

CASE No.
205

SOUTHERN DISTRICT

LA BOLSA CHICA GRANT

JOAQUIN RUIZ

CLAIMANT

Microfilm

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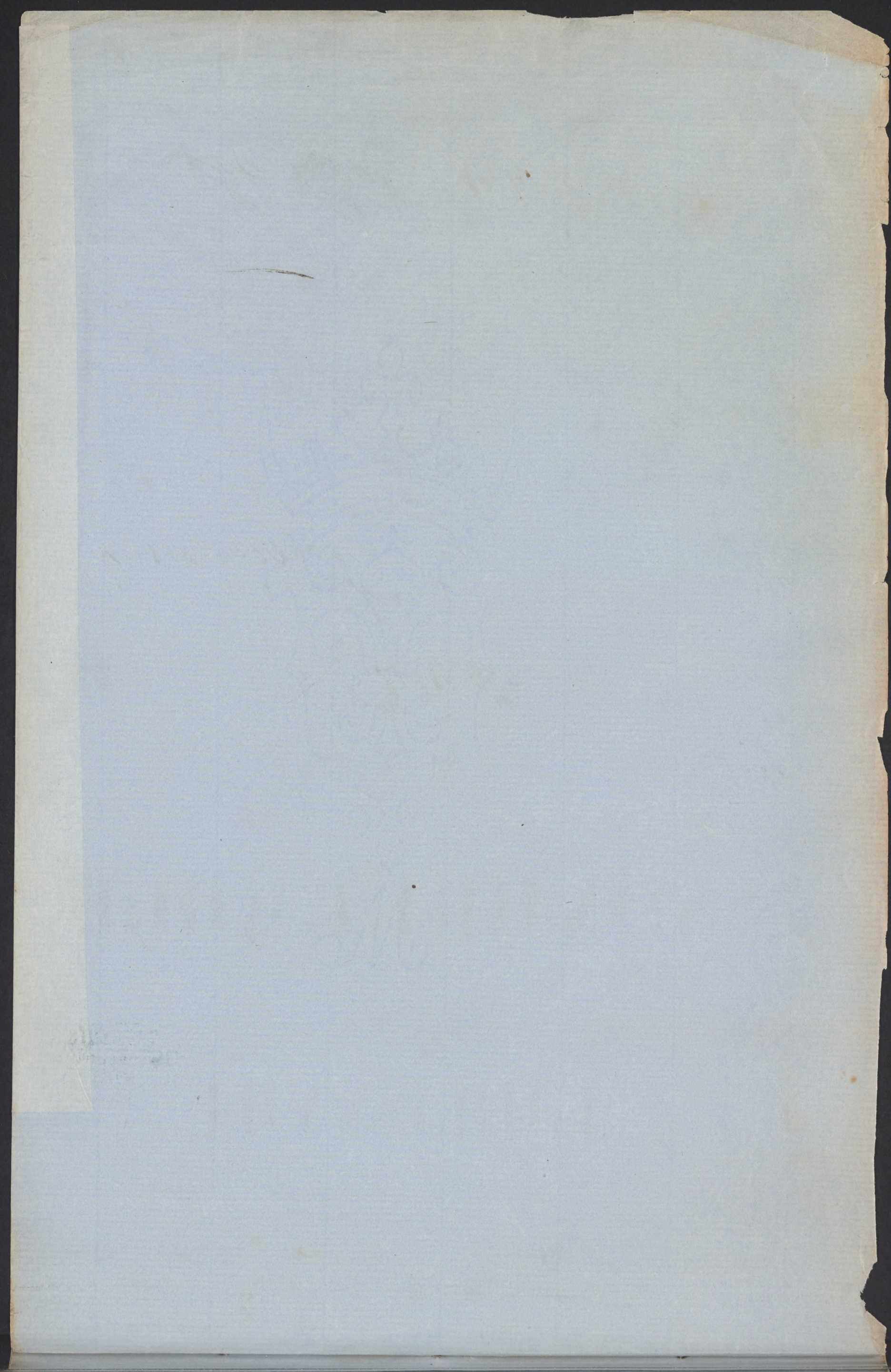
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405



TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 405.

Joaquin Ruiz

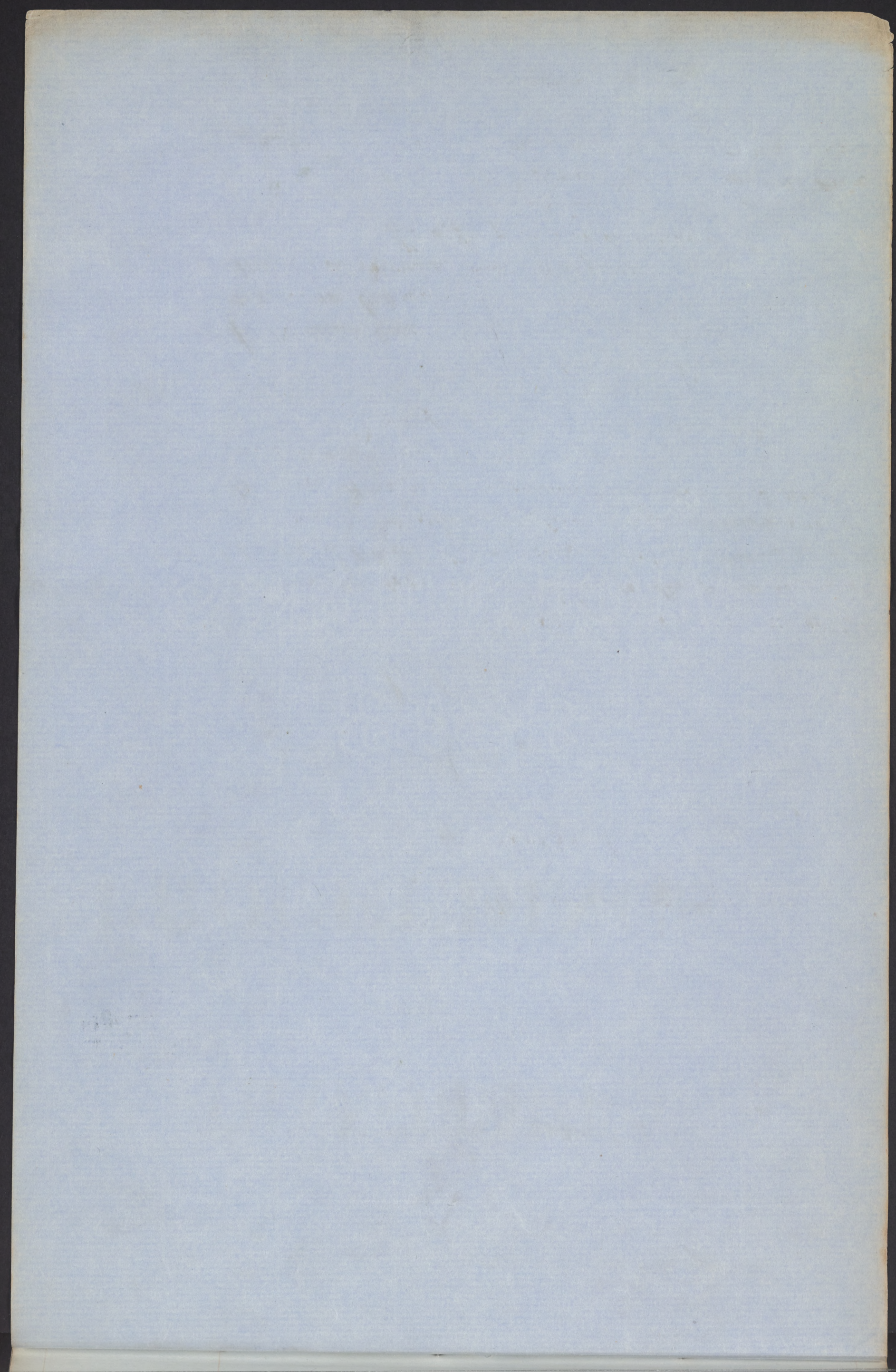
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"La Bolsa Chica"



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

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The Petition of *Joaquin Ruiz*,
for the Place named
"La Bolsa Chica",
was presented, and ordered to be filed and docketed with No. 405 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 12' 1852.
In Case No. 405, Joaquin Ruiz, for the place named "La Bolsa Chica", the deposition of Abel Stearns, a witness in behalf of the claimant, taken before Commissioner Melana Hall, with document marked H.H. no. 1, and translation thereof, was filed:

(Vide page 4 of this Transcript.)

