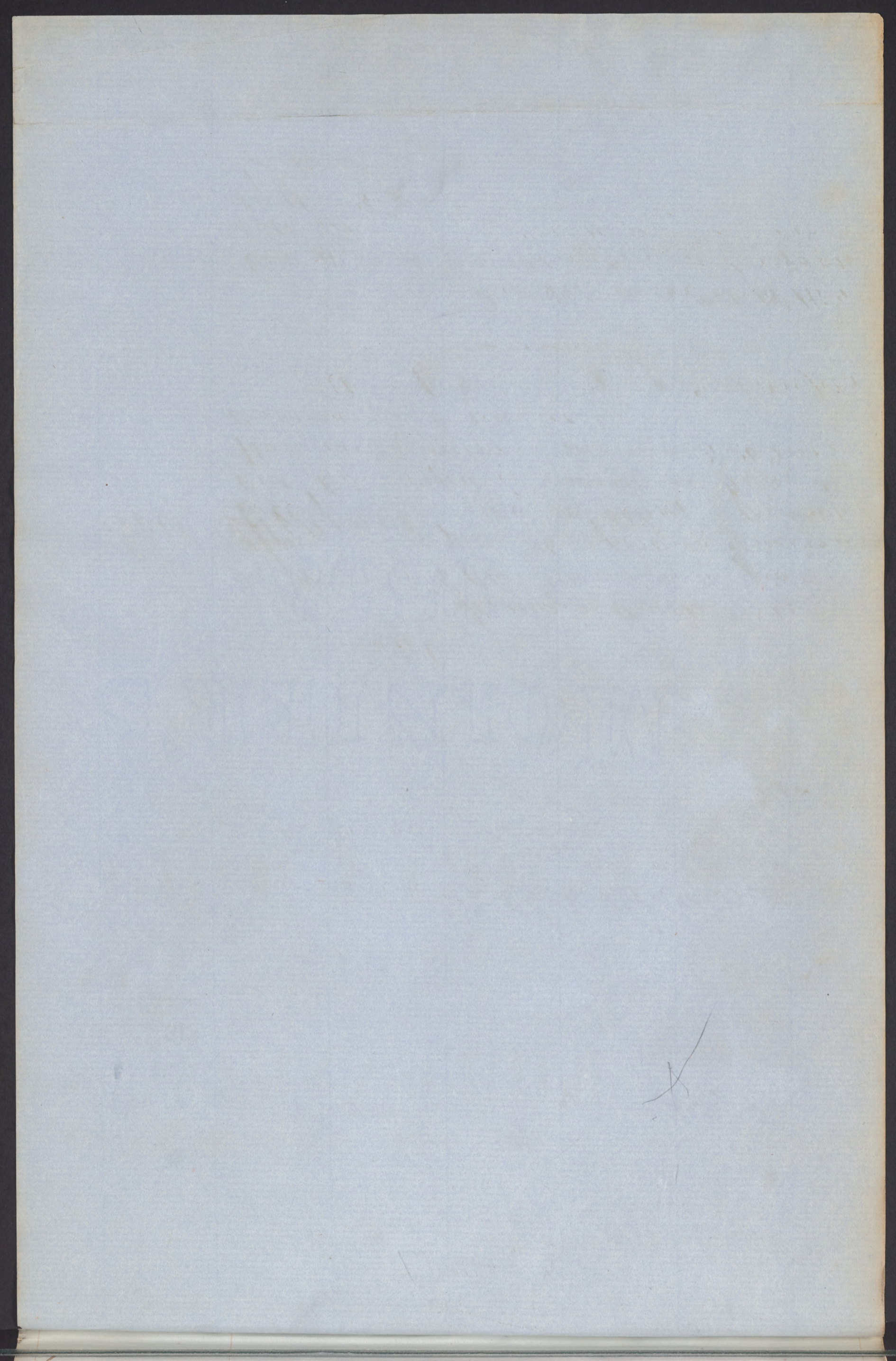
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

*"La Laguna"*



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Abel Stearnes*  
"La Laguna," for the Place named  
was presented, and ordered to be filed and docketed with No. *346*, and is as follows, to wit;

(Vide page *3* of this Transcript.)

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

*Los Angeles Oct. 16' 1852.*  
In Case no. 346, Abel Stearnes, for the place named "La Laguna," the deposition of Santiago C. Argüello, a witness in behalf of the claimant, taken before Commissioner Merand Hall, with documents marked N. It no: 1, 2, 3, annexed thereto was filed;

(Vide page *5* of this Transcript)

*San Francisco Oct. 14' 1853.*  
Case no. 346, was submitted on briefs on both sides and taken under advisement by the Board.



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San Francisco Feb. 14 '1854,  
In the same case Commissioner Alpheus  
Fitch delivered the opinion of the Board  
confirming the claim;  
(vide page 35 of this Transcript)

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To the Honorable the United States Commissioners for  
the adjudication and settlement of California Land  
Claims

Petition of  
Abel Stearns

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Your petitioner Abel Stearns resident of the County  
of Los Angeles and State of California respectfully repre-  
sents: That he is Owner in fee simple of the Ranch, situated  
in the County of San Diego, State of Mexico, known as "La  
Laguna" That said Ranch was originally granted in fee  
simple to Julian Manriquez, by Manuel Micheltorena  
Governor of the Department of the Californias, by virtue of  
sufficient and extraordinary powers conferred upon him  
by the Mexican Government for that end, by deed of Con-  
veyance bearing date June the 7<sup>th</sup> A.D. 1844. Said Ranch  
contains three leagues of grazing land, a little more or  
less according to the diagrams or topographical chart  
accompanying the petition of the said Manriquez to the  
said Governor, prior to said grant and in compliance with  
which said tract of land was granted. Said Land has  
never been surveyed by the Surveyor General: Your petitioner  
knows of no interfering claim.

The said Julian Manriquez received Judicial possession  
of said Land from the proper Municipal Authority  
on the 12<sup>th</sup> of July 1844. which possession he held peace-  
ably and without interruption to the day of his death  
about three years since, and his legal heirs continued in  
said possession to the time of its transfer to your petitioner  
which was done by deed of conveyance on the 11<sup>th</sup> day  
of November A.D. 1851 in the City of Los Angeles made  
and executed to your petitioner by the legal heirs of the  
said Manriquez. and your petitioner has enjoyed the  
same uninterrupted and peaceably possession thereof  
from the date of said conveyance to the present time  
That all the requisites of the Mexican laws and regula-  
tions concerning Colonization of the Lands of the National  
Domain when applied to the present tract of Land

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were full filled.

For the support of his claim your petitioner has filed with the Secretary of your Honorable Board and will ask leave to offer in evidence the following papers

1<sup>st</sup> A Copy of the Original Expediente Marked A

2<sup>nd</sup> A Copy of the Original Grant Marked D

3<sup>rd</sup> A Copy of the Act of Judicial possession Marked E

4<sup>th</sup> A Copy of the Deed of Conveyance to your petitioner Marked G

All of these papers which are in the Spanish language except the last are accompanied with accurate translations into the English language Marked B, C & F

And your petitioner will offer when required, perol and other evidence as may be necessary to establish his claim and he prays said land or Ranch of "La Laguna" may be adjudged to him by your Superior legal knowledge and sense of Justice

Abel Stearns

Scott & Langen

Attys

Angles Sept. 17<sup>th</sup> 1852

Filed in Office Sept 18<sup>th</sup> 1852

Geo. Fisher Secy

Office of U. S. Land Commission

Los Angeles Oct. 16<sup>th</sup> 1852

Deposition of S. E. Arqueles

On this day before Meland Hall one of the Clerks for Ascertainment and Settling private land claims in the State of California came Santiago E. Arqueles a witness produced in behalf of the claimant Abel Stearns whose petition is No. 346 on the books of the Board and was duly sworn, his evidence being given in English.

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The U. S. Associate Law Agent was notified & attended. In answer to questions by the claimant the witness testified as follows -

My name is Santiago E. Arqueles, my age thirty nine years and I reside in San Diego and am a native of California.

I am acquainted with the hand writing and signatures of Juan Bandini. His signature which appears to a paper now shown me I believe to be his genuine signature. He acted as Secretary of the Government of California in the early part of the year 1845. Said paper purports to be a copy of a petition of Julian Manriquez and other papers for the tract of land called Temecula and is hereto annexed marked No. 1 H. H. I am also acquainted with the hand writing and signatures of Manuel Mechellero and Manuel Jimeno. I have examined a paper now shown me purporting to be a grant to Julian Manriquez of a tract of land called Temecula and dated June 7. 1844.

And I believe the signatures of Juan Mechellero and Jimeno which are upon the same to be their true and genuine signatures. Said paper is hereto attached and marked No. 2 H. H.

I am also acquainted with the hand writing and signatures of Juan McHoon Ramon Arqueles and Vicente

4  
 Moraga - I have examined a paper now before me purporting to be an original record of the giving of judicial possession of the Land described in the before mentioned grant, and the signatures of the said Moran and <sup>and Moraga</sup> Arguella, whenever they appear upon said paper I believe to be their true and genuine signatures - At the date of the said Record Moran was a Justice of the peace of San Diego - said paper is hereto annexed and marked No. 3. H. H.

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I am acquainted with the land granted to Manriquez and know that the grantee took possession of the land about the year 1844 and built a house there and had cattle there and he kept possession until the time of his death, which took place about two years ago - The land is in San Diego County - Manriquez died leaving a widow and I think two children, the widow's name was Teresita Dominguez - The sons are Manuel and Juan Manriquez - Their ages are I think from twenty to twenty four years - Manriquez had almost three thousand heads of cattle on the said Rancho, about four hundred horses and about eight hundred sheep

Santiago E. Arguella

Sworn and Subscribed

Refugio M., Niland Hull - Comr

Filed in office Oct. 16<sup>th</sup> 1852

Geo. Fisher

Secy

Office of the Land Commission  
Los Angeles Oct. 18<sup>th</sup> 1852

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Deposition of  
W. G. Dryden

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On this day before Nelson Hall one of the Commissioners for ascertaining and settling private Land claims in the State of California, came Wm. G. Dryden a witness produced in behalf of the claimant Abel Stearns whose petition is No 346. On the Oath of the Board and was duly sworn, his evidence being given in English

In answer to questions by the Counsel for the claimant - (The U. S. Associate Law Agent was notified & attended) - the witness testified as follows

My name is Wm. G. Dryden, my age is forty five years and I reside in Los Angeles

I was a Notary Public the eleventh day of November 1851 in and for the County of Los Angeles in the State of California and as such had authority to take and enter the acknowledgments and instruments of conveyance of Real Estate, and an instrument of conveyance purporting to have been executed by Trinidad Dominguez, Manuel Manriquez & Juan Manriquez to Abel Stearns and dated 11<sup>th</sup> of November 1851 was executed by the said several persons in my presence and acknowledged before me, as stated in my certificate of acknowledgment on said instrument. The instrument is executed according to the formalities required by the Law of California to convey Land. Said instrument of conveyance is hereto annexed and marked No 1 H. H.

W. G. Dryden

Sworn & subscribed before me  
Nelson Hall Comr

Filed in office Oct. 18<sup>th</sup> 1852

Geo. Fisher Secy

Office of the U.S. Land Commission

Los Angeles Oct. 18<sup>th</sup> 1852

Deposition of  
Juan Bonet

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On this day before Meland Hull one of the Commissioners for ascertaining and settling private land claims in California, came Juan Bonet a witness produced in behalf of the claimant Abel Stearns whose petition is No. 346. On the Oath of the Board and was duly sworn. His evidence being given in Spanish was interpreted by the Secretary—

The U.S. Associate Law Agent was notified & attended

In answer to questions by the Counsel for the claimant the witness testified as follows

My name is Juan Bonet, my age is thirty four years and I reside in the City of Los Angeles

I am acquainted with the Rancho Laguna de Temecula it is situated in the County of San Diego. I have known the place since the year 1846. It was then occupied by Manriquez having stock upon it. I should think about four thousand Cattle, two hundred horses & five hundred sheep. He occupied it until he died which I think was in the year 1849. There was a house on the land when I first knew it containing from three to four rooms, it was occupied by Manriquez. At his death he left a widow and two sons, the widows name was Dominguez, but I do not know the first name. The name of the youngest son was Juan, the name of the other I do not remember

Juan B<sup>to</sup> Bonet

Sworn and subscribed

Before me

Miland Hull Comr.

Filed in Office Oct. 18<sup>th</sup> 1852

Geo. Fisher Secy

Office of the U S Land Commission

Los Angeles Oct. 18<sup>th</sup> 1852

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Deposition of  
Thos. A Sanchez

On this day before Silas Hull one of the Commissioners  
for ascertaining and settling private Land Claims in  
the State of California, came Thomas A Sanchez a  
Witness produced in behalf of the claimant Abel  
Steams whose petition is No 346 on the books of the  
Board, and was duly sworn. His evidence being given  
in Spanish was interpreted by the Secretary -

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The U. S. Associate Law Agent was notified and attended  
In answer to questions by Counsel for the claimant  
the witness says that his name

My name is Thomas A Sanchez my age is twenty  
seven years and I reside in the City of Los Angeles  
I was acquainted with Julian Manriquez in his lifetime  
he died between three and four years ago. He was the  
Owner of the Rancho called Laguna de Temecula  
at the time of his decease. At his decease he left a  
widow by the name of Trineada Dominguez and also  
two children, who were sons by the names of Manuel  
& Juan. Manuel I think is fully twenty seven years  
of age. I cannot tell the age of Juan exactly, though  
I am confident he is at least twenty two years old  
Julian Manriquez left no other children to my  
knowledge

Thomas A Sanchez

Sworn and Subscribed

Before me

Silas Hull Comr

Filed in office Oct 18<sup>th</sup> 1853

Geo. Fisher Secy





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1 S. D. K.

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Expediente  
Promovido por D. Julian Carrizosa en  
pretension del terreno de Temecula

425

11 2 S.D.K.

Dello Cuarto de reales  
Habilitado provisionalmente por la Aduana Maritima  
del puerto de Monterrey en el departamento de la  
California para los años de mil ochocientos cuarenta y  
cuatro y mil ochocientos cuarenta y cinco  
Micheltonera Pablo de la Guerra

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Ad:  
marit:  
de  
Monty

Don Alcalde 1.º y Jefe de 1.ª  
Int.ª de esta Ciudad

Julian Manrique, vecino de esta  
municipalidad y residente en el rancho de Sta Anna,  
ante V. con el debido respeto pongo y digo: que  
teniendo un numero de mas de mil y quinientas cabezas  
de ganado de todas clases, y este estar pastando en terreno  
ajeno por gracia q.º me concedio el propietario de dho  
rancho; me hayo en la necesidad de implorar la  
indulgencia del Cmo. Sr. Gov. del departam.º a fin  
de obtener el paraje de la laguna de Temucula, q.º  
manifiesta el adjunto dibujo. Al dirigirme a V.  
tengo por objeto suplicarle de sirva dar su informe, cuyo  
requisito indispensable salvara la demora q.º necesariamente  
deveria tener el expediente; pues siendo ya permitido  
sacar los bienes del lugar q.º hoy ocupan devo evitar el  
retardo.

Tambien tengo el honor de acompañar un  
documento de seguridad q.º me dio el encargado en Sr.  
Luis Rey, p.º de cual se acredita q.º el paraje q.º  
3 S.D.K. pretendo esta absolutamente valdho: p.º todo lo espuesto

A V. Sr. Jefe pido y suplico se sirva dar  
su informe como crea de justicia, y Concluido espere  
tendara V. a bien devolverme la presente p.º elevarla  
al sup.º Gov. con la peticion respectiva, juro no ser  
de malicia y lo reitero &c

Angeles y Mayo 21 de 1844  
A ruego de Julian Manrique

340

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~~Map no 1~~

An=

S. D. K. fecha Mayo 22 de 1844

Por presentado y admitido en cuanto  
ha lugar a d<sup>ro</sup> : efectivamente que este juzgado esta  
satisfecho de q<sup>o</sup> el solicitante tiene un numero respe-  
table de ganado, que carece de d<sup>to</sup> donde colocarlo  
q<sup>o</sup> el paraje que pide de la laguna de Temecula se  
halla absolutamente baldio, que no hace falta ala  
Mision como lo comprueba el documento del Adm<sup>o</sup>  
de San Luis Rey, que el terreno se halla fuera  
de las veinte leguas limitrofas y diez literales, y que  
el que solicita tiene todos los requisitos prevenidos  
por la ley; pero dirijase al E. S. Gobernador  
para que el E. S. tiene a bin lo conceda en  
virtud de este informe. Asi yo Manuel Laguna

Alcalde 1º Cont. decreté y firmé con lo de una  
Segundo

Manuel Reguena  
ana  
Ygn. Coronel ana  
Juan Mando

Administracion }  
de San Luis Rey }

P. S. D. K.

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Preuanto el Cno. Julian Manriquez  
dona Solicitar del Superior Gobo departamental  
el parage de la Laguna perteneciente al rancho de  
Tomecula se a presentado en esta si podra o no  
acerto, o si la Mision lo tiene ocupado, o si se  
grabara en algo en caso de q. lo verifique y lo  
conuiga; y en obsequio de la verdad dire q. el  
mencionado parage se halla enteramente valdido,  
y bien puede Solicitarlo el Señor Manriquez satis-  
-fecho de que en nada graba esta finca.

Dado en la Mision de San Luis Rey a 10  
de Mayo de 1844

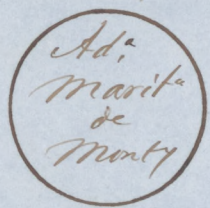
Pon. Joaqu. Ortega

7 S. D. K.

Sello Cuarto de reales

Habilitado provisionalmente por la Aduana mari-  
tima del puerto de Monterrey en el departamento  
de las Californias, para lo año de mil ochocientos  
cuarenta y cuatro y mil ochocientos cuarenta y cinco

Micheltorona Pablo de la Guerra



Cno. Sr. Gob. del departamento

Monterrey Junio  
4 de 1844  
Dnfe. el Sr. Srío  
del despacho tomando

El Ciudadano Julian Manriquez  
Vecino de la Ciudad de los Angeles  
y residente en el rancho de Sta  
Anna, ante V. C. como mas  
haya lugar en derecho y con el

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otros de los mayores  
 terrenos  
 Michelt.

debido respeto parecio y digo: que  
 siendo poseedor de algun numero de  
 ganado, y careciendo de un terreno  
 propio p.<sup>a</sup> su conservacion y fomento,  
 Solicito el parage de la laguna de Temecala en la intencion  
 de sus hijos segun poco mas o menos manifiesta el  
 dictamen q.<sup>e</sup> unido a los informes tengo el honor de acom-  
 pañar a V.E. Al dirigirme p.<sup>a</sup> esta otra vez  
 a V.E. tengo la necesidad de implorar el favor  
 del Gob.<sup>o</sup> asi como la confianza de que no habiendo  
 obstaculo q.<sup>e</sup> impida la Concesion, V.E. accediera  
 Conforme tubo a bien ofrecerme p.<sup>a</sup> decreto anterior  
 en mi instancia sobre la Solicitud del parage de  
 S. Jose a q.<sup>e</sup> no hubo lugar, por lo q.<sup>e</sup>

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J.S.D.K.

A.V.E. pido y rendidamente Suplico  
 tenga la bondad de Concederme en propiedad el parage  
 q.<sup>e</sup> pretendo p.<sup>a</sup> en p.<sup>a</sup> estar absolutamente valdido, y  
 tener bastante necesidad de asegurar mis bienes p.<sup>a</sup> la  
 mantencion de mi crecida familia: Asi lo espero de la  
 recta justificacion de V.E. protestando lo suscribo ya  
 dispensandome el uso del papel correspondiente por falta  
 de el en el lugar

Ang.<sup>o</sup> y Mayo 27 de 1844  
 Arriego de Julian Manrique  
 Juan Bandini

Exmo. Sr. Gobernador

Por el informe del Sr. delos Angeles  
 y del encargado de San Luis Rey, parece que no  
 hay inconveniente alguno para que se Conceda el  
 terreno que se pretende, y p.<sup>a</sup> acordarme mas del  
 estado en que se halla el dicho parage me informe  
 de Sr. Andres Pico por tener conocimiento practico  
 de el, y por las noticias mas ciertas que me dio  
 corroboran los informes que aparecen en este expediente  
 y resulta por todo que se puede Conceder el parage

J.S.D.K.

