

CASE No.

129

SOUTHERN DISTRICT

ESCORPION GRANT

URBANO ODON MANUEL, ET AL

CLAIMANT

Microfilm

SD

LAND CASE 129 SD 77 pgs.

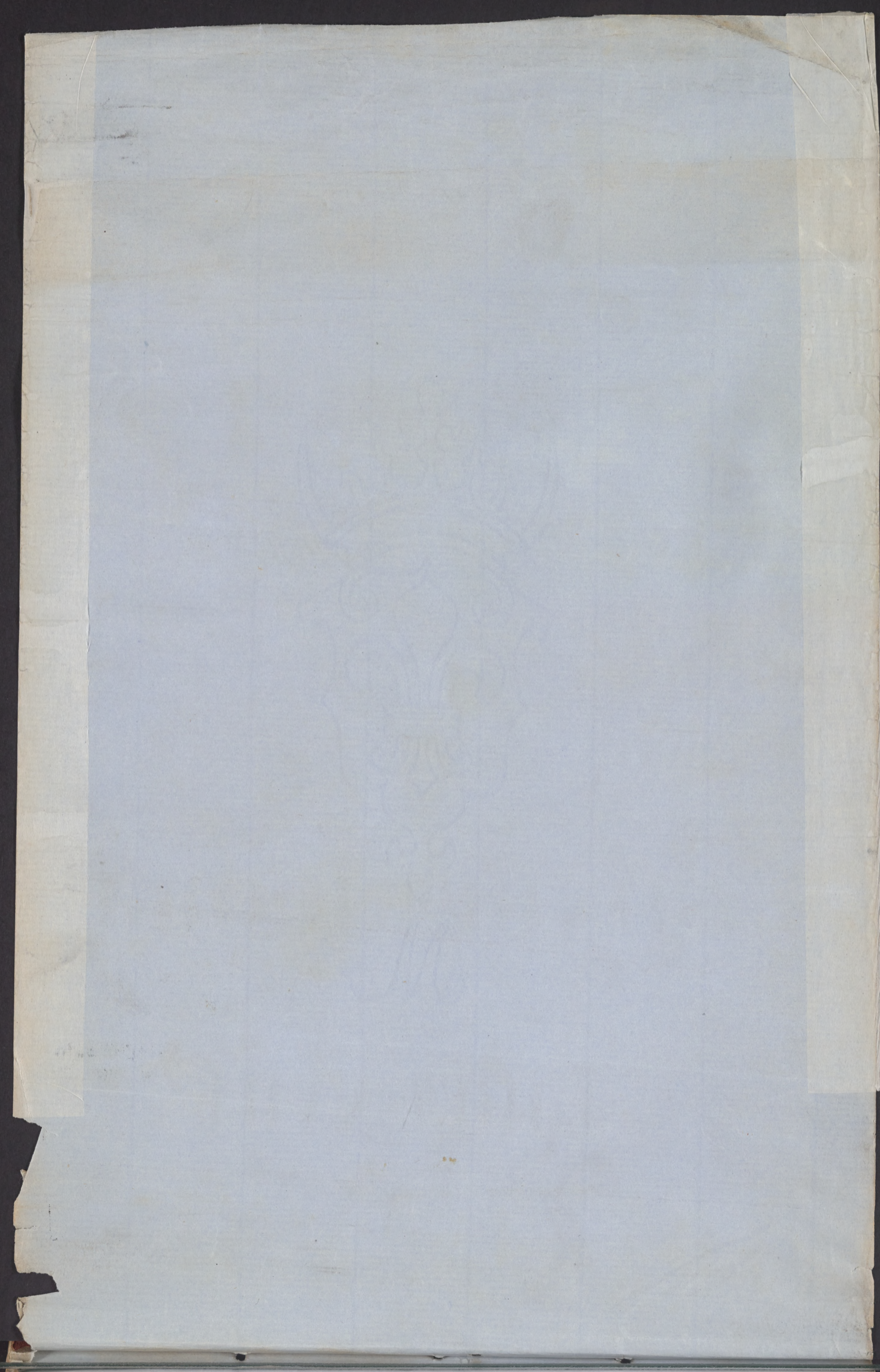
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Structure of the



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PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 392

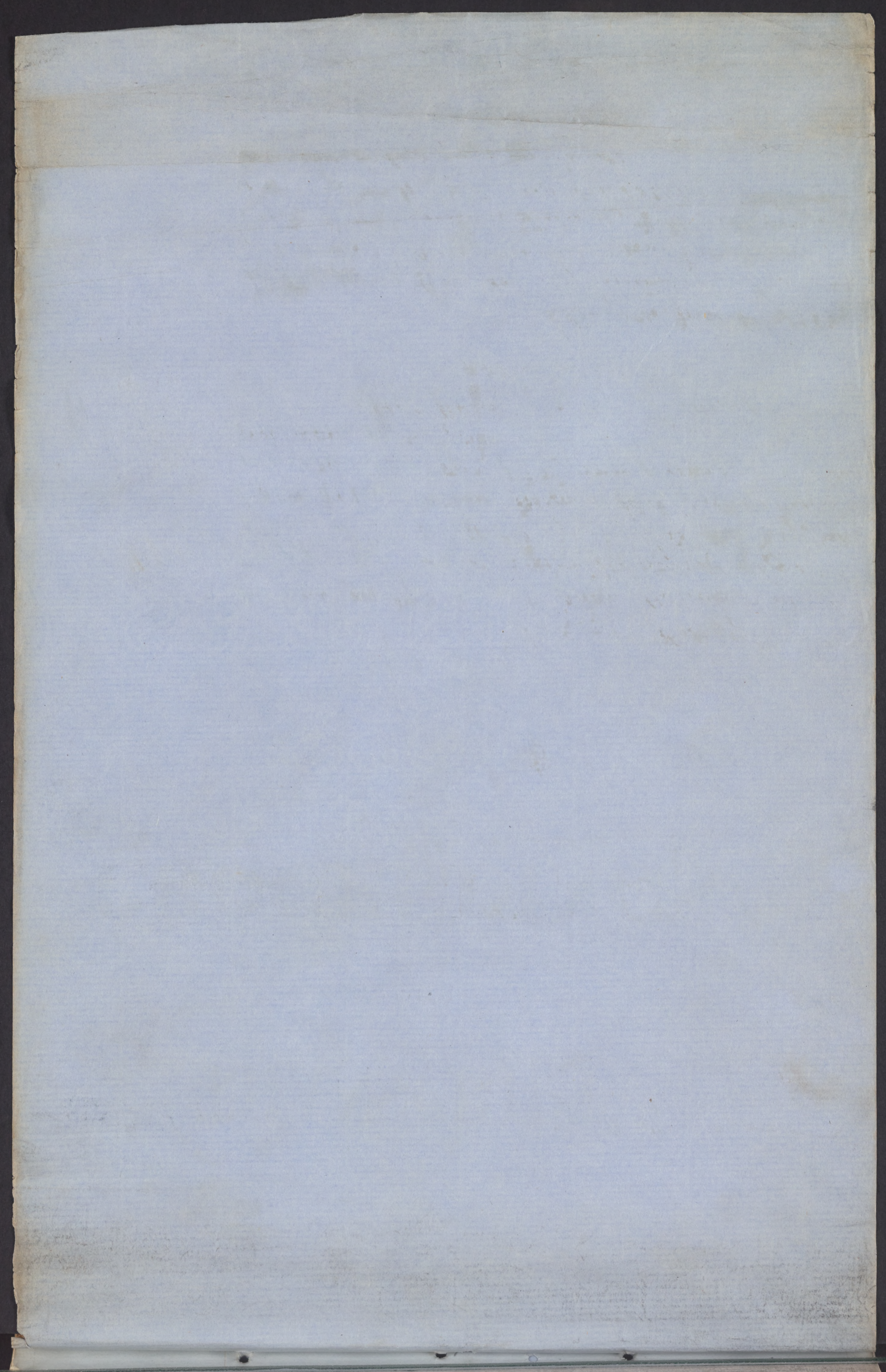
Urbano Olor Manuel et al CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Escorpion"



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 seventh day of October, Anno Domini One Thousand Eight Hundred and Fifty-Two, before the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in the State aforesaid, in the United States of America, the following Proceedings were had, to wit;

The Petition of Urbano, Odon, Manuel, et al: ~~~~~ for the Place named ~~~~~ "Escorpion," ~~~~~ was presented, and ordered to be filed and docketed with No. ~~~~~ 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;

Sos Angeles, Oct. 29th 1852,
In Case No. 392, Urbano, Odon, Manuel, et al; for the place named "Escorpion," the deposition of Abel Stearns, a witness in behalf of the claimants, taken before Commissioner Melano Hall, with documents marked "N. N. No. 122" and translations thereof, annexed thereto, was filed;

(Vide page 4 of this Transcript.)

Sos Angeles, Nov. 1st 1852,
In the same case the deposition of J. L. Brent, a witness in behalf of the claimants, taken before Commissioner Melano Hall, with document marked N. N. No. 1, and translation thereof annexed thereto, was filed;

(Vide page 5 of this Transcript.)

In the same case the deposition of Abel Stearns

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a witness in behalf of the claimants, taken
before Commissioner Melana Hall, with docu-
ments marked N. N. Nos. 1 & 2 & translations
thereof, annexed thereto was filed;
(Vide page 4 of this Transcript.)

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San Francisco, December 13/1852.
In the same case the deposition of Juan
Manse, a witness in behalf of the claimants,
taken before Commissioner Melana Hall, was
filed.
(Vide page 5 of this Transcript.)

San Francisco, April 18/1854,
Case no. 392 was submitted on briefs and
taken under advisement by the Board.

