

CASE No.
235

SOUTHERN DISTRICT

LAND NEAR THE MISSION
OF SAN GABRIEL GRANT

DANIEL SEXTON

CLAIMANT

MAR 14 1963

125

52M COLTON FIBER

BOLEB BOND

Handwritten signature

TRANSCRIPT

235 SD
PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO.

376

Daniel Seyton

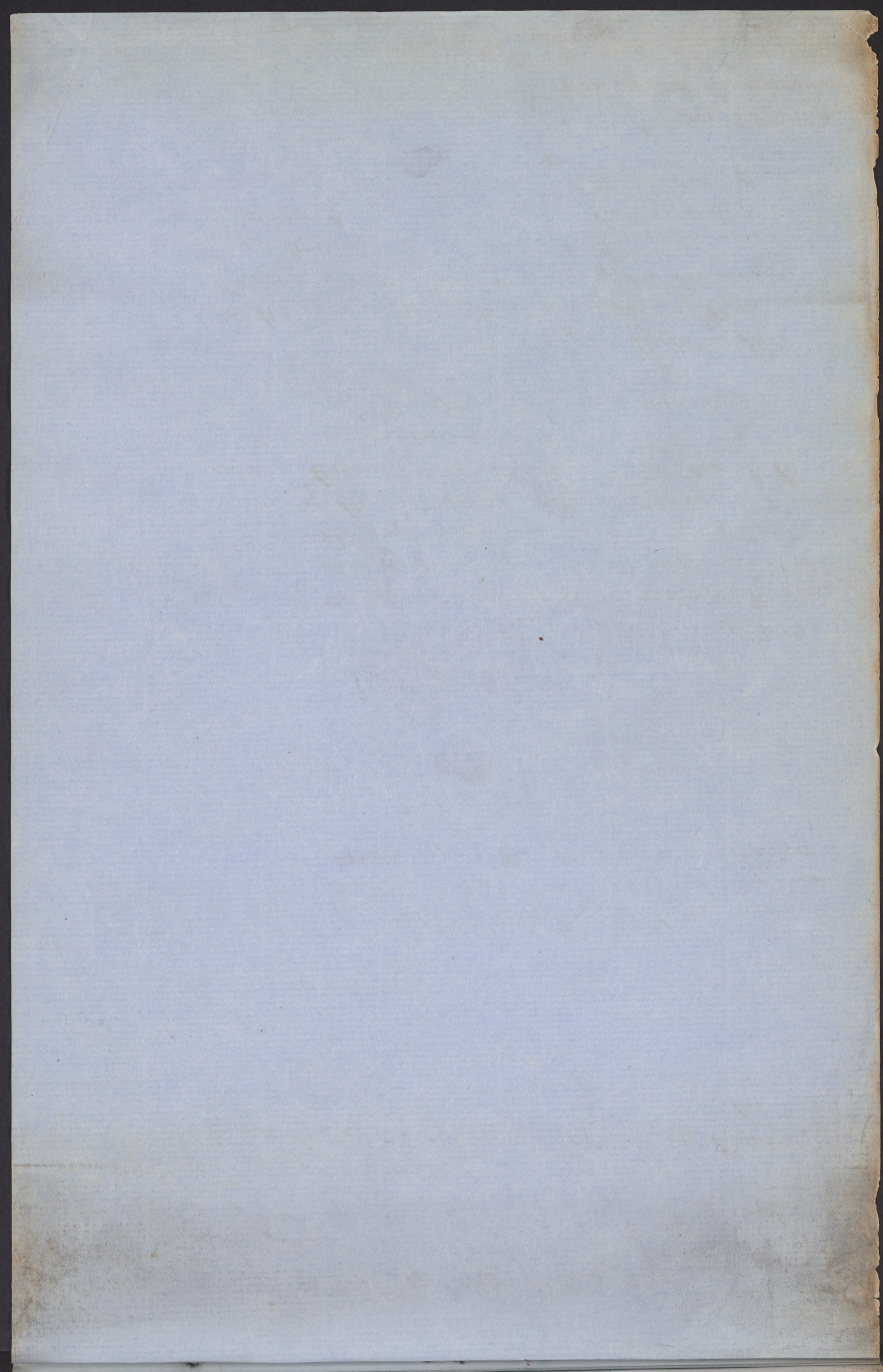
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

Sound near the Mission of San Gabriel



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 *Sixth 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;

235 SD
PAGE 2

The Petition of *Daniel Sexton*,
for the Place named
Sand near the Mission of San Gabriel,
was presented, and ordered to be filed and docketed with No. 376, and
is as follows, to wit;

(Vide page 3 of this Transcript.)

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

Sos Angeles October 9' 1852.

In case no. 376, Daniel Sexton for One thousand
varas square of land near the Mission of San
Gabriel, the deposition of Pio Pico, a witness in
behalf of the Claimant, taken before Commissioner
James Wilson, with documents marked J. W. No.
1 & 2, annexed thereto, was filed;

(Vide page 7 of this Transcript.)

Sos Angeles October 19' 1852.

In the same case the deposition of Augustin
Olvera, a witness in behalf of the claimant, taken
before Commissioner Melana Hall, with document
marked N. W. no. 1, annexed thereto, was filed;

(Vide page 8 of this Transcript.)

Sos Angeles October 22' 1852.

In the same case the deposition of Jose L. Sepulveda
a witness in behalf of the claimant, taken before

2
Commissioner Hiland Hall, was filed;
(Vide page 9 of this Transcript.)

Los Angeles October 25 1852.
In the same case the deposition of Jose Salazar,
a witness in behalf of the claimant, taken before
Commissioner Hiland Hall, was filed;
(Vide page 10 of this Transcript.)

235 SD
PAGE 3

San Francisco October 3rd 1853.
Case no. 376, on Motion of the Counsel for the
claimant, was ordered to the foot of the Docket.

