CASE NO.
208

SOUTHERN DISTRICT

LAS BOLSAS GRANT

RAYMON YORBA, ET AL

CLAIMANT

Land Case 208 SD

ALSO AVAILABLE ON MICROFILM

402

208 SD
PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 402.

Ramon Urbu, et, al, CLAIMANTS

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Las Bolsas"

2

208 SD
PAGE 2

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

The Petition of Ramon Yorba, et al, *for the Place named* "Las Bolsas,"

was presented, and ordered to be filed and docketed with No. 402 *and is as follows, to wit;*

(Vide page 5 *of this Transcript.)*

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

Los Angeles, October 28 1852.

In Case No. 402, Ramon Yorba et al. for the place named "Las Bolsas," the deposition of Nicolas Alamis, a witness in behalf of the claimants, taken before Commissioner Helena Hall, was filed:

(Vide page 8 of this Transcript.)

In the same Case, the deposition of Abel Stearns, a witness in behalf of the claimants, taken before Commissioner Helena Hall, with document marked H. H. Nos. 1 & 2, annexed thereto, was filed:

(Vide page 9 of this Transcript.)

Los Angeles, November 8 1852.

In the same Case the deposition of José Sepulveda, a witness in behalf of the claimant, taken before Commissioner Helena Hall, was filed:

(Vide page 11 of this Transcript.)

208 SD
PAGE 3

Los Angeles, November 10th 1852,
In the same case the deposition of Desiderio Ybarra, a witness in behalf of the claimants, taken before Commissioner Hiland Hall, was filed;
(Vide page 11 of this Transcript.)

Los Angeles, November 12' 1852.
In the same case the parties litigant filed the following agreement, to wit;
(Vide page 57 of this Transcript.)

San Francisco December 24' 1852,
In the same case an authenticated copy of the deposition of José Antonio Carrillo, a witness in behalf of the claimants, taken before Commissioner Hiland Hall, in case No. 404, Abel Stearns for the place named "Alamitos," was filed as evidence in this case;
(Vide page 12 of this Transcript.)

San Francisco December 31' 1852,
In the same case the counsel for the claimants filed the following agreement, to wit;
(Vide page 58 of this Transcript.)

San Francisco, January 24' 1853.
In the same case the counsel for the claimants presented an amended petition: Ordered, That the same be filed among the papers in the case;
(Vide page 54 of this Transcript.)

San Francisco April 12' 1853.
In the same case the deposition of Juan Manso, a witness in behalf of the claimant, taken before Commissioner Harry I. Thornton, with a document marked H. I. T. No. 1, annexed thereto was filed;
(Vide page 17 of this Transcript.)

4

3

San Francisco October 10 1853.

In the same case the deposition of Tomas A. Sanchez, a witness in behalf of the claimant, taken before Commissioner Alphens Felch, was filed:

(Vide page 16 of this Transcript.)

San Francisco Oct. 19 1853.

In the same case the deposition of J. J. Warner, a witness in behalf of the claimant, taken before Commissioner Thompson Campbell, was filed:

(Vide page 17 of this Transcript.)

208 SD
PAGE 4

San Francisco, April 18 1854.

Case No. 402 was called, submitted on briefs and taken under advisement by the Board.

San Francisco Sept. 26 1854.

In the same case Commissioner Alphens Felch delivered the opinion of the Board confirming the claim:

(Vide page 59 of this Transcript.)

5.

And the following order was made, to wit:

(Vide page 64 of this Transcript.)

5

To the Hon. Board of Commissioners for ascertaining and settling private Land Claims in California.

Petition

The petition of Ramon Forbes, Dominga Forbes, Soledad Forbes de Abila, wife of Juan Abila, Dolores Forbes de Aguilar, wife of Christobal Aguilar and of Julian Chaves all of Los Angeles County respectfully represents that they claim in fee the undivided half of a tract of land situate in said County known by the name of "Las Bolsas" and containing seven square leagues more or less according to a map which is herewith submitted in the document marked A.

208 SD
PAGE 5

They further show that they claim said tract as the purchasers of all the right of Catarina Ruiz de Prieto who inherited the said undivided half from her child Rita who died intestate before the year 1834 and consequently his right by inheritance from his Father José Antonio Prieto who died about the year 1837 leaving two children, the said Eulogia Prieto Morillo wife of Juan Morillo also of said County.

Comet

They further show that the said José Antonio Prieto derived his title to said land from his Father Manuel Prieto who died about 1804 or 1805 seized in fee as owner of a tract of land situate in said County bounded by the Rio San Gabriel by the Camino Viejo (old road) to Santa Ana by the River Santa Ana and by the Coast in which said tract was included "Las Bolsas."

They further represent that the said Manuel Prieto acquired his title to said land from Don Pedro Fages, Governor of California bearing a date which cannot now be ascertained owing to the loss of the documents but, made while the said Fages was Governor aforesaid somewhere between the years of 1784 and 1793-4, which said Grant it is believed was subsequently ratified and approved by the Viceroy of New Spain some time previous to the death of the said Manuel Prieto, but which said approval cannot be shown owing to its loss and the destruction of the records relative

6

208 SD
PAGE 6

thereto. Your petitioners further represent to your Honor Board that the said Manuel Rito died seized in fee of the aforesaid described tract of land and that he left four Children to wit, Juan José Antonio María, José Antonio and Manuela who afterwards married with Guillermo Coota, that after his death, his said four Children succeeded to his right title and seizin of the said land and possessed the same without division and that during such possession the said José Antonio Rito died seized of one undivided fourth thereof, and that subsequently in 1833 and 1834 Don José Figueroa made an informal division and partition of said tract of land solemnly recognising the title of the aforesaid Manuel Rito and fixed separate titles to each of the four Heirs and their representatives and that in said informal partition he declared the "Las Bolsas" to be the property of the said Catarina Ruiz de Rito thereby adjudicating to her the said "Las Bolsas" in trust for her two Children to wit the said Rita and Eulogia Rito de Morillo. Now wife of the said José Morillo in right of representation of their said Father José Antonio Rito.

Your petitioners further show that said informal partition has been ratified and permitted to be undisturbed by the said heirs and representatives of the said Manuel Rito and that said partition is legal and valid.

Your petitioners further show that subsequent to the said partition judicial possession of said tract was given to the said Catarina Ruiz and its boundaries accurately ascertained and marked out and that the boundaries so ascertained and marked out were the same as were generally known as the limits of the said "Las Bolsas".

Your petitioners further show that for more than fifty years they and those under whom they claim have been and now are in the peaceable and quiet possession of said

Las Bolsas".

Your petitioners further show to Your Hon^d Board that on the 11th Decr 1844 Catarina Ruiz de Rito sold to Ramon Yorba and his brothers and sisters all of her right and title in and to the Rancho of Las Bolsas that the brothers and sisters of Ramon Yorba are as follows to wit – Miguel Jose Antonio Soledad wife of Juan Abila, Magdalena, Susanna wife of Ramon Osuna, Dolores wife of Christoval Aguilar and Domingo that Jose Antonio and Susanna sold to Ramon that Miguel sold to Ramon, Julian Chaves and Dolores, that Magdalena sold to Ramon, who sold her right to Julian Chaves and therefore Your petitioners claim in fee the undivided half of said Rancho of "Las Bolsas" as tenants in common in the shares and proportions as aforesaid.

Your petitioners further show unto Your Honble Board that they believe that Rita Rito de Morello wife of Pasto Morello is the owner of the other half of the said Rancho of "Las Bolsas".

They further show to Your Honble Board that there is no conflicting claim to that set up by your petitioners.

They herewith submit traced copies marked "A" of certain documents taken from the archives in the custody of the U. S. Surveyor General together with a translation thereof and they rely on the said documents and upon such other and further documentary and verbal testimony as they may be advised maybe necessary.

Wherefore they pray Your Honble Board to confirm to them the said claim by their

Atty J. Lancaster Brent.

Filed in Office Oct 20. 1852
(Signed) Geo Fisher Secy.

208 SD
PAGE 7

Los Angeles. Oct 28. 1852.

Deposition of Nicholas Alanis

208 SD
PAGE 8

On this day before Commissioner Holand Hall came Nicholas Alanis a witness in behalf of the Claimant Ramon Yorba et al petition No 412. and was duly sworn his Evidence being interpreted by the Secretary.

The U. S. Associate Law Agent was present.

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

My name is Nicholas Alanis my age is fifty nine years I reside in Los Angeles. I am a native of California & have lived in this place ever since the year 1811.

I knew Manuel Nieto from my childhood. He died in 1804. I just knew him as a soldier & in the year 1795 he went & lived on his rancho. It was called Santa Gertrudis It is situated about four leagues and three quarters from the Mission of San Gabriel

I know the boundaries from other persons. they are none side the Main road on the other side the sea coast, on another the river San Gabriel & on the fourth side is the River Santa Ana. I have understood these to have been the boundaries as long as I can recollect.

When I was Major Domo of the Mission of San Gabriel in 1813. 1814 & 1815 these boundaries were recognised & also before that time. Manuel Nieto whom he died had more stock than any one else in California & the Missions obtained their stock from him.

At the death of Nieto he left four Children three sons Juan Josi Jose Antonio & Antonio Maria & one daughter named Manuela. They remained with the widow living on the place & occupied it with stock.

In 1812. an inventory of his effects that were gathered in a corral was taken amounting to five thousand. There were other

wildcats which I cannot make certain = tionate. They had been selling large numbers at different times & I cannot tell how many were left.

They had neglected branding their Cattle for Eight years in consequence of a dispute between Pico & Juan Jose Dominguez about some cattle that they had placed on the Rancho. The Picos also had large num = bers of horses so numerous that they were obli = ged to kill the wild ones.

208 SD
PAGE 9

The Rancho Las Bolsas constituted a part of the rancho of Manuel Pico. I understand when I was a boy that the title papers of the land were sent to Mexico & Spain & were approved by the Viceroy of Mexico. I never saw any papers. The places called Coyotes & Santa Gertrudis were a part of Picos rancho.

his
Nicolas x Alanis.
mark

Sworn & Subscribed
Before me
Holland Hoeff
Comr.

Filed in Office Oct 28. 1852.

Deposition of Abel Stearns

Los Angeles Oct 28th 1852.

On this day before Comr Holland Hoeff came Abel Stearns a witness in behalf of the claimants Ramon Pico & al petition No 402 and was duly sworn his Evidence being given in English.

The U S Associate Law Agent was present.

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

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

10

I am acquainted with the hand writing & signatures of Jose Figueroa & Agustin Zamorano.

A paper is now shown me purporting to be a grant to Catarina Ruiz of a tract of land called Las Bolsas dated 22 May 1834. I believe the signatures of the said Figueroa & Zamorano to said grant to be their genuine signatures –

Said paper is hereto annexed & marked H.H No 1.

208 SD
PAGE 10

I am also acquainted with the hand writing & signatures of Rafael Guirado Manuel Arzaga & Policarpio Leal

A paper is now shown me purporting to be proceedings of Judicial possession of the tract called Bolsas in the month of March 1835.

The signatures of the said Guirado Arzaga & Policarpio Leal appearing on said paper I believe to be genuine. Guirado was at that time acting as Alcalde by virtue of his office of Regidor. Said paper is herewith annexed & marked H.H No 2.

I was present at the giving of Judicial possession. Catarina Ruiz with her Children were living on the land at the time & had been in possession previously – She & her family have been in possession ever since & to the present time. She had two Children, one named Maria Eulogia Nieto de Morello the name of the other was Pita who has died without Children since judicial possession was given. I think about the years 1836 or 1837. I have always understood that Pita had the approbation of the Viceroy of Mexico to his original grant or title –

Abel Stearns.

Subscribed & Sworn
Before me
Roland Hall Comr.

Filed in Office Oct 28. 1852.
Copd, Geo Fisher Secy

Deposition of José Sepulveda

Los Angeles Nov 8. 1852.

On this day before Comr H Heal came José Sepulveda a witness in behalf of the Claimant Ramon Yorba et al and was duly sworn his evidence being interpreted by the Secretary—

The U S. Associate Law Agent was present.

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

208 SD
PAGE 11

My name is José Sepulveda My age is forty Eight years & I reside in the City of Los Angeles.

I Knew José Antonio Rico the name of his wife is Catalina Ruiz. He is dead & She is living — He left two Children by said Catalina. they were daughters. the name of one was Maria Eulofia & the other Rita —

José Sepulveda

Sworn & Subscribed
Before me
Hiland Hall Comr.

Filed in Office Nov 8. 1852.
Cs Fitch Secy.

Deposition of José D Ybarra

Los Angeles Nov. 18th 1852

On this day before Comr Hiland Hall came José Desiderio Ybarra a witness in behalf of the Claimants Ramon Yorba et al petition No 402 and was duly sworn his Evidence being interpreted by the Secy —

The U S. Associate Law Agent was present.

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

My name is José Desiderio Ybarra My age is fifty nine years & I reside in Los Angeles — I Knew José Antonio Rico & Catalina

Ruiz his wife. When Pico died his wife Catalina had no property separate from his

José De. Ybarra

Sworn & Subscribed
Before me
Heland Hall Comm.

Filed in Office Nov 11. 1852.
(Signd) Geo Fisher Secy.

208 SD
PAGE 12

Deposition of José Antonio Carrillo.

Los Angeles Nov. 8th 1852.
On this day before Commissioner H. Hall, came José Antonio Carrillo a witness in behalf of the Claimant Abel Stearns Petition No 281 & and was duly sworn his Evidence being interpreted by the Secretary.

The U S Associate Law Agent was present.

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

My name is José Antonio Carrillo. My age is fifty seven years and I reside in Los Angeles. I am native of California.

I am acquainted with the handwriting and signatures of Manuel Domínguez, Ignacio Coronel, Francisco J Alvarado, José Perez, Manuel Arzaga, Bruno Moraga, Ignacio del Valle & Felipe Talamantes.

A paper is now shown me purporting to be an instrument of Conveyance from Juan José Nuto to José Figueroa dated June 30th 1834. & to which is attached an instrument of conveyance from the Executor of said Figueroa to Abel Stearns dated July 12. 1842 said paper is hereto annexed and marked H. H. No 1.

The signatures of the said Domínguez, Coronel, Alvarado, Perez, Arzaga, Moraga, & del Valle appearing on said paper I believe to be genuine. José Perez was acting

as Alcalde at the date of the first Instrument in 1834 & said Dominguez as Justice of the Peace at the date of the second in 1842 & they were authorized to sanction & certify such instruments —

Another paper is also shown me purporting to be a testimonial of Judicial possession dated in September 1842. It is here attached & marked H.K. No 2. The signatures of said Dominguez Coronel & Valenzuela appearing on said paper I believe to be genuine. Said Dominguez was Justice of the Peace & Judge of the first Instance & authorized to give such possession —

208 SD
PAGE 13

I was acquainted with the Children of Manuel Pico, they were Juan Jose' Jose' Antonio, Antonio Maria & Manuela. I know the tract of land occupied by said Children, when I was quite a Young Man about forty four years ago, I was at the house of Juan Jose' & at his request I wrote a letter for him, to the Priest of the Mission of San Gabriel, soliciting him to take away some sheep from the said Juan Jose' Picos land — At that time he showed me a title paper by which the land had been granted by Governor Pio Pico by order of the Viceroy of Mexico as the title paper stated —

The boundaries of the land in said title paper were the River San Gabriel, the River Santa Ana, the Main road leading from San Diego along the hills to San Gabriel and the Sea Coast.

The land has since been divided between the heirs of said Manuel Pico. The Rancho Alamitos is a part of the land included within the boundaries before mentioned.

In answer to Enquiries by the Associate Law Agent the witness says he was from twelve to fourteen years of age when he wrote the letter.

Was the order from the Viceroy to the Governor which was mentioned in the title paper a special order to grant land to Pico or a general order to make grants?

Answer — I do not know.

Do you recollect whether this title was made and

Mention of the Commandant General of the internal provinces.

Answer.

It did not mention him.

José Anto Cardo.

Sworn & Subscribed before me

Hiland Hall Comr

208 SD
PAGE 14

I hereby certify the foregoing to be a true and correct copy of the original on file in this Office in Case No 1114.

San Francisco Decr 11. 1852.