Los Angeles, November 13' 1852.
In the same case the deposition of A. F. Coroneel, a witness in behalf of the claimant, taken before Commissioner Melana Hall, was filed:

(Vide page 5 of this Transcript.)

San Francisco Sept. 28' 1853.
Case No. 405 was submitted on briefs and taken under advisement.

San Francisco, Sept. 26th 1854.

In the same case Commissioner Alpheus Felch delivered
the opinion of the Board confirming the claim;

(Vide page 19 of this Transcript.)

S.

And the following order was made, to wit:

(Vide page 23 of this Transcript.)

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To The Board of Commissioners for ascertaining and settling Private Land Claims in California.

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Petition

Your Petitioner Joaquin Ruiz of the County of Los Angeles in the State of California respectfully represents to your Honorable Board that he claims a certain track of land called Bolsa Chico containing two sitias of Genado Mayor situated in the County of Los Angeles in the State aforesaid, that he claims the same in fee by virtue of a grant made to himself under the authority of the Mexican Government by John B. Alvarado Constitutional Governor of the Department of the Californias bearing date the thirty first day of July one Thousand Eight Hundred and forty one

Your Petitioner would further represent that judicial possession of said track of land was given to him on the twenty fifth day of April 1844 and the boundaries thereof designated and defined and that he and those claiming under him have been in the peaceable possession thereof ever since; and that he has no knowledge of any interfering claims.

Your Petitioner presents herewith the original grant of said land in the Spanish language together with a translation of the same, also certified copy of map and certificate of judicial possession and translation thereof and will, make further proof of Title if required by the Board.

Your Petitioner prays your Honorable Board to take into consideration his claim to said track of land and decree his Title to be valid and confirm the same.

And in duty bound &c.  
Southernland & Carr,  
Atty for Petitioner.



4  
Los Angeles Nov<sup>r</sup> 12<sup>th</sup> 1852.

On this day before Court Hiland Hall came Abel Stearns, a witness in behalf of the claimant Joaquin Ruiz. Petition No 485, and was duly sworn, his evidence being given in English.

The W.S. Associate Law Agent was present.

In answer to enquiries by counsel for the Claimant the witness testified as follows.

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

Deposition  
of  
Abel Stearns

A paper is now shown me purporting to be a grant to Joaquin Ruiz dated 31<sup>st</sup> of July 1841, and a map & a testimonial of judicial possession.

I am acquainted with the signature of Juan B. Alvarado, Manuel Jimenez, Narciso Botello, Manuel Micheltorena, Christoval Aguilar, Joaquin Ignacio Coronel & Leonardo Cota.

Their signatures on said paper I believe to be genuine.

Christoval Aguilar was an acting Alcalde at the date of said possession, said paper is hereto annexed & marked H. C. No 1.

Joaquin Ruiz is in possession of the said land called La Bolsa Chica.

He has occupied it for a number of years. I cannot say how long. He lives there with his family. He has a small stock of cattle and horses.

In answer to questions by the Associate Law Agent.

A part of this land is covered by a title to Catalina Ruiz, I acted as surveyor

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when judicial possession was given her.  
The whole of this land is included  
in her title while I have same.

The claims of said Catalina Ruiz have  
been presented to the Commissioners.

The claim is under an old grant  
to Manuel Nieto.

Abel Stearns,

Sworn & Subscribed

Before me

Hiland Hall Comr.

Filed in Office Nov<sup>r</sup> 12<sup>th</sup> 1852. Ge<sup>o</sup> Fisher Sec.

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Los Angeles Nov<sup>r</sup> 15<sup>th</sup> 1852.

On this day before Com<sup>r</sup> Hiland Hall  
came Antonio P. Coronel, a witness in behalf  
of the Claimant Joaquin Ruiz petition N<sup>o</sup>  
405. And was duly sworn, his evidence  
being interpreted by the Secretary.

Deposition

of Antonio P. Coronel.

The U.S. Associate Land Agent was present.

In answer to enquiries by Counsel for  
the Claimant the witness testified as  
follows:

My name is Antonio P. Coronel,  
my age is thirty three and I reside in  
Los Angeles.

I know the Rancho Bolsa Chica. It had  
a house on it in 1845 & stock, & was occupied  
by Joaquin Ruiz who lived in the house.  
He has continued live in the house  
& occupy the land to the present time.

A. P. Coronel.

Sworn & Subscribed

Before me

Hiland Hall Comr.

Filed in Office Nov<sup>r</sup> 15<sup>th</sup> 1852.

Ge<sup>o</sup> Fisher Sec.



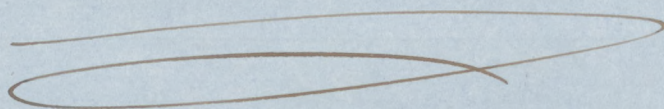
Span War Follows



POSESION  
Del Parage nombrada  
La Bodega. Chica

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Angeles= Año de  
1844.





Dells 1.º seis pesos: Habilitado provisionalmente por la Aduana maritima de Monterey para los años de 1839 y 1840.

Alvarado Antonio M.º Oeis  
Valga para los años de 1841 y 1842.  
Alvarado

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Seal Juan B. Alvarado Gobernador Constitucional del Departamento de California.

Por cuanto el Ciudadano Joaquin Ruiz ha pretendido para su beneficio personal y el de su familia el paraje conocido con el nombre de Bolza Chica, colindante al Oriente con las Tulares y Cienegas citas à la parte de las Lomerias, al Poniente con otras Tulares y cienegas, al Norte con unos Sauces y al Sur con la playa: practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por leyes y reglamentos; usando de las facultades que me son conferidas à nombre de la Nacion Mexicana he venido en concederle el terreno mencionado sujetandose à la aprobacion de la Exma Junta Departamental, y à las condiciones siguientes.

- 1.º Podrà cercarlo sin perjudicar las heredades caminos y servicios: lo disputarà libre y esclusivamente destinandolo al uso ò cultivo que mas le acomode, pero dentro de un año fabricarà, casa y estera habitada.
- 2.º Quando se le confirme la propiedad solicitarà del Juez respectivo que le de posesion juridica en virtud de este Despacho, por el cual se demarcaran los linderos en cuyos limites pondrà à mas de las mojoneras algunos arboles frutales ò silvestres de algun utilidad.
- 3.º El terreno de que se hace mencion es de dos sitios de Ganado mayor segun explica el dicho no que corre en el Expediente. El juez que diere la posesion lo hara medir conforme à Ordenanza; quedando el sobrante que resulte à la Nacion para los usos convenientes.
- 4.º Si contuviere à estas condiciones perderà su derecho al terreno y será denunciable



por otro.

Sello Tercero Dos Reales.

En consecuencia mando que tenien- dose por firme y Valedero este titulo de tome mente por la Aduana razon de el en el libro a que corresponde y se en Maritima del Puerto de Tregue al interesado para su resguardo y demas Montery en el Departam<sup>to</sup> fines.

de las Californias, p<sup>o</sup> los

años de 1840 y 1841.

Jimeno. Antonio del. Oais.

Dado en Monterey a treinta y uno de

Man<sup>te</sup>. Jimeno Oeris.

del Gob<sup>no</sup> del Departam<sup>to</sup>

de las Californias.

Certifico: Que el Valdivo. a f<sup>o</sup> 6<sup>o</sup>

dicens que se demue-

tra a la vuelta es i

qual del original q.

escrito en la tra de Argiello

mi cargo pertenece

ento al C<sup>no</sup> Joaquin

Reiz -

Montery 4 de

Agosto de 1841.

Man<sup>te</sup>. Jimeno.

Translation of

the foregoing certificate.