San Francisco June 26th 1854.
In the same case the deposition of Jose Soeto Sepul-
veda, a witness in behalf of the claimant, taken
before Commissioner G. F. Burrill, was filed;
(Vide page 11 of this Transcript.)

San Francisco July 10th 1854.
In the same case the deposition of Michael
White, a witness in behalf of the claimant,
taken before Commissioner G. F. Burrill, was filed;
(Vide page 12 of this Transcript.)

San Francisco Sept. 5th 1854.
In the same case the deposition of J. J. Warner,
a witness in behalf of the claimant, taken
before Commissioner Peter Sott, with Exhibit
marked "A. P. L." annexed thereto was filed;
(Vide page 14 of this Transcript.)

3
San Francisco October 3^d 1854.
Case no. 376 was submitted on briefs and taken
under advisement by the Board.

San Francisco October 3^d 1854.
In the same case the deposition of Henry
Marcock, a witness in behalf of the claimant,
taken before Commissioner Peter Satt, was filed;
(Vide page 15 of this Transcript.)

San Francisco October 10^d 1854.
In the same case Commissioner Alpheus Felch
delivered the opinion of the Board concerning
the claim:

(Vide page 59 of this Transcript.)
and the following order was made, to wit:
(Vide page 61 of this Transcript.)

235 SD
PAGE 4

4

[Faint, illegible handwriting covering the right side of the page]

[Small, illegible markings or text]

[Faint handwriting at the bottom edge of the page]

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

Petition

235 SD
PAGE 5

Your petitioner Daniel Setton a Citizen of Los Angeles County and State of California before your Hon Board most respectfully represents that he is the legitimate owner in full title of a certain tract or parcel of land lying and being situate near the Mission of San Gabriel in the County of Los Angeles in the near vicinity of the known place called the Cañate adjoining some Cuygas and within an Oak grove to the N.E. of the Establishment of San Gabriel - The land is one thousand varas square -

Your petitioner avers that the said one thousand varas square of land was conceded to the original grantee Sr. Jose Maria Ramirez Lieutenant of Cavalry of the Garrison of San Diego by his Excellency Manuel Jimeno Casar in Governor ad interim of the Department of the California by his Superior Decree with date Monterey 5th November AD 1841 in conformity with the law of the 18th of August AD 1824 and the regulations 21st Feb AD 1825.

Your petitioner further avers that the Hon Departmental Assembly approved the title given by the Superior Government with date 5th November AD 1841 to Sr. Jose Maria Ramirez in Session the 34 day of September AD 1845 for one thousand varas square of land near the Mission of San Gabriel immediately to the known place of the Cañate as aforesaid and in the County of Los Angeles.

Your petitioner further avers that on or about the 14th day of February AD 1842 the 2d Justice of the Peace for the City of Los Angeles Jose L Sepulveda went to San Gabriel and measured to the said Sr. Jose Maria Ramirez one thousand varas square of land according to his title and in fulfillment of his duty as the respective Authority and in accordance with the Law 18th August AD 1824 and

6
the regulations of 21st Nov AD 1828 and
also the 1st Condition of said title -

Your petition further avers that
on or about the 30th day of August AD 1847
that the original grant to Don Maria Ramir-
ez by a Don of Comayagua, sold to your
petitioner the said one thousand & 200 square
of land which had been ceded to him by the
Spanish Government with date 5th Nov AD 1841
and that furthermore on or about the 1st day
of October AD 1848 Agustin Alvarez by his
Don of Comayagua, sold to your petitioner a
small reserved right of the use of water and
land connected with the said one thousand
& 200 square originally granted to the said
Ramirez, all of which original documents your
petitioner prays may be admitted as presented
through their faithful copies and made part of
this petition together with the oral testimony
which will be presented by the claimant at the
proper time forming the arraignment of the
claimants title -

Your petitioner knows of no
claim or pretension made by any person to the
said tract or parcel of land granted as afore-
said but that the original grantee and those
claiming under him count to your petitioner the
present occupant and owner have always en-
joyed the quiet and peaceable possession of
the same.

The said land has been surveyed
or certified by the Surveyor General
of this State -

Whereupon your petitioner be-
lieving his title sufficient the same having
been given to him by the proper authorities
acting under orders from the General Government
of Mexico and the Departmental Authorities
under the Cédulas all of which documents
evidence as now produced in this petition the
claimant wishes upon to establish his title and
would with all due respect ask of your Hon-
orable Board a confirmation of said title if the
laws and equity of the land will warrant the

7
same. - Applying as in duty bound the
privilege of offering such other documents and
oral evidence as may be developed in the
investigation of this claim -

Daniel Sexton

By
William G. Snyder
his Attorney.

235 SD
PAGE 7

Filed in Office Oct 6, 1852.

(Signed) Geo. Fisher
Deputy

Office of the Board of Comrs.
of California Land Claims -
Los Angeles Oct 7, 1852.

Deposited
in
the
Records

On this day before James Wilson one of the
Commissioners for ascertaining and settling pri-
vate land claims in California came Pio
Pico a witness produced in behalf of the Claimant
Daniel Sexton whose petition is No 374,
on the docket of the Board and was duly
sworn -

This evidence being given in the Spanish
Language was interpreted by the Secretary.

The U.S. Law Agent was notified and was
in attendance -

Pio Pico a witness offered by the
Claimant being duly sworn testified & says
that he has no interest whatever in the land claimed
by the petitioner -

I know Manuel Semino
Casarin who acted as Comor ad interim
during the absence of Governor Alvarado. I can-
not now state the precise time when that oc-
curred -

An Examination of paper marked A
not recognized the signature of said Manuel
Semino as his genuine signature which I

know myself. I acted myself as Governor
of the California ad interim and in that ca-
pacity I placed my signature to the document
now shown me marked SN No 2. at the time it
purports to be dated and for the purposes therein
expressed -

Las Angeles. ^{Pico Pico} Oct 7, 1852

Subscribed & sworn to
Before me

James Nelson,
Commissioner

Filed in Office Oct 7, 1852.