San Francisco, Apt. 25/1854.
In the same case Commissioner Alpheus
Fetch delivered the opinion of the Board
confirming the claim.
(Vide page 53 of this Transcript.)

San Francisco, Aug. 15/1854,
In the same case, on motion of the U. S. San
Agent, the following order was made, to wit:
(Vide page 56 of this Transcript.)

To the Hon Board of Commissioners to ascertain and settle private land claims in the State of California.

Petition

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The petition of Urbano Cuenca and Manuel Saegans and of Sebastian Romero all of the County of Los Angeles, respectfully shew to the Hon Board that they claim the three first as tenants in common in fee each one fourth and the last as tenant in common in Conditional fee of one fourth of a certain tract of land situate in the said County called "El Escorpion" and consisting of a half a league league more or less. They further shew that they claim said tract as aforesaid in virtue of a grant from His Excellency Don Juan Manuel de Rivera in the Department the Californias made under the authority of the Mexican Government & in pursuance of power vested in him by law bearing date 7th August 1843, & made in favor of the three first named petitioners, who since that time to wit on the 26. July 1849 and 16 Sept 1851, have conveyed to the remaining petitioners one undivided fourth or Conditional fee as will be more fully shown on the hearing of this petition. They further represent that the said grant has been approved by the Departmental Assembly & that judicial possession of the granted land was duly given to the original grantees of the 17th August 1845 by Juan Sepulveda 1st Alcalde of Los Angeles who marked off and accurately defined the boundaries thereof & that since that time they and the said Romero have had & now are in peaceful and quiet possession of the same. They further shew to the Hon Board that at the time of the said grant Urbano & Cuenca two of the grantees in virtue of two Acts of Governors of California to wit of Manuel Antonio Casarin and of Manuel Micheltorena & that the other granted Manuel is the son of Urbano & Juana minor at the time of the Emancipation of his Father.

They further represent that all the conditions of the law precedent and subsequent have been properly fulfilled & that they know of no conflicting claim & they herewith submit copies & translations of the original grant & act of possession & they rely on the originals thereof as well as on such other documentary & verbal testimony as they may be advised may be

necessary, wherefore they pray Confirmation of their
title & each duty bound &c.

By their attorney,

J. Lancaster Brent.

Filed in Office Oct 11th 1852.

(Signed) Geo Fisher Secy.

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Deposition
of Abel Stearns

Los Angeles Oct. 29. 1852.

On this day Cifero Comr Island Seal Cause Abel
Stearns a witness in behalf of the Claimants Urbano. Adon
& Manuel Itab petition 892, and was duly sworn his
evidence being given in English.

The W. S. Associate Law Agent was present -
In answer to questions by counsel for the Claimants the
witness testified as follows.

My name is Abel Stearns my age
fifty four & I reside in Los Angeles. I have resided in
California over twenty three years.

I am acquainted with the hand
writing of Manuel Micheltorena & Fray Blas Ordiz.

A paper is now shown me purporting to be
a petition of Urbano to the Governor to be allowed to separate
himself from the mission of San Siman. with assets of
Micheltorena thereon dated April 7. 1843.

I believe the signatures of said
Micheltorena & Fr Blas Ordiz which appear on said
paper to be genuine. Said paper is here to amended & marked
N. N. no 1.

I am acquainted with the hand writing &
signatures of Manuel Jimeno & Francisco Arce.

A paper is now shown me purporting
to be a testimonial of the Cuique partem of Jose Arden
from the mission of San Siman. dated July 5. 1839.

The signatures of said Jimeno & Arce to
said paper is here to amended & marked N. N. no 2.

Abel Stearns.

Sworn & Subscribed

Before me

Island Seal Comr.

Filed in Office Oct 29th 1852.

(Signed) Geo. Fisher Secy.

Los Angeles Nov. 1st 1852.

Deposition
of
J. L. Brent

On this day before Comr Heland Hall came J Lancaster Brent, a witness in behalf of the Claimants Urbano, Adon, Manuel et al. petition No 392 and was duly sworn his evidence being given in English.

The W. S. Associate Law Agent was present. In answer to questions by the Claimants the witness testified as follows.

My name is J Lancaster Brent my age is twenty five years & I reside in Los Angeles. A paper is now shown me purporting to be a transfer by Manuel to Joaquin Romero of an interest in the Rancho El Escorpion dated 26th September 1852. The paper was signed by said Manuel in my presence at the time of its date & I then placed my name upon it as a witness. Said paper is annexed & marked H. H. No. 1.

J. Lancaster Brent,

Sworn & Subscribed

Before me

Heland Hall Comr.

Filed in Office Nov 1st 1852.

(signed) Geo Fisher Secy.

Los Angeles Nov 17th 1852.

Deposition
of
Juan Manso

On this day before Comr Heland Hall came Juan Manso, a witness in behalf of the Claimants Urbano, Adon, Manuel et al. petition No 392 and was duly sworn his evidence being interpreted by the Secretary.

The W. S. Associate Law Agent was present. In answer to enquiries by the Counsel for Claimant the witness testified as follows.

My name is Juan Manso. My age is forty years & I reside in Los Angeles.

I know the Rancho called El Escorpion & have known it from the year 1846. It is situated nine or ten leagues from this place in a northwesterly direction. Since I know the place it has been occupied by the Indian named Urbano. When I first knew the place he had a house on it in which he lived with his family - had a vineyard cattle & horses which the Mission gave him for his good service & he cultivated the land. He continues to occupy it in the same manner to the present time. The land was a part

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of the former mission lands of the mission of San
Fernando. I was a lessee of the lands of the mission
of San Fernando under the Mexican Government from
the first of Jan. 1846. to September 1852. & was in occu-
pation of all the mission lands as such. The occupancy
of Urbano has always been respected. I know the Indian
Manuel. He is reputed to be the son of Urbano. He is
from twenty four to twenty six years of age I think.

I know the Indian Adon. He has been
living on the place with Urbano & so has Manuel. They
had two or three small houses.

I was a Commissioner in
1845 to take an inventory of the property of all the
missions of California. I took an inventory of the
property of the mission of San Fernando & these
Indians were then in possession of said land.

Juan Manso.

Sworn & Subscribed

Before me

Wiland Hall Comr.

Filed in Office Dec. 13. 1852.

(Signed)

Geo Fisher Secy.

Los Angeles Nov 1st 1852.

At this day before Comr. H. Seal, a witness in
behalf of the Claimants Urbano, Adon, Manuel
et al, petition No 392, and was duly sworn his evidence
being given in English -

The U. S. Associate Law Agent was present.

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

My name is Abel Starns. My
age is fifty four & I reside in the City of Los
Angeles. I have lived in California over twenty
three years.

I am acquainted with the Signatures of
Pedro Pico, Jose Maria Lopez, Juan Sepulveda
Ignacio Coronado & Juan Bonta.

A paper is now shown me purporting
to be a grant to Urbano Adon & Manuel of a tract of

Deposition
of
Abel Starns

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land called El. Scorpion dated August 7 1845
to which is attached a testimonial of the giving of
Judicial possession of said land in August 1845.

The names of said several persons
upon said paper I believe to be their genuine signatures
said Sepulveda was acting Alcalde & authorized to
give such possession - said paper is here to an-
nual & marked H. H. No. 1.

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I am also acquainted
with the hand writing & signatures of Juan Sepulveda
Jesus Guirado & Bernardino Lopez.

A paper is now shown me pur-
porting to be a transfer from Mariano & Adon to Ja-
quin Romo dated here July 1849. The names of
the said Sepulveda Guirado & Lopez appearing on
said paper I believe to be their genuine signatures -
Juan Sepulveda was at that time Alcalde
& had authority to sanction & certify such conveyances
said paper is here annexed & marked H. H. No. 2.

Abel Stearns.

Sworn & Subscribed

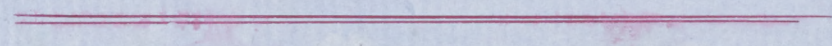
Before me

Heiland Keall, Comr.

Filed in Office Nov 1. 1852.

(Signed)

Geo. Fisher Secy.



The first part of the
 paper is devoted to a
 description of the
 various species of
 plants which are
 found in the
 region of the
 coast of the
 Pacific Ocean.



The second part of the
 paper is devoted to a
 description of the
 various species of
 animals which are
 found in the
 region of the
 coast of the
 Pacific Ocean.

9

1 J. D. K.

Expediente

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1845

Expediente promovido por
Urbano, Odon, y Manuel
naturales, del Sr. Fernando, en
pretencion del terreno nom-
brado Escorpion.

481

2 A.D.K.

Sr Gobernador

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Informe
 el R. P. Fr. Blas Ordas
 sobre el con-
 tenido en esta
 Gnta y
 vuelva al
 Gob. no
 Pico

Urbano Odon y Manuel
 neofitos de la Mision de
 Sr Fernando nos presentamos
 ante S. S. en la mas bas-
 tante forma y como mas
 alla lugar en derecho, di-
 ciendo q. desde el año de
 1843 se me concedio el terreno
 llamado por el escurpion
 y con conocimiento del
 R. P. Fr. Blas Ordas, y
 el Sr Don Mont. Michel
 torera. accedió a mi su-
 plica y ya habra S. S.
 suplico rendidamente se me de el titulo
 de propiedad. Respectivo compuesto de dos
 leguas en contorno. Gracia que espero
 de S. S. en lo q. bre agradecido. Duro
 no es de malicia y lo necesario etc. y
 sirviendose admitir esta en papel
 comun, por falta del sellado q. correspondia
 Aug. Agosto 3 de 1845
 Urbano.