I Man<sup>te</sup>. Jimeno,

Secretary of the Govern

ment of the Depart

ment of the Californias,

Certif, that the pre-

ceding map is a predad.

True copy of the ori-

ginal, now on file

in this office, per-

Taining to Citizen

Joaquin Reiz.

Montery Aug 4, 1841

(Sgd) Man<sup>te</sup>. Jimeno

Que da tomada razon de este Despacho en el

libro de asientos sobre adjudicacion de terreno

Jimeno.

El Excmo Señor Gobernador

ha dispuesto de tomearazon de este

Jimeno

Queda tomada razon de este titulo a

del libro respectivo llevado en la prefectura

del segundo Distrito del departamento de Cali

Jimeno

la aprovaacion de

la C. Junta Departamental en consideracion

de las Larga ocupacion del Duplicante en pro-

ceding map is a predad.

Michel<sup>te</sup>

Here follows map.



111  
En la Ciudad de los ---- del Departamento  
de las Californias à los veinte y cuatro dias del  
mes de abril de mil ochocientos cuarenta y cua-  
tro anuente à la Solicitud verbal que hizo Don Joa-  
quin Ruiz para que se le de posesion del parage  
nombrado la Bolsa Chica concedido por el superior  
Gobierno Departamental como consta del titulo qd  
presento y se halla en poder del mismo Ruiz; pase  
se por mi y los testigos de asistencia y procedase  
à dar la posesion indicada con arreglo al citado  
titulo que fue expedido en treinta y uno de Julio  
del año de mil ochocientos cuarenta y uno y su  
superior Orden puesta al ---- del titulo en cinco  
de marzo de mil ochocientos cuarenta y cuatro  
Asi yo Cristoval Aguilar Regidor de este Dep<sup>to</sup>  
Ayuntamiento y Jefe 2<sup>o</sup> interino decretè mandè y  
firmè con los de asistencia segun oyo Cristoval  
Aguilar # Antonio G. Coronel de assist<sup>o</sup>  
Claris Varela assist<sup>o</sup> #

En la fha yo el juez que suscribe pase Oficio à  
los señores Colindantes y el señor Don Abel Stearns  
manifesto que no podia asistir por estar ocupado  
pero qd sabran los linderos de los Alamitos.

El señor Justo Morillo dijo: que estaba bueno pe-  
ro que tenia que reclamar al Gobierno y Doña  
Catarina Ruiz de Nieto no manifestó objec-  
cion alguna lo que acierto por diligencia que  
autorizè y firmè con los de asistencia segun de  
recho #

Asistencia. Ignacio Coronel # asistencia  
Claris

En seguida hallandome en la Bolsa Chica  
nombré dos Oficiales Cordeleros los que por no  
saber escribir se comiten sus nombres, los que  
aceptaron bajo de juramento, por el que opeci-  
eron desempeñar fiel y legalmente su encargo  
lo que autorizè y firmè con los de asistencia  
segun derecho.

Cristoval Aguilar # Antonio G. Coronel  
Asistencia. Claris #

En la misma fecha y estando en el parage de  
la Bolsa Chica à efecto de verificar la dome-  
nidad y posesion que corresponde à Don Joa-  
quin Ruiz previos todos los requisitos de ley

Corregid<sup>o</sup>

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Corregid<sup>o</sup>



11  
y estando ante mí los testigos de Asistencia a  
y los Oficiales Cordeleros, hice medir un Cordel  
constante de Bien Varas el cual usado y reco-  
necido por mí le mandé asir en sus eschomos  
unos Saucos de Madera y previa observacion  
y calculo por mi disposicion se tiro el Cordel  
desde un Saucito que esta en la Orilla de la  
playa con direccion al E. y se midieron y conta-  
ron tres mil seiscientas Varas hasta la Orilla  
de un Estero y no pudiendo pasar se calculo  
de este punto hasta la punta de una Loma  
por peritos dos mil cuatrocientas va-  
ras, lo que se marco por mojonera; de este  
punto se tiro el Cordel toda la Orilla de las  
Lomas rumbo al N. cargado al N. E. y se midieron  
y contaron ochos mil quinientas varas que  
remataron en el Corral Viejo de San Gabriel  
à Orilla de un Camino donde se mandó po-  
ner una mojonera. de aqui se tiro el Cordel  
con direccion al N. O. y se midieron cuatro mil  
trecientas Varas, que remataron en la mojonera  
de un mejanito, que forma lindero con los Coyotes  
Alamitos y Rancho de la Señora Catarina Ruiz  
de este punto se tiro el Cordel rumbo O. V. V.  
por todo el lindero de los Alamitos y se midieron  
y contaron ochos mil doscientos varas que rema-  
taron en la mojonera en donde empezaron las me-  
didas. con lo que se concluyo el acto à satisfaccion  
de las partes lo que autorise y firme con los de  
asistencia segun derecho.

Cristoval Aguilar # Asistencia. Antonio  
G. Coronel. Asistencia. Plario

De este testimonio à las partes de las presentes  
diligencias para su resguardo.

Asi yo el juez I.º interino que suscribe de ore-  
tes mandé y firmé con los de asistencia segun  
dho.

Cristoval Aguilar # asistencia Antonio  
G. Coronel # Asistencia. Plario

El dia veinte y cinco de Abril de mil ochocien-  
tos cuarenta y cuatro se dio el testimonio respec-  
tivo. Pubrica.

Concuerda con su Original à que me remito  
y se halla en el libro de instrumentos publicos

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Corregid.



del presente año, del cual se sacó ~~corregido~~  
confronto, en estas cuatro fojas de papel co-  
mum por falta de Bellado; sin mencionar  
en las fojas el título y Diseño que van agrega-  
dos.

Hecha ut supra.

Cristoval Aguilar

Asa

Aso

Igno. Coronel # Leonardo Cota.

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Filed in Office October 21<sup>st</sup> 1852

Geo. Fisher Secy.



Possession of the Paraje Called  
La Bolsa Chica.

Angelas in the year 1844.

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Seal 1<sup>st</sup> Six Dollars.

Provisionally ordered by the Maritime  
Customs House of Monterey for the years  
1839, and 1840.

Alvarado

Antonio M<sup>a</sup> Cisio

"C"  
Translation of  
Grant & Possession

Available for the years 1841, & 1842,  
Alvarado

Seal } Juan B. Alvarado, Constitutional  
} Governor of the Department of the  
} Californias.

I was much at the Citizen Joaquin Ruiz  
has solicited for his own benefit and that  
of his family the place known by the name  
of "Bolsa Chica" bounded on the east by  
the "Dulares" and "Conegas" situated at  
[on towards] the low hills, on the west  
by other Dulares and Marshes, on the  
North by Willow Trees, and on the  
South by the Sea Coast; having pre-  
viously complied with the obligations,  
and made the investigations required  
by the laws and regulations concerning  
them.

In virtue of the powers conferred upon  
me, in the name of the Mexican nation,  
I have concluded to grant him the land  
above mentioned declaring it his property  
by these presents, subject to the approval  
of the Excellent Departmental Junta and  
under the following conditions.



2<sup>nd</sup> He shall request the proper Judge to give him juridical possession in virtue of this Instrument, by whom shall be marked the boundaries, on whose limits shall be placed at the proper points for land marks, some fruit or forest trees of some utility.

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3<sup>th</sup> He may enclose it without prejudice to the crossroads and servitudes, enjoy it freely and exclusively, using or cultivating it in the manner most agreeable to himself, but within one year he shall build a house on it, and have it inhabited.

3<sup>rd</sup> The land of which mention has been made is of two "sitios de ganado mayor" as explained by the plan or design annexed to the respective Expediente.

The judge who shall give the possession, shall have it measured conformably to ordinance providing for the remainder which reverts to the nation for its convenient uses.

4<sup>th</sup> If he contravenes these conditions, he shall lose his right to the land, which may be denounced by another.

In consequence I order that this title being held firm and valid, be recorded in the proper books, and be delivered to the interested party for his security and further purposes.

Given at Monterey the Thirtieth day of July One Thousand Eight Hundred and forty one.

Juan B. Alvarado  
Manuel Jimenez  
Secy.