Con las modificaciones correspondientes en los linderos al tiempo de  
fijarse al interesado si V.E. tubiere habim concederle  
la gracia que pide.

Phala mismo  
Man. Jimeno

Monterrey Junio 7 de 1844

Concederle como solicita el interesado segui-  
-tandole a los linderos de S. Jacinto la punta de la  
laguna del lado de Temecula y los linderos del Temascal  
ani como las condiciones que ofrece.

Michelt.

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Office of Surveyor General of the United  
States for California

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

In testimony whereof I have hereunto  
signed my name officially and affixed my private  
Seal (not having a seal of office) at the City of San  
Francisco this Sixth day of November 1852

Sam D King

Sur Gen Cal

Filed in office Dec. 14, 1852

Geo: Fisher  
Clerk

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Translation of  
Expediente161 SD  
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The Most Excellent Sena Governor of the Department

The citizen Julian Manriquez, resident of the City of Los Angeles, and the Ranch of Santa Anna beque y. E. in manner that may be most proper in Law and with due respect, present myself and state that being owner of a number of Cattle and wanting Land necessary for their safe keeping and increase. I solicit the place of the Laguna de Temeculis of the extent of six leagues ("sitios") more or less as appears in the plat (diseño) which joined with the reports (Informes) I have the honor of presenting to your Excellency I am under the necessity of imploring of the Government with the confidence that there will be no obstacle that can hinder the Concession. Y. E. will accede to what you kindly offered me by anterior decree, upon my petition (Instancia) concerning the solicitation for the place of San Jose, which could not be granted me of Y. E. I ask and humbly supplicate that you may have the goodness to concede to me in right of property the place which I assume is absolutely public land (Valdeo) and that I have great necessity of securing my chattels for the support of my increased family Thus I expect it from the upright justice of Y. E. as per ring in you that it is necessary to dispense me the use of the proper papers for want of capital in the place - Angeles May 27<sup>th</sup> 1844

By request of Julian Manriquez  
Lucas Bordini

Monterey June 4<sup>th</sup> 1844

Report to the Secretary of the Department, taking other reports if he shall deem them necessary

Micheltono



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M. E. Governor. By the report of the Judges of Los Angeles and of the Agent of San Luis Rey - it would appear that there could be no prejudice in the granting of the Land which is asked for and to assure myself further of the Condition in which the said place the said place has been in, I informed myself of Don Andres Pico by his having practical knowledge of it and by the more extensive Notices which corroborated the reports which appear in the Expedients. And it results by all that the place can be granted with the proper Modifications of the boundaries, at the time of their being fixed for the party interested, if Y. E. shall be pleased to grant the Fava which he asks.

Date the same - Manuel Jimeno  
Monterey June 9<sup>th</sup> 1844

Let it be granted to the party interested, subject to the boundaries of San Jacinto, the the point of the Lake on the side of Temecules and the boundaries of Temuscal, as well as the Conditions which he offers -

Michel Lorenza

Senor 1<sup>o</sup> Alcalde, and Judge of the 1<sup>o</sup> Instance Julian Manriquez Neighbor of this Municipality and resident of Santa Anna before your Honor, with all due respects present myself and say - That having a number of more than one thousand and five hundred heads of Cattle of every description to be pastured on lands of another, by the Fava which the proprietor of said Ranch has extended to me, I am under the necessity of imploring the indulgence of the M. E. Senor Governor of the Department, for the object of obtaining the place of the "Laguna de Temacules" which the accompanying diagrams represents. In directing myself to your Honor, I have the object of supplicating him, that

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that it might please him to give his report, which  
 requisite will save the delay that the Expediente  
 would necessarily occasion, then it being already  
 necessary to remove the chattels from the place which  
 they now occupy, I wish to avoid the delay - Also I  
 have the honor of presenting a Document of Security  
 which the Agent in San Luis Rey, gave me, by which  
 it is proved that the place which is solicited is  
 is absolutely public land - by all it is evident.

Of your Honor. Serna Judge, I ask and supplicate that  
 it may please him to give his report, which I believe  
 will be just, and the Conclusion I hope your Honor  
 will have the goodness to return me, to be forwarded  
 to the Superior Government with the respective petition  
 I make Oath that it is not of any Malice but of  
 Necessity &c -

Angeles And May 31<sup>st</sup> 1844

By request of Julian Manriquez. Juan Bandini

### Administration of San Luis Rey

Whereas the Citizen, Julian Manriquez wishes to solicit  
 of the Superior Departmental Government the place of  
 the Laguna, belonging to the Ranch of Temecula, should  
 it be inquired, whether he could or not do it, or whether  
 the Mission has it Occupied or whether it would cause  
 any prejudice, in case that he vacates it and obtains it  
 and in obedience both to the truth, I would say that  
 the place referred to is entirely public Land and Serna  
 Manriquez may well solicit it, satisfied that in  
 nothing will it injure the Mission (Serna) given at  
 the Mission of San Luis Rey May 16<sup>th</sup> 1844

José Luaguan Ortega

Angeles May 22<sup>nd</sup> of 1844

By having been presented and admitted in as much as it has grounds or law effectually, that this Court being satisfied that the petitioner has a respectable number of Cattle which need a situation in which to place them; that the place which he asks, of the Laguna de Temecula is wholly public land; that it would make no injury to the Mission, as the document of the Administration of San Luis Rey proves; that the land is distant twenty leagues from the frontier of another Nation and ten leagues from the Sea. That the petitioner has discharged all the requisites of the law, but those that direct him to the M & Gov. Sir, that he will have the goodness to grant them to him upon inspection of these reports.

Thus I Manuel Requena First Alcalde Constitucional decree and subscribe with those of my assistance according to Law  
 Manuel Requena  
 ass. Ignacio Coronel  
 ass. Juan Mauro

This is a copy faithfully taken from its Original which Expediente Operates in the Secretaryship of the Government. And which I certify as

Juan Bandini  
 Secretary of the Despatches

Filed in office Sept 18<sup>th</sup> 1852  
 Geo. Fisher Secy

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Delo Cuarto dor reales

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

Micheltorona Manuel Castañares

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Adm.  
marit.  
de  
Monty

Document  
N.º 3. H. H.  
annexed to the  
depo: of  
Santiago  
Argüello

En el Pueblo de San Diego de la Alta California a los dos dias del mes

de Julio de mil ochocientos cuarenta y cuatro, anuente a la solicitud del Sr. D. Julian Manrique, vecino de la Ciudad de los Angeles, a fin de que se le de la correspondiente posesion del sitio y rancho llamado la Laguna de Tomacula Concedido por el Gobierno de este Departam.º, cuyo titulo acompaña en su solicitud: para con los testigos de mi asistencia al expresado Sitio y procedi a dar la posesion indicada, previa Citacion de Colindantes, arreglandome al repetido titulo q. se le ha Conferido por el Sr. D. Manuel Micheltorona con fecha Diez de Junio de mil ochocientos cuarenta y cuatro.

El Ciudadano Juan Maria Marron Alcalde primero de esta jurisdiccion asi lo provei mande y firme ante los testigos expresados de mi asistencia con quienes actue por receptoria en este referido punto segun derecho.

Juan M. Marron

ana  
Vicente Moraga

ana  
Ramon Aguilar

En el rancho de la Laguna a los dos dias del expresado mes y año, yo el mismo Alcalde para la practica de estas diligencias nombre dos hombres, cordoberos, a quienes hice saber su nombram.º el q. a septaron bajo de juramento q. otorgaron, ofueiendo de cumplir fielmente

21

En cargo, lo q. autorizo y firmo con la testigo de anida  
Segundo hoy fe.

Juan M. Moron

ana  
Vicente Moraya

ana  
Ramon Aguilar +

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En el mismo dia mes y año estando en el  
paraje de la Laguna a efecto de verificar las medidas  
y posesion de D. Julian Manrique del Sitio de la  
esperada Laguna, previo todos los requisitos de ley,  
y estando ante mi los testigos de ana y Cordeleros hice  
medir un cordel que contenia cin varas y a los extremos  
una Saca de madera, previa observancia y calculo  
por mi disposicion se tiro el cordel desde el poste=suelo  
de la Laguna al lado del paraje del Tornascal rumbo  
al Norte, se midieron cuatro leguas, las q. remataron  
en el estrecho de la Cañada rumbo al Sur, habiendose  
Señalado por lindero un Sauco q. esta en el desfiladero  
a la parte de Tornecula, en seguida se tiro el cordel rumbo  
al Noroeste, las q. remataron en el lindero del rancho  
de D. Jose Antonio Estudillo y se midieron dos leguas,  
de esta parte se tiro la cuerda de oriente al rumbo del  
puente habiendose medido cuatro leguas, las q. remataron  
en el Segundo lindero del Sr. Estudillo de cuyo lugar se  
compio la ultima medida la q. concluyo en el poste=  
suelo de donde se comenzaron las primeras medidas  
en donde tambien se fijaron las correspondientes mojeras,  
y no habiendo manifestado objecion alguna q. suspendiera  
las medidas, fueron concluidas estas del rancho de la  
Laguna a satisfaccion del interesado, al cual ordne  
fueron las respectivas mojeras en los rumbos correspon=  
dientes y quedo entendido, habiendo manifestado  
aquello en señal de posesion, lo q. autorizo y firmo  
con la testigo de ana segun otro

Juan M. Moron

ana

ana

En dicho día mes y año, han venido concluido las diligencias de este expediente perteneciente al rancho de la Laguna, donde testifico a D. Julian Manrique interesado en ellas para su seguridad y uso q: le con-  
-vengan. El Ciudadano Juan Maria Morron  
Alcalde primero de esta jurisdiccion au lo proveyo  
y firmo con los testigos de asistencia segun dho, hoy  
fa.

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Juan M. Morron

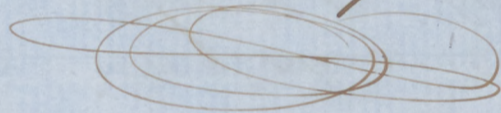
ana

Vicente Moraga

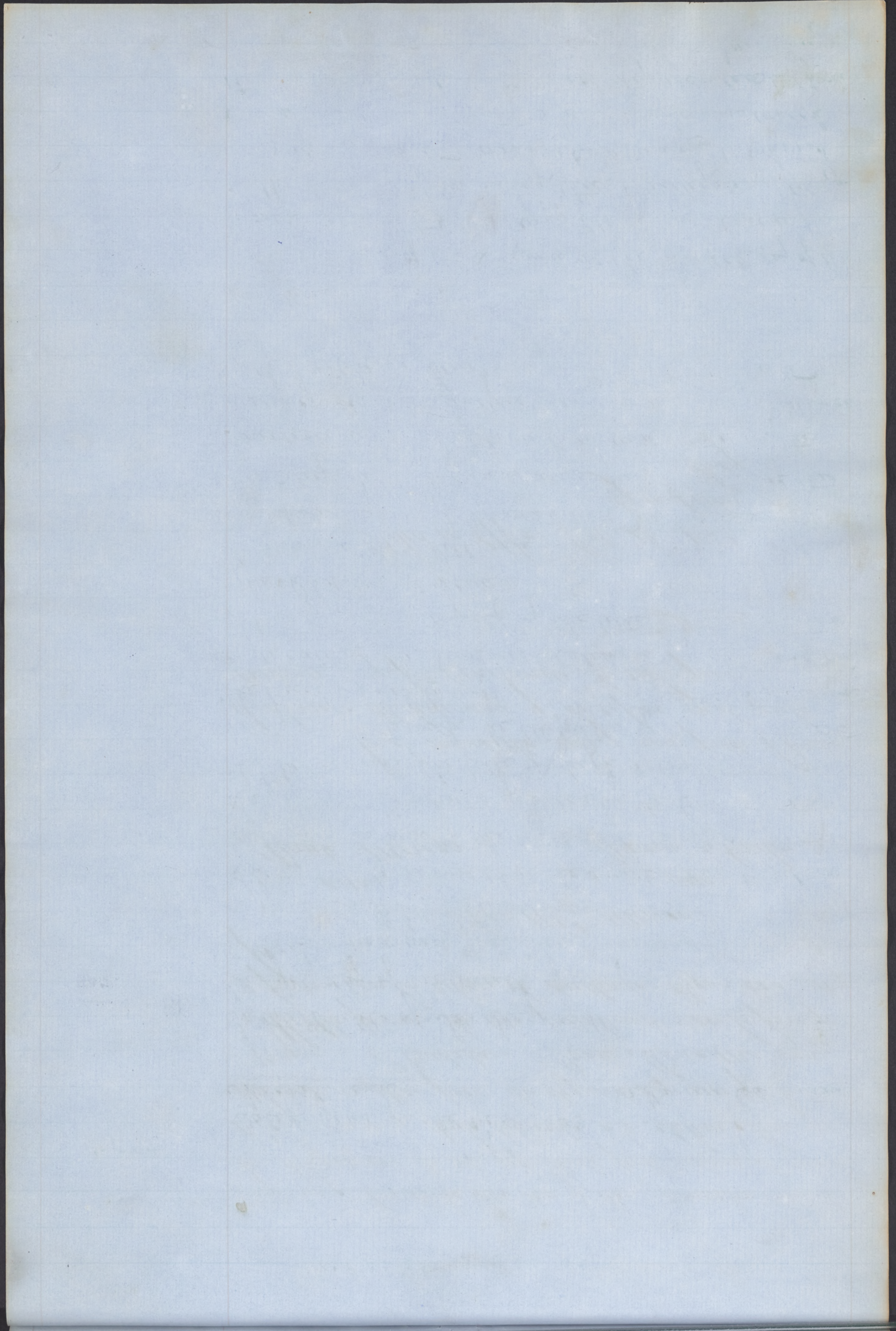
ana

Ramon Aguilar +

En el mismo día mes y año quedo librado el interuado del testimonio q: se refiere en el auto anterior, y se constancia lo rubrique



Filed in office Oct. 10. 1852  
Geo Fisher  
Secy



Translation of  
 Lic. posesion

Qualifico provisionally for the maritime Customhouse  
 of the port of Monterey in the Department of the  
 California, for the year 1843  
 Micheltorena Manuel Castaneda

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In the Pueblo of San Diego of Alta California on the  
 twelfth day of the month of July of One thousand  
 Eight hundred and forty four, Condescending to the pete-  
 on of the Sr. D Julian Manriquez a resident of the City of  
 Los Angeles, to the end that the corresponding posesion  
 may be given him of the tract and Ranch called the  
 Laguna de Temecula, granted by the Government of  
 this Department, the title of which accompanies his  
 petition, I went with the witnesses of my assistance to  
 the tract referred to and proceeded to give the posesion  
 indicated, after previous citation to the adjoining nei-  
 ghbors governing myself by the title before mentioned  
 which has been Compeared by the M. E. Senen Governos  
 D Manuel Micheltorena dated the seventh of June  
 One thousand Eight hundred and forty four

The citizen Juan Maria Marron Just Alcalde of this  
 Jurisdiction, thus I approve Order and sign it in the  
 presence of the witnesses mentioned of my assistance  
 with I acted as Secretaries in the point referred to  
 according to Law

Juan Maria Marron  
 Ass. Vicente Maza Ass. Ramon Aguilar

In the Rancho of the Laguna at the twelfth day of the  
 month referred to & same year. I the same Alcalde for  
 for the purpose of executing these investigations (delegen-  
 cias) appointed two men as can be seen, to whom I  
 caused the appointment to be made known, which  
 they accepted under oath, which they assented to offering  
 to discharge faithfully their trust, which I authorize



and sign with the assistant Ulntripes according to Law  
which I attest -

Juan Maria Murron

Ass. Vicente Maza - Ass. Ramon Aguilar

On the same day month and year, being at the place  
of the Lagunas, for the purpose of verifying the measure-  
ments and possession of D. Julian Manriquez to the traces  
of the Lagunas referred to, all the requisites of the Law  
having been previously performed and being in the  
presence of my assistant Ulntripes and each bearing I  
caused a cord to be measured, which contained one  
hundred varas and fastened to the ends some wooden  
stakes after previous observation and calculation for  
my direction, the cord was stretched from the gap of  
the Lagunas on the side of the place of the Temascal  
in a direction towards the North, there were measured  
four leagues which terminated in the pass of the Canon  
looking to the South, an Alder tree having been marked  
for a boundary which tree is the division on the side  
of Temascal, thence the cord was stretched in a direction  
to the North West, which terminated at the boundary  
of the Ranch of D. Ants Esteedillo and there measured  
two leagues - From this point the rope was stretched  
from the East in a direction to the West, four leagues  
having been measured, which terminated at the second  
boundary of Senen Esteedillo, from which place  
the last measurement was abruptly taken which  
concluded at the gap, whence the first measurements  
commenced in which (measurements) the corresponding  
land marks were also fixed, and no objection having  
been manifested, which should suspend the measure-  
ments, those of the Ranch of Lagunas were concluded  
to satisfaction of the party interested to which I ordered  
the corresponding land marks to be placed in the  
respective directions, and I left it well understood  
having designated these in sign of possession

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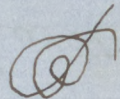
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all of which I authorize and subscribe to with my  
assistant witnesses

Juan Maria Marron  
Ass. Vicente Moraga and Rancan Aguilar

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On the same day month and year the party interested  
was presented with the testimony that was required  
to in the Deceit Act and in evidence I give this  
the Rubric



Filed in Office Sept. 18<sup>th</sup> 1852

Geo. Fisher

Secy

1906  
MAY 15 1906

2/16

*Expediente*

*Promovido por D.<sup>n</sup> Julian Manriquez  
en pretencion del terreno de Temecula*

Excmo Señor Gobernador del Departam<sup>to</sup>

El Ciudadano Julian Manrique vecino de la Ciudad de los Angeles y residente en el rancho de Santa Anna, ante V.E. como mas haya lugar en derecho y con el debido respeto pareco y digo: Que siendo poseedor de algun numero de ganado y Caudal de un terreno propio para su Conservacion y fomento Solicito el parage de la laguna de Temucula en la estension de sus citios segun poco mas o menos manifiesta el diseño que unido a los informes depo: of Santiago tengo el honor de acompañar a V.E. Al dirigirme por esta otra vez a V.E. tengo la necesidad de implorar el favor del Gobierno asi como la confianza de que no habiendo obstaculo que impida la Consesion de V.E. a seceda conforme tuvo a bien ofecerme por decreto anterior en mi instancia Sobre la Solicitud del parage de San Jose a que no hubo lugar, por lo que a V.E. pido y rendidamente Suplico tenga la bondad de Considerarme en propiedad el parage que pretendo por estar absolutamente valdido y tener bastante necesidad de asegurar mis bienes para la mantencion de mi Crecida familia; asi lo espero de la recta justificacion de V.E. protestando lo necesario &c. Dispundandome el uso del papel correspondiente por falta de el, en el lugar = Angeles y Mayo 27 de 1844 = A ruego de Julian Manrique = Juan Bandini = Monterrey Junio 4 de 1844 = Informe al Señor Secret: del Despacho tomando otros si los creiere necesarios = Micheltorona Excmo Señor Gobernador = Por el informe del Jefe de los Angeles y del encargado de San Luis Rey, pareco que no hay inconveniente alguno para que se Conceda el terreno que se pretende y para acreditarme

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Document  
no. 1 H.H.  
annexed to the  
depo: of Santiago  
E. Arqueles

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mas del estado en que se halla dicho paraje me informe de D. Andres Pico por tener conocimiento practico de el, y por las noticias mas ciertas que me dio corroboraron los informes que aparecen en este expediente y resulta por todo que se puede conceder el paraje, con las modificaciones correspondientes en los linderos al tiempo de fijarse al interesado Si V. E. tubiere habien concederle la gracia que pide = fha la misma = Manuel Jimeno = Monterrey Junio 7 de 1844 = Concedese como solicita el interesado sujetandole a los linderos de Sta. Fe, la punta de la laguna o el lado de Temecula y los linderos del Temascal asi como las condiciones que ofrese. = Micheltonna = Señor Alcalde 1.º y Jefe de 1.ª inst.ª de esta Ciudad = Julian Manrique Vecino de esta municipalidad y residente en el rancho de Sta. Anna ante V. con el debido respeto pasesco y digo: que teniendo un numero de mas de mil y quinientas cabezas de ganado de toda clase, y este estar pastando en terreno ajeno por gracia que me concedio el propietario de dicho rancho; me hayo en la necesidad de implorar la indulgencia del Excmo. Señor Gobernador del Departamento a fin de obtener el paraje de la laguna de Temecula que manifiesta el adjunto diseño. Al dirigirme a V. tengo por objeto suplicarle se sirva dar Su informe, cuyo requisito indispensable salvara la demora que necesariamente deberia tener el expediente, pues siendo ya preciso sacar los vientos del lugar que hoy ocupan debo evitar el retardo. = Tambien tengo el honor de acompañar un documento de seguridad que medió el encargado en S. Luis Rey por el cual se acredita que el paraje que pretendo esta absolutamente baldio: por todo lo expuesto = A V. Señor Jefe pido y suplico se sirva dar Su informe como crea de justicia, y Concluido espuro tendra V. a bien

devolvíamela presente para elevarla al Superior Gobierno  
 con la petición respectiva. Duro no ser de malicia  
 y lo susuario 8<sup>a</sup> = Angeles y Mayo 21 de 1844  
 = A rruyo de Julian Manrique = Juan Bandini  
 = Administracion de San Luis Rey = Procuante  
 el Ciudadano Julian Manrique desea Solicitar  
 al Superior Gobierno Departamental, el paraje de la  
 laguna perteneciente al rancho de Temucula, sea  
 presentado en esta si podra o no acerlo o si la  
 Mision la tiene ocupado, o si se gravara en algo,  
 en caso de que lo verifique y lo comiga, y en  
 obsequio de la verdad dire que el mencionado  
 paraje se halla enteramente valdío, y bien puede  
 Solicitarlo el Señor Manrique Satisfecho de que en  
 nada graba a la finca = Dado en la mision  
 de San Luis Rey a 16 de Mayo de 1844 = Jose  
 Paquin Ortega = Angeles Mayo 22 de 1844  
 = Por presentado y admitido en cuanto ha lugar  
 a derecho efectivamente que este Sug. do. esta  
 satisfecho de que el Solicitante tiene un numero  
 respectable de ganado que carece de Sitio adonde Colo-  
 = carlo, que el paraje que pide de la laguna de  
 Temucula se halla absolutamente valdío, que no  
 ha a falta a la Mision como lo comprueba el docu-  
 = mento del Administrador de San Luis Rey, que  
 el terreno se haya fuera de las veinte leguas limitrofes  
 y diez literales, y que el que Solicita tiene todos  
 los requisitos prevenidos por la ley pero dirijan al  
 tanto Señor Gobernador para que si S. E. tiene  
 a bien lo comeda en vista de estos informes. Así  
 yo Manuel Requena Alcalde 1.<sup>o</sup> Constitucional  
 decreto y firme con los de asist.<sup>a</sup> segun derecho.  
 = Manuel Requena = asist.<sup>a</sup> = Ignacio Coronel  
 = asistencia = Juan Manoso.