(Signed) Geo Fisher
Secy.

Office of the U. S. Land
Commissioner -

Las Angeles Oct 19, 1852

On this day before Meiland Keats one of the
Commissioners for ascertaining and settling
private land claims in California came
Agustin Olvera a witness produced in be-
half of the claimant Daniel Setton whose
petition is No 376 on the docket of the Board
and was duly sworn -

His evidence being given in Spanish
was interpreted by the Secretary.

The U. S. Associate Law Agent was
notified and attended.

In answer to questions by the Counsel
for the claimant the witness testified as follows
My name is Agustin Olvera, my age
is thirty two years and I reside in the City of
Las Angeles. A paper is now shown me pur-
porting to be an instrument of transfer from
myself to Daniel Setton dated 7th of October

Deposition
of
Agustin
Olvera.

9

1848. Signed my name to said Instrument it is granted & was executed for the purpose therein stated, said instrument exists amended & marked No 1 No 2.

Agustin Olvera.
Sworn & Subscribed
Before me
Highland Keall
Comm.

Filed in Office Oct 19, 1852.

(signed) Geo Fisher Secy.

235 SD
PAGE 9

Office of the U.S. Land Commission

Las Angeles Oct 22, 1852.

On this day before Highland Keall one of the Commissioners got ascertaining and settling private land claims in California. Case Jose L Sepulveda a witness produced in behalf of the Claimant Benito Sartin whose petition is No 346 on the docket of the Commission and was duly sworn.

His evidence being given in Spanish was interpreted by the Secretary.

The U.S. Associate Law Agent was notified and attended.

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

My name is Jose L Sepulveda, my age is thirty six years & I reside at Las Angeles & am a native of California.

I was Alcalde of Las Angeles in the year 1842. I recollect of giving judicial possession of a tract of land to San Maria Ramirez as stated in a paper now shown me being the written proceedings of such possession & to which my official signature is attached as Alcalde. Said paper is document D W

Deposition
of
Jose L
Sepulveda

No 1 & 2 annexed to the deposition of
Pío Pico in this case
Jose L Sepulveda.

Sworn & Subscribed
Before me

Holland Heath
Comr &c

Filed in Office Oct 22, 1852.

W signed
Wm Fisher Secy.

235 SD
PAGE 10

Las Vegas Oct 25th 1852.

At this day before me, Commissioner Holland Heath came Jose Salazar a witness in behalf of the claimant Daniel Sinton petition No 376 and was duly sworn his evidence being interpreted by the Secretary.

Deposition
of
Jose Salazar

The N. S. Associate Law Agent was present.

In answer to questions by Counsel for the Claimant the witness testified as follows -

My name is Jose Salazar. My age is forty two years & I reside in the City of Las Vegas.

I was Alcalde Judge of the First Instance & an instrument of conveyance from Jose Maria Ramirez to Daniel Sinton was celebrated before me as such on the 20th day of August 1847. An office copy of said instrument is now shown me to which my genuine signature is attached. Such copy was allowed to the party as the proper evidence of the conveyance - Jose Maria Ramirez I understand has gone to the Interior of Mexico said paper is attached to the deposition of Pío Pico & marked No. 36.

Jose Salazar
Sworn & Subscribed
Before me

Holland Heath Comr

Filed in Office Oct 25th 1852
(replied) by Pedro Lacy.

Office of the Commissioner
of Tompson, Burdick at Las
Angeles California -

235 SD
PAGE 11

Deposition
of
Jose L
Sepulveda

Before me G. Tompson, Burdick Commissioner
duly qualified for the taking of testimony to
be used before the Board of Commissioners to
ascertain and settle the Private Land Claims
in the State of California personally appeared
Jose L. Sepulveda a bachelor in behalf
of Manuel Lutton Claimant for the land
one thousand varas square in the Mission
of San Gabriel numbered on the docket of
the said Board with No 376, who upon oath
declared as follows.

Questions asked by Counsel for Claimant
Question No. 1.

What is your name age and place
of residence? -

Answer -

My name is Jose L. Sepulveda
I am thirty seven years of age and I reside in the
County of Los Angeles.

Question No. 2.

Do you remember of having given
to Jose Maria Ramirez juridical possession
of a thousand varas square situated in the
Mission of San Gabriel in the month of February
1842 of so where those thousand varas
are situated -

Answer -

Yes, I gave juridical possession of
said land in the month and year above stated
to Jose Maria Ramirez, said land is situated
to the north of the Mission and is bounded
by the land of an Indian named Prospero
on the North west. I was present when the land

was measured and at each corner put crosses
on oak trees and if the trees still remain there
the corners can be easily found.
Question No 3.

235 SD
PAGE 12

Do you recollect if there was
any ponds of water upon the land -
Answer -

Yes at the North West corner within
the limits of the land there is a Spring of running
water and on the North East there is another
Spring about forty or fifty varas outside of the
land but running through it.

Jose La Siquerra.

Sworn and Subscribed
before me this 20th day of
June AD 1834.

J. Thompson Jurat
Com. & C.

Filed in Office June 20, 1834

(Signed) Geo. P. Scholey.

Office of the Commissioners
J. Thompson Jurat
Los Angeles California

Deposition
of
Michael
White -

Before me J. Thompson Jurat Commissioner
and qualified for the taking of Testimony to be
used before the Board of Commissioners
to ascertain and settle the private land claims
in the State of California personally appeared
Michael White a witness in behalf of Daniel
Lutton claimant for the land named one
thousand varas in San Gabriel Mission Num-
bered on the docket of the said Board with
No 376, who upon oath declared and said as
follows.

Question asked by Counsel for claimant.
Question No 1.

What is your name age and place of residence?

Answer.

My name is Michael White, Law
 Forty four years of age, and I reside in the County
 of Los Angeles.

Question No 2.