3 A.D.K.

Los solicitantes Urbano, Odon, y
 Manuel son acredores por sus buenos
 servicios al terreno que piden

San Fernando 5 de Agosto de 1845
 Fr. Blas Ordas

11

Angeles Agosto 7 de 1845 -

Se les concede á Urbano, Odon, y Manuel neofitos de la Mision de San Fernando, medio sitio de ganado mayor ó media legua en cuadro de tierra, en el parage conocido por el nombre del Escorpion - Extienduseles el titulo respectivo y pase el expediente á la H. Asamblea Departamental, para su aprobacion. Pro Vico Gobernador interino del Departamento de las Californias asi lo mandé, decreté y firmé - Doy fé -

Vico

José M^a Covarrubias

Vico

Pro Vico Gobernador interino del Departamento de las Californias -

Por cuanto los indigenas de la Mision de San Fernando Urbano Odon, y Manuel para sus beneficios personales y el de sus familias han pretendido el parage llamado el Escorpion que han precedido hace algun tiempo - cuya estension es de media legua en cuadro; practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos de la materia, usando de las facultades que me son conferidas á nombre de la Nacion Mexicana, he venido en concederles

Queda tomada razon de este titulo en el libro respectivo —

Angeles Mayo 8 de 1845 —

Dada cuenta en sesion de hoy con este expediente a la Exma Asam-

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blea Departamental, se mandó pasar a la Comision de terrenos baldios — S. D. N.

Sis Rico
Presid. } Agustín Olovera
D. S.

E. S.

La Comision de terrenos baldios a examinado con detenim^{to} el antecedente Exped^{to} promovido p^r los indijs de S. Fernando, Urbano, Odon, y Manuel del parage nombrado el Escorpion q^d le fue concedido p^r el Sup. Gobno. Dep^t con arreglo a las leyes de la materia; en esta virtud pone a la deliberacion de V. E. la proposicion siguiente. —
Se aprueba la concecion hecha a los indij^s de San Fernando, Urbano, Odon, y Manuel del parage Escorpion Jurisd^{on} de los Aug. segun titulo librado con fecha 17 de Agosto ult^o en estension de medio sitio de ganado mayor, conforme á la ley de 18 de Agosto de 1824 y al art^o 5.^o del reglamento de 21 de

7 D.K.

9bre. de 1828 —
Acta de Comd. en la Ciudad de los
Ang. Mayo. 25 / 1845 —

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S. Arriello

Office of the 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, now having
in my office and under my
custody a portion of the Archives
of the former Spanish and Mexican
Territory or Department of Upper
California do hereby certify that the
seven preceding and herunto annexed
pages of tracing paper, numbered from
one to seven inclusive and each
of which is verified by my initials
(S.D.K.) exhibit true and accurate
Copies of certain documents on
file and forming part of the said
Archives in this office. —

L.S.

In testimony whereof
I have herunto signed
my name officially,
and affixed my
private seal (not
having a seal of office)

"

15-

at the City of San Francisco
Cal, the seventh day of
October 1852

(Signed) Saml. D King
Surgeon Cal

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Filed in office October 21st 1853

(Signed) Geo. Fisher
Recy

[Faint, illegible handwriting throughout the page]

1911

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Translation
of
Petition Grant
&
Approbation
of
Territorial
Assembly

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Mr Governor.

Urbano Cedon and Manuel Mochales
of the Mission of San Fernando. present ourselves before
your Excellency in the most proper form and in the
manner that due in law stating that since the year
1813 the tract known by the name of Escorpion was
granted to me with the knowledge of the Reverend Father
Fray Blas Ordaz and Sr D. Manuel Mochales and
granted my petition. And now I humbly solicit your
Excellency to give me the title of ownership containing re-
spectively two leagues or thereabouts, a good which I
expect from your Excellency by which I shall be obliged
I make oath not to proceed through malice and the
necessary so requesting to be paid the present uncommon pa-
per there being none of the appropriate stamp.

Angelis August 3. 1845.

Urbano.

Angelis August 4. 1845.

Let the Rev. Father Fray Blas
Ordaz report on the contents of this Pastoral and let it
then be returned to the Government.

Pico.

The Petitioners Urbano Ordaz and Manuel Mochales want the
tract they solicit for their good services.

San Francisco. 6th August. 1845.

Fray Blas Ordaz.

Angelis August 9. 1845.

Granted to Urbano Cedon and Manuel
Mochales of the Mission of San Fernando a half of a
seat for large cattle or one half of a square league of land
of the tract known by the name of Escorpion; Let the title
corresponding be issued to them and let the Expediente
be transmitted to the most Excellent Departmental As-
sembly for its approbation. Six Sico Governor agent of
the Department of the Californias have coordinated
decree and signed which I certify -

Pico -

Asi Ina Coahuila. Sico.

Sico Pico. Governor agent of the Department of the
Californias.

Whereas the Indians of the Missions of
San Fernando. Urbano Cedon and Manuel. had
claimed for their personal Quifit and for that of their
families the tract known as the Escorpion which they

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have possessed for some time the Extension of which is one half of a square league. the necessary steps having been taken according to the disposition of laws and regulations on the subject. using the facultis conferred on me, in the name of the Mexican nation I have come to grant to them by deed of this day the aforementioned land, declaring to them the ownership thereof by the present titles and in entire conformity with the laws subject to the approbation of the most Excellent the Departmental Assembly and under the following conditions -

1. They may fence the ground adjudicated to them without prejudicing the crossings, highroads and rights of way. they shall enjoy the same freely and exclusively. devoting the same to the use and cultivation which may best suit them, but within a year the land shall be occupied by a house, which shall be inhabited and proper stock.

2. They shall solicit the respective Judge to give them the Judicial possession in virtue of this patent by whom the boundaries shall be marked placing the necessary land marks.

3^a - The ground granted to them consists of only one half of a seat for large cattle the Judge who gives possession shall cause the same to be measured in conformity with Ordinance the surplus remaining for the benefit of the nation for its convenience.

I therefore order that the present title being held as firm and valid a record be taken of it in the appropriate books and that it be delivered to the parties interested for their Security.

Given at Las Angeles, Capital of the Department of the California the 7th of August 1845.

This title has been Entered of record in the appropriate book.

Angels, May 8. 1846.

In session of to-day this Expediente was referred to the most Excellent the Departmental Assembly. ordered that the same be referred to the Committee on vacant lands.

Pio Pico
President

Augustin Alvarado
D. S.

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Most Excellent Sir -

The Committee on vacant lands have duly examined the foregoing Expediente promoted by the Indians of San Fernando, Mariano, Adon and Manuel of the tract of "Escorpion" which was granted to them by the Superior Government of the Department in accordance with the laws on the subject, in virtue whereof they submit to your deliberation the following proposition.

Approved the grant made to the Indians of San Fernando, Mariano, Adon and Manuel of the tract "Escorpion" precinct of Los Angeles according to the title issued on the 7th August last, of the extension of one half of a seat for large cattle, in conformity with the law of 18th August 1824, and Art. 5th of Regulations of 21st November 1828.

Chamber of Commissions.

Los Angeles May 26 1846.

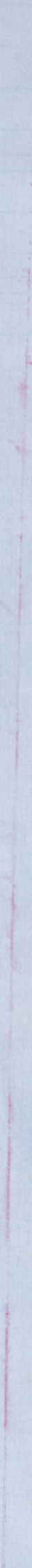
S. Arguello.

Filed in Office Oct. 4, 1853.

(Signed) Geo Fisher Secy.

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LYRE



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(Signed) H. H. N. 1

Document
"H. H. N. 1"
annexed to the
Deposition of
Abel Stearns

Oct. 29th 1852Ang^l ab^ldo

1843

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Una vez q^o es
voluntad del
suplicante que
dado separado de
su misión en
virtud del Decreto
de 29. do el p^o
p^o M^o se lo
concedo este
gov^o

Michetta

Entregaré al ill.
R. S. lo q^o tengo
bajo su cargo ó
responsabilidad y
hasta que su
Reverencia firme
al caso de
interado y cum-
plido, se enten-
derá la libertad
del interesado.

Michetta

Exmo Sr Gral

Urbano neofito de la Mi-
sion de San Fernando casado
con hijo ante V. E. con el
mayor respeto que se merece,
Compareces y digo, que
haciendo la materia de
veinte y cuatro años que
estado empleado de Llavero
en dha misión sin tener
ninguna gratificacion en
todo el tiempo de los R. R.
S. S. asta ahora que los
administradores me han
dado, un reniundo para
cubrir mis carnes, y állan-
dome cupar para sostener
mi familia con mi per-
sonal trabajo - Suplico
a' V. E. se me conceda
el separarme de esta
Comunidad, por que no
es mi voluntad de
seguir mas en mi misión
por que conosco mas q^o
puro trabajo y me vere
en la infelicidad de que
teniamos anteriormente
cuandoellos no man-
daba -

R. J. A. V. E. suplico
se me conceda esta mi

solicitud y admitir esta en papel común
por no haberlo sellado de lo que reci-
bre gracia y merced, jurando no ser de
malicia y lo necesario.

San Fernando A. 5 de 1843.