La copia sacada fielmente de su original  
 cuyo expediente obra en la Secret.<sup>a</sup> de Gobierno y que

307

Certifico.

Juan Bordini  
Srro del Despacho

Filed in office Oct. 16. 1859

Geo: Fisher  
Secy

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1859  
20



25

6  
346

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

Ello Tercero unpeno  
 Habilitado provisoriamente por la Aduana marítima  
 del puerto de Monterrey en el Departamento de las Californias,  
 para los años de mil ochocientos cuarenta y cuatro y mil  
 ochocientos cuarenta y cinco  
 Micheltorona Pablo de la Guerra

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 PAGE 32

Document,  
 No. 2. H. H.  
 annexed to the  
 Depo: of S. E.  
 Arguello

Ad:  
 marít  
 de  
 Monty

El C. Manuel Micheltorona,  
 General de Brigada del Ejército Mexicano  
 Ayudante General de la Plaza Mayor  
 del mismo, Gobernador Comandante  
 General e Inspector del Departamento  
 de las Californias.

Por cuanto el Ciudadano Julian Manriquez  
 ha pretendido para su beneficio personal y el de su  
 familia el paraje conocido con el nombre de Tomecula  
 por la parte de la Laguna, Colindante con el rancho  
 de San Jacinto, con el del Temascal y con la punta  
 de la apusada Laguna de Tomecula por la parte de la  
 Cañada: 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 Nación Mexicana he  
 venido en concederle el terreno mencionado declarandole  
 la propiedad de el por las presentes letras sujetandole  
 a la aprobacion de la misma Asamblea Departamental  
 y bajo las condiciones siguientes.

1.<sup>a</sup> No podra venderlo, enajenarlo ni  
 hipotecarlo, imponer como, vinculo, fianza, hipoteca  
 ni otro gravamen alguno.

2.<sup>a</sup> Podra cercarlo sin perjudicar  
 las travesias, caminos y servidumbres: lo disfrutara  
 libre y exclusivamente destinandolo al uso o cultivo  
 que mas le acomode pero dentro de un año fabricara

casas y estará habitada

3<sup>a</sup> Solicitará del Aca respectivo que de la posesión jurídica en virtud de este Despacho por el cual se demarcaran los límites en cuyos límites, pondrá a mas de los mojones algunos arboles frutales ó silvestres de alguna utilidad.

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4<sup>a</sup> El terreno de que se ha donación es de tres sitios de ganado mayor poco mas o menos segun explica el diseño respectivo. El Aca que tiene la posesión lo hará medir conforme a ordenanza quedando el sobrante que resulte a la Nacion para los usos convenientes.

5<sup>a</sup> Si contraviniere a estas condiciones perderá su derecho al terreno y será denunciable por otro.

En consecuencia mando que Sirviendole de título el presente y teniendo por firme y valdero se tome razon de el en el Libro a que corresponde y se entregue al interesado para su resguardo y otros fines. Dado en Monterrey a siete de Junio de mil ochocientos cuarenta y cuatro.

Man<sup>o</sup> Michelt.  
Man<sup>o</sup> Jimeno Srío

Queda tomada razon en el Libro respectivo  
a p<sup>o</sup> 8 vuelta

Jimeno

Filed in office Oct. 16. 1852

Geo Fisher

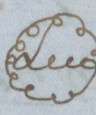
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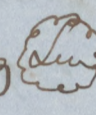
This Indenture made and entered into this Eleventh day of November in the year of Our Lord one thousand Eight hundred and fifty one by and between Teneda Domonquez widow of Julian Manriquez and Manuel Manriquez and Juan Manriquez children and heirs of the said Julian Manriquez of the first part and Abel Stearns of the second part all of the County of Los Angeles and State of California; Now this Indenture Witnesseth, that for and in consideration of the sum of four thousand two hundred and fifteen dollars by the said party of the <sup>to the said parties of the first part</sup> second part, in hand paid at and before the sealing and delivery of these presents the receipt whereof is here by acknowledged, the parties of the first part have granted bargained and sold assigned transferred and conveyed and by these presents do grant bargain sell assign transfer and convey unto the said Abel Stearns his heirs and assigns forever all the right title and interest and claim whatsoever which the the said Teneda Domonquez as widow of the said Julian Manriquez and the said Manuel Manriquez and Juan Manriquez as children and heirs of the said Julian Manriquez and which all or either of them have possessed hold or of right are entitled to, in a certain tract of Land and Rancho lying and being in the County of San Diego and State of California which said tract of Land is known by the name of the Rancho of Legunas, and is also known and described as follows, to wit, said tract of land being the same which was granted to the Julian Manriquez on the seventh day of June in the year one thousand eight hundred and fifty four by Manuel Micheltorena Governor of the Department of California and in the title thereof signed by the said Micheltorena, is declared to have for its boundaries the ranchos of Tomecel, San Jacinta and Tomascal, and in the Act and


and proceedings of Judicial possession given to said Julian Manrique by Juan Manon on the twelfth day of July in the year one thousand Eight hundred and Forty four is further described as follows, to wit; Beginning at the Northernmost point of the Valley of the Laguna on the side next to Semascal and running four leagues in a southerly direction to the entrance of the Canales of Semescal to a point on the hill next to Semescal where was placed an aldea stake as the boundary, thence running two leagues in a North Easterly direction to the Rancho and Land belonging to Jose Antonio Estudillo thence four leagues on the boundary of said last mentioned land of Estudillo, and in a North Westerly direction, to the second corner of the land of the said Estudillo, thence in a direct line to the point of beginning. To have and to hold the said tract of Land and every part thereof, with all the appurtenances there unto belonging, unto him, the said Abel Stearns, and his heirs and assigns forever. And the said parties of the first part, for themselves their heirs assigns Executors and Administrators Covenant to and with the said party of the second part and his heirs assigns Executors and Administrators, that they the said parties of the first part are seignior in fee simple of the above described tract of Land and premises and have a good and lawful right to sell and convey the same and that the said Land and premises are free and clear from all and every incumbrance and the title to said Land and premises unto him the said party of the second part and his heirs and assigns forever they the said parties of the first for themselves their heirs Executors and Administrators do and will warrant and defend forever against any and all persons government or governments whatsoever lawfully claiming

The same. In testimony whereof the said Trinidad  
Dominguez, Manuel Manriquez, and Juan Manriquez  
have hereunto subscribed their names and affixed their  
Seals on this eleventh day of November in the year One  
thousand Eight hundred and fifty One

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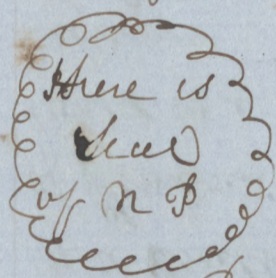
<sup>San</sup> Trinidad X Dominguez   
<sub>Manuel</sub>

<sup>San</sup> Manuel X Manriquez   
<sub>Manuel</sub>

Juan Manriquez 

State of California  
County of Los Angeles - On this the eleventh day of  
November A D 1851 personally appeared before me  
William G. Bryden a Notary Public in and for said  
County Trinidad Dominguez, Manuel Manriquez and  
Juan Manriquez known to me to be the persons described  
in and who executed the foregoing instrument who  
acknowledged to me that they executed the same freely  
and voluntarily for the uses and purposes therein men-  
tioned - In testimony whereof I have hereunto subscribed my  
name as such Notary Public and have affixed  
my Notarial Seal at the City of Los Angeles in said  
County on the day and year first aforesaid

W. G. Bryden  
Notary Public



Recd. & Recorded in Book C pages 395. 396. 397

398 Nov. 21<sup>st</sup> 1851 at half past 12 O'clock P.M.

H. C. Malsell Rec  
pr. C. P. Noell Secy

I certify the above to be a true copy of the Original  
L. Granger

Filed in office  
Sept. 18. 1852  
Geo. Fisher Secy

Abel Stearns  
 vs  
 The United States  
 Opinion of  
 the Board  
 By  
 Comr. N. Ketch.

For the place called La  
 Laguna in San Diego Coun-  
 ty containing three square  
 leagues of land.

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The petitioner has given the proper documentary evidence of a grant of the land claimed, by Governor Michelena to Julian Manriquez on the 7th day of June 1844 and of the act of the proper magistrate giving judicial possession of the same on the 12th day of July 1844. The limits and boundaries of the premises are defined with a good degree of certainty. The grantee was required by the conditions of his grant to build a house and occupy the premises within a year, the performance of which is proved by the deposition of Santiago E. Arguello. He occupied the premises until his death, which is proved to have occurred in 1849 or 1850. The present claimant, Abel Stearns derives title from his heirs, and has given in evidence a deed of the property to him dated November 11th 1851 and executed by Trinidad Dominguez, Manuel Manriquez and Juan Manriquez the first named of whom is proved to be the widow and the last two the only children of said Julian Manriquez. Under it the claimant succeeded to the rights of the grantee in the premises and is entitled to a confirmation.

Confirmed

Filed in office Feb. 14 1854

Geo. Fisher Secy.

Abel Stearns  
vs.  
The United States

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

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Decree of  
Confirmation

The land of which confirmation is hereby made is known by the name of La Laguna being that part of Temucula known as La Laguna situated in the County of San Diego, and in the occupancy of the claimant and bounded and described as follows to wit: Commencing at the gap of the Laguna on the side of the place of the Temascal and thence running in a direction towards the north to a pass of the Cañon looking to the south four leagues terminating at an alder tree which has been marked for a boundary which tree is the division on the side of Temucula; thence in a direction towards the north west two leagues terminating at the boundary of Don Antonio Estudillo; thence in a direction to the west four leagues terminating at the second boundary of said Estudillo; and thence in a direct line to the gap where is the place of Commencement - the same containing three square leagues of land more or less - reference for the same to be had to the original grant and the record of judicial possession and the map attached to the traced copy of the Expediente all of which are on file in this case

Alpheus Welch  
Thompson Campbell  
R. Aug. Thompson

Commission

Filed in Office Feb. 14<sup>th</sup> 1854  
Geo. Fisher Secy.



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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 Court for the Southern District of California and the other be transmitted to the Attorney General of the United States.

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Office of the Board of Commissioners,

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

161SD  
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*George Fisher*, Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
preceding *thirty five* pages, numbered from  
1 to *35*, 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. *346* on the Docket of the said Board,  
in *Abel Stearns vs*

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



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. 185*4*, and of the Independence of the  
United States of America the seventy=*ninth*.

*Geo. Fisher*  
*By*

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

No. 161, Docket

THE UNITED STATES

161

vs.

*Abel Stearns.*

*For "La Laguna"*

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TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS.

In Case No. 346.

Filed, November 8<sup>th</sup> 1854.

*J. C. Carr,*  
Clerk.

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Transcript  
of the

Proceedings

In Case

N<sup>o</sup> 346.

Abel Stearns

Claimant

vs

The United States

Defendant

for the place named

"La Laguna"

Office of the Board of Commissioners  
to ascertain & settle the Private Land  
Claims in the State of California

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Be it remembered that on the eighteenth day of September A.D. - no Domain One thousand Eight hundred and fifty two before the Commissioners to ascertain & 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;

That a Petition of Abel Stearns for the place named "La Laguna" was presented and ordered to be filed and docketed with No 340 and as follows to-wit;

(Vide page 3 of this Transcript)

Upon which petition the following subsequent proceedings were had in this chronological order to-wit;

San Diego, Oct 16/52  
In Case No 340 Abel Stearns for the place named "La Laguna" the deposition of Santiago Aguillo a witness on behalf of the Claimant taken before Commissioners Richard Hall with documents marked A B C numbered thereunto was filed

(vide page 5 of this Transcript)

San Francisco Oct 24th 1853  
Case No 340 was submitted on brief on both sides and taken under advisement by the Board

San Francisco July 14, 1854  
In the same case Commissioner Alpheus Fitch delivered the opinion of the Board confirming the Claim

(Vide page 35 of this Transcript)

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In the Honorable the United States Commissioner  
 Section of the adjudication and settlement of California Land  
 Abel Stearns Claims

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Your petitioner Abel Stearns resident of the  
 County of Los Angeles and State of California respectfully  
 represents that he is owner in fee simple of the Rancho  
 situate in the County of San Diego State of present known as  
 La Laguna. That said Rancho was originally granted in fee  
 simple to Julian Murguiz by Manuel Micheltoreno Governor  
 of the Department of the California by virtue of sufficient  
 and extraordinary powers conferred upon him by the Mexican  
 Government for that end by deed of conveyance bearing  
 date from the 1<sup>st</sup> of April 1844. Said Rancho contains three  
 leagues of grazing land a little more or less according  
 to the diagram on topographical chart accompanying the  
 Petition of the said Murguiz to the said Governor prior to  
 said grant and in compliance with which said tract of  
 Land was granted. Said Land has never been surveyed by  
 the Surveyor General. Your Petitioner knows of no Con-  
 flicting Claims.

The said Julian Murguiz received judicial possession  
 of said Land from the proper Municipal Authority on the 15<sup>th</sup>  
 of July 1844 which possession he held peacefully and  
 without interruption to the day of his death about three  
 years since. And his legal heirs continued in said possession  
 to the time of its transfer to your petitioner which was  
 done by deed of conveyance on the 11<sup>th</sup> day of November  
 AD 1851 in the City of Los Angeles made and executed  
 to your petitioner by the legal heirs of the said Murguiz -  
 And your petitioner has enjoyed the same  
 uninterrupted and peacefully possession thereof from the  
 date of said conveyance to the present time. That all the  
 requisites of the Mexican laws and regulations concerning  
 Colonization of the lands of the National Domain when  
 applied to the present tract of Land were fulfilled

For the support of his claim your petitioner

#

has filed with the Secretary of your Honorable Board  
and will ask leave to offer in evidence the following pa-  
pers

- 1<sup>st</sup> A Copy of the original Expediente marked A
- 2<sup>d</sup> A Copy of the original grant marked B
- 3<sup>d</sup> A Copy of the act of judicial process marked C
- 4<sup>th</sup> A Copy of the Deds of Emphyteusis to your  
Petitioner marked G

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All of these papers which are in the Spanish language  
except the last are accompanied with accurate translations  
into the English language marked B C & F

And your petitioner will offer when required oral  
and other evidence as may be necessary to establish  
his claim. And he prays said land or ranch of La  
Laguna may be adjudged to him by your Superior  
Legal knowledge and sense of Justice

Angels Sept 14<sup>th</sup> 1852

Wm Stewart  
Scott & Grainger  
Atty's

Filed in office Sept 18<sup>th</sup> 1852

Geo Fisher Secy



Report  
of  
J. E. Arzulla

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Office of W & L Land Commission  
Los Angeles, Oct 16th 1852

On the 14th day before Heland Hall one of the  
Comrs for accounting and settling Private Land Claims in the  
State of California, Cayo Santiago Arzulla a witness  
produced in behalf of the Claimant Abel Stearns whose  
petition is No 346 on the Docket of the Board and was  
duly sworn his evidence being given in English  
The W & L of Special Law Agent was notified and  
attended

In answer to questions by the Claimant the  
Witness testified as follows

My name is Cayo Santiago Arzulla. My age thirty nine  
years and I reside in San Diego and am a native of  
California

I am acquainted with the handwriting and sign-  
atures of Juan Bandini. His signature which appears  
on a paper now shown me I believe to be his genuine sign-  
ature. He acted as Secretary of the Government of Cal-  
ifornia in the early part of the year 1845. Said paper  
purports to be a copy of a petition of Julian Maurquez  
and other papers for the tract of land called Somocula  
and is hereto annexed marked No. 1. S. H. I am also  
acquainted with the handwriting and signatures of Manuel  
Michellorreu and Manuel Jimenez. I have examined a  
paper now shown me purporting to be a grant to Julian  
Maurquez of a tract of land called Somocula and  
dated June 4. 1844. And therein the signatures of  
said Michellorreu and Jimenez which are upon the same  
to be their true and genuine signatures. Said paper is  
hereto attached and marked No. 2. S. H.

I am also acquainted with the handwriting  
and signatures of Juan M. Maron, Ramon Arzulla  
and Vicente Moraga. I have examined a paper now  
before me purporting to be an original record of the  
grant of judicial possession of the land described

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in the before mentioned grant and the signatures of the said moran Arzuello and Moraga whenever they occur appear upon said paper I believe to be their true and genuine signatures - at the date of the said record, Moran was a justice of the Peace of San Diego - said paper is here corrected and marked N. S. H. H.

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I am acquainted with the land granted to Mauriquez and know that the grantee took possession of the land about the year 1844 and built a house there and had cattle there and he kept possession until the time of his death which took place about two years ago - The land is in San Diego County - Mauriquez died leaving a widow and I think two children the widow's name was Trinidad Romuquez - The sons are Manuel and Juan Mauriquez - Their ages are I think from twenty to twenty four years

Mauriquez had about three thousand head of cattle on the said Rancho, about four hundred horses and about hundred sheep

Santiago Arzuello

Sworn & subscribed  
before me Melaud Hall Com.

