CASE No.
182

SOUTHERN DISTRICT

SANTA ANA DEL CHINO GRANT

ISAAC WILLIAMS

CLAIMANT

LAND CASE 182 SD pgs. 163

MAR 8 1963

Smith Hunter

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 433

Isaac Williams CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Santa Ana del Chino"

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

The Petition of Isaac Williams, *for the Place named* "Santa Ana del Chino" *was presented, and ordered to be filed and docketed with No.* 433, *and is as follows, to wit;*

(Vide page 3 *of this Transcript.)*

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

Los Angeles, November 4th 1852.

In Case no. 433, Isaac Williams for the place named "Santa Ana del Chino", the deposition of Abel Stearns, a witness in behalf of the Claimant taken before Commissioner Hugo Stall, with documents marked St. St. nos. 1. 2. & 3, and translations thereof marked B. D. & F, annexed thereto, was filed;

(Vide page 7 of this Transcript)

San Francisco, Aug. 17th 1853.

Case no. 433, Isaac Williams for the place named "Santa Ana del Chino", called, the Counsel for the Claimant read the Evidence; argued submitted and taken under advisement by the Board.

San Francisco, December 27 1853.

In the same Case Commissioner Alpheus Felch delivered the decision of the Board upon the motion of the Counsel filed heretofore to wit on the 17th of August 1853 asking leave to file new testimony, which motion having been overruled the prayer of the claimant denied.

San Francisco, Jan. 24 1854.

In the same Case the Counsel for the Claimant filed the following Motion and affidavits, to wit:

(vide page 60 of this Transcript)

which motion was taken under advisement by the Board.

San Francisco, Feb. 7th 1854.

In the same Case Commissioner Alpheus Felch delivered the decision of the Board upon the motion heretofore filed, to wit on the 24th ult., by the Counsel for the Claimant, asking leave to file an additional paper as evidence in this Case - Motion granted.

San Francisco, Feb. 20 1854.

In the same Case the deposition of J. J. Warner, a witness in behalf of the Claimant, taken before Commissioner Alpheus Felch, with documents marked "A. F. nos. 1 & 2" annexed thereto was filed:

(vide page 9 of this Transcript)

San Francisco April 25th 1854.

In the same Case Commissioner Thompson Campbell delivered the opinion of the Majority of the Board confirming the Claim:

(Vide page 68 of this Transcript.)

In the same Case Commissioner R. Aug. Thompson filed his dissenting opinion:

(Vide page of this Transcript.)

San Francisco Aug. 15th 1854.

In the same Case, on motion of the United States Law Agent, the following Order was made, to wit:

(Vide page of this Transcript.)

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Petition

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To the Hon the Board of U. S. Land Commissioners appointed to hear private land claims in California –

The petition of Isaac Williams respectfully showeth,

That on or about the 26th day of March AD 1841. Juan B Alvarado then Governor of California in the name of the Mexican nation by virtue of the laws then in force the customs and usages of the country affecting grants of land in California granted in fee simple property unto Antonio Mª Lugo the tract of land and Rancho known by the name of Santa Ana el Chino, bounded S.E by the rancho of Don Bernardino Sorba and that of Don Juan Bandini. N.E. by the rancho of Don Piliricio Tapia and the Chanisal N.W by the rancho of Don José de Jesus Linares and Don Ignacio Palomares. S.W by the mouth of the Cañada de la Brea. Containing five square leagues of land (Sitios de ganado Mayor) as described in the papers and maps relating to said grant of land. That copies of the papers in the hands of your petitioner are herewith filed as part of this petition and as soon as copies can be procured from the Archives now in the custody of the U. S. Surveyor Genl for California. Your petitioner prays leave to file the same as part of this petition – And Your petitioner further shows that he is informed and believes the above described grant was duly approved by the Departmental Assembly of California and that a record of the same is now in the Archives in the custody of the U. S. Surveyor Genl for California and that a record of the same a copy of which Your petitioner prays leave

to file as part of this petition as soon as the same can be obtained.

And your petitioner further shows that on or about the 29th day of April 1841 the said Antonio Maria Lugo received and was placed in juridical possession of said tract of land and Rancho by the proper Officer having jurisdiction and authority of the subject matter as appears by original and Official papers now in the possession of your petitioner ready to be produced and proved. Copies of said papers are herewith filed as part of this petition.

And your petitioner further shows that on or about the Eighth day of February AD 1851 the said Antonio Maria Lugo sold and conveyed all of the said land and Rancho of Santa Ana del Chino to your petitioner by good and sufficient deed of conveyance a copy of said deed being herewith filed as part of this petition. And the original is now in the hands of your petitioner ready to be produced and proved.

And your petitioner further shows that said lands have always since the date of said grant been in the quiet and peaceable possession of said Antonio Ma Lugo and of your petitioner.

And your petitioner is now in the peaceable and quiet possession of said lands.

There is no conflicting claims to the same known to your petitioner.

Said lands have not been surveyed by the U. S. Surveyor General for California. The Evidence upon which

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Your petitioner relies in this case on the records of this grant papers and maps in the Office and custody of the U. S. Surveyor General for California, original papers in the possession of Your petitioner relating to said tract of land and the testimony of witnesses to be produced before Your Honble Board.

Respectfully submitted for such action as the Justice and nature of the claim may require.

E. O. Crosby,
of Counsel for Claimant.

Filed in Office Nov. 1st 1852.
(signed)
Geo Fisher Secy.

Los Angeles Nov. 4th 1852.

Deposition of Able Stearns

On this day before Comr S Hall Como Able Stearns a witness in behalf of the claimant Isaac Williams petition No 133 and was duly sworn his Evidence being given in English –

The U. S. Associate Land Agent was present.

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

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

I am acquainted with the handwriting & signatures of Juan B Alvarado, Manuel Simons, Narciso Botiello & Santiago Argüello

A paper is now shown me purporting to be a grant to Antonio Maria Lugo of land called Santa Ana de Chino dated March 26. 1841. The signatures of the said several persons appearing on said paper I believe to be genuine. It is hereto annexed marked H.H. No 1.

I am also acquainted with the hand writing & signatures of Ignacio Palomares Augustin Olvera & Francisco Ocampo —

A paper is now shown me purporting to be a testimonial of Juracial possession in April 1841. The names of the said Palomares Olvera & Ocampo on said paper I believe to be their genuine signatures. Palomares at the date of said Juracial possession was Justice of the Peace & Judge of the first Instance and authorized to grant. Said paper is hereto annexed & marked H.H. No 2.

I know the land before mentioned have been at the place frequently. It is situated about twelve leagues East of this place in this County. It was occupied the same year of the grant by Lugo the grantee & was in charge of Isaac Williams his son in law about four thousand head of cattle were placed there that year & a house built in which said Williams & his family lived. He has lived there to the present time. There are two large houses on the land & a grist mill. The land has been extensively cultivated & there has always been a large stock of cattle & horses there —

I am acquainted with the hand writing & signatures of Stephen C. Foster. W. G. Dryden & Ignacio del Valle.

A paper is now shown me purporting

to be a conveyance of the before mentioned land by Antonio Maria Lugo to Isaac Williams dated Feby 8. 1851 with a certificate of acknowledgment bearing the same date.

The signatures of the said Pastor Dryden & Ad Valle upon said paper I believe to be genuine. Ignacio Ad Valle was at the date of said certificate county recorder and as such had authority to take the acknowledgment of instruments of conveyance & to certify to the recording of the same. Said paper is hereto annexed & marked H. H. No 8.

Abel Stearns.

Sworn & Subscribed
Before me
Heland Hall Comr.

Filed in Office March 1852.
(Signed)
Geo Fisher Secy.

Deposition of A. J. Warner

United States Land Commission
San Francisco Feb. 20. 1852.

On this day before Commissioner Alpheus Felch came A. J. Warner a witness in behalf of the Claimant, Isaac Williams Case No 153 who after being duly sworn deposes as follows.

Questions by Mr Crosby Attorney for Claimant.

1. Question. Please state your name age and place of residence

Answer. My name is A. J. Warner my age is forty six and I reside at San Diego in California

2. Question. Do you know

Antonio Maria Lugo' of you whom did he live in 1841'.

Answer. I have been intimately acquainted with him since 1832. In 1841 he was residing on the Rancho del Chino. I saw him there at various times from the first of August in that year to the end of the year. He was there managing the affairs of the Rancho and more especially the stock of which there was a large number on the Rancho. I was very often there at that time under the supervision of his son in law. Mr Williams in which he Lugo resided with one or more of his sons during the time above mentioned at that time he was a widower.

3. Question. Do you know Ignacio Palomares. Ignacio Coronel & Joaquin de las Rios y Ruiz'. if you are you acquainted with their several hand writing? and if so please look on the accounts now here presented to you marked Exhibit No 1. with the initials A F. annexed to this deposition and purporting to be a conveyance from Antonio Maria Lugo to Isaac Williams and state whether the signatures appearing on said document are the true and genuine signatures of Palomares Coronel and Rios y Ruiz respectively.

Answer. I have examined said document. I know the three individuals named and have seen each of them write and know their hand writings. The signatures on said document are the true and genuine signatures of said persons respectively. At the date of this document said Palomares was acting Alcalde at Los Angeles.

4. Question — Do you know Isaac Williams the Claimant in this Case? if you do is he the same person who is described as the grantee in the document mentioned in the last question and answer.

Answer. I know him and know that he is the same person.

5 Question — State if you know whether the stock of which you have spoken on the Rancho del Chino in 1841 and the improvements that were there being made were the property of said Lugo?

Answer. They were. There was also some stock a small quantity belonging to said Williams. It was purchased by him and put on the place and was mostly sheep and horses. Lugo lived on the place until 1842 or 1843. he was there also afterwards most of his time until some time in 1844.

6. Question —

Please look on the Document now here presented to you marked "Exhibit No 2" with the initials H.S annexed to this Deposition and purporting to be a decree or titles of the Naturalization of Isaac Williams (Juan Williams) by which name he was here known) and state whether you are acquainted with the handwriting of Juan B Alvarado and Manuel Jimeno? and if so whether the signatures appearing on said Document are the true and genuine signatures of said Alvarado & Jimeno respectively —

Answer.

I know the handwriting of said both of them have seen both

of them writ and the signatures to said document are the true & genuine signatures of said Alvarado & Amino respectively. Said Isaac Williams has always been known in California by the name of Julian Williams. He is the same person who is the claimant in this case.

S. D. Warner.

Mr McKinno Law Agent was present at the taking of this Deposition but proponended no interrogatory to the witness, He objects to all the above Deposition excepting that relative to the proof of the conveyance from Lugo to Williams as not authorized under the order allowing this testimony to be taken after the case was submitted for adjudication.

Subscribed and Sworn to before me this 20th day of February 1854.

Alpheus Felch
Commissioner

Filed in Office Feb. 20. 1854.
(signed) Geo Fisher Secy.

2 - copy. 55 fos. Case No. 55.

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Sello 1º Seis pesos.

Habilitado provisionalmente por la Aduana marítima de Monterey para los años de 1840 y 1841.

Alvarado. Antonio María Osio.

Valgá para los años de 1841. y 1842.

Alvarado. Antonio María Osio.

Juan B. Alvarado. Gobernador Constitucional del Departamento de las Californias.

Por Cuanto Don Antonio Hugo ha presentado para su beneficio personal y el de su familia el parage conocido con el nombre de Santa Ana del Chino, colindante al S.E. con el Rancho de Don Bernardo Yorba y con el de Don Juan Bautista al N.E. con el Rancho de Don Ubaldo Lapia y el Chamisal al N.O. con el rancho de Dn José de Jesus Linares y Don Ignacio Palomares al S.O. con la vega de la Cañada de la Brea, practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y reglamentos, usando de las facultades que me son conferidas á nombre de la nacion Mejicana, he tenido en concederle el terreno mencionado declarandole la propiedad de él por las presentes letras, sujetandose á la aprobacion de la Exma. Junta Departamental y á las condiciones siguientes.

Doc. 1.

1ª Podrá cercarlo, sin perjudicar las travesias caminos y servidumbres lo disfrutará libre y exclusivamente destinandolo al uso ó cultivo que mas le acomode pero dentro de un año fabricará Casa y estará habitada.

2ª Solicitará del Juez respectivo que le dé posesion Judicial en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites pondrá á unos de sus mojoneras algunos arboles frutales ó silvestres de alguna utilidad.

3. El terreno de que se le hace donacion es de sus sitios de Ganado mayor poco mas ó menos segun es plica el diseño que corre en el Expediente. El Juez que diere la posesion lo hará medir conforme á ordenanza quedando

el sobrante que resulte á la nacion para los usos Comunes

5.º Si contravenire á estas Condiciones perderá su derecho al terreno y será denunciable por otro.

En Consequencia mando que teniendose por firme y valedero este titulo se tome razon de el en el libro a que corresponde y se entregue al interesado para su resguardo y demas fines. Dado en Monterey á veinte y seis de Marzo de mil ochocientos Cuarenta y uno.

Juan B. Alvarado

Manuel Jimeno. Srio.

Queda tomada razon de este despacho en el Libro de asientos sobre terrenos Concedidos. á fs. Jimeno.

El exmo Sor. Gobernador. Dispone que se tome razon de este titulo en la Prefectura del Segundo Distrito.

Jimeno.

Angeles. Abril. 13 de 1841.

Queda tomada razon de este titulo á fs. 12. vs. del libro respectivo llevado en esta Prefectura.

L. Argüello. Narciso Botello. Srio.

Filed in office. Nov. 5th 1852.

Per. Fisher.

Secretary.

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Espediente promovido por el ciudadano Antonio Maria Lugo en presencia del parage conocido con el nombre de Santa Ana del Chino.

1840. 291.

Juzgado de los Angeles = Espediente promovido por el C. Antonio Maria Lugo en solicitud del parage con el nombre de Santa Ana del Chino.

1840

Sello tercero Dos reales.

Habilitado provisionalmte por la aduana Maritima del Puerto de Monterey en el Departamento de las California para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno. Rubrica. Ant.º Maria Osio.

Monterey. 3 Dic 1840

Vase á los interesados

Son Dos Pesos Fino

-ero Cesario Gutierrez

Tot.º así lo mandó y firmó.

Limen.

Excmo. Sor. Gobernador.

Antonio Maria Lugo. Mejicano por nacimiento y vecino de esta ciudad ante V. respectuosamte y como mas haya lugar en derecho comparezco y digo que siendo Sabedor de un mundo positivo el que Don José Ant.º Carrillo tiene retirados. Sus instancias en que solicitado en mi compañia el terreno nombrado Santa Ana del Chino por no combenir á sus intereses la posesion de la mitad de dicho terreno ha creido oportuna hacerme, como de facto le hago la referida instancia, suplicando a ese Superior Gobierno el que el et. titulo es que se estienda sea unicamente á mi favor ofreciendo cubrir el punto citado con la cantidad de cinco mil reales y la cantidad necesaria para ser ciudadano. El alistamiento que obedecimte a compañia comprende el terreno que actualmte se halla sin ocupacion y que aunque se reconoce por los acumulados á la Mision de San Gabrie

omitiendo anotar en esta Solicitud los colindantes por estar demarcados en la anterior y en el presente deseno. Por tanto A V. S. rendidamente suplico que atendiendo á mi buena familia y al renuncio de cuatro reses que poseo en fuerza de mi afanes y trabajos se digne extender provisionalmente el titulo de estilo afin de dar principio al fomento del expresado rancho de Cuya Gracia quedare reconocido.

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Angeles. Noviembre 10 de 1840. Antt.º Ch.º Lugo.

Monterrey. 28 de Enero de 1841.

De Conformidad con las leyes y reglamentos de la materia pase este Expediente al Sor. Prefecto del Segundo Distrito para que tome los informes convenientes. "Cúmplase"

Angeles. Febrero. 22 de 1841.

De Conformidad con el Superior decreto que antecede remitase este Expediente al Sor. Juez de Pz. de esta ciudad para que informe estando en que actualmte se hazo el sitio llamado Santa Ana del Chico, con expresión de la clase y numero de bienes que hay alli perteneciente á la Mision de San Gabriel con todo lo demas a que se contrae la nota oficial del Mayordomo de Dho. Establecimiento constante á fas 4 y 5. y concluido vuelva á esta Prefectura para los demas tramites de estilo.

Argüello. Narciso Botello. Secretario.

hace Lebrero 1841 en Blanco

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Sello tercero Dos reales.

Habilitado provisionalmente por la autoridad Marítima del puerto de Monterey en el Departamento de las Californias para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

Antonio María Osio.

Monterey. 31 de Dic. 1840.

Dígase el a las interesados. N. S. L. D. Manuel Jimeno. Secretario de Gobierno Interino, así lo mandó decretó y firmó.

Jimeno.

Ex. Sr. Gobernador.

José Antonio María Carrillo Mejicano por mi nacimiento y vecino de esta Ciudad ante V. E. en la mejor forma y con el respeto debido me presento y digo: que con convenciendo á mis intereses obtener la posesion de la media puerta que desde el año de 1834, tengo solicitado del terreno conocido por el nombre de Santa Ana del Chino retiró mi instancia respectiva desistiendo por este motivo del derecho ó antigüedad que tengo en dicho perido. Por tanto A. V. E. suplico se digne admitirme la presente solicitud y providencia el que se le dé el trasmite que crea conveniente. Angeles Noviembre 6 de 1840.

José Antonio Carrillo.

Monterey. Enero 28 de 1840. Unase el Expediente que ha promovido Dn. Antonio Mª Lugo

El Magnánimo del Rancho de la puente y del Ex. Ayuntamiento es como hombres de este establecimiento me dio parte de que en el interior estaban fabricando y adelantando, obras los siguientes del Sor. Antonio María Lugo y del Extranjero Guillermo y como ningun antecedente tenia en el A. V. Ministro reclame al Sor Lugo quien me contesto que el Rancho y ganado Santa Ana del Chino era como no tenia titulo, ocurrió á la Superioridad solicitando permiso para emprendar sus trabajos y habiendose le concedido los impetro y en respuesta á mi reclamo me lo avisaba. El Sor Lugo de esto sabiendo de casa de este establecimiento situado en el mismo Rancho ha construido corral y casa maderas del mismo terreno que posee que le

prepará á otros trabajos. El de mi deber poner al superior conocimto del Emo. Sor. Gobernador que dho. Rancho ganado Mta otra del Chino y el otro la puente de las unicas que tiene este establecimto para sementeras y aberaderos y aun que está quedado pobre Gando tiene su encargo un hermoso pie de Cabayada que siempre ha pastado en esta otra del Chino y que los tenemos de el son muy numerosos á este establecimto para las sementeras cuyo ramo es preciso fomentar como que es unico que sostendrá este establecimto tanto para la manutencion de los neofitos como para buscar con sus productos los adelantos que le proporcionará. Todo lo participo á V.S. para que se sirva poner lo en el superior conocimto del Emo. Sor Gobernador del Departamto á quien pido en beneficio de ese Establecimto que esta á mi cargo que tengo á no hacer se es pedido titulo por dho. Rancho en favor de cualquiera tenga á bien mandar que no sea ocupado por ningun particular sino que contiene este Establecimto usando lo como propiedad suya. Admita V.S. las demostraciones de mi respeto. Leyes y Libertad. Mision de San Gabriel. Dbre. 22 de 1846. Juan Pérez.