This decree is registered in the Book of entries of adjudication of vacant lands, at page 6.

Jimenez



In the margin / Angeles Aug 20<sup>th</sup> 1841,  
Record has been made,  
Arguello,

His Excellency the Governor has directed  
that this Concession be registered in the  
Prefectura of the Second District  
Jimeno

This Title is registered in the books of  
entries in the office of the Prefectura of the  
Second District of the Department of the Californias  
as provided.

Angeles August 20<sup>th</sup> 1841  
Narciso Botello  
Leay,

Monterey March 5<sup>th</sup> 1844.

Give him the possession he needs  
without it being again necessary, when the  
Excellent Departmental Assembly shall approve  
the same, in consequence of the long occupation  
of his property by the Petitioner  
Michelto<sup>a</sup>

/map or design/

Seal Third Two Reales.  
Provisionally ordered by the Maritime Custom  
House of the Port of Monterey in the Depart-  
ment of the Californias for the years 1840  
and 1841.

Antonio Maria Osio,  
Jimeno

Seal 3 Manuel Jimeno Secretary of the  
Government of the Department of the Californias.  
I certify that the plan which appears  
on the reverse hereof is similar to the  
original which is in the Secretary's office  
under my charge, belonging to the Citizen



11  
Joaquin Ruiz  
Monterey August 4<sup>th</sup> 1844  
Mannel Jimeno

In the City of the Department of  
the Californias, the twenty fourth day of  
the month of April Eighteen hundred and  
forty four, in compliance with the  
verbal solicitation made by Don Joaquin  
Ruiz that he be given possession of the  
place named "La Bolsa Chica" granted to  
him by the Superior Departmental  
Government, as appears by the Title  
presented and which is in the posses-  
sion of the same Ruiz with the proper  
witnesses, I proceed to give the possession  
indicated according conformably to the above  
mentioned title, which was granted on  
the thirty first day of July, Eighteen hundred  
and forty one, and superior order place  
at the end of the Title on the fifth of March  
Eighteen hundred and forty four.

Therefore I Cristoval Aguilar, Regidor  
of this Illustrisimo Ayuntamiento, and Second  
Judge pro tem, decree order and affirm  
with those of Assistance

Cristoval Aguilar

Witnesses } Antonio D. Coronel  
                  } Marcos Varela

At this date I the subscribing Judge gave  
notice to the Neighbours and Don Abel Stearns  
who stated he could not attend because he  
was occupied, but he knew the boundaries  
of the "Marinitas" Mr Justo Morillo, said  
it was well, but that he had claims  
to set up against the Government and  
Dona Catarina Ruiz de Nieto made  
no objections whatever, which fact I  
have recorded in due form and signed

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verified



197  
with the witnesses according to law  
Witness Ignacio Coronel  
Witness Maria Basche,

Therefore being at Bolsa Chica, I appointed  
two chain who not knowing how to sign  
their names are omitted,

They accepted under an oath, by which they  
promised to execute faithfully and legally  
their duties, all of which I have au-  
thorised and signed with the witnesses  
according to law,

Cristoval Aguilar  
Witness Antonio P. Coronel,  
Witness Maria Basche

On the same day and being at the Bolsa  
Chica for the purpose of surveying and  
giving possession of the lands belonging  
to Don Juan Ruiz, all the requirements  
of the Law having been previously  
complied with, and being present with  
the assisting witnesses and the chain  
bearers) I had a chain measure  
measuring one hundred varas, which chain  
being by me examined and acknowledged  
I tied stakes at the ends, calculations  
and observations being previously made  
according to my instructions, the  
rope was extended from a willow which  
was on the sea shore, in an easterly  
direction one thousand six hundred  
varas were measured and counted  
to the border of an inlet, and not being  
able to cross it, the experts calculated  
from that point to the top of a hill on  
Maya, two thousand four hundred  
varas, which was marked off by  
a land mark from that point the chain  
was drawn along the whole base of the  
hills in a northerly direction, bearing to  
the north east eight thousand five  
hundred varas were measured and  
counted off which terminated at the old

verified

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venfid

corral of San Gabriel being on the side of a road where a land mark was ordered to be placed, from that place the chain was drawn in a northwesterly direction and four thousand three hundred varas were measured ending on a small sand hill being the boundary of the Coyotes Alamitos, and the Rancho of the Señora Catarina Ruiz, from that point the chain was drawn in a south westerly direction all along the boundary line of the Alamitos and eight thousand and two hundred varas were measured and counted ending at the land mark where the measuring began,

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thereby terminating the operations to the satisfaction of the interested parties which I have authorized and signed with the assisting witnesses according to law,

Cristoval Aguilar,  
witness Antonio Fr. Coronel,  
Witness Ilario Varela,

Let the testimony herof be given to the parties to these proceedings for their security,

Therefore I the Second Judge pro tem, have signed, decreed, ordered and affirmed with the witnesses according to law,

Cristoval Aguilar,  
Witness Antonio Fr. Coronel, Ilario Varela,

On the 25<sup>th</sup> of April 1844 the respective testimony was given,

signed agreeably to the original to which I refer and to be found in the book of Public Documents of this year from which it is copied, corrected and collated, and contained in those four pages of common paper there being no stamped paper, the title and sketch hereto attached not being therein mentioned, Dated as above

Cristoval Aguilar  
Witness Ago Coronel, Leonardo Lata,

Filed in Office October 21<sup>st</sup> 1852, Geo. Fisher  
Sec



405

Doagun Ruiz  
vs  
The United States

For the place called "La Bolsa Chica" situated in Los Angeles County containing two square leagues of land.

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Opinion by  
Commissioner  
Alphens Felch

The Claimant has given in evidence a grant of the land claimed made to himself by Juan B. Alvarado, Governor of the Department of the Californias under date of July 31, 1841.

This grant required the grantee to build a house on the land within one year and have it inhabited.

The proof of the occupancy of the premises by the grantee is as follows:

Abel Stearns swears that he has occupied it many years, and lives there with his family and has horses and cattle on it.

A. F. Coronal swears that the grantee had a house on the place in 1843 in which he lived and in which he has lived to the present time, having his stocks on the premises and occupying the land.

In 1844 an application appears to have been made to the Governor, and the grant being presented to him he made the following order upon it:

Monterey March 5<sup>th</sup> 1844,  
Give him the possession he needs without its being again necessary, when the Excellent Departmental Assembly shall approve the same, in consequence of his long occupation of his property by the petitioner.  
Michelto<sup>a</sup>

It would appear from this decree which was delivered to the party that the Governor based it on a showing satisfactory to him that the grantee had at that time



been long in occupation of the land and he fully recognized his existing rights under the grant.

This is the only proof of the occupancy prior to 1845, from which time it is shown that he has continued to live there.

If the requirements of building a house or occupying the land had been pre-  
-mitted at the date of the Decree in 1844, it was no doubt in the power of the Governor still to revise or continue the rights of the grantee by allowing further time to perform the con-  
-ditions.

In this decree he has done more, he has not only recognized it as valid and subsisting, but also gives as a reason for so doing the fact of his long occupation of the land. Without this state-  
-ment in the Decree I think it would be a sufficient segregation, by the Granting power of the subsisting validity of the grant, to entitle the party by a subsequent performance of the condition within a reasonable time -  
-perhaps the time originally limited to retain the land. With this statement and the evidence of his actual occupancy of and residence upon the place from the following year to the present time, I cannot hesitate to regard the equities of the grantee as fully established.

By the testimonial of the official act introduced in evidence, it is proved that judicial possession of the premises was given to the claimant April 24 1844, and the boundaries appear to be designated in such a manner as to avoid difficulty in locating the land.

One of the witnesses testifies



that the land claimed in this case is situated within the limits of lands previously granted to one Catarina Ruiz the sister of the present claimant.

In the testimonial of juridical possession it is certified that said Catarina was present and made no objection whatever to the claim of her brother to the land, and its admeasurement to him, and the Expediente in the Archives shows that she made a formal relinquishment of her right to that portion of her Rancho for which he obtained this grant.

The claim is adjudged to be meritorious and a decree of confirmation will be awarded.

