

CASE No.
176

SOUTHERN DISTRICT

RIO DE LAS ANIMAS GRANT

JOHN F. JONES, ET AL
CLAIMANT

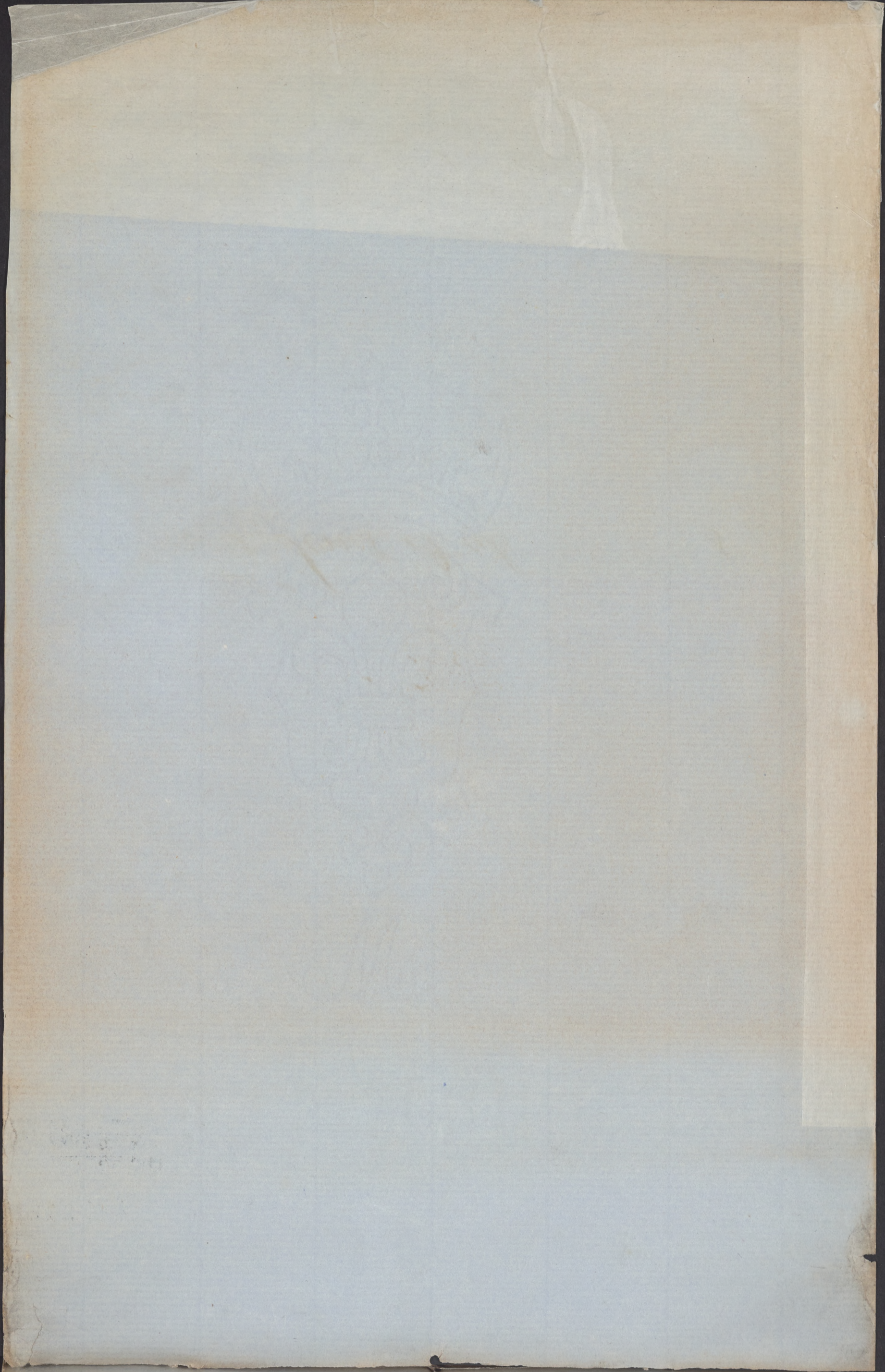
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575-

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TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 575.