Geo Fisher Secy.

Filed in Office Decr 24. 1852.

(Signd) Geo Fisher Secy.

Los Angeles Nov 11. 1852.

Deposition of Felipe Talamantes

On this day before Comr Hiland Hall came Felipe Talamantes a witness in behalf of the Claimant Abel Stearns petition No 1114 and was duly sworn his Evidence being interpreted by the Secretary.

The U S. Associate Law Agent was present.

In answer to questions by Counsel for Claimant the Witness testified as follows.

My name is Felipe Talamantes. My age is about Eighty five years I reside in the County of Los Angeles I have lived in the district of Los Angeles for fifty or sixty years. I knew Manuel Nieto upwards of fifty years ago. I was in his employ. He lived in the Rancho of the Nietos. I lived with him about two years. I cannot tell how many years it was before his death I knew the boundaries of the Rancho. they were the River Santa Ana the river San Gabriel. the old Main road and the

Sea Coast. I cannot tell how long Manuel Prieto occupied the land before his death. He was occupying the land when I first came here. He had a house on the land in which he lived with his family. He had great numbers of cattle and horses, fifteen or twenty thousand or more. He had corrals and cultivated land. I was about twenty five or twenty six years old when I lived with said Prieto. I cannot tell how long ago he died.

208 SD
PAGE 15

Prieto was a soldier and was an old man when he retired from the service and I believe the land was given him by the King — the Viceroy sending papers not being able to read. I heard Prieto and his children say they had papers that came from the Viceroy or from somewhere. Manuel Prieto occupied the whole land included within the boundaries before mentioned with cattle and horses.

Questions by the Opposing Law Agent.

Who did the soldiers receive their pay from?

Answer. From the King — when they retired as invalids they received it by order of the King.

How old was Manuel Prieto when he died?

Answer — I cannot tell. He was a very old man —

(Sgd) Felipe his x mark Talamantes.

Sworn & Subscribed
before me —
(Sgd) Hiland Hall Comr.

Office of the U. S. Land Comr
I certify that the foregoing San Francisco Jany 21. 1853.
is a true and correct copy of the original on file in this Office in Case No 401.
Geo Fisher Secy.

Feldm Office Jany 21. 1853.
(Sgd) Geo Fisher Secy.

11

Office of the Board of U. S
Commissioners &c &c.

Deposition of T. A. Sanchez.

This day before Comr Alpheus Felch came Tomas A Sanchez a witness in behalf of the Claimants Ramon Yorba & al. No 402 who after being duly sworn deposed as follows.

Questions by Mr Brent Attorney for the Claimants —

208 SD
PAGE 16

1 Question —
What are your name age and place of residence?
Answer.
My name is Tomas A Sanchez. my age twenty Eight years and I reside at Los Angeles in California —
2 Question —
Do you Know Madalena Yorba and Ramon Yorba? if you what relation — ship Exists between them —
Answer —
I know them they are brother and Sister and children of Josi Antonio Yorba.
Tomas A Sanchez.

Mr Gwynn, Associate Law Agent was present at the taking of this Deposition but propounded no questions to the Witness —
The testimony was given in the Spanish Language. Mr Fisher Secretary of the Commission acting as Interpreter —

Subscribed and Sworn to
Before me at San Francisco
this tenth day of October AD 1853.
Alpheus Felch
Commissioner —

Filed in Office Oct 11. 1853.
(Signed)
Geo Fisher Secy.

Deposition of J J Warner.

Office of the Board of Commissioners &c.

This day before Comr Thompson Campbell came J J Warner a witness in behalf of Ramon Forbes et al No 412 who after being sworn deposed as follows.

What is your name age and place of residence?

My name is J J Warner. I am forty five years of age and I reside in San Diego.

Are you acquainted with the tract of land called Los Bolsas. if so, state when and by whom was it occupied.

I know said tract and it was occupied by the Widow Catarina Ruiz both for cultivation and grazing. there was a house and corral on it the first time I saw it which to the best of my recollection was in the Spring of 1835 I know that Jose Antonio Forbes for a number of years both cultivated and grazed the tract as under his prior to 1846. The house which I saw in 1835 was an old house.

J. J. Warner

Associate Law Agent present.

Sworn to & Subscribed before me this 19th day of October AD 1853.

Thompson Campbell
Comr.

Filed in Office Oct. 19. 1853.
Copied
Geo Fisher Secy.

Deposition of Juan Romero

San Francisco Apr. 12th 1853.

On this day before Comr Hamp Thornton came Juan Romero a witness on the part of the Claimants Ramon Forbes et al. Petition No 412. and was duly sworn his evidence being interpreted by the Secretary.

208 SD
PAGE 17

18

Questions by Claimants Counsel.

Question 1.

What is your name age & residence?

Ans.

My name is Juan Manso. I am 41 years old & a resident of Los Angeles County —

Question 2.

Do you know who are the brothers & sisters of Ramon Forba?

Ans.

I know that Soledad Forba wife of Juan Abila Rosalia wife of Cristobal Aguilar & Susana wife of Ramon Ozuna are his sisters. that Jose Antonio Miguel & Domingo are his brothers — They are so reputed & I believe them are no others.

Question 3.

Are you acquainted with the signature of Juan Sepulveda Alcalde & Juan N Padilla if you look at the document hereunto annexed & marked Exhibit No 1. & say if their names thereon written are their genuine signatures! —

Ans —

I know their signatures & believe those on the document to be genuine & true.

Quest 4.

What office did Juan Sepulveda fill in Los Angeles in '46.

Ans —

He was acting as Alcalde.

Juan Manso.

W. S. Law Agent present —

Sworn to & subscribed before me this 12th of April 1853.

Henry I Thornton Comr &c.

Filed in Office April 12. 1853.

(signed) Geo Fisher Secy.

208 SD
PAGE 18

402-4

Pierce Cades Map

21

2. S.D.R. Sello Tercero Dos Reales.
para los años de mil ocho cientos veinte
y seis y ocho cien tos veinte y siete.

Place of Seal in the Original

Place of Stamp in the Original for the years 1828 & 1829

Por Gefe superior Politico
El ciudadano Luciano Lifal de
natural del Estado de Sonora y abec
en este Territorio con poder bastante del
Ciudadano Juan Jose Nieto cuyo derecho
y acuer- represento, à V. S. con el debido
respecto y p.: el ocurso mas oportuno
hago presente; q.- el año de 1784 le fue
concedido en propio por el Señor Go-
bernador D.n- pedro Tejeso Ma-
nuel Nieto la posecion de Terreno q.
dem- el diceño y con el debido
respeto- .

Place of a Stamp in the Original for the years 1830 & 1831.

208 SD
PAGE 19

Place of a Stamp in the Original for the years 1832 & 1833.

G.a- Diego 27 de Julio
de 1833.
Vista la presente
instancia; sabido
por notoriedad pub-
lica la posecion paci
fica y jamas interrum
pida con q.- Manuel
Nieto y sus herederos
han disfrutado de
los terrenos demarca-
dos en el diseño; visto
el espediente en que
consta la concesion
de dho- terreno hecho
por el Governador
D.n- pedro Tejeso al
mencionado Nieto,
con todo lo demas
que se tubo presente
y que convino: de toda
conformidad con las
leyes y Reglamentos
de la materia y
con sugeccion à las
condiciones que

Que havendo falleci-
dos entre quienes ha ce ca-
besa mi poderante, siguieron
en pacifica posn: ocupando
dicho terreno como le q.-
propetarios: que en estado
se hen mantenido mas
de veinte y nueve años han
hasta la fecha
sin interrumpidos en el goce
de sus derechos. Que havien-
do examinado los titulos q.-
legitimavan la propiedad
del terreno ocurrio varias
veces al Gefe superior poli
tico para que en virtud de las
circunstancias existentes
en el Archivo se le espidiese
nuevo titulo mas en vano se
pitio sus ocursos, hasta q.- la
verdad de V. S. se sirva a-
tenderlo libiendoles testimo
nio de la unica constancia
que se encontro en el Archivo
pero que es bastante à conven
cer la legitimidad con que
ha poseido el mencionado ter-

Opt to this Line

The copy of the original

22

condiciones que ha precedido el mencionado here-

21

señalen se decla-
ran menos en propi-
edad à ... José
Nieto de los ...
ages nombrados
los otes, Alamitos
y Palo ... à Dª
Manuela ... ieto
de los servitos
à Dª Josefa Cota
viuda D. Anto-
Maria ... ieto de Dom
Fa Gertrudes à
Dª Catarina
Ruiz viuda de
Dn Jose Antonio
... n del paraje
de las ... ras. Li
brense los ... los
corresponditentes
... nave dar la po-
secion juridica
que ... pre-den
hagase saver
... n partes; y res-
pecto à que no se
puede estender los
titulos hta estar en
la Capital libese
provisional mte.
un testimonio cer
tificado de este
decreto para que
estte tanto les sir
va à resguardo à
los interesados.
El Sor D. Jose Sei
quero Jefe supor.
politico de este Terri
torio asi lo mandò
decretò y formò de
que doy fee.
Jose Dn Siquero à
Agustin V. Jamo-
rano: Secrio.

Notes by Juni: Gon

208 SD
PAGE 20

21. S. D. 12

The Bage of the Original was left to this Juni

reno como se demarca en el
espediente qe respectivamente
acompaño en 6 fojas utiles: à
fin de que dandolo por bastan
tes y legal se sirva en su me
ritos de justicia como se lo su
plico, librandes el Titulo corres
pondiente y mandar que se
le da posecion jurisdiccion.
Que deseoso de qe todos los here
deros disfruten de la merced
concedida à su finado padre,
suplico à V. E. qe si no hubiere
inconveniente, se espidan por
separado los titulos de la parte
qe à cada uno corresponda
segun que da demarcado en
el mismo diseño en estos termi
nos el paraje de Santa Gertrudis
para Dna Josefa Cota y sus hijos
como viuda del finado Antonio
Maria Nieto el paraje de las
bolsas para Dna Catarina
Ruiz y sus hijos como viuda de
finada José Thadeo Nieto: el
paraje, los servitos para Dn
Manuela Nieto. y el recto en
qe se comprenden los pos-
es nombrados los Coyotes Ala
mitos p. alto Vc para mi po
derante. Dn Jos. Nieto
quien como Cabeza de familia
ha resuelto efectuar esta
particion en beneficio de sus
de sus cada. y para evitar todo
motivo de litg. pido encarecida
mente se posecione à cada uno
de la parte qe le corresponde
en tal concepto.

A. V. S.

Suplico se sirva
acceder à mi solicitud en qe
recivirè gracia y justicia qe
imploro: juro no ser de malicia

23

22

y lo necesario Vs.
San Diego veinte y seis de Julio de mil ochocientos treinta y tres.

Lucien Gripalba.

S. G. D. R.

Sello 3er cero para los años y seis y ochocien

Place of Seal in the Original

Dos Reales: de mil ochocientos veinte y siete.

208 SD
PAGE 21

Place of a stamp in the Original for the years 1828 & 1829

Place of a stamp in the Original for the year 1830 & 1831

Place of a stamp in the Original for the year 1832 & 1833

Monterrey Diciembre 21 de 1833.
Cumplase lo mandado en el antecedente decreto espidiendose los titulos con prevencion de que por ellos se les de la posesion juridica, respecto à que la antigua y dilitada consecion y posecion q. tienen de ellos. El Sor D. Jose Figueroa Gral. de Brigada y comandte Gral Gefe Superior politico del territorio asi lo mando decreto y firmò de que doy fee.

Josè Figueroa
Agustin V. Zamorano. Secrio.

D. S. D. R. Josè Figueroa, General de Brigada de los Ejercitos nacionales Mejicanos, comandante Gral Inspector y Gefe superior politico del Terr. de la Alta California.
A la f. 31.

Por cuanto Da Catarina Ruiz viuda de D. Josè Antonio Nieto tiene acreditado su derecho à la testamentaria del finado Manuel Nieto y tomando en consideracion la antigua y pacifica posecion q. tiene del parage conocido con el nombre de las Bolzas colindante con los parajes de los Alamitos y los Coyotes, Rio de Sta. Ana y la Costa, practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto pr. las leyes y reglamentos: usando de las facultades q. me son conferidas por decreto de 27 de Julio del año pp.o à nombre de la Nacion mejicana he venido en declararle la propiedad de dho parage y de q. se le ponga en posecion pacifica, pr. las presentes letras con entera conformidad à lo dispuesto pr. las

24

23

entera conformidad a lo dispuesto p.r las

23

After the words "dispuesto p.r las" on the preceding page, follow the words "leyes y sugetos," &c, on the following page, 24, at the conclusion of which this certificate belongs.

In Copy this is put in its proper place.

208 SD
PAGE 22

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

I Samuel D. King Surveyor General of the United States for California and as such now having in my Office and under my Custody a portion of the Archives of the former Spanish and Mexican Territory or Department of Upper California do hereby certify that the seven preceeding and hereunto annexed pages of facing paper numbered from One to seven inclusive and each of which is verified by my initials (S. D. K) exhibit true and accurate copies of portions of a document designated as Expediente Relativo à los linderos del Rancho de Sta. Gertrudes que posee el Ciudad.no Juan José Nieto "103" which is on file and forming part of the said Archives in this Office

Seal

In Testimony whereof I have hereunto signed my Name Officially and affixed my private seal (not having a seal of Office) at the City of San Francisco Cal. the 28th day of September 1852.

Sam.l D. King
Surv.r Gen.l Cal.

Filed in Office Octb.r 20th 1852.
Geo: Gisher Dery

lajeo y sujeto à las condiciones siguientes.
1ª Que se sometarà à las q.e establiciere el Reglamento q.e se ha de formar p.a la distribucion de terrenos Baldios y q.e entretanto ni la agraciada ni sus herederos podran dividir ni enagenar el terreno que se ha hecho mencion; imponer sen so vinculo, franza, hipoteca ni otro gravamen aunque sea p.r causa piadosa ni pasarlo à manos muertas.

208 SD
PAGE 23

2ª podrà cercarlo sin perjudicar las travecias caminos y servidumbres: lo disfutara libre y esclusivamente destinandolo al uso ò cultivo que mas le acomode pero dentro de un año à lo mas fabricara casa y estarà abitada.
3ª podrà desde luego solicitar del juez respectivo q.e le de posecion juridica en virtud de este despacho p.r el cual se demarcaran los linderos en cuyos limites pondrà à mas de las Mohoneras algunos arboles frutales ò silvestres de alguna utilidad.
4ª El terreno de q.e se hace referencia es de siete sitios de ganado mayor poco mas ò menos segun esplica el diseño que corre en el Expedte.
El juez que diere la posecion lo hara medir conforme à Ordenanza p.a señalar los linderos, quedando el sobrante que resulte à la nacion p.a los usos convinientes.
5ª Si contravniere à estas condiciones perderà su derecho al terreno y serà denunciable por otro.

En consecuencia mando q.e sirviendole de titulo el presente y teniendose p.r firme y valedero se tome razon en el libro à q.e corresponde y se lo entregue à la interesada p.a su resguardo y demas fines.

26

Dado en Monterrey à 22 de Mayo de 1834

José Figueroa

Agustin V. Zamorano: Secretario

Dello primero: seis pesos: Habilitado provisionalmente por la administracion de la Aduana Maritima de Monterey para los años de mil ocho cientos treinta y tres y mil ocho cientos treinta y cuatro.

Figueroa José Rafael Gonzales

SD

José Figueroa, General de Brigada de los Ejercitos nacionales Mejicanos, comandante Gral Inspector y Gefe superior politico del Terr.o de la Alta California

208 SD
PAGE 24

Por cuanto Doña Catarina Ruiz Viuda de Don José Antonio Nieto tiene acreditado su derecho à la Testamentaria del finado Manuel Nieto y tomando en consideracion la antigua y pacifica posecion que tiene del parage conocido con el nombre de las Bolsas colindante con los parages de los Alamitos y los Coyotes rio de Santa Ana y la Costa; practicadas previamente las diligencias y averiguaciones concernientes segun lo dispuesto por leyes y Reglamentos: usando de las facultades que me son conferidas por decreto de Veinte y siete de Julio del año proximo pasado à nombre de la Nacion Mejicana, he venido en declararle la propiedad de dicho parage y de que se le ponga en posecion pacifica por las presentes letras con entera conformidad à lo dispuesto por las leyes y sujeta à las condiciones siguientes.