Sor. Secretario del Gobno del Departo.

Sor. Respecto. Concurre al Superior decreto de V.S. fecha 22 del mes pdo para que en persona con objeto de reconocer el terreno nombrado Llano del Chino perteneciente á la Mision de San Gabriel y visto hasta sus bienes en la absoluta de la estacada Mision, pues las ensartas bestias que hay alli son de Dn Antonio Maria Lugo las cuales tienen fierro y venta de la misma Mision. Igualmte tiene alli el Sr. Lugo mis ochocientas reses ha comunes cosas y otras cosas solo hay dos yeguas cayuchas que son de la referida Mision por lo que el terreno que se solicita es baldio con respecto á San Gabriel y creo puede darse si la Superioridad lo tiene á bien. Angeles Marzo. 20 del 847.

Ignacio Palomares.

Secretario Sor.

La Prefectura de este 2o Distrito cumpliendo con el superior

dicreto de V.E. constante a V.1ª vuelta primera del presente Expediente, pasó este al Sor. Juez de 1ª instancia de esta Ciudad para que informará lo que considerá necesario en el asunto a que se refiere cuyo funcionario prestigio el que antecede y en la vista, creí la Dispetina no obstante no ningeno para que se le adjudique en propiedad Guido Antonio Maria Lugo el parage que ha solicitado nombrado Sta Ana del Chino, tanto por el que el Establecimto de Sn Gabriel a que pertenece el referido parage no tiene bienes con que cubrirlo, cuanto pr el que representa tiene los suficientes para hacerlo ya mas es sujeto á todo de los requisitos necesarios para ser adjudicado pues aunque el chaparrono de dho. Establecimto expone hacer dos en el Chino, unos numero de caballada esto es muy de poco y aparece ahora vendidos por la Misma al mismo Señor Lugo y Lerzado con la marca de este como se espresa en el citado informe, mas en vista de todo V.E. determinará lo que sea de Superior agrado.

Angeles. Marzo 5º de 1821.

S. Argüello. Narciso Botello. Secretario.

Monterey. 26 de Marzo de 1821.

Vista la peticion con que da principio este Expediente el informe del Juez de la Ciudad de los Angeles, el de Sor. Prefecto del Segundo Distrito con todo lo demas que se tubo presente y ser conforme de conformidad con las las leyes y reglamentos de la materia, declaro á Don Antonio Maria Lugo, Dueño en propiedad del terreno conocido con el nombre de Santa Ana del Chino, colindante al S.E. con el Rancho de Don Bernardo Yorba y con el de Don Juan Bandini, al N.E. con el rancho de Don Tiburcio Tapia y de Chaunial, al N.O. con el con el Rancho de Don José de Jesus Lóizares y Don Ygnacio Palomares al S.O. con la boca de la cañada de la Brea en estension de cinco sitios de Ganado mayor estendiendose el Despacho correspondiente tomese razon en el libro respectivo y dirijase este Expediente á la

Ilma Junta Departamental para su aprobacion. Asi el Gov. Dr Juan B. Alvarado, Gobernador Constitucional del Departamento de las California, así lo mando, decreto y firmo. De que doy fe.

Juan B. Alvarado, Gobernador Constitucional del Departamento de las California.

Por cuanto Don Antonio Chorin Luyo, ha pretendido para su beneficio personal y el de su familia el terreno conocido con el nombre de Santa Ana del Chino, colindante al S.E. con el rancho de Dn B. Bernardo Yorba y con el rancho de Juan Bautista al N.E. cerca rancho de Dn Ignacio Tapia y el Chanisnaw al N.O con el rancho de Don José Peres Leivas y Dn José Ignacio Palomares al S.O. con la boca de la cañada de la Brea, practicados previamente las diligencias y averiguaciones concernientes y siguiendo lo dispuesto por leyes y reglamentos de la materia, usando de las facultades que me han conferidas á nombre de la nacion Mejicana he venido en conceder le el terreno mencionado declarandole la propiedad de él por las presentes letras y sujeto á las condiciones siguientes.

1a Podra cercarlo sin perjudicar las transitas comunes y servidumbres lo disfrutará libre y exclusivamente destinando lo al uso á cultivo que mas le acomode, pero dentro de un año fabricará casa y estará habitada.

2a Solicitará del Juez respectivo que le dé la posesion material en virtud de este despacho por el cual se demarcarán los linderos en cuyos límites se pondrá ó mas en las mohoneras algunos arboles frutales ó silvestres de alguna utilidad.

3a El terreno de que se hace merced no es de cinco sitios de ganado mayor poco mas ó menos, segun se demuestra en el diseño respectivo. El Juez que dirija la posesion lo hará medir conforme á ordenanza quedando el sobrante que resulte á la nacion para las ulteriores concesiones.

4a Si contravinieren á estas condiciones, perderá su derecho

el terreno y será denunciable por otro. En consecuencia mando que tenientose por firme y valedero este título se tome razon de él en el libro respectivo y se entregue al interesado para su resguardo y demas fines. Dado en Monterey á veinte y siete de Marzo de mil ochocientos cuarenta y uno.

Office of the Surveyor General of the United States for the the State of 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 charge and control á portion of the archives of the former Spanish and Mexican Territory or Department of Upper California, Do hereby certify that the fourteen preceding and hereunto annexed pages of tracing paper numbered from one to fourteen inclusive and each of which is signed by my initials (S. D. K) exhibit true and accurate copies of certain documents now on file and forming part of the said archives in this office.

In testimony whereof I have hereunto signed my name officially and affixed my private seal not having a seal of office and at the City of San Francisco on this 29th day of October. 1852.

Samuel D. King.
Surveyor General. Calif.

Filed in office. Aug. 8. 1853.

Geo. Fisher,
Secretary.

Record of Proceedings.

Exhibit No 2

Translation

At the instance of the Citizen Antonio Mª Hago in solicitation of the location known by the name of

Santa Ana del Chino.

1844.

(231)

I, Antonio Mª Lago a Mexican by birth and resident of this City appears before Your Excellency and respectfully & as best may be consistent with law, say.

That being somewhat positively aware that Don Jose A Carrillo has withdrawn his instance wherein he solicited in company with me the land called Santa Ana del Chino on account of that the possession of the moiety of said land does not agree with his interests. I have thought it opportunate to make my solicitation as in fact I do by this repeated instance. praying this Superior government that the title and grant to be issued be only in my favor offering to cover said point with the number of 5000 heads of cattle and the number of horses necessary for its care. The sketch which I duly accompany comprises the land which actually is found without occupation and which tract is recognised as found to the Mission of San Gabriel omitting to quote the bordering land owners in this instance because being marked both in the foregoing and the present sketch

Therefore I humbly ask your Excellency that attending to my increased family and to the number of 5000 heads of cattle

which I possess as fruit of my toil and labors. You will please to issue provisionally the Judicial title in and in order to give commencement to the Cultivation of the Rancho for which favor I shall remain obliged to you.
Angeles November 10th 1840.
(signed) Antonio M Lugo

Monterey.
December 1840
Be it forwarded to the Ex[illegible] Manuel Ignacio Casarin Governor ad interim this ordered and signed.
Jimeno

Monterey 28th January 1841.
In conformity with the laws and regulations on the Subject in this Expediente sent to the prefect of the 2d District in order that he may take the necessary report.
(signed) Alvarado.

Angeles February 22nd 1841.
In conformity with the foregoing Superior decree in this Expediente remitted to the justice 1st of the peace of this City in order that he may report on the State in which the (sitio) called Sta Ana del Chino actually is with specification of the Class and number of stock which is there belonging to the Mission of San Gabriel with every thing also contained in the Official roll of the Superintendent of said Establishment composed of pages 4 and 5 and this conducted to return it to this Prefecture for the other Judicial proceedings
(signed) Arguello.
Narciso Botello
Secretary

Excellent Sir Governor.
D. Jose Antonio Carrillo Mexican by birth and resident of this City present myself before Your Excellency in the best form and with due respect say.

That the obtaining of the possession of the one half of the land known by the name of Santa Clara al Chino which since the year 1834 I have solicited not being agreeable to my interests I withdraw my respective instance desisting on the ground from the right or precedence, I have asked in said solicitation and provided for him who may take the proceedings he thinks convenient.

Angeles November 6. 1844.

(Signed) Jose Antonio Carillo.

(in the margin)

Best joined to the antecedents Don Manuel Jimeno Casarin Governor ad interim thus ordered and signed.

(Signed) Jimeno.

The Superintendent of the Rancho de la Puente and of Santa Ana al Chino both of this Establishment an one half of which last one the servant of Mr Pedro Lugo and the foreigner, Juldain Sulano were building and advancing adverse works and as neither I nor the Reverend Father Ministro has any precedence I reclaimed it from Mr Lugo who answered me that the Rancho called Santa Ana al Chino was his as it were and that as he had no title he applied to the prefecture soliciting permission to undertake his works and having granted it him he commenced them and in answer to my reclamation he advised me thereof. Mr Lugo is availing himself of the House of the Establishment situate in the same Rancho he has made a corral and with wood from the same land and it seems that he is preparing himself for other works. It is my duty to bring to the

Superior Knowledge of his Excellency the Governor that said Ranch called Sta Ana El Chino and the other La Juente are the only ones this Establishment has for corn fields and watering places and through it has remained quite profitable it has nevertheless a numerous lot of Horses which all ways have pastured on Sta Ana El Chino and that the lands thereof are very necessary for this Establishment for the corn fields which branch is necessary to cultivate as it is the only one that will sustain this Establishment as much for the maintenance of the convents as by means of their products to look out for the advantages which may offer.

All of which I communicate to you that you may please to bring it to the Superior Knowledge of the Excellent Sr Governor of the Department. when I ask for the Benefit of this Establishment which is in my charge that respecting not having issued title deed to said Rancho in favor of nobody he may have the goodness to order that it be not occupied by any body particularly but that it may continue to this Establishment commending it as property of its own.

Accept proof of my respect.

Ex Mission de San Gabriel
God and Liberty.
December 24, 1840.

(signed) Juan Cruz.

To the Secretary of the Government of this Department.

(in the margin) Monterey January 28th 1841.

Be it joined to the Expedients at the

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at the instance of Don Antonio M. Lugo
(signed) Alvarado.

The prefect in consequence of Don Lugo's two decree dated 27th of the past month went personally with the view of examining the land called Santa Ana del Chino belonging to the Mission of San Gabriel and I saw that it is absolutely without stocks from the said Mission, since some animals that are there belonging to Don Antonio M. Lugo which are branded and sold from the said Establishment Mr Lugo has likewise 1800 mads of cattle there has commenced a corral and houses there are only two Shanties, falling in ruins which belong to the said Mission, wherefore the land solicited I saw to be vacant with respect to San Gabriel and I believe it can be given if Your Superior insight shall so consider it.

Angeles March 1st 1841
(signed) Ygna. Palomares.

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PAGE 26

Excellent Sir.

The Prefecture of the 1st District in compliance with Your Excellency's Superior Decree in pages 13 reverso of the present Expediente sent it to the Judge of the first instance of this City that he might report what he should consider necessary on the subject referred to which functionary provided the foregoing report and in view of it the prefecture thinks there is no obstacle to adjudge to the Citizen Antonio M. Lugo in ownership the location which he has solicited called Santa Ana del Chino as well because the Establishment of San Gabriel to which

the said location belongs has not stock wherewith to cover it as because the petitioner has sufficient stock to do it and besides he is a person possessing the necessary requisites in order to be attended to for through the Superintendent of said Establishment Albiles to have there on the Chino a number of horses it is very small and it seems now to be sold by the Mayor to the same Mr Lugo and branded with the mark of themselves as is set forth in the said report but in view of all Your Excellency will determine what may be Your Superior pleasure –

Angeles March 5th 1841.

L. Arguello. Narciso Botello
Secretary

Monterey 26th March 1841.

Having seen the petition with which this Expediente commences the report of the judge of the City of Los Angeles that of the prefect of the Sadro district with what else to clear in mind and was to the purposes in conformity with the laws and regulations upon the subject. Don Antonio Mª Lugo is declared owner in his own right of the location known by the name of Santa Ana del Chino bordering to the South East on the Rancho of Bernardo Sorba, and to the North East on that of Juan Bandini to the northwest on the Rancho of Tiburcia Tapia del Chamisal to the South East on the Rancho of Don Jose de Jesus Cuenas and Don Ignacio Palomares on the mouth of the Cañada de la Brea in extent five leagues square (Sitios de ganado Mayor)

Let this corresponding document

be issued and let it be Entered in the respective book, and let this Expediente directed to the Excellent Departmental Assembly for its approbation. Don Juan B Alvarado Constitutional Governor of the Departmental of both Californias this and order above and sign of which I give testimony.

Juan B Alvarado Constitutional Governor of the Department of both Californias.

Whereas Don Antonio Mª Lugo has solicited for his personal benefit and that of his family the land known by the name of Sta Ana del Chino bordering on the South East on the Rancho of Don Bernardo Yorba, and on the Rancho San Bernardino to the North East on the Rancho of Tiburcio Tapia, and El Chanisal to the North west on the Rancho of Jose de Jesus Linares and Jose Ignacio Palomares to the South East on the mouth of the Canada de la Brea after having previously taken the necessary action and made the necessary investigations according to the requirements of the laws and regulations in Exercise of the powers vested in me in the name of the Mexican Nation I have concluded to grant him the said land, declaring it his property by the present letters patent and subject to the approbation of the Excellent Departmental Assembly and to the following conditions –

1st. He may fence it without prejudice to the crossings roads and servitudes he will Enjoy it fully and Exclusively appropriating it to the use or culture that best may suit him. But within a Year he shall build a house to be inhabited –

2d. He will solicit of the respective Judge

to give him Juridical possession in virtue of this document by whom the boundaries are to be marked on the extremities of which he will put besides the land marks some fruit trees or could ones of some usefulness –

3rd. The land mentioned is for his sojourn (Estias de ganado mayor) a tract more or less as is shown in the respective sketch the Judge who shall give the possession will cause it to be measured conformable to ordinance leaving the surplus which may result to the Nation for convenient purposes.

4th – If he should violate these conditions he will lose his right to the land and may be denounced by any other party.

Considering, Consequently Order that this title and being held firm and valid it be entered in the respective Book and delivered to the interested party for his security and other purposes.

Given in Monterey this 26th March 1841

Filed in Office Aug. 1853.
(Signed)
Geo. Fisher Secy

Extract "B" Translation of Grant

First Class Stamp. Six Dollars.
Issued provisionally by the Maritime Customs of Monterey for the years 1839 & 1840.
PB
Alvarado Antonio Mª Osio.
Good for the years 1841 & 1842.
Alvarado. Antonio Mª Osio.

Juan B Alvarado, Constitutional Governor of the Department of the California's.

Whereas Don Antonio Mª Lugo has claimed for his personal benefit and that of his family the tract known by the name of Santa Ana as Chino, bounded S.E. by the Rancho of Dn Bernardo Yorba and that of Dn Juan Bautista N.E. by the Rancho of Dn Tiburcio Tapia and the Chamisal N.W. by the Rancho of Dn Jose de Jesus Linares and Dn Ignacio Palomares S.W. by the mouth of the Cañada de la Brea the proper proceedings and investigations having first been taken according to the provisions of laws and regulations. In the exercise of the powers conferred upon me in the name of the Mexican Nation, I have come to grant him the tract in question declaring unto him the ownership thereof by the present titles subject to the approbation of the Most Excellent the Departmental Assembly and the following conditions –

1st. He may enclose it without prejudice to the cross roads highways and rights of way he may enjoy it freely and exclusively devoting it to the use or cultivation which best may suit him but within one year he shall

build a house and it shall be inhabited.
2. He shall solicit the competent magistrate to give him judicial possession in virtue of this Patent. Such magistrate shall mark out the boundaries in whose limits he shall place besides the land marks some fruit or service-able forest tree.

3. The premises hereby granted consist of five ranges (sitios) for matcatte as explained by the design filed with the minutes of Proceedings. The magistrate who gives the delivery of possession shall cause it to be measured according to ordinance, the surplus that may result remaining for the Nation to its own behooving uses.
4. If he violates these conditions he shall use his right to the premises and the same may be denounced by another.

Wherefore I order that these presents being held as firm and valid be entered of record in the Book where it belongs, and delivered to the party interested for his protection and other purposes given at Santiago on the twenty sixth day of March one thousand eight hundred and forty one. Juan B Alvarez.
Manl Jimino Secy.

This Patent is entered of record in the Book of Entries concerning lands granted at page. Jimino.

Secretary's Office Nov 1. 1852.
(signed) Ho Fisher Secy

His Excellency the Governor orders that this title be entered of record at the Prefecture of the second District — Jimino.
Angeles, April 13th 1841. This title is entered of record at page 128 of the proper book kept at this Prefecture — S. Argüello. R. Botello Secy.

Testimonio de las diligencias de posesion del parage y rancho Santa Ana del Chino, solicitadas en favor de Dn Antonio Maria Lugo.
Año de 1841.

Sello tercero Dos Reales.

Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey en el Departamento de las Calif-ornias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

Ximeno. Antonio Maria Osio.

En la Ciudad de los Angeles del Departamento de las Alta Californias a los veinte dos dias del mes de Abril de mil ochocientos Cuarenta y uno, ante mi la Solicitud del Ciudadano Antonio Maria Lugo a fin de que se le dé la correspondiente posesion del Sitio y Rancho llamado Santa Ana del Chino Concedido por el Supremo Gobierno de este Departamento Cuyo titulo presenta á este Tribunal en el mismo momento que hizo su Solicitud Verbal. Pasese por mi y testigos de asistencia al espresado Sitio y procedase á dar la posesion indicada previa Citacion de los Colindantes, arreglandose al referido titulo o Despacho que se le ha Concedido por el Supremo Gobierno Con fecha veinte y tres seis de Marzo ultimo. El Ciudadano Ignacio Palomares, Juez de Paz y de 1a instancia asi lo proveyo, mandó y firmó con los testigos de asistencia Con quienes actuo por receptoria á falta de escribano publico Doy fé. Ignacio Palomares. = assa. Agustin Olvera. assa. Francisco Ocampo. = En veinte y tres de abril de mil ochocientos Cuarenta y uno Yo el propio Juez pasé el aviso Correspondiente á los Sres. Colindantes manifestandole el objeto a que se me dirigia al parte de Santa ana del chino pues iba a remediarlo y poner

Sello tercero Dos reales.