(Signed) Urbano

Quedo enterado de su contenido
San Fernando Rey 30 de Ab. de 1843

(Signed) Fr. Blas Ordaz

^{ry} Filed in office October 24th 1852

(Signed) Geo. Fisher
Secy

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(Signed) H. H. No 2

Document
H. H. No 2
annexed to
the Deposition
of Abel Stearns
Octob. 29th 1852



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Manuel Jimeno Casarin primer vocal
proputario de la Junta del
Departamento de las Californias en
ejercicio del Gobierno del mismo -

Por cuanto José Odon neofito del
establecimiento de San Fernando ha solicita-
do segregarse de la Comunidad, acreditando
su buena conducta, y tener industria,
para mantenerse por si mismo; he venido
por las presentes letras emancipando de dicho
establecimiento para que por si se mantenga
y viva en donde mejor le acomode. Dado
en Monterey a cinco de Julio de mil ochocientos
treinta y nueve -

(Signed) Manuel Jimeno

(") Francisco Arce
Oficial t.^o

Filed in office October 29th 1852

(Signed) Geo. Fisher
Secy

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To the most Excellent General.

Angelus April 7th 1843.

Since it is the wish of the petitioner to remain separated from his mission.

In virtue of the Decree of the 29th of March last passed. It is granted to him by this Government. Michitta

Heo Shub alleged to the most Ex^{ca}. Father that which he has under his care or responsibility and until he has returned signs a notice of having been informed and conspired therewith the liberty of the interested party shall be still bein question Michitta

Urleano. nephew of the Mission of San Fernando married and with children before your Honor with the great respect that you merit. I appear and say that it is twenty four years since I have been employed as Kupa of the Keys at the said Mission without receiving any gratification in all that time from the Rev. Father until now when the Administrators have granted me a patch in order to cover my bonds and funding myself capable to sustain my family by my own personal toil I beseech your Honor that you may allow me to depart to myself from this community because it is not my wish to continue any longer in my mission because I know that now what the Father desires that will elact only entire toil and I shall see myself in the unhappiness in which we were previously when they had commanded us.

I beseech your Honor that you may grant to me this my petition and to allint this present upon common paper for not having

any of the stamped for which I shall receive favor and benefit, swearing not to be acting in malice but through necessity etc.

San Fernando April 5th 1843. Urleano.

I remain informed of what is herein contained San Fernando April 20th 1843. Frac Blas Ordaz.

Translation of Petition for Emancipation

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Filed in Office Oct. 29, 1852.
 (Signed) Geo. Fisher Secy.

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Translation
 of
 Decree of
 Emancipation

Francis Jimeno Casarin first Constituted
 Vocal of the Excellent Departmental Assembly of
 the Californias in the exercise of the Government
 of the same.

Whereas José María Joséphato of
 the Establishment of San Simón has solicited
 to separate himself from the Community accord-
 ing his good conduct and having industry by
 which to maintain himself, I have thought proper
 by this present letter to Emancipate him from the
 said Establishment in order that he may maintain
 himself and may live where it best may suit him.

Given at Monterey this fifth of July one
 thousand Eight hundred and thirty nine
 Manuel Jimeno.

Francisco Arce

1st Officer. 3

Filed in Office Oct. 29, 1852.
 (Signed) Geo. Fisher Secy

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1

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Document
"H. H. N 1"
annexed to the
deposition of
Abel Stearns
Nov^r 1st 1852

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Posecion

del parage el

Escripcion

Año de 1845

(Signed) He He No 1

Sio Pico Gobernador interino del Departamento de las Californias

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Por cuanto los indigenas de la Misión de San Fernando Urbano, Odon, y Manuel han pretendido para sus beneficios personales y el de sus familias el paraje llamado el Escorpion que han poseido hace algun tiempo, cuya estension es de media legua en cuadro; practicadas previamente las diligencias y averiguaciones concernientes, segun lo dispuesto por leyes y reglamentos de la materia, usando de las facultades que me son conferidas, á nombre de la Nacion Mexicana, he venido en concederles por decreto de este dia el terreno mencionado, declarandoles la propiedad de él por las presentes letras y con entera conformidad de las leyes, á reserva de la aprobacion de la Exma Asamblea Departamental y bajo las condiciones siguientes.

1.^a Podran cercar el terreno que se les adjudica sin perjudicar las travecias caminos y servidumbres, lo disputarán libre y esclusivamente dedicandolo al uso y cultivo que mas les acomode; pero dentro de un año lo tendran ocupado con casa habitada y bienes semovientes.

2.^a Solicitarán del juez respectivo les dé posesion jurídica en virtud de este despacho por el cual se demarcaran los linderos poniendo las mojoneas necesarias.

3.^a El terreno de que se hace

donacion es puramente de medio sitio de ganado mayor; el juez que diere la posesion lo hará medio conforme a' ordenansa dejando el sobrante que resulte a' la Nacion para los usos convenientes.

En consecuencia mando que se cumpla y valide el presente titulo, se tome razon de él en el libro que corresponde y les entregue a' los interesados para su resguardo. - Dado en la Ciudad de los Angeles Capital del Departamento de las Californias a' siete de Agosto de mil ochocientos cuarenta y cinco.

(signed) Pio Pico

(signed) José M.^a Covarrubias

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

Angeles fecha ut supra

(signed) Covarrubias

En la Ciudad de los Angeles del Departamento de California a' los catorce dias del mes de Agosto de mil ochocientos cuarenta y cinco, arriente a' la solicitud verbal que hicieron los indigenas de la Mision de San Fernando llamados Urbano y Manuel, para que se les dé posesion juridica del parage llamado el Escorpion, concedido por el superior.

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PÁGE 27

Gobierno Departamental, como consta del
 título que presentaron y se halla en poder
 de los interesados: pasase por mí y testigos
 de asistencia, y procedase á dar la pose-
 sion indicada, con arreglo al precitado
 título expedido en siete del presente mes
 y año. Así yo Juan Sepulveda - al-
 calde 2^o decreté y mandé con los de asis-
 tencia según d^{ro}. = Juan Sepulveda -
 asse - Leonardo Cota - asse Basilio
 Valdez. = No hay papel sellado. =

En diez y siete del mismo mes y
 año: yo el Juez que suscribe pase' -
 oficio á los colindantes, por hallarme
 en esa fecha en camino para el Escorpion;
 manifestandoles el objeto á que me dirigia
 á ese punto - pues iba á poner en pose-
 sion de él á los indigenas Urbano, Udón,
 y Emanuel, y no habiendo manifestado
 obstaculo alguno, se pone por diligencia =
 Juan Sepulveda - asse - Leonardo Cota,

En seguida y hallandome en el parage
 del Escorpion nombre dos oficiales cordeleros
 que lo fueron Guillermo Navarra, y José
 Maria Dominguez, los que aceptaron
 bajo del juramento respectivo, ofreciendo
 desempeñar fiel y legalmente su encargo,
 y se pone por diligencia que autorizó y
 firmé con los de asistencia según derecho =
 los cordeleros no saben escribir. = =
 Juan Sepulveda - asse - Leonardo Cota -
 asse Basilio Valdez - " Acto continuo
 y estuido en el parage del Escorpion,

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con el objeto ya indicado; y estando ante
 mí los oficiales cordeleros, y los testigos
 de asistencia, hice medir un cordel, cons-
 tante de cien varas, al mismo que mande
 atar en unos sanco de madera, y previa
 observacion y calculo por mi disposicion
 se tiró el primer cordel desde la Sierra
 y con direccion al oriente, y se midieron
 y contaron dos mil quinientas varas que
 remataron en el llano de San Fernando,
 á donde se mandó poner una mojnera,
 De aqui cambiando de rumbo, se tiró el
 segundo cordel con direccion al Sur,
 y se midieron y contaron otras dos mil
 quinientas varas que remataron en una
 lomita del mismo llano de San Fernando
 en cuyo lugar se puso un roble por
 mojnera, y en el cual se hizo una cruz
 con la achá. De este lugar y variando
 rumbo, se tiró el tercer cordel con direccion al
 Noroeste, y se midieron y contaron dos mil
 quinientas varas que remataron en una ca-
 ñada de Encinos, á donde se clavó un palo
 que servirá de mojnera interina. De este lugar
 cambiando de rumbo con direccion al Norte se
 tiró el cuarto cordel, y se midieron y
 contaron otras dos mil quinientas varas
 que remataron en la misma falda de
 la Sierra donde se comenzó. Acabado
 este paso, les di á los indigenas la posesion
 y señorio del parage el Escorpion segun
 las facultades que me son conferidas por
 las leyes, y á nombre de la Nacion Meji-
 cana, con lo que se concluyó el acto que
 firmaron con susyo los que supieron

y los de asistencia segun derecho. —
 Juan Sepulveda — asso — Leonardo Cota —
 asso Basilio Valdez = Desele testimonio
 a las partes de las presentes diligencias
 para su resguardo — Asi yo el juez
 que suscribe decreté y formé con los de
 asist^o segun d^o — Juan Sepulveda —
 asso Leonardo Cota — asso — Basilio Valdez =

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En la fecha se dio el testimonio respectivo
 rubricado = —

Concuerda en su original que se halla
 en libro de instrumentos publicos de este
 año del que se sacó corregió y confrontó
 en esta cuatro fojas de papel comun
 por falta de sellado —

(signed) Juan Sepulveda

asso asso
 (signed) J^o Coronel (signed) Juan Bovel —

^{ly} Filed in office November 1st 1852

(signed) Geo. Fisher
 Secy

Sir Pio Governor ad Interim of the
Departments of the Californias -

"B"
Translation of
"H"
Annexed to
Disposition of
Abel Strains.