1.ª Que se sometera à las que estableciere el Reglamento que se ha de formar para la distribuccion de Terrenos Baldios y que entre tanto ni la agraciada ni sus herederos podran dividir, ni enagenar el Terreno de q.e se ha hecho mencion: imponer censo, vinculo, fianza, hipoteca ni otro gravamen aunque sea por causa piadosa ni pasarlo à manos muertas.

2.ª podra cercarlo sin perjudicar las travesias caminos y servidumbres; lo disfrutarà libre y esclusivamente destinandolo al uso ò cultivo que mas le acomode; pero dentro de un

año à lo mas fabricara casa y estara avitada.
8ª podrà desde luego solicitar 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 alguna utilidad.
4ª El terreno de que se hace referencia es de siete sitios de ganado mayor poco mas o menos segun esplica el diseño que corre en el espedte. El juez que diere la posesion lo harà medir conforme à Ordenanza para señalar los linderos quedando el sobrante que resulte à la Nacion para los usos convinientes.
5ª Si contravinere à estas condiciones perderà su derecho al Terreno y serà denunciable por otro.

En consecuencia mando qe sirviendole de titulo el presente y teniendose por forme y valedero se tome razon en el libro à que corresponde y se le entregue à la interesada para su resguardo y demas fines.
Dado en Monterrey à Veinte y dos de Mayo de mil ocho cientos treinta y cuatro.

José Yguerra

Agustin V. Zamorano
Srio.

Queda tomada razon en el Libro de asientos de Titulos sobre adjudicaciones de Terrenos à posesas treinta y uno num.º 26. que obra en la secretaria de mi Cargo.
Monterrey Veinte y dos de Mayo de mil ocho cientos treinta y cuatro.

Zamorano

Filed in Office Octbr 28th 1852

Geo: Fisher Secy

208 SD
PAGE 25

Seal Third Two Reals.
For the years of 1826 and 1827.

To the Superior Political Chief.

"B"

Translation of "A"

208 SD
PAGE 26

San Diego 27. July 1833.

Having seen the present petition and the peaceable and uninterrupted possession being publicly known by which Manuel Nieto & his heirs have enjoyed the grants of the lands as marked out in the diseño map and having seen the expedients in which appears the concession of the land made by Governor Don Pedro Fages to the aforesaid Nieto with everything else in relation to the matter which was proper to be considered - In full conformity with the laws and regulations upon the subject and in performance of the conditions which they point out -

They are hereby declared to be owners in fee (p.) to Juan José Nieto of the tracts called Los Coyotes. Alamitos

Citizen Lucano Infalba Native of State of Sonora and now a resident in this Territory with sufficient authority on the part of Citizen Juan José Nieto whose right and interest I represent before Your Honor with proper respect and through the most suitable manner I present myself and say that in the year 1784 was granted in right of ownership to Don Manuel Nieto by Governor Don Pedro Fages the possession of the land that is shown in the map (diseño) that with due respect I hereith present

That having died (Margin torn) among whom is the Chief my constituent (podendante) they continued in peaceable possession (torn) occupying the said land as legal owners that in this State (Margin torn) for more than twenty five years (torn) have remained to the present time uninterrupted in the enjoyment of their rights that the titles which legalize the ownership of the land having been mislaid he presented himself at various times to the Superior Political Chief in order that by virtue of the existing circumstances in the Archives a new title

208 SD
PAGE 27

& Palo Verde - To
Doña Bernarda
Nieto of Las Cemitas
to Doña Josefa
Lotta Widow of Don
Antonio Maria
Nieto of Santa
Catrinas to Doña
Catarina Ruiz
the widow of Don
José Antonio
Nieto the tract of
Las Bolsas, let
the corresponding
titles be issued to
them in order that
the judicial pos-
session may be
given to those who
petition. let the
same be made known
to the parties. and
besides that the titles
cannot be issued
until I am in the
Capital - let a certi-
fied processional
copy of this decree
be issued in order
that it may serve
in the meantime
as a safeguard to
the parties interes-
ted. Señor Don
José Figueroa Su-
perior Political Chief
of this Territory
thus did command
decree and sign to
which I certify -
José Figueroa -
Augustin V.
Zamorano
Secretary.

30

might be issued. but in vain
he repeated his attempts
until now by Your Honors
goodness he is pleased to
respect it. relying upon the
testimony of the only proba-
bility that is contained in
the archives but that is
sufficient to establish
the legitimacy by which
he has possessed the aforesaid
land as is marked out
in the expedients which
I respectfully herewith ac-
company upon 5 written
pages in order that recogni-
sing it as sufficient legal
you may be pleased in your
exercise of Justice to act
as I now beseech to issue
the corresponding title and
to order that judicial pos-
session may be given as I
desire also that all the
heirs may enjoy the favor
conceded by this Father
I beseech your Honor if you
consider it convenient to
issue the titles separately
to each one the several
parts to correspond as
remains marked out in the
diseno map itself in these
terms -

The tract of Santa
Catrinas for Doña Josefa
Lotta and her children as
widow of the deceased Anto-
nio Maria Nieto the tract
of Las Bolsas for Doña
Catarina Ruiz and her
children as the widow of
the deceased José Antonio
Nieto the tract of Las

Copy in use

208 SD
PAGE 28

Limites for Don Manuel Nieto and the remainder which comprehends the tracts of los Coyotes. Alamitos. Palo Alto etc for my Constituent (poderdante) Don Juan Josi Nieto who as the head of the family has determined to Effect this division for the benefit of his (mayorazgo) and to avoid all motive of dispute he asks that possession may be given to each one of the portion which severally corresponds to them in this division

Therefore I beseech of your Honor that you may be pleased to grant my petition by which I shall receive favor and justice swearing that I am not acting in malice but through necessity etc.

San Diego 26 of July 1833.

Luciano Infalco —

Monterey Dec 21. 1833.

Let the command contained in the foregoing decree be complied with let the title be filed (sacado) and that by them the juridical possession may be given in lieu of the ancient and legal concession and possession that they have of them (the tracts) Senor Don Jose Figueroa Genl of Brigade and Genl Commanding Superior Political of the Territory — thus did command decree and sign which I certify.

Jose Figueroa.

Augustin V Zamorano
Secy.

.....

Jose Figueroa Genl of Brigade of the National Mexican Army Commanding General Inspector and Superior Political Chief of the Territory of Upper California —

Inasmuch as Dona Catarina Ruiz widow of Don Antonio Nieto has accredited her right to the Estate of the deceased Manuel Nieto and in consideration of the ancient and peaceable

30

possession which she has of the tract known by the name of Las Bolsas, bounded by the tracts of "Las Alamitos" and Los Alejotes the river of Santa Ana and the Coast the necessary steps and formalities having been previously fulfilled in accordance to the requirements of the law and regulations by virtue of the faculties which are conferred upon me by the decree of the 27 of July of the year last past and in the name of the Mexican Nation I hereby declare her the ownership in fee of the said tract and of which she may be put in peaceable possession by these present letters with entire conformity to what is required by the laws and subject to the following conditions –

208 SD
PAGE 23

1st – That she shall subject herself to what shall be established by the regulation which may be made for the distribution of vacant lands and that in the meantime the grantee northerners shall be able to divide or alienate the land of which mention is made nor to impose tal. entail. bond. mortgages or any other incumbrance although it may for a pious purpose. nor to pass it to Mortmain.

2d. – She may enclose it without prejudice to the crops. roads and servidumbres. She shall enjoy it freely and exclusively destining it to the use or culture that may best suit her but within one year at most she shall build a house and it shall be inhabited –

3d – She shall immediately solicit of the respective Judge that he may give her juridical possession in virtue of this title by whom its boundaries shall be marked out. upon whose limits she shall place besides the land marks some fruit trees or old ones of some utility.

4th – The land of which reference is made is of seven square leagues (sitios de ganado Mayor) according as is shown in the Map annexed which accompanies this expediente. the Judge who shall give the possession shall cause it to be measured agreeably to ordinance so as to point out its boundaries. the surplus to remain to the Nation for its convenient uses.

32

31

5th. If she shall contravene these conditions she shall lose her right to the land and it shall be denounceable by another.

In consequence I command that the present serving her as a title be considered firm and valid and note be taken of it in the corresponding book and it be delivered to her for her security and further ends.

Given in Monterey this 22d of May 1834.

Jose Figueroa

Augustin V Zamorano
Secretary

Filed in Office Oct 20. 1852.
Signed, Geo Fisher
Secy

208 SD
PAGE 30

32

Juzgado 2°. Constitucional de los Angeles: Como las urgentes atenciones ocurridas en este oficio no dan lugar à que yo pase personalmente à dar la correspondiente posecion à Doña Catarina Ruiz del terreno que tiene declarado en su favor he venido en nombrar à V. para que acociado con el Agrimensor Don Abel Stearns; se conduzca V. al mencionado terreno llamado las Bolsas y la posecione en devida forma con arreglo al titulo q. le confirio el señor Lefe politico y q. le compañe.= Dios y libertad, Angeles 1°. de Marzo de 1835. Domingo Romero= Señor Regidor Don Rafael Guirado: Pueblo de los Angeles 14 de Marzo de 1835. por recevido el presente Oficio y atento à la comision que en el me confiere el Sor Alcal de Constitucional para que pase à posecionar à Doña Catarina Ruiz de los sitios de superioridad conocidos con el nombre de las Bolsas y haber do convenido con el agrimensor Don Abel Stearns para que remida los enunciados terrenos con total arreglo al Diseño que corre en el espediente de la materia previamente practicadas existente en poder del señor Lefe Superior politico: pase por mi y testigos de mi asist.a al espresados sitios y procedase à verificar la posesion indicada con total arreglo al Despacho q. le confirio el mismo Lefe politico. El ciudadano Rafael Guirada Regidor del Ilustre Ayuntamiento y Juez comisionado asi lo decretè, mandè, y firmè con los testigos de asistencia segun ltro doy fee. Rafael Guirada: Assistencia Policarpo Leal: Assistencia Arzago:

Decreto de admision

208 SD
PAGE 31

En el Rancho de las Bolsas de los quince dias del mes de Marzo de mil ochocientos treinta y cinco, el juez que suscrive havendo hecho citacion de Colindantes comparecieron todos à escepcion de Don Roberto Pardo quien manifesto q. sus quehaceres no se lo permitan y hecholes saber el Objeto de mi comision procedi à la practica de la remidida y posecion del Rancho de las Bolsas propiedad de Dona Catarina Ruiz q. colinda con los Alamos, los Collotes Rio de Sta. Ana y la Costa; y les dye manifestasen algunos documentos q. acreditasen

tener dro à aquellos terrenos de que hva a posesion
ar con arreglo à su titulo à Doña Catarina Ruiz
y no habiendo presentado ninguno con qe acre
ditarlos lo mandè poner por diligencia qe forme
con los testigos de mi asistencia segun dro doy fee
Rafael Gurado # ass.a Manuel Arzaga
Nomb.re de Assist.a Policarpio Leal:
Cordeleros y mi En el mismo dia nombrè dos Oficiales cordeleros
dores. y dos medidores para dar principio à la Remedi
da quienes despues de haber aceptado su nom
bramiento prometieron desempeñar fielmente
su encargo no firmando por no saber, lo hize yo
con los testigos de asistencia segun derecho doy
fee: Rafael Gutierrez #
Assistencia: ass.a
Policarpio Leal Manuel Arzaga
En el propio Rancho dia mes y año yo el propie
tario comisionado à efecto de verificar las remi
dias y posesion à Doña Catarina Ruiz, hice
medir un Cordel constante de ciento treinta
varas, el cual fuè examinado y reconocido
por el Agrimensor Don Abel Ortegas, y puesto
en unos aneos y hecho à sus estremos para
observancia y calculo del enunciado agri
mensor, se tiro el cordel por su disposicion rum
bo al Norte treinta grados del Este de una lo=
ma alta donde se puso una Cruz por señal
de mojonera, pasando el Cordel por unos
despuntando la punta
de la Cienega en donde hay dos sauses iguales
y solos y se fueron midiendo y contando nue
ve mil cuatrocientos cincuenta varas qe
remataron en unas nopaleras de Altos de
arena en donde se puso por mojonera un pa
lo de sauce; luego tomando el rumbo Este se
midieron y contaron cinco mil quinientos va
=ras qe remataron en un sauce Cortado con po=
cos Verdes, cuyo arbol es mojonera y lindero de
los Collotes y terrenos ocupados por los here
ros del finado Patricio Devero, de aqui tomando
el rumbo Este dos grados al Sur se midieron
cuatro mil sientos y sesenta varas que rema
taron en la Caja Vieja del Rio de Santa Ana
y se puso p.r mojonera un Alamo y se le tumbo

208 SD
PAGE 32

y se puso p. mojonera un Alamo y se le cambio

35

un brazo para distinguirse; y luego variando de rumbo y tomando el río por la Caja vieja del Rio indicado se midieron y contaron catorce mil doscientas cincuenta varas que remataron en la Orilla de la playa en donde se les mandó poner mojonera y para concluir esta remidida se fueron midiendo y contando por toda la Orilla de la referida playa dies y nueve mil varas q.e remataron en el punto q.e comenzó la remidida con lo que se concluyó la remidida de estos sitios à satisfaccion de la interesada lo que pongo por diligencia que autorizo y firmo con los testigos de asis.te segun dro doy fee.

Rafael Jurado: Asist.te Policarpio Leal #
Asist.te Manuel Arzaga.

Angeles 26 de Marzo de 1835.

Decreto de conclucion y remision al Alcalde.

Estando concluidas las presentes diligencias de remidida y posecion dada à Doña Catarina Ruiz à su satisfaccion remitanse al Señor Alcalde para que las Archive, dandosele à la interesada testimonio de lo practicado.

Rafael Jurada Regidor del Ill.tre Ayuntamiento y Juez comisionado para esta posecion (Borrego de 1Rs) asi lo determiné, mandé y firmé con testigos de asistencia segun dro.

Rafael Jurado # Ass.te Policarpio Leal
Ass.te Manuel Arzaga. = Razon: En la fha se remitieron al Señor Alcalde las diligencias q.e se mencionan en el D.to anterior y para constancia lo autorique.

Es copia de su Original à q.e me refiero la que autorizo y firmo con testigos de Ass.te en este papel comun por no haber del sello correspondiente.

Rafael Jurado

Ass.te
Man.l Arzaga # Ass.te Policarpio Leal

Filed in Office Octr. 28th 1852

Geo: Fisher Secy.

208 SD
PAGE 33

36

37

Translation of Judicial Proceedings

208 SD
PAGE 34

2d Constitutional Tribunal of Los Angeles.

As the request urgent attentions required in this Office do not afford time that I may personally repair to give the Corresponding possession to Doña Catarina Ruiz of the land that is declared in her favor I have thought proper to name you, so that in Company with the Secretary or Dn. Abel Stearns you may go to the aforesaid land called "Las Bolsas" and may put her in possession in due form agreeably to the title conferred on her by the Senor Political Chief and which I herewith accompany.

God and Liberty –
Angeles March 1. 1835.

Domingo Romero.

To the Senor Magistrate
Dn. Rafael Gurado

Angeles March 14. 1835 –

The present notice is duly received and in obedience to the commission therein conferred on me by the Constitutional Alcalde in order that I may go & give possession to Doña Catarina Ruiz of the tracts belonging to her known by the name of "Las Bolsas" and having agreed with Dn. Abel Stearns that he would measure the said land in entire conformity to the map which is annexed to the Expediente upon the matter previously complying with that required by the Senor Political Chief I did go with the witnesses of my assistance to the said tract and did proceed to make good the corresponding possession with strict conformity to the dispatch that the same Political chief issued to me.

Citizen Rafael Guirado Magistrate of the Ayuntamiento and Commissioned Judge this did decree command and sign with the assisting witnesses according to law, which certify – Rafael Guirado

Asistance
Policarpio Leal

Asistance.
Manuel Arzaga.