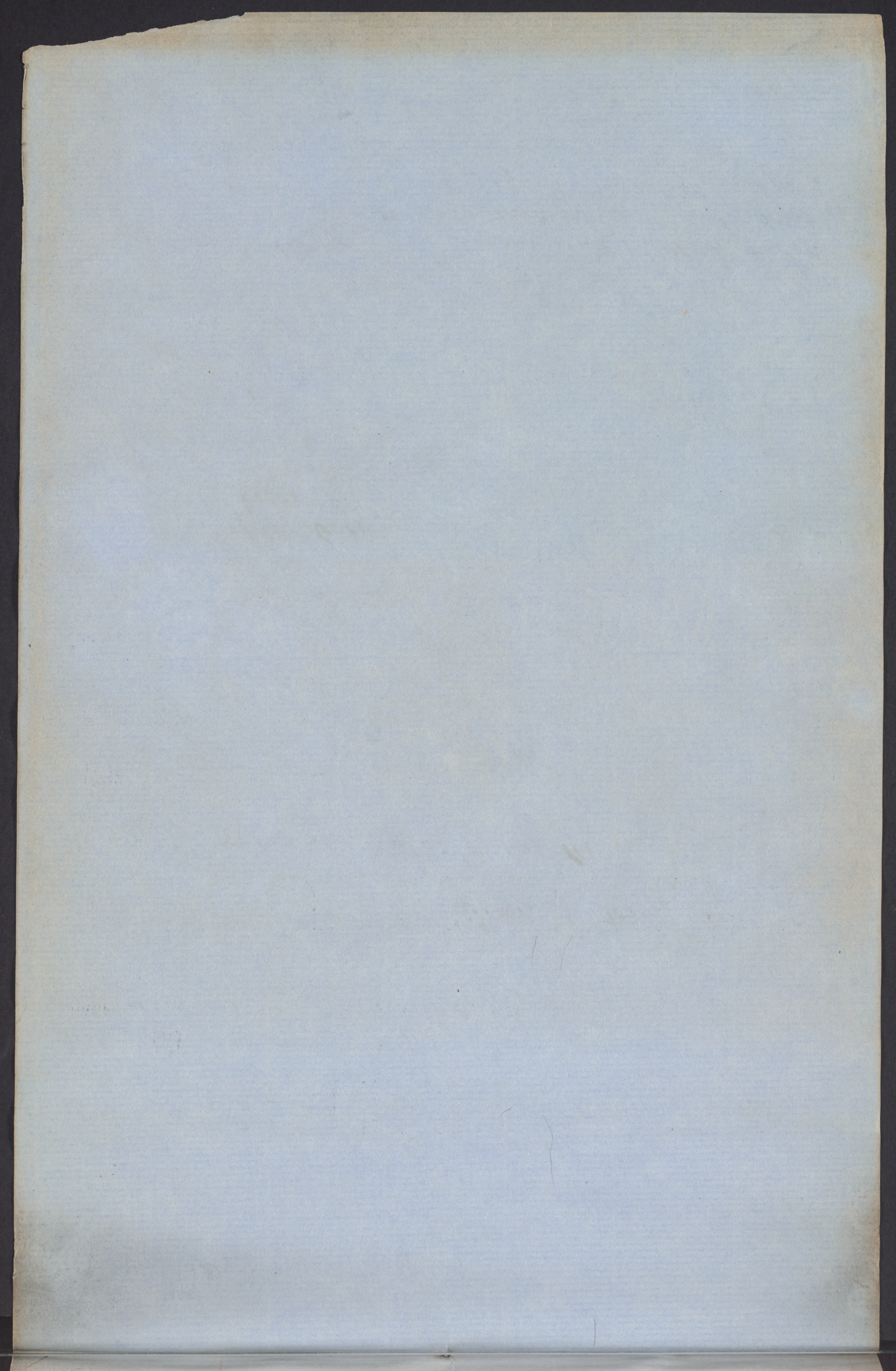
John F. Jones, et al. CLAIMANTS

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Rio de las Animas"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

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The Petition of *John F. Jones et al;*
for the Place named
"*Rio de las Animas,*"
was presented, and ordered to be filed and docketed with No. 575 and
is as follows, to wit;

(Vide page 3 of this Transcript.)

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

San Francisco April 25th 1854
Case no. 575, John F. Jones et al; for the place
named "*Rio de las Animas,*" was ordered to the foot
of the Calendar of the 1st class Cases on the Trial
Docket.

San Francisco, July 21st 1854.
Case no. 575 was submitted without argument.

San Francisco Aug. 1st 1854.
In the same case Commissioner Alpheus Felch
delivered the opinion of the Board respecting the claim;
(Vide page 9 of this Transcript.)