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Whereas the natives of the Mission
of San Juanar. Urbano, Adon. and Menand. have
petitioned for their personal benefit and that of their
families for the piece called the Scorpion. which they
have possessed for some time the dimensions of
which they being one half a league square. having
duly practiced all the convenient steps and requi-
sitions of the laws in the matter using the forms which
are enjoined upon me in the name of the Mexican
Nation. I do concede to them by the Decree of this day
the above mentioned land declaring it to be their
property by these present papers and with entire
conformity to the laws. reserving the approbation of the
Assembly of the Departments and under the following
conditions -

- 1st. They may fence the land which is granted to
them without obstructing the cross roads roads
and sentidas, they shall enjoy it freely and exclu-
sively dedicating it to their use to cultivate it in
such a manner as shall best suit them but within the
term of one year they shall have it occupied with a
habitable house and inalienable property.
- 2^{da}. They shall solicit of the respected Judge
to be given judicial possession in virtue of this
decree and by whom shall be marked out the limits
by placing the necessary bounds and land marks.
- 3^{ra}. - The land of which donation has been made
is only one half of a league (de ganada mayor)
and the Judge that shall give them possession
shall measure it in conformity with the ordinance
having that which remains to the nation for its
convenient uses -

In consequence I command that
the present title being held as firm and valid be
recorded in the corresponding books and be delivered
to the interested parties for their security -

Given in the City of Los Angeles Cap-
ital of the Departments of the Californias on the 29th
day of August. year one thousand eight hun-
dred and forty five.

(signed) Pio Pio.
Jose Maria Coscubias
Sec.

This Superior decree is recorded in the Cronica =
 sponding book.

Covarrubias.

In the City of Las Angeles Department of California on the fourteenth day of August the thirteenth and eight hundred and forty five, -

Whereas upon the verbal solicitation of the natives of San Fernando, Urbano, Adon and Manuel that they might be given Judicial possession of the place called the Scorpion granted by the Superior Government of the Department according to the title they presented it being in possession of the interested parties, I will proceed with assisted witnesses to give the aforesaid possession according to the prescribed title given on the seventh of the present month and year.

Thus I John Sepulveda Fiscal Alcaide have decreed and commanded in presence of the Assistant witnesses according to law.

John Sepulveda, ast. Leonardo Corta, ast. Basilio Tolday. There is no stamped paper.

On the seventeenth of the same month and year I the undersigned giving notice to the neighbors, being on this date on the road to the Scorpion, manifesting to them the object that directed me to this point viz going to give possession to the natives Urbano Adon and Manuel, and they not having manifested any obstacle, which fact is noted, - John Sepulveda, ast. Leonardo Corta - continuing and finding myself at the place called the Scorpion I named two Official Cord bearers viz William Narana, and Jose Maria Doumizay, who accepted, under respective oaths, promising to discharge their duties faithfully and legally. Nothing duly recorded, I authorized and signed with the Assistants according to the decree, the Cord bearers not knowing how to write. John Sepulveda, ast. Leonardo Corta and Basilio Tolday. The metace being in the place called the Scorpion with the object already indicated and being before me the Official witnesses, and Cord bearers, I ordered to measure a line of exactly one hundred varas then they fastened it to four stakes made of some

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Elder Leushis and having previously made obser-
 vation and calculation for my government the
 first line was drawn from the hill in a west direc-
 tion measuring and counting two thousand
 five hundred varas (2500) that terminated in
 the plain of San Fernando where I ordered
 a land mark to be put from this Chaquig the direc-
 tion they measured the second line in the direction
 of the south measuring and counting another
 two thousand five hundred varas which terminated
 at a little hill in the plain of San Fernando at
 which place was placed an oak as a land mark
 on which a cross was made with an etc. from
 this place changing the direction to the north east
 measuring and counting two thousand four hundred
 varas which terminated on the brow of the same hill
 where they commenced. This being done I gave to said
 natives the possession of the same and ownership of
 the place called the Scorpion according to the
 powers (faculties) conferred upon me by the laws
 of the Mexican nation by which is concluded the
 act and then signed with me that know how
 and the assistants according to law. Juan Sepul-
 veda Ast. Leonardo Coto, Asist. Basilio Solaz.
 Let this be given them the copy (testimonio) of
 these present acts for their security. Thus I the
 Judge that subscribed have decreed and signed
 with the assisting witnesses = John Sepulveda Ast
 Leonardo Coto, Ast Basilio Solaz.

Given the same date the proper copy (testimo-
 nio) subscribed.

It agrees with the original which is found
 in the book of public instruments from which
 it is taken corrected and compared on three four
 sheets of common paper for want of stamped
 paper.

(signed) Juan Sepulveda.
 ast. Ign. Coronel ast. Juan Ponce.

Filed in Office Oct. 11, 1852.

(Signed) Geo Fisher Secy.

The first part of the
 paper is devoted to a
 description of the
 general character of
 the country. It is a
 very fertile and
 well watered country
 and is very well
 adapted for the
 raising of stock
 and the culture of
 the soil. The
 climate is very
 healthy and the
 soil is very fertile
 and well watered
 and is very well
 adapted for the
 raising of stock
 and the culture of
 the soil.

The second part of the
 paper is devoted to a
 description of the
 general character of
 the country. It is a
 very fertile and
 well watered country
 and is very well
 adapted for the
 raising of stock
 and the culture of
 the soil. The
 climate is very
 healthy and the
 soil is very fertile
 and well watered
 and is very well
 adapted for the
 raising of stock
 and the culture of
 the soil.

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approval
of
assembly }

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1.

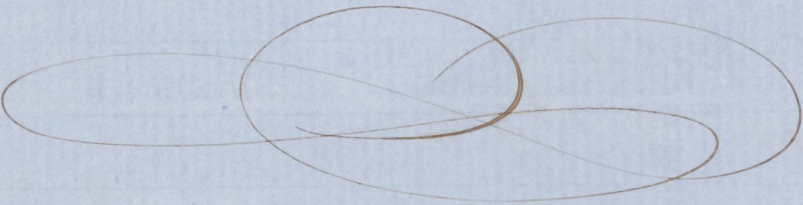
sesion del dia 3 de Junio de 1840

Aprobada la acta del dia 15 de Mayo pasado se le dio segunda lectura al dictamen de la comision de proposiciones y arbitrios que corre en la representacion de algunos vecinos de Santa Barbara, y puesto a discusion despues de la suficiente se acordó volviere á la comision para que la reforme a virtud de haberlo asi pedido el presidente de ella por tener en su poder el bando a que se refieren los solicitantes —



2.

En el de Urbano Odon y Manuel se aprueba la concesion hecha á los indigenas de San Fernando Urbano, Odon, y Manuel del parage del Escorpion de los Angeles segun titulo librado con fecha 7 de Agosto ultimo en estension de medio sitio de ganado mayor conforme a la ley de 18 de Agosto de 1824 y el articulo 5.º del reglamento de 21 de Noviembre de 1828 —



Rio Pico

Presidencia

Agustín Olvera

D. S.

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PAGE 34Office of Surveyor General of the
United States for California.

I, John C. Hays, Surveyor General of the United States for the State of California, and as such, having in my office and in my charge and custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California, by virtue of the power vested in me by law do hereby certify that the Three preceding and herewith annexed pages of tracing paper numbered from one to Three inclusive, exhibit a true and accurate copy of extracts from a certain untitled book, purporting to contain a Session of the Departmental Assembly, said book now being on file and forming, said book now being on file and forming part of the said Archives in this office

In testimony
whereof I have
herewith signed

J. C. H.

X my name officially
and caused my seal of
office to be affixed
at the City of San
Francisco this fourteenth
day of October A.D. 1853

(Signed) John C. Hays
U.S. Surveyor General
for California

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Extract from the 2nd section of the
act of Congress "providing for the survey
of Public Lands in California, and
for other purposes -

Approved March 3rd 1853 -

"The Secretary of the Interior is hereby
authorized to cause an official Seal to be
prepared for the office of the said Surveyor-
General (California) and any copy or
extract from the plats, field notes,
and other records and documents on
file in his office, when attested as such
by the said Seal and the signature of
the Surveyor General, shall in all
judicial matters have the same force
and effect as the original."

Witness my hand and seal at the City of San Francisco
this 20th day of October 1853 -

(Signed) Geo. Fisher
Seal

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Session of the 2nd Aug 1846.

Approved the Minutes of 15th August past, gave second reading to the report of the Committee on taxes & means which was made on the Memorial of certain residents of Santa Barbara. being put the discussion after being sufficiently so, it was resolved that it should be returned to the Committee in order that they might amend it in virtue of its having been so introduced by its Chairman in order to get up his possession the decree to which the petitioners refer. Report was made of the following.

Translation
of
approval of
Act

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In that of Urbano, Adon Manuel.

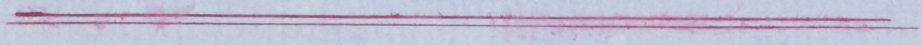
The grant is approved made to the nation of Don Simón, Urbano, Adon & Manuel of the tract of lands of the "Escorpion" of Los Angeles, according to the title delivered with the date of 7th August last in extension a half a league of Guadalupe Mayor, in conformity with the law of the 15th August 1824 & art 5th of the Regulation of 21st Nov 1828.

Pro Pico.
Pres.

Augustin Olvera Secy.

Filed in Office Oct. 16. 1852.