At the Rancho of "Las Bolsas" on the 15th day of the month of March one thousand Eight hundred and thirty five the Judge that subscribed having made a citation of the neighbors they were all present except Don Roberto Pardo who made known that his occupations could not permit him to appear and stating to them the object of my Commission which was to proceed to the Elevation of the measurement and possession of the Rancho of "Las Bolsas" the property of Dona Catarina Ruiz which is bounded by the "Alamitas" Las Coyotes the river of Santa Ana and the Coast and I told them they must produce any documents which could prove them to have a right to those lands of which I was going to give possession as duably to hereto to Dona Catarina Ruiz and not having produced any by which they could prove said right. I ordered the same to be duly noted and with the witnesses of my asistance signed according to law which I certify —

Rafael Gurnido.

Asistance
Manuel Arzaga

Asistance —
Policarpio Leal.

208 SD
PAGE 35

At the same day I selected two Official cord bearers and two Masons in order to begin with the measurements who having accepted their appointment promised to discharge faithfully their duty they not signing because not knowing how. I signed it with those of my asistance according to law which I certify.

Rafael Gurnido —

Asista —
Policarpio Leal

Asista —
Manuel Arzaga.

At the aforesaid Rancho same day month and year I the aforesaid Commissioned Judge for the purpose of verifying

38

the Measurement and possession to Doña Catarina Ruiz caused to be measured a cord containing one hundred and thirty varas which was examined and recognised by Don Abel Stearns the Surveyor and divided into certain widths and pointed at the Ends by the previous observation and calculation of the said Surveyor the Cord was stretched by his direction towards the North thirty degrees to the East of a large hill where a Cross was placed as a land mark the Cord passing through some intervas spots of ground dividing the point of the "Cienega" when there are two willow trees (sauces) of the same size and standing alone; and there was measured and counted nine thousand four hundred and fifty varas that terminated at some prickly pear trees on a sand hill where a post of alder (sauce) was placed as a land mark. then taking a direction to the East they measured and counted five thousand five hundred varas that terminated at a high alder tree (sauce) with green shoots, which alder tree is the land mark and boundary of "Las Coyotes" and the lands occupied by the heirs of the deceased Patricio Ontiveros from thence taking a direction East two degrees to the South they measured and counted four thousand one hundred and sixty varas that terminated at the old bed of the river of Santa Ana and placed as a land mark an Elm tree (Alamo) breaking off a branch so to be distinguished then changing the direction and going towards the South by the old bed of the river aforesaid they measured and counted fourteen thousand two hundred and fifty varas that terminated above the margin of the "Playa" (Sea Shore) where a land mark was ordered to be placed and in order to conclude this measurement they measured and counted along the length of the margin of the said Playa. twenty thousand varas that terminated at the point where said measurement commenced by which the measurement was concluded of those tracts

208 SD
PAGE 36

to the satisfaction of the interested party which I hereunto duly note. that I authorise and sign with those of my assistance according to law which I certify.

Rafael Guirado.

Assistance — Assistance
Policarpio Lial — Manuel Azofa.

Angeles March 26. 1833.

208 SD
PAGE 37

The present proceedings being concluded of the measurement and possession given to Doña Catarina Ring to her satisfaction let them be transmitted to the Alcalde in order that he may dispose them among the archives giving a copy of the same to the interested party.

Rafael Guirado, Magistrate of the Illustrious Ayuntamiento and the judge appointed for this possession thus did determine order and sign with the witnesses of my assistance according to law

Rafael Guirado.

Assistance — Assistance —
Policarpio Lial — Manuel Azofa.

Note = on the same date —

The before mentioned proceedings were transmitted to the Señor Alcalde as expressed in the antecedent act in proof of which I signed with a rubric —

A true copy from the original to which I refer and which I authorize and sign with those of my assistance upon this common paper for want of the corresponding sealed paper.

Rafael Guirado

Assistance — Assistance —
Manuel Azofa. Policarpio Lial.

Filed in Office Oct 28. 1852.
(signed)
Gen Pisko Secy.

40

En la ciudad y condado de los Angl.s del Estado de California à los ocho dias del mes de Diciembre de mil ochocientos cincuenta y uno Jo miguel Jorba y mi esposa Josefa Bermudes decimos: Que por si y à nombre de nuestros herederos y sucesores y de quien de ellos hubiese titulo voz y causa en cualquier a manera bendemos y traspasamos à los señores Dn Ramon Jorba, Dn Julian Chaves y Doña Dolores Jorba todo el derecho que hoy tenemos en el Rancho de las Bolsas segun consta en los documentos que al efecto entrego Doña Catalina Ruis Ulnda de Nieto por la cantidad de tescientos pesos en moneda corriente q.e hemos recevido à nuestra satisfaccion ello derecho esta libre de todo gravamen y como tal se los bendemos con todas las entradas y salidas, usos y costumbres regalias y servidumbres que ha tenido y tiene y le pertenesen segun derecho. Y para la perfecta Validasion de este documento nos obligamos con nuestros bienes presentes y futuros y con todas las formulas y remensaciones respectivas. en ello testimonio asi lo otorgamos ante los infrascritos testigos y firmamos nuestros sellos.

Miguel Jorba (su signo) # Josefa (su signo) Bermudes

Testigo Joaquin Chaboya

State of California County of Los Angeles. Be it Remembered that on this 8th day of December A. D. 1851. before me Benj.n D. Wilson Clerk of the County Court of Los Angeles County personally appeared Miguel Jorba and Josefa Bermudez personally known to me and acknowledged their signatures respectively to the foregoing document. The said Miguel Jorba acknowledging that he signed the same and executed it freely for the uses and purposes therein stated and Josefa Bermudez being then examined separate and apart from her husband also acknowledged that she executed the same voluntarily and for the uses

208 SD
PAGE 38

and purposes set forth in the said Document as aforesaid and without any restraint of her said husband Miguel Torba.
As Witness my hand as Clerk of the said Court and the Seal of Court affixed on this 9th day of December 1851. at Los Angeles California.

Benjn. D. Wilson Clerk
by Wilson Jones Dep

208 SD
PAGE 39

Seal

Received the above document on the 9th day of Novr. A. D. 1851. at 48 minutes past 9. O. clock. A. M for Record.

Benjn. D. Wilson Recd.
by Wilson Jones Dep.

Recorded the same on the 11th day of Novr. A. D. 1851 at 8. minutes past 2. O. clock P.M at Request of Julian Chaves in Book 1 of Deeds page 101.

Benjn. D. Wilson Recorder
by Wilson Jones Dep.

Filed in Office Octr. 4th 1853.

Geo: Fisher Secy.

42

208 SD
PAGE 40

En la Ciudad y Condado de los Angeles del Estado de California à los dos dias del mes de Marzo del año de mil ochocientos cincuenta y dos. Yo Magdalena Yorba de Estado soltera y vecina del Rancho de Santa Ana, dijo que por mi à nombre de mis herederos y de quien de ellos hubiere titulo, voz y causa en qualesquiera manera hago à mi hermano Ramon Yorba un formal traspaso del terreno que por derecho me corresponde en el Rancho de las Bolsas como consta por los documentos al al efecto entregò Dª Catalina Ruis por la suma que mi dicho hermano desembolso por mi para el pago del dicho Rancho, cuyo derecho esta libre de todo gravamen y como tal se lo ceder. con todas las entradas y salidas usos costumbres, regalias, y servidumbres que ha tenido y tiene y le pertenecen segun dicho, en cumplimiento hasi lo otorgue ante los infrascritos testigos, y por no saber formar puse mi signo de Cruz.

Magdalena X (signo de cruz) Yorba

Como Testigo Lilian Chaves:

Como Testigo. José Mª Doporto.

State of California
County of Los Angeles } Be it Remembered that on this 2nd day of March A. D. 1852. before me Benjn. D. Wilson Clerk of the County Court of said County personally appeared Magdalena Yorba whose name is affixed to the foregoing document there subscribed, and who is known to me as the person who executed the same and acknowledged that she signed and executed the same freely and voluntarily without any force or compulsion from any other person & for the uses & purposes therein expressed.

Seal

As Witness my hand & the seal of the County Court hereto affixed on this March 2nd A. D. 1852.
At Office in the County of Los Angeles

Benj. D. Wilson Clerk by
Wilson Jones Dep.

44

Received the above and foregoing Document on the 3rd day of March 1853 at 32 minutes past 8 O.clock A. M. for Record and Recorded the same at 4 minutes past 3 O.clock P. M on the 6th day of March. A. D. 1852 at Request of Ramon Lorva in book 1 of Deeds page 148.

Benj D. Wilson Recorder
by Wilson Jones Dep.

Filed in Office Octr. 4th 1853

Geo: Fisher Decy

208 SD
PAGE 41

En la ciudad y condado de los Angeles del Estado de California á los cinco dias del mes de Enero de mil ochocientos cincuenta y dos. Yo Susana Yorba digo. Que por mi Yo á nombre de mis herederos y sucesores y de quien de ellos hubiese titulo voy ó causa en cualesquiera manera hago á mi hermano Ramon Yorba gracia y donacion del derecho que tengo en el Rancho de las Bolsas como consta de los documentos que entrego Doña Catalina Ruiz el dia diez de Diciembre de mil ochocientos cuarenta y nueve cuya Decion lo hago por haber entregado de mi cuenta mi dicho hermano el tanto de dinero que á mi me correspondia haber dado á la dicha Doña Catalina Ruiz en la compra que le vino en la espresada fha del dia diez de Diciembre de mil ochocientos cuarenta y nueve y esta derecho esta libre de todo gravamen y como tal se lo ceedo desde ahora p.a siempre con todos los entrados y salidos, usos, costumbres, regalias y servidumbres que a tenido y tiene y pertenecen segun derecho y para la perfecta validacion de este documento, me obligo con mis bienes y persona y con todas las formulas y renuncia ciones respectivas.

En cuyo testimonio asi lo otorgue y puse mi sello

su signo
Susana X Yorba
de Cruz

State of California County of Los Angeles
Be it remembered. That on this 5th day of January A. D. 1852 before me B. D. Wilson Clerk of the County Court of Los Angeles County personally appeared Susana Yorba known to me as the individual who executed the foregoing document and acknowledged that she signed and executed the same voluntarily and without force or restraint of any person and particularly without any fear or restraint of her husband and have signed her name and acknowledged that she executed the same freely stated that

208 SD
PAGE 42

she executed the same for the uses and purposes therein mentioned.

As Witness and as Clerk of the said Court and the seal of said Court affixed on this 5th day of January 1852.

Benjn. D. Wilson Clerk
by Wilson Jones Deputy.

Received on the 5th day of January A.D. 1852 at 12 minutes past 10 clock P. M. the foregoing document for Record and recorded the same on the same day and date at 17 minutes past 3 O. clock P. M. at request of Christoval Aguilar in Book 1 of deeds page 107 & 108.

Benj. D. Wilson Recr.
Wilson Jones Dep.

208 SD
PAGE 43

State of California County of Los Angeles.

I Wilson W. Jones Recorder of the County of Los Angeles hereby certify the above and foregoing to be a true copy of the Records of said Office of Recorder aforesaid as will be seen on pages 107 & 108. as aforesaid

Given under my hand with my seal as Recorder affixed this 20th day of April A.D. 1853.

Wilson Jones Recorder
J. Floyd Jones Deputy

Filed in Office Octr. 4. 1853.

Geo. Fisher. Decy

47

Deed from Miguel Forba & wife to Ram Forba Estate.

208 SD
PAGE 44

In the City and County of Los Angeles State of California 8th Dec 1851 I Miguel Forra and my wife Josefa Bermudez say that for themselves and in the name of our heirs and successors and of any of them who might have any right title and interest whatsoever we sell and transfer to Messrs Dn Ramon Forba & Don Julian Chavez and to Dona Dolores Forba all the right which we have to the rancho of Las Bolsas as set forth in the documents which Dona Catalina Ruiz widow of Prito delivered to that Effect for the sum of Three hundred dollars in current money which we have received to our satisfaction which right is free of any incumbrance and as such we sell the same with all its rights of way, servitudes and customs easements and servitudes which it has had and has and appertains thereto according to law. And for the perfect validity of this instrument we bind ourselves with our present and future property and with all the respective formalities forms and renunciations

In testimony whereof we this Ele[illegible] do same before the undersigned witnesses and set our seals.

his
Miguel x Forba —
mark of cross.

his
Josefa x Bermudez.
mark of cross.

Witnesses —
Joaquin Archaga.

Filed in Office Oct. 4. 1854.
Signed!
Geo Fisher Sect.

Deed from Magdalena Forbes Ramon Forbes et al.

In the City and County of Los Angeles State of California on the second day of the month of March one thousand eight hundred and fifty two, I Magdalena Forbes single and a resident of the Rancho of Santa Ana said that for myself in the name of my heirs and of any of those who might have title

and interest in any manner whatsoever I make to my brother Ramon Forba a formal transfer of the land which lawfully belongs to me in the Rancho of "Las Bolsas" as appears by the documents which Doña Catalina Ruiz delivered for that purpose for the amount which my said brother Defrauded for me for the payment of said Rancho which interest is free of all incumbrance and as such I cede the same to him with all the rights of way privileges easements. easements and servitudes which it has had and has and which appertain thereto according to law.

208 SD
PAGE 45

This I Executed the same before the undersigned witnesses and as I do not know how to write I made my sign of the cross.

his mark
Magdalena X Forba.
of the Cross.

Witness
Julian Chavez.

Witness
José Ma Osorta.

Filed in Office Oct 4, 1853.
(Signed) Geo Fisher
Secy.

Deed of Susanna Forba to Ramon Forba.

In the City and County of Los Angeles State of California on the fifth of January 1852. Susanna Forba says That for myself and in the name of my heirs and Successors and that of whomsoever might have a title interest or right in whatever manner I make a gift and donation to my brother Ramon Forba of the interest which I have in the Rancho of Las Bolsas as is set forth in the documents which Doña Catalina Ruiz delivered on the 10th of Dec 1845 which cession I make in Consideration of the payment made by my said brother of the amount corresponding to me to the said Doña Catalina Ruiz for the

me to the said Rosa Catalina Ring for the purchase which we effected of her on the said date of the 10th of December 1841 and the said right is free of all incumbrance and as such I transfer the same to him with all the rights of way, usages servitudes grants and servitudes which the same has had, now has and belongs to the same. and for the perfect validity of this document I obligate myself and pledge my property with all the respective forms and renunciations —

In testimony whereof I have thus Executed the same and placed my seal.

her mark
Susanna x Forbes.
of the Cross.

Filed in Office Oct. 21, 1854
(signed) Geo Fisher Secy.

Deed from Jose Apto Forbes to Ramon Forbes.

Know all men by these presents that I Josi Antonio Forba and Benigna Lopez my wife in consideration of the sum of Five hundred ($500.00) dollars paid to us cash in hand by Ramon Forbes to our entire satisfaction before the signing and delivery of this instrument, have sold ceded and confirmed and by the present do cede sell and confirm to the said Ramon Forba the entire title interest and right of the said Jose Antonio Forbes and the said Benigna Lopez in and to the tract known as the "Rancho de los Bolsas" situate in the County of Los Angeles by which title interest and right is understood the entire right acquired by the said Jose Anto Forbes of Catalina Ring the widow of Reto or in whatever manner it may have been acquired in order that the said Ramon Forbes his heirs and successors may hold and enjoy the same forever more —

And the said Jose Anto Forba for himself and in the name of his heirs Executors and Administrators covenants

208 SD
PAGE 46

with and declares to the said Ramon Forrea that the said right and interest has not been sold alienated or Mortgaged Either the whole or a portion thereof and that he will at all times be ready to defend him against any person and persons who may claim to have a right to the said tract by or through the said Jose Anto Forrea.

In testimony whereof we sign the Present and set our seals.

Jose Anto Forrea (Seal)

208 SD
PAGE 47

Witnesses
Anto Marino Bringas Lopez (Seal)
" Ramon Asuna.

State of California
County of Los Angeles }

On this the 4th of April 1853 personally appeared before me a Justice of the Peace of the Township and County of Los Angeles Jose Anto Forrea and the said Forrea whom I know to be the same person who is described in the foregoing document said and declared that he Executed the same freely and voluntarily for the Ends and purposes mentioned in said document —

Which I certify by my signature in testimony of truth

Ignc. F. Coronel
Justice of the Peace.