Confirmed,

Joaquin Ruiz  
vs  
The United States,

405

Decree,

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

The land of which confirmation is hereby made is situated in Los Angeles County, is known by the name of "La Balsa Chica" and is the same place occupied by said Ruiz and is bounded and described as follows to-wit:

Beginning at a willow standing on the sea shore, and running thence in an easterly direction one thousand six hundred varas to the borders of an inlet, and thence crossing the same two thousand four hundred varas to a hill; thence along the



whole base of the hills in a northerly direction bearing to the north East, Eight Thousand five Hundred Varas, terminating at the old corral of San Gabriel being on the side of a road; thence running in a northwesterly direction four Thousand three hundred Varas to a small sand hill being the boundary or corner of the Coyotes, the Alarnitas and the Rancho of the Señora Caterina Ruiz; thence in a southwesterly direction all along the boundary line of the Alarnitas Eight Thousand two hundred Varas to the place of beginning; containing about two square leagues of land; reference for more particular description thereof to be had to the testimonial of judicial possession given to said Joaquin Ruiz of said premises in 1844, which is on file in this case.

Alphens Felch  
 R. Jay Thompson  
 S. B. Farwell,  
 Commissioners

Filed in Office Sept 27<sup>th</sup> 1854,  
 Geo. Fisher Secy



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And it appearing to the satisfaction of  
this Board that the land hereby ad-  
judicated is situated in the Southern  
District of California it is hereby  
Ordered that Two Transcripts of  
the proceeding and of the decisions  
in this case and of the papers  
and evidence upon which the same  
are founded be made out and duly  
certified by the secretary, one of  
which Transcripts shall be filed  
with the Clerk of the United States  
District Court for the Southern  
District of California and the other  
be transmitted to the Attorney General  
of the United States.

EVGE





678E  
1900



Office of the Board of Commissioners,

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

205 SD  
PAGE 24

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 three* — pages, numbered from  
1 to *73*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *405* on the Docket of the said Board,  
wherein *Joaquin Ruiz* is —

the Claimant, against the United States, for the place known by  
the name of *La Bolsa Chica* —

In Testimony Whereof, I hereunto set my hand  
and affix my private Seal (not having a Seal  
of Office) at San Francisco, California, this  
*Twenty eighth* — day of *February*  
A. D. 1855, and of the Independence of the  
United States of America the seventy-*ninth*.

*Geo. Fisher*





U. S. DISTRICT COURT,

*Southern* District of California.

No. 205.

*Book*

THE UNITED STATES,

vs.

*Joaquin Ruiz.*

*"La Bolsa Chica."*

*205*

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *405*

Filed, *March 6<sup>th</sup>*,

1855.

*C. E. Carr  
Clk.*

**A 205**

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*205*



Office of the Attorney General of the United States,

Washington, 7<sup>th</sup> April 1855.

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Joaquin Ruiz

vs.

The United States.

} 405.

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 27<sup>th</sup> day of February 1855, the appeal in the district court of the United States for the Southern ———— district of California will be prosecuted by the United States.

Cushing

Attorney General.



n. 205.

W. S. District Court  
Southern Dist of Cal "

The United States,  
vs.  
Joaquin Ruiz.

Notice of Appeal  
in Case 405.

Filed July 3<sup>rd</sup> 1855.

D. E. Lean  
Clerk

By A. H. Clark  
Deputy.

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

Hon Isaac S. K. Ogier Judge.

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Joaquin Ruiz

N. 205.

ads.

(Manuscript N. 405)

The United States

The petitioner of Pacificus Ord, Attorney of the United States for the Southern District of California, for and in behalf of the United States, respectfully represents, That on or about the 21<sup>st</sup> day of October A.D. 1852, Joaquin Ruiz, of Los Angeles County, California, presented a petition to the United States Land Commissioners for said State, claiming a tract of land in said County and State, called Bolsa Chica, containing two square leagues.

That thereafter, to-wit; on or about the 27<sup>th</sup> day of September A.D. the said Commissioners confirmed the said claim.

That thereafter, to-wit, on or about the 27<sup>th</sup> day of February A.D. 1853, the Hon<sup>ble</sup> Caleb Cushing, Attorney General of the United States, received a duly Certified transcript of the proceedings, with the evidence, <sup>papers,</sup> and decision of the



said Commissioners in said Cause.

That thereafter, to wit, on or about the 6<sup>th</sup> day of March A.D. 1855, the said ~~Attorney~~ Commissioners filed, or caused to be filed, with the Clerk of this Hon<sup>ble</sup> Court, a duly certified transcript of their proceedings, with the papers and evidence, and decision in said Cause.

That thereafter, to wit, on or about the 2<sup>nd</sup> day of July A.D. 1855, the said Attorney General filed, or caused to be filed with the said Clerk of said Court, a notice of the intention of the United States to prosecute the appeal in said Cause.

Your petitioner denies, generally, all the allegations in said petition. And he denies further the validity of the right title, or claim of the said Joaquin Ruiz, to the said land claimed as aforesaid.

And your petitioner says that the land claimed as aforesaid, is situated in the Southern District of California, and within the jurisdiction of this Hon<sup>ble</sup> Court.

Wherefore petitioner prays, that the said Joaquin Ruiz, or his Attorney, may be served with a copy of this petition,



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PAGE 29

and that, after due proceedings had,  
The said decision of the said Com=  
missioners may be reviewed, reversed,  
and set aside; and that the said  
Claim, right or title of said Joaquin  
Ruiz to said land, may be decreed  
to be invalid. With Costs and general  
relief.

J. O. V.  
Attorney of the United States  
for the Southern District of  
Calif.

20

7



N<sup>o</sup> 205.

Joaquin Ruiz  
ads.

The United States

Petition for Review of  
a State.

Filed Oct 12<sup>th</sup> 1855

A. E. Carr cen  
By W. W. R. R. R.

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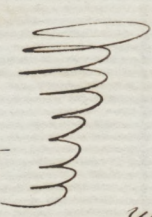
P. Ord. att. ad.



No. 205.

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

Joaquin Ruiz.  
vs  
The United States.



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PAGE 31

The respondent for answer to the petition filed in this cause answers and says. It is true that the land mentioned in said petition and in said transcript of the proceedings before the said Board of Commissioners lies within said Southern District of California and within the jurisdiction of this Court.

But this respondent denies that his title to the said lands is invalid, and avers that his title is valid, and prays that the decision of the said Board be affirmed and his title be decreed to be valid.

Thos W Lutherland  
Atty for respondent -  
By E. Crosby of Counsel,

It is hereby stipulated on the part of the respondent Joaquin Ruiz that this case be submitted <sup>at any time hereafter</sup> ~~without argument~~ upon the papers without argument on ~~his~~ his part;

Angels Oct. 11. 1855

Thos. W. Lutherland Atty  
for Ruiz by E Crosby of Counsel



Due Service of the Petition in this cause is hereby acknowledged  
Angels Oct. 12. 1835.

Thos W. Sutherland Atty for  
Claimant by E. O. Crosby Counsel

No. 205.

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

Joaquin Ruiz  
vs  
The United States

Answer,

Filed Oct 12 1835  
D & Can act  
By W. W. P. Corp

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Thos. W. Sutherland  
Atty for Respondent  
by E. O. Crosby, Counsel



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

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Joaquin Ruiz  
Appellee  
ad  
The United States  
Appellant.

Case No 205-

Manuscript-405  
"La Bolsa Chica"

In this case, it having been  
ordered by the Court that the Transcript  
be returned by the Clerk of this Court to  
the ~~Clerk~~ <sup>Secretary</sup> of the United States Land Com-  
mission, in order that the same may be  
amended; it is hereby stipulated and  
agreed that no right of the United States  
or of the Claimant, shall be affected  
in any respect by said order -

J. H. Brown  
Atty for Plaintiff  
T. O. D.  
W. D. D. D.



Care U<sup>o</sup>-205.  
U. S. Dist. Court. Southern  
District of California

Joaquin Ruiz  
Appellee  
vs  
The United States  
Appellant.

Stipulations

Filed Oct 20<sup>th</sup> 1855.