Habilitado provisionalmente por la Aduana Maritima del puerto de Monterey en el Departamento de las Californias

por los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno. Ximeno. Ant.º Maria Osio.

de la Don. Antonio Maria Lugo quienes no habiendo manifestado excepciones ninguna les dije que procedia á ellas. Lo que pongo por diligencia que autorizo y firmó con los testigos de mi asistencia Segun Dio. Doy fee. Ig.º Salomares = asta. Agustin Olvera. = asta. Francisco Ocampo = En el Rancho de Santa Ana del Chino á los veinte tres dias del mes de abril de mil ochocientos cuarenta y uno Yo el propio Juez para la practica de estas diligencias nombré dos oficiales cordeleros los que por no saber firmar se omitieron sus nombres a quienes les hize saber su nombramiento el que aceptaron á bajo de Juramento que otorgaron, ofreciendo desempeñar su cargo fiel y legalmente lo que autorizo y firmó con los de mi asta. Segun derecho. = Ignacio Salomares = asta. Agustin Olvera = asta. Francisco Ocampo. = En veinte y tres de dicho mes y año estando en las casas Juezes del Rancho á efecto de verificar las medidas y posesion que corresponde a Dn Antonio Maria Lugo del sitio nombrado Santa Ana del Chino, previos todos los requisitos de ley y estando ante mi los testigos de mi asistencia, y oficiales cordeleros hize medir un cordel que contiene cien varas y habiendo á sus estremos unos sauces de marena

Sello tercero Dos reales.

Habilitado provisionalmente por la aduana maritima del Puerto de Monterey en el Departamento de las California para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno.

Ximeno. Antonio Maria Osio.

previa observacion y calculo por mi disposicion se tiró el cordel á linea recta de la riconada del mismo sitio Santa Ana de la propiedad de D. Juan Gandini rumbo Norte Sur E. se midieron y contaron ocho mil tres cientas varas las que remataron en unos sauceitos que son el lindero del Dho. Don Juan Gandini en cuyo lugar se fijó por

mojonera el mismo lindero espresado ordenando al ciras-
-ado pusieron el suyo por su parte y se suspendieron
las medidas para continuar las al dia siguiente por estar
ya a puntas el sol, lo que asiento por diligencia que
autorizo y firmó con los testigos de mi asistencia segun dr.
Ygn.o Palomares. = ante. Agustin Olvera. = ante. Fco Olampo

En el mismo Rancho de Santa Ana á los veinte y cuatro
dias del mes de abril de mil ochocientos cuarenta y uno yo
el presente Juez estando en la casa Juzgal a efecto de prosig-
-uir las medidas del sitio a quien se contaron las presentes
diligencias dispuse se tirara el propio cordel (por que
se medio el dia anterior) al rumbo S. O. y se midieron
y contaron seis mil doscientas cuarenta varas las que
remataron en la cañada primera conocida por la Buen.

Sello tercero Dos reales.

Habilitado provisionalmente por la Administracion de la
Aduana Maritima de Monterey para los años de mil
ochocientos cuarenta y mil ochocientos cuarenta y uno.

Ximeno. Antonio Maria Osio.

cerca de donde hay una cañada para la parte de N. O.
donde se puso por mojonera interiormente unos huesos
de res. En seguida se tiro el cordel rumbo N. E. con-
-cluido á medir dese de un cerrito solo que se halla plan-
-ado en la falda de una loma cerca del lindero del
Dn. Bernardo Yorba donde se midieron y contaron
diez mil ocho cientas varas las que remataron en
el llano donde se le ordeno al Sor. Lugo, pusieron la corres-
-pondiente mojonera de ejutoria y con esto fueron
concluidas las medidas de Santa Ana del Mino á satis-
faccion del interesado al cual se previene fijara las
respectivas mojoneras en los puntos donde corresponde
y quedo estendido habiendo marcado aquellos enseñal
de poseer lo que autorizo y firmo con mis testigos
de asistencia segun Dro. Doy fee. Ygn.o Palomares.
ante. Agustin Olvera = ante. Francisco Olampo =
Angeles 26 de abril de 1841. Habiendose concluidas

Sello tercero Dos reales.

Habilitado provisionalmente por la Aduana marítima del Puerto de Monterey en el Departamento de las Californias para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno. Nimeno. Antonio Maria Osio

Las diligencias de este Expediente al Rancho Santa Ana del Chino desde a Dn Antonio Maria Lugo como interesado, el testimonio respectivo de ellos para seguridad y fines que le convengan.- El Ciudadano Ignacio Palomares Juez 1o de Paz y de 1a instancia así lo proveyo, mandó y firmó con testigos de asistencia Legum no. Doy fee. Ignacio Palomares = assa. Agustin Olvera = de assa Francisco Olampo = Rafon = En 24 días del dicho mes y año queda librado al interesado el testimonio que se les refiere en el auto anterior y para constancia lo rubrique. = Entre =

Concuerda con sus originales diligencias que se refieren y existen en el libro de instrumentos publicos en el que quedan protocolado y constantes desde fojas 1a hasta 26 vuelta. Y en fiel cuerdo sacado, correjido y enmendado en estas 5 fojas de papel sello tercero que autorizo y firmo con los testigos de mi asistencia en la Ciudad de los Angeles del Departamento de Californias á los interesantes ocho dias del mes de Abril de mil ochocientos Cuarenta y uno. Doy fee.
En testimonio de verdad. Ignc Palomares.
asto.

Agustin Olvera. assa. Francisco Olampo.

Filed in office. Nov. 2d. 1852.

Ev. Fisher.

Secretary.

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"A"

Translation of Incident possession

Third Class Stamp. Two Eighths of one dollar.

Issued provisionally by the Maritime Customs of the Port of Monterey in the Department of the Californias for the years one thousand Eight hundred and forty and one thousand Eight hundred and forty one

Tomino Antonio Ma Osio.

E.D.

At the City of Los Angeles in the Department of California on the twenty second day of the month of April one thousand Eight hundred and forty one in compliance with the petition of the Citizen Antonio Maria Lugo to the End that due possession be given to him of the premises and rancho called Santa Ana del Chino granted by the Superior Government of this Department which title he presented to this Tribunal at the same time that he made his verbal petition ordered that I with the attesting witnesses repair to said premises and proceed to give the said possession after citation to the owners of my neighboring ranchos in accordance with the said title or Patent which his Excellency the Governor has confirmed upon him dated the twenty sixth day of March last I the Citizen Ignacio Palomares first Justice of the Pueblo and of the first Instance have to provisionally ordered and subscribed in presence of my attesting witnesses by whose assistance I act provisionally in the absence of a Notary public. Certified. Ignacio Palomares. Attest, Augustin Olvera. Attest Francisco Ocampo. On the twenty third day of April one thousand Eight hundred and forty one, I the same Lugo sent due

notice to the owners of neighboring lands informing them of the object of my contemplated visit to the premises of Santa Ana de Chino viz. that I was going to survey it over.

L. S. Stamp Clause as above.

and placing possession thereof in Dn Antonio Ma Lugo who not having manifested any exceptions, I told them that I would now proceed to the same whereof I take note in the minutes which I certify and subscribe with my attesting witnesses according to law. Certified - Ignacio Palomares. Attest Augustin Olvera. Attest Franco Ocampo.

At the Ranchos Santa Ana de Chino on the twenty third day of the month of April one thousand eight hundred and forty one, I the same Judge for the practical part of these proceedings appointed two Official Cord Cleavers whose names are omitted. they not knowing how to write I notified them of this appointment which they accepted under the oath which they took promising to fulfil their charge faithfully and legally which I certify and subscribe with my attesting witnesses according to law. Ignacio Palomares. Attest Augustin Olvera Attest Franco Ocampo. On the twenty third of said month and year being in the said huts of the Rancho after complying with all the requisites of law and having in my presence my assisting witnesses and the Official line Cleavers, I caused to be measured a line consisting of one hundred varas and fastening to its extremities,

L. S. Stamp Clause as above.

wooden poles after observation and calculation

the line was drawn under my direction from the corner of the same premises of Santa Ana (with) the property of Dn Juan Bandini at the North, South Eastwardly there were measured and counted Eight thou = sand three hundred varas which ended at some young willows which are the boundary of said Dn Juan Bandini at which spot was assigned as a land mark the same boundary aforesaid the party in interest being ordered to place his own on his part and the measurements were suspended to be continued on the following day it being already sunset which I take minute of certifying and subscribing the same with my attesting witnesses according to law. Ignc Palomares, witness Augustin Olvera, witness Francco Acampo. At the same Rancho of Santa Ana, on the twenty fourth day of the month of April one thousand Eight hundred and forty one. I the present Judge being in the said hut for the purpose of carrying out the measurements of the premises which the following proceedings have for object, I ordered the same line which served for measuring on the preceding day to be drawn to the S. W and there were measured and counted six thousand two hundred and fifty varas which ended at the

(L.S. Stamp clause as above)

first Canada known by the name of the Brea near where it forms a corner towards the N. W where a provisional land mark some bones of cattle were placed. Met the line was drawn N. E, beginning the measurement from a long ash tree standing alone planted in the skirt of a hill near the boundary of Don Bernardo Yorba where were measured and counted

two thousand four hundred and fifty varas which terminates in the plain where Jm Lugo was ordered to place the proper stone land mark and therewith Ended the measurements of Santa Ana del Chino to the satisfaction of the party in interest who is notified to place the respective land marks at the places where they belong and he acknowledged such notice having marked them in token of possession which I certify and subscribe with my attesting witnesses according to law. Certified Ygno Palomares. Attest Augustin Olvera. Attest Francisco Alcampo. Angeles April 26. 1841 After conclusion.

L.S. Stamp Clause as above.

of the proceedings in this matter concerning the rancho of Santa Ana del Chino, ordered that the Certificate of the same issue to Don Antonio Maria Lugo for his security and purposes that may advene him. The Citizen Ignacio Palomares first Justice of the Peace and of first Instance has so provided, ordered and subscribed with the attesting witnesses according to law, Certified Ygno Palomares. Attest Augustin Olvera Attest Franco Alcampo. Note. On the 27th of said month and year the Certificate referred to in the foregoing judicial order was delivered to the party in interest —

Witness my Sign Manual. A Scroll

A true copy of the original proceedings to which reference is had and which are filed in the Book of Public Documents where they are recorded from Shut 1 to 26 inclusive It is faithfully taken, corrected and amended in three 5 sheets of third class stamp paper —

which I Certify and subscribe with my attesting witnesses - at the City of Las Angelos of the Department of California on the twenty seventh day of the month of April one thousand Eight hundred and forty one.

Certified
In testimony of truth.
Ignacio Palomares.

Attest
Augustin Olvera.

Attest.
Franco Ocampo

Filed in Office Nov 1. 1852.
(signed) Geo Fisher
Surv

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Testimonio
a favor de D. Julian Guillams año de 1841

Sello Cuarto. una Cuartilla.
Para los años de mil ochocientos Cuarenta y mil ochocientos Cuarenta y uno.

En la Ciudad de los Angeles del Departamento de las Californias á los veinte y dos dias del mes de Diciembre de mil ochocientos Cuarenta ante mi el Juez 1º de Paz y de 1ª instancia de esta referida Ciudad y de sus testigos de asistencia actuando por receptoria con dos testigos de asistencia a falta de escribano publico á mas de los instrumentales juricos que aqui se nominaron compareció Dn Antonio Maria Lugo de esta vecindad aquien Doy fee Conozco y dijo: que por si y en nombre de sus hijos, herederos, sucesores y de quien de ellos tuviese titulo, voz y causa en cualesquiera manera cede y dona enagenacion perpetua por juro de heredad para siempre jamas á su hijo politico Dn. Julian Guillams avecindado en esta Ciudad y naturalizado y á los suyos la mitad del terreno del Rancho nombrado Santa Ana del Chino situado en la comprension de esta Municipalidad, cuyo terreno le corresponde á dho. Lugo en posecion y propiedad, segun el titulo que tiene del Superior Gobierno Departamental el cual declara y enagena no tenerlo vendido, enagenado ni empeñado que esta libre de tributo, memoria, capellania vinculo patronato fianza y de otro gravamen, hipotecario, temporal especial General tacito y expreso y como tal se lo cede con todas las entradas, salidas partes aberaderas, montes yegas deherzas y aguajes, cerro, estancias usos, costumbres, reales, servidumbres y demas cosas necesarias que ha tenido y tiene y le pertenecen segun dho. que por tanto renuncia cualquiera especie que pudiera esponer, haciendo á favor del citado Guillams de sus herederos y sucesores, gracia y donacion pura

perpetua ó inevocable en solidad con insinuación y demas formas legales. que desde hoy en adelante para siempre se desapodera desiste quita y aparta á sus herederos del comercio, propiedad, posesion, titulo, voz, y accion.

Sello cuarto una cuartilla.

Para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno. = y Dro. cualquiera derecho que le competa al enunciado terreno, lo cede, renuncia, traspasa con las acciones, reales, personales, mixtas, directas y efectivas para que la posea, goze, cambié enagene use y disponga de ella á su eleccion, como de cosa suya adquirida con legitimo y justo titulo le confiere poder irrevocable con libre franca y general administracion y constituye procurador actor en su propia causa, para que de su autoridad y judicialmente entre y se apodere del nominado terreno y del tome y prenda la real tenencia y posesion que por derecho le compete y pone

Sello cuarto una cuartilla.

Para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno. " que no necesite tomarla me pide le de copia, autorizada de esta escritura con lo cual Sor Dto. acto de apercibir ha de ser visto, habenlo tomado, aprehendido y transpirdole se obliga que dho. terreno sera libre seguro y efectivo al citado Guillermo y que nadie le inquietará ni moverá pleito sobre su propiedad, posesion, goze y disfrute ni contra ello aparecerá gravamen alguno y si se le inquietare, moviere ó apareciere, luego que el otorgante ó sus herederos y sucesores sean requeridos saldran á la defensa, hasta dejar al repetido Guillermo y á los suyos en libre uso, quieta y pacificamte posesion. Y á la observancia de todo lo referido, obliga el otorgante su persona y bienes habidos y por haber, renuncia á las leyes de su favor y defensa con la gral del derecho en forma y confiere amplio poder á las Tres Jueces que de este negocio deban conocer conforme á Dto. para que

se le apremien á su cumplimiento como por sentencia defini-
-tiva de Juez competente pasado en autoridad de cosa
Juzgada que por tal lo reciba, no fé unicido por no saber
lo hize con los de asistencia en este papel comun por
falta de sellado en la oficina siendo los instrumen-
-tos D. Miguel Tomsens y Dr. Joaquin de los Rios pres-
-entes y vecinos doy fé. = Ignacio Palomares. = A ruegos
Ignacio Coronell. = asta. Bacilio Valdez = instrumto. =
Joaquin Lomas = instrumto = Lachado = Lasme = yo = no vale.

Concuerda con su original a que me remito
que existe en el libro de instrumentos publicos del pres-
-ente año del cual esta fielmente sacada, corregida
sello cuarto. una cuartilla.

Sonora los años de mil ochocientos cuarenta y mil ocho
-cientos cuarenta y uno.

Confrontada en estas cuatro fojas de papel sellado.

En testimonio de verdad.

Ygn. Palomares. asta. Joaquin de las Rios.

Agregandose, despues de sacada en la copia.
que la casa que tenia abiertas quedan á favor de su hijo
politico Don Julian Guillums = lo que se protocolado =

Ygn. Palomares. asta. Ignacio Coronel. = asta.
Joaquin de las Rios. y Ruis.

Filed in office. Jany. 24. 1854.

Jev. Fisher.

Secretary.

Translation of Conveyance from Antonio Lugo to Julian Guillam

Testimony

An Abstract of D. Julian Guillams Year 1841.

(Stamp)

In the City of Los Angeles in the Department of both California on the twenty second day of December Eighteen hundred forty one before me the 1st Justice of the peace and the 1st instance in this said City and its limits acting as Alcalde Ingavich two assisting witnesses for want of a Notary Public besides the instrumental witnesses to be named below appeared D. Antonio Mª Lugo of this district whom I allege that I know stating that for himself and in the name of his sons his Successors and any of them who might have title vote and cause in whatever manner he cedes and donates in perpetual alienation by right of successor forever to his son in law D. Juliano Guillams having his domicile in this City and being naturalized and to his assigns the one half of the tract of land of the Rancho called Santa Ana de Chino situated within the limits of this municipality which land belongs to said Lugo in ownership and by possession according to the title he holds from the Superior Departmental Government which land he declares and assures not to have sold alienated or pledged that it is free of any tales minority, Emfice, Entail Charitable fund, bond or any other Encumbrance let it perpetual temporary special general tacit or Explicit. And as such he cedes it to him and all the ways and means of ingress and Egress pastures watering places woods open grounds common streams

rents Extensions ases Customs Previleges Servitudes and other necessary things that he has had has and which belongs thereunto according to law. That therefore he waives any Exception whatsoever that he might take making in favor of said Guillaums and his heirs and successors a full perfect and irrevocable grant and donation which he does in hereby with acknowledgment to the Justice and other legal affirmations. That from this day henceforward he dispossesses himself of and divests gives and withdraws from his heirs the dominion ownership possession title right recourse and whatsoever other right that may be owing him to the said land. He cedes renounces and transfers it together with any real personal civil Ecclesiastical desire and Executive causes of action so that he may possess enjoy Exchange alienate use and dispose of it at his option as a thing of his own acquired with a legitimate and just title. He invests him with an irrevocable power for free uninterrupted and general administration and constitutes him prosecuting attorney in his own cause that by his authority or by legal proceedings he may enter and possess himself of the said land and thereof to take and seize the real tenancy and possession rightfully owing to him and that he may not be obliged to take it he asks me to give him a certified copy of this and with which without any other instrument of seizure he is to admit having been taken seized and transferred. And he binds himself that said land shall be certain, sure and effectual to the said Guillaums and that nobody shall disturb him in or sue him on his ownership possession

fication and Enjoyment. not shall there against it appear any Encumbrance and if he should be disturbed sued or there appear any Encumbrance the grantor or his heirs and successors shall appearance on the defence this having the said Guillermo and his assigns in free use. quiet and peaceable possession. And for the observance of all the foregoing the grantor binds his person and the property which he has or may have. he renounces the laws in his favor and defence together with the disabilities at law. and he invests the Judges who must take Cognizance of this matter Conformable to law with full power so that they may constrict him to the fulfilment thereof as by a definitive Sentence pronounced by a Competent Judge on the authority of a verdict found which he admits as such not signing because he does not know how. but I did sign with the attesting witnesses on this common paper for want of stamped paper in this Office. D. Augustin Zensens and D. Joaquin de las Rios who were present and are residents here being instrumental witnesses. Fabisto Ex. Ignacio Palomares. ass. wit. Ignacio Coronel Basilio Valdez instrumental witn. Augustin Zensen. Joaquin de las Rios.