Original dud contains acknowledgment of wife before Notary —

Filed in Office Oct 4, 1854.
(Signd)
Jno Fisher Secy.

50

1. 50 1/2

En la ciudad de los Angeles de la alta California a los 10 dias del mes de Diciembre del año de 1842 ante mi el Infrascrito Alcalde 2º de esta ciudad y su demarcacion y por ante mis testigos de asistencia con quienes actuo en la forma ordinaria unas de los Instrumentales que al fin se nominaran compareció la viuda Doña Catarina Ruiz vecina de la misma y dijo: que por sí y en nombre de sus hijos, herederos y de quien de hesos ubiese título vos y causa en cualesquiera manera, cedé Doña y agracia para siempre jamas á Dn Ramon Yorba hermanos y hermanas el derechos que tiene en el Rancho de las Bolsas, cuyos derechos le corresponde en posesion y propiedad segun lo manifiesta el título respectivo por el cual se declara no tener los vendidos enagenados ni empeñados y que esta libre de todos gravamen real, perpetuo, temporal tacito espreso y como tal se lo desde con todas las entradas, salidas montes dehesas aguajes usos costumbres regalias y servidumbres que a tenido y tiene y le pertenesen segun derecho por la cantidad de seis mil ps que ha recibido y pasaran á su poder real y efectivamente: reservandose unicamente el derecho de vivir, sembrar, fabricar y crear intereses en el esto mientras viva y cuando muera las Salinas quedaran a beneficio de Dnn Ramon Yorba y hermanos como sus propietarios y los bienes demanientes podra disponer de ellas: y desde hoy en adelante para siempre ahora é dis

Doc. H. S. No. 1. amend to the deposition of Juan Mauro. taken before Comr Harry S. Thornton.

208 SD
PAGE 48

30 5/8

208 SD
PAGE 49

i dispuesto, al de apoderar y aparta como
tambien á los tanto del dominio o derecho
que de ellos corresponda y las lleva con
todas las acciones reales, personales utiles
mistas y directas, efectivas y demas que
le competan. Las cual renuncia frespan
en el repetidas Dn Ramon Yorba y
hermanos a quien, en quien pueden y
irrevocable libre franca y general adm
inistracion y constituye procurador
actor en su misma causa para que
de su autoridad oficialmente tome de
ellas para y en nombre de sus fabores
la real tenencia y posecion que le
pertenece y para que no me acite
tomada á su favor esta escritura de la cual
quiere se le den las copias que pida los q.
para dar las de requiera autoridad de
juez ni citacion de parte. Y presente
Dn Ramon Yorba representando con
poder bastante por si y hermanos y her-
-manos acepta esta escritura y vonacon
bajo los terminos que esta consebida
y para su perfecta balidacion la obligan
con su persona y bienes avidos y
por haber y con ellas se someten al
fuero y jurisdiccion de los Señores
jueces que de este el negocio deben
conocer conforme a derecho para que les
compelen y apremien por toda ri efectiva
como de finita sentencia pasada con
autoridad juzgada consentida sin ma
-yor recurso renuncian sus propios fueros
domicilios y heredad y las leyes de su
favor y dispensa con las generales de
derecho en forma cuyas documentos
asi otorgo y firmaron los que sup
por [illegible] del que corresponde [illegible]

52

2. 50 8/8

por falta del que corresponde Dividos los instrumentales Dn Manuel Serrano. y Dn Juan V. Padilla. = entre heredados. los bienes = vale = tachado = no vale.

Juan Sepulveda.

Antd. Serrano Luis Ramorano.

Ant. Mand. Serrano. Juan S. Padilla.

Miguel Garciola. —

208 SD
PAGE 50

Recd. the foregoing Levement for Record on the 25th day of March a.d. 1852 at 11. minutes past 4. o'clock P.M. = Benj. D. Wilson Recorder by Wm. Dep. at 8. minutes past ten o'clock. a.M. at request of Christobal Aguilar. Ten wilson Lancy. Recorded in Page No. 161. 162. book. Deeds. 1.

Filed in office april. 12th 1853.

Geo. Fisher

Lecy.

507/8

57

Translation of Doc. H.I.I.N.1 to depo. of Juan Manzo.

208 SD
PAGE 51

In the City of Los Angeles of Upper California on the 11th of Decr 1844 before me the undersigned 1st Alcalde of this City and its Jurisdiction and before the assisting witnesses with whom I act in the ordinary form besides the instrumental who are mentioned below appeared the Mdme Ma Catarina Ruiz a resident of the City aforesaid and stated that for herself and in the name of her children heirs and assigns and in that of whoever might have a title, right or interest in any manner she cedes gives and grants for evermore to Don Ramon Forbes his brothers and sisters the interest she has in the Rancho de las Bolsas" the right of possession and ownership thereof belonging to her according to the respective title in consideration of which she declares that she has not sold assigned nor pledged the same and that it is free of all encumbrance either perpetual temporal expense or anything and as such she cedes the same with all the rights of way woods springs usages customs grants and servitudes which she has had and now has possession of by law for the amount of Sil thousand dollars which she has received and which were placed into her possession really and effectively reserving to herself solely the rights of living raising crops building and watching over her interest on the land during the term of her life and when she dies the buildings shall remain to the benefit of Dn Ramon Forbes and brothers as real property and the moveable property she may dispose of and from to day hence and forever she abstains dispossesses disowns and separates herself as well as her family of the dominion and right that corresponds to him and she cedes the same with all real and personal actions mixed direct personal and elective titles with whatever may pertain due to them to the aforesaid Ramon Forbes and brothers to whom she confers irrevocable power with voluntary free and general administration and constitutes him his own

208 SD
PAGE 52

attorney and actor in his own Cause so that he may by his own authority or judicially in his own name and in that of his assign's take real tenance and possession of the same which belongs to him and in order that he may not require to take the same this writing is drawn in his favor of which it is his wish that whatever Copies he may ask for be given to him without the authority of a Judge or Citation being required.

And Don Ramon Jordan being present and showing sufficient powers for himself and brothers and Sisters accepts this Instrument and donation and the terms under which it is granted and for its perfect firmness they pledge their persons present and future property with which they submit to the power and jurisdiction of the Judges who shall take Cognizance of this Cause according to law, that they may compel them by all Executive means as if Sentence had been passed by authority in a Cause tried and Consented to without further recourse, they waive their own right domicile and residence and the laws in their favor and defence with the general forms of law which document was thus granted and signed by those who were able to do so and myself with my assistants which I certify to on common paper for want of the appropriate stamped instrumental Witnesses being Don Manl Serano and Don Juan A Padilla -

Juan Sepulveda
Asst -

Asst
Anto F. Coronel Luis A Zamorano
Asst -
Ml P Serano Asst -
Juan N Padilla

55

Filed in Office Oct 4, 1854.
(signed)
Geo Fisher Secy -

To the Hon Board of Commissioners

5-3

To the Hon Board of Commissioners to ascertain and settle the private land claims of California —

Amended Petition

208 SD
PAGE 53

The amended petition of Ramon Forbes, Domingo Forbes, Soledad Forbes de Avila, wife of Juan Avila, Dolores Forbes de Aguilar wife of Christobal Aguilar & Juliana Chaves all of Los Angeles County respectfully represent that they claim by this their petition three fourths of the entire tract of land called "Las Bolsas" heretofore described in their original petition to the Hon Board.

They further represent that when Catarina Ruiz executed her said bill of sale she was owner of & seized in fee of three undivided fourths of said tract of land at which time and whereby those claimants and those under whom they claim became the owners thereof —

They further represent that the said Catarina Ruiz at the date of the death of her said husband Jose Antonio Nieto was poor and destitute whereby she became entitled to one fourth of the estate of the said Nieto by inheritance & that she acquired the half of said entire tract of land as set forth in their original petition —

Wherefore they pray the Board to confirm to them the said three undivided fourths of said tract —

By their Attorney.

A Lancaster Burnett

Filed in Office Dec. 18, 1852
Geo Fisher Secy

54

Amended Petition

208 SD
PAGE 54

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

The amended petition of Ramon Yorba, Domingo Yorba, Soledad Yorba de Avilar, wife of Juan Avilar, Dolores Yorba de Aguilar, wife of Christobal Aguilar & of Julian Chaves filed by leave of the Board first had & obtained, respectfully shew that they amend their original petition by striking out the words "& containing seven square leagues more or less" & inserting in their place the following "& bounded by the Alamitos Las Bayotes a straight line from the South Eastern Corner of the Bayotes to the River Santa Ana the said River & the Sea Coast —

And the said Claimants pray as in their original petition & as in duty bound &c.

By their Atty.
P. Lancaster Brent.

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

57

55

To the Honorable. Be it known

55

Deed
from
Ramon
Yorba
to
Chaves

208 SD
PAGE 55

This Indenture. Be it known to all whom it doth or may in any wise concern that I Ramon Yorba of the County of Los Angeles & State of California for and in consideration of the sum of Nine hundred dollars to me in hand paid by Don Julian Chaves the receipt whereof is hereby acknowledged do hereby give grant sell and convey to Dn Julian Chaves also of said County and to his heirs and assigns forever all that tract or parcel of land being one undivided intrest of one Eighth in the Rancho of "Las Bolsas" acquired by me by purchase from my Sister Magdalena Yorba with all the rights privileges & appurtenances to the same belonging to have & to his heirs forever to have and to hold for his & their sole use & benefit. And I do further agree in consideration of the above sum that I will warrant & defend the said Julian Chaves against the lawful claims & demands of all persons to the said Rancho the intrest therein & against all persons who claim by through or under me —

In testimony whereof I hereunto set my hand and seal on this 3rd day of March AD 1852 at the City of Los Angeles.

Ramon Yorba
his
Cruz

Witness —
Jonathan R Scott.

State of California
County of Los Angeles —

Be it remembered that on this 3. day of March AD 1852 before me Benjn Hayson County Clk of Los Angeles County personally appeared Ramon Yorba whose name is subscribed to the foregoing document & who is known to me as the person described in & who Executed the same & acknowledged in my presence that he signed & Executed the same freely and

voluntarily & for the uses & purposes therein mentioned

As witness my hand & seal of said Court hereto affixed on this March 3d AD 1852.

Seal

Benj R Wilson Clk by Wilson Jones Dep.

208 SD
PAGE 56

Received the above & foregoing document for Record on the 3d day of March AD 1852 at 13 minutes past 5 O. Clock PM & Recorded the same on the 8 day of March AD 1852 at 27 minutes past 3 O Clock PM in book of deeds page 146 at request of Julian Davis.

Benj R Wilson. Recorder by Wilson Jones Dep.

Filed in Office Oct 4, 1853.
(signed)
Geo Pitts
Secy

59

57

U. S. Land Commission

Claimants –
Ramon Yorba Et al } Los Bolsas.

Agreement.

By Consent of the Associate Law Agent for the United States & of Lancaster Brent Atty for the Claimants a certified copy of José Antonio Canelo without the documents annexed taken in the Claim of Abel Stearns No 1184 may be read on the hearing of this claim with the same effect & force as if originally taken in it –

Robert Gunston
Associate Law Agent.

L. Lancaster Brent.

Filed in Office Nov 12, 1852.
(Signed) Geo Fisher
Secy

208 SD
PAGE 57

58

U. S. Land Commission.

Ramon Porbaceal
vs
United States

Las Bolsas
No 102.

It is hereby agreed between Robert Greenhow Associate Law Agent for the United States & Lancaster Brent Atty for Claimants that a certified copy of the deposition of Felipe Talamantes taken in the claim of Abel Stearns No 102 to the Rancho of "Las Alamitos" may be read on the hearing of this present claim in the same manner & with the same effect as if originally taken in this said claim.

R Greenhow
U S Law Agent

L Lancaster Brent
Atty for Claimants

Filed in Office Dec 31, 1852.
(Signed)
Geo Fisher Secy.

208 SD
PAGE 58
Agreement

59

102

Ramon Yorba et al
vs
The United States

For the undivided three fourths of the place called Las Bolsas in Las Angeles County containing Seven square leagues of land.

Opinion by Comm Fuck.

208 SD
PAGE 59

"Las Bolsas" the premises described in the Claimants petition constitutes a portion of a large tract of land known as the "Nieto Tract".

This larger tract of land is alleged in the petition to have been the property of Manuel Nieto who derived his title from the Spanish Government under a grant made to him by Governor Pedro Fages about the year 1784. Manuel Nieto died about the year 1824 leaving four children his heirs at law of whom Jose Antonio Nieto was one.

Jose Antonio Nieto it is alleged died about the year 1832 leaving a widow Catarina Ruiz and two children both of whom were daughters the youngest Rita died intestate and without issue previous to the year 1844 leaving her Mother her heir at law.

A Conveyance of all her interest in the premises made by said Catarina Ruiz to Ramon Yorba and his brothers and Sisters dated December 18 1844 is given in Evidence and is relied on by the petitioners as the source of their title — In their original petition they claim that Catarina Ruiz was at the time of this Conveyance the owner of the undivided half of the premises which she inherited from her deceased daughter which passed to them by her deed.

In an amended petition subsequently filed they allege that at the time of the death of her husband — Jose Antonio Nieto the said Catarina was poor and destitute and consequently became under the laws then in force Entitled to and

the owner as widow of one undivided fourth of said property and that the two interests thus inherited by her from her husband and her daughter respectively constituting three undivided fourth parts of said property passed to the claimants under the deed from her

It is further alleged that after the death of Jose Antonio Nieto an application was made to Governor Figueroa with a view to a division of the Nieto tract of land among his children and the representatives of such of them as were then deceased; that the same was divided into four parts and the portion called "Las Bolsas" was assigned to the family of Jose Antonio Nieto and a grant of the same was issued to said Catarina Ruiz his widow for that portion of the property This grant duly proved, is presented bearing date May 22d 1834 Juridical possession of the premises was given to said Catarina under this grant on the 15th day of March 1835 as appears by the proper testimonial thereof which is presented in this case

208 SD
PAGE 60

The petitioners further allege that they believe the undivided portion of said premises not claimed by them is owned by the surviving daughter of said Jose Antonio Nieto now the wife of Justo Morillo

In case No 423 in which Concepcion Nieto and others are claimants we had occasion to express the views of the Commission as to the claim of title under the alleged grant to Manuel Nieto - The evidence in this case on that subject is the same as in that we do not consider the proof sufficient to establish a title in Manuel Nieto which descended as an inheritance to his sons and which was of such a character as to withdraw the land from the power of the governor under the colonization laws of 1824 and the regulations of 1828 and to render void the title of it issued in 1834 by Governor

63

Figueroa. The document issued by Figueroa to the widow Catarina Ruiz on the 22d day

Figueroa. The document issued by Figueroa to the widow Catarina Ruiz on the 22 day of May 1834 is not a mere assignment in partition of her husbands share of the land held under a former title and the indefeasible property by inheritance of their two daughters, but is itself a grant to her issued after due examination of the case and giving to her all the usual rights of grantees to dispose of the property. There is no testimony before us which shows that she was prevented by any trust or restriction from making any honest disposition of the estate. It is sufficient here to refer for the views of the Commissioner on the subjects to the opinion delivered in the case above referred to.

208 SD
PAGE 61

In this case unlike the cases above mentioned, it is of little consequence to determine whether the right to the property in question is derived by inheritance from the grant of a title to Manuel Nieto or has its origin in the grant made by Figueroa to Catarina Ruiz. If the title was in the later when she made the deed to Ramon Yorba and his co-grantees it is immaterial to the validity of the title under her whether she became the owner by a grant directly to her from Governor Figueroa or inherited the property as the heir of her deceased daughter, or derived it under the law from her deceased husband, assuming that they possessed by inheritance under an ancient title to Manuel Nieto. We are of opinion however that the title paper issued to her by Figueroa is a grant in compliance with the laws in force at that time, and that nothing is shown to impair his authority to make it, or to establish anterior title in any other. Under this grant Catarina Ruiz must be regarded as the holder of the estate and as the testimony shows a compliance with the conditions of the law

in the occupancy and improvement of the land granted she has the power of making a valid conveyance of her interest to another.