San Francisco, Aug. 15th 1854
In the same case, on motion of the W. S. Lord

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Agent the following Order was made, to wit,
(See page 11 of this Transcript.)
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To The Honorable the Board of Commissioners  
to ascertain and settle Private Lands  
Claims in the State of California.

Petition

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The Petition of John F. Jones and Bernardo  
Cota, residents of said state respectively,  
shows, that they claim in fee a certain  
tract of land, situated in the County of  
Los Angeles, known by the name of "Rancho  
de las Animas, bounded by the Forta  
de Madera of Don Juan Banding and  
by vacant lands, and containing  
six square leagues of land.

They claim said land in virtue  
of a concession made of the same by  
Don Diego, Governor, of the Department  
of California, in virtue of authority in  
him vested by law, in favor of Bernardo  
Cota and Julien Chavez, bearing date 12<sup>th</sup> May  
1846, and approved by the Departmental Assembly

The said Julien Chavez having disposed of  
his interests in said land to John F. Jones, by  
deed effected in February 1853.

They further represent that since the date of  
the grant they have been and are now in  
peaceable possession of the said tract, the  
boundaries whereof are well known, and that  
they know of no conflicting claim thereto.

They herewith submit the original grant marked  
"A" and a translation thereof marked "B" and  
rely on the same, and on such other verbal and  
documentary testimony, as they may be advised  
may be necessary.

Wherefore they pray the Hon Board  
to take their said claim into consideration  
and confirm the same,  
And as in duty bound &c &c.

By their Attorney  
J. Landustin Brent.

Filed in Office July 11, 1853,  
Geo. Fisher Sec.



*[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page]*

*[Large, stylized handwritten signature or name, possibly "John" or "Johnnie"]*

02

*[Faint, illegible handwriting at the bottom of the page]*



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Pi Pies Gobernador Constitucional del Departamento de California.

Por cuanto los D. J. D. Leonard Cota y D. Julian Chaves mexicanos por nacimiento han solicitado para su beneficio personal y el de sus familias un terreno valdies conocido con el nombre del rio de las Animas desde su nacimiento, colindando con el corte de Madera de Don Juan Bandini y terrenos valdies, practicadas previamente las averiguaciones concernientes y usando de las facultades con q. me hayo autorizado por el Supremo Gob. à nombre de la nacion Mexicana he venido por decreto de este dia en concederles à los precitados Cota y Chaves la propiedad de ese terreno por las presentes letras de conformidad con la ley de 18 de Agosto de 1824 y reglamento de 21 de Noviembre de 1828 y bajo las condiciones siguientes 1<sup>a</sup>. Podrán cercarlo sin perjudicar las travesias caminos y servidumbres. 2<sup>a</sup>. Lo disputará libre y esclusivamente destinandolo al uso ó cultivo que mas les acomode. 3<sup>a</sup>. Dentro de un año tendrá casa aritada y pondrá en sus linderos algunos arboles frutales ó filvestres. 4<sup>a</sup>. Solicitará del juez respectivo la posesion juridica en virtud de este despacho. 5<sup>a</sup>. La Estension de este terreno son seis cuerdos de ganado mayor poco mas ó menos. En consecuencia mando q. teniendo se por firme y valdies se tome razon de el en el libro que corresponde. Dado en la ciudad de los Angeles à doce de Mayo de mil ochocientos cuarenta y seis en este papel comun por falta del sellado.

Pi Pies # José Matias Moreno Orio int.



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Queda tomada razon de este superior despacho en el libro respectivo.

Moreno

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Filed in Office Keby 11<sup>th</sup> 1853.

Geo. Fisher Secy.

NOV 11 1853



of  
Dio Pico, Constitutional Governor of the Department  
of the Californias,

L.S.

Translation  
of  
Grant.

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Whereas the Citizens Leonardo Cota,  
and Julien Chavez, Mexicans by birth, have  
solicited for their personal benefit and that  
of their families a vacant tract, known by  
the name of "Rio de las Animas" from its  
source, bounded by the placeto cut timber  
of Don Juan Bandini, and by vacant lands,  
the necessary steps having been previously  
taken, and using the faculties conferred  
on me by the Supreme Government, in the  
name of the Mexican Nation, I have come  
by Decree of this day, to grant to the aforesaid  
Cota and Chavez the ownership of this tract  
by the present letters, in conformity with  
the Law of 18<sup>th</sup> August 1824 and regulations  
of 21<sup>st</sup> of November 1828, and under the  
following Conditions,

1<sup>st</sup> They may enclose the same without  
prejudice to crossings, high roads and  
rights of way.