State how long you have resided
 in California -

Answer -

Twenty four Years.

Question No 3.

Are you acquainted with a
 tract of land one thousand Varas square
 lying near the Mission of San Gabriel now
 owned or claimed by Daniel Lutton?

Answer.

Yes I am, I have known the land
 about twenty four years.

Question No 4.

To whom was that land orig-
 inally granted.

Answer -

To Jose Maria Ramirez a
 Lieutenant in the Mexican Service.

Question No 5.

State when if ever you saw
 that land in possession of Ramirez.

Answer.

He was living there with his family
 in the year 1843, 1844, 1845 and a part of
 1846 and I was living there before that time.

Question No 6.

State all you know of the occu-
 pation of said lands by Ramirez in regard
 to improvements -

Answer -

In the year 1843 he had two good
 adobe houses on the land built by him and
 a large quantity of land fenced in and some
 fruit trees planted at that time - In the year
 1846 he sold the land to Daniel Lutton who
 has continued in possession until this year when
 he sold the same to Thomas J. Hemford -

Michael White -

Sworn to and Subscribed before me
 this 29th day of June A.D. 1854.

G. Simpson Birrell
Comrse.

I hereby certify that C. E. Thom's Expresses
present at the time that the above and
forgoing testimony was taken, acting for me
in behalf of and by the authority of D. H. Mc Home
Esq. U. S. Land Agent.

235 SD
PAGE 14

Los Angeles June 29th 1854.

G. Simpson Birrell
Comrse.

Filed in Office July 11, 1854,
& signed

Geo Fisher
Secy

United States of America
State of California

San Francisco Sept 4, 1854.

Deponent
D. J. Warner

This day came before Peter Lott Commis-
sioner for taking testimony to be used before
the Board of U. S. Land Commissioners
in said State D. J. Warner, a witness on
behalf of the Claimant herein set forth in
Case No 346 on the docket of said Board
and said witness being sworn depose as
follows.

The U. S. Associate Land Agent is present
Questions by H. Hancock Esq for Claim-
ant
1st Question - What is your name age and
residence?

Answer - My name is D. J. Warner, my
age 46 years. My residence San Diego California

2d Question -

Look at the traced copy of the Espediente now shown to you marked "Espediente A P L". And find in this case and state whether you have examined the original thereof in the Office of the U.S. Surveyor General for the State of California, if you are your acquainted with the hand writing of the persons whose names appear signed therein, and if you state your means of knowledge, and whether their signatures to said original document wherever they occur therein respectively are genuine?

235 SD
PAGE 15

Answer.

I have examined said original Espediente in said Surveyor General's Office and I am acquainted with the hand writing of Josi M Ramirez, Santiago Arguello, Narciso Botella, Manuel Jimenez, Nicolas Gutierrez, Pio Pico, Agustin Alvarez & Francisco de la Cruz having frequently seen them write and their signatures to said original document respectively wherever they occur therein are genuine.

J D Warner.

Subscribed and sworn to
before me Sept 4, 1854.

Peter Lost Comm'r &c

Filed in Office Sept 5, 1854.

(Signed) Geo Fisher Secy.

United States of America
State of California 2p.

San Francisco Oct 3, 1854

Deposition
of
Henry
Hancock

This day came before Peter Lost Commis-
sioner for taking testimony to be used before
the Board of U.S. Land Commissioners in
said State Henry Hancock, a witness in
behalf of the Claimant Daniel Rytton in Case
No 376 on the docket of said Board and

507 - and said witness being sworn deposed as follows.

The U.S. Law Court is present.

Questions by Claimants Counsel.

1st Question -

What is your name and residence?

Answer -

My name is Henry Hancock
My age 31 years & upwards my residence in
Los Angeles, California -

2d Question -

Are you acquainted with the
hand writing of Augustin Clara of the
state your means of knowledge and look at
the document now shown to you marked
A. P. L. Exhibited in this deposition and
this day filed in this case and state whether
his signature thereto written as having exhibited
the same is genuine?

Answer -

I know his hand
writing well have often seen him write
and his signature here is genuine -
Henry Hancock

Subscribed and sworn to
before me Oct 3, 1854.

Peter Lott Com J.C.

Filed in Office Oct 3, 1854.

(Sealed)

Geo Fisher
Secy

235 SD
PAGE 16

17
Expediente
"A. P. L."
annexed
to the depo-
sition of
J. J. Warner

[1]

235 SD
PAGE 17

Expediente
Promovido por D^{no} José M^o Ra-
mirez Teniente de la Compañia
Presidial de San Diego en
solicitud de mil varas
de terreno en la
Exmision
de
San Gabriel

257

Sello Tercero Los Reales

Habilitado provisionalmente por la Aduana
maritima del puerto de Monterrey, en el
Departamento de las Californias, para los
años de mil ochocientos cuarenta y mil
ochocientos cuarenta y uno.

Himeno

Antonio Mainbis

235 SD
PAGE 18

Sr. Prefecto del Distrito

El Ciudadano José Maria Ramirez
Teniente de caballeria perma-
nente, del Presidio de San Diego
ante V.S. en la mejor forma q' halla
lugar compareco y digo: que desde el
año de mil ochocientos treinta y cinco se me
concedio por el Sr. Jefe Superior Político de
aquella época D. José Figueron, un pedazo
de terreno para su cultivo y beneficio de mi
familia, del que aunq' estubo en San Gabriel
Jho Sr. Jefe no me pudo dar el correspondiente
despacho de concesion, a causa de haber mar-
chado repentinamente para el punto de Monterrey,
pero lo acredito con el adjunto certifiendo q'
respetuosamente acompaño original. Despues
q' tubo concedido el mencionado terreno como
militar q' he sido fue arrastrado a prestar
mis servicios en la carrera, por disposicion
del mismo Sr. Figueron al espusado Monterrey
donde permaneci bastante tiempo y a conse-
cuencia de mi falta, la tierra q' tenia
senalada lo encuentre ya cultivada en pro-
der de los Negros, de aquel