In another case (No 405) it is made to appear that a portion of the land known as Las Bolsas was granted in 1841 by Governor Alvarado to Joaquin Ruiz, the brother of said Catarina Ruiz and that with the express and formal consent of the latter, a decree of confirmation has been entered in that case. No proof however is presented in the case of the other grant or of a relinquishment of said Catarina to that portion of the premises to her brother. Her conveyance to Ramon Yorba and his brother and sisters, under which the presents claimants hold, could convey no interest in the premises of which she had previously divested and in a decree of confirmation in their relief they must be confined to such portion of the premises as she owned in the day of her conveyance to them. And as the claimants have petitioned for only three undivided fourth parts of such premises, they must be limited to that fractional interest.

In the conveyance from Catarina Ruiz, "Ramon Yorba and his brothers and sisters" are nominated as the grantees, The brothers and sisters are not named in the title papers but are found to be Madalena, Susana, Jose Antonio, Miguel, Solidad, Dolores and Domingo. They thus took one undivided eighth part each of the premises conveyed, Ramon, Domingo, Solidad and Dolores above named join in this petition and Julian Chavez is also a petitioner with them, The first four above named have disposed of their interest in the premises by conveyance as follows:

1. A conveyance from Miguel Yorba and wife to Ramon Yorba Julian Chavez and Dolores Yorba executed

2. A conveyance from Su-

208 SD
PAGE 82
65

Julinn Chaviz and Dolores Yorba executed
on the 8th day of December 1851.

2. A conveyance from Susana Yorba to Ramon Yorba dated January 5th 1852.

3. A conveyance from Jose Antonio Yorba to Ramon Yorba dated February 22d. 1853.

4. A conveyance from Madalina Yorba to Ramon Yorba dated March 2d. 1852

208 SD
PAGE 63

Julinn Chaviz also acquired an interest of one undivided eighth part of the property held under the deed from Catarina Ruiz by conveyance from said Ramon Yorba executed March 3. 1852

Under these several conveyances the petitioners have established their right in the premises to the extent claimed in the petition: to wit, three fourths of the property in the rancho which was owned by her at the time of the conveyance from Catharina Ruiz to Ramon Yorba and his brothers and sisters. The fractional interest in the entire premises held by each are as follows: Ramon Yorba ten thirty second parts; Dolores Yorba and Julinn Chaviz four thirty second parts each; Domingo and Solidad Yorba three thirty second parts each. In accordance with these interests a decree of confirmation will be entered.

Confirmed

Filed in Office Sep. 27. 1852.
(signed)
Geo Fisher Secy.

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

208 SD
PAGE 64

67

65

402

Ramon Forbes et al
vs.
The United States.

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

Decree

The land of which confirmation is hereby made is three undivided fourth parts of the place called Las Bolsas in Los Angeles County formerly occupied by Catarina Ruiz and containing seven square leagues of land more or less and bounded and described as follows. Commencing at the Sea Shore at a large hill where a cross was placed in going juridical possession of said land as a land mark and running thence towards the North thirty degrees East passing through some intervals spots of ground and doubling the point of the lenigo where there are two willow trees of the same size and standing alone nine thousand four hundred and fifty varas terminating at some prickly pear trees on a sand hill where a post of Aldiw was placed as a land mark thence taking a direction to the East and running five thousand five hundred varas terminating at a huge Alder tree with green shoots which alder tree is the land mark and boundary of "Las Cebolitas" and the land occupied by the heirs of the deceased Santiago Antivias thence in a direction East two degrees South five thousand one hundred and sixty varas to the old bed of the River of Santa Ana at an Elm tree with branches broken off to distinguish it as a land mark thence South by the old bed of the River fourteen thousand two hundred and fifty varas to the sea shore thence along the length of the sea shore nineteen thousand varas to the place of beginning reference therefor to be had to the testimonial of juridical possession and the map attached to the traced copy of the Expediente which are on file in this case.

Excepting and reserving from

208 SD
PAGE 65

the premises above described all such portions of the same as had been conveyed by Catarina Ruiz to third persons or as had become the property of another person by her relinquishment of her rights or her consent to grant or grants to them prior to the 16th day of December A.D. 1844 when she conveyed her interest in said premises to Ramon Forba and his brothers and sisters and which conveyance the present Claimants hold this title —

208 SD
PAGE 68

The respective undivided interests in the Entire premises above discribed hereby conferred to the several petitioners are as follows to wit —

To Ramon Forba two thirty Second parts. Dolores Forba and Julian Chaves fom thirty Second parts Each — Domingo and Soledad Forba three thirty Second parts Each. making in all three Equal undivided fourth parts of the premises above discribed —

Alpheus Felch
R Aug Thompson
S. B Farwell.
Commissioners

Filed in Office Sep 27. 1854
(Signed)
Geo Fisher Secy

69

208 SD
PAGE 67

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 Sixty six — pages, numbered from 1 to 66, 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. 402 on the Docket of the said Board, wherein

Ramon Yorba, et, al, are —

the Claimants against the United States, for the place known by the name of "Las Bolsas" —

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.

Sec'y

U. S. DISTRICT COURT,

Southern District of California.

No. 208. 208 CR

THE UNITED STATES,

vs.

Ramon Urba, et al.

"Las Bolsas."

208

TRANSCRIPT OF THE RECORD

FROM THE

BOARD OF U. S. LAND COMMISSIONERS,

In Case No. 142.

Filed, March 6th 1855.

C. C. Carr

Clk.

20 cents

208

1

No 4112

Office of the Attorney General of the United States,

Washington, 7th April 1855.

208 SD
PAGE 68

Roman Yorba et al.
vs.
The United States.
} 402.

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 10th 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.

No. 208.

U. S. District Court
Southern Dist of Cal.

The United States
vs
Ramon Gorba et al.

Notice of Appeal
in Case No. 402,

Filed July 25 1855
C. E. Lean
Clerk
By A. H. Clark
Deputy

208 SD
PAGE 69

171

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

Ramon Gorba et al.
Appellees
vs
The United States
Appellants

Case No. 208

Transcript 402
"Las Bolsas"

208 SD
PAGE 70

In this Case, it being suggested by Jonathan R Scott, Attorney for Appellees 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 being notified and consenting thereto, That the Original Transcript be returned to the Office of the Secretary of the 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.

Spanish words omitted in Jud. Decision
No Spanish of Deed from Catalina Ruiz
Certificate of Surveyor Genl. misplaced
Warners signature omitted to his Deposition
Petition to Commission incorrect
Seals & dates wanting in several of Deeds.

No 208.

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

Ramon Yorba et al.
Appellees
vs
The United States
Appellants.

Order to return Transcript.

Filed Oct 20th 1855.
C. E. Carr
Clk.

208 SD
PAGE 71

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

Ramon Yorba et al.
Appellees
vs
The United States
Appellants

Case No 208

Transcript No 2
"Las Bolsas"

208 SD
PAGE 72

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

J. R. Scott
Atty for Claimant
P. Ord
Dist Atty U.S.

No 208.
U. S. Dist: Court, Southern
District of California.

Ramon Gorba et al.
Appellees
vs
The United States
Appellants.

Stipulation.

Filed Oct 20th 1855.
C. E. Carr
Clk.

208 SD
PAGE 73

73

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

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

208 SD
PAGE 74

Ramon Yorba et al. Appellees
vs
The United States, Appellant.

Docket No. 208.

Transcript No. 402.

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

The Petition of **Pacificus Ord,** *a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the* 20th *day of* October *A. D.* 1852, Ramon Yorba et al

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land called Las Bolsas

in the County of Los Angeles *State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the* 27th *day of* September *A. D.* 1854, *the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the* 6th *day of* March *A. D.* 1855, *a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No.* 402; *reference to which it is prayed may be had and made part of this petition. That on or about the* 10th *day of* February *A. D.* 1855, *the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and*

evidence on which said decision was founded. That thereafter, to wit: on or about the 2nd day of July ——— A. D. 1855 the said Attorney-General of the United States filed, or caused to be filed, in behalf of the United States, a notice with the Clerk of said District Court of the United States, that the appeal in said cause from the said decision of the said Commissioners, in the District Court of the United States for the Southern District of California, would be prosecuted by the United States. Your petitioner further represents, that the land claimed, as aforesaid, is situate in the Southern District of California, and within the jurisdiction of this Honorable Court. Your petitioner further represents and insists, that the said claim is invalid; and the said decision of said Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for many errors and imperfections of law and evidence, apparent in said certified transcript of the proceedings and decisions of said Commissioners in said cause, filed and appealed from as aforesaid. And your petitioner denies all and singular, each and every allegation in the said petition of said claimants presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimants ~~has~~ have any valid right or title to said land claimed as aforesaid, or any part thereof.

208 SD
PAGE 75

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

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

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

P. Ord.

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

208 SD
PAGE 76

80

No. 208.

Filed this 5th January
AD 1857
C Sims clk
By D H Coleman
Dep

208 SD
PAGE 77

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

The President of the United States,

TO Ramon Yorba

208 SD
PAGE 78

Greeting:

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against You in the District Court of the United States, in and for the Southern District of California, on the fifth 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 P Ara praying said Court to review the decision of the United States Land Commissioners of the 27th day of September AD 1854 confirming your claim to the Land called Las Bolsas

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 5th day of January A. D. 1857.

C Sims CLERK.

J. S. Coleman
Dep

81

No. 208

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

Ramon Yorba et al
appellees
vs
The United States
appellee

Fiza on return this 14th
January 1857 C Sims clk
J S Hleslerman
Deputy

SUMMONS.

Received January 10th 1857

Edward Kewity
U. S. MARSHAL.
Per McGordon
Deputy

208 SD
PAGE 79

Marshals Cost

Copying Sums	— 60.
Serving do	3 —
3 Petitions	3. —
	$ 6. 60.

I served this Summons, together with a certified copy of the Petition, upon Otis Scott Atty for Appellee by delivering to him a true copy of same

at Los Angeles in the Southern District of California, on the 14 day of January A. D. 1857.

Sworn to and subscribed before me, this 14th January 1857
C Sims CLERK.
J S Hleslerman
Deputy

Edward Kewity
U. S. MARSHAL.
Per McGordon
Deputy

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

Ramon Yorba et al
Appellees
vs
The United States
Appellants

Case 208
"Las Bolsas"
Transcript 402

208 SD
PAGE 80

And now come the Appellees, Ramon Yorba and others, and for answer to the Petition for review filed herein by the appellants, say,

That their claim to the lands, called "Las Bolsas" claimed in this case is good and valid.

Wherefore they pray the Judgment of this Hon. Court, that the decision of the United States Board of Land Commissioners may be affirmed and their title to the said lands decreed to be valid and for their costs herein expended, & such other or further and general relief as to Equity & Conscience belongs or the nature of the case requires.

J. R. Scott
Attorney for Appellees

Marshals Cost
serving Answer $3.—

Case 208
In U. S. Dist. Court
South^n Dist. of Cal^a

Ramon Yorba et al
Appellees
vs.
The United States
Appellants

Answer

Filed this 14th January A.D. 1857
C. Sims clk
J. M. Coleman
Dep

208 SD
PAGE 81

J. P. Scott

Received the Answer upon P. Dr. Cyr U.S. Atty by delivering to him a true copy of the same at Los Angeles 15th Jany 1857
Edward Hunter
U.S. Marshal
By M. Lorenzana
Deputy

Filed this 14th day of January 1857
C. Sims clk
J. M. Coleman
Dep

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

Ramon Forba et al
Appellees
vs
The United States
Appellant

Case No. 208

Transcript 402
"Las Bolsas"

208 SD
PAGE 82

No.	Page.	
1	5.6.7	Petition to Commission
2	8.9	Deposition of Nicolas Alanis.
3	9.10	do Abel Stearns.
4	11.	do Jose Sepulveda
5	11.12	do Jose D. Ybarra
6	12.13.14	do Jose A. Carrillo (in Case 404)
7	14.15	do Felipe Talamantes (in Case 404)
8	16	do Tomas R. Sanchez
9	17	do J. J. Warner
10	17.18	do Juan Manso.
11	19	Map.
12	20 to 22	Petition of Grijalva, on part of Victor with marginal Decree of Figueroa
13	22	Order to Issue Titles
14	22	First part of Title to Catalina Ruiz
15	23	Certificate of Sur. Genl to Copies.
14	24	Last part of Title.
16	25.26	Title, same as above - with cert. of Record
17	27.28.29	Translation of Petition & Decree No. 12.
18	29.	do " Order " 13
19	29.30.31	do " Title " 14 & 16
20	33 to 35	Judicial Possession
21	37 to 40	Translation of Judicial Possession " 20.
22	41.42	Deed, Miguel & wife to Ramon
23	43.44	" Magdalena " "
24	45.46.	" Susana " "

Copies of Archi.

Certificates

85

25	47	Translation of Deed of Miguel & Wife Elo 22
26	47.48	do " " " Magdalena " 23
27	48.49	do " " " Susana " 24
28	49.50	Deed Jose Ant.º & wife to Ramon.
29	51.52	Translation of Deed, Catalina Ruis to the
3	+	Yorbas ~~R~~ (~~no original~~)
30	53	1st Amended Petition
31	54	2nd do do
32	55.56	Deed Ramon Yorba to Julian Chaves.
33	57	Stipulation to use Deposition taken in No 404
34	58.	do " " " "
35	59 @ 63	Opinion
36	64	~~Decree of Confirmation~~ Order to file Transcript
37	65.66	Decree of Confirmation

Case 208.
U.S. Dist Court, Southern
District of California

Ramon Yorba et al
Appellees
vs
The United States
Appellants

Index of Transcript 402

Petition filed 19 Feby
1857 Wm Carey Jones Clk
J. A. Freeman
Dep

208 SD
PAGE 83

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

Ramon Gorba et al
Appellees
vs
The United States
Appellants

Case No. 208
"Las Bolsas"
Transcript 402

208 SD
PAGE 84

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

It is ordered, adjudged and decreed, That the Decision of said Board of Commissioners be, and the same hereby is, in part affirmed, in manner as hereinafter stated.

And it is further adjudged and decreed that the title of the Appellees is good and valid, and the same is hereby confirmed to them as follows;

The lands of which confirmation is hereby made, are one undivided half of the

tract called "Las Bolsas", situated in the County of Los Angeles; said tract of "Las Bolsas" being a part of the lands originally granted to Manuel Nieto by Governor Pedro Fages, in or about the year 1784, and which said Grant was recognized and confirmed by the Mexican Government by the Decree of date July 27th 1833, made by Governor José Figueroa on the Petition of Luciano Grijalva presented on behalf of the heirs of the said Manuel Nieto, and by the Grant of date May 22nd 1834 issued by said Governor Figueroa to Catarina Ruiz, widow of José Antonio Nieto, a son of said Manuel Nieto.

Reference for the boundaries of said tract of "Las Bolsas" being had to the said Petition of Luciano Grijalva, and to the Map accompanying the same, contained in the Espediente filed in this case; to wit, on the South, the sea; on the West, the lands called "Los Alamitos; on the North, the lands called "Los Coyotes" and "the tract solicited by Don Patricio Ontiveras"; and on the East the Rio de Santa Ana, as the same ran at the date of said Petition.

Thus done and signed in Open Court this 18th day of February AD 1857.

Lemuel H. Ogier
M. S. Ross Judge

208 SD
PAGE 85

Case No 208.

In U. S. Dist. Court
South^n Dist.

Ramon Yorba et al
Appellees

vs

The United States
Appellants.

Decree.

Filed Feby 18th 1859
J. Hoyt
Clk

208 SD
PAGE 86

Recorded on Page 218
Lib Bolsas

28

208 SD
PAGE 87

California Land Claims.
Attorney General's Office
2 Febry, 1857

Sir:
In the case of the claim of Roman Yorba et al: confirmed to the claimants by the Commissioners, Case no. four hundred and two, (402), appeal will not be prosecuted by the United States.

I am,
Respectfully,
Cushing

Pacificus Ord Esq
U. S. Attorney.
Los Angeles.

No. 208.

Filed 4 March 1858
C. Sims, Clk.
for W. W. Stetson,
Dep'ty.