Filed in office Oct 16 1853  
Geo. Tucker  
Notary

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Deponent

W. G. Dryden

Office of the Land Commission  
Los Angeles Oct. 18th 1852

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On this day before Melaud Hall one of the Commissioners for ascertaining and settling Private Land Claims in the State of California came Wm G Dryden a witness produced in behalf of the claimant Abel Stearns whose petition is No 346 on the books of the Board and was duly sworn. His evidence being given in English

In answer to questions by the Counsel for the Claimant (The W G Dryden was notified & attended) the witness testified as follows

My name is Wm G Dryden, my age is forty five years and I reside in Los Angeles

I was a Notary Public the eleventh day of December 1851 in and for the County of Los Angeles in the State of California and as such had authority to take and enter the acknowledgements & deeds and instruments of conveyance of real estate. And an instrument of conveyance purporting to have been executed by Trinidad Romoquez Manuel Mauriquez & Juan Mauriquez to Abel Stearns and dated 11<sup>th</sup> of November 1851 was executed by the said several persons in my presence and acknowledged on said instrument

The instrument is executed according to the formalities required by the law of California to convey lands said instrument of conveyance is here amended and marked No 1. 346

W. G. Dryden

Sworn & subscribed  
before me

Melaud Hall Comm

Filed in office Oct 18th 1852

W. G. Dryden

Report  
of  
Juan Pineda

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Office of the U.S. Land Commission  
San Diego, Oct 18th 1852

On this day before Meland Hall one of the Commissioners for ascertaining and settling private land claims in California came Juan Pineda a witness produced in behalf of the Claimant Abel Stearns whose petition is No. 346 on the docket of the Board and was duly sworn - His evidence being given in Spanish was interpreted by the Secretary

The U.S. special law agent was not present attended

In answer to questions by the Council for the Claimant the witness testified as follows

My name is Juan Pineda, my age is thirty four years and I reside in the city of San Diego

I am acquainted with the Rancho Laguna de San Meucula which is situated in the County of San Diego I have known the place since the year 1846. It was then occupied by Mauriquiz having stock upon it - I should think about four thousand Cattle, two hundred horses & five hundred sheep - He occupied it until his death, which I think was in the year 1849. There was a house on the land when I first knew it containing from three to five rooms - it was occupied by Mauriquiz At his death he left a widow and two sons, the widows name was Romiquiz, but I do not know the first name The name of the youngest son was Juan, the name of the other I do not remember

Juan Pineda  
Sworn & subscribed before me  
Meland Hall Comm'r

Filed in Office Oct 18th 1852  
Geo Fisher  
Secy

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Report  
of  
Thomas A. Sanchez

Office of the U.S. Land Commission  
San Francisco Oct 18th 1852

Called by before Heland Hall one of the commissioners  
for accepting & settling private land claims in the State of  
California. Upon Thomas A. Sanchez a witness produced  
in behalf of the claimant Abel Stearns whose petition  
is No 346 on the docket of the Board and was duly  
sworn - His evidence being given in Spanish was interpreted  
by the Secretary

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The U.S. Marshal saw agent was notified and  
attended to answer to questions by Counsel for the  
Claimant the witness looked up that his name

My name is Thomas A. Sanchez. My age is twenty  
seven years. And I reside in the city of Los Angeles.  
I was acquainted with Julian Mauriquez in his  
lifetime he died between three and four years ago - He was  
the owner of the Rancho called Laguna de Somocula at  
the time of his decease. At his decease he left a widow  
by the name of Dolores Dominguez and also two  
children who were sons by the names of Manuel & Juan  
Manuel I think is fully twenty seven years of age  
I cannot tell the age of Juan exactly though I am  
confident he is at least twenty two years old. Julian  
Mauriquez left no other children to my knowledge

Subscribed  
before me  
Thomas A. Sanchez

Heland Hall Comm

Filed in office Oct 18th 1852

Geo Fisher Secy

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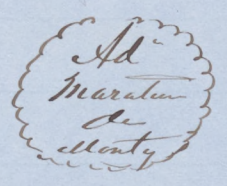
*Expediente.  
Promovido por D. Julian Manriquez  
la situacion del terreno de Semecula*

*125*

11 2 J.D.W.

Jello Cuanto Los Reales  
Habilidad, Provisionalmente, Go la Aduanas Maritimas del  
Puerto de Montevideo en el Departamento de las Californias para los  
Años de mil Ocho Cientos Cuarenta y Cuatro y mil ochocientos  
Cuarenta y Cinco  
Necettores Pablo de la Guerra

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José Alcalde y Jefe de 1ª Inst.  
de esta Ciudad

Julian Mauriquiz vecino de esta municipalidad  
y residente en el Rancho de Sta. Anna ante V. con el debido  
respeto parecio y dijo: que teniendo un numero de mas de  
mil y quinientos Cabezas de ganado de toda clase. y estar par-  
teando en terrenos agros p<sup>o</sup> gracia q<sup>o</sup>. me concubio el propietario  
de dho rancho; me hizo en la necesidad de implorar la  
indulgencia del Ex<sup>o</sup> Sr. Gob<sup>o</sup> del Departamento. a fin de ob-  
tener el p<sup>o</sup> cargo de la Laguna de Semisal. q<sup>o</sup> manifiesta el ad-  
junto d<sup>o</sup>. Al d<sup>o</sup> dirigime a V. tengo p<sup>o</sup> objeto suplir el  
reserva dar su informe p<sup>o</sup> requisito indispensable salvara  
la demora q<sup>o</sup> necesariamente deberia tener el expediente  
pues siendo ya preciso hacer los bienes del lugar q<sup>o</sup> hoy  
ocupan desee evitar el retardo

J.D.W.

Tambien tengo el honor de acompañar  
un documento de seguridad q<sup>o</sup> me dió el encargado en  
Santa Cruz. p<sup>o</sup> el cual se acredita q<sup>o</sup> el p<sup>o</sup> cargo q<sup>o</sup> pre-  
tendo este absolutamente valido: p<sup>o</sup> todo lo expuesto  
A V. Sr. Jefe y p<sup>o</sup> publico se sirva dar su in-  
forme como crea de justicia. y concluido espere tener  
V. a bien devolverme la presente p<sup>o</sup> elevarla al Sup<sup>o</sup> Gob<sup>o</sup>  
con la peticion respectiva. para no ser de malicia q<sup>o</sup> lo  
necesario etc

En la Ciudad de Montevideo a los 21 de Mayo de 1844  
Juan de Julian Mauriquiz

Juan Pando

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5 J.P.N. J. de Mayo 22 de 1844

Au-

Se ha presentado y admitido su licitud  
 la ley a dar, efectivamente que este puzado esta  
 satisfecho de q' el solicitante tiene un numero de res-  
 pectable de ganado; que carece de sitio donde col-  
 -ocarlo q' el parage que pide de la Laguna de Sencu  
 se halla absolutamente baldio, que no hace falta ala  
 mision como lo compruevan el documento del Adm<sup>or</sup>  
 de San Luis Rey. que el terreno se halla fuera de  
 las veinte leguas limitadas y diez literales. y que el  
 que solicita tiene todos los requisitos prevenidos por la  
 ley; pero dirijase al E. J. Gobernador para que  
 si J. E. tiene abien lo conocida la virtud de  
 estos informes. Asi yo Manuel Requena  
 Alcalde 1<sup>o</sup> Const<sup>o</sup>. decato y firmé con los de asis  
 segun dno

Manuel Requena



al Sr. Coronel

al Sr. Juan Maso

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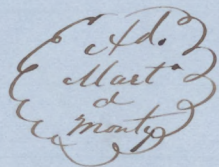
Monteagudo  
de San Luis Rey 3/4

Yo Cuanto el Sr. Julian Mauriquez  
desa Solicita del Superior Gobierno Departamental el paraje  
de la Laguna perteneciente al Rancho de Lemecula, se a  
presentado en esta si posesion o no, asi la Direccion  
lo tiene ocupado, asi se grabara en algo en caso de  
q. lo verificare y lo consiga, y en obsequio de la ver-  
dad dire q. el mencionado paraje se halla totalmente  
baldeo y quien puede solicitarle el Sr. Mauriquez  
para efecto de que en su radio graba este finca

Queda en la misiva de San Luis Rey a 16  
de Mayo de 1844  
Juan Jose Ortega

y Sr. D.

Jello Cuanto los Reales  
habilitado por el Sr. D. Juan Maratuna del  
Puerto de Montevideo, en el Departamento de las Californias,  
para los dias de mil ochenta y cinco, sesenta y cuatro  
y mil ochenta y cinco, sesenta y cinco  
Archiltores, Sablo de la Guerra



Ex Sr. D. del Departamento

Montevideo  
# de 1844  
Inf. el Sr. Sr.  
del despacho  
tomando otros  
El ciudadano Julian Mauriquez, vecino  
de la ciudad de Los Angeles y residente  
en el Rancho de Stalluma, ante  
V. E. como mas haya lugar en  
derecho y con el debido respeto  
paseo y dijo: que siendo poseedor

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si los cupie de algun numero de ganado, y  
 necesarios. Careciendo de un terreno propio p<sup>o</sup>.  
 Michelt<sup>a</sup> p<sup>o</sup> Conservacion y G<sup>o</sup>mento. Solicito  
 el parage de la Laguna de Semecula  
 para la estension de sus sitios segun poco mas o menos -  
 Manifiesta el Decree q<sup>o</sup>. unido a las informes tengo el  
 Honor de acompañar a V.E. Al dirigirme p<sup>o</sup>.  
 esta otra vez a V.E. tengo la necesidad de implorar  
 el favor del Gob<sup>o</sup>. así como lo confiança de que no  
 teniendo obstaculo q<sup>o</sup>. impida la Concesion. V.E. acce-  
 -dera conforme tubo a bien acordarme p<sup>o</sup>. decreto  
 anterior en mi instancia. Sobre la solicitud del  
 parage de J. J. a q<sup>o</sup>. no hubo lugar, por lo que  
 a V.E. pido y humildemente suplico tenga  
 la bondad de considerar en propiedad el parage  
 q<sup>o</sup> pretendo p<sup>o</sup>. es. p<sup>o</sup> estar absolutamente baldio p<sup>o</sup> la  
 mantencion de mi crecida familia; Así lo espero  
 de la recta justificacion de V.E. protestando lo necesario  
 de dispensarme el uso del papel correspondiente  
 p<sup>o</sup> falta de el en el lugar

Angles Mayo 24 de 1844  
 Arroyo de J. J. de la Cruz  
 Juan Paulsen

Al Sr. Gobernador

Por informe del juez de las Angles,  
 y del encargado de San Luis Rey. parece que no  
 hay inconveniente alguno para que se conceda el ter-  
 -reno que se pretende, y p<sup>o</sup>. por decirlo así mas del  
 estado en que se halla el dho. parage (mi informe)  
 de D<sup>o</sup>. Andres Pico Gortuen, Comand<sup>te</sup> practico de el  
 y por las noticias mas estaujas que me dio corroboran  
 los informes que aparecen en este expediente y  
 resulta por toda que se pueda conceder el pa-  
 -raje con las modificaciones correspond<sup>tes</sup> en las lindas  
 el tiempo de fijarse al interesado Si V.E. tubiere  
 habien concedido la gracia que pide

Por la misma

San Francisco

Monte Rey Junio 4 de 1844

Concederle como solicita el interesado su pre-  
tension a los hueros de J. Jacinto lo punta de la Laguna  
del lado de Demersala y los hueros del Demersal asi  
como las condiciones que se piden

Michelt

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Wm. A. Spicer, Surveyor General of the  
United State for California

I, Samuel D. King, Surveyor Gen-  
eral of the United State for the State of California, and as  
such having in my office, and under my charge and con-  
trol, a portion of the Archives of the former Spanish and  
Mexican Territory or Department of Upper California do  
hereby certify that the New Proceedings herunto attached  
pages of tracing paper, numbered from one to seven in-  
clusive, and each of which is verified by my initials,  
(S. D. K.) exhibit true and accurate Copies of  
certain documents now on file in this office and forming  
a part of the said Archives thereof.

In testimony whereof I have herunto  
signed my name officially and affixed my private seal  
(not having a seal of office) at the City of San Francisco  
this sixth day of November 1852

Samuel D. King  
Sur. Gen. Cal.

Filed in office Dec 14th 1852

Geo. Fisher  
Secy

Translation  
of  
Expediente

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The most Excellent Señor Gobernador of the Depart-  
ment

The Citizen Julian Lauriquez, resident of the City of  
Los Angeles, and the ranch of Santa Anna, before y. E. in man-  
ner that maybe most proper in law and with due respect  
present myself and states

That being owner of a ~~large~~ number of cattle and  
wanting land necessary for their safe keeping and increasing  
I solicit the place of the Laguna de Semecula of the  
extent of six leagues (sitios) more or less as appears  
with the plot (Resaca) which joined with the reports (In-  
formes) I have the honor of presenting to your Excellency. I  
am under the necessity of employing of the Government  
with the confidence that there will be no obstacle that can  
hinder the concession. Y. E. will accede to what you  
kindly offered me by anterior decree upon my petition  
(sustancia) concerning the solicitation for the place of San-  
-Juan, which could not be granted me. Of y. E. I ask and  
humbly supplicate that you may have the goodness to con-  
cede to me in right of property the place which I assume is  
absolutely public land (Baldio) and that I have great  
necessity of securing my Chattle for the support of my  
increased family.

Thus I expect from the upright justice  
of y. E. a favour in you that is necessary &c. Dis-  
-pense me the use of the poor paper for want of a fit  
in the place

Los Angeles May 24<sup>th</sup> 1844

Request of Julian Lauriquez  
Juan Pando

Montevideo June 1<sup>st</sup> 1844

Report to the Secretary of the  
Department, taking other reports if he shall deem  
them necessary

Archellano

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N. E. Governor. By the report of the Judge of Los Angeles  
and of the Agent of San Diego. it would appear that there  
could be no prejudice in the granting of the land which is  
asked for and to assure myself further of the conditions  
in which the said place the said place has been in. I in-  
formed myself of D. Audus River by his having practical  
knowledge of it and by the more extensive notices which  
corroborated the reports which appear in the Expediente.  
And it results by all that the place can be granted with  
the proper modifications of the boundaries at the time of  
their being fixed for the party interested. if N. E. shall be  
pleased to grant the favor which he desires.

Rate the Judge Manuel Jimeno  
Montez June 9th 1844

Let it be granted to the party  
interested, subject to the boundaries of San Jacinto. the  
point of the lake on the side of Semecula and the  
boundaries of Semoseal, as well as the conditions he  
offers

Michel Torres

Don 1<sup>o</sup> Alcalde and Judge of the 1<sup>st</sup> Instance  
Juan Manuel Lauriquey neighbor of this municipality and resident  
of Santa Ana before your Honor with all due respect  
present myself and say. That having a number of more  
than one thousand and five hundred heads of Cattle  
of every description to be pastured on lands of another  
by the favor which the proprietor of said Ranch has ex-  
tended to me. I am under the necessity of imploring  
the indulgence of the N. E. Gov. of the De-  
partment. For the object of obtaining the place of the Laguna  
de Semecula which the accompanying Diagram repre-  
sents. In directing myself to your Honor. I have the  
object of supplicating him that that it might please  
him to give his report. which requisite will save the  
delay that the Expediente would necessarily occasion

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them it being already necessary to remove the shanties  
from the place which they now occupy. I wish to avoid  
the delay - Also I have the honor of presenting a document  
of security which the agent in San Luis Rey gave me by which  
it is proved that the place which is solicited is absolutely  
public land - by all this evident. Of your honor Sr. Judge  
I ask and supplicate that it may please him to give his report  
which I believe will be just and the conclusion I hope your  
Honor will have the goodness to return me to be forwarded  
to the Superior Government with the respective petition I make  
oath that it is not of any malice but of necessity &c  
San Luis Rey May 21<sup>st</sup> 1844

By request of Julian Maurequez  
Juan Paulini

Administracion of San Luis Rey  
Whereas the Citizen Julian Maurequez wishes to solicit  
of the Superior Department Government the place of the  
Laguna belonging to the Ranch of Temecula, should it be  
sugured whether he could or not do it, or whether the mission  
has it occupied or whether it would cause any prejudice  
in case that he verifies it and obtains it, and in obedience  
to the truth, I would say that the place referred to is  
entirely public land, and Sr. Maurequez may well  
solicit it, satisfied that in nothing will it injure the  
Mission (San Juan) Govern at the Mission of San Luis Rey May  
16<sup>th</sup> 1844

Juan Joaquin Ortega

Angleylla, 22<sup>da</sup> de 1844

By having been presented and admitted inasmuch as it has grounds on law effectually that this Court being satisfied that the petitioner has a respectable number of cattle which need a situation in which to place them; that the place which he asks of the Laguna de Semucula is wholly public lands that it would make no injury to the Mission as they document of the administration of San Luis Rey Groves; that the land is distant twenty leagues from the frontier of another nation and ten leagues from the sea - That the petitioner has discharged all the requisites of the law but those that direct him to the M<sup>e</sup> Governor that he will have the goodness to grant them to him upon inspection of these reports of

Thus I Manuel Reguera First Alcalde Constitucional decree and subscribe with those of my acceptance according to law

Asa Juanis Coronel

Manuel Reguera  
Asa Juan Manso

This is a copy faithfully taken from its original which Expediente operates in the Secretaryship of the Government and which I certify

Juan Paulini  
Secretary of the Department

Filed in office Sept 18 1852

Do Pedro  
Scriba

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Jello Cuanto dos Reales  
Habilitado proporcionalmente por la Aduana Maritima del  
Puerto de Montay en el Departamento de las Californias para el  
Año de mil ochocientos Cuarenta y tres  
Micheltoreno Manuel Fontaneres

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Act  
Marít.  
de  
Montay

Document  
No. 3. H. H.  
Annexed to the  
Rep. of Fontay  
Aguella

El Pueblo de San Diego de la Alta  
California a los doce dias del mes de  
Julio de mil ochocientos Cuarenta y tres. Ante a la solici-  
tud del Sr. D. Fulgencio Mauriquez, vecino de la Ciudad de  
Los Angeles, a fin de que se le de la correspondiente pose-  
sion del sitio y Rancho llamado la Laguna de Temicula  
concedido por el Gobierno de este Departamto. cuyo titulo  
acompaña la su solicitud; juse con los testigos de mi  
asistencia al expresado sitio y procedi a dar la pose-  
sion indicada, previa citacion de Colindantes, arreglandome  
al repetido titulo q. se le ha conferido por el Excmo. Sr. y  
Gobernador D. Manuel Micheltoreno en fecha siete de junio  
de mil ochocientos Cuarenta y tres

El Ciudadano Juan Maria Carron  
Alcalde Jurejur de esta jurisdiccion asi lo provei  
mande y firmé ante los testigos expresados de mi asis-  
tencia con quienes actua por receptor en este referido  
Puerto segun derecho

Juan M. Carron  
Asa,  
Vicente el Oraya  
Ramon Aguilar

En Rancho de la Laguna, a los doce dias  
del expresado mes y año. Yo el mismo Alcalde  
para la practica de estas diligencias nombre dos  
hombres, cordeleros, a quienes hice saber su nombra-  
miento el q. aceptaron bajo de juramento q. otorgaron  
ofreciendo desempeñar fielmente su cargo. los q.  
Antoraya y Jimenez con los testigos de asistencia segun  
Dro. Ray Jé  
Juan M. Carron



Vicente Moraga

Nauan Aguilar

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En el mismo día mes y año estando en el  
 paraje de la Laguna a efecto de verificar los medidas  
 y posesion de D. Julian Murguiz del sitio de la es-  
 -presada Laguna, previa todas los requisitos de ley y es-  
 -tando ante mi los testigos de asse y Cordeleros tres medi-  
 -su Cordel q. ~~este~~ contiene cinco varas y a los extremos puros  
 saucos de madera, previa observacion y calculo por mi  
 disposicion se tiro el Cordel desde el poste-suelo de la  
 Laguna al lado del paraje del Somocual rumbo al  
 Norte. se midieron quatro leguas, los q. remataron en el  
 estrecho de la Laguna rumbo al Sur. Habiendome señalado  
 por lindero su sauco q. esta en el divisadero a la parte  
 de Somocual. en seguida se tiro el Cordel rumbo al Noroeste  
 los q. remataron en el lindero del Rancho de D. Don Antonio  
 Estudillo y se midieron dos leguas de esta parte se tiro la  
 Cordel cuerda de oriente al rumbo del poniente Habiendome me-  
 dido quatro leguas, las q. remataron en el segundo lindero del  
 Don Estudillo de cuyo lugar se rompio la ultima medicion la  
 q. concluyo en el poste-suelo de donde se comensaron los pri-  
 -meros medidas en donde tambien se fijaron las correspondientes  
 mojoneras y no habiendo manifestado objecion alguna q.  
 suspendiera las medidas, fueron concluidas estas del Rancho  
 de la Laguna a satisfaccion del interesado, al cual or-  
 -dine fusieron las respectivas mojoneras en los rumbos corres-  
 -pondientes y quedo entendido. Habiendo manifestado aquellos  
 en señal de posesion, lo q. autorizo y firmo con los  
 testigos de asse segun Dno

Vicente Moraga

Juan M. Narro  
Nauan Aguilar

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En dicho día mes y año habiendo concluido las diligencias de este expediente perteneciente al Sr. D. Juan de la Laguna, Alcalde testamento de D. Juan de la Laguna interesado en ellas para su seguridad y uso g. le convenia. El Ciudadano Juan Maria Marron Alcalde primero de esta jurisdicción así lo promueve y como con los testigos de aforización que son D. Juan de la Laguna