The words Erased are not valid –

The foregoing is concurrent with its original to which I refer and which exists in the book of public instruments for the present year from which this is faithfully drawn corrected and compared consisting of three fourths of stamped paper.

In testimony of which I sign.
Ignacio Palomares.

Attest.
Ignacio Coran, Ignacio de los Rios.

After this copy had been drawn there was subjoined that the house and open grounds remain in the favour of his son in law Don Julian Williams, which was Entered in the protocol.

Ignacio Palomares.

Attest —
Ignacio Coran.
Joaquin de los Rios

Filed in Office Jan 24, 1853.
(Signed)
Geo Fisher
Secy

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"F"

Translation of Deed

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This Ap the City of Los Angeles State of California on the Eighth day of the month of February one thousand Eight hundred and fifty one I. Antonio Maria Lugo of the first part a resident of the County of Los Angeles do say that for and in consideration of one dollar in silver paid into my hands by Julian Williams of the second part a resident of the same County the receipt whereof is hereby acknowledged I have sold and by these letters I do sell, alien transfer in perpetual alienation to Julian Williams all my right interest and title in and to the tract and Rancho called Santa Ana del Chino situate in the County of Los Angeles with the following limits to wit. bounded S.E. by the Rancho of Don Bernardo Yorba and that of Don Juan Baptiste N.E. by the rancho of Don Tiburcio Tapia and the Chaparral. N.W. by the rancho of Don Jose de Jesus Linares and Don Ignacio Palomares. S.W. by the mouth of the Canada de la Brea. These boundaries will be found in the grant made to me by the Superior Order of the Constitutional Governor, Juan B Alvarado, dated Monterey 6th of March one thousand Eight hundred and forty one. which document I make part of this writing of sale. also the proceedings taken by the First Justice of the Peace and of first Instance, Ignacio Palomares who proceeded to remeasure it and give me possession in the following manner. The line was drawn on a straight line from the corner of the said tract Santa Ana (with) the property of Don Juan Baptiste at the north southeastwardly there were measured and counted Eight thousand three hundred varas which

Ended at Sand Young willows which are the boundary of said Juan Bandini at which place was filed for land mark the same aforesaid boundary. the party interested being ordered to place his own for his part but the Judge ordered the line to be drawn S.W. These were measured and found six thousand two hundred and fifty varas which ended at the first Canada known as the Bird marshon it makes a corner towards the N.W where as provisional land mark some bows of canes were placed. but the line was drawn N.E. beginning to measure from a small oak standing alone planted in the skirt of a hill near the boundary of Don Bernardo Sorba where were measured and counted two thousand four hundred and fifty varas which ended in the plain where I was ordered to place the proper stone land mark which ended the measurement of Santa Ana del Chino. To hold it use & possess it with the ownership and most complete right by purchase and sale &c giving the most legal and positive title to the said Williams being by virtue of this legitimate owner of his own right of the said tract for his ever more. I renounce with the laws which favor mi heading my heirs and successors for a legal consideration to the effect that Williams shall never be molested in the peaceable passes sion nor in his positive right to the property of the said tract by me nor those who may represent me. I declare that the tract premises and Rancho called Santa Ana del Chino is free from all incumbrances and tax and as such I have sold it to said Williams with all the improvements and benefits which it

always now and its own proper entrances and exits.

Another consideration for having given this writing of sale and title to said Julian Williams is because on the Eighteenth day of the month of May one thousand Eight hundred and forty seven before the first Alcalde Enrique Avila at the City of Las Angeles, I granted a title of gift to the children of Julian Williams my grand children named Maria Merced and Francisca the one half which belongs to me of the Rancho del Chino which writing of gift will be found recorded in the Records of that year pages 198 & 9. But as this gift could have been sale and perpetual donation to Julian Williams in his own right and not to his children now having found out the mistake and with a view to the original intention of the contracting parties this present writing of sale for a legal consideration in effective money is instituted and given in lieu of the donation or gift referred to, Williams giving a receipt to said Lugo for the sum of two thousand dollars to cover the inheritance which belongs to his children Maria Merced and Francisca on the part of their grand father Antonio Maria Lugo to whom by mistake had been given the half of the Rancho del Chino; in consequence I have cancelled that gift and by this it is annulled and of no value preserving in my power the receipt of Williams of the thousand dollars which is the value of the inheritance of my aforesaid grand children the premises donated to them remaining in power

and heirs of the aforesaid Williams father of my grand children and not in them giving at the same time the power most effective and competent to said Williams to sell alien transfer in perpetuity the whole land of said Rancho or the part he may choose. In the conclusion of this writing it is well understood that the other part of the Rancho del Chino which was by gift made to Juan Williams and his heirs as appears by the writing of title under date twenty second of December one thousand eight hundred and forty one given by Antonio Maria Lugo to said Williams and recorded is by these letters placed upon the same footing as the other part already mentioned and I Antonio Ma Lugo do acknowledge that for and in consideration of one dollar in silver paid into my hands the receipt whereof is hereby acknowledged I have sold and by these presents do sell alien and transfer in perpetual alienation to the end that said Williams may remain with the title of the fee simple all my right title and interest in the half of the Rancho del Chino given heretofore to him and his heirs said Williams to hold it as it and possess it in absolute ownership in fee simple for ever more.

I bind myself my heirs and successors never to molest said Williams in the peaceful possession and right of the half already referred to of the Rancho del Chino but that I have sold for a legal consideration to Juan Williams all my right and title to the entire Rancho del Chino and that this last writing of sale

and purchase will cease and to be binding and obligatory against me and those who represent me that this writing is given in lieu of the other two already mentioned the other two being therefore of no value and entirely void having safeguarded the rights of my grand children Maria Merced and Francisca with a receipt of Julian Williams for the sum of Ten thousand dollars which is in my power in their favor.

In testimony of the aforesaid I have signed with my cross on the date aforesaid.

Antonio his ✗ mark Maria Lugo.

As witness
Stephen C Foster
W. G. Dryden

State of California
County of Los Angeles

I, Ignacio del Valle Recorder of the County aforesaid do certify that before me personally appeared Antonio Maria Lugo, whose identity I know and certify and he said that he of his spontaneous will and because it suits his interests. Executed the foregoing document and that the cross which is marked at the foot of his name is placed by his own hand.

In testimony of which I sign the same and affix my official seal in the City of Los Angeles on the Eighth day of the month of February of the year one thousand Eight hundred and fifty one.

Ignacio del Valle L.S.

Angeles February tenth 1851.

This writing was presented to me by R. G. Dryden as attorney of Julian Williams the Eighth day instant at 2 O'Clock in the afternoon. It is recorded in Book 1 of Records of Writings and transfer from page 125 to page 127. In Witness whereof I have subscribed my name and place my Official Seal same date as above

Ignacio del Valle L.P.

Fees of record, certificate & Entry Seventeen dollars $

Filed in Office Nov. 1. 1852.

(Signed)

Geo Fisher

Secy S

Juan B. Alvarado Gobernador Interino del Deptº de las California.

Habiendo Julian Williams procedente de los Estados Unidos del norte cumplido con las condiciones y requisitos que previene la ley de 14 de abril de 1828 del Congreso Nacional que arregla el modo que se debe concederse la Carta de naturaleza á los Estrangeros, por las presentes Declaro al referido Dn Julian Williams naturalizado en los Estados Unidos Mejicanos en virtud de la autoridad que por la misma ley. se me confiere.

Monterey. 5 de Mayo de 1839

Juan B. Alvarado.

Manuel Jimeno. Srio del Despacho.

Regd fol. 7a

Filed in Office. Feby. 20. 1852.

Geo. Fisher.
Secretary.

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No 433.
U. S. Land Commission
Isaac Williams Claimant &c.

Motion for leave to file additional Evidence

Motion on the part of the Claimant in this Case to be allowed to file the accompanying deed of transfer from Antonio Ma Lugo to Isaac Williams Claimant in this Cause with leave to prove the verity of said deed and by parole as further testimony therein before the final decision of this Case by said Board.

E. O. Crosby
of Counsel &c

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No 433.
U. S. Land Commission
Isaac Williams Claimant.

State of California
City & County of San Francisco } ss

E. O. Crosby being duly sworn says, That he is the Counsel of Claimant in the above entitled cause that this deponent did not know of the existence of the accompanying deed of transfer to one half of the Rancho del Chino from Antonio Ma Lugo to Isaac Williams the Claimant until long after the submission of this Case to said Board that so soon as deponent was advised of its existence he immediately advised said Claimant of its materiality and had said deed produced ready to be submitted to this Board as further testimony material to the favorable decision of this Case, that deponent believed by this Board allowing said deed to be filed and proofs of its verity to be made as further Evidence in this Case that it will have material

bearing upon the final decision by this board. That deponent has not been derelict in the preparation of this case, but has used due diligence to procure all the papers and proofs necessary to establish the validity of this claim and that at the time this cause was submitted to this board for final decision said documents were known to deponent and could not have been produced by him.

E. O. Crosby.

Subscribed and Sworn
to before me this 24th day
of January 1852.

Alphens Felch
Commissioner

No 433.

U. S. Land Commission
Isaac Williams, Claimant
of Rancho Santa Ana de Chino.

State of California
City and County of San Francisco } ss.

Isaac Williams being duly sworn says that he is the Claimant in the above Entitled Cause now pending before the Board of U. S. Land Commissioners That said Rancho was granted to Antonio Maria Lugo about March 26th A.D. 1841 and sometime during the same month and year in the month of April in the same year as the date of said grant the said Lugo took possession of said Rancho de Chino in his own proper person accompanied by his family servants and stock and said Lugo caused to be built an adobe house within a few weeks after the date of said grant and

not Excuding twelve weeks in all in which said Hugo and a part of his family resided that said Hugo placed upon said Rancho at the same time in the year 1841 three thousand & Eight hundred head of cornd cattle about four hundred head of horses and brood mares and one hundred of head of sheep that said Hugo also in the year 1841 fenced in and cultivated in grain and vegetables about one hundred acres of land and planted about one thousand fruit trees that during the following two years the said Hugo continued living upon said Rancho with portions of his family and increased the improvements by building and other dwelling house besides numerous out buildings and corrals and fencing in and cultivating fields of grain.

And this affiant further says that he was at the time of the date of said grant, the son in law of said Hugo and was employed by said Hugo to assist in the building of said house and making all of said improvements upon said Rancho in 1841 and the control and direction to all the said works and improvements upon said Rancho was had and given by said Hugo in person who that year lived upon said Rancho as above stated.

And this affiant further states that on or about the 22 day of December 1841 said Hugo sold and conveyed the one undivided half of said Rancho at Chino to this affiant as shown by the deed of conveyance of the same herewith submitted and from the dates of said deed said Hugo & affiant continued to live upon said Rancho as joint owners for the next two

years or thereabouts. That from the time last aforesaid he Hugo continued to visit said Rancho frequently and give directions for its management and consult this deponent in the business and improvements that were constantly being made at the instance of Hugo but under the immediate supervision of this deponent.

And this affiant further states that from the year 1850 he was placed in full possession and control of said Rancho by purchase from said Hugo of all the title thereto.

And this affiant further says that in the year 1863 deponent procured and received from Michel Torena then Governor of California a grant of about three leagues in addition to said Rancho del Chino which said addition deponent has ever since occupied up to the present time.

And this deponent further says that all the foregoing facts and the genuineness of the accompanying and deponent expects to prove by the testimony of S. S. Warner, John Roland, Andrus Pico, John Foster, David W Alexander and such other witnesses as he can procure from Los Angeles County that are knowing to the facts.

That this deponent is advised by his counsel and believes to be true that the above facts are necessary to be proved and without such proof his said case will be greatly prejudiced and endangered.

And this deponent further states that he was not advised the foregoing proofs were necessary to be made in this case until

within the last two weeks and since this case was submitted for final decision. That so soon as he was advised of its materiality he made diligent search to procure the same and now asks that the testimony of said witnesses may be taken in this case before a final decision shall be made by this Board.

Isaac Williams.

Subscribed and Sworn
to before me January 24. 1856.

Alpheus Felch
Commissioner &c

U. S. Land Commission.
No 433.

Isaac Williams Claimant.

State of California
City and County of San Francisco } ss.

J. J. Homer being duly sworn deposeth and saith that he has intimately known Antonio Maria Lugo of Los Angeles since January 1831. that deponent had no other place of residence but Los Angeles from December 1831 to the close of 1844. in July 1841 Antonio Maria Lugo had two sons Vicente and José del Carmen and his son in law Isaac Williams the Claimant in this case was residing on the Rancho of Santa Ana del Chino. that from July 1841 to 1844 deponent was on said Rancho very frequently. that deponent saw Mr Lugo there managing and directing the affairs and property on said Rancho assisted by his said sons and said Williams. said Lugo had built that year 1841. a good adobe house in which he resided with a portion of his family upon said Rancho, deponent-

for the States that he was well acquainted with said Hugo's Brand and saw the Stock on said Rancho had Hugos brand upon them as well as having seen the Young Stock on said Rancho from time to time branded with said Hugos brand during said years from 1841 to 1844. that there was of Hugos Cattle upon said Rancho in 1841 about three thousand head of horned cattle, about of horses and some sheep and about one hundred acres of land Inclosed by fence and under Cultivation that during the years following that is to say 1842 1843 & 1844. said Hugo increased his stock very largely upon said Rancho built on or two additional dwelling houses and several outbuildings that were used by said Hugo with Company of said Rancho. that the Cultivation of land on said Rancho was also increased during said years to about Eight hundred to one thousand acres and the same or a larger amount of Cultivation has been continued every year since by said Hugo and said Williams up to the present time.

And this deponent further said that during his stay upon said Rancho in 1840 and the year following he had frequent Conversations with said Hugo and Williams concerning the business of said Rancho and from all such Conversations as well as the acts of the said parties, said Hugo had and Exercised the right of to manage, order and dispose of any property on the said Rancho as his own. Said Hugo at that time was an active man in his business and with the assistance of his sons had the principal management of the Cattle and stock upon said Rancho while said Williams had the management and direction of the building and improving department of said Rancho. that said Williams

also kept a store on said Rancho from which the servants and other persons were furnished with goods and that said Williams also kept the account of said Rancho.

And this deponent further saith that previous to and on the occurrence of the civil war in California in 1844 & 1845, deponents family resided for some time on said Rancho Del Chino at which time deponent was there intimately conversant with the affairs of said Hugo and Williams and although at that time neither said Hugo or his sons resided on the place yet the said Hugo frequently visited said Rancho and from the many conversations between him and Williams at which deponent was present, deponent has every reason to know and believe that the same right still continued to exist and be exercised by said Hugo as when he lived permanently on said Rancho.

P. F. Warner.

Sworn to and subscribed
before me Jan. 9. 1854.
R. Aug Thompson Com
No 433.
U. S. Land Commission

Hugo Williams Claimant.
State of California
City & County of San Francisco } ss.

John Foster of Los Angeles County being duly sworn says that he has been acquainted with Antonio Ana Hugo of Los Angeles since the year 1834, that in the year 1841 said Hugo went upon and took personal possession of the Rancho Santa Ana del Chino now situate in the present County of San Bernardino in this State, that a portion of said Hugo's family went with him to take possession and establish

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said Rancho that said Hugo erected to
and a house the same year upon said Rancho
in which he lived with his family that he made
said Rancho his home and place of residence
for the last two or three years and increased
the improvements and cultivation of said Ran-
cho by additional buildings some of which
have and are very extensive besides enclosing
and cultivating fields of grain —

That from deponents best
knowledge said Hugo had upon said Rancho
in 1841 about two thousand head of horned
cattle a band of horses and some sheep and
about one hundred acres of land under fence
and in cultivation.

And this deponent further
states that he has known Isaac Williams
the claimant in this case since the year 1834
that he is the son in law of said Hugo and
was one of the family of Hugo who went
upon said Rancho in 1841 and took an active
part in building upon said Rancho that
year as well as the year following and has
resided upon said Rancho ever since to
the present time

John Forster.

Sworn to and subscribed
before me Jan. 9. 1854.
R. Aug Thompson
Com.

Filed in Office Jan 24. 1854.
(Signed)
Geo. Fisher Secy.

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Opinion

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Isaac Williams
v.s.
The United States } Santa Ana
} Al Chino.
containing 5 Square
leagues.

The Claimant in this Case represents in his petition that on the 16th day of April AD 1841. Juan B Alvarado the Governor of California granted unto one Antonio Maria Lugo the tract of land and Rancho known by the name of "Santa Ana Al Chino" containing five Square leagues of land It is further alleged in said petition that said grant was duly confirmed by the departmental assembly of California and that on the 27th day of April 1841. the said Antonio Maria Lugo was by the proper Officio placed in the Judicial possession of said tract of land. It is further alleged and stated in said petition that on the 8th day of February AD 1851. the said Antonio Maria Lugo sold and conveyed by deed all of the said land and Rancho of Santa Ana Al Chino to the Claimant in this Case and the petition contains the further allegation that said lands have always been since the date of said grant in the quiet and peaceable possession of the said Antonio Maria Lugo and of the petitioner.