J. E. Law  
clerk.

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

Joaquin Ruiz }  
Appellee } Case No 205.  
vs }  
The United States } Transcript 405.  
Appellant } "La Bolsa Chicā".

205 SD

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At this case, it being suggested by  
Jonathan R. Scott, Counsel for the Appellee  
that the Transcript of the Record from the  
United States Board of Land Commissioners  
is imperfect, it is by the Court,

Ordered, the District Attorney be-  
ing notified and consenting thereto, that  
the original Transcript be returned to the  
office of the Secretary of said Board of  
Commissioners by the Clerk of this Court, in  
order that the same may be amended  
and that a perfect copy of the original  
documents may be submitted to this Court.

No Grant of Certificate to Map.



Case No. 205.  
U. S. Dist. Court. Southern  
District of California

---

Joaquin Ruiz

Appellee

vs

The United States

Appellant

---

Order to return Transcript

---

Filed Oct 20<sup>th</sup> 1855.

J. E. Jan.  
clerk.







filed in this case; to wit, on the East by the  
"Zulaves" and "Lieuegas" lying towards the  
low hills, on the West by other "Zulaves" &  
"Lieuegas", on the North by some willow  
trees, (sauces), and on the South by the  
beach, (playa)

Provided, that should the quanti-  
ty of land within said boundaries be  
less than two square leagues, then con-  
firmation is hereby made of such  
less quantity.

Thus done and signed in open Court  
this 14<sup>th</sup> day of February AD 1857

Francis K. Ogden  
U. S. Dist. Judge  
for the S. Dist of Cal.

Case No 205.

U. S. Dist. Court.

Doagui Ruiz

Appellee

vs

The United States

Appellants

Decree

Filed this 14<sup>th</sup> day of  
February, AD 1857

Ogden  
F. K.

Recorded in page 1411

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Book 1411



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

United States  
vs  
Joaquin Ruiz

Case No 205  
Transcript No 405

In pursuance of a notice from the  
Attorney General of the United States herunto annexed  
it is hereby stipulated and agreed that by consent of Parties  
an order <sup>of the Court may</sup> be entered ~~of removal~~ in this Cause vacating the order  
of appeal heretofore granted in this Cause; and that the Claimant  
have to proceed under the decree of this Court heretofore rendered  
in his favor as a final Decree.

J. N. Scott  
Atty for Plaintiff

P. W. Dillaly,



N. 205.

Joaquin Ruiz

Appellee

vs

The U. States

Appellant

Stipulation

Filed 4 June 1894

A. S. Haydon

Sp. Clk

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

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Joaquin Ruiz }  
Appellee } Case No 205  
} "La Bolsa Chico"  
}  
The United States }  
Appellants } Manuscript 405

Notice having been given by the Attorney General of the United States, that the appeal to the Supreme Court in this cause will not be prosecuted by the United States, and a stipulation having been entered into between the District Attorney of the United States and the attorney of the defendant, that the former order of this Court granting an appeal herein to the Supreme Court may be vacated, and that the Decree of this Court heretofore entered in this cause may by order of this Court be made final;

It is ordered, that the Order of this Court, heretofore made in this cause, on the 24<sup>th</sup> day of February AD, 1857, granting an appeal to the Supreme Court from the Decree of Confirmation of this Court, filed on the 14<sup>th</sup> day of February AD 1857, be and hereby is vacated, and that



The Claimant have leave to proceed under  
said Decree as under a final Decree.

Thus done and signed in open Court  
this 4<sup>th</sup> day of June 1857

Wm. S. P. Ogden  
U. S. District Judge

Case No. 205

U. S. Dist. Court, South Dist

Deaquin King  
Attorney

vs

The United States

Attorneys

Proctor representing Andrew

Wm. S. P. Ogden  
Att. J. King  
vs  
W. S. Bell

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California Land Claims  
Attorney General's Office  
5 Febr'y 1857.

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Sir:  
In the case of the claim of  
Joaquin Rice, confirmed to the  
claimant by the Commissioners,  
Case no. four hundred and five,  
(405), appeal will not be pro-  
secuted by the United States.  
I am,

Respectfully,

*Cushing*

William D. Eg  
U. S. Attorney,  
Los Angeles.



205

Filed 4 June 1874  
A. S. Taylor  
Sps. Clk

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In the United States District  
Court for the Southern District  
of California, June Term 1863.  
To the Hon: Fletcher M. Daight,  
Judge of said Court.

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Your petitioner, respectfully represents,  
that, on the 3<sup>rd</sup> July 1841, Juan  
B. Alvarado granted Joaquin Ruiz,  
a certain tract of lands, situate in  
the County of Los Angeles, district,  
called Bolson Chico, containing two  
leagues. That on the 12<sup>th</sup> Nov.  
1852, said Ruiz duly presented  
his said Grant to the United  
States Commissioners for the adjust-  
ment of land titles for the State  
of California, and such  
proceedings were had therein, that  
on the 27<sup>th</sup> of Sept 1854, the same  
was duly confirmed by said  
Commissioners.

Petitioner alleges that, subsequently  
on appeal to this Court, said  
Decision of the Commission was  
affirmed by said District Court  
by decree and judgment rendered,  
on the 14<sup>th</sup> February A. D. 1857,  
with the following boundaries:



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"The lands of which Confirmation is hereby made, are those known as 'La Palma Chica' situated in Los Angeles County, to the extent of Two Square Leagues, and no more within the boundaries described within this Case, and in the the map referred to in said grant, a certified Copy of which map also filed in this Case to wit, on the East by the Tulares and Cienegas, lying towards the low hills; on the West by other 'Tulares' and Cienegas, on the North by some millon trees (Saucas) and on the South by the beach (Playa.)"

Petitioner states, that, on 4th June 1857, the order of the Attorney General of the United States was duly filed directing that the appeal should be no further prosecuted to the Supreme Court of the United States; that on the same day, the said District Court entered up final decree of dismissal, and that Claimant has been to proceed or on final decree. The said Case being No. 205

Petitioner alleges, that, on said final decree, the Surveyor General of the United States proceeded to survey said



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lands and regularly returned  
by Certified Map and Survey to his  
office on the 2<sup>d</sup> day of October 1860  
and duly approved the same.  
That said Survey was advertised  
by the said Survey General in  
the Los Angeles Star, a paper  
published in Los Angeles and  
nearest to said lands in February  
1861, in pursuance of the Act of  
Congress of June 14<sup>th</sup> 1860  
when said Survey still remains,  
and has not been submitted to  
Washington for patent, by his informed  
Petitioner further states, that, since  
the presentation of this claim to the  
United States Commissioners, he  
has become the owner of said land  
by virtue of competent Messrs  
Conveyance from said Ruiz for  
valuable consideration.

That some short time since,  
on inspection of the Map and Survey  
petitioner ascertained that said  
Survey does not conform to the  
Grant and desire of final  
Confirmation in this, that they  
call on the ~~Grant~~<sup>Survey</sup> for the beach



of the sea (playa) for boundary,  
whereas, the survey exclude a  
considerable tract of land, near  
the beach on the ground, that, it  
overlaid, a swamp land, designated  
"Gilet", on said survey, but which  
is in fact justice lands, and said  
survey is in other respects, in formal,  
and in violation of the decree of final  
Confirmation.

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Petitioner therefore pray, that, an  
order of Court be made, directing  
the Surveyor General of the United States  
for the State of California, to  
return said survey into this Court  
for examination, and that, said  
survey be set aside, or ordered  
to be corrected. Abel Stearns

Presented & filed before me  
this 4<sup>th</sup> day of August 1863  
John O. Wheeler }  
Clerk of said Court }



No 205  
U. S. Dist Court  
Southern District

Joaquin Ruiz

vs  
The United States

Petition for Return of  
Survey.

Filed June 4. 1863  
John A. Wheeler  
June 4. 1863 Clerk

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J. E. Howard, atty for Plaintiff  
& Pet.