Presente  
D. Juan de la Laguna

Juan M. Marron  
Juan de la Laguna  
Nathan Aguilar +

En el mismo día mes y año queda librado el interesado del testimonio g. se refiere en el auto anterior y por constancia lo rubrique

Alcalde  
Juan de la Laguna  
Oct 16<sup>ta</sup> 1852

Jos. Juan de la Laguna  
Secretario

Seal of the South Clay 25 etc

Translation of  
Jud<sup>o</sup> possession

Qualified provisionally for the Chartered Custom House  
of the Port of Monterey in the Department of the Californias  
for the year 1843  
Micheletoreno Manuel Cortanous

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In the Ranch of San Diego of Alta California on the  
twelfth day of the month of July One thousand Eight hundred  
and forty four, Condescending to the petition of the Sr Don  
Julian Maurequez, a resident of the City of Soledad, Esp. to  
the end that the corresponding possession may be given of the  
tract and Ranch called the Laguna de Semecula granted by  
the Government of this Department, the title of which accompa-  
nies his petition. I went with the witnesses of my assistance  
to the tract referred to and proceeded to give the possession  
indicated, after previous citation to the adjoining neighbors  
governing myself by the title before mentioned, which has  
been conferred by the M. E. Sr. Governor Sr Manuel  
Micheletoreno dated the seventh of June One thousand  
Eight hundred and forty four

The City Sr Juan Maria Barron Just Alcade of this  
Jurisdiction thus I approve order and sign it in the presence  
of the witnesses mentioned of my assistance with I  
acted as Secretary in the point referred to according  
to Law

as. Vicente Moraga Juan Maria Barron  
as. Ramon Aguilar

In the Ranch of the Laguna at the twelfth day  
of the month referred to same year. The same Alcade  
for the purpose of executing these investigations (diligen-  
cias) appointed two men as Godbearers to whom I caused  
the appointment to be made known, which they accepted  
under oath, which they assented to offering to discharge faith-  
fully their trust which I authorized and sign with the

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assistant witnesses according to law, which I attest  
 Juan Maria Carron  
 asse Vicente Moraga - asse Ramon Aguilar  
 On the same day month and year being at the place  
 of the Laguna for the purpose of verifying the measurements  
 and paper of D. Julian Carriguez to the tract of the Laguna  
 referred to, all the requisites of the law having been previously  
 performed and being in the presence of my assistant witnesses  
 and cord bearers, I caused a cord to be measured, which con-  
 tained one hundred varas. And fastened to the end, some  
 wooden stakes, after previous observation and calculation  
 for my direction, the cord was stretched from the gap of the  
 Laguna on the side of the place of the Temascal, in a di-  
 rection towards the North, there were measured four leagues,  
 which terminated in the top of the Canon looking to the  
 South. An Alder tree having been marked for a boundary  
 which tree is the division on the side of Temascal, hence  
 the cord was stretched in a direction to the North West, which  
 terminated at the boundary of the Ranch of D. Antonio Estu-  
 dillo and there measured two leagues - From this point the  
 rope was stretched from the East in a direction to the  
 West four leagues having been measured which terminated  
 at the second boundary of Senor Estudillo. From which  
 place the last measurement was abruptly taken, which  
 concluded at the gap, whence the first measurement  
 commenced in which (measurements) the corresponding land  
 marks were also fixed, and no objection having been  
 manifested, which should suspend the measurements, these  
 of the ranch of Laguna were concluded to satisfaction  
 of the party interested, to which I ordered the correspon-  
 ding land marks to be placed in the respective directions,  
 and I left it well understood having designated three  
 in sign of paper from all of which I authorize  
 and subscribe to with my assistant witnesses  
 Juan Maria Carron  
 asse Vicente Moraga asse Ramon Aguilar

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On the same day Smith and Glen the party  
intercepted was presented with the testimony that was  
referred to in the Superior Act and for evidence of give  
the the Public

*[Signature]*

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Filed in Office Sep 18th 1859

Geo. Fisher  
*[Signature]*

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Dependiente  
Promovido por Sr. Julian Mauriquez  
la pretension del Senor de Simicula

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Excmo. Sr. Gobernador del Departamento

Document  
No. 1 H. H.  
Annexed to the  
Dep. of  
Santiago E. Arzuello

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El Ciudadano Julian Mauriquez vecino de los  
Azuales y residente en el Rancho de Santa Anna, ante V.E.  
como mas haya lugar su derecho y con el debido respeto  
parece y dice: Que siendo poseedor de algunos numeros de ganado  
y parcelas de un terreno propio para su conservacion y  
uso. Solicito el pasaje de la Laguna de Temuculo en la es-  
tacion de seis sitios segun pide mas o menos. Manifiesta el  
deseo que unido a los informes tenga el honor de acom-  
panar a V.E. Al dirigirme por esta otra vez a V.E.  
tengo la necesidad de implorar el favor del Gobierno  
asi como la confianza de que no habiendo obstaculo que  
impida la consecucion. S.E. desearia conformo tuvo a bien  
aprecarme por decreto anterior su mi instancia sobre la  
solicitud del pasaje de San Juan a que<sup>no</sup> hubo lugar  
por lo que

A V.E. fecho y ruidosamente suplico tenga  
la bondad de concederme su propiedad el pasaje  
que pretendo por estar absolutamente valdido y tener  
bastante necesidad de asegurar mis bienes para la man-  
tencion de mi preciosa familia, asi lo espero de la  
recta justificacion de V.E. protestando lo necesario de  
Responsandome el uso del papel correspondiente  
por falta de el en el lugar = y Azules y Mayo  
27 de 1844 = Arroyo de Julian Mauriquez =  
Juan Paudin = Montevideo Junio 4. de 1844 =  
Informe el Sr. Secre. del Despacho tomando otros  
si las creiere necesario = Michelthoruss  
Excmo. Sr. Gobernador = En el informe del Cuzco  
de los Azules y del Encargado de San Juan Rey pa-  
rese que no hay inconveniente alguno para que se  
conceda el terreno que se pretende y para orgi-  
narme mas del Estado su que se halla e dho  
pasaje me informe de N. Audus Pico por tener  
conocimiento practico de el. y por las noticias

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mas atenciones que me dio corroboran las informes que  
aprace en este expediente y resulta por toda que se  
pueda conceder el pasaje. Con los modificaciones Cor-  
respondientes a los linderos al tiempo de fijarse al interes-  
ado Sr. V. B. tubiese habido Concedido la gracia que  
pido - (ha la misma) - Manuel Jimeno - An-  
tonio Lemos y de 1844 - Concedido como solicita  
el interesado sujeta a los linderos de la finca  
la punta de la Laguna o el lado de Tancula y  
los linderos del Semanal asi como las condiciones  
que ofrece - Micheltoreo - Suor alcalde 1.º y  
Dize de 1.º just.ª de esta Ciudad - Julian Mauriquiz  
vecino de esta municipalidad y presidente en el  
Rancho de San Anna ante V. con el debido respeto pa-  
rezco y digo: que teniendo un numero de mas de  
mil y quinientos caballos de ganado de toda clase  
y este estar pastando en terrenos agrios por gracia  
que me concedis el propietario de dho Rancho; me  
huyo en la necesidad de implorar la indulgencia  
del Excmo Señor Gobernador del Departamento a fin  
de obtener el pasaje de Laguna de Tancula que man-  
ifiesta el adjunto descuro. Al dirigirme a V. tengo  
por objeto suplicarle se sirva dar su informe cuyo  
requisito indispensable salvara la demora que neces-  
ariamente deberia tener el Expediente. Pues siendo  
ya preciso sacar los buecos del lugar que hoy ocupan  
debe evitar el retardo - Tambien tengo el honor  
de acompañar un documento de seguridad que me  
dio el encargado en San Rey por el cual se  
acredita que el pasaje que pretende esta absoluta-  
mente posible; por todo lo expuesto - A V.  
Señor Dize Jimeno y suplico se sirva dar su informe  
como crea de justicia. Y Concluido espero tendra  
V. a bien devolverme la presente para llevarla al  
Superior Gobierno con la peticion respectiva.  
Juro no ser de malicia y lo necesaria de -  
Aguilera y Mayo 21 del 1844 - Arroyo de Julian



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Mauriquez y Juan Paudini - Administracion  
 de San Luis Rey - Por cuanto el Ciudadano Tulcan  
 Mauriquez desea solicitar del Superior Gobierno  
 Departamental, el paraje de la Laguna perteneciente  
 al Rancho de Temucula, sea presentado en esta si  
 toda o en acervo a si la Mision no tiene ocupado,  
 o si se gravara en algo en caso de que lo verifique  
 y lo consiga, y en obsequio de la verdad dire que el  
 mencionada paraje se halla <sup>presentemente</sup> absolutamente baldio,  
 y bien puede solicitarlo el Sr. Mauriquez satisfiendose  
 de que en nada grava a la finca - Hado en la  
 Division de San Luis Rey a 16 de Mayo de 1844 - Jose  
 Joaquin Ortega - Angelis Mayo 22 de 1844 - Por pre-  
 sentado y admitido en cuanto ha lugar a derecho. espe-  
 cialmente que este suscribe esta satisfecho de que el  
 solicitante tiene un numero respetable de ganado que  
 carece de sitio adonde colocarlos. que el paraje que  
 pide de la Laguna de Temucula se halla absoluta-  
 mente baldio, que no hay falta a la mision como lo  
 comprueba el documento del Administrador de San  
 Luis Rey, que el terreno se halla fuera de las veinte le-  
 guas limitrofes y diez literales, y que el que solicita  
 tiene todos los requisitos prevenidos por la ley pero diri-  
 jase al Excmo Sr. Gobernador para que si S. E.  
 tiene a bien lo conceda en vista de estos informes. Asi  
 yo Manuel Requena Alcalde 1º Constitucional decrete  
 y firme con los de just. segun derecho -

Manuel Requena - asen - Y para formal  
 - apertencia - Manuel Requena

Al copia sacada fielmente de su  
 original cuyo Expediente obra en la Secret. de  
 Gobierno y que certifico

Juan Paudini  
 Sr. del Despacho

Filed in Office Oct. 16. 1852

Geo. Fisher Secy

Documento  
No. 2. H. H.  
Anexo a la  
Ley de S. E.  
Aguillo

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Señor Juan de los Rios  
Habilitado Provisionalmente por la Armada Maritima  
del Puerto de Monterey en el Departamento de las Cali-  
fornias para los años de mil ochocientos Cuarenta y cua-  
tro y mil ochocientos Cuarenta y cinco  
Micheltoreau Pablo de la Guerra

Cada  
Alarido  
de  
E. Marty  
El Sr. Manuel Micheltoreau  
General de Brigada del Ejercito  
Mijicano Ayudante General de la  
Plana Mayor del mismo. Gobernador, Constitucional  
Comandante General y Inspector del Departamento  
de las Californias

Por cuanto el Ciudadano Julian Mauri-  
quez ha pretendido para su beneficio personal y el de su  
familia el pago conocido con el nombre de Dimeculla  
por la parte de la Laguna, colindante con el Rancho  
de San Jacinto, con el del Temescal y con la punta  
de la espigada Laguna de Dimeculla: Por la parte  
de la Laguna; Practicadas porraamente 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  
a acordarle el terreno mencionado de clararle  
la propiedad de el por las presentes letras sujetandole  
a la aprobacion de la Excmo Asamblea Departamental  
y bajo las condiciones siguientes

1.ª No podra venderlo, enajenarlo ni  
hipotecarlo, ni ponerlo en vinculo, fidejuzgo, hipoteca,  
ni otro gravamen alguno

2.ª Podra buscarlo sin perjudicar las  
travesias, caminos y servidumbres: lo disfrutara  
libre y exclusivamente destinandole al uso de cultivo  
que mas le acomode pero dentro de un año fabri-  
cara <sup>casa</sup> y estara habitada

3.ª Solicitara del Juez respectivo que le

de la posesion juridica en virtud de este despacho  
por el cual demarcaran por lindes su propia linderos  
quedan a mas de los mayores algunos arboles, frutales  
o silvestres de alguna utilidad

4º El terreno de que se hace donacion  
es de tres sitios de ganado mayor poco mas o menos  
segun explica el deseno respectivo. El juez que tiene  
la posesion lo hara medir conforme a ordenanza que-  
dando el sobrante que resulte a la nacion para los  
usos convenientes

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5º Si contraviniere a estas condiciones  
perderá su derecho al terreno y sera decomisado  
por otro

En consecuencia manda que sirvan solo  
de titulo el presente y teniendose por firme y valido  
se tome razon de el en el libro a que corresponde  
y se entregue al interesado para su resguardo y  
de sus fines. Dado en Montevideo a siete  
de junio de mil ochocientos cuarenta y cuatro

Alfonso Jimenez

Alfonso Michelena

Queda tomada razon en el libro respectivo  
a P. P. Vento

Jimenez

Filed in office Oct 10. 1852

Alfonso Michelena  
Secty

This instrument made and entered into this Eleventh day of November in the year four thousand eight hundred and fifty one, by and between Trinidad Romoquez widow of Julian Mauriquez and Manuel Mauriquez and Juan Mauriquez children and heirs of the said Julian Mauriquez of the first part and Abel Stearns of the second part witnesses all of the County of Los Angeles and State of California; Now this instrument witnesses that for and in consideration of the sum of four thousand two hundred and fifteen dollars by the said party of the second part to the said parties of the first part in hand paid at and before the sealing and delivering of these presents the receipt whereof is hereby acknowledged, the parties of the first part have granted, bargained and sold assigned and transferred and conveyed, and by these presents do grant bargain and sell assign transfer and convey unto the said Abel Stearns his heirs and assigns forever all the right title and interest and claim whatsoever, which the said Trinidad Romoquez as widow of the said Julian Mauriquez, and the said Manuel Mauriquez and Juan Mauriquez as children and heirs of the said Julian Mauriquez and which all or either of them have possess, hold or of right are entitled to in a certain tract of land and Rancho lying and being in the County of San Diego & State of California, which said tract of land is known by the name of the Rancho of Laguna, and is also known and described as follows to wit; Said tract of land being the same which was granted to the said Julian Mauriquez on the seventh day of June in the year one thousand eight hundred and forty four by Manuel Micheltonno Governor of the Department of California and in the title thereof signed by the said Micheltonno, is declared to have for its boundaries the Rancho of Comucula, San Jacinto, and Temescal, and in the act and proceedings of judicial possession given to said Julian Mauriquez by Juan Marron on the

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twelfth day of June in the year One thousand eight hundred and forty four is further described as follows to wit: Beginning at the Northernmost point of the valley of the Laguna on the side next to Semecul, and running four leagues in a southerly direction to the entrance of the Canada of Semecula to a point on the hill next to Tequela where was placed an Alder stake as the boundary, thence running two leagues in a North Easterly direction to the Rancho and Land belonging to Don Antonio Estudillo, thence four leagues on the boundary of said last mentioned land of Estudillo, and in a North Westerly direction; thence in a direct line to the point of beginning.

To have and to hold the said tract of Land and every part thereof with all the appurtenances thereto belonging unto him the said Abel Stearns and his heirs and assigns forever. And the said parties of the first part for themselves their assigns, Executors and administrators, Covenant to stand with the said Party of the second part and his heirs, assigns, Executors and administrators, that they the said Party of the first part are seized in fee simple of the above described tract of Land and premises and have a good and lawful right to sell and convey the same and that the said Land and premises are free and clear from all and every incumbrance and the title to said Land and premises unto him the said Party of the second part and his heirs and assigns forever. They the said parties of the first for themselves their heirs, Executors and administrators do and will warrant and defend forever against any and all persons, governments or governments whatsoever lawfully claiming the same.

In testimony whereof the said Don Manuel Dominguez, Manuel Marquez, and Juan Marquez have hereunto subscribed their Names and affixed their seals on this eleventh day of November in the year One thousand Eight hundred and fifty one

Manuel Dominguez  
Manuel Marquez

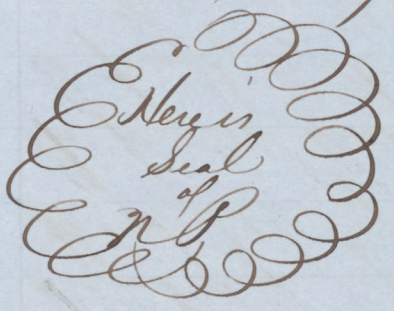
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Manuel <sup>de</sup> + Laurequez <sup>Escal</sup>  
mauca  
Juan Laurequez <sup>Escal</sup>

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State of California  
County of Los Angeles

On the seventh day of November A.D. 1851 personally appeared before me the said Wm. S. Hayden a Notary Public in and for said County, Manuel Amunquez, Manuel Laurequez and Juan Laurequez known to me to be the persons described in and who executed the foregoing instrument who acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned. In testimony whereof I have hereunto subscribed my name as such Notary Public and have affixed my notarial seal at the City of Los Angeles in said County on the day and year first aforesaid



W. S. Hayden  
Notary Public

Read & recorded in Book C Pages  
395, 396 & 397 & 398 Nov 21<sup>st</sup> 1851. at half past  
12 o'clock P.M.

M. Matrell Secy  
Geo. S. Wood Atty

I certify the above to be a true copy of the  
original

Luis Gonzalez

Filed in office Sept 18. 1852

Geo. Fisher Secy

Opinion  
of the  
Board

by  
Com<sup>r</sup> A. S. Hill

Abel Stearns

The United States

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of the place called La  
Laguna in San Diego County  
containing three square leagues  
if said

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The petitioner has given the proper documentary evidence of a grant of the land claimed by Governor Melletto to Julian Mauriquez on the 4<sup>th</sup> day of June 1844 and of the act of the proper magistrature giving judicial possession of the same on the 12<sup>th</sup> day of July 1844. The limits and boundaries of the premises are defined with a good degree of certainty. The grantee was required by the conditions of his grant to build a house and occupy the premises within a year the performance of which is proved by the deposition of Santiago Casquillo.

He occupied the premises until his death which is proved to have occurred in 1849 or 1850. The present claimant Abel Stearns derived title from his deis, and has given in evidence a deed of the property to him dated November 11<sup>th</sup> 1851, and executed by Trinidad Romuquez, Manuel Mauriquez and Juan Mauriquez the first named of whom is proved to be the brother and the last two the only children of said Julian Mauriquez, under which claimant succeeded to the right of the grantee in the premises and is entitled to a confirmation

Confirmed

Filed in office Feb. 7 14<sup>th</sup> 1854  
Geo. S. Hill  
Secy

Abel Stearns  
vs  
The United States

Declaratory

Recd  
of  
Confirmation

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

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The land of which confirmation is hereby made is known by the name of Las Sagunas (being that part of Semicula known as Las Sagunas situated in the County of San Diego, and in the occupancy of the claimant and bounded and described as follows to-wit; Commencing at the gap of the Sagunas on the side of the place of the Bemercal and thence running in a direction towards the mouth to a pass of the Cañon looking to the South four leagues terminating at an Alder tree which has been marked as a boundary which tree is the division on the side of Semicula; thence in a direction towards the northwest ~~three~~ leagues terminating at the boundary of Don Antonio Estudillo; thence in a direction to the west four leagues terminating at the second boundary of said Estudillo; and thence in a direct line to the gap where is the place of commencement the same containing three square leagues of land more or less - reference for the same to be had to the original grant and the record of judicial proceeding and the map attached to the traced copy of the Espediente, all of which are on file in this case.

Alphus Kelly  
Thompson Campbell  
R. Aug. Thompson  
C. Campbell  
C. Thompson

Act in office July 17<sup>th</sup> 1854  
G. S. S. S.  
S. S.



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

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Office of the Board of Commis-  
sioners to ascertain & settle the private  
Land Claims in the State of California

George B. Fisher Secretary to the Board of Commis-  
sioners to ascertain and settle the private Land Claims  
in the State of California do hereby certify the foregoing  
three five pages numbered from 1 to 35 both inclusive  
to contain a true, correct and full Transcript of the  
Records 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  
grounded on file in this office in Case No 346 on  
the Docket of the said Board wherein Abel  
Stearns is the Claimant against the United States  
for the place known by the Name of "La Laguna"

Seal

Attest my Chief. I hereunto set my hand  
and affix my private Seal (not having a  
Seal of Office) at San Francisco Cali-  
fornia this thirtieth day of October  
A.D. 1854 and of the Independence  
of the United States of America the  
twenty ninth

Geo B Fisher  
Secy

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

Abel Stearns, App<sup>ty</sup> 3 Docket No. 161.

vs. <sup>ad;</sup> The United States, app<sup>t</sup> 3 Transcript No. 346.