208 SD
PAGE 88

208 SD
PAGE 89

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

Ramon Yorba et al Appellees & Claimts. vs The United States Appellants & Defts.	Case No. 208 "Las Bolsas" Transcript. 402

Now come the appellees and Claimts. by J. R. Scott and J. H. Sanders, their attorneys, and suggest that the survey of the lands called "Las ~~Las~~ Bolsas", 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 the parties claimant will be injured thereby.

And therefore pray for an order of this Hon. Court or Judge thereof, for the return of the plat of said survey into Court for its further action.

James H. Sanders
Appellees' Atty

No 208

U. S. Dist Court. South.
Dist. Cal.a

Hannon Forbes et al

vs

The United States.

Motion to return Survey

Filed February 13th 1861

G. L. Neff
Clerk

208 SD
PAGE 90

J. R. Scott
J. H. Saunders

26

208 SD
PAGE 91

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

Ramon Gorbea et al
Appellees & Claimants
by
The United States
Appellants & Defts.

Case No 208
"Las Bolsas"
Transcript 402

It being suggested to the Court that the survey of the land claimed in this case made under final decree, and approved by the U. S. Surveyor General for California, does not conform to said decree, and is erroneous, and that the survey will be to the injury of the party applicant, the above named Claimants, on application of D. H. Sander, attorney for Claimants:

It is ordered, That the said Surveyor General return to this Court the plat of said survey and that the Claimants be allowed twenty 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

No 208

U. S. District Court
South^n Dist Cal^a

Ramon Gorba et al

vs

The United States

Order to return Survey

Filed Feby 20 1861
Geo. Mixsell
Clk
By John D Whitcomb Dep

208 SD
PAGE 92

94

UNITED STATES DISTRICT COURT,
FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

208 SD
PAGE 93

Ramon Yorba et al
appellees & Claimants
vs
The United States
appellants & Defts

No. 208
"Las Bolsas"
Francisco, 402

It being suggested to the Court that the survey of the land claimed in this case, made under final decree, and approved by the U. S. Surveyor General for California, does not conform to said decree and is erroneous and that said survey will be to the injury of the party applicant the above named Claimants

on application of I. H Lander attorney for Claimants

it is ordered that the said Surveyor General return to this Court

the plat of said survey, and that the Claimants

be allowed twenty 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.

I. S. K. OGIER, U. S. District Judge.

UNITED STATES OF AMERICA, SOUTHERN DISTRICT OF CALIFORNIA.
COUNTY OF LOS ANGELES.

I, C. Sims, Clerk of the United States District Court for the Southern District of California, do hereby certiy that the above and foregoing is a full true and correct copy of the original order, made and entered on the 20th day of February 1861, in said case, No. 208 on the docket of said Court, wherein Ramon Yorba et al claimant, against the United States, as appears of record in my office.

In witness whereof I herewith set my hand and affix the seal of said Court this the 20th day of February 1861.

C. Sims, Clerk.
John O Whelan Deputy

UNITED STATES OF AMERICA,
SOUTHERN DISTRICT OF CALIFORNIA.
THE PRESIDENT OF THE UNITED STATES,
To. J. W. MANDAVILLE, U. S. Surveyor General, for California—Greeting:

You are hereby notified that the United States District Court, for the Southern District of California, at the December Term of said Court, 1860, in case No. 208 on the docket of said Court, wherein Ramon Yorba et al are the claimant, against the United States, made and caused to be entered an order, of which the above and foregoing is a certified copy herewith transmitted to you for your information, and you are hereby required to take notice of the same.

Witness the Hon. ISAAC S. K. OGIER, Judge of the United States District Court, for the Southern District of California, this the 20th day of February 1861.

Attest my hand and the seal of said Court the day and year last above written C. Sims, Clerk.

John O Whelan Dep

No 208

U. S. Dist Court
So. Dist of Calia

Ramon Yorba et al
vs
United States

Order for Return of Survey

Filed Mch 7, 1861
Geo Mins Clk
By John D Wheeler Deputy

208 SD
PAGE 94

San Francisco Feby 26 1861
I hereby certify that I have this day made personal service of this order on J W Mandeville U S Surveyor Genl for California by leaving a certified copy of the same at his office
James C Pennie U S Marshal
Southern District of California
Per A N Buchanan
Deputy

105

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

Ramon Yorba, et al. Claimants & Appellees, ad. The United States Defendants & Appellees. } No. 208. "Las Bosses" Transcript 402.

208 SD
PAGE 95

Now come the Claimants herein, by J. R. Scott and James H. Lander, their attorneys, and except to the survey of the lands called "Las Bosses," an undivided portion whereof is claimed, and was by the Court finally confirmed, to the said Claimants in this Case, the plat of which survey has been, by order of Court, heretofore filed in the office of the Clerk of the Court, by the United States Surveyor General for California for the further action and revision of the Court; and for Cause of Exception, show and aver;

That they except and object to the following lines and extension boundaries of said lands, as represented on said filed plat of the survey thereof, to-wit; the line between Station numbered two (2) and Station numbered three (3); being extension line numbered Two (2) on said map; and also the line between Station Three (3) and Station Four (4) on said map; being extension line numbered Three

100

on said Diagram or Plat;

And in lieu and stead of said lines and boundaries, the Claimants offer and claim the following to be the true and proper lines: to wit;

208 SD
PAGE 96

Commencing at the point of said survey, at the close of line Number Three, on Station 4 on said plat, marked as "St. 143. L.C. 143", (meaning Station 143 on the Surveyor General's Survey of "Los Coyotes")

Thence along said line or course, numbered Three (3), North 6° 37' East, as far as the point where the same is intersected and joined by the amended South line of the Rancho of "Los Coyotes," as claimed by the Claimants of said "Los Coyotes" in their exceptions now on file in this Court, in Case No 372 in this Court;

Thence, Course 70 1/2° East, along the said amended and claimed South line of "Los Coyotes", as far as the South East corner of the said "Los Coyotes", as claimed under said exceptions in the said Case No 372,

Thence, Course South 1 1/2° East, along the east line of the "Los Coyotes", as claimed in the said exceptions in Case No. 372, as far as the point where said or such line will intersect and meet the Southern line of the Rancho of Juan J. Ontiveros, as confirmed to him by this Court, by Decree entered on or about January 29th 1855, in Case No. 140; ~~and~~ thence, following

101

said Ontiveros line; along course num-

1856, in Case No. 140; ~~and~~ thence, following

said outlines line; along course numbered two (2), on the map herein, and thence following course numbered, one, (1) to the point marked "beginning."

208 SD
PAGE 97

And the Claimants refer to and show to the Court, the Exceptions of Claimants filed in Court in Case No 372, wherein Andres Pico et al are Claimants for said lands of "Los Coyotes", to the approved survey of said lands of said Surveyor General, returned and filed by him in said case;

And also, to the plat of said approved survey on file in said case No. 372,

And also to the Decree of this Court entered and filed January 29th 1856, in said case No 140; and to the map on which the description in said decree is based, on file in the same case last aforementioned,

And the Claimants herewith file and present as a part hereof, and explanatory hereof, a plat, showing the aforesaid amendments claimed by them, whereby it will appear that they desire the tract of land thereon marked "B" to be included in the Rancho of "Los Coyotes", in case the amended lines of "Los Coyotes" as set forth in the aforementioned "Coyotes" exceptions are approved and confirmed by the Court.

James H. Sanders
of Plaintiffs' Counsel

U. States of America
South^n Dist of California
Los Angeles County } ss.

James H. Lander, being duly sworn, deposes and says, That he is an attorney of the Claimants herein, That he has read the foregoing and within exceptions, and knows the contents thereof, and the same are true to his own knowledge, except the matters therein stated on information & belief and as to those matters he believes them to be true.

James H. Lander

Sworn to & subscribed before me this 16 April 1861
J. J. Mix Clk
By John D. Wheeler Deputy

U.S. Dist. Court, South^n Dist Cal^a

Ramon Gordon exr
vs
The United States

Exceptions of Claimt to Decree

Filed April 16 1861
J. J. Mix Clk
By John D. Wheeler Deputy

208 SD
PAGE 98

M R Scott
Exr Claimt

Examined, sealed the within & annexed Letter & Extract, & delivered the same to Gaylord Clark Esq. the attorney of Claimant herein, at his office in the Southern District of California, this 22 day of April 1861

John C. Ferris U.S. Marshal
By John C. Ferris Deputy

103

United States District Court Southern Dist California

Ramon Gorba appl No 208

208 SD
PAGE 99

vs
The United States Appl. On Return of Survey

To
Ramon Gorba. or his atty.

Greeting

Take Notice, that in pursuance of an order of our District Court of the United States for the Southern District of California, of date the 21st Oct. AD 1863 The Motion for Rehearing in the above cause is Continued until the 1st day of the next term of the said Court

Witness my hand & the seal of said Court affixed at Monterey this 21st day of October AD 1863

John C Wheeler
Clerk of Said Dist Court

Served the within on V. E. Howard Atty for Appellee by personally delivering to him a true copy of the same in the city of Los Angeles on the 24th day of Nov. 1863.

H D Barrows
U. S. Marshal

208 SD
PAGE 100

No 208

U. S. Dist Court
South Dist Cal

Ramon Gorbea
vs
The United States

Notice of hearing

Filed Nov 28th 1866
John Ashley Clk

208 SD
PAGE 101

143

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

208 SD
PAGE 102

The United States vs Abel Stearns	No 290 Los Alamitos Transcript 404
The United States vs Ramon Gorba et al	No 208 Los Bolsas Manuscript 402
The United States vs Anches. Pico et al	No 372 Los Coyotes Transcript 400
The United States vs Josepa Montalva et al	No 374 Temascal Manuscript 414

Abel Stearns Esq

Sir

You will please take notice that we decline further notice, that we decline further service as Attorneys of Claimants in the above suits, and you will therefore provide yourself with other Counsel in your discretion

The above cases are set for the first Monday in June next at Monterey

Yours respectfully

Los Angeles (Signed) Scott & Lander

April 10th 1863

107

United States of America
Southern Dist of California } ss

Charles R Hynes

being duly sworn says that he delivered a copy of the within notice personally to Abel Stearns at the City & County of Los Angeles on the 14th day of April 1863

Sworn to & subscribed before me this 15th day of April 1863

C R Hynes

J R Ramirez
Notary Public, and a Commissioner for the Southern District of California

Seal

208 SD
PAGE 103

United States of America
South'n Dist Cal'a } ss

I John S Wheeler Clerk U. S. Dist Court South'n Dist Cal'a, do hereby certify the above & foregoing to be a full true & correct copy of the original on file in my office in Case No # 374 Jose Montalva vs the United States

Witness my hand & seal of said Court this 1st day of May 1863

John S Wheeler
Clk U S Dist Ct S Dist Cal

No. 208

U. S. Dist Court
South Dist Cala

Ramon Ybarra
appe
ads
The United States
Appee

Withdrawal of Attys

Filed June 1st 1863
John D Wheeler
Clk

208 SD
PAGE 104

106

In the District Court for the Southern District of California
June term 1863

No. 208. Ramon Yorbadal

208 SD
PAGE 105

Ande now comes the said claimant ande by leave of Court, first hade, files the following additional exceptions to the official survey, and the map thereof hereto for filed; viz: That in the line of said survey next to the sea, the same does not extend to the Ocean, according to the original grant, map, and decree of confirmation, but excludes certain lands adjoining the sea, which was included in the grant and final decree of confirmation, as will appear by reference to said map ande survey.

O. E. Hamard
for claimant.

No 208

Bolsas

Ramon Yorba

v.

U. States

Amended Except to
Survey filed June 3/63
John A Wheeler
Clk

208 SD

PAGE 106

109

208:SD
PAGE 107

This Indenture made this 13th day of September A.D. 1859 Francisco. O. Campo: and Francisca Uribas 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 Uribas. 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 Ranch 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 owners of both said Ranchos claiming under the same Grantor and predecessor. to wit Juan Jose Nieto now deceased the owners of said Rancho of "Los Coyotes" through Juan B. Leandry and the owner of said Rancho of "Los Alamitos through the representitives 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 defineately and forever determined

Now therefore in 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 Sitos 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 said Ownership 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 his 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" doth 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 the said Francisca Uribas de O Campo their heirs or

208 SD
PAGE 108

208 SD
PAGE 109

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 Ubitas de O Campo their heirs or successors, so as to vest title in them in the same proportions and shares, in which they shall at the date of the execution and delivery of such Conveyances, 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 testimony whereof the parties have hereunto set their hands & seals the day and year at the beginning

Witness
Narciso Botello

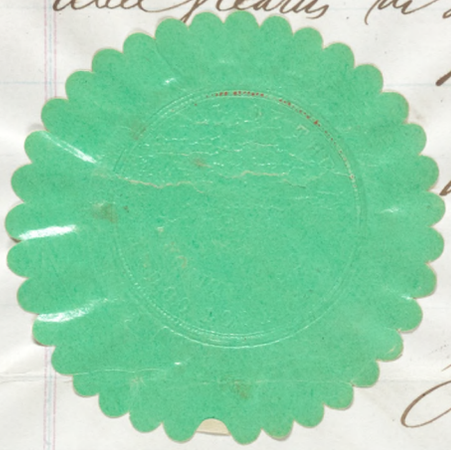
Francisco O Campo (Seal)
Francisca U her O Campo (Seal)
mark
Pio Pico (Seal)
Abel Stearns (Seal)

Filed June 5 1863
John S Wheler Clk

United States of America
Southern District of California

I John S Wheeler
Clerk of the United States District Court for the South-
-ern District of California do hereby Certify the above
and foregoing to be a full true and Correct Copy of
the Original on file in my office in Case No # 3½
Abel Stearns in the United States.

208 SD
PAGE 110



Witness my hand and the seal
of said Court this 5th day of June
AD 1863

John S Wheeler
Clk U S Dist Ct S Dist Cal

No 208

U S Dist Court

South Dak Terr

Kaiwin Yuba et al

vs

The United States

Agreement.

Filed June 5, 1863

John D Wheeler Clk

208 SD

PAGE 111

121

208 SD
PAGE 112

United States District Court Southern District of California

Abel Stearns — No 290

The United States — "Los Alamitos"

Testimony of Antonio de la Torre taken in open Court this 5th day of June A.D. 1863

James. H. Lander duly sworn as Interpreter

Antonio de la Torre being duly sworn testifies and says in answer to question by V. 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

Quest Did you ever reside in Los Angeles County

Ans Yes I have

Ques Are you acquainted with the Ranchos of Alamitos and Los Bolsas

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

Quest 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

208 SD
PAGE 113

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 Easterly 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 Westerly 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 is 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 Easterly 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 to the Alamitos house

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 Rancho as laid down on said Map

208 SD
PAGE 114

Ans: No There are no Bays only small Creeks. as I have already testified

Quest 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 very little water and only a very narrow channel in the Middle

Ques Look at the Official Map in 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 Cienega

Ans Along the North Eastern Edge I have seen Tule

Ques How is this Cienega at low tide

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

208 SD
PAGE 115

Quest Is it navigable for Boats, Etc

Ans I do not know

Ques How wide is this Cienega or bitter water

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

Cross Examined by U. S. Dist" Atty"

Quest How broad is the most Westerly Estero that you have described in the Atishatos

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

Quest Where it is the widest. How wide is that Estero

Ans I cannot tell. I only know where I crossed myself

Ques Is it half a mile wide in the widest place

208 SD
PAGE 116

Ans I think not

Quest How braad is it where enters the Ocean

Ans Dont know never been there

Ques 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 never 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 (Cortedor) Swordgrass

208 SD
PAGE 117

Which is the largest of the 4 Esteros

Ans The most Easterly one of all on the Bolsas Ranch

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 vegitation grow between this Lake you speak of and the Sea is there any vegitation

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

208 SD
PAGE 118

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

208 SD
PAGE 119

Cross Examined

Is the population very sparse in those Ranchos when you knew them

Ans Very few people were living on these Ranchos then

Antonio de la Torre

Sworn to & subscribed before me this 5th day of June 1873

John O Wheeler
Clk U S Dist Ct S Dist Cal

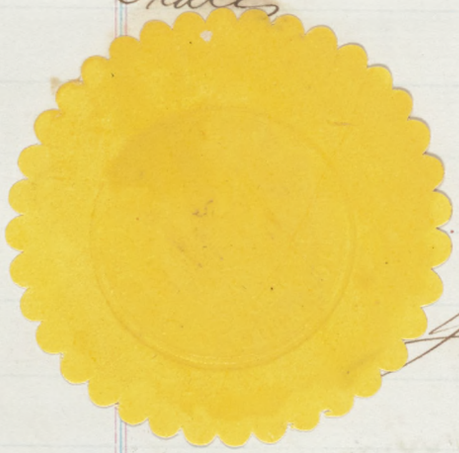
Filed June 5th 1873

John O Wheeler Clk

United States of America
South Dist of California } John O Wheeler

Clerk of the U S Dist Court South Dist of Cal a
hereby certify the above and foregoing to be a full
true and correct copy of the original on file in my
office in Case No 290 Abel Stearns vs the United
States

208 SD
PAGE 120



Witness my hand and the Seal
of said Court this 5th Day of Feb AD 1863

John O Wheeler
Clk U S Dist Ct S Dist Cal

No 208.