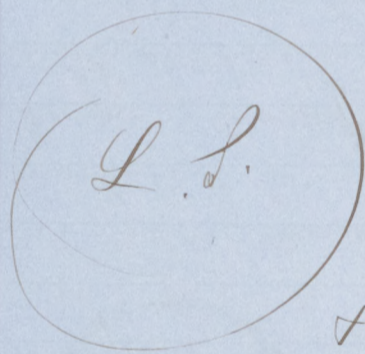
establecimiento y yo en nada pude disfrutar
de ella aun apesar mio por las circuns-
tancias q' me lo han impedido, y tratandome
hoy de asegurar la subsistencia de mi
familia a virtud de no tener una radica-
cion fija de modo de poder adelantar: —

A. V. S. —

19
rendidam^{te} suplico q^o tomando en considera-
cion mis justas quejas y limitado recursos
q^o cuento p^o sostenerme con honradez, se sirva
informar sobre este asunto lo q^o crea con-
veniente, y eleva la presente a manos
del Ex^{mo} Sr. Gobernador a fin de q^o S. E.
con su acreditada justificacion se digno
si fuere de su agrado, transferirme el terreno
q^o tenia encedido por hallarse ocupado, con
otro, en propiedad, de yqual clase q^o esta
adelante de la huerta q^o nombran del
cuhati para la parte del Rancho de Santa
Amita, el cual tiene dos cienegas; y si
hubiese lugar quinientas varas mas para
plantar una huerta y tierras: — — —

235 SD
PAGE 19

[4]
[Sello Tercero Dos Reales]
Habilitado provisionalmente por la Aduana
maritima del puerto de Monterrey, en el
Departamento de las Californias, para los
años de mil ochocientos cuarenta y mil
ochocientos cuarenta y uno
Olivero Antonio Maria Osio]



de labo, quedando sujeto
a los mismos requisitos con q^o
estuvo agraciado del anterior:
gracia que imploro y espero
alcanzar - Jurando lo necesario
ta:

Angeles Julio 22 de 1841
José M^o Ramirez

Ex^{mo} Señor
La presente solicitud del Teniente D. José
Maria Ramirez en la q^o pretende mil v.
de terreno p^o solar de casa, y huerta junto
a una cienega en las inmediaciones de la
q^o llaman huerta de Couti perteneciente
a la ellision de S. Gabriel: hizo esta
veduria acompañada del juez D^o de Paz, y
Mayordomo de dha ellision, p^o el conjunto

de huertitas que hay en aquellos contornos
de los indigenas y de razon para ver si es
tambien valdieso y no perjudica a los

[5]

indigenas, en efecto lo está y sin ningun
cultivo, p. q.º toca dentro del roblar que cae
hacia el N.º de dha Mision, explicandole á
dho. Mayor d.º q.º no era aquel reconocimiento p.º
sitio de rancho sino p.º un solar y huerta
de lo q.º quedó conforme. En tal estado
Señor Exmo llamo la atencion de V.º E. en
beneficio de este pobre oficial con una nome-
rosa familia, q.º no tiene una radicacion
ni albergue en q.º acomodarse. Estos senti-
mientos de humanidad hacen q.º en vista
de q.º el corto terreno q.º pretende valdieso
e inculto, se sirva V.º E. concederselo p.º q.º
pueda contar con un albergue, y sustento
de su familia, y en atencion a q.º su pre-
sentacion la hace p.º los medios establecidos,
sin embargo de lo espuesto V.º E. con mas
acierto resolverá lo q.º fuere de su Sup.º a-
grado

Aug.º 8bre 17 de 1841

D. Arriello

Narciso Botello

(Ario)

Mon-

[6]

Terrey Noviembre 5 de 1841

Vista la peticion con que dá prin-
cipio este exped.º el informe del Sr. Prefecto
del segundo Distrito con todo lo demas
que se tubo presente y ver conorno de con-
formidad con las leyes y reglamentos de la
materia concedo al Teniente D.º José Mo.º
Ramirez mil varas de terreno en las inmedi-
aciones de la Huerta nombrada de Conti-
dentro de un Roblar por la parte del
Nordeste del establecimiento de San Gabriel
sugeriendose a la aprobacion de la Exma

21
sugestándose a la aprobación de la Junta
Junta Departamental y a las condiciones que
se estipularen. Librese el correspondiente despacho
tomese razon en el libro respectivo. El Sr
D^o Manuel Jimeno 1^{er} Vocal propietario
de la Ex^{ta} Junta Departamental en
ejercicio del go^o del mismo, así lo mandó
decretó y firmó, déque doy fé. —

Jimeno
José Y. Fernandez
Sro. Int^o

235 SD
PAGE 21

[7]
Manuel Jimeno Casarin 1^{er} Vocal propie-
tario de la Ex^{ta} Junta Departamental en ejer-
cicio del Gobierno del mismo. —

Por cuanto D^o José M^o Ramirez
Fementé de Caballeria del Presidio de S^o
Diego, ha pretendido p^o en beneficio perso-
nal y el de su familia un terreno de mil
varas p^o fabricar casa Huerta y labores
en la inmediacion de la Huerta nom-
brada Conti y junto a unas cieneegas dentro
de un roblar por la parte del Nordeste
del establecimiento de San Gabriel practicadas
previamente las diligencias y averiguaciones
concernientes segun lo dispuesto por leyes
y reglam^{to} usando de las facultades que
me son conferidas a nombre de la Na-
cion Mexicana, he venido en concederle
las mil varas indicadas, sugestándose
a la aprobación de la Ex^{ta} Junta de-
partamental, y a las condiciones siguientes,

1^a El juez de la Ciudad de los Angeles
procederá a la medicion de las mil varas
de terreno p^o el rumbo que se ha referido,
sin perjudicar a los — — — — —

[8]
indigenas que alli se hallen establecidos,
y ni p^o ninguna causa podrá el agraciado
venderlo ni enagenarlo. —

2^a Deverá cercarlo sin perjudicar
las huercias, caminos, serordumbres, y ni el

235 SD
PAGE 22

aprovecham^{to} comun de las aguas que di-
manan de las cienegas y arroyos. — lo
disfrutará libre y esclusivam^{te} destinandolo
al uso o cultivo que mas le acomode; pero
dentro de un año fabricará casa y estará
habitado.