*[Faint handwritten notes, possibly "Joaquin Ruiz vs The United States"]*



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This Indenture made this 13<sup>th</sup> day of September  
A.D. 1859. Francisco O. Campo and Francisca Urbas  
his wife and Pio Pico parties of the first part and  
Abel Stearns party of the second part, All residents  
of Los Angeles County: Witnesseth

That whereas the said Francisca  
Urbas, wife of Francisco O. Campo and the said  
Andreas Pico are owners in fee together with the said  
Abel Stearns of the tract of land situate in the County  
of Los Angeles State of California known as the Rancho  
of "Los Coyotes" and the said Abel Stearns is owner of a  
certain other tract of land, known as the Rancho  
of "Los Alamitos" also situate in said County and  
bounding said Los Coyotes on the South; the vicinias  
of both said Ranchos claiming under the same  
grantor and predecessor, to wit: Juan Jose  
Mieto now deceased the owners of said Rancho  
of "Los Coyotes" through Juan B. Seaman, and  
the owner of said Rancho of Los Alamitos through  
the representatives of Jose Figueroa deceased, and  
whereas the said parties hereto, are desirous of agreeing  
and settling upon the boundary between said Ranchos  
so that the same may be definitely and forever determined  
Now therefore in consideration of the premises, and for  
further consideration hereinafter expressed it is mutually  
agreed and covenanted between the parties hereto that  
the Southern line of the Rancho of Los Coyotes where  
the same adjoins the Rancho of Los Alamitos shall



be a line drawn East and West, parallel to the dividing line between said two Ranchos as designated in the Survey of Los Coyotes executed by Henry Hancock in 1857 and located so as to contain within said new Southern boundary and the other lines of said "Los Coyotes" neither more nor less but exactly (11) Eleven sitios or square leagues of land and the parties of the first part for the consideration aforesaid do hereby grant, bargain sell and convey unto the party of the second part his heirs and assigns forever, all the right, title interest, claim and demand whatsoever that they have or may have by reason of their said ownerships in Los Coyotes of in and to all lands lying South of the said new line above settled and fixed upon

And for the consideration of the foregoing, and for the further consideration of One Dollar to him in hand paid the receipt whereof is hereby acknowledged, the party of the second part, for himself, his heirs executors, Administrators and his Successors in said Rancho of Los Alamitos do hereby Covenant and agree, to and with the parties of the first part, their Heirs and Successors in said Rancho of "Los Coyotes" that upon the issuance of a Patent by the Federal Government of the Rancho of "Los Coyotes" aforesaid, the party of the second part his heirs, or successors aforesaid will execute and deliver to the said Pio Pico and to said Francisca Urbas de O Campo their heirs or



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successors as aforesaid, good and valid Deeds of  
Conveyance. Conveying to them all such part of the  
Rancho of "Los Alamitos" as may fall to the North  
of a line to be drawn parallel to the line above  
settled upon and located so as to reduce the quantity  
of land in "Los Alamitos" to exactly six square  
leagues of land not overflowed by the Sea at ordinary  
high water—such conveyances to be made to the  
said Pio, Pico and Francisca Urbas de Ocampo  
their heirs or successors so as to vest title on them in the  
same proportions and shares in which they shall at  
the date of the execution and delivery of such convey-  
ances, hold title in the Rancho of "Los Coyotes"  
The party of the second part reserving to himself  
his heirs or successors the same share in the lands  
so to be set off from Los Alamitos as he or they may  
at that time hold in the Rancho of "Los Coyotes"

In witness whereof the parties  
have hereunto set their hands  
and seals the day and year at  
the beginning

Wm. H. ...  
James P. ...

Marcos Campo (seal)  
Francisca <sup>her</sup> + <sub>mark</sub> Campo (seal)  
Pio Pico (seal)  
Abel Stearns (seal)

John ...  
John ...  
41



United States of America  
Supt<sup>r</sup> Dist California

I John O Whelan Clerk  
of the Court Supt<sup>r</sup> Dist California hereby Certify that the  
above foregoing is a full true & correct Copy of the  
original as the same appears on file in my Office  
in Case of *John Abel Stearns vs the United States*

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at Witness Whereof I hereunto set  
my hand & seal of said Court  
this 3<sup>rd</sup> day of June 1863

John O Whelan  
Clerk of the Court Supt<sup>r</sup> Dist California



No 205  
U. S. District Court  
South Dakota

Magnum Ruby  
in  
the United States

Agreement

Wed June 5, 1863  
John M. Water  
Clk



United States District Court Southern  
District of California

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Abel Stearns No 290

"The United States" "Los Alamitos"

Testimony of Antonio de la Torre taken in Open  
Court the 5<sup>th</sup> day of June A D 1863

James H. Sanders duly sworn as Interpreter

Antonio de la Torre being duly sworn testifies  
and says in answer to question by T. E. Howard  
Attorney for Claimants - as follows  
To wit

Quest What is your name, age, residence & occupation

Ans Name as above, 43 Years of Age, resident of Monterey  
and am a Shoemaker

Did you ever reside in Los Angeles County

Ans Yes, I have

Are you acquainted with the Rancho of Alamitos  
and Los Bolsas



Ans Yes. I do by personal knowledge  
I have been on them

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PAGE 56

Look at the Map in Case 372 or Deseno in said  
Manuscript. where those Ranchos are represented and  
say whether you are acquainted with the places there  
described as Esteros and describe their character

Ans I do know them and are acquainted with the places  
thus marked. The point most to the westward and  
on the Alamitos fork as represented on the Map  
at high tide the water enters the fork - At low tide  
they are left Mud flats. I myself have crossed one of  
these forks on horse back. The Creek is not wide it  
is narrow. where I crossed it was about 8 varas wide

The second Estero and the Most Eastern  
one on the Alamitos is also entered by the tide and  
is covered with Tules a tule swamp

At low tide this Estero is left like the other one Muddy  
The most Western Estero in the Bolsas is an entrance  
to a small lake, and further up stood the old house  
of Joaquin Ruiz, between two settle ponds this on  
the tract called "Bolsa Chica". The tide entered this  
Estero also but very slightly the water is nearly fresh

The second Estero in the Bolsas being the  
Eastern one is a tule swamp and runs up near a  
large bald hill. I cannot say whether the tide enters  
this Estero or not, as I have never been up the Mouth



of it. I have been about the head of it in passing from the Bolsas house and the Alamitos House

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PAGE 57

Quest Look at the Official Map of survey of the Alamitos in case 290 U.S. Dist Court and say whether any Bays on the front of said Ranchos as laid down on said Map

Ans No there are no Bays only small Creeks as I have already testified

Are the Bays thus represented Navigable

Ans A vessel cannot enter I consider that they are not Navigable as they are very narrow. I do not know how deep they are. A small boat might go in at high water. At low water the Creeks are a mud bed with a very little water and only a very narrow channel in the Middle

Look at the Official Map 208 Dist Court, being plat of the Bolsas. and say if you know a locality represented thereon as Bitter Water Lake

Ans I take that to be identical with a point that we called a Cienega or Marsh and the water of which at high tide might be brackish



Quest Is there any grass on that Ciénega

Ans Along the North Eastern edge I have seen Tule

205 SD How is this Ciénega at low tide

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Ans I dont know. I have passed by it looking for horses and have noticed the rise in the water and the Tule I have mentioned

Is it Navigable for Boats Etc

Ans I do not know

How wide is this Ciénega or bitter water

Ans I have never payed attention enough to judge and cannot tell

### Crofs Examined by U. S. Dist Atty

Quest How broad is the most westerly Estero that you have described in the Alamitos

Ans Where I have crossed and where it forked it was about 8 varas. I crossed one fork

Where is it the widest. How wide is that Estero



Ans I cannot tell I only know where I crossed myself  
Is it half a mile wide in the widest place

Ans I think not

205 SD

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How broad is it where enters the Ocean

Ans Dont know never been there

Is it open to the Ocean. Does it connect with the Ocean

Ans Yes the Sea enters

As near as you can state how broad is it where the sea enters

Ans I cant say as I never was at the Mouth have seen it from a distance

How do you know that a large sized boat cannot enter that Estuary if you have not been at the Mouth