Petition  
for  
Review

To the Hon. Isaac S. Keiser, Judge.

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The Section of Pacific Aid, a resident of said City, County and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court in the name and behalf of the United States represents as follows

That herebefore to wit; on or about the 18<sup>th</sup> day of September A.D. 1852, Abel Stearns presented a petition to the Commissioners to ascertain and settle the private Land Claims in the State of California when sitting as a Board concerning a tract of land called La Laguna situate in the County of San Diego, State of California which said petition is referred to for a description of the land claimed a copy of which appears in the Transcript hereafter referred to.

That thereafter to wit; on or about the 14<sup>th</sup> day of February A.D. 1854 the said Commissioners, confirmed by final decision, the said claim of said petitioner.

That thereafter to wit; on or about the 8<sup>th</sup> day of November A.D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners, in said cause and the papers and evidence on which the said opinion was founded, was filed in the office of the clerk of the District Court of the United States for the Southern District of California and marked No. 346; reference to which it is prayed may be had and made a part of this petition.

That on or about the 28<sup>th</sup> day of September A.D. 1854, the Honorable Caleb Cushing Attorney General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners

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Office of the Attorney General of the United States  
Washington 17<sup>th</sup> January 1855

Abel Stearns

vs  
The United States

3 346  
3

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Notice of  
Appeal

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 28<sup>th</sup> day of  
September 1854 the appeal in the District Court of the  
United States for the Southern District of California  
will be prosecuted by the United States

L. Cushing  
Attorney General

Filed July 27<sup>th</sup> 1855  
J. Farr etc

Office of the Attorney General of the  
United States

Washington 17<sup>th</sup> January 1855

Abel Stearns

vs  
The United States

3 346  
3

Notice of  
Appeal

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 28<sup>th</sup> day of September 1854 the ap-  
peal in the District Court of the United States for the Southern  
District of California will be prosecuted by the United States

L. Cushing  
Attorney General

Filed March 8<sup>th</sup> 1855  
J. Farr etc

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The City of Gaudeloupe Hidalgo. February 2<sup>d</sup> A.D. 1848

I, Wm. W. Chapman, the said, Sacerdos, Sec. Attorney of the United States for the Southern District of California for and in behalf of the United States, by reason of the premises, and in pursuance of the Act of Congress, entitled "An act to ascertain and settle the private Land Claims in the State of California" Approved March 3<sup>d</sup> A.D. 1851. And the laws and Statutes in such case made and provided, pray that the said Claimant or his attorney may be served with a copy of this Petition; And that this Honorable Court will review the said decision of said Commissioners, and reverse the same; And decide on the validity of the same, and decree the alleged title to be invalid; with Costs and general relief

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P. A. C.

Attorney of the United States for the Southern District of California

Filed Nov 8<sup>th</sup> 1855

W. W. Chapman

State of California United States District Court for and in the Southern District of California

Answer  
of  
Appellee

Abel Stearns, app. 3

The United States, app. 3

Case No. 161.  
Transcript No. 346  
"La Laguna"

And now comes the above named appellee, Abel Stearns by Jonathan W. Scott his attorney, and for answer makes to the Petition for review filed in this case by the appellants says  
That his title to the lands in this case is good and valid

BYGE

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in said cause, and the papers and evidence on which said decision was founded; That thereafter to wit, on or about the 24th day of February A.D. 1853, the said attorney General of the United States, filed or caused to be filed with in behalf of the United States, a notice with the clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California would be prosecuted by the United States; Your Petitioner further represents that the land claimed as aforesaid is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your Petitioner further represents and insists that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside for many errors and imperfections of law and evidence apparent in said certified transcript of the proceedings and decision of said Commissioners in said cause filed and appealed from as aforesaid.

And your Petitioner denies all and singular each and every allegation in the said petition of said Claimant presented as aforesaid to said Commissioners. And your Petitioner further denies that the said Claimant has any valid right or title to said land claimed as aforesaid or any part thereof.

And no sufficient proof having been made after the allegations in said petition to said Commissioners or in support of the said claim no decision affirming the same should have been made by said Commissioners, but the said claim should have been rejected by them.

And the said Claimant having no valid right or title derived from the Spanish or Mexican Governments to the land claimed as aforesaid the lawful right and title in and to the said land was acquired by and it now belongs to the United States by virtue of Congress, and the Treaty of Peace, Friendship, Limits and Settlement between the United States and the Republic of Mexico, made at

4

Wherefore I pray the judgment of this Honorable Court that the decision of the United States Board of Land Commissioners may be affirmed, and his title to the lands claimed in this case may be deemed to be valid, and for costs by him therein expended, and for such other or further and general relief as shall be agreeable to equity and good conscience, and the nature of his case may require.

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J. R. Scott  
Attorney for Appellee

Filed Nov 22 1855

C. E. Clark  
Clerk

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

Motion and Affidavit for New Trial

Shelton, Appa 3  
vs  
The United States, Appl. 3  
Case No. 161.  
"La Laguna"  
Trancript 346.

And now comes the appellee by J. R. Scott his Attorney and moves the Court to set aside the finding heretofore made in this case, and grant a new trial, and in support of his motion, Appellee relies on the affidavit hereto annexed, and on his own affidavit filed herewith

Jonathan R. Scott being duly sworn deposes and says, That he is Attorney for the appellee in the above entitled cause, and is well acquainted with the facts in this case, and that he affiant verily believes that if this Honorable Court grants a new trial in this cause, there exists evidence to show

the boundaries of the lands claimed called La Laguna  
claimed in this case, which the appellee will offer to this  
Hon' Court, and that this case was submitted inadvertently  
under the belief that the evidence herein was sufficient to  
procure a confirmation of the claim & believing that said  
boundaries were sufficiently described in the act of judi-  
cial profession wholly to locate said land

J. H. Scott

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Sworn to & subscribed  
before me this 11<sup>th</sup> day  
of February A.D. 1856  
C. E. Carr etc

Filed Feb 11<sup>th</sup> 1856  
C. E. Carr etc

Applicant of  
Abel Stearns

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

Abel Stearns, App<sup>er</sup> 3  
ad. 3  
The United States, app<sup>t</sup> 3  
No 161.  
"La Laguna"

State of California 3  
County of Los Angeles 3  
J. S.

Abel Stearns being duly  
sworn deposes & says that he is the appellee in the above case  
entitled cause, and is informed and believes <sup>that</sup> a new trial  
be granted in this cause. He can prove the identity of the boundaries  
of the lands claimed in this case, by the testimony of J. S.  
Warner, Antonio F. Coronel and Juan Maurer.

Sworn to & subscribed before me 3  
this 11<sup>th</sup> day of February 1856 3  
Filed Feb 11<sup>th</sup> 1856 3  
C. E. Carr etc 3

Abel Stearns



Abel Stearns app<sup>ee</sup> vs  
The United States app<sup>ee</sup> vs  
No. 161  
"La Laguna"

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Deposition  
of  
J. J. Warner.

Deposition of John Warner a witness on the part of  
of Appellee in the above entitled cause taken by Consent of parties  
at San Diego, Feb. 14<sup>th</sup> 1856 before Charles E. Carr U.S. Com<sup>r</sup> for  
the State of California, Present J. Q. W. Gatty. J. R. Scott  
Council for Appellee

John Warner being duly sworn in reply to questions  
propounded by Council for the several parties answers as  
follows

Ques<sup>t</sup>: What is your name age & place of residence

Ans. My name is J. J. Warner, my age 48 years, my res-  
idence County of San Diego

Ques<sup>t</sup>: Do you know a Rancho called La Laguna or  
Semecula on the side of La Laguna, if yes how long  
have you known and in what County is it situated

Ans. I know a Rancho called La Laguna situated in  
the County of San Diego, not far from the lands now  
known as the lands of Semecula. I first passed  
over that tract of land in 1832, since July 1844  
I have been conversant with the place more  
intimately, this tract of land was formerly a part  
of the Rancho of Semecula and occupied by the  
Mission of San Luis Rey, being the North West extreme  
of the lands occupied by that mission. It was  
never called Semecula by the side of La Laguna  
to my knowledge

Ques<sup>t</sup>: State any person or persons occupying this Rancho  
of La Laguna within your knowledge previous to  
the year 1850

Ans. In 1832 and up to 1843, there was a Corral  
in the immediate vicinity of a lake situated on the  
tract which Corral was built and occupied by  
Leander Ferrans, the occupant of the Semecula when

had horses and cattle in the vicinity of said Corral and about  
 subsequent to 1844. It was occupied by Julian Mauriquez  
 Quest. Did you ever know Julian Mauriquez to occupy any other  
 place than this in San Diego County subsequent to the  
 year 1844

Ans. I did not as a Rancho  
 Quest. Do you know the boundaries of the tract of land  
 called La Laguna, if you state what Ranchos are  
 situated on either side of the same & their location  
 together with any other prominent landmarks and  
 their location, to designate the position of the land  
 (Objected to by the U. S. Atty)

Ans. I know some of the boundaries. The Rancho of Seme-  
 cal adjoins it upon the Northwesterly side. The Rancho  
 of San Jacinto lies upon the Easterly side of it. The  
 Rancho of Temecula as at this time defined lies upon  
 the South Easterly side, and the high bluff mountain  
 sometimes known as Santa Rosa lies upon its South  
 Westerly side, and a large lake of brackish water  
 is situated within these boundaries occupying a some-  
 what central location but rather upon the western  
 limits

Quest. Do you know a place called the point of the  
 Laguna on the side of a Cañada, if you state <sup>in</sup> what  
 part of this land is that point situated

Ans. I do not know a point of that name on the land  
 When I first knew this lake it extended to the South  
 West a considerable distance farther than at present  
 and there are shore marks showing that it had extended  
 still farther within a few years previous in a South-  
 easterly direction. Not far from this point there is  
 a Cañada called I believe Los Alisos

Quest. How far is the lake from the foot of the moun-  
 tain of Santa Rosa

Ans. The distance from the foot of the mountain of  
 Santa Rosa to the lake will vary from one half  
 to two miles & a half or three

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Quest. How far west generally across this land from the line of the Rancho of Semercal to the line of the Rancho of San Jacinto  
(Objected to by the U.S. Atty)

Ans. From the line of the Rancho of the Semercal of its nearest point to San Jacinto would not cross the land of the Laguna. These two Ranchos, extending further north than the Laguna, and their northern extremities being near together, a line running from the South East extremity of Semercal to the South West extremity of San Jacinto would cross the lands of the Laguna which line I think would be about 4 leagues long perhaps a little more

Quest. State whether or not the Ranchos of Semercal & San Jacinto join each other upon the northern side of the Rancho de la Laguna  
(Objected to by the U.S. Atty)

Ans. I do not know, but believe that they adjoin or approach each other very closely

Quest. State any other prominent land marks that bound this land of Laguna, and on what side are they situated  
(Objected to by the U.S. Atty)

Ans. The Mountain of Shuilliquelito lies upon the limb of the tract in an easterly course from the Lake, and the low place in the hills called Potesuelo in a westerly direction from the lake the Potesuelo separates of Semercal

Quest. State whether these different Ranchos and points which you have mentioned are well known and being at the present time the names you have mentioned

Ans. I believe they are <sup>by</sup> those conversant with and living in the vicinity of the place

Quest. Who occupied the Rancho of San Jacinto in 1844 & 1845

Ans. If occupied at all, it was occupied by Jose

Don Antonio Estudillo - Upon reflection I think Don Antonio Estudillo occupied it as early as 1844 or 1845. He occupied it as owner

Copy Examined by the U.S. Attorney

Quest

Is there or not a lake situated in the Northwest extremity of the Rancho of Amecula, which was formerly occupied by the mission of San Luis Rey, and if you state its locality & extent in the year 1844

Ans.

There is a lake in the northern extremity of Amecula, it has always been by the name of Lake of Amecula. It is a sheet of water of some four miles long and two broad miles wide, subject to extension & contraction by rains. Having no outlet a Range of mountains commencing at the Santa Ana River and running in a southeasterly direction until it unites with the principal range of mountains running through the Southern part of this State lies upon its Southwestern side and is known by various names. It is called Santa Ana at the South Eastern extremity of the Lake, Northwest of the Lake it is called Santa Ana, on the Eastern side of the Lake and nearly opposite it, terminates a chain of mountains commencing on the Santa Ana River near Paulino's Ranch of Guadalupe which chain runs in a southeasterly direction. These two chains of mountains approach very near each other a few miles northwesterly from the Lake. To the South East of the Lake, between the termination of this last described chain of mountains and the mountain of Santa Ana, there are some isolated peaks and hilly country. A road from the Santa Ana River to Pala and San Luis Rey mission passed along the Western margin of this Lake. I think this was the only road about there at that time. The longest way of the Laguna is from Northwest to South East.

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Quest. In what direction does Semicula lie from the Lake  
 Ans. In 1844 the buildings previously occupied by the  
 Mission on the Rancho of Semicula and the Corralles,  
 as well as the residence of the Indians of that  
 place were all in a southeasterly direction from  
 the Lake

Quest. Did you know a place called Semicul about  
 the year 1844, in the neighborhood of this Lake, & if you  
 state its general locality & character

Ans. I did. it is about 14 miles from the Lake north-  
 westerly, the House on which are near that point  
 where the two ranges of mountains before described  
 approach nearest to each other. It was in 1844  
 a stock and agricultural Rancho & still is

Quest. Did you know a place or Rancho, called  
 San Jacinto in 1844, in the neighborhood of this  
 Lake & if you, state its locality & character

Ans. Yes, it is situated easterly from the Lake  
 It was a stock Rancho. The house upon which  
 is about 14 miles to the nearest point of the Lake

Quest. Have you or not ever been on the land lying to  
 the Northwest or East of the Lake & towards  
 San Jacinto & Semicul & if you state the char-  
 acter of the land with regard to its natural  
 features & known localities

Ans. I have. On the Northwest towards the Semicul  
 the land in the immediate vicinity of the Lake  
 rise gradually as you recede from it. And affords  
 some pasture. It then becomes a Chausal and  
 at the distance of four or five miles is much  
 broken and cut by ravines. On the side of the  
 Lake towards San Jacinto in the immediate vi-  
 cinity of the Lake is a mountain of a barrier  
 nature, to the East of which the country is  
 more open & level or of a dry & sterile  
 nature

(The examination in which resumed)

Quest. State whether or not the Lake which you described in your answer to the first question on your cross Examination as the same you had already described in your direct Examination as being on the Rancho in question

Ans. This - There is but one lake in all that County

Sworn Subscribed this 14<sup>th</sup> Day of July 1856 before me  
J. J. Warner  
J. E. Carr  
W. S. Combs

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Filed July 14<sup>th</sup> 1856  
J. E. Carr

Deponent  
of  
Antonio Hornel

Wm. H. Sears, Appell.  
vs  
The United States, Appell.  
No. 101.

Deponent of Antonio Hornel a witness on the part of the Appellee in the above entitled Cause taken at Los Angeles July 14<sup>th</sup> 1856 before Charles E. Carr U.S. Comm. for the State of California.

Present J. Ord U.S. Atty & J. H. Scott Attorney for Appellee

W. S. Allamand was sworn as Interpreter. Antonio Hornel being duly sworn in answer to questions propounded by Counsel for the several Parties states as follows

Quest. What is your name age & place of residence

Ans. My name is Antonio Hornel, my age is 38 years  
My residence County of Los Angeles

Quest. Do you know a Rancho called La Laguna if so how long have you known the same and in what County is the same situated

Ans<sup>n</sup> I know a part of it. I have known it for about 16 years. It is now in the County of San Diego.

Quest<sup>n</sup> Within what Jurisdiction was it before the change of Government

Ans<sup>n</sup> In the Jurisdiction of San Diego. I think but am not certain

Quest<sup>n</sup> State whether or not the place called La Laguna is a place generally well known

Ans<sup>n</sup> It is well known

Quest<sup>n</sup> Do you know the Rancho called Temecula

Ans<sup>n</sup> I do

Quest<sup>n</sup> State if you know whether the Rancho called Temecula adjoins the Rancho called La Laguna. if so upon which side of the Rancho of La Laguna is the Rancho of Temecula situated

(objection to by W.S. Atty)  
Ans<sup>n</sup> They do adjoin each other. Temecula is about South East from La Laguna

Quest<sup>n</sup> State any other Ranchos that adjoin that of La Laguna and the direction in which from it  
(objection to by the W.S. Atty)

Ans<sup>n</sup> A Rancho called Temecula also adjoins La Laguna to the West

Quest<sup>n</sup> State what other Rancho adjoins La Laguna & its direction (objection to by W.S. Atty)

Ans<sup>n</sup> Santa Rosa. but this I do not know of my own knowledge. I do not know the land marks

Quest<sup>n</sup> Do you know the Rancho of San Jacinto

Ans<sup>n</sup> I do not

Quest<sup>n</sup> In what direction is the Rancho of Santa Rosa from the Rancho of La Laguna

Ans<sup>n</sup> I think a little West of South. I only know the Rancho of La Laguna from seeing it as I passed along the road. I have seen the houses several times but do not know the Rancho well

Quest<sup>n</sup> State any well known points or places that surround the Rancho of La Laguna and upon

What side of said tract of land each point you name is situated (objected to by the U.S. Atty.)

Ans. All I know is the land mark on the side towards Temucula, which are the hills of San Miguelito. The hills of Santa Rosa are also a prominent Land mark

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Quest. On what side of La Laguna are the hills of Santa Rosa

Ans. A little west of south between south and west

Quest. State any other object mountains or hills that surround this place (objected to by the U.S. Atty.)

Ans. I do not remember, it is a long time since I passed then the Laguna is surrounded with hills

Quest. State what are the names of the hills that surround La Laguna (objected to by the U.S. Atty.)

Ans. I do not know their names, the only hills near the Laguna that I know are the mountains of Santa Rosa

Quest. Do you know a place called the Canada on the side of the Laguna

Ans. I do not remember

Quest. State whether or not you were present when the line of the Rancho of Temucula next to La Laguna was run. If so state when that was and give a description of the natural Land mark of the line (objected to by the U.S. Atty.)