U. S. Dist Court
South'n Dist Calif

Ramon Ynba et al
vs
The United States

Testimony of Torres
taken in Case #290

Filed June 5/63
John A. Wheeler
Clk

208 SD
PAGE 121

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

June Term AD 1863

Ramon Gorba et al Appellees

vs

The United States Appellants

No 208

208 SD
PAGE 122

Now on this 5th of June 1863, the above stated Case coming on for hearing on the Return of Survey of the lands claimed in this Case being Rancho "Las Bolsas" situated in the County of Los Angeles, District aforesaid, and it being shown to the satisfaction of the Court, that a plat of the survey of said lands made and approved by Wm Mandeville United States Surveyor General for California, was filed in this Court under its own order on the 2d day of April 1861, and was excepted to by claimants as appears by written exceptions filed by leave of Court on the 16th April 1861 And also that due proof having been made of the various publications and notices in such cases provided by the rules of Court, and the Acts of Congress concerning the returned surveys in California and especially the Act approved June 14th 1860 "entitled an act to amend an act entitled an act to define and regulate the jurisdiction of the District Courts of the United States in California in regard to the survey and location

of Confirmed private land Claims" And the Claimants appearing by their Attorney T. E. Howard and the United States in opposition to the Exceptions by R. C. Whiting Esq. U. States District Attorney, the Court proceeded to hear the proofs, and Attorneys of the parties, and having fully Considered the same,

208 SD
PAGE 123

It is Ordered, adjudged and Decreed, that the Exceptions of Claimants to the lines of said plat of survey returned, and in said Exceptions specified be sustained and allowed, and that, the said lines and boundaries claimed by said Claimants be allowed and established,

And it is further ordered, adjudged and decreed, that the additional Exceptions filed by leave of the Court on the 3d day of June 1863, that in On the line of said survey next to the sea, the same does not extend to the Ocean, according to the original grant, Map and decree of Confirmation, but excludes certain lands adjoining the sea which were included in the grant, and final Confirmation be sustained, and, that, all the lands between the Exterior limits of said survey and the sea shall be included

It is further ordered, adjudged and decreed that the said plat of survey together with a certified Copy of said Exceptions, and a certified Copy of this Decree be transmitted to the United States Surveyor General of California for his information

This Decree is rendered and signed in open Court this 9th of June AD 1862

Fletcher M. Haight
U.S. Judge for Southern Dist of California

208 SD
PAGE 124

No. 208

U. S. Dist Court
South^n Dist Cal^a

Ramon Yorba et al
appellees
vs
The United States
appellants

Decree 9th

Filed June 9th 1863
John W Wheeler
Clk

208 SD
PAGE 125

126

U. S. District Attorney's Office,
Southern District of California,
B. C. WHITING, U. S. ATTORNEY.

208 SD
PAGE 126

Monterey, 17th August 1863

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

Ramon Forba et al
vs
The United States

No 208, "Las Bolsas."

To the Claimant in the above named cause, or his Attorney.

You will take notice that on the 31st day of August AD 1863, at 11 o'clock am of that day, or as soon thereafter as the same can be heard, at the U S Court House in the City of Monterey; the said United States will move the said Court for a rehearing in said cause. Said motion will be made on the records and files in said cause and affidavits to be filed therein.

B C Whiting
U S Dist Atty
By A H W

134

U S Marshal's Office
Northern District of California

I do hereby certify that I received the within Notice of Motion for a hearing on the 24th day of August A D 1863 and on the same day personally served the same on Abel Stearns at the city of San Francisco by delivering to him a copy thereof

San Francisco
August 24th 1863.

Charles W Rand
U. S. Marshal.
for the Northern Dist California

208 SD
PAGE 127

No 208

U S District Court
Southern Dist of Cal^a

The United States
vs
Ramon Gorba et al

Reverse

Notice of motion
for a rehearing.

Filed Augt 27, 1863
John Wheeler
Clk

208 SD
PAGE 128

Cks office Monterey

Box 183

U. S. District Attorney's Office,
Southern District of California,
B. C. WHITING, U. S. ATTORNEY.

208 SD
PAGE 129

Monterey, 17th August 1863

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

Ramon Sorba Et al
vs
The United States
No 208
"Las Balsas"

To the claimant in the above named case, or his Attorney.

You will take notice that on the 31st day of August AD 1863, at 11 o'clock am of that day, or as soon thereafter as the same can be heard, at the US Court House in the City of Monterey, the said United States will move the said Court for a rehearing in said cause. Said motion will be made on the records and files in said cause and affidavits to be filed therein.

B C Whiting
U S Dist Atty
By A H R

131

Served the foregoing "Notice" on Claimants Atty. Volney E. Howard Esq. by personally delivering to him a true Copy of the same at the city of Los Angeles on the 22nd day of August 1863.

Henry D. Barrows
U.S. Marshal

208 SD
PAGE 130

No 208

US District Court
Southern Dist California

Ramon Gorba et al
vs
The United States

Notice of motion
for a rehearing

Filed Aug 27 1863
John D Wheeler
Clk

208 SD
PAGE 131

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

Ramon Yorba et al
vs
The United States

208 SD
PAGE 132

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

The claimant in the above entitled cause respectfully shows to this Court that on the 24th of August 1863 he was served at San Francisco with a notice of motion for a rehearing in said cause to be made on the 31st inst: unaccompanied by any affidavit or statement of the grounds of the motion.

That the Counsel for claimant resides in Los Angeles, and that it is impossible on said notice to procure his attendance in this Court on the day named:

That all the questions have been fully argued and submitted to this Court by the Counsel for both parties, after several years time for preparation:

That the original decree calls for the sea as the Southern boundary, which is the one attempted to be disputed, and that it is impossible that anything can be shown on a rehearing to alter the decision of this Court:

That the motion for a rehearing is purely vexatious and only calculated to cause additional delay and expense to the claimant, already onerous, and to subserve the ends of justice.

136

Whereupon the claimant prays that

Said motion may be denied
San Francisco, August 26th 1863.

Abel Stearns

No 208
U. S. District Court
North District of California
Ramon Yorba
vs
The United States
Answer of Claimants to
motion for new trial
Filed Sept 4th 1863
John D. Wilson
Clk

208 SD
PAGE 133

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

208 SD
PAGE 134

Ramon Gorba
vs
The United States

No 208

Now comes the United States by B. L. Whiting U.S. Dist Atty, and moves the Court for a continuance of the motion for a rehearing of the above entitled cause, until the next term of this Honorable Court, and in support of the said motion, respectfully offers the Affidavit hereunto annexed.

B. L. Whiting U.S.
District attorney for
the Southern Dist
of California

208 SD
PAGE 135

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

Ramon Yorba vs The United States	No 208 on return of Survey.

Isaac Hartman, special Counsel for the United States in land cases in the Southern District of California by appointment from the Attorney General; upon his oath says; that on or about the 14th day of August A.D. 1863, when at the City of Monterey on official business, his attention was called to this case in the proceedings in the exceptions of the claimant to the final survey, and the order of the Court therein. On an examination of the proceedings Affiant became satisfied that the same had been procured by false evidence and misrepresentation to the Court. Affiant immediately filed a motion for a rehearing in the case and caused a notice of the hearing of the same to be filed upon said claimant. Affiant also immediately wrote to Henry Hancock Esq. the U.S. Deputy Surveyor, who made the Official Survey in this case, and in due course of mail received from said Hancock the letter of said Hancock attached to affidavit

208 SD
PAGE 136

of Affiant in Case No 290, to which reference is here made; - in reply. That receiving the affidavit of said Hancock as Affiant had expected, Affiant proceeded to Los Angeles about the 10th day of August AD 1868, for the purpose of procuring the affidavits of said Hancock and other parties cognizant of the facts; but owing to the pressing official duties of said Hancock and the absence of other parties, Affiant was unable to procure said affidavits during his stay at Los Angeles.

Affiant further states that only a few days since he was informed by the Clerk that the plat of the official survey in the case had been returned to the Surveyor General's Office, and he says that sufficient time has not elapsed to procure the return of the same or a copy thereof.

He further says that he expects that the said United States will be fully ready for the hearing of the motion herein by the next term of this Court. And that this affidavit is not made for delay but for the purposes of justice. And further Affiant saith not.

Subscribed & sworn to before me
this 21st day of October AD 1868. } Isaac Bertman

John C Wheeler

In the District Court of the United States

208 SD
PAGE 137

No 208

U S Dist Court
South^n Dist Cal^a

Ramon Gorba
vs
The United States

Motion for a continuance of motion for rehearing & affidavit of S. Hartman

Filed Oct. 21, 1863
John A Wheeler
Clk

208 SD
PAGE 138

208 SD
PAGE 139

At a stated term of the District Court of the United States of America for the District of California held at the Court Room in the City and County of San Francisco on the sixth day of February A.D. 1874

Present.

The Honorable Ogden Hoffman
Judge

Ramon Yorba et. al. appellees
vs
The United States appellants } No 208

It appearing to the Court that on the 20th day of February A.D. 1861 an order was made and entered herein directing the return of the official survey of the land confirmed in this case: that on the 2d day of April 1861 in pursuance of said order the Surveyor General of the United States for the State of California returned to this Court a certified copy plat of said survey: that on

the 16th day of April 1861 the appellees filed exceptions, and on the 3d day of June 1863 they filed amended exceptions to said survey; that testimony in support of said exceptions was duly taken and that upon said exceptions and testimony the cause came on regularly to be heard, all parties being present by their attorneys, and was submitted to the Court for decision and thereupon after due deliberation, on the 9th day of June 1863, it was ordered adjudged and decreed by the Court that each of said exceptions be allowed and sustained and that the said plat of survey together with a certified copy of said exceptions and of the decree allowing and sustaining them, be transmitted to the said Surveyor General for his information; that in December 1868 in pursuance of said decree and in accordance with the instructions therein contained, and in conformity to the exceptions allowed and

208 SD
PAGE 140

208 SD
PAGE 141

sustained as aforesaid the said Surveyor General made a resurvey of said land, and on the sixth day of February 1874 returned into this Court a duly certified copy of the plat of the survey so made; and it appearing to the Court that said last named survey in all things is correct and conforms to the decree and instructions aforesaid, and the appellees having moved the Court to approve and confirm said survey and being present by their Attorneys Latimer & Morrow And the United States appellants being present by Walter Van Dyke United States Attorney, and the said United States Attorney not objecting to said survey or to the approval or confirmation thereof,

Now therefore, in consideration of the premises, all things being duly considered, it is ordered adjudged and decreed that the said survey be and the same hereby is, in all respects approved

and confirmed.

And it is further ordered adjudged and decreed that the claim of the appellees is a good and valid claim for the land granted by the Mexican Government and described in their petition herein, and that the same be and hereby is confirmed to Ramon Yorba et al. the appellees, to the extent of thirty three thousand four hundred and sixty and 4/100 (33,460 04/100) acres located and surveyed by the said Surveyor General of the United States for the state of California as shown by said plat filed the sixth day of February 1874 the field note of said survey having been approved by the said Surveyor General the 27th day of December 1873 to which said plat certified by said Surveyor General the 27th day of December 1873 and marked "approved Feb. 6. 1874 Ogden Hoffman dist. Judge" and annexed to and made

208 SD
PAGE 142

a part of this decree, reference is had, for a more particular description of the land hereby confirmed to the claimants,

Done in open Court this 6th day of February 1874

208 SD
PAGE 143

Ogden D. McAlle
Dist Judge

208. S. D.

U. S. District Court
District of Cal

The United States
vs
Ramon Gorbacal

Decree approving survey

Filed February 6th
AD 1874.
Edw. R. Cotter Clerk
By A. D. Grimwood
Deputy Clerk

153

Entd Bk 1 P. 677 Judgts &c.
Decrees. 208 SD
PAGE 144

146

U. S. Surveyor-General's Office,

San Francisco, Decr 22 1873

Hon. Ogden Hoffman
Judge U. S. District Court

208 SD
PAGE 145

Sir:

The survey of the Rancho "Las Bolsas" & Zorba Confirmed having been modified in accordance with the decree of the U. S. District Court of June 9th 1863. I respectfully return the same for your approval in accordance with the Act of July 1st 1864

Very Respectfully
Your Obt Servt.
J. C. Robinson
Chief Clk

No. 208. S.D.

J. R. HARDENBERGH,

U. S. Surveyor-General for California.

Date, ... 187

SUBJECT:

U.S. District Court
District of California

The United States
vs
Ramon Gorba et al

Letter from Surveyor General returning plat of Survey

Filed Feb'ry 6th 1874
Edw'd D. Otter Clerk
By W. H. Grimwood
Deputy Clerk.

Referred to Division .....

Received (G. L. O.) 208 SD 187

PAGE 146

153

In the District Court of the United States. District of California —

208 SD
PAGE 147

Ramon Yorba et. al. appellees
vs
The United States, appellants

It is stipulated that ~~an~~ appeal and right of appeal from the decree of the Court herein, entered on the 6th day of February 1874, approving survey, be, and the same hereby is waived; and that the said decree shall be final.

Dated March 17th 1874 —

Walter Van Dyke
United States Attorney

Latimer & Morrow
Attorneys for Claimants

In U.S. District Court

208

Ramon Yorba et al
appellees

vs.

The United States
appellants

Stipulation waiving appeal from decree approving survey

Filed March 17th AD 1874
Edw B Cotter Clerk
By A D Grimwood
Deputy Clerk

208 SD
PAGE 148

155

Ramon Gorba et al
vs
The United States.

Case No 208
Transcript 402
Las Bolsas

1 In Petition to Commission the following omission & errors occur

208 SD page 5, line 22. The word "Rita" omitted.
PAGE 149 " 5 " 25 "Juan Morrillo" should be "Justo Morillo.

page 7 line 22. "Rita" should be "Eulogia".

2 In Deposition of J. J. Warner.

page 17, Witness signature does not appear subscribed to Deposition

3 Certificate of Surveyor General, page 23, is misplaced, part of one of the Copies from the Archives following the Certificate, & without marginal initials to designate it as a part of the certified documents.

4 In Act of Judicial Possession.

page 34, line 29, Spanish word or words are omitted, a blank space being left, the word omitted is probably "Salitral" or other word or words synonymous.

5 In Deed of Miguel Gorba & Josefa Bermudez, his wife, to Ramon Gorba, Julian Chaves & Dolores Gorba Dec. 8th 1851,

page 41, no seals appear affixed to signatures of Grantors, altho. Deed purports to have been executed under seal.

157

6. In Deed of Susana Yorba to Ramon Yorba, Jany 5th 1852.

page 45. No seal to signature of Grantor, although Deed purports to be executed under seal.

7. In Deed of José Ant^o Yorba and Benigna Lopez, his wife, to Ramon Yorba

208 SD
PAGE 150

pages 49, 50 - The date is omitted

" 50. Acknowledgement of wife not given in full.

8 In Deed of Ramon Yorba to Julian Chaves, Mch 3d/52. ~~S~~

page 55 Seal omitted, although deed purports to have been executed under seal.

9. Spanish Deed from Catalina Ruiz to Ramon Yorba, his brothers & sisters December 10, 1849 is omitted, a translation of which appears at pages 51 & 52