2<sup>nd</sup> They shall enjoy it freely and exclu-  
sively devoting the same to the use,  
that may best suit them.

3<sup>rd</sup> Within one year a house shall  
be constructed on the same and forest or  
fruit trees shall be planted in its  
boundaries.

4<sup>th</sup> They shall solicit of the respective  
Judge the Judicial possession in virtue  
of this Patent.

5<sup>th</sup> The Extension of this Tract is  
of six seats for large Cattle, more or  
less.

I therefore order that this  
being held as firm and valid a record be



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Taken of the same in the appropriate book.  
Given at the City of Los Angeles 12<sup>th</sup>  
of May 1846, on this common paper  
for want of stamped

Big Oreo  
Jose Maria Moreno,  
Sec ad int.

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Entered of record this Superior patent  
in the appropriate book 'Moreno.'

Filed in Office July 11<sup>th</sup> 1853,  
Gen. Fisher Sec.

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John F. Jones & al  
vs  
The United States

For the place called "Rio de las Animas"  
in Los Angeles County containing six  
square leagues of land.

Opinion  
by  
Alphens Delch.

The Claimants allege in their petition  
that they are owners of the land in question  
under a grant made by Governor Pio  
Pico bearing date May 12<sup>th</sup> 1846.

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No testimony in support of the claim is  
presented, and an adverse decree must be  
entered.

Rejected.

Filed in Office Aug 1, 1854,  
Geo. Fisher Sec.

Decree

John E. Jones & al  
vs  
The United States

In this case on hearing the proof and  
allegations it is adjudged by the Commission  
that the said claim of the Petitioner is not  
valid; and it is therefore decreed that their  
application for a confirmation thereof be  
denied.

Alphens Delch  
R. Aug Thompson  
S. B. Farwell,  
Commissioners

Filed in Office Aug 1, 1854,  
Geo. Fisher Sec



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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,

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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,

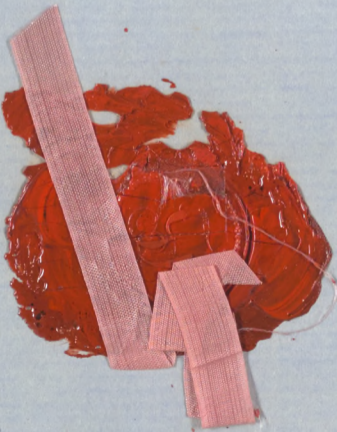
To ascertain and settle the Private Land Claims in the State of California.

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I, *George Fisher* Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Eleven* pages, numbered from  
1 to 11, 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. 5-75 on the Docket of the said Board,  
wherein *John F. Jones, et al,* are

the Claimants against the United States, for the place known by  
the name of "Rio de las Animas".

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



*G. Fisher*  
*G. Fisher*



**176**  
U. S. District Court.  
Southern District of California.

No. 176. De Lat

The United States

**vs 176**  
John F. Jones, et al.  
"Rio de las Animas."

Transcript of the Record  
from the  
Board of U. S. Land Commissioners  
in Case No. 575.

Filed Dec. 1<sup>st</sup> 1854  
L. S. Farr

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**176**





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

John F. Jones, et al. No. 176

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vs,  
The United States } (Manuscript No. 595.)  
An appeal from  
the State Land  
Commissioners of California.

On Motion of P. D. Attorney of the United States for the Southern District of California; and on <sup>showing</sup> ~~the~~ ~~fact~~ ~~that~~ ~~no~~ ~~notice~~ ~~of~~ ~~intention~~ ~~to~~ ~~prosecute~~ ~~the~~ ~~appeal~~ ~~in~~ ~~the~~ ~~above~~ ~~entitled~~ ~~cause~~ ~~has~~ ~~been~~ ~~given~~ ~~by~~ ~~the~~ ~~said~~ ~~John~~ ~~F.~~ ~~Jones,~~ ~~et~~ ~~al.,~~ ~~according~~ ~~to~~ ~~law.~~ It is ordered by the Court that this said cause be dismissed.

P. D.  
Att. Dist. Ct.

*Manuscript No. 595.*



No 176

United States Dist. Court.  
Southern Dist. of California

John A. Jones et al

vs

The United States.

Motion to dismiss cause

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Filed October 24<sup>th</sup> 1885

O. E. Canell

By M. Ross depy