Ans. I was as an agent of the owner. I don't remember exactly it was in 1845 or 1846. Jose Ramon Arguello gave the paper. The end of the line which is at the mountain is between West & North. I do not recollect exactly the course. One of the land marks is a Rocky Point in the mountains of Santa Rosa the direction from the mountain of San Miguelito to the mountain of Santa Rosa is between south & west more south than west, but I don't remember exactly as it is some years since I was there



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Prof Examined by H. B. Atty

Quest. From what source have you obtained your information in relation to the land mark on the side of towards Lemeula which you have before mentioned

Ans I went there as agent of the owner to receive the possession of Lemeula which then belonged to Luis Vignes. The line was run while I was there I derived my information from the owners who pointed out the landmarks at the time judicial possession of Lemeula was given. Lemeula had formerly belonged to Valdez, but that time was owned by Luis Vignes

A. H. Howard

Sworn to & subscribed  
before me this 14<sup>th</sup> day of  
February 1856

J. E. Carr  
U.S. Commr

Filed Feb 14<sup>th</sup> 1856  
J. E. Carr dk

Deposition  
of  
J. J. Warner

Alfred Stearns, app<sup>te</sup> 3  
ad 3 No 161  
The United States, app<sup>te</sup> 3

Deposition of J. J. Warner a witness  
on the part of appellee, taken in Open Court,  
at Los Angeles Feb 15<sup>th</sup> 1856 on the trial of said  
Cause

Present J. E. Carr H. B. Atty. W. Scott At-  
torney for appellee

J. J. Warner being duly sworn  
answers to questions propounded by Counsel  
for the several parties as follows, namely

Quest. What is your name age and place  
of residence

Ans My name is J. Warner my age is 48 years. my residence the County of San Diego

Quest Do you know a place called La Laguna, if so where is it situated

Ans I do know it is situated in the County of San Diego

Quest Is this place called La Laguna & generally known by that name

Ans Yes it is well known by that name in the County where it is situated and the Counties of Los Angeles and San Bernardino

Quest Do you know a place called San Jacinto if so state whether where the same is situated state whether the place is well known by that name

Ans I know a place called San Jacinto in the County of San Diego. It is an extended plain with isolated mountains & hills upon it and lies to the South West of the place, base of the well known & prominent mountain of San Jacinto. The land has been well known ever since my residence in this County which has been twenty four years

Quest State the location of the place called San Jacinto as regards the place called La Laguna whether or not it adjoins the same, if so, what side

Ans The buildings upon the Rancho of San Jacinto are easterly. It lies upon the easterly side & I have always understood that they adjoined

Quest State whether you know a place called Lemerca if so state whether it is well known by that name and on which side of La Laguna it is situated

Ans I know the place. It is well known throughout the neighboring Country. It lies on the North West of the lands of La Laguna

Quest State anything you know as to whether the

places of Demescal and San Jacinto adjoin each other north of the place called La Laguna (objected to by the W. S. Atty, and objection overruled)

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Ques: I have always understood that they adjoined  
Awt: No you know a place called Demecula if so where is the same situated as regards the place called La Laguna and in what direction

Awt: I know the place it lies on the south east of the Laguna lands

Ques: State whether or not they are adjoining

Awt: As known since 1844 they adjoin

Ques: In your testimony of yesterday taken in this cause before Commissioner East Elmer upon the Cross Examination you gave the distance from the lake to the place called Demescal. Explain to what part of the Demescal you meant to give the distance

Awt: The distance had reference to the houses on the Rancho of Demescal

Ques: From the lake to the nearest point of the Demescal what is the distance

Awt: I think about 6 or 7 miles

Ques: When you spoke of the distance in the same Examination from the lake to the Rancho of San Jacinto what part of the Rancho did you mean

Awt: The farm house on San Jacinto

Ques: From the lake to the nearest point of San Jacinto what is the distance

Awt: I think some seven or eight miles

Ques: State any other well known places different from those you have mentioned that adjoin the place of La Laguna

Awt: The mountains of Santa Rosa lies along the southwesterly side of this tract

Ques: Look upon the map here shown you contained in the Transcript in this cause and say from

the same and the points therein named you recog-  
nize it as a representation of the place called  
La Laguna

Ans - I think I should

Prof Examined by the U.S. Atty

Ques - What is the place delineated on said map in  
form of a square & marked as "Corral"

Ans - It is marked here "Terales de Corral Lim Agua".  
I have never been at that immediate vicinity lo-  
cality & have never seen that enclosure. It is  
not the Corral referred to in my deposition yes-  
terday as having been occupied by Lorenzo  
Gerrard

J. J. Warner

Subscribed & sworn to  
before me this 15<sup>th</sup> day  
of July 1856

J. C. Carr  
J. C. Carr

Filed July 15<sup>th</sup> 1856

J. C. Carr  
J. C. Carr

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

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Rebel Steam 3  
Appellee 3  
vs 3  
The United States 3  
Appellant 3  
Case No 161.  
Trancrupt No 346  
"La Laguna"

Translation of Title. see Trancrupt Pages 31. and 32 "H. H. No 2"

Translation of Title

Third Stamp One Dollar  
Authorized Provisionally for the Maritime Custom House of the Port of Monterey in the Department of the California for the years One thousand eight hundred and forty four and one thousand eight hundred and forty five  
Nicheltoreus Pablo de la Guerra



The Citizen Manuel Nicheltoreus General of Brigade of the Mexican Army Adjutant General of the Staff of the same. Governor. Commandant General and Inspector of the Department of the California

Inasmuch as Citizen Julian Murgueta has solicited for his personal benefit and that of his family the tract of land known by the name of Temecula on the side of the Laguna adjoining the Rancho of San Jacinto that of Temescal and the point of the Laguna on the side of the Canada; the proper investigations and verifications having first been made as provided by the Laws and Regulations by virtue

of the powers conferred upon me in the Name of the Mex-  
ican Nation, I have decided to grant him the tract of  
land mentioned declaring to him the ownership of it by  
these presents subject to the Approval of the most Ex-  
cellent Departmental Assembly and under the following Con-  
ditions

1<sup>st</sup> He shall not have power to sell it, alienate  
it, nor hypothecate it, nor attach tax, entail, reversion  
mortgage or any other incumbrance

2<sup>nd</sup> He shall have power to inclose it without  
prejudicing the roads, highways and right of way. He  
shall enjoy it fully and exclusively, devoting it to the  
use or cultivation which may best suit him, but within  
a year he shall build a house and it shall be inhab-  
ited

3<sup>d</sup> He shall petition the proper Judge, that he  
may give him judicial possession by virtue of this Dis-  
patch by whom the boundaries shall be defined, at the  
extremities of which he shall place, besides the land  
marks, Great trees or forest trees of some utility

4<sup>th</sup> The tract of land of which Donation  
is made is of three square leagues a little more or  
less, as the proper map explains - The Judge who  
shall give possession shall cause it to be measured  
according to ordinance, the surplus, which may re-  
sult remaining to the Nation for the uses convenient

5<sup>th</sup> If he should violate these conditions he shall  
lose his right to the ~~land~~ tract of land, and it shall  
be subject to Renouncement by another

Therefore I order that these presents ser-  
vey him for a title, and being held for firm and valid  
record be made of them in the Book to which they  
pertain, and that they be delivered to the interested  
Party for his protection and other ends

Given at Monterey on the seventh of  
June, One thousand Eight hundred and forty four

Manuel Micheltoreno  
Secretary

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Recorded in the proper Book on page  
8. over the leaf  
Jimeno

Filed  
1855  
J. Farr  
clerk

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

Plene

Abel Stearns Appellant } No. 161.-  
ad, }  
The United States, Appellee } "La Laguna"

This cause coming on to be heard on appeal from  
the final decision of the United States Board of Land Com-  
missioners to ascertain and settle the private Land Claims  
in the State of California, under an act of Congress appro-  
ved March 3<sup>d</sup> 1851. on a transcript of the proceedings  
and decision of the said Board and of the papers and  
evidence upon which said decision was founded and it  
appearing to the Court that the said transcript and the  
notice of appeal have been duly filed according  
to law and Council for the respective parties have  
been heard

It is ordered adjudged and decreed

that the decision of the United States Board of Land Commissioners be and the same is hereby affirmed. And it is further adjudged and decreed that the claim of the above named Appellee is good and valid, and the same is hereby confirmed to the extent of three square leagues of land and no more within the following described boundaries to-wit;

On the East the Rancho of San Jacinto, on the West the Rancho of Temecula, on the North the above named Rancho, and on the South the point of the Lake next the Canada that lies on the side of the tract of land called Laguna next the Rancho of Temecula

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James H. Brown  
U.S. Dist. Judge

Filed March 5<sup>th</sup> 1856  
J. E. Carr.  
clerk

In the District Court of the United States for the Southern District of California  
Los Angeles December Term 1855

Appeal

Wm. Stearns } No. 161  
vs }  
appellee } (No 346 of Bancbook)  
The United States }  
appellant } On appeal from the United  
States Land Commission

On motion of Hon. Attorney of the United States for the Southern District of California, it is hereby  
Ordered by the Court that an appeal be granted the United States to the Supreme Court of the United States from the judgment of this Court against the said United States in the above intitled cause, rendered on or about the 15<sup>th</sup> day of February A.D. 1856



25

*J. A. A. Deputy*

*Filed March 4th 1856*

*L. E. Carr, clk*

*J. R. Morgan, Deputy*

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Office of the Attorney General of the United States,

Washington, 17th January 1855.

Abel Stearnes

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vs.

The United States.

} 346.

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 28th day of September 1854 the appeal in the district court of the United States for the *Southern* district of California will be prosecuted by the United States.

*Cushing*

Attorney General.

No 161.

U. S. District Court  
Southern District

The United States

vs -  
Shel Stearns -

Notice of appeal from City Court.

Filed Feb. 27<sup>th</sup> 1855.

J. S. Farr,  
clerk.

161.

Office of the Attorney General of the United States,

Washington, 17th January 1855.

Abel Stearns

vs.

The United States.

} 346.

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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 28th day of September 1854, the appeal in the district court of the United States for the ~~Western~~ Southern district of California will be prosecuted by the United States.

Clouting

Attorney General.

No 161.

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

The United States

vs.

Abel Stearns.

Appeal Notice.

Filed March 8<sup>th</sup> 1885.

C. E. Jan.  
clerk.

Office of the Attorney General of the United States,

Washington, 17th January 1855.

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Lori Maria Sanchez

vs.

The United States.

} 161.

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 28th day of September 1854, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Clauting

Attorney General.

No. 161

U.S. District Court  
Southern Dist of Cal.

The United States,

vs.

Jose Maria Sanchez,

appellant.

Filed March 8<sup>th</sup> 1888.

J. S. Farr,  
clerk.

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

CITY AND COUNTY OF LOS ANGELES--STATE OF CALIFORNIA.



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*Abel Stearns, App<sup>t</sup>*

*vs.*

*The United States, App<sup>t</sup>*

Docket No. 161.

Transcript No. 346.

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

The Petition of **Pacificus Ord**, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 18<sup>th</sup> day of September A. D. 1852, *Abel Stearns*

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land, called *La Laguna*, situate in the County of *San Diego* State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 14<sup>th</sup> day of February A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 8<sup>th</sup> day of November A. D. 1854, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. 346; reference to which it is prayed may be had and made part of this petition. That on or about the 28<sup>th</sup> day of September A. D. 1854, the Honorable *Caleb Cushing*, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and



evidence on which said decision was founded. That thereafter, to wit: <sup>namely</sup> on the 27<sup>th</sup> day of February A. D. 1855, the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

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

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

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

*P. Ord*

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

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No 161

U.S. District Court  
Southern Dist of Cal.

Abel Stearns app<sup>ca</sup>

vs.

The United States  
Appellant

Petition for Review

Filed Nov. 8<sup>th</sup> 1855

S. E. Can.  
clerk.

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J. Ord. U.S. Attorney

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

TO

The President of the United States,

*Abel Stearns*

161 SD

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GREETING :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against you, ~~and each of you~~, in the District Court of the United States, in and for the Southern District of California, on the *8<sup>th</sup>* day of *November* in the year of our Lord one thousand eight hundred and fifty-five at the City and County of Los Angeles, in said District, by

*J. Ord U.S. Attorney for the Southern District of California in behalf of the United States praying the said Court to review the decision of the U.S. Land Commissioners of the 14<sup>th</sup> day of February A.D. 1854 confirming your claim to the land called "La Laguna" situate in the County of San Diego and State of California, and appealed by the Attorney General of the United States*

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

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

*J. E. Jan.*

Clerk.



Marshall costs

Copying summons \$ - 60.  
Hwy. do. 3. -  
" Petition 3. -  
\$ 6. 00

2D

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

Abel Stearns, appellee,  
add. { No 166  
The United States, appellant.

**SUMMONS.**  
Rec'd nov 13<sup>th</sup> - 1855  
Edward Hunter  
U.S. Marshal  
161 SD

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I served this summons along with the proper copy of the petition upon *J.R. Scott*  
Attorney for *A Stearns* by delivering to  
him personally a true copy of the  
same

at *Los Angeles* in the Southern District of California on  
the *twentieth* day of *November* A. D. 1855

Sworn to and subscribed before me, *Nov 21,*  
*1855.* }  
*J. E. Law.* Clerk.

*Edward Hunter*  
U.S. Marshal

In the United States District Court, in  
and for the Southern District of California.

Abel Stearns } Case No 161

161 SD

Appellee

PAGE 114

vs

The United States

Transcript 346.

Appellants

"La Laguna"

And now comes the above named  
Appellee, Abel Stearns, by Jonathan R.  
Scott, his Attorney, and for answer to  
the Petition for Review filed in this cause  
by the Appellants, says,

That his title to the lands in this  
Case is good and valid.

Wherefore he prays the Judgment  
of this Honorable Court, that the decision  
of the United States Board of Land Com-  
missioners may be affirmed, and his  
title to the lands claimed in this case  
may be decreed to be valid, and for costs  
by him herein expended, and for such  
other or further and general relief as  
shall be agreeable to Equity and good Con-  
science, and the nature of his case may  
require.

J R Scott  
Attorney for Appellee.

Manuscript cost for service  
3.00

Served this answer on P. G. M. S. Atty by delivering to  
him a copy of the same at his office this 25<sup>th</sup> 1855

Edward H. Smith  
U. S. Marshal

Case No 161.  
U. States Dist. Court  
South. Dist. of California

Frederick Stearns  
Appellee

vs.

The United States  
Appellant.

Answers:

Filed Nov 22<sup>d</sup> 1855

J. E. Smith  
Clerk.

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W. H. Scott, Atty for Appellant

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

Abel Stearns  
Appellee

Case No 161

vs

The United States

Transcript 346.

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Appellant.

"La Laguna"

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Copies from Archives.

No.	Page.	Description
1	3, 4	Petition to Commission
2	5, 6	Deposition of S. C. Arguello
3	7.	do W. G. Dryden
4	8.	do Juan Bouet
5	9	do Thomas A. Sanchez
6.	11.	Petition of Julian Mawriques to 1st Alcalde to send up his application to Governor with information.
7		Map
8	12, 13	Certificate of Alcalde to Governor
9	13	" " Administrador of S. Luis Rey Mission, accompanying above Petition.
10	13, 14	Petition of Mawriques to Gov <sup>r</sup> Michelmorena with marginal order of Reference to Secretary
11	14, 15	Report of Secretary
12	15	Decree of Grant, within certain limits
13	15, 16	Certificate of Surveyor General to the foregoing Copies
14	16	Translation of Petition to Governor No 10 + 22
15	17	do Report " " 11 + 23
16	17	do Decree of " 12 + 24
17	17, 18	do Petition to Alcalde 6 + 25
18	18	do Certificate of Adminis <sup>r</sup> 9 + 26
19	19.	do " Alcalde 8 + 27
20	20, 22	Judicial Possession <u>Pl. No 3</u> , ann <sup>d</sup> to Arguello.



No	Page	Description
21	23, 25	Translation of Judicial Papers No 20.
22	27.	Petition of Mauriquet to Gov <sup>r</sup> , signed at request by Juan Baudine. <sup>&amp; marginal reference</sup> Same as No 10 } }
23	27, 28	Report of Secretary & same as No 11 } }
24	28.	Decree of Grant. & same as No 12 } }
25	28, 29	Petition of Mauriquet to Alcalde, signed by Juan Baudini & same as No 63
26	29.	Certificate of Administrador, & same as No 83
27	29.	Certificate of Alcalde & same as No 83.
161 SD		The above from No 22 to 27 inclusive are copies, certified by Baudini; See 2 -
28	31, 32	Title from Micheltorene to Mauriquet June 7, 144 <u>HH No 2.</u>
29	33, 34, 35	Deed of Trinidad Dominguez and Juan & Manuel Mauriquet, to Abel Stearns. <u>HH No 1.</u> annexed to Dep. of W. G. Dryden.
30	36	Opinion
31	37	Decree of Confirmation
32	38	How to file Transcript

H.H. No 1

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BVCE

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Can No 161 -  
U. States Dist Court for  
South<sup>th</sup> Dist. of California

---

Paul Stevens  
: Appellee  
vs  
The United States  
Appellant

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Index of Transcript  
346.

---

Filed 1 1835  
J. S. Janney  
Clerk

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

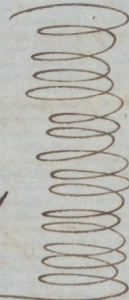
Abel Stearns

Appellee

vs.

The United States

Appellants.



Case No 161.

Transcript No 346

"La Laguna".

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Translation of Title, see Transcript pages  
31 and 32. "H. H. No 2".

Third Stamp, one dollar.

Authorized provisionally for the Maritime Custom House of the Port of Monterey, in the Department of the Californias for the years one thousand, eight-hundred and forty four and one thousand, eight-hundred and forty five.

Micheltovena.

Pablo de la Guerra.

Maritime  
Custom House  
of Monterey.

The Citizen Manuel Micheltovena, General of Brigade of the Mexican Army, Adjutant General of the Staff of the same, Governor Comandante General and Inspector of the Department of the Californias -

Inasmuch as Citizen Julian Manriquez has solicited for his personal benefit and that of his family, the tract of land known by the name of Temecula, on the side of the Laguna adjoining the Rancho of San Ja-

cinto, that of Temascal, and the Point of the Laguna on the side of the Cañada; the proper investigations and verifications having first been made as provided by the Laws and Regulations, by virtue of the powers conferred upon me, in the name of the Mexican Nation, I have decided to grant him the tract of land mentioned, declaring to him the ownership of it by these Presents, subject to the Approval of the Most Excellent Departmental Assembly, and under the following conditions.

1<sup>st</sup> He shall not have power to sell it, alienate it, nor hypothecate it, nor attach tax, entail, reversion, mortgage or any other incumbrance.

2<sup>nd</sup> He shall have power to inclose it without prejudicing the roads, highways and rights of way, he shall enjoy it freely and exclusively, devoting it to the use or cultivation which may best suit him, but within a year he shall build a house, which shall be inhabited.

3<sup>d</sup> He shall petition the proper Judge, that he may give him juridical possession by virtue of this Dispatch, by which <sup>only</sup> the boundaries shall be defined, at the extremities of which he shall place, besides the land marks, fruit or forest trees of some utility.

4<sup>th</sup> The tract of land of which donation is made is of three square leagues, a little more or less, as the proper map explains. The Judge who shall give possession shall cause it to be measured according to ordinance, the surplus which may result, remaining to the Nation for the uses convenient.

5<sup>th</sup> If he should violate these conditions,  
he shall lose his right to the tract of land, and  
it shall be subject to denouncement by another.

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Therefore, I order, that these Presents,  
serving him for a title, and being held for firm  
and valid, record be made of them in the Book  
to which they pertain, and that they be delivered  
to the interested party, for his protection and other  
ends.

Given at Monterey on the seventh of  
June, one thousand, eight hundred and forty-  
four.

Man<sup>l</sup> - Micheltoveua  
Man<sup>l</sup> - Jimeno  
Secretary.

Recorded in the proper Book, on page  
8, over the leaf.

Jimeno.

No 161.

U. States Dist. Court, Southern  
District of California.

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Aber Stearns,  
Appellee,

vs.

The United States  
Appellant.

---

Translation of Title

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Filed

1855

J. Van  
Allen

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

Abel Stearns  
Appellee  
vs

N<sup>o</sup> 161

"La Laguna"

The United States  
Appellants

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State of California }  
County of Los Angeles } S.

Abel Stearns  
being duly sworn deposes & says that he  
is the Appellee in the above entitled Cause, and  
is informed and believes, that ~~to~~ if a new  
trial be granted in this cause, he can prove  
the identity of the boundaries of the lands  
claimed in this case. by the testimony of  
J. F. Warner, Antonio F. Coroneel and  
Juan Ramirez

Abel Stearns

Sworn to and subscribed before me this  
11<sup>th</sup> day of February, 1856.

J. E. Carr  
Jed

PAGE

No 161.

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

Abel Stearns  
Appel

vs.

The United States,  
applt.

Affidavit of Abel  
Stearns

Filed Feb 11<sup>th</sup> 1856.

J. S. Jones  
Clerk.

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

Boyl Stearns, Appellee } Case No 161  
                                      and }  
The U. States Appellants } "La Laguna"  
  } Transcript 346.

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And now Comes the Appellee by J R Scott  
his Attorney, and moves the Court to set aside  
the finding heretofore made in this case, and  
grant a new trial, and in support of his mo-  
tion, Appellee relies on the affidavit hereto  
annexed, and on his own affidavit filed  
herewith

State of California }  
County of Los Angeles } ss.

Jonathan R. Scott  
being duly sworn deposes and saith; That  
he is Attorney for the Appellee in the above en-  
titled cause, and is well acquainted with the  
facts in this case, and that Affiant verily be-  
lieves that if this Honorable Court grants a  
new trial in this case, ~~the Appellee~~ there exists  
evidence to show the boundaries of the lands cal-  
led "La Laguna" claimed in this case, which  
the Appellee will offer to this Hon. Court, and that  
this Cause was submitted inadvertently, under  
the belief that the evidence herein was suffi-  
cient to procure a confirmation of the

claim - believing that said boundaries were  
sufficiently described in the Act of Judicial  
possession whereby to locate said land -

J. H. Scott

From & subscribed  
before me this 11<sup>th</sup> day  
of February A.D. 1856.

J. E. Scott  
Clerk

Case No 161

W. S. Dink Claimant  
Dink of California

Abel Stearns

Abel Stearns

ad

The U. States

Appellant.

Motion for new trial

& appraisal

Filed Feb 11<sup>th</sup> 1856.