(Signed) Geo. Fisher Secy



1.5
20

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Document
"H. H. N^o 1"
annexed to
the deposition
of J. Lancaster
Brent

(Signed) H. H. N^o 1

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Por el presente documento yo
Manuel indigena de la Misión
de San Fernando por y en consi-
deracion de veinte (\$20) pesos
a mi pagado por D. D. Joaquin
Romero cedo y traspaso al dicho
D. Joaquin Romero la quarta
parte del accion que yo tengo
en el rancho llamado "El Escorpion"
situado en el Condado de los Angeles
por el y sus herederos para tener
y haber para siempre jamas pero
solamente abajo las mismas con-
diciones y derechos como fue hecha
la cesion del los Indigenas Urbano
y don de su derecho en el mismo
rancho al dicho D. Joaquin
Romero antes Juan Sepulveda juez
2^o de la ciudad de los Angeles
a los 20 Julio 1849 -

En testimonio de lo cual he puesto
mi nombre y sello hoy 20 de
Setiembre a. D. 1852 -

Firmado y sellado } (Sij) Manuel (Sul)
en presencia de }
J. Lancaster Brent }

Filed in office November 1st 1852
(Signed) Geo. Fisher
Secy

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W
Translation
of
L
Amended to
deposition of
J. Lancaster

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By the present document, I Manuel, native
of the mission of San Fernando, for and in con-
sideration of the sum of twenty (20) dollars paid
to me by Don Joaquin Romero, I did and
transfer to the said D. Joaquin Romero the fourth
part of the share that I had in the Rancho called
"El Escorpion", situated in the County of Los Angeles for
him and his heirs forever to hold, and to have but
only under the same conditions and rights with
which the concession of the natives, Urbain and Ullon
was made to the said Joaquin Romero, before Juan
Sepulveda, 2^d Judge of the City of Angeles, on the
26th of July 1849.

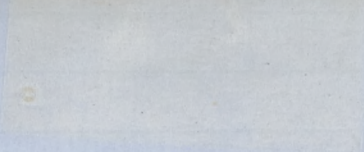
In testimony of which I have
joined my name and seal this 10th of Septm^r AD
1852.

Manuel

Signed and Sealed
in the presence of
J. Lancaster

Filed in Office Nov. 1st 1852.

(signed)
Geo Fisher Secy.



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(H. H. N^o 2)

Document

H. H. N^o 2

annexed to

deposition of

Abel Stearns

Nov^r 1st 1852

En la Ciudad de los Angeles a los
 veinte y seis dias del mes de Julio
 de mil ochocientos cuarenta y nueve,
 ante mi Juan Sepulveda Juez D^o de
 esta misma Ciudad, los testigos instru-
 mentales que al fin se nombraron y los
 de mi asistencia con quien actuo por
 receptor a falta de escribano, parecieron
 presentes los vecinos de la Misión de San
 Fernando Urbano y Hodon y dijeron
 que quieren y es su entera y deliberada
 voluntad cederlo a D. Joaquin Romero
 de esta vecinda la tercera parte de un
 sitio que tienen en la jurisdiccion del
 mismo San Fernando, conocido con el
 nombre del Escorpion, cuyo Rancho es
 exclusivamente de la propiedad de los
 expresados Urbano y Hodon. Declaran los
 expresados otorgantes que hacen gracia
 y donacion pura mera perpetua e irre-
 vocable en su vida al expresado D. Joa-
 quin Romero, y se obligan a no re-
 clamar jamas la parte de que le hacen
 sediccion por virtud de esta escritura.
 Asi mismo declaran los otorgantes que el
 indicado D. Joaquin Romero goza del
 mismo d^o que ellos, por lo respectivo al
 uso que de el mencionado terreno quieran
 hacer; pero con la precisa condicion
 de que no podra darlo venderlo ni
 empeñarlo, sino a conservararlo en sociedad
 pura y simple, sin que por parte de
 los otorgantes sea inquietado ni movido

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ni por sus herederos y sucesores; y si le inquietare o moviere quieren que esta escritura sea respetada y dejen al referido Romero en su quietud y pacífica posesion, goze y disfrute. Y a la observancia de todo lo referido obligan los otorgantes sus bienes, habidos por haber, y con ellos, se someten al fuero y jurisdiccion de los Señores Jueces que de sus asuntos puedan y deban conocer, conforme al derecho para que a su cumplimiento les compelan, y estrechen por todo rigor legal y via executiva como si fuese por sentencia pasada. Renuncian su propio fuero domicilio y vecindad y todas las leyes de su favor y defensa con la gral del dno en forma, en cuyo testimonio asi lo dijeron y otorgaron y no firmaron por no saber, lo hice yo con los de mi asistencia siendo Instrumentales D. Frando Olampo y D.^o Bernardino Lopez presentes y vecinos que tambien firmaron doy fe = Juan Sepulveda = Francisco Olampo = Bernardino Lopez = Jesus Gurado = asen Francisco Johnson = E. R. = Bernardino Lopez = vale =

Concuerda con su original a que me remitio de donde fue sacado y corregido en esta forma del papel comun, por falta del sellado correspondiente. Yo autorizo

2
49

con testigos de asistencia doy fe —

En testimonio de verdad —

(Signed) Juan Sepulveda

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^{Asso}
(Signed) Jesus Guirado (Signed) Ber^{Asso}no Lopez

Filed in office November 1st

1852 — (Signed) Geo. Fisher
Secy

1897



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"B"

Translation
of

Annexed to the
Disposition of
Ciel Thams

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In the City of Los Angeles on the twenty sixth day of the month of July of our thousand eight hundred and forty nine before me Juan Spulveda second Judge of the same City the metropolitan witnesses named for this object and my assistants with whom I act as receptor for want of a notary appeared personally the neighbors (vecinos) of the mission of San Fernando Urbano and Adon and said that they wish and with their entire and deliberate will grant to Joaquin Romero of this vicinity the third part of a sitio which they own in the jurisdiction of San Fernando known by the name of the Scorjón which ranch is the exclusive property of Urbano and Adon. The grantors declare that they being in sound mind make a free perfect and irrevocable gift and donation to the said Joaquin Romero and oblige themselves never to reclaim by virtue of this document the part they have granted him. The grantors declare at the same time that the said Joaquin Romero shall enjoy the same right with themselves in respect to the use that may wish to make of the aforesaid land but with the precise condition that he shall never give sell or pawn it but keep it in partnership forever without being disturbed or moved on the part of the grantors nor by their heirs or successors and if they shall be so disturbed or removed that this document shall be enforced and that the said Romero shall be left in quiet and pacable possession to enjoy and profit by it and for the observance of all the obligations referred to the grantors submit their interests and property present and future to the laws and jurisdiction of the laws and Courts that may and ought to take jurisdiction of the subject in conformity to law to force and compel them by all legal rigor and form as if it were a sentence passed by authority and a thing adjudged and acknowledged. Thus renounced all their right of demand and disclaim and all the laws in their favor and defence together with the form of the general code of laws. Thus they said and elicited this instrument (testimonio) which they did not sign as they did not know how to write by me and my instrumental and assistant witnesses Franco Ocampo and Bernadino Lopez being present and signed to which I certify = Juan

Sepulveda, Francisco Ocampo, Bernadino Lopez
 Assistants Jesus Guirado, Francisco Johnson & B
 Bernadino Lopez - Approved.

In conformity with the original
 to which I refer and from whence it was taken and
 emitted in this sheet of common paper for want of
 the corresponding stamped paper.

Authorized by me with the Assistant
 Witnesses - In testimony of the truth.

(Signed) Juan Sepulveda.

ast. Jesus Guirado
 ast. Bernadino Lopez.

By the present documents I Manuel, natural
 of the mission of San Francisco for and in consid-
 eration of twenty dollars (20\$) paid to me by Joaquin
 Romero grant and confirm to said Joaquin Romero
 the fourth part of the share that I have in the
 ranch called the Scorpion, situated in the County
 of Los Angeles for him and his heirs to have and to
 hold forever, but only under the same conditions
 and privileges that were made in the grant of the
 same to said Joaquin Romero before Juan
 Sepulveda second Judge of the City of Los An-
 geles on the 26th of July 1849.

In testimony of which I
 have placed my hand and seal this the 10th day
 of September 1852.

Manuel

Signed and sealed
 in presence of
 J. Lancaster Brent

Filed in Office Nov 1st 1852.

(Signed) Geo Fisher Secy.

53

Ur Cano, Adon, Manuel & ab

The United States

} For the place called
} El Escorpion, situated
in Los Angeles County,
Containing half a square
league.

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Opinion

The petitioners allege that a grant of the land claimed was made to Ur Cano, Adon and Manuel the three first of the claimants named who were neophytes Indians of the Mission of San Fernando the first two of whom it is shown were emancipated by decree of the Governor issued while Manuel who was the son of Ur Cano was a minor.

The claimants have given in evidence the original grant above mentioned bearing date August 1, 1843, signed by Governor Pio Pico whose signature is duly proved. The Certificate shows that the grant was had under consideration by the Deputada Interal Assembly and a report was made by the proper Committee in favor of an approval, but no final action appears to have been taken on it by that body.

The testimonial of the proper Officer duly proved in this case shows that immediate possession was given to the grantees and the land duly measured and described on the 17th day of August 1843.

The testimony of Juan Manuel shows the occupation of the premises by the original grantees. He says he has known the place from the year 1846, "Since I know the place it has been occupied by the Indian named Ur Cano, when I first knew the place he had a house on it in which he lived with his family had a vineyard, cattle and horses, which the Mission gave him for his good service rendered them and he cultivated the land.

He continues to occupy it in the same manner to the present time." Adon and Manuel also lived on the place. The condition of the grant requires the grantees to have the premises within a year occupied with a habitable house and immovable property - It is contended by the Law Agent that the proof does not show that the occupancy which is proved by the witnesses commenced within a year of the making of the grant, But the subsequent portions of the Deposition from which the above quotation is

made explains more fully as to the time when the witness first knew the place. He was the lessee of the surrounding land during the whole of the year 1846. He also took an inventory of the property of the mission in 1845 and states that the grantees were then in possession of the land and he expressly declares that Urbano had a house and lived on and cultivated the premises when he first knew the place. This testimony establishes a full compliance with the above mentioned condition of the grant.