Ans I do not know but what they could enter

Is there always water in it or is it sometimes dry



Ans Where I passed it, it has water sometimes & sometimes not, below I do not know. There is considerable grass on the Estero called (Cortador) Sword grass

Which is the largest of the 4 Esteros

Ans The most Easterly one of all on the Bolsas Ranch

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How wide is that Estero in the widest part

Ans It is not very wide - of the clear water where I saw it say 8 yards - I have never been down to the Mouth of it

How near did you go to the Mouth of it

Ans Within about a Mile

What season of the Year did you see this place

Ans June 1846

Does any vegetation grow between the lake you speak of and the Sea, is there any vegetation

Ans There is Tule there on each side of the Channel

Well how wide is the water at the Mouth between



the Tules

Ans I have never been there & cannot tell

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How near have you been to the Mouth of the Estero

Ans I have been within a league of it

Could you see the Mouth from the place known as  
the Rincon

Ans No on account of the high Tule

Were there any other obstructions

Ans I do not know of any other

How near was you to the Mouth of the Estuary when  
you were at the Rincon

Ans When I was there I suppose I was about a Mile

### Re-Examination

Did you ever see a boat of any class come from the  
Sea enter those Estuaries or up in any of them



Ans I have never seen a boat enter or in them

How long have you known these Ranchos

Ans Two Years. I was accustomed to be on these Ranchos  
in collecting Animals at the road

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Crop Examined

Was the population sparse in those Ranchos when you  
knew them

Ans Very few people were living on these Ranchos then

Antonio de la Torre  
presented & exhibited before  
me this 5<sup>th</sup> day of June 1863  
from the population  
of the Rancho de Santa  
Piedad June 5<sup>th</sup> 1863  
Antonio de la Torre



United States of America  
South District California

John Wheeler

Clerk of the U.S. Court South District of California  
hereby certify the above to be a full true & correct  
Copy of the original on file in my office in case

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No. 290 Abel Stearns vs The United States

Witness my hand and seal of said  
Court this 5th June A.D. 1863

John Wheeler  
Clerk of the U.S. Court South District of California





No 205  
U. S. Dist Court  
South Dist of Cal

Joaquin Ruiz

<sup>Pl</sup>  
The United States

Restimony of Torre taken  
in Case 290

Filed June 5, 1863

John Wheeler  
clk

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

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The United States vs Bald & Chico  
4 Objections to  
Joaquin Ruiz Survey.

And now comes the Claimant,  
the Survey in said Case having  
been returned into Court on its  
own order, and object to the  
Survey of said rancho, approved  
by J. W. Mendenhall, Surveyor  
General of the United States for  
said State, which official  
map, or plat of Survey and official  
copy on approved, January 14<sup>th</sup>  
A. D. 1861, and certified into  
this Court by the Surveyor General  
on the 15<sup>th</sup> day of June 1863, and  
filed on the . . . day of June 1863,  
and for cause of objection  
alleges the following:

1. That said plat and  
Survey, and copy contain  
lands marked thereon, as  
"Inlet", or overflowed, swampy



said "Tule" lands; when said  
lands were embraced in the  
grant, deseno, and final  
decrees of confirmation, and  
ought to be included in  
said survey.

2. Said survey does not embrace  
the quantity called for in the  
grant and confirmation, although  
the same is contained within  
the eastern line and boundaries  
of said grant.

3. The eastern line of said  
survey should be a straight  
line to the Ocean.

4. The line should be so corrected  
as to embrace the quantity  
called for in the grant  
and confirmed by the  
District Court.

S. E. Howard  
for Claimant.



Served the foregoing Exceptions on B.C. Whiting  
Esq. Dis. atty for the United States by personally  
delivering to him a true copy of the same  
at Monterey June 26, 1863

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H. D. Barrows

U.S. Marshal



No 205  
up Darl  
S Dar Lal

Joaquin Purz  
New State

Exec<sup>to</sup> Survey

Filed June 18/63

John Wheeler

205 SD

Chk

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issued on Ditally  
June 19, 1863



Watsonville, Aug 3

1863.

At U.S. District Court, S.D.C.

To "THE PAJARO TIMES," Dr.

U. S. District Court, Southern District, California.

JOAQUIN RUIZ vs. THE UNITED STATES.  
No. 205—"LA BOLSA CHICA."

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 interested in said lands are therefore admonished to appear and intervene for the protection of their interests, under the rules of the Court.

Monterey, July 16th, 1863.

JOHN O. WHEELER,

Clk U. S. Dis't Court, S. Dis't, Cal.

13jy18-3t

For publishing "Joaquin Ruiz vs United States" 3 weeks — \$ 8 00  
Received payment

205 SD

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Las Borne Quillan

Subscribed and sworn to  
before me, this 4<sup>th</sup> day  
of August 1863. John Wicks  
Justice of the Peace

205 SD

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United States District Court for District of California  
Regular Court Term Held  
August, July 22<sup>nd</sup> 1864

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Joaquin Ruiz, appellee. No 205  
ad  
The United States appellant Poba Chico

Now on this 22<sup>nd</sup> day of <sup>August</sup> July A.D. 1864, this cause  
having been heretofore argued and submitted on the  
exceptions filed by Claimant and appellee to the approved  
plat of survey of the lands claimed herein, being  
Rancho "Poba Chico" situated in the County of Los An-  
-geles, District aforesaid, And it being shown to the  
Court that a plat of said survey made and approved  
by the United States Surveyor General for California  
was filed in this Court under its own order on the  
24<sup>th</sup> day of June A.D. 1863 and was accepted to  
by Claimants, and the said exceptions having been ar-  
-gued by V. E. Howard Esq. atty for Claimants and B. C.  
Whiting Esq. on behalf of the United States, It is hereby  
ordered adjudged and decreed that the said exceptions  
of Claimants to the said approved plat of survey of  
Poba Chico be and the same are hereby overruled and  
denied, And it is further ordered that the said  
approved plat of the survey together with a cer-  
-tified copy of this decree be transmitted to the  
U. S. Surveyor General for California for his information



This document open Court this 22<sup>d</sup> day of August A.D. 1884

Hetcher M. Daight  
Judge of said District Court



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BYGE



No 205  
U. S. Dist Court  
Sanct Diego Cal

Joaquin Ruiz  
of  
the United States

Decree affirming Survey  
— " — "

Filed Aug 22, 1864.

J. M. Wheeler

Clk



N<sup>o</sup> 205.

Objections,

1. That the Gov. had no right to grant, the evidence (of a Stearns) showing that it was previously the land of Catalina Ruiz.
2. That the grant does not contain in description of the land.
3. That the Map in the Manuscript, is not shown to be the original, or a true copy of the Map, belonging to the Expedition.
4. That this alleged original Map, is an essential part of the grant, and its absence should be produced or its absence accounted for.
5. That there is no sufficient evidence of the performance of the Conditions of the alleged grant.
6. That the act of judicial possession was not made according to grant & law, and it is vague & uncertain.
7. No Confirmation by Dep<sup>y</sup> assembly.

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U. S. Surveyor-General's Office,

San Francisco, Dec 22<sup>d</sup> 1873.

Edw. P. Catter Esqr  
Clerk U. S. District Court.

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Sir:

Will you please  
examine the plat of the Rancho  
"La Polca Chica" Ruiz #205.  
and see if the District Judge  
signed the plat. The decree  
of approval bears date Aug<sup>t</sup>  
22<sup>d</sup> 1864. I send you the  
tracing accompanying the decree  
of approval and wish you  
to copy the Judge's signature  
if already signed. If not  
found upon your plat, please  
have the Dist Judge sign the  
accompanying tracing.

Very Respectfully  
J. S. Robinson  
Chief Clerk



No. ....

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J. R. HARDENBERGH,

U. S. Surveyor-General for California.

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Date, ..... 187

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SUBJECT:

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*Referred to Division* .....

*Received (G. L. O.)* 205 SD ..... 187

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Joaquin Ruiz

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The United States

Case 205

Manuscript 405

"La Bolsa Chica"

205 SD

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No Spanish of Certificate of Secretary  
Jimeno to Map Aug. 4/41. of which the transla-  
tion appears at pages 15 + 16.