The Claimant in proof of the several allegations contained in his petition has filed the original grant to Lugo properly proved and authenticated the original papers and records of Judicial possession all of which are satisfactorily proved to be authentic and two original deeds from Lugo to the Claimant which are also proved to have been Elicited in conformity with the

laws then in force. It is proved by the deposition of Abel Stearns that the place granted to Lugo was occupied by him the same year the grant was made and was in charge of Isaac Williams his son in law. that in the same year about four thousand head of cattle were placed on the Rancho and a house was built in which Williams and his family lived and that Williams has lived there from that time to the present. He also states in his deposition that there are two large houses on the land and a grist mill and that the land has been extensively cultivated and that there has always been a large stock of cattle and horses on it. The foregoing agreements and deposition embrace all the evidence offered by the claimant in this case. There is no proof that any proof approval was ever made by the Departmental Assembly. The first and by far the most important question which presents itself is the validity of the claimants title as he has deduced it from the original grantee. The mere conveyance from Lugo to the petitioner placed on file by the claimant discloses the following facts. the grantor recites that as the consideration for having given this conveying of sale and title to Julian Williams is because on the Eighteenth day of the month of May one thousand Eight hundred and forty seven before the first Alcalde, Enrique Avila at the City of Los Angeles I granted a title of gift to the children of Julian Williams my grand children named Maria Merced and Francisca the one half which belongs to me of the Rancho al Chino which conveying

of gift will be found recorded in the records of that year. pages 198 & 20. He then says that as said gift was intended to have been a perpetual alienation to Williams and not to his children having found out the mistake he for a legal consideration in money substitutes the present writing in lieu of the donation referred to, Williams giving a receipt to said Lugo for ten thousand dollars to cover the inheritance which belongs to his children Maria Merced and Francisca on the part of their Grand Father, to whom by mistake had been given the half of the Rancho del Chino. It is further recited in said deed of conveyance that he Lugo has cancelled that gift and annulled and made it of no value by his said deed of conveyance to Williams. The said deed contains the further recital that he Lugo had by his deed of gift dated 22nd of December AD 1841, deed to the said Julian Williams and to his heirs the other part of the Rancho del Chino but which deed he now places on the same footing as the other part of already mentioned that is he annulls it and makes it of no effect. The deed then recites that in consideration of one dollar la Lugo sells and conveys to the said Julian Williams all his right and interest in the half of the Rancho del Chino given heretofore to him and his heirs. The writing concludes with the averment that for a legal consideration he has sold to Julian Williams all his right and title to the entire Rancho del Chino and that his last writing is given in lieu of the other two which he had already mentioned. The claimant relies upon the deed containing the foregoing recitals and the deed bearing date December

22nd 1841. as Evidence of his right to demand of the United States a relinquishment of all interest in and to the lands called Santa Ana del Chino. Before any Claimant is Entitled to Confirmation under the law from which this Commission derives all its power he must show by proof that he is the person legally entitled to the fee of the land claimed otherwise the Government is under no obligation to relinquish any interest which it may have in the land to him. Has the Evidence adduced by the Claimant in this Case placed him in that position? If the Deed from Lugo to Williams of the 8th of February 1851 did not contain the Recitals that the Grantor had before that time parted with all his interest in the lands described in that instrument then he would have accepted the position of any representing the rights of the original Grantor whatever they might be, whether legal or Equitable. The recitals in the deed of 1851 show first that the Grantor had ten years previous to that time sold and conveyed to the petitioner and his heirs the one half of the same land described in that deed and second that by his Certain deed of Gift duly Executed recorded and dated the 18th of May AD 1844 he had Conveyed to his grandchildren the other half of the same land. If these recitals are Evidence of the facts which they disclose then it is clear that Lugo the Grantor had at the date of his said deed of Conveyance of the 8th of February AD 1851 no interest to convey and that his Grantee took nothing by this deed — Greenleaf in his Treatise on Evidence Vol. 1 Sec 23. says "In regard to recitals in deeds the general rule is that all parties to a deed are

bound by the recitals therein which operate as an Estoppel bearing on the interest on the land yet be a deed of Conveyance and binding both parties and privies privies in blood privies in Estate and privies in law." But such recitals do not bind strangers or those who claim by title paramount to the deed.

In the Case of Brown vs Jackson 4 Peters the question of recitals in deeds is fully investigated and the doctrine as above laid down affirmed and adopted. Justice Story in the learned opinion delivered in that Case reviews the English decisions the results of which is briefly stated in cases there referred to and is as follows. It was decided in the Case of Ford as Bail 1 — 285 "that a recital of a lease in a deed of release is good Evidence of such lease against the releasor and those who claim under him. but as to others it is not without proving that there was such a deed and it was lost and destroyed". The same Case is reported in 6. Mod. 44. where it is said that it was held that a recital of a deed in a deed of release is good Evidence against the releasor and those that claim under him".

The following case is very material to the present purpose and is one of the American Cases referred to in the same opinion — Dunn vs Cornell 2 Johns Cases 174. Thro Lewis and Cornell in 1775 made his will and it is recited that he had conveyed to his Son David his lands in the Township of Flushing and he then devised his other Estate to his Sons and daughters &c&c. Afterwards David's Estate was confiscated under the act of attainder and the defendant in Ejectment claimed under that Confiscation and claimed

his title from the State. No deed of the Flushing Estate (the land in controversy) was proved from the father, and the heir at law sought to recover on that ground. But the Court held that the recital in the bond that the testator had conveyed the Estate to David was an Estoppel of the heir to deny that fact and bound the Estate." The recital in the deed under consideration shows beyond the question that the grantor had made a conveyance of one half of the Estate described in his deed to other parties and at a previous time and this on the authority just cited is an Estoppel of his grantee to deny that fact and is an Estoppel running with the land and binds the Estate. Again in the Case of Penrose vs Griffith 4 Binn. 231. The Court in that Case say that the rule of law is that a deed containing the recitals of law other deed is evidence of the recited deed against the grantor and all persons claiming by title derived from him subsequently. The reason of the rule is that the recital amounts to the confession of the party and that confession is evidence against himself and those who stand in his place 4 Pet. 87. This is the doctrine of the Supreme Court of the United States, and is strongly in point in the case under consideration. The question upon us is the precise question decided in the Case last referred to is the recital in the deed made by Lugo to Williams in 1851 that he had made a previous deed to the Claimer of Williams. Evidence of that deed, let them upon the authority just quoted it does prove fact and is conclusive upon all persons

claiming under that deed. In the United States the Courts require no higher proof than the recital itself though the recitals and and the subscribing witness be both in Court. This has been expressly held not only by the Supreme Court of the United States not only as against against the party recitng but against all claiming under him, see note to Dunn vs Cornell 3 John cases and the authorities there referred to.

The recital constitutes a part of the deed and makes it evident from the deed itself that the grantor at that time had no interest whatever in the land described in his deed. The deed made by Lugo the original grantor to the present claimants on the 21st of December AD 1841 for one half the place called Santa Ana de Chino is a valid deed and conveys to the petitioner all the interest which the original grantor had at that time in the premises described in said deed. But this is the extent to which the claimant has shown that he was entitled to demand of the government of the United States a relinquishment of title to him. The right to make such demand is clearly shown to be in his two children, Merced and Francisco and they should have been joined with their father in his petition to this Commission As the case now stands that part of the Rancho to wit the one undivided half conveyed by Lugo the original grantor to the said Merced and Francisco Williams by deed bearing date the 18th of May 1847. has not been presented for adjudication and decision to this Commission by the parties entitled to present the same and the

application of the petitioner for confirmation of that portion of said rancho must therefore be divided, denied.

We think the evidence shows a substantial compliance with the material conditions of the law, and that the description of the land is sufficiently definite to effect its segregation from the public domain and that the petitioner is entitled to a confirmation of the undivided one half of said place called "Santa Ana del Chino".

It is proper here to state that all that portion of the deposition of J. J. Warner taken on the part of the claimant under an order of this Commission made after the submission of the case, except so much of said deposition as relates to the election of the land described in said deposition as Exhibit No 1. with the initials "F. W." is suppressed, the same having been taken without authority in violation of the order of the Commission.

Filed in Office April 25. 1854.
(Signed) Geo. Fisher
Secy

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Isaac Williams
vs.
The United States

Decree

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In this Case on hearing the proofs and allegations it is adjudged by the Commission that the claim of the said Petitioner is valid for the one undivided half of the premises described in his Petition is valid, and it is therefore decreed that the same be confirmed.

The lands of which confirmation is hereby made in the one undivided half of the Rancho called "Santa Ana del Chino", which Rancho is bounded as described and as follows to wit.

Commencing at the corner of the Rancho called "Santa Ana", with the property of Don Juan Bandini as the north and running South Easterwardly Eight thousand three hundred varas to a willow grove which is the boundary of the said Don Juan Bandini, then starting from a point at the first Canada known by the name of the Bra Narrohire it forms a corner towards the North West and running in a North East direction, the distance of Six thousand two hundred and fifty varas till beginning at a Young Oak tree standing alone in the Mist of a hill near the boundary of Don Bernardo Yorba and running in a North East direction the distance of two thousand four hundred and fifty varas, which terminates in the plain. Reference for further discription to be had to the original grant, the record of Judicial measurement and to the Map which forms a part of the Expediente all of

which documents are on file as evidence in the cause.

And it is further hereby adjudged that the claim of the said Bidwell for the remaining one undivided half of the said place called "Santa Ana del Chimo" is not valid and his application for a confirmation of the same is therefore denied.

Alpheus Felch

Thompson Campbell

R Aug Thompson

Filed in Office April 25. 1854.
(Signed) Geo. Fisher
Secy

And it appearing to the satisfaction of the Court that the land lately adjudicated is situated in the Southern District of California it is hereby ordered that the transcripts of the proceedings and of the decision in this case and of the papers and evidence upon which the same confirmed be made and certified by the Secretary one of which transcripts shall be filed with the Clerk of the U S District Court for the Southern District of California and the other be transmitted to the Attorney General of the United States

No. 433

Dissenting Opinion of Commissioner R. Aug Thompson in Claim No. 433

Dissenting Opinion of Com. R. A. Thompson

Isaac Williams
vs
The United States

For the place called Sanca Ana del Chino

The position assumed by the majority of the board in the opinion delivered by them in this case this morning strikes me as presenting a new question which has never before been decided by the Commission. Since it was submitted to me on yesterday I have been enabled to give it but a very cursory examination; but from the consideration I have been enabled to bestow upon it I can not bring my mind to the same conclusion to which they have arrived. The duties of this Commission are in my opinion confined to a very narrow compass - They are according to my view of the Law by which it was created limited to a decision upon any right or title derived from the Mexican or Spanish Governments, as between the claimant and the United States - Although from the various character of the grants themselves the different practice under different governments in the modes of proceeding, and in the forms and conditions of the grants, together with the irregularities and confusion incident to long continued period of political turmoil and revolution, a wide and laborious field of investigation has been opened to us. I have been unable to discover anything, which extends our jurisdiction beyond the limits already indicated; or which invests us with any power to decide upon conflicting claims derived from the same source, and descending through the same channels, the effect of which would be to divest the rights acquired under the original grant, and operate a forfeiture of the land - When a right or title to land has passed from the Government to an individual it becomes ipso facto private property, and as such it is protected by the terms of the treaty of cession and by the provisions of the law of Nations. So far as the United States are concerned it is a matter of entire indifference, whether that right remains in the original grantee, or has been transferred to other parties; Her rights in the premises can neither be increased or diminished by the mere fact of alienation by the original grantee -

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It is established by the testimony in this case, and admitted by the Magistrate in their Opinion, that the land claimed was granted by Governor Juan B Alvarado, to One Antonio Maria Lugo, by a title issued in due form on the 26th day of March 1851 - that the conditions of the grant were duly performed, that juridical possession of the Land was given by the proper officer; and the boundaries defined with sufficient certainty to segregate the land from the public domain - This evidence under the Colonization Laws of Mexico is sufficient to invest Lugo with the right of property, and to give him a good equitable title to the land contained within the boundaries described in the grant, and established by act of juridical possession - This is fully admitted by the Magistrate in their Opinion; indeed their Opinion is based on the validity of Lugo's title, for if that was not valid the subsequent conveyances would have no legal effect or operation, and the whole claim must have been rejected - The right of the grantee Lugo being thus established and admitted to all the Land covered by his grant, the United States can have no interest in any portion of it, unless the right which had originally rested in the grantee, had been in some manner forfeited to the government prior to the acquisition of the country by the Americans - Of this, there is no proof, nor is it pretended that any such forfeiture was had - The claimant here introduces as evidence of his title, the deed from Lugo dated May 8th 1851 by which all of said land and Rancho of Santa Ana del Chino was sold and conveyed to him - This deed is clearly prima facie evidence of title in Williams It is a valid and binding conveyance as between him and Lugo and invests him with all the interest of the latter in the premises; It is therefore conclusive between the claimant and the United States; for the latter could acquire no interest in the property while there was a valid subsisting private right in another - and the testimony establishing beyond all controversy the existence of such right either in the claimant or in him and his children jointly - Here in my Opinion the action of the board in the matter should have terminated, by entering a decree of confirmation in favor of the claimant to the

whole extent of the land claimed, leaving the conflicting rights, if any, between Williams and his children to be settled in the mode prescribed in the 13th section of the act of the 3rd of March 1851 by the local tribunals of the country to whose jurisdiction they properly belonged. But the majority of the commission have gone further, and for the reason, that the grantor in the deed to Williams dated May 8th 1851, recites, that he had previously executed two other deeds of gift for the same land, the first dated 22d of December 1841 conveying one half to Williams and the other dated the 18th. of May 1847 giving the remaining half to his two children, which deeds for the reasons therein stated he annuls and cancels, they decide, that Lugo had by virtue of the two last mentioned deeds, parted with all his interest in the premises, prior to the execution of that of the 8th of May 1851; that the last deed is therefore void, and the claimant entitled to a confirmation, only to the extent of the interest acquired by him under the deed of the 22d of December 1841, being one undivided half of the land claimed. They accordingly enter a decree in his favor for that portion, and reject the remainder. Without entering into the enquiry here, as to how far the authorities cited in relation to the legal effect of recitals in deeds apply in the present case or into the effect of such recital on the rights of parties not before the court, and in no manner parties to the proceedings or into the nature and extent of the power of revocation possessed by the grantor in a deed of gift under the Mexican laws, and the civil law on which they are founded, I will proceed to consider the question with reference to the law of the 3rd of March 1851 in which, the powers and duties of this commission confined.

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The 13th section of that law enacts "That all lands, the claims to which have been finally rejected by the commissioners in manner herein provided, or which shall be finally decided to be invalid by the District or Supreme Court, and all lands, the claims to which shall not have been presented to said commissioners within two years after the date of this act, shall be deemed, held and considered as part of the public domain of the United States

It is apparent from this clause of the law that if the Opinion of the board shall be affirmed, or if the six months allowed by the Law for filing a Notice of an intention to prosecute the appeal shall Expire without such Notice being given, the Effect of which would be the final rejection of the claim to the Extent of one half of the Land claimed - both Williams and his Children, in one or the other of whom the title is vested, would be forever precluded from the prosecution of their rights to that portion, and the United States would become the absolute Owners of the premises. This would Operate a Forfeiture of Lands which are shown by the testimony, and admitted in the Opinion of the Board, to be private property, and to which under the treaty, the United States have no right claim or title whatever. It may be said that the same thing would happen in all cases where the Owner of the Land failed to present his claim within the period limited by the Law - But the cases are not analogous - In the latter case, the party would have forfeited his right by his own laches; here, the claim for the whole Land has been presented by Williams and he has shown at least a prima facie title to it, which in my view is conclusive between him and the government, consequently there has been no laches from which a Forfeiture could result - The only question is whether the right of property, admitted to have Existed in Lugo now vests in the Claimant Williams or in his Children:

For the adjudication of this question, the Law has prescribed a different mode of proceeding and contemplates the action of tribunals, other than this Commission, upon which no such power is Conferred - This is clearly demonstrated by the two last clauses of the section already quoted, and the 15th section of the same Law which are as follows; "Provided always that if the title of the claimant to such Lands shall be contested by any other person, it shall and may be lawful for such person to present a petition to the Judge of the District Court of the United States for the District in which the Lands are situated, plainly and distinctly setting forth his title thereto and

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ly and designedly selling such his title thereto and

praying the said Judge to hear and determine the same; a copy of which petition shall be served on the adverse party, thirty days before the time appointed for hearing the same - And Provided further that it shall and may be lawful for the District Judge of the United States upon the hearing of such petition, to grant an injunction to restrain the party at whose instance the claim to the said lands has been confirmed, from suing out a patent for the same, until the title thereto shall have been finally decided, a copy of which order shall be transmitted to the Commissioner of the General Land Office, and thereupon no patent shall issue, until such decision shall be made or until sufficient time shall, in the opinion of said Judge, have been allowed for obtaining the same, and thereafter the said injunction shall be dissolved" "Sec 15th And be it further enacted that the final decisions rendered by said Commissioners or by the District or Supreme Court of the United States, or any patent to be issued under this act shall be conclusive between the United States and the said claimants only and shall not affect the interest of third persons"

It is very clear that these provisions would embrace such a case as the one now under consideration would present, had it been confirmed to the full extent of the land claimed - They indeed plainly the mode of proceeding by which the rights of the grandchildren of Sego if they possessed any under the deed to them, could be adjudicated and protected, and taken in connection with other parts of the law fully sustain my view of the duties and powers of this Commission - In framing the law Congress evidently anticipated, that confirmations would be made upon a prima facie showing in favor of parties who were not the real owners of the property - Hence the provisions declaring that the final decrees upon those claims, should be conclusive only between the United States and the claimants, and providing a mode by which third parties might obtain a restraining order from the judge of the proper District Court preventing the party at whose instance the claim to the lands had been confirmed, from suing out a patent

of in the same entire the rights of the parties had been adjudicated by a competent tribunal. If it was intended that this Board should only confirm the claims in those cases, where the claimant proved an absolute right of property, conclusive not only between himself and the United States but against all the world besides, the provisions last cited would be entirely superogatory; for there could have been in that event, no rights of these parties to save and protect, and no contestants to avail themselves of the remedy prescribed in the two last clauses of the 13th section.

Congress was content to limit the powers of the commission to the settlement of the claims as between the claimants and the Government, leaving the adjudication of the conflicting rights and interests of individuals to the more legitimate jurisdiction of the local tribunals. By this construction of the law the ends of substantial justice would be accomplished and the rights of all parties amply protected, whereas by adopting that contained in the opinion of the Board, a groß wrong would be perpetrated in derogation of private rights and in direct conflict with the solemn stipulations of treaty of the treaty of cession.

But there are other grave questions arising out of the view taken of this subject by the majority of the commission, which are deserving of consideration. It will be observed that the decision of the board rejecting one half of the land claimed is based upon the assumption of the validity of the deed from Sedgo to his grand children of the 18th of May 1847, and the subsistence of the rights of the grantees under it.

If according to this assumption the right of property is in fact vested in these aliences they should surely have an opportunity of asserting and maintaining that right which would have been amply secured to them by a confirmation to allottees. In men of the latter had obtained a patent for the whole land in fraud of their rights, there can be no doubt that a court of competent jurisdiction would upon proper showing have redressed the wrong by decreeing to them their portion of the premises. But in the course of such investigation many

important questions would necessarily arise, which this Commission have no means of determining — The deed is not before us, and the only information we have in relation to it is found in the recitals contained in the deed from Lugo to Williams of the 8th of February 1851. It may have been cancelled and annulled with the consent of the parties to it, or it may have been fraudulent; it may have wanted some essential formality to give it validity, or it may have been rightfully revoked by the grantor according to the provisions of the Mexican Law under which it was executed. These and many other questions which might be suggested are proper subjects for the consideration of a Jury; yet the Majority of the Commission without the power to order such consideration, and without any evidence before them by which the facts in relation to it could be ascertained, assume that the deed is valid and the rights of the grantees under it, unimpaired and subsisting — and upon this assumption they reject the claim for so much of the Land as is covered by it — The effect of this decision is a forfeiture of that portion of the Land to the United States who are known to have no title to it — and the parties who are thus assumed to be the true owners are not are not only deprived of the rights of the deed by Jury guarantee to them by the Constitution but are absolutely precluded from all remedy or means of redress.