It is asserted by the claimants however that there was a mistake in the judicial measurement by which it would seem that the Officer gave possession of only about one fourth instead of a half of a square league of land and such from the return made by him seems to be the fact. It is however too late to correct the error. The original grant petitioned for two leagues of the land the Governor granted them half a league requiring the party to obtain a judicial measurement in order to segregate the land granted and define its limits and boundaries.

If no such segregation had taken place at the time of the change of jurisdiction under the treaty of cession this grant could not be confirmed. It would be without limits and boundaries which have always been held necessary in order to establish title to any specified portion of land and to entitle the grantees to a confirmation by this Commission.

If this act of judicial possession is set aside as erroneous or fraudulent, the claim must be rejected altogether for without it no description is contained in any of the documents or testimony by which we can describe or confirm the land claimed.

If it be taken as evidence of the segregation of the land under the grant, it must be taken as it is and the description of the land therein contained must be followed in the deed of confirmation.

It is only in reference to boundaries that the judicial possession in this case is important and the measurement in giving such possession in this case was indispensable in order to define and designate the land which they could hold under their

grant. The portion which is thus segregated, we
can confirm, but if this does not embrace as many
acres as the grantee were entitled to have assigned
to them it is now too late to remedy the evil. This Com-
mission has no power to make new boundaries to
the premises or to give them a title to lands outside
those limits, as defined and settled under competent
authority before the ownership was transferred by the
treaty of cession to the United States.

129 SD
PAGE 46

The petitioner Saaguin Romero
has given in evidence in proof of his interest in the
premises, two conveyances - the first made before an
Ableto on the 26th day of July 1819 by which said
Urbano and Adon conveyed to said Romero the third
part of said tract of land and the second made by
said Romero on the 10th day of September 1832 con-
veying to him the fourth part of the share in the prem-
ises then held by said Romero. By these transfers
the interests of the four petitioners in the premises
were as follows: viz. Romero had five undivided
twelfths parts, Manuel three twelfths, Urbano and
Adon two twelfths or one sixth part each and agree-
ably to these proportions the land will be confirmed to
them -

Confirmed.

Filed in Office April 25, 1857.
(signed) Geo Fisher Secy.

Urbano, Adon, Manuel et al }
vs. }
The United States }

In this case on hearing
the proofs and allegations it is adjudged by the
Commission that the claim of the said petitioners is
valid and it is therefore ordered that the same be con-
firmed, the said petitioners to hold the premises hereby
confirmed in the proportions following to wit:

Saaguin Romero five undivided twelfths parts
Manuel three twelfths, Urbano and Adon two
twelfths each.

The premises hereby confirmed

Decree

129 SD
PAGE 47

are situated in Las Alajulas County and are occupied by the said petitioners and known by the name of El Corpijon. bounded and described as follows to wit. Commencing at and running from the hill in a westerly direction two thousand five hundred varas terminating in the plain of San Simón at a land mark thence changing the direction to the South and running and measuring two thousand five hundred varas terminating at a tree hill in the plain of San Simón at an oak growing as a land mark and on which a cross was made with an oak thence changing the direction to the North East measuring and counting two thousand five hundred varas terminating at the cross of the same hill where was the commencement and thence to the point of beginning being the same premises of which judicial possession was given to said Urbano Adon and Manuel on the 4th day of August 1845, as described in the testimonial of the acts of judicial possession on file in this case to which referred is to be had for a further description of the same.

Alphus Dick

Thompson Campbell

R. Aug. Thompson

Commenced

Filed in Office April 25, 1837.

(Signed)

Geo. P. Shidley

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 decision in this case and of the papers and evidence upon which the same are founded be made and that only certified by the writing master of which transcripts shall be filed with the clerk of the U. S. District Court for the Southern District and the other be transmitted to the Attorney General of the United States

57



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

RVCE

20



Office of the Board of Commissioners,

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

129 SD
PAGE 48

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
following *fifty eight* pages, numbered from
18, 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 Witnesses, upon which the same is founded, on file in this
Office in Case No. 392 on the Docket of the said Board,

Urbano Odou Manuel et al are
the Claimant against the United States, for the place known by
the name of "Escorpion"

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
day of

A. D. 1854, and of the Independence of the
United States of America the seventy-ninth

G. Fisher

129

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

No. 129. *Docket*

THE UNITED STATES,

vs.

129

Urbano Odon Manuel,
et al.
"Escorpion."

TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 392.

Filed, *November 8th* 1854.

J. E. Farr,
Clerk

129



Office of the Attorney General of the United States,

Washington, 10th February 1855.

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Urbano Odon Mammel et al. }
vs. } 392.
The United States.

You will please take notice that in the above case, decided by the Commissioners to ascertain and settle private land claims in the State of California in favor of the claimant, and a transcript of the proceedings in which was received in this office on the 12th day of November 1854, the appeal in the district court of the United States for the Southern Judicial district of California will be prosecuted by the United States.

Cushing

Attorney General.

¹²⁹
U. S. District Court for
Southern District, Cal.

The United States

vs

Roberts Odor Mammul
et al -

appeal notice.

Filed April 10th 1855.

J. E. Carr.
clerk.

Office of the Attorney General of the United States,

Washington, 10th February 1855.

129 SD

PAGE 51

Urbano Odon Manuel et al.

vs.

The United States.

} 392.

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 12th day of November 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.

N^o 129.

U. S. D. Court S. Dist.

The United States

v.

Urbano Odon Manuel
et al.

Appeal Notice.

Filed May 11th 1855.

J. E. Farr.
clerk.

129 SD
PAGE 52

In the District Court of the
United States - for the Northern
District of California.

The United States
Appellants

vs

Muricio Antonio Maza
Appellant

129.

The United States by their Attorney
deny the validity of the title set
out in the petition of the said
Appellants: and pray that the
decision of the Board of Commissioners
be affirmed, and that the said title be
deemed to be invalid.

A. Glassell
Asst. U.S. Atty.

129 SD

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No. 129. 4
U. S. Dist. Court

The U. States
v
Maria A. Miza

Answer

Filed Oct: 17. 1855,
J. Chevers
Deputy.

3

129 SD
PAGE 54

Messell



Urbano, Odon Manuel, et al, app^{ts}
vs
The United States, app^t

Docket No. 129.

Transcript No. 392.

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 11th day of October A. D. 1852; Urbano, Odon Manuel, Indians, & Joaquin Romero,

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 El Escorpion situated in the County of Los Angeles 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 25th day of April A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioners. That thereafter, to wit: on or about the 8th 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. 392; reference to which it is prayed may be had and made part of this petition. That on or about the 12th day of November 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:
^{or about} on the 10th day of April — 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 claimants
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimants ~~has~~ ^{have} any valid right or title to said land claimed
as aforesaid, or any part thereof.

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PAGE 56

And no sufficient proof having been made of the allegations in said pe-
tition to said Commissioners, or in support of the said claim, no decision con-
firming the same should have been made by said Commissioners; but the

said claim should have been rejected by them. And the said claimants 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 claimants or ~~his~~^{their} attorneys 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. Ord
Attorney of the United States for
the Southern District of California.

No 129.

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

Arbano, Odou Manuel
et al — Apper

ad.

The United States,
app.

Petition for Review.

Filed Nov 8th 1895

129 SD

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P. O. C. W. C. W.

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

TO

The President of the United States,

Urbano, Odon, Manuel, Andraes &
Joaquin Romero

129 SD

PAGE 59

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 *8th* 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

P. Ord U.S. attorney for the Southern Dist. of California in behalf of the United States praying said Court to review the decision of the U.S. Land Commissioners of 25th day of April A.D. 1854 confirming your claim to the land called "El Escorpion" situate in the County of Los Angeles 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 demanded therein*

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. San
Clerk.

Marshal Cost

Travelling Expense
& Passage to Escorpion

~~\$100~~
Copying Announcements 100-
Serving the Petition 50-
\$150.00

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

Urbano, Odon, Plaintiff,
vs

vs. Jho 129.

The United States, Appell.

SUMMONS.

Recd. Nov 13 1856

Edward Hunter
U.S. Marshal

129 SD
PAGE 60

I served this summons along with the proper copy of the petition upon *Urbano*
"an Indian," by delivering to him personally
a true copy of the same

at Escorpion Los Angeles County
the 21st day of January

in the Southern District of California on
A. D. 1856.

Sworn to and subscribed before me, this 21st day of January 1856.
J. J. [Signature] Clerk.

Edward Hunter
U.S. Marshal.

By M. L. Goodman
Deputy

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

TO

The President of the United States,

Urbano, Adon, Manuel Andraon
& Joaquin Romero

129 SD

PAGE 61

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 8th 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. Atty for the Southern
Dist of California in behalf of the United States
praying said Court to reverse the decision of
the United States Land Commission of 25th day
of April A.D. 1854 confirming your claim to
the land called "El Escorpion" situate in
the County of Los Angeles, and appealed
by the Attorney 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 demanded therein*

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

J. E. Lee,
Clerk.

Marshals Cost
Travelling Expenses & Board
to Escorpion, Los Angeles
County \$20 - ~~\$24~~

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

Urbano Odon, named
et al. appees }
acc. # } No 129.
The United States, appls.

SUMMONS.
Filed Nov 13th 1856
Edward Hunter
U.S. Marshal

~~Served this summons along with the proper copy of the petition upon~~

The within named Indian Manuel
is dead

at el Escorpion Los Angeles County in the Southern District of California on
the 21st day of January A. D. 1856

Sworn to and subscribed before me, this 2nd day
of Jan'y 1856. J. E. [Signature] Clerk.