3^a Cuando se le confirme la pro-
piedad de el solicitará del juez respectivo que
le de posesion juridica para demarcar los
linderos en cuyos limites pondrá á mas de
las mojoneras algunos arboles frutales o
silvestres de alguna utilidad.

4^a Si contraviene a estas condi-
ciones perderá su derecho al terreno y que-
dará á beneficio de la Misión p^o los
usos convenientes.

En consecuencia mando que te-
niendose p^o firme y validero este titulo se
tome razon de el en el libro que corresponde

— — — — — [9]
y se entregue al interesado para su resguardo
y demas fines. Dado en Monterrey á cinco
de Noviembre de mil ochocientos cuarenta y
uno.

— — — — — [10]
Nicolas Gutierrez Teniente Coronel de caballeria
permanente y encargado de las Temporalidades
de la Misión de S^o Gabriel.

Certifico: que el Señor Jefe Supe-
rior Político Don José Figueron ha permitido
al Alférez D. José María Ramirez, que dis-
frute del terreno que hay á espaldas de la
huerta que se conoce con el nombre de los
soldados hasta el arroyo, y de oha huerta
hasta el camino del Pueblo de los Angeles
siendo el lindero por esta parte los cercos de
los Neofitos Rosario y Victoria; que por
el rumbo del molino se le aseguran cuarenta
varas al costado de la referida huerta de
adonde corta á linea recta hta el espre-
sado arroyo; que Ramirez quedó obligado
á satisfacer al Ayuntamiento la renta o

canon que se le imponga cuando se establezca y señale el terreno para sus egidos o propios, y para que conste, doy esta a pedimento del interesado en papel común por falta del sellado que corresponde en San Gabriel a diez y seis de Junio de mil ochocientos treinta y cinco

Nicolás Gutiérrez [11]

Exma Asamblea

José Mo^o Ramirez residente en este partido ante V. S. como mas haya lugar y con el debido respeto digo, que no habiendo podido lograr la ocacion de que se hubiese aprobado p^o V. E. la concesion del terreno que estoy proseguido desde la adjudicacion, suplico á V. E. se digne se lo tubiere á bien aprobar el titulo de propiedad, con arreglo á la ley de colonizacion de 18 de Agosto del año de 23 q^o obtube, cuyo expediente atentamente acompaño y en lo que recibiere gracia juro p^o.

Angeles Julio 21 de 1845
José Mo^o Ramirez

Angeles Agosto 21 de 1845

Dado cuenta á la Exma Asamblea en sesion de hoy con esta instancia se mandó pasar á la comision de terrenos baldios.

Pio Pico
Presidente

Agustin Olvera
S^o

Exmo S^o

[12]

La Comision de terrenos baldios se ha impuesto del expediente promovido p^o el Cud^o José Mo^o Ramirez en pretencion de mil varas de terreno en las inmediaciones de la Mision de San Gabriel; y viendo q^o las diligencias practicadas en dicho expediente fueron bastantes p^o q^o el Superior Gobierno Departamental

lo hubiese concedido legalmente las enunciadas mil varas de terreno, pone á la deliberación de V. E. la siguiente proposición, —

Se aprueba la concesion hecha p. el Superior Gobierno Departamental en título librado con fhu 5 de Noviembre de 1841 en favor del Cindo José M.^o Ramirez de conformidad con la ley de 18 de Ato de 1824 y el artículo 5.^o del reglamento de 21 de Ato de 1828. — Sala de Comisiones en la Ciudad de los Angeles Ato 27 de 1845. —

Tran.^o de la Guerra Narciso Botello

Angelos Setiembre 3 de 1845 —

En sesion de este dia se aprobó por la Exma. Asamblea Departamental la proposicion del dictamen antecedente — mandando se devuelva lo practicado al Exmo. Sr. Gobernador para los fines q. sean consiguientes. —

Pis Pico

Ayuntamiento Olovera —

En —

[13]

En la propia fecha se libró á la parte la copia respectiva. —

Office of Surveyor General of
the United States for California
I, John C. Hays, Surveyor General of
the United States for the State of California,
and as such, having in my office and in
my charge and custody a portion of the
Archives of the former Spanish and
Mexican Territory or Department of
Upper California, by virtue of the power
vested in me by law, do hereby certify
that the 13 preceding, and hereunto an-
nexed pages of tracing paper, numbered
from one to thirteen inclusive, exhibit a
true and accurate copy of a certain document

25-
now on file and forming part of the said
archives in this office

L.S.

In testimony whereof, I have
herewith signed my name
officially and caused my seal
of office to be affixed, at the
City of San Francisco, this
seventeenth day of May 1854

(Signed) John C. Hayer

U.S. Surveyor General
for California

235 SD
PAGE 25

Extract from the 2nd section of the Act
of Congress providing for the Survey of Public
Lands in California, and for other purposes

Approved March 3rd 1853

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

Filed in Office September 21th 1854
(Signed) Geo. Fisher
Secy

[Faint, illegible handwriting covering the majority of the page]

282

27

Proceedings
An Appeal of Jose Maria Ramirez of
the Company belonging to the Garrison of
San Diego for a grant of 1000 Varas of
land in the El Mission of San Gabriel.
1841.

Printed Seal. Twenty five Cents.

Provisionally provided for the Mariano Cas-
tom House of the Port of Monterey in the Depart-
ment of the Californias for the years
1840 and 1841.