It is not my purpose nor is it necessary to discuss at any length the authorities cited in relation to the legal effect and operation of recitals in deeds as a very cursory examination of them will show that they have no application to the case under consideration — the rule of Law on this subject is well settled and it is accurately stated by the Majority in their opinion that recitals in a deed bind all the parties and privies to such deed whether they be privies in blood, privies in Estate or privies in Law; and if it be a deed of Conveyance, they operate as an Estoppel working on the interest of the Land, but such recitals do not bind strangers or those who claim by title paramount to the deed — From this rule it is clear that such an Estoppel could

only operate as between such parties and privies and would not affect the interests either pro or con of third parties, or those claiming under a title derived from a source different from that under which the deed containing the recitals was made — Accordingly we find all the authorities cited by the Majority refer to contests between such parties and privies and not to those arising between one or more of them and a stranger, as in the present case and where according to the rule such recitals have no effect or operation — This is fully exemplified in the case of Dunn, vs. Cornell 2 Johns Cases p. 174 which is quoted as being the one the opinion of the Majority and is principally relied on to sustain their views — The case as stated by them is as follows "Lieutenant Seddon in 1775 made his will, and in it recited that he had conveyed to his son David his lands in the Township of Flushing, he then devised his other estate to his sons and daughters &c. Afterwards David's Estate was confiscated under the act of attainder and the defendant in ejectment or ejectment claimed claimed under that confiscation and claimed his title from the State — No deed of the Flushing Estate (the land in controversy) was proved from the father, and the heir at Law sought to recover on that ground — But the Court held that the recital in the will, that the testator had conveyed the Estate to David was an Estoppel on the heir to deny that fact and bound the Estate —

It will be observed that the defendant in this case claimed in virtue of the ~~forfeiture~~ confiscation under the act of attainder by which the Estate of David vested in him through the State, he therefore stood in the same relation to the heir at Law that David would have occupied had there been no divestiture of his rights by confiscation or otherwise — This relation constituted a privity in Estate between the parties by virtue of which the recitals in the will operated an Estoppel on the heir at Law to deny the deed of his ancestor from whom both parties claimed to derive their title — If the rights of the Children of ~~the Children~~ of Williams derived from the deed

of Sugo to them had already been forfeited or confiscated to the United States, and the latter were he claiming against Williams in virtue of such forfeiture or confiscation then the authorities cited by the Majority would be in point and in consequence of the relation of privies existing between the parties. Williams would be estopped by the recitals in his deed of the 8th of January 1851 from denying that to his children dated May 18th 1847, and the United States would be entitled to recover whatever interest the children held in the premises by virtue of the last mentioned deed. But it is not pretended that any such forfeiture or confiscation was ever made. And the United States in this proceeding occupy the position of strangers without title, or claiming under one entirely foreign to that under which the deed containing the recitals was made they are not privies either in law or estate. Those recitals therefore could not operate upon or affect the interest of the Government in the premises one way or the other. Dec. 6th 1860 R. 59 & 60

1 Greenleaf Evi. sec 523 – 189

Such then being the relations of the parties, the rule of law as stated by the Majority, the correctness of which is not questioned, excludes from the case the whole doctrine on which they rely to sustain their opinion, and as a necessary consequence a prima facie title is shown in the claimant in the claimant which is conclusive between him and the United States, who have shown no right or title to any portion of the premises, and could show none where there was a subsisting out standing right of property in another. In this view of the case, the claimant was clearly entitled to a decree of confirmation for all the land claimed and recovered by his deed by his deed of the 8th of February 1851 leaving any conflict of rights that might exist between him and third parties to be settled by the tribunals of the country, to whose jurisdiction they properly belong.

I cannot better illustrate my views of the this question than by the following hypothetical case. A the original grantee conveys to B and subsequently makes a deed to C granting him the same land and recalling and revoking the deed to B who so

for as we are informed does not complain, and tells us no claim, but he comes in and says that to be you have no right to the land because A had already conveyed it to B before the Execution of the deed to you, therefore I will take it myself and the Effect of the decision of the Board would be to give the land to D

This to my mind is the result to which the reasoning contained in the Opinion of the Majority of the Commission ultimately leads, a result, so utterly opposed to any principle of Justice, of Natural Faith and the plain stipulations of the treaty of Cession by which the inhabitants of California were protected in the free enjoyment of their private property, that it need only be stated in order to expose the fallacy of the arguments by which it is attained.

I therefore consider it my duty for the reasons above stated to express my dissent from that portion of the Opinion of the Board which denies to the claimant a confirmation to one half of the land claimed in his petition.

Filed in office April 25th 1854.
Geo. Fisher
Secy

Office of the Board of Commissioners,

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

I, George Fisher Secretary to the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California, do hereby certify the foregoing seventy seven pages, numbered from 1 to 77, both inclusive, to contain a true, correct and full Transcript of the Record of the Proceedings and of the Decision of the said Board, of the Documentary Evidence and of the Testimony of the Witnesses, upon which the same is founded, on file in this Office, in Case No. 433 on the Docket of the said Board, wherein

Isaac Williams et

the Claimant, against the United States, for the place known by the name of "Santa Ana del Chino"

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

Geo: Fisher
Sec.

U. S. District Court
Southern District of California

182

No. 182. DOCK

The United States.

vs.

Isaac Williams.

"Santa Ana del Chino."

182

Transcript of the Record
from the
Board of U.S. Land Commissioners
in case No. 453.

Filed December 19th 1854.
J. E. Carr.
Clk.

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Los Angeles
Nov. 18 1883 4

To the Clerk of the Southern Dist of the U. S. Dist Court for the State of California

Sir

You will please take notice of the intention of the claimant in case No. 433 Ranch del Chino to prosecute the appeal so far as the confirmation of the said Ranch is denied to the claimant by the decree of the Majority of the Board of U. S. Land Commissioners

Respectfully Yours
Henry Hancock
Junior Atty for Claimant

L. Edward Carr Esq

No. 182.

U. S. Dist Court

Southern Dist of Cal.

Isaac Williams
appellant

vs

The United States
appellee

Appeal Notice.

Filed Nov 18th 1854.

J. E. Carr
clk.

Office of the Attorney General of the United States,

Washington, 10th February 1855.

Isaac Williams
vs.
The United States. } 433.

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.

C.S.

No 182.

U.S.D. Court. S. Dist.

The United States
vs.
Isaac Williams

Appeal Notice.

Filed May 11th 1855.
J. E. Carr.
Clk.

Office of the Attorney General of the United States,

Washington, 10th February 1855.

Isaac Williams
vs.
The United States. } 433.

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.

No. 182

U. S. District Court
for Southern District, Cala.

The United States

vs

Isaac Williams

Appeal Notice.

Filed April 10th 1855.

J. E. Carr
Clk.

Title of Causes Nos. 182. & 335.

On motion of E. O. Crosby Esq of Counsel for Claimants in this cause suggesting the death of the above named Isaac Williams - and proof having been made herewith and now filed in this court. It is ordered and decreed that this cause be revived in this court in the names of Merced and Francisca - daughters of the said Isaac Williams decd

B 1182

Motion to substitute

Filed Aug 9th 1884
Spinks
Clk

Deposition of ~~Isaac~~ ~~Benn~~ J. Warner ~~Kenn~~ taken before C Sims United States Commissioner for the District of California at the United States Court House in the City of Los Angeles on Wednesday the 7th day of January AD 1857 at 2 o'clock P. M. by consent and agreement of the parties to be used as testimony on behalf of the claimant in a certain cause now pending in the United States Dist Court for the Southern District of California being case No. 182 in the Docket of said Court wherein the United States are Appellee & Appellant and Isaac Williams appellee & appellant.

Present P. Ord U. S. Atty on behalf of the United States and E. O. Crosby Esq on behalf the Claimant

Isaac Williams
Appellant
vs
The United States

No 182
Rancho del Chino

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J J Warner being duly sworn deposes and answers to the following interrogatories as follows

Quest What is your name age and place of Residence

Ans My name is J J Warner am 49 years of age and reside in San Diego County

Quest Do you know Isaac Williams and if he living?

Ans I did know him and he is now dead ~~and he~~ died about the 1st of Sept 1856 in the County of San Bernardino California

Quest Did he leave a wife and children surviving him, if so, Please state their names?

Ans He left no wife but left two children, daughters of his deceased wife Maria Jesus Lugo, their names are Maria Merced & Francisca Williams

Sworn & Subscribed before me
this 7th day of Aug 1857

J. J. Warner

Geo
Commissioner

United States of America
Southern Dist of California
County of Los Angeles

I. C. Sims ~~atty~~
United States Commissioner for the ~~District~~
of California hereby certify the foregoing ~~to be a~~ deposition of I. I. Warner was taken
before me on the part of Claimant in accor-
-dance with the agreement and request of the
said attorneys at the United States Court House
in the City of Los Angeles, State of California
that the said I. I. Warner was by me duly
sworn according to law as a witness in
said Cause in the Caption of this Deposition
mentioned, and after being so sworn, his
testimony was by me reduced to writing in
his presence and that of the said attorneys
and after having been by me carefully read
to him, and by him corrected as he desired
was by him signed in my presence

In testimony whereof I hereto
set my hand and affix my
(private seal) (there being no official
seal) this 17th January 1857

C Sims
U S Comr

182

U. S. District Court
for South.n Dist.ct Cal.

Isaac Williams
appe & apptt
vs & ad,
The United States
appe & apptts

Deposition of D. Warner
Filed the 4th of
January 1854
C. Sims clk
By J. H. Coleman

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

The President of the United States,

TO

P. Ord U. S. Atty

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Greeting:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against The United States in the District Court of the United States, in and for the Southern District of California, on the 10th day of January, in the year of our Lord one thousand eight hundred and fifty seven, at the City and County of Los Angeles, in said District, by

Merced and Francisca Williams heirs at law of Isaac Williams dec. praying said Court to review that part of the decision of the Board of U. S. Land Commissioners of the which upsets in part their claim to the land ~~cotta~~ described in the papers and map filed in this cause

and that you are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said Petition, or the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this 10th day of January A. D. 1857.

C Ains

Clerk.

J H Coleman
Dep

No. 182

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

The United States
vs & ads
Isaac Williams

Filed this 12th January 1857
C. Sims clk
J. H. Coleman
Dep

SUMMONS.

Received January 10th 1857

Edward Hunter
U. S. Marshal.
Abe McGoodman
Deputy.

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Marshals Costs
Copying Writs — 60
Serving same 3.—
" Petition 3.—
$ 6.60.

I served this Summons, together with a certified copy of the Petition, upon I. Ricard
U. S. Atty by delivering to his Secretary a true copy thereof
at Los Angeles
the 12th day of January in the Southern District of California, on A. D. 1857.

Edward Hunter
U. S. Marshal.
Abe McGoodman
Deputy.

Sworn to and subscribed before me, this 12th day of January 1857
C. Sims Clerk.
J. H. Coleman
Dep

I. Isaac Williams, resident of the County of San Bernardino, State of California, do hereby make and declare this my last Will and Testament. —

1st I give and bequeath to Maria Antonio Apis One hundred ewe sheep, and One hundred Cows and heifers, of the cattle and sheep, now in the hands of John Rains, in virtue of a contract made October the 19th 1854, to be given to her as soon as the term of said contract expires.

2nd I give and bequeath to the said Maria Antonio Apis, and her Brother Ysomiceno the Ranchito in Jiniculi granted to Pablo Apis Senior, as also a certain manada once belonging to Pablo Apis —

3rd I give and bequeath to Victoria, Concepcion, Refugia, and Feliciana, children of the said Maria Antonio Apis, the remainder of the Cattle and sheep that shall be due from the said Rains in virtue of the aforesaid contract, the said cattle and sheep with the produce thereof, to be equally divided among the four children aforesaid and paid over to each as he or she shall attain the age of 21 years.

4th I give and bequeath to Dona Jesus Villaneuve, in consideration of her services, One thousand Ewe Sheep to be paid to her in due course of administration.

5th I give and bequeath to Manuelito Daughter of the said Jesus Villaneuve whatever can be realized from my interest in certain cattle, now in hands of J. Greenmorow, in the County of Trisco, as per contract, dated July 10th 1856, as also the money that can be realized from two notes given me by L. D. Vinson-haler One for ($325.) dated Feby 16th 1856, and One for ($1033 33/100) dated July 10th 1856, the said cattle money and the increase and profits thereof to be paid to the said Manuelito as soon as she attains

the age of 21 Years.

6th I enchage Francisca daughter of Maria Jesus to the care of my daughter Merced and give and bequeath to her the sum of Three thousand dollars payable out of the property herein bequeathed to my daughter Merced and Francisca, as soon as the first-named Francisca attain the age of 21 Years.

7th I give and bequeath to my Comadre M. Merced Lugo de Foster, and her daughter Maria Antonia Lerer, One thousand dollars Each, to be paid as soon as realized out of the proceeds of my Saw Mill —

8th I give and bequeath to my Old Servant, Santiago in consideration of his faithful services, fifty heifers and fifty bullocks Yearlings to be paid to him in due course of administration —

9th I direct that neither my Executors nor heirs disturb my Comadre Vicenta Lugo, in the possession of the Sabonnia, during her lifetime, provided that the Mortgage now existing from thereon in my favor may be renewed or foreclosed so as to prevents its lapsing by limitation, and Either the heirs of the said Vicenta Lugo, or any of her Brothers or Sisters can have the right to redeem the Sabonnia within One Year after the decease of the said Vicenta Lugo on payment of the principal of the Mortgage thereon Executed A.D. 1855. without interest; but the right of redemption Extends to no creditor.

10th I give and bequeath to my daughters Merced and Francisca born in Matrimony with my deceased wife Maria Jesus Lugo, all my Estate real and personal not otherwise herein disposed subject to the payment of my just debts, the Expenses of Administrators and Executors and the Education and support out of the rents and profits thereof of the herein before named

minor children, my said daughter Merced and Francisca; and Victoria, Concepcion, Refugea Feliciana, Manuelita, and Francisca, until each one of the six last named shall have attained the age of 21 years, or have married when the said maintenance shall cease to each one, as he or she attains his or her majority or marries.

11th I direct that the property herein bequeathed in Article 10. be kept together and managed to the best advantage until my daughter Merced shall have attained the age of 21 years when it shall be equally divided between Merced and Francisca daughters of myself and Maria Jesus Lugo, subject still to the payments hereinbefore mentioned, the increase and profits also to be divided. I make the foregoing legacies as a full compensation of all claims each legatee may have against me or my Estate.

I hereby appoint Stephen C Foster, Henry Hancock and Russel B Smith, Trustees for the following purposes to wit

1st To take charge of all my Estate real and personal on my decease 2nd To administer thereon until the final settlement of my Estate, 3rd To take charge of and manage my Estate to the best of their ability, to dispose of cattle, stock and all personal property at private sale from time to time as circumstances may require, to pay all expenses incurred on the management of my Estate and invest the profits thereof to the best advantage. 4th To perform each and every condition faithfully of this my last will and Testament. Each Trustee afore named can act alone, but in case of disagreement, the first named shall have the right to act as against the other two. In case of decease or inability or failure to act, each shall act in the

order first written, but I wish that all would act in unison in the discharge of the trust. I wish that the persons above named as Trustees act as Guardians for the minor legatees, herein mentioned until their privelege terminates. This trust shall finally cease and determine with the fulfilment of the last provision of this will.— The aforesaid Trustee or trustees shall be entitled to a fair compensation for their services out of the rents and profits of my Estate, and shall be required to give no bonds for the faithful performance of their trust, and for the uses and purposes herein mentioned to be well and faithfully performed. I do hereby authorize the above named Stephen C Foster, Henry Hancock, and Russell B Smith to have and to hold all my Estate, real and personal until each and every trust herein mentioned be fulfilled. In testimony whereof I have hereunto set my hand and seal in the Rancho Del Chino, County of San Bernardino this nineteenth day of August A. D. 1856.

Signed / Isaac Williams (Seal)

Witnesses
John S. Griffin M. D.
John Rains
Francis Arguello.
T. J. Murray.

State of California }
County of San Bernardino }

I hereby certify that the above and foregoing is a full true and correct copy of the last Will and Testament of Isaac Williams deceased now on record in my office. In Witness whereof I hereunto set my hand and affix my official seal this 24 day of December 1856 Rich D Hopkins Recorder

State of California
County of San Bernardino } I, Daniel
R. Thomas, Probate Judge of said County,
hereby certify that in the Probate Court
of said County on the 8th day of October
1856, being the day therefore appointed for
proving the last will and testament of Isaac
Williams deceased, due proof having been
first made to the Court, that due notice has
been given of the same according to law by
posting notices in three public places in said
County for at least ten days, and that sub-
poenas and citations have been issued and
served upon such of the subscribing witnesses
to said will and upon such of the persons
named as Executors therein in the County
of San Bernardino; the Court proceeded
to take the depositions of John Rains, Fran-
cis J. Murray and Francisco Arguello, sub
scribing witnesses to said last will and test
ament; and no person appearing to contest
the same, and it appearing to the Court, from
the testimony of said witnesses that said will
was duly executed and that the said testator
Isaac Williams, deceased, was at the time of
the execution thereof of sound and disposing
mind, and not under restraint, undue influ-
ence, or fraudulent misrepresentation the
Court so finds;

And it is ~~further~~ therefore ordered,
adjudged and decreed,

That the said will of Isaac Williams
deceased dated August 19th 1856 be, and is here
by admitted to probate and allowed, and it is
further ordered that Stephen C. Foster, Henry
Hancock, and Russell B Smith, named in said

will, he, and hereby are appointed Executors thereof, and Trustees for the purposes named in said will; and that the Clerk issue letters testamentary to said Executors upon their qualifying according to law.

And it is further ordered that, inasmuch as the same is expressly provided in said will; no bond be required of said Executors for the faithful discharge of their duties as such. and said will and testimony are ordered to be recorded.

Thus done in open Court this 8th day of October A D 1856.

Signed / D M Thomas
Probate Judge.

Attest my hand as Clerk with my private seal affixed there being no seal of said Probate Court yet provided the day and year above written

Signed Richd R Hopkins (Seal)
Clerk.