J. E. Scott  
Clerk

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J. H. Scott

Abel Stearns

Appellee

vs.

The United States.

Appellant.

No 161.

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Deposition of Antonio F. Coronel, a witness on the part of Appellee in the above entitled cause, taken at Los Angeles Feb<sup>y</sup> 14<sup>th</sup> 1856, before Chas E. Can. U.S. Comr for the State of California. Present P. Ord. U.S. Atty. & J.R. Scott, attorney for appellee.

A. S. Allanson was sworn as Interpreter. Antonio F. Coronel, being duly sworn, in answer to questions propounded by Counsel for the several parties, states as follows.

Ques. What is your name and place of residence.

Ans. My name is Antonio F. Coronel, my age is 38 years, my residence County of Los Angeles.

Ques. Do you know a Rancho called La Laguna, if so, how long have you known the same and in what County is the same situated.

Ans. I know a part of it, I have known it for about 16 years, it is now in the County of San Diego.

Ques. Within what jurisdiction was it before the change of Government.

Ans. In the jurisdiction of San Diego, I think but am not certain.

Ques. State whether or not the place called La Laguna, is a place generally well known.

Ans. It is well known.

Ques. Do you know the Ranch called Temecula

Ans. I do.

Ques. State if you know whether the Ranch called Temecula adjoins the Ranch called La Laguna, if so upon which side of the Ranch of La Laguna is the Ranch of Temecula situated (objected to by U.S. Atty.)

Ans. They do adjoin each other, Temecula is about south ~~west~~<sup>east</sup> from La Laguna

Ques. State any other Ranch that adjoins that of La Laguna, and the direction it lies from it. (objected to by the U.S. Atty.)

Ans. A Ranch called Temascal also adjoins La Laguna to the ~~North West~~ West

ques. State what other ranch adjoins  
La Laguna & its direction. (objectively heard)

ans. Santa Rosa - but this I do not  
know of my own knowledge. I  
do not know the land marks.

ques. Do you know the Ranch of  
San Jacinto.

ans. I do not.

ques. In what direction is the Ranch  
of Santa Rosa from the Ranch  
La Laguna.

ans. I think a little west of South. I  
only know the Ranch of La Laguna  
from seeing it as I passed along  
the road, and I have been the  
houses several time but do not  
know the Ranches well.

ques. State any well known points, <sup>or places</sup> that  
surround the Ranch of La Laguna,  
and upon what side of said  
tract of land each point you  
name is situated. (objectively by  
the U.S.A.)

ans. All I know is the land mark  
on the side towards Temecula - which  
are the hills of Miguelito - I also  
the hills of Santa Rosa are  
also a prominent land mark.

Ques. On what side of La Laguna  
are the hills of Santa Rosa

Ans. A little west of South, between  
South & West

Ques. State any other object Mountains  
or hills that surround this  
place. (Objected to by the U.S. Atty.)

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Ans. I do not remember, it is a long  
time since I passed there. The  
Laguna is surrounded with hills,

Ques. State what are the names of  
the hills that surround La Laguna  
(Objected to by the U.S. Atty.)

Ans. I do not know their names. The  
only hills near the Laguna that  
I know, are the  
Mountains of Santa Rosa.

Ques. Do you know a place called  
the Cañada on the side of the Laguna.

Ans. I do not remember.

Ques. State whether or not you were  
present when the line of the  
Ranch of Jemeaula next to  
La Laguna was run - if so, state  
when that was, and give a des-  
cription of the natural Land  
marks of the line. (Objected  
to by the U.S. Atty.)

Ans. I was, as an agent of the owner

I don't remember exactly, the way  
in 1845 or 1846. Jose Ramon  
Asquello gave the possession.

~~The mountains of San Miguelito~~

161 SD  
PAGE 131

~~The~~ end of the line which  
is at the mountains of San  
Miguelito is <sup>between west & north</sup> ~~between~~ north.  
I don't recollect exactly the  
course. One of the land marks  
is a ~~stone~~ <sup>Rocky</sup> point ~~at the foot~~  
of the <sup>in the</sup> mountains of Santa Rosa.  
The direction from the mountains  
of San Miguelito to the mountains  
of Santa Rosa is between north  
& west more south than west  
but I don't remember exactly  
as it is some years since  
I was there.

Cross examined by usally.

Ques.

From what source have  
you obtained your information  
in relation to the land marks on the  
side of toward Temecula, which  
you have before mentioned.

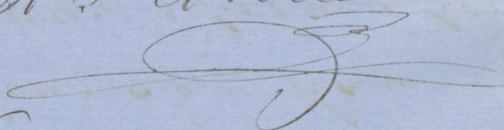
Ans.

I went there as agent of the owner  
to receive the possession of Temecula  
which then belonged to Luis Sines.  
The line was run while I was there.

I derived my information from  
the owners who pointed out  
their linderos at the time judicial  
possession of Temucula was given.  
Temucula had formerly belonged  
to Valdez, but that time was  
owned by Luis Sigas.

A. F. Leonard

Sworn to & Subscribed  
before me this 14<sup>th</sup> day  
of July 1856.  
J. E. Cas  
U.S. Com.





No 161.

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

Abel Stearns,  
appellee.

vs.

The United States,  
appell.

---

Deposition of Antonio  
H. Coronado

---

Filed Feb 14<sup>th</sup> 1886.

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J. S. [unclear]  
Clerk.

Abel Stearns

Appie

adv.

The United States.

Applh.

No 161.

La Laguna.

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Deposition of John L. Warner, a witness  
on the part of Appellee in the above  
entitled cause, taken by consent of Parties  
at Los Angeles, Feb<sup>y</sup> 14<sup>th</sup> 1856, before Ches  
E. Cox, US Com<sup>r</sup> for the state of  
California. Present B. Ord, US Atty,  
J. R. Scott, Counsel for Appellee.

John L. Warner, being duly sworn,  
in reply to questions propounded  
by Counsel for the several parties  
answers as follows.

Ques. What is your name, age & place  
of residence.

Ans. My name is J. L. Warner, my  
age 48 years, my residence  
County of San Diego.

Ques. Do you know a Rancho called  
La Laguna, or Temecula on the  
side of La Laguna. if yes how  
long have you known and

in what County is it situated.

Ans. I know a Rancho called La Laguna situated in the County of San Diego not far from the lands now known as the lands of Temecula, I first ~~crossed~~ <sup>passed</sup> that over that tract of land in 1832, since Aug 1844. I have been conversant with the place more intimately. This tract of land was formerly a part of the Rancho of Temecula and occupied by the Mission of San Luis Rey, being the north west extremity of the lands occupied by that Mission. It was never called Temecula by the title of La Laguna to my knowledge.

Ques. State any person or persons occupying, this <sup>Rancho</sup> of La Laguna within your knowledge, previous to the year 1850.

Ans. In 1832. and up to 1843, there was a corral in the immediate vicinity of a lake situated in this tract, which Corral was built and occupied by Leandro Senano, the occupant of the Temescal, who had horses & cattle in the

vicinity of said Concho about  
~~from~~ subsequent to 1844, it was  
occupied by Julian Menzies.

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Ques. Did you ever know Julian  
Menzies to occupy any other  
Rancho place than this in San  
Diego County, subsequent to the  
year 1844.

ans. I did not as a Rancho.

Ques. Do you know the boundaries of  
the tract of land called La  
Laguna, <sup>the</sup> State what ranchos  
are situated on either side of  
the same, <sup>at their western</sup> together with any other  
prominent landmarks and their  
location to designate the position of  
the land. (objected to by the party)

ans. I know some of the boundaries,  
the Rancho of Temescal adjoins  
it upon the north western side,  
the Rancho of San Jacinto lies  
upon the eastern side of it. The  
Rancho of Temicula as at this  
time defined lies upon the  
south eastern side, and the  
high bluff mountain, <sup>sometimes</sup> known as  
Santa Rosa lies upon its south  
western side. and a large lake

of brackish water is situated within these boundaries, occupying a somewhat central location, but rather upon the western limits.

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Ques. Do you know a place called the point of the Laguna on the side of a Cañada, if yes, <sup>State</sup> ~~near~~ what part of this land is that point situated.

Ans. I do not know a point of that name on the land. When I first knew this lake it extended to the south east a considerable distance farther than at present, and there are shore marks showing that it had extended still farther, within a few years previous, ~~with~~ <sup>in</sup> a southeasterly direction, not far from this point there is a Cañada called I believe de los Alisos.

Ques. How far is this lake from the foot of the Mountain of Santa Rosa.

Ans. From the distance from the foot of the Mountain of Santa Rosa to the lake, will vary from one half a mile to two miles & a half or three

ques.

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How far is it generally <sup>across</sup> ~~from~~ this land from the line of the Rancho of Temescal & the line of the Rancho of San Jacinto. (objected by the U.S. Atty.)

ans.

From the line of the Rancho of the Temescal at its nearest point to San Jacinto would not cross the land of the Laguna. Those two Ranchos extending further north than the Laguna, and their northern extremities being near together. A line running from the South East extremity of Temescal to the South West extremity of San Jacinto would cross the land of the Laguna. which line I think would be about 4 leagues long perhaps a little more.

ques.

State whether or not the Ranchos of Temescal & San Jacinto join each other upon the northern side of the Rancho de la Laguna. (Objected to by the U.S. Atty.)

ans.

I do not know. but believe that <sup>they</sup> do join or approach each other

very close -

Ques. State any other prominent land  
land marks that bound this  
land of Xaxaguana, and on what  
side are they situated. (objected to  
by the Asst. Atty.)

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Ans. The mountain of San Miguelito  
lies upon the limits of the tract in  
~~South~~ in an ~~South~~ easterly course  
from the lake, and the low  
place in the hills, called Puerto Cello  
in a westerly direction from the  
~~the~~ lake - the Puerto Cello separates  
it from Escal.

Ques. State whether these different  
Ranchos and points which  
you have mentioned are well known,  
and being at the present time  
the names you have mentioned.

Ans. I believe they are by those con-  
versant with and living in the  
vicinity of the place.

Ques. Who occupied the Rancho of San Jacinto  
in 1844 - & 1845?

Ans. If occupied at all, it was occupied  
by Jose Antonio Estudillo - upon reflection  
I think Jose Antonio Estudillo <sup>occupied it</sup> as early  
as 1844 or 1845. He occupied it as owner.

Cross examined by the U.S. Attorney.

Ques.

Is there or not a lake situated in the north west extremity of the Rancho of Temécula which was formerly occupied by the Mission of name San Luis Rey, and if yes, state its locality and extent in the year 1844.

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Ans.

There is a lake in the northern extremity of Temécula - It has always been by the name of Lake of Temécula. It is a sheet of water of some four miles long and two miles wide, ~~and~~ subject to expansions & contraction by rains having no outlet. A Range of Mountains commencing at the Santa Ana River and running in a southeasterly direction until it unites with the principal range of Mountains running through the southern part of this State lies upon its southwestern side, and is known by various names, it is called Santa Rosa at the southeastern extremity of the lake, north west of the lake it is called San Jacinto, on the eastern side of the lake and near its opposite it terminates a chain of Mountains.



Commencing on the Santana River, near  
~~Walker's Ranch~~ <sup>of Guapa</sup> which chain runs  
in a southeasterly direction. These  
two chains of mountains approach  
very near each other a few miles  
northwest of from the lake. To the  
south east of the lake, between the  
termination of this last described  
chain of mountains and the mountain  
of Santa Rosa, there are some isolated  
peaks and hilly country. A Road  
from the Santana River to Pala and  
San Luis Rey Mission passed along  
the western margins of this lake.  
I think this was the only road about  
there at that time. The longest  
way of the Laguna is from north  
westward to south eastward.

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Ques. In what direction does Lemucula  
lie from the lake.

Ans. ~~Southward~~ In 1844 the  
buildings previously occupied by the  
Mission on the Ranch of Lemucula  
and the Corrales as well as the  
residence of the Indians of that place  
were all ~~in a southeasterly~~ <sup>in a southeasterly</sup> direction from  
the Lake.

Ques. Did you know a place called Lemucal

about the year 1844, in the neighborhood of this Lake, & Yzga, state its general localities character.

Ans. I do. It is about 14 miles from the lake, northwesterly, the houses on which are near that point where the two Ranges of Mountains above described approach nearest to each other. It was a ~~Rancho~~<sup>in</sup> Rancho in 1844, a stock and agricultural Ranch, and still is.

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Quer. Do you know a place or Rancho called San Jacinto in 1844 in the neighborhood of this lake & Yzga, state its locality & character.

Ans. Yes. It is situated eastward from the lake. It was a stock Ranch. It is about the house upon which is about 14 miles to the nearest point of the lake.

Quer. Have you or not ever been over the land lying to the northwest west of the lake, & toward San Jacinto & General & Yzga state the character of the land with regard to its natural features & known localities.

Ans. I have. On the northwest towards

the General the land in the immediate vicinity of the lake is gradually as you recede from it and affords some pasture. It then becomes a Chamisal and at the distance of four or five miles is much broken and cut by Ravines. On the side of the lake towards San Jacinto in the immediate vicinity of the lake is a mountain of a barren nature. To the East of which the Country is more open & level of a dry & sterile nature.

Re-examination in Chief resumed.

Ques. State whether or not the lake which you described in your answer to the first question on your cross examination, is the same you had already described in your direct examination as being ~~one~~ the Rancho in question.

Ans. It is. There is but one lake in all that Country.

J. J. Warner  
" " "

Sworn to & subscribed  
this 14<sup>th</sup> day of Febz 1856.  
Before me.

J. E. Jam.  
N.D. Commr.

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No 161.

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

Abel Stearns,  
appellee.

vs.

The United States,  
appellants.

Deposition of J. S. Warner.

Filed Feb 14<sup>th</sup> 1856.

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J. S. Warner  
Att.

Abel Stearns, appellee

vs.

The United States, appellant

No 161.

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Deposition of J. J. Warner, a witness  
on the part of appellee, taken in  
open Court, at Los Angeles, Feb. 15<sup>th</sup> 1856,  
on the trial of said cause.

Present P. Ord. Usaty. J. R. Scott.  
Attorney for appellee.

J. J. Warner being duly sworn  
answers to questions propounded  
by Counsel for the several  
parties, as follows, namely:

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Ques. What is your name and place of  
residence.

Ans. My name is J. J. Warner, my age  
is 48 years, my residence the County  
of San Diego.

Ques. Do you know a place called  
La Laguna, if so where is it situated.

Ans. I do know it. It is situated in the County

of San Diego.

Ques. Is this place called La Laguna generally known by that name.

Ans. Yes it is well known by that name in the County where it is situated and the Counties of Los Angeles & San Bernardino.

Ques. Do you know a place called San Jacinto, if so, state where the same is situated, state whether the place is well known by that name.

Ans. I know a place called San Jacinto in the County of San Diego, it is an extensive plain with isolated mountains and hills upon it, and lies to the south west of the base of the well known & prominent mountain of San Jacinto. The land has been well known ever since my residence in this country which has been twenty four years.

Ques. State the location of the place called San Jacinto as regards the place called La Laguna, whether or not it adjoins the same, if so, upon what side is

Ans. The Buildings upon the  
Ranch of San Jacinto are located  
It lies upon the Eastern side &  
I have always understood that  
they adjoined -

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Ques. State whether you know a place  
called Temescal, if so, state whether  
it is well known by that name,  
and on which side of Salafina  
is it situated.

Ans. I know the place, it is well  
known throughout the neighboring  
Country. It lies on the North West  
of the land of Salafina.

Ques. State anything you know as to  
whether the ~~Ranch~~<sup>places</sup> of Temescal  
and San Jacinto adjoin each other  
north of the place called Salafina

~~Ans.~~ (objected to by the U.S. Atty. and objection  
overruled)

Ans. I have always understood that  
they adjoined.

Ques. Do you know a place called Temescula,  
if so, where is the same situated as  
regards the place called Salafina  
and in what direction

Ans. I know the place, It lies



over the South part of the Laguna lands.  
Ques. State whether or not they are ad-  
joining

Ans. As known since 1844, they adjoin.

Ques. In your testimony of yesterday  
taken in this Cause before  
Commissioner Chas. E. Carr, upon  
the cross examination, you gave  
the distance from the lake to the  
place called Temescal, explain  
to what part of the Temescal you  
meant to give the distance.

Ans. The distance had reference  
to the Houses on the Ranch of  
Temescal.

Ques. From the lake to the nearest point  
of the Temescal what is the distance

Ans. I think about 6 or 7 miles.

Ques. When you spoke of the distance  
in the same examination from  
the lake to the Ranch of San  
Jacinto, what part of the Ranch  
did you mean.

Ans. The Farm House on San Jacinto.

Ques. From the lake to the nearest  
point of San Jacinto what is the  
distance

Ans. I think <sup>seven or</sup> eight ~~or nine~~ miles.

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Ques. State any other well known places, different from those you have mentioned, that adjoin the ~~land~~ <sup>place</sup> of La Laguna.

Ans. The Mountain of Santa Rosa lies along the South West side of this tract.

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Ques. Look upon the map here shown you contained in the Transcript in this Case, and say from the same and the points therein named you recognize it as a representation ~~the map~~ of the place called La Laguna

Ans. I think I should.

Cross Examined by the Usdty?

Ques. What is the place delineated on said map in form of a square & marked as "Coral"?

Ans. ~~Ans~~ It is marked here "Perales de Coral con agua". I have never been at that immediate locality & have never seen that enclosure. It is not the Coral referred to in my deposition yesterday as having been occupied by Leandro Ferrand, sworn to & subscribed J. J. Warner the 15<sup>th</sup> of Feb. 1856. before me

J. E. Jones  
US Comm<sup>rs</sup>

No 161.

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

Abel Stearns,  
Appellee

vs.

The United States,  
Appellant.

Deposition of H. Warner

Filed Feb 15<sup>th</sup> 1856

J. E. Lang

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

Abel Stearns, appellee } Case N<sup>o</sup> 101.  
ad }  
The United States, appellant } "La Laguna"

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This cause coming on to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, under an act of Congress, approved March 3<sup>d</sup> 1851, on a transcript of the Proceedings and decision of the said Board and of the papers and evidence upon which said decision was founded, and it appearing to the Court that the said Transcript and the Notice of Appeal have been duly filed, according to Law, and Counsel for the respective parties having been heard;

It is ordered, adjudged and decreed, that the Decision of the United States Board of Land Commissioners be, and the same hereby is, affirmed, and it is further ~~ordered~~ adjudged and decreed, that the claim of the above-named Appellee is good and valid, and the same is hereby confirmed to him to the extent of three square leagues of land and no more within the following described boundaries to wit;

On the East the Rancho of San Jacinto  
on the west the Rancho of Temascal, on the

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U.S. Dist. Court, South  
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And Stearns

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vs

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Deceit.

Filed March 5th 1886.

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north both the above named Ranchos and  
on the south the point of the Lake next the  
Cañada that lies on the side of the Tract of  
land called Laguna next the Rancho of  
Tenucula

David K. Ogier  
U.S. Dist. Judge

IN THE DISTRICT COURT OF THE UNITED STATES,

FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

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

*Abel Stearns.*

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APPELLEE,

VS.

UNITED STATES,

APPELLANT.

No. *161.*

(No. *346.* of Transcript.)

On Appeal from the United States Land Commission.

On motion of P. ORD, Attorney of the United States for the Southern District of California, it is hereby

ORDERED by the Court, that an appeal be granted the United States, to the Supreme Court of the United States, from the judgment of this Court against the said United States in the above entitled cause, rendered on or about the *15<sup>th</sup>* day of *February* A. D. 1856.

*P. Ord*  
*ditto*

No 161

U.S. District Court  
Southern District of California

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Shel Stearns  
vs  
The United States  
Appellants

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Notice of Appeal No.  
Filed March 4<sup>th</sup> 1858  
C. E. Coan Clerk  
By O'Connell Deputy

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California Land Claims.

Attorney General's Office

29 September 1856,

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Sir:

In the case of the claim of Abel Stearns, confirmed to the claimant by the Commissioners, case no. three hundred and forty-six (346), and also confirmed on appeal by the District Court, appeal in the Supreme Court will not be prosecuted by the United States.

I am

Respectfully

Clushing

Pacificus Ord Esq

U. S. Atty for the

Southern Dist. of Cal.



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Abel Stearns  
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Filed 24th February 1854  
to Sirs Clerk  
J. M. Coleman  
per

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Recd Nov 4<sup>th</sup> 1836

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Abel Stearns

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