235 SD
PAGE 26

Antonio Maria Cisneros,
Lieutenant.

To the Prefect of the District -

The Captain Jose Maria Ramirez
Lieutenant of the Regiment of Dragons of the
Garrison of San Diego before your honor in the
last March and from possible affairs and
says that since the year 1835 there was com-
municated to me by the Political Chief of that Epoch
Mr Jose Figueroa a piece of land for its
cultivation and the benefit of my family and
although the said Political Chief was in San
Gabriel he could not give me the corresponding
dispatch of Concession for the reason that
he marched suddenly for the point of Monterey
but I prove the same by the ancient Certifi-
cates which respectfully I herewith enclose en-
closed.

After I had received the Concession
of the above mentioned land as a Military
Man which I have used I was drafted off
to perform Military Service by the order of the
said Mr Figueroa at the point of Monterey where
I was detained a long time upon account
of my absence the land that I had marked
& sowed cultivated in the possession of the
Native Indians of San Gabriel and I
can receive no benefit from the same and
that from circumstances without my

Control. And to day using diligence to se-
cure the support of my family heavily for
them in field. do much. whenever they might
advance.

I supplicate your Honor in the
most humble manner that you will take indif-
ferent consideration my just Complaint. and the lim-
ited resources which I have to support my
self with Credit, and be so kind as to give
such a report on the subject as you may think
proper. And please this petition to the hands of
his Excellency the Governour, the End. that his
Excellency, famed for Justice, would be so
kind if he should think proper again to give
me the land which was once conceded to me, but
if impossible see cause of occupation, then other
land in fee of equal value, which is in front
of the garden called "Cunato" upon the side next
to the Rancho Santa Anita, which land has two
wet places or Springs and if possible five
hundred Varas more, to plant or make a
garden and sowing lands, under the same
conditions of the former Concession, grace
which I am bold and hope to obtain peti-
ting all that may be necessary.

August 22nd July 1741.

Jose Maria Rauring.

Excellent Sir

The present solicitude of Lieutenant
Jose Maria Rauring in which he prays for
one thousand Varas of land as a building
lot and garden adjoining a Sunya (low
wet ground where Springs ooze out) in the
near vicinity of what is called the garden of
Coato, belonging to the Mission of San Gabriel
I performed this act of respect, accompa-
nied by the 2^d Justice of the Place and the
Major Com. of the said Mission, in account
of the numerous tents garden spots which
are around about this place, belonging to
the Native Indians. Also white people to see

if the land prayed for was vacant and
 would not prejudice the Indians, and in
 fact it was vacant and without any
 cultivation, because it falls within the oak
 grove and to the North of said Mission and
 explaining to the said Mayor Doctor that such
 a place was not adapted for the site of a Ran-
 cho but could only serve as a building lot
 and garden, whereupon he was satisfied -

Under such circumstances I
 call the attention of Don Excellency in aid
 of this poor Officer with a numerous family
 he has no home or hut where to rest
 these sentiments of humanity, and taking into
 consideration the small quantity of land
 prayed for and without cultivation Don
 Excellency will have the kindness to concede
 him the same so that he may know he has
 a home and a place that will support his
 family, taking into consideration that he
 makes his petition in the regular established
 form notwithstanding however what I have
 said your Excellency will with better judg-
 ment determine what shall seem most conven-
 ient -

Angulo 14th October 1841.

J. Arguello,

Francisco Botello Secy.

Montreal 3rd Nov 1841

Having seen the petition that gave origin
 to these proceedings and the report of the Polit-
 ical Chief of the District with all that is
 relative and necessary in like cases. In con-
 formity with law and the regulations on this
 subject I concede to Lieutenant Don Manuel
 Ramirez one thousand varas of land near
 the or in the immediate vicinity of the
 garden called the Cuato within an oak
 grove upon the North East side of the estate
 of Don Gabriel subjecting the
 same to the approval of the Most Excellent

235 SD
PAGE 29

Assembly and the conditions that may be
 annexed thereto. Give him the corresponding
 dispatch - Note this grant in the respective
 book of Registry. Mr Manuel Jimeno Prototary
 of the Most Excellent Departmental
 Assembly, exercising the powers of
 Governor over the Department thus he read
 and signed which I certify -

Jose' J. Ferraules. Jimeno.
 Secy del Interior.

Manuel Jimeno Casarin Prototary
 of right of the Most Excellent Departmental
 Assembly, exercising the powers of Governor
 over the same - Whereas Jose' Maria

Ramirez Lieutenant of Dragoons of the
 Garrison of San Diego has petitioned on behalf
 of himself and family for a piece of land
 of a thousand varas for building a house
 making a garden and for sowing in the vicinity
 of the garden called Coate and in front of
 some old ground where springs break out
 within an acre or so on the North Eastern
 side of the Establishment of San Gabriel the
 previous measures and investigations having
 been made according to the laws and regu-
 lations on the subject, I have in the name
 of the Mexican Nation granted to him the
 one thousand varas of land above men-
 tioned subject to the approbation of the
 Most Excellent Departmental Assembly
 and to the following conditions -

1st. The Justice of the Peace of the City of
 Los Angeles will proceed to measure the one
 thousand varas of land in the direction above
 mentioned, to the said springing by the Native
 Indians which may be found established
 there and for no cause can the grant be set
 or annulled the same -

31
2^{da} - He will fence the same without
injuring to the ways roads and servitudes as
also the Common use of the waters that flows
from the said ground and easements he shall
keep it free and exclusively destining it
to the use or cultivation which may best
suit him. And within a year he shall build
a house and it shall be inhabited -

3^{da} - When he shall have confirmed to him
the title he shall apply to the Magistrate for
judicial possession for to run the boundary
lines at the extremes of which besides the
corresponding corner stones he shall plant
some fruit trees or some useful wood trees.