State of California }
County of San Bernardino }

I hereby certify that the above and foregoing is a full true and correct copy of the original order of Probate & Decree now on file in my Office

In witness whereof I hereunto set my hand and affix my private seal there being no seal of Probate Court as yet provided. this 24th day of December AD 1856.

Richd R Hopkins

No. 182.

U.S. District Court for the Southern District of Ala.

The United States
vs
Isaac Williams

Certified copy Will &c

Filed this 10th January A.D. 1857
C. Sims clk
J. H. Colman
deputy

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Crosby & Hancock
Attys. for Claimants

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

Hon Isaac S. K. Ogier Judge.

Isaac Williams

182 SD

PAGE 105

Appellant

vs

The United States

Appellee

No. 182.

Docket No. 433.

The answer of Pacificus Ord Attorney of the United States for the Southern District of California, for and in behalf of the United States, to the petition of Nevion Stevens of Merced & Francisca, ~~alleged~~ alleged heirs of Isaac Williams - says - That he denies generally and specially each and every allegation in said petition contained. And he denies further that the said Isaac Williams, or his alleged heirs & petitioners, have a valid title at law to the ~~claim~~ land claimed by them. And he ~~denies~~ prays that this Hon Court will affirm that part of the decision of the Board of Land Commissioners rejecting ~~in part~~, the claim of said Isaac Williams; and decree the alleged title invalid. And general relief.

P. Ord

Dist Atty

No. 182.

Isaac Williams et al

vs

The United States.

Answer of U States.

Filed this 13th January
A D 1857 C Sniveley clk
J S Coleman
D C P

En la Ciudad de los Angeles de la Alta California a los diez y ocho dias del mes de Mayo de mil ochocientos Quarenta y siete ante mi Enrique Abila. Alcalde 1.º Ynst. y por ante los testigos de mi asistencia con que obro por Registro a falta de escribano publico amas de los instrumentales que al fin se nombraran Comparecio D.n Antonio Maria Lugo de esta vecindad a quien doy fe conoco y dijo: que por la presente en aquella via y forma que haya lugar en dro. cierto y Lavedor del que en este Caso se Consigna, otorga que cede en favor de sus hijos de D. Julian Guillamy y Nietos del otorgante llamados Maria Merced y Francisca la mitad que le toca del Rancho del Chino con todo y los bienes Semovientes en esa mitad que son de la propiedad de Lugo, y se hallan con el fierro y señal del mencionado Guillamy dandose por herederos esos menores que se hallan bajo de la potestad paterna, sin que hoy ni en tiempo alguno haya reclamacion sobre esto, pues les da el otorgante todo dro. y propiedad a los Nietos, que se Corresponden, como ha dicho herederos en la parte que les toca. Y para que esta tenga la fuerza y Calidacion se obliga-

Consignos

182SD
PAGE 107

152.00
152.00

con su persona y bienes havidos y
por havir y con ellos se sometan al
fuero y jurisdicion de los Señores Jueces
que de este negocio devan conocer, para
que lo compelan y apremien por todo
rigor de drô. y via executiva como por
sentencia pasada en autoridad de cosa jus
gada consentida, y sin mas recurso. Re
nuncia su propio fuero domicilio y vecin
dad, las leyes de su favor y defensa con
la gral. del drô en forma en cuyo
testimonio, asi lo otorgó y no firmó por
no saver hiselo yô. Con los de asisten
cia segun drô. siendo los instrumentales
Cayetano Aguilar y Mariano Pordan
presentes y vecinos doy fee = Cruz
que Abila = Francisco de D. Antonio Ma
ria Lugo = Ignacio Coronel = Cayetano
Aguilar = instrumental = Mariano Por
dan = instrumental = asistencia = Mana
el Feliz — "O"

Concuerda con su original á que me
remito de donde fue fielmente sacado y con
gido en esta foja util del papel comun por
falta del sellado. Y lo autorio con testigos
de asistencia en la forma ordinaria doy
fee.

Juan Sepulveda

Asta
Fermin Guirado

Asta
Jose Co. Ferriz

del año de 1829

State of California
County of Los Angeles } ss

I John W Shore, County Recorder of Los Angeles County, hereby certify that the annexed Document was compared by me with the Original in my office, and the same is an exact copy to the mark thus "O" on the last page, as the same appears of record in my Office aforesaid –

Witness my hand & the seal of my Office hereto affixed this 13th day of January A.D. 1857

John W Shore
Co Recorder
Geo J Utschman
Depty

Titulo del Chino
Ant.o M.a Lugo a Juan
Williams Copia

No. 182.

The United States District Court
Southern District of California

The United States
appellees
ads.
Isaac Williams deceased
represented in the name of Maria
Merced & Francesca his daughters
and heirs at law. & appellants.

Deed of Conveyance

Filed this 13th January
A.D. 1857 C. Sims clk
By J. H. Coleman
Dep

Crosby & Hancock
Attys for appellants.

In the City of Los Angeles Upper California May 18th 1847 before me Henrique Abila Alcalde of the 1st Instance and before my assistant witnesses with whom I act, for want of a Notary public and besides witnesses instrumentales whom I ~~notify to appear~~ will at the end name, appeared Don Antonio Maria Lugo of this vicinity whom I know and believe and said. that by the present in their sight and proper form being duly competent authorizes and cedes in favor of the daughters of Julian Williams and grandchildren of the said Lugo called Maria Merced and Francisca the half of the Rancho of Chino which he has and every thing belonging to the half of the said rancho which the said Lugo has and of what may be found of the brand or mark of the said Williams giving the same to these minors under the maternal inheritance but that neither to day nor in any time will I reclaim the same. then the said Lugo gives to his said grandchildren all of his right and property in the same

that he considers them as named
hers in the part they take, and
that this may have ~~the~~ force
and validity he obligates himself
in person and with the goods -
which he has or may have, and
with them he submits to the -
justice and jurisdiction of the
gentlemen who give this business
due force, for that it may be
compelled and forced by all rigor
of right and sen effection as
if it were a sentence of court
of competent authority, and
without further recourse renounces
his ~~property as without~~ privilegio ~~his~~ domicil
and vicinity, the laws that are
in his favor and defence with
all rights in general ~~general~~ thus he authorizes
but does not sign, on account of
not knowing how, making it my=
=self according to right with my assist=
=ants ~~according to~~ the instrumental
witnesses being Casildo Aguilar and
Mariano Rondon, and being present
and neighbors give faith = Enrique
Abila. M of Don Antonio
~~Lugo~~ Maria Lugo Ignacio Coronel

Cabildo Aguilar - instrumental
Mariano Jordon. instrumental —
Manuel Filiz, assistant

Agreeing with its original to which I cite and from which this has been faithfully taken and corrected on this sheet of common paper for want of the proper sealed paper and I authorize it with my witness of assistance and in the ordinary form given faith

Juan G Piedrida

C Hee

Assistant
Ignacio Guirado

Assistant
Fran.co Ruiz

No 182

United States District Court
Southern District of California

Maria Merced and
Francisca Williams
Appellees
ad
United States

Translation
of Conveyance of
1847 —

Filed this 13th January
A.D. 1857 C Sims clk
J H Coleman
clk

Crosby & Hancock
Attys for appellants.

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

December Term. 1856.

The United States
ads
Isaac Williams decd
Moved in the name of
Maria Merced and Francisca
his daughters and heirs at law
and legatees - &c -

Docket No. 182.

This cause coming on to be heard on appeal from the decision of the board of land commissioners to ascertain and settle private land claims in California under the act of congress approved March 3d 1851. upon the transcript of proceedings and decision of said board, and the papers and evidence upon which said decision was founded, all of which have been duly filed in this court: and upon the further proceedings and evidence taken in this cause by order of this court: and counsel for the respective parties having been heard - It is ordered adjudged and decreed that the decision of said board confirming unto said Isaac Williams the undivided half of the lands described in said transcript filed in this cause, be and the same is hereby affirmed, and that the decision of said board of commissioners rejecting the undivided half of the said lands claimed in this case be and the same is hereby reversed -

And it is further ordered adjudged and decreed that the lands claimed in this case by the said Maria

Merced and Francisca daughters of the said Isaac Williams deceased, and successors in interest to the title of said lands, be and the same is hereby confirmed unto them, and their said title declared a good and valid one.

The lands of which confirmation are hereby made are known by the name of "Santa Ana del Chino" situated in the present county of San Bernardino in the State of California bounded by adjoining grants of land, and described in the original grant of the lands claimed in this case. Made by Juan B. Alvarado governor of California, dated March 26th 1841. as follows. bordering on the south east on the Rancho of Don Bernardo yorba, and on the Rancho Juan Bandini, to the north east on the Rancho of Tiburcio Tapia and el chamisal, to the north west on the Rancho of Jose de Jesus Lenares and Jose Ignacia Palomares - to the south west by the mouth of the Canada de la Brea - reference being had to said grant for more particular description - and to the map of said land attached to the expediente and the act of judicial possession filed in this cause in aid of said description, all of which said grant map, and act of judicial possession are copied in the transcript in this cause filed in this court.

The lands hereby confirmed is for five square leagues and no more within the boundaries above described - provided that quantity be contained therein, but if a less quantity be contained within said boundaries then confirmation is hereby made to such less quantity

Isaac S. Ogden
U S Dist Judge
for the S Dist of Cal

No. 182.

United States District Court for
Southern District of California

The United States.
appellee

ads

Isaac Williams dec^d
Proved in the name of Maria
Merced & Francisca his
daughters & heirs at law &c
appellants

Decree.

Recorded in page 185

Filed Jany 15th 1857
J Sims
Clk

182 SD
PAGE 118

Crosby & Hancock
Attys for appellants

California Land Claims
Attorney General's Office
9 Feby 1857

Sir:

In the case of the claim of Isaac Williams, confirmed to the claimant by the Commissioners, Case no. four hundred and thirty-three, (433), appeal will not be prosecuted by the United States.

I am,
Respectfully,
Cushing

William Ord Esq
U. S. Attorney,
Los Angeles.

No. 182.

Filed 4 March 1858,
G. Sing Clk.
for W. W. Stetson,
Deputy

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

Heirs of Isaac Williams dec^d.

Applicants

&c

The United States

Appellee

Case No 182

"Santa Ana del Chino"

Transcript 433

Now come the applicants Mercedes Williams de Ramirez & Francisca Williams de Carlisle, by Scott & Lander, their attorneys, and suggest to the Court that a survey of the premises claimed has been made and approved by the Surveyor General of the United States for California; and that such survey is not made in conformity with the final decree in the cause, and that these parties making the application will be injured thereby,

And they therefore move the Court for an order upon the United States Surveyor General for California directing him to return said survey into this Court for its further action

Scott & Lander

Applicants Attys

Case No. 182

U. States District Court
Southern Dist of California

Heirs of Isaac Williams dec.
Appellees

vs

The United States
Appellants.

Motion to return Survey.
("Santa Ana del Chino")

Filed 12th Apl 1859
C Sims
Clk

Scott & Sanders

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

Heirs of Isaac Williams deceased, Appellants	Case No. 182
182 SD	Santa Cina del Chino
PAGE 123	
vs.	
The United States Appellees	Transcript No. 433

It being suggested to the Court that the survey of the lands claimed in this case made under final decree, and approved by the United States Surveyor General for California does not conform to said decree and is erroneous, and that said survey will be to the injury of the parties applicant; On application of Scott & Sanders, attys for the claimants:

It is ordered, That the said Surveyor General return to this Court the plat of said survey and that the claimants be allowed ~~thereof~~ 20 days, from and after the return thereof, to file exceptions thereto.

And it is further ordered that a certified copy of this order be served upon the said Surveyor General for his information

Granted Wednesday 23d day of Nov 1859

Case No. 182

U. S. District Court
South'n Dist. California

Heirs of Isaac Williams, dec'd.
Appellees

vs

The United States
Appellants.

Order to return Survey
("Sta Ana del Chino")

Filed 12 Sept 1859
C. Jones
Clk

Scott & Lander

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

Heirs of Isaac Williams
Appellees
vs.
The United States
Appellants

Case 182
Santa Ana del Chino
Transcript 433

182 SD
PAGE 125

To
Joseph R Citchen Esqr. U. S. Dist Atty
Sir

Take notice that the appellees in the above case, have on the 12th September 1859, filed with the Clerk their motion herein, for an order of the Court on the Surveyor General of the United States for California, to return into Court the plat of the survey made by him of the lands claimed and confirmed in this case, and that said motion will be brought to hearing before the Court on Tuesday October 4. 1859 at the opening of the Court or so soon thereafter as the same can be heard.

Scott & Chandler
Appellees Attys

182

U. S. Dist Court
Southern Dist California

Reis of Williams
vs
Unit States

Notice of motion

Filed in office this
the 14th day of Sept
A.D. 1859
J. Hall Clk

182 SD
PAGE 126

Scotchmander

Received service of within notice by copy
this August Sept 14 1859
J. H. Mitchell
W. H. Wheaton
Atty

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

Aurcea Williams de Rains, wife of John Rains, and Francisca Williams de Carlisle, wife of Robert B. Carlisle, Heirs of Isaac Williams, dec^d. Appellees,	No. 182. "Santa Ana del Chino"
vs. The United States; Appellants.	Trans. 433.

Now come the above named Appellees, by Scott & Lander, their attorneys, and offer and file these their exceptions to the survey heretofore made of the lands called "Santa Ana del Chino", claimed in this case, approved by the United States Surveyor General for California; and the Map or plat whereof, from said Surveyor Generals' Office, has been filed in this Court herein.

And the Appellees, referring to said Map or plat, except,

12½ To the exterior lines marked twenty (20), twenty one (21), and One (1) on said Map; and in lieu and stead thereof, claim the following;

To commence at the Section Corner of sections thirty five (35) and thirty six (36) of Township Two (2) South, of Range Eight (8) West, San Bernardino Base line and Meridian, and of sections one (1) and two (2) of Township Three (3) South, of the same range; said section corner being the point at which line No. (19) nineteen of said plat closes, and line No. (20) twenty begins; thence South 59° 4'. East, one hundred and thirty six (136) chains, twenty (20) links; which line runs along and abuts on public lands; to a point in the west line or boundary of the tract of land known and commonly as the "Rancho del Rincon"; thence, North, following said west line of the "Rancho del Rincon", to a point in Line No. one (1) of the aforesaid plat; distant eighty six (86) chains, ninety three (93) links from the willow tree which stands at the close of said Line No. one (1) and at the commencement of Line No. two (2).

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Which corrections these appellees claim as just and proper, as they aver that the line of said "Rancho del Rincon", as laid down on said plat, is incorrect, and does not conform to, or represent the final approved survey of said "Rancho del Rincon"; which appellees will show

that approved survey of said "Rancho

del Rincon"; which appellees will show to the Court: And they say that the lines connected as above claimed, will abut on public lands, and on the true line of the final approved survey of said "Rancho del Rincon"; and that said "Rancho del Rincon" is a boundary for the lands in this case, mentioned in the Grant and Decree herein.

2nd The appellees further object and except to lines Thirteen (13.), Fourteen (14), and Fifteen (15) of said plat on file, and in lieu and stead thereof claim the following;

To commence at corner of sections eleven (11), twelve (12), Thirteen (13), and Fourteen (14) of Township Two (2) South, Range Nine (9) West, Base line and Meridian as aforesaid; being the point at which line Twelve (12) of the said plat closes, and line Thirteen (13) commences; thence, running on the north-west side of the "Canada de la Brea", which line abuts on public lands, South 26° 34' West, one hundred and seventy eight (178) chains, ninety (90) links, to corner of sections twenty two (22), twenty three (23), twenty six (26), and twenty seven (27) of the Township last above mentioned; thence along the line of said sections twenty six (26) and twenty seven (27)

abutting on public lands, South, forty (40) chains, to the quarter-section point; thence, east, along public lands, forty (40) chains, to line No. fifteen of said plat.

Which connections the Appellees claim as just and proper, as they say that the said connected lines, as claimed, abut solely on public lands, and that the same do not extend beyond the "Boca" or mouth of the "Cañada de la Brea", a boundary called for in the Grant and decree herein.

3d. And, consequently upon the above exceptions and connections, in order that the quantity of land included may not exceed the quantity called for and confirmed in said Grant and decree, to wit, five square leagues, but for no other purpose, the Appellees except to Line No. Five (5) of said Plat, and in lieu thereof claim as follows:

To commence at the easternmost point of the survey, at the point where Line No. Four (4) closes, and Line No. Five (5) begins; thence northwesterly, to a point in Line No. Six (6), so as to include the said quantity of five square leagues: which line will be North 63° 46' West, six hundred and nineteen (619) chains, forty five (45) links, ending at a point in said Line No. Six (6), distant twenty two (22) chains, twenty

Eight links (28) from the point at the pool

(6), distant twenty two (22) chains, twenty eight links (28) from the point at the pool of water marked on the plat, at which said line No six (6) closes.

Which connection the appellees aver to be just and proper, and necessary in order to reduce the quantity of land to the calls of the confirmation herein, and as they say that said connected line, as above claimed, abuts only on lands claimed by these appellees under Mexican Grant, and Final Decree of this Court in Case No. 335, and to which there are no adverse claimants.

And the appellees say that the lands included in the lines here prayed for are all within the boundaries specified thereon in the Grant and Decree herein, and do not exceed the quantity confirmed in this case.

Wherefore the appellees pray that their above objections may be sustained, and that the Court will order final survey of the lands in this case accordingly, with such other & further or general relief as shall be agreeable to equity, or the case shall require.

Scott & Sanders

Attys for Appellees.

United States of America
South'n Dist. of California
Los Angeles County } ss.

James H. Sanders being duly sworn says, that he is one of the attorneys of the Appellees in this case. That he has read the foregoing exceptions and knows the contents thereof, and the same are true of his own knowledge, except the matters therein stated on information and belief, and as to those matters he believes them to be true.

James H. Sanders.

Sworn to & subscribed before me, this 30th, day of October 1862.

John D. Wheeler, Clerk,
by H. H. Nelson
Deputy

To all whom it may concern

Take notice that the above exceptions will be brought to hearing before the Court, in thirty days after service thereof on the Appellants, or so soon

Thereafter as Counsel can be heard.

J. Morrison Sanders
Attys for Appellees.

Case No 182.

U. S. Dist. Court.

South.n Dist. Cal.a

Heirs of J. Williams dec.d

ads

The United States.

Excepts to Survey.

Filed Nov. 4. 1862

John S. Wheeler

Clk

182 SD

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Secy's Docket.

In the United States District Court for California.