Edward Hunter U.S. Marshal.
By M. L. Goodman
Deputy

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

TO

The President of the United States,

*Urbano, Odon, Manuel, Indrums
and Pazuni Romero*

129 SD

PAGE 63

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 *8th* 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. Atty. for the Southern

*Dist of California in behalf of the United States
praying said Court to review the decision of the
United States Land Commissioners of 25th day
of April A.D. 1854 Confirming your claim to
the land called "El Escorpion" situate in the
County of Santa Barbara Los Angeles 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 demanded therein

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. Fern
Clerk.

Marlab Fort

Copying Summons - 50
Serving Petition & do. 6.
Travelling Expense 90
to Escorpion 90

~~50.00~~
\$26.00

Actual Travelling
Expenses in Serving
Summons and Petition
on Odor

United States of America,
Southern District of California,

U. S. DISTRICT COURT.

Urbano, Odor, Manuel et al,
appears.

advs. ~~3~~ 30000.

The United States, apply,

SUMMONS

Recd Nov 13 1855
Edward Hunter
M.A. Marshal

129 SD

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I served this summons along with the proper copy of the petition upon *Joaquin Romero* by delivering to him personally a true copy of the same

at *Escorpion Los Angeles County* in the Southern District of California on
the *21st* day of *January* A. D. 185*6*.

Sworn to and subscribed before me, this *21st*

day of January 1856. }
J. J. [Signature] Clerk.

Edward Hunter
Marshal.

By *M. Goodman*
Deputy

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

TO

The President of the United States,

Urbano, Don, Manuel Andraes
& Joaquin Romero

129 SD

PAGE 65

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 *8th* 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 Dist of Cal. in behalf of the United States praying said Court to reverse the decision of the U. S. Land Commissioners of 25th day of April A.D. 1854 Confirming your claim to the land called El Escorpion situated in the County of Los Angeles and appealed by the Attorney Genl. 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. San.
Clerk.

Marked for
Copying Inmons - 60
Sany Petitions & do 6.
Fiducially Expense
& Hardware & Engraving 10.
\$ 76.60

19.80
48.80
67.80

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

Urbano, Odon, Mamel, et al,
appears, ad. { no 129.

The United States, apply

SUMMONS
Recd. Nov 13 1855
Edward Hunter
U.S. Marshal

129SD
PAGE 66

I served this summons along with the proper copy of the petition upon *Odon*
(Indian) by delivering to him personally
a true copy of the same
at Escorpion Los Angeles County in the Southern District of California on
the 21st day of January A. D. 1856.

Sworn to and subscribed before me, this 21st
of Jan'y 1856. *J. E. Jan* Clerk.

Edward Hunter
Marshal.
By *M. L. Goodman*
Deputy

129 SD
PAGE 67

In the District Court of the United
State for the Southern District of California,
County of Los Angeles State of California
Urbano, Odon, Manuel,
et al Appellees } Docket No 129
vs }
The United States } Transcript No 392
Appellants }

The Appellees and Respondents Urbano, Odon,
Manuel, and Joaquin Romero for answer to the
Petition filed in this cause say, it is true
that the land mentioned in said petition and
in said Transcript of the proceedings before the
said Board of Commissioners lies within
said Southern District of California and is
within the jurisdiction of this Hon Court, but
the Appellees and Respondents deny that their
title to the said land is invalid, and aver that
the same is valid, wherefore they pray that the
decision of the said Board of Land Commis-
sioners be affirmed and that their title be declared
to be valid, and for general relief on the
premises

Lawrence Brent
Atty for Appellees
By C. E. Thom

No 129

Marshals Court

Strong v. Arnold H.B.

U.S. Dist Court
Southern Dist of Cal

Urbano, Adm. Mand
et al Appellants
vs
The United States
Appellants

Answer

Filed Jan'y 25th 1886.
C. E. Lewis
Clerk.

I have served this Answer upon P. Ord U.S.
Atty by delivering to him a true Copy of the
same at his Office in the City of Los Angeles
January 25th 1886.

Edward Hunter
U.S. Marshal
By McGoodman
Sergeant.

At a stated term of the District Court of the United States of America, for the District of California, held at the Court Room, in the City of San Francisco, on Thursday the Ninth day of March in the year of our Lord, one thousand eight hundred and seventy six.

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Present:

The Honorable OGDEN HOFFMAN, Judge.

The United States, Appellants

vs.

Urbano Odon ^{and} Manuel
indians, and Joaquin Romero. Appellees.

N^o 392 L. C.

vs. "El Escorpion"

N^o 129. S. D. C.

Now come the claimants and appellees, and present to the court a certified copy of the mandate of the Supreme court of the United States, desisting the appeal in said cause from the decree of the District court of the United States for the Southern District of California to said Supreme court. Whereupon, ^{Isaac Hartman Esq.} on motion of the attorney of claimants and appellees, it is ordered by the court that said mandate be filed; that the aforesaid appeal be vacated; and that the claimants and appellees have leave to proceed herein under said decree heretofore rendered by said District Court of the U. S. of the Southern District of California, as under a final decree.

Ogden Hoffman
Dist. Judge

No. 129 S.D.

United States District Court,
DISTRICT OF CALIFORNIA.

The United States

vs.

Urbano et al.;
El Escorpion

Order to file mandate and
allowing claimants to proceed
under Decree of District Court
as under a final decree.

Filed March 9th 1876

Southard Hoffman Clerk.

By M. Grimwood Deputy.

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I hereby certify that the foregoing is a full, true and correct copy of an original order made and entered in the above entitled action.

Attest my hand and seal of said District Court,
this _____ day of _____ A. D. 187

By _____ Clerk.
Deputy Clerk.

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

Urbano, Odon, & Manuel, Judicious }
and Joaquin Romero } Case No 129

Appellants. }

El Escorpion

vs

The United States

Appellants }

Transcript 392

129 SD

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This cause coming on to be heard on ap-
peal from the final decision of the United States
Board of Land Commissioners to ascertain &
settle the private land claims in the State of
California, under the Act of Congress, approved
March 3^d 1857, upon a certified Transcript of
the Proceedings and decision of said Board,
and of the papers and evidence upon which
said decision was founded; and it appear-
ing that 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 said United States
Board of Land Commissioners, be and the
same hereby is affirmed; and it is further
adjudged and decreed that the claim of
the above-named Appellants, Urbano, Odon,
and Manuel, Judicious, and Joaquin Ro-
mero, to the lands called "El Escorpion"
situate in the County of Los Angeles, State
of California, and claimed by them in this
case is good and valid, and the same are

being confirmed to them to the extent and situation set forth in the act of Judicial Possession on file in the case.

The land of which confirmation is hereby made being described in said act of Judicial Possession as follows;

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Commencing at and running from the sierra in an easterly direction, two thousand five hundred (2500) varas; terminating in the plain of San Fernando, where a land mark was ordered to be placed; Thence changing the direction to the south there were measured and counted two thousand five hundred (2500) varas, terminating at a low hill on the same plain of San Fernando, at which point was placed an oak for a land mark, on which a cross was made with an axe; Thence changing the direction to the north west, measuring and counting two thousand five hundred (2500) varas, terminating at the Cañada de Encinos, where a stake was driven to serve as a temporary land mark; and thence changing the course to the north, two thousand five hundred varas (2500) which ended at the same foot of the hill where the commencement was made -

Wm. S. Ogden
U S Dist Judge

No 129
U.S. Dist. Court
South Dist Cal.

Ursino et al
Appellants
vs

The United States
Appellants

Decree -

File Office
This 23rd Nov 1859

Recorded No. 291.

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A. Lancaster Print.

United States of America, ss:

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The President of the United States of America,

To the Honorable the Judges of the District Court
of the United States for the _____ District
of California,
greeting:

Whereas, lately in the District Court of the United States for the Southern
District of California, _____, before you, or some of you,
in a cause between The United States, appellant, and
Horban, Odon, and Manuel, Indians, and
Joaquin Romera, appellees, wherein the de-
cree of the said District Court entered in said
cause was in favor of the said appellees and
against the said appellant, The United States.
Whereupon the said appellant, prayed an
appeal to the Supreme Court of the United States.

129 SD



as by the inspection of the ~~transcript of the record~~ certificate of the Clerk of the said
District Court under the seal ~~of the said~~ _____
Court, which was brought into the Supreme Court of the United States by virtue
of _____

agreeably to the act of Congress, and the rules of the said Su-
preme Court in such case made and provided, fully and at large appears,

And whereas, in the present term of October, in the year of our Lord one thousand eight hundred and seventy-four, the said cause came on to be heard before the said Supreme Court, ~~on the said transcript of record, and was argued by counsel.~~
~~On consideration whereof,~~ and it appearing that the said appellant has failed to have its cause filed and docketed in conformity to the rules of this Court, it is now here ordered, adjudged, and decreed by this Court that this appeal from the District Court of the United States for the Southern District of California, be, and the same is hereby, docketed and dismissed.

And it is further ordered that this cause be, and the same is hereby, remanded to the District Court of the United States for the District of California.

3 May 1875.

You, therefore, are hereby commanded that such _____ proceedings be had in said cause, _____ as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

Witness the Honorable Morrison R. Waite, Chief Justice of said Supreme Court, the first day of February, in the year of our Lord one thousand eight hundred and seventy-six.

COSTS OF

Clerk \$

Attorney \$

Taxed by

Geo. Middleton

Clerk of the Supreme Court of the United States.

129.5.18

No. 827, October Term, 1874.

MANDATE

SUPREME COURT UNITED STATES.

Ad. vs. Roberts et al.

Filed March 9th. 1875
 on Motion of Isaac Hartman
 Esq. Attorney for Claimants.
 dothard H. Sprouan Clerk
Joseph H. ...
Respectfully