Maria Merced Williams Wife of John Rains and Francisca Williams de Carlisle Widow of Robert S. Carlisle Heirs and Devisees of Isaac Williams Deceased Appellees

vs

The United States Appellant

Case No 182. Rancho "Santa Ana del Chino." In the Matter of Survey

Upon motion of Claimants by their Attorney, based upon a Plat of the Survey in this case made by Henry Hancock Deputy Surveyor in December 1858 and a re-survey made by Thomas Sprague Deputy Surveyor in May 1864 and approved by Laurens Upson United States Surveyor General for California on the 14th day of April 1868 hereunto annexed and marked "Approved July 23d A.D. 1868 Ogden Hoffman District Judge", and it appearing to the satisfaction of the Court that said survey and re-survey approved as aforesaid are in conformity with

the decrees heretofore rendered in this cause by the United States District Court in and for the late Southern District of California, to wit, the original Decree on the 13th day of January 1857 and the decree modifying the first Survey and ordering a new one on the 6th day of June A.D. 1863, the United States District Attorney being present and consenting thereto;

It is hereby ordered, adjudged and decreed that said re-survey is a valid survey of the Lands claimed in this case, and the same is hereby approved; and it is further ordered that the Clerk of this Court return a certified copy of the Plat of the final survey hereunto annexed, together with a copy of this Order to the said United States Surveyor General for his guidance in the premises.

July 23, 1868

Ogden Hoffman

Dist Judge

U. S. Dist. Court
Case No 182 SD
Bd 433

Heirs of Isaac Williams
v
The United States

Decree approving
final Survey

Filed & Ent July 23 1868
Geo Cochrane
Clk
G Greene
DC

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

Heirs of Isaac Williams, Appellees
vs
The United States, Appellants.

No. 182.
Santa Anna del Chino.
Inventory-433

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To
R. C. Whiting Esq. U. S. Dist. Atty.

Please take notice that on Monday April 27. 1863, at 10 o'clock A.M. before Francisco R. Ramirez, U. S. Commissioner at his office in the City and County of Los Angeles, the Appellees will proceed to take the Depositions of Frank LeConveur and others, to be used and read in evidence upon the hearing of the Exceptions to Survey in the above case.

The taking thereof to be continued from day to day as adjourned by the Commissioner, until completed.

Respectfully
J. Doty & Andrews
Attorneys for Appellees

Los Angeles
March 20. 1863

State of California }
Southern District } ss.

James H. Lander, being duly sworn says that on the 20th March, 1863 he deposited in the post office at Los Angeles, a copy of the within notice, postage prepaid, and enclosed and addressed to B. C. Whiting Esq. U. S. Dist. Atty Monterey Calif.

James H. Lander

Subscribed and sworn to before me this 2d day of April A.D. 1863.

G. P. Ramirez
Notary Public.
and U. S. Commissioner for the Southern District of California.

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

Heirs of Isaac Williams, Appellees } No 182 "Santa Ana del Chino" Transcripts No. 433.

vs.

The United States, Appellants.

Depositions of Frank Lecoureur and Leonardo Talamantes Witnesses taken in a certain cause pending in the United States District Court for the Southern District of California, wherein the Heirs of Isaac Williams are Appellees and the United States are Appellants; the said cause being known as "No. 182 Santa Ana del Chino, Transcript 433." Said depositions taken upon the part of the said appellees pursuant to the notice hereunto annexed, and at the time and place therein mentioned.

The deposition of Frank Lecoureur.

Frank Lecouvreur, being by me duly sworn, deposes and says:

Interr.: By Claimants Attorney, James H. Lander, Esq. What is your name, age, place of residence and occupation?

Ans. My name is Frank Lecouvreur, am thirty-three years of age, reside in Los Angeles and by Profession a Surveyor & Engineer.

Ques.: Do you know the lands called "El Chino" or "Santa Ana del Chino," in San Bernardino County, if so, how long have you known them?

Ans. I know them since five or six years.

Ques.: Have you ever made a survey of those lands, or any part of them? if so, when, & at whose request?

Ans. I have made a survey of part of the boundary lands on or about the sixteenth day of October A.D. Eighteen hundred & sixty-two (1862), at the request of Robert S. Carlyle.

Ques.: State circumstantially your proceedings in making that survey?

Answer. I commenced at the Southern boundary of the Rancho Santa Ana del Chino, at a point where stands a Post marked E R No. 1. being Initial point of the survey of the

Rancho El Rincon made October A.D. 1858 by Henry Hancock, United States Deputy Surveyor; thence running due South along the Western boundary of said rancho El Rincon, one hundred and three (103) chns. to a point; thence North 59° 4' West, one hundred and thirty-six chains twenty links to Section Post, Section 35 and 36 and Section 2 and 1, Township 2 and 3 South, Range 8 West, San Bernardino Initials, being Station 20 on the Plat of the rancho Santa Ana del Chino, Office Survey made by Henry Hancock, United States Deputy Surveyor, November 1858;

Commencing again at a Post for Section Corner of Sections 11, 12, 13 and 14, Township 2 South, Range 9 West, San Bernardino Initials, I run South 26° 34' West, one hundred and seventy-eight chains and ninety links to Sand-stone rock for Section Corner of Sections 22, 23, 26 + 27, Township last aforesaid; thence due South between Section 26 + 27 last aforesaid Forty chains to rock for Quarter-Section Corner; thence East Forty chains to a point, in the Western boundary of the said rancho Santa Ana del Chino, being that portion thereof designated in the Plat last above mentioned as Course 15,

Ques. What is the topography of the land lying

between the last three lines run by you, and the Western exterior lines of the rancho as marked on said Hancock's Survey?

Ans. The land included within these lines is a valley or Cañada of level bottom and part of the high rolling hills bounding the same on the East and West.

Ques? Has that Valley any name to your knowledge, if so, what is it? Who pointed it out to you as such?

Ans. I heard this valley called by the name of the "Cañada de la Brea," and Robert Carlyle and one or more of the men who assisted me in surveying the aforesaid lands, called the same by that name. One of said men being now present, named Leonardo Palamanter.

Ques? In what direction does that Cañada run?

Ans. Coming from the North East it runs a little to the West of South, thence forming an angle within the above stated lands, runs out West of a little South of it.

Ques? Do the lines run by you include or exclude the mouth of that Cañada?

Ans. They exclude it.

Ques? What Maps, if any, did you have on the ground of the lands in question at the time of your survey?

Ans. First: A Plat of the rancho Santa Ana del Chino, surveyed by Henry Hancock, United States Deputy Surveyor, November 25 1858. Second: A Plat of the ranch "Addition to Santa Ana

del Chino" surveyed by same, in the same month and year. Third: A Plat of the rancho El Rincon surveyed by the same in October 1858; all of which three plats are certified to by J. W. Mandeville, United States Surveyor General for California, under his Official Seal to be full, true & correct copies of the original plats on file in his Office.

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Ques. Did you make any Plat of the survey made by you? If so, produce it.

Ans. I did ~~[illegible]~~ make a plat on the 24th of October 1862 and here is produced. [The said Plat is here produced and marked "A. Francisco P. Ramirez. U.S. Commissioner."]

Ques. State any other differences, if any, between the exterior lines of Santa Ana del Chino as marked on said Plat A and those on the aforesaid United States' Surveyor's General's Map thereof?

Ans. I changed Course 5 of the aforesaid ~~Plat~~ of Henry Hancock of the rancho Santa Ana del Chino to the line running from Station 14 on the Plat made by me to the Course between Stations 19 & 20 and described thereon as running North 63° 46' West 619 Chains & 45 links.

Question? What is the area included within the new Exterior lines of Santa Ana del Chino as marked on said Map A?

Ans. Twenty-two thousand ~~five~~ Two hundred and three and Forty-four thousand five hundred and ninety-

nine one hundred thousandths (22.203.4599.)

[Claimants here offer said Plat A. to be annexed to the depositions of the witness in evidence.]

Ques? Does the plat A otherwise conform to the said Hancock Plat, so far as regards Santa Ana del Chino?

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Ans. It does.

Cross-examined by Joseph R. Mitchell, Esq. on the part of the United States:

Ques? Have you any personal knowledge of the boundaries of the rancho del Chino as confirmed by the United States District Court?

Ans. I have as far as they are evidenced by the aforesaid three Plats, which I had with me in making my survey in October of 1862

Ques? Had you any other information of the boundaries of said rancho except that gathered from the Plats aforesaid? If so, what?

Ans. I had none.

Ques? Do you know whether the lines changed by you are in conformity or not with the decree of confirmation in said case?

Ans. I do not know.

Ques? Who pointed out to you the courses to be run in the alterations made by you in the survey of the rancho del Chino?

Ans. The general direction of them was pointed out to me by Robert S. Carlyle.

Subscribed and sworn to before me this April 27, 1873. F. P. Ramirez, U.S. Commissioner

Frank Lecouveur

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Leonardo Talamantes, being by me duly sworn, deposes and says:

Ques. What is your name, age, place of residence and occupation?

Ans. My name is Leonardo Talamantes, ~~one~~ my age is twenty-seven years, my residence is in Los Angeles, & my occupation is vaquero.

Ques. Where was you born?

Ans. Was born in the City of Los Angeles.

Ques. Do you know a place called Rancho del Chino, if so, how long have you known it?

Ans. I know the said Rancho. I have known the same about eight years.

Ques. Do you know a place called the Cañada de la Brea?

Ans. I know the said Cañada de la Brea, since the same time I know the rancho del chino.

Ques. What are their relative positions?

Ans. The said Cañada forms part and belongs to the said rancho del Chino as I have always understood.

Ques. Was you present at a survey, made by Mr. Lecouveur the witness who has just testified in your presence, at the Chino Ranch last October?

Ans. I was present.

Ques? Did you or did you not point out the Canada de la Brea to Mr. Lecouvreur at that time?

Ans. I did not point it out to him, but was present with him when Mr. Lecouvreur ran the line on the said Canada. Sometimes I carried the flag and at other times carried the tripod.

Ques? Is this point Canada de la Brea well known and recognized place by that name?

Ans. The said place is well known under the name of "La Canada de la Brea"

Ques? Have you ever heard old residents of the neighborhood speak of it by that name? And have you ever heard it called by any other name?

Ans. I have never heard that place called by any other name either by old or young.

Sworn to and signed before me, April 27, 1873

Longardo his ✝ mark Talamantes

J. P. Ramirez.

United States Commissioner
South. Dist of Cal.

United States of America
Southern District of California. ss.

I, Francisco P. Ramirez, United States Commissioner for the State of California,

do hereby Certify, that each of the Witnesses in the foregoing deposition named were by me duly sworn to testify the truth, the whole truth and nothing but the truth, and each of the foregoing depositions were reduced to writing by me in the presence of said Witnesses and taken at the time and place specified in the annexed notice, That James H. Lander, Esq. of Scott and Lander, appeared as attorney on the part of Claimants and J. R. Pitchel, Esq on the part of defendants — And that said depositions when completed were carefully read by me to said Witnesses, and being corrected by them, were then subscribed by said Witnesses in my presence.

In Witness Whereof, I have hereunto set my hand and private seal (having no official seal) this 27th day of April A.D. One thousand Eight hundred and fifty-three.

Francisco P. Ramirez,

United States Commissioner, South'n Dist. of California.

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U. S. Dist Court
S. Dist Ala

Wm. A. J. Williams
vs
United States

Filed June 1st 1863
John S. Whalen
Clk

Dep. of Secretary & Tele-
-graph part of claimants

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

Heirs of Isaac Williams, Appellees
vs.
The United States, Appellants

No. 182 "Santa Ana del Chino,"
Manuscript No. 483.

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Henry Hancock now of the 4th Regt Infy. C. V. being duly sworn upon oath states that he has been more or less acquainted with the lines of the valley of the ranchos of Chino Rincon Guapa Jurupa Cuca-mungo and San Jose since 1854 that from that date up to 1858 he has at different times been engaged in the execution of the Surveys of different classes of lines in said valleys as United States Deputy Surveyor That he was personally acquainted with ~~Don~~ Isaac Williams owner of the rancho called Rancho del Chino as also the subsequent grant styled the addition of the same, That during the life time of the said Isaac Williams he showed to me

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what he called the line between himself and Don Raymundo Yorba occupant for his father of the Rancho called El Rincon, that at different times he the said Williams conversed with affiant about the same and asserted that Don Raymundo had built his house just over the line of the said rancho El Rincon on on the Rancho del Chino, and that when affiant was executing the survey of the rancho called Jurupa he the said Williams was present in the field and pointed out to affiant what he deemed the line between the said two ranchos designating it as running by the willow tree marked on the map of the official survey of the rancho del Chino which survey was executed by affiant as it purports to have been, as Sta No. 11 and from thence to a certain point on the Spur of the hills to the ~~South~~ West of same which point as thus designated would have given a line between a third &

a half of a mile further South than the one established by the Official survey of the said Rancho Del Chino, and would have ~~just~~ possibly taken in the house of the said Raymond Yorba. That the said Williams asserted however that he did not wish to include in the survey of his rancho del Chino the said house

Affiant further states that official notice of the execution of the survey of the rancho del Chino was given to John Rains Esq. then resident and in charge of the rancho del Chino at the time it was made and as affiant then understood representing for his wife Doña Merced Williams de Rains a one half interest in the said Rancho del Chino That he the said John Rains with the consent of affiant and Yorba agreed upon the line as executed and shown on the plat of the said official survey and that Yorba in

compliance with the advice of affiant finding that there would result a surplus of land within the prescribed limits of the rancho El Rincon rejected a portion if not all of that surplus in the vicinity of the agreed line between the Rancho del Chino and it in order that said Raymundo Yorba might hold a quarter section embracing his improvements.

Affiant ~~was~~ was Attorney before the U.S. Dist Court in the matter of the Ranchos del Chino and from his experience in the matter of ranch boundaries both as a surveyor and Attorney has no hesitancy in saying that common justice and fair dealing as well as the relative rights of the parties contestant in this cause require upon in the matter of the line aforesaid and that it should remain as established by the survey executed by him

The wife of said Rains —

and Doña Francisca Williams ~~wife of Rob~~ de Carlisle wife of Robert Carlile Esqr were owners of the Rancho del Chino and appears at the time of the survey recognized the said Rains as in charge of their united interests

Henry Hancock

Subscribed and sworn to before me this 12th day of May A.D. 1863.

J. P. Ramirez,
United States Commissioner for the Southern District of California

10182-SD
U.S. Dist Court
S. Dist Cal.

Alex Macleod
vs
Amos Tale

affidavit

Filed June 5, 1863
John A. Orbison
Clk

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The within affidavit is admitted ~~as a written~~ evidence as having the same force & effect as if the same were in the form of a deposition regularly taken before a U.S. Commissioner subject however to all legal objections that might be raised to such deposition

June 5, 1863 -

R.L. Whiting
U.S. Atty -

Affidavit of Publication.

STATE OF CALIFORNIA,
County of Los Angeles.

Charles R. Conway, being duly sworn, deposes and says that he is a printer, and one of the proprietors and publishers of the LOS ANGELES NEWS, a newspaper published in the City of Los Angeles, County and State aforesaid, and that the notice, a copy whereof is hereto annexed, has been published in said newspaper, once a week from May 6 to May 25 1863 inclusive.

Charles R. Conway PUBLISHER.

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

Heirs of Isaac Williams, dec'd, *vs.* the United States. Santa Ana del Chino—No. 182.

NOTICE is hereby given, that the final survey of the lands claimed by the parties to the record in this case has been returned into Court, and objected to. All parties in interest in said lands are therefore hereby admonished to appear and intervene, for the protection of their interests, under the rules of the Court.

Monterey, Nov. 6th, 1862.

JOHN O. WHEELER,
Clerk U. S. Dist. Court, South. Dist. Cal.
my6-3w-law*

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Sworn to and subscribed before me, this twenty sixth day of May A. D. 1863.

J. P. Ramirez
United States Commissioner, Southern District of California.

Affidavit of Publication.

STATE OF CALIFORNIA,
County of Los Angeles.

Charles R. Conway, being duly sworn, deposes and says that he is a printer, and one of the proprietors and publishers of the Los Angeles News, a newspaper published in the City of Los Angeles, County and State aforesaid, and that the notice, a copy whereof is hereto annexed, has been published in said newspaper, once a week from May 6 to May 25 1863 inclusive.

Charles R. Conway PUBLISHER.

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

Heirs of Isaac Williams, dec'd, *vs.* the United States. Santa Ana del Chino—No. 182.

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Sworn to and subscribed before me, this twenty sixth day of May A. D. 1863.

H. P. Ramirez
United States Commissioner Southern District of California.

No 182.

U. S. Dist. Court.

Heirs of J Williams

vs

The United States

Appt of Publication

Filed June 1st 1863

John D Whaley

Clk

In United States Dist Court.
South^n Dist of California

Heirs of J Williams, vs The United States. } # 182 Santa Ana Rancho Chino.

It is stipulated and agreed between the parties that an affidavit of Henry Hancock, sworn to before F. P. Ramirez U. S. Commissioner on May 12 1863, a piece in this case on June 3, 1863, is admitted in Evidence as having the same force and effect as a Deposition regularly taken, but subject to all legal objections to the competency of the matter therein which might be taken to such Deposition

B. D. Whiting
U. S Dist. Atty
for the Southern
Dist of California

Scott Sanders
Atty of Claim^ts

No 182

U S Dist Court
Ponts & Dist Ala

Heirs of Dave Williams
vs
The United States

Stipulation as to aff.

Filed June 5/63
John D Shulu Clk

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In the United States Dist Court in and for the Dist of California

Maria Merced and Francisca Williams Appellants
vs
The United States Appellee

No 182
Rancho Santa Ana del Chino

Be it known that, since parties in interest in the above entitled cause, have employed other attorneys to conduct the same, in matters pertaining to the segregation of the lands, we hereby file our notice of withdrawal from the same

Crosby & Hancock

N D Dist Ct
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The U. S.
v.
Merced et al

Withdrawal

Filed May 23rd 1861
Geo E Whitney
Clk
G. Spear
Dep

United States District Court
for California.

Maria Merced Williams Wife of John Rains, and Francisca Williams Widow of Robert S. Carlisle Heirs and Devisees of Isaac Williams Deceased. vs The United States	Case No 182 Rancho "Santa Ana del Chino" In the Matter of Survey.

It is hereby stipulated that the decree of this Court in this case filed and entered July 23d 1868 approving the re-survey sent to this Court by the United States Surveyor General be final, and that the right of appeal from said decree is hereby waived; and that the claimants have leave to proceed as if the time for taking an appeal had expired.

San Francisco
July 24th 1868

Delos Lake
U Falley

J. B. Harmon
Atty for claimants

#182.

S. D.

Heirs of

Isaac Williams.

vs.

The United States.

Stipulation.

Filed June 24th 1868

Geo E Whiting

Clerk

by H. H. Lardner

DC

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