4th - If he shall violate these conditions he
shall forfeit his right to the land and the
same shall revert to the Empire for its use
and benefit -

I consequently command that
these presents being read as firm and valid
a record be made thereof in the respective books
and they be delivered to the party interested for
his security and further acts.

Given in Montevideo on the 3rd November 1811.

www
Excellent Assembly,

José Maria Ramirez a resident in this
District before your honorable body in the
most loyal manner and with all due respect
says. That no opportunity having presented
itself whereby he could obtain the approba-
tion of your honorable body upon the grant of
land which I have been in possession of since
since its adjudication to me. I would therefore
pray your honorable body if thought right to
approve my title to said land in conformity
with the Law of Colonization dated 1st August
1823 which I obtained the proceedings
on the subject attentively I accompany from
which I shall receive Grace and as in duty

could would Ever pray &c.

August 21st July AD 1845.

José Maria Raming.

August 1st August AD 1845

Hearing presented this petition to the Most Excellent Assembly in Session of this day it was ordered to be referred to the Committee on vacant lands.

Pío Pico
President,

Agustín Chonoy
Secret.

Excellent Sir -

The Committee on vacant lands have informed themselves respecting the proceedings originated by the Citizen José Maria Raming praying for a grant of one thousand varas of land in the vicinity of San Gabriel and that seeing that the proceedings upon the subject matter were sufficient to induce the Superior Departmental Government to legally concede the above mentioned one thousand varas of land, the Committee report for the consideration of Your Excellency the following proposition -

That the concession made by the Superior Departmental Government in a title dispatched on the 5th of November 1841 in favor of the Citizen José Maria Raming in conformity with the Law of 11th of August AD 1824 and Article 5th of the Regulations of 21st Nov. AD 1828 be approved, Hall of Lecciones in the City of Las Vegas 27th August AD 1845.

Francisco de la Guerra
Francisco Botello.

August 3rd September AD 1845.

In Session of this day was approved by the Most Excellent Departmental Assembly the Anticident proposition of the Comandante Comandante that all the precedents had upon this subject be returned to his Excellency the Governor for the end and uses to which the same may conduce -

Po. Po. -

Agustin Ochoa.

With proper date a copy was given to the party interested -

235 SD
PAGE 32

Richard Gutierrez Lieut Colonel of Permanent Cavalry and Charged with the temporality of the Captain of San Gabriel.

I Certify that the Honble Notarial Chief, Mr. Jose Figueras has permitted the Captain Mr. Jose Maria Ramirez to occupy the land which is in the rear of the Garden known as that of the garden of the Soldiers to the ravine and from the said garden to the last Arroyo wall, the boundary on this side being the fences of the Maphis Rasario and Victoria. In the direction of the Mill there is to be added forty varas on the side of the above mentioned Garden from where a straight line would cut to the above mentioned ravine which Ramirez remained obligated to satisfy the Illustrous Town Council the one or pension that might be affixed when it shall establish & mark the land to be destined for common pastures and other public uses -

In testimony whereof I have given this at the instance of the party interested in common paper for want of real paper of the Corresponding class, at San Gabriel on the 16th of June 1835 -

Nicolas Gutierrez.

34

Filed in Office Sept 15. 1852.

Ceylon, Geo Fisher Secy.

235 SD
PAGE 33

235 SD
PAGE 33

Documents
 "H H" + "J W"
 N1) + "J W"
 N2) annexed
 to the deposition
 of Rio Rico

Escritura

De venta a favor

de
Daniel Sexton

Año de 1847

235 SD
 PAGE 34

"H H"

En la Ciudad de los Angeles a los treinta dias del mes de Agosto de mil ochocientos cua-
 renta y siete, ante mi José Salazar Alcalde
 primero de la Ciudad de los Angeles y por
 ante mis testigos de asistencia, con quienes
 actuo por receptor a falta de escribano
 publico a mas de los instrumentales que al fin
 se nominaran, comparecio Don José Maria
 Ramirez de esta vecindad, a quien doy fé como
 es, y dijo: que por si y a nombre de sus
 herederos sucesores, y de quien de ellos hubiere
 titulo o causa en cualesquiera manera,
 vende y da en venta real y enagenacion per-
 petua por puro de heredad para siempre jamas
 al vecino Don Daniel Sexton y a los suyos la
 casa de su propiedad situada en terrenos que
 antes pertenecian a San Gabriel, cuya casa
 consta de una sala con puertas y ventanas,
 nuevas recamara, con puerta y un granerito
 en el corredor; y ademas otra casita con dos
 piezas techadas sin puertas ni ventanas, la
 cual era antes del Sr. Guadalupe Ruiz fa-
 bricada en terreno del otorgante, quien la
 vende hoy por ser de su propiedad, y con
 dichas fincas cede al tenor Daniel Sexton el
 derecho que tiene al terreno que le pertenece,
 por los titulos, posesion judicial y aprova-
 ciones respectivas, cuyos documentos traspaso
 en dicha forma al comprador, en los
 cuales se comprende el terreno de un cuadro
 de mil varas por lado, pero habiendo antes

cedido a' D^{no} Agustín Oloera un pedazo de dho terreno, servirá de linderos al Sr. Sexton el agua-jito que está al Norte y sale de una lomita, el cual, con otros ayi mismo forman una renega, y desde ayi hasta el campo de las mil varas que le pertenecen al Norte es del Sr. Oloera Don Agustín para el uso del agua y tierra; pero en las maderas que en dicho terreno hay, pertenecen al comprador Don Daniel Sexton, quien le da por valor de todo lo que espone vender el otorgante, la cantidad de quinientos cincuenta pesos en esta forma, doscientos cincuenta pesos por ahora al contado, de lo que se da por recibidos a su satisfacción en moneda sellada del curso corriente y los trescientos pesos restantes los recibirá dentro de dos meses; cuyo contrato ha visto y oído el Sr. Don Agustín Oloera, y está conforme con relación a' la pertenencia enya que se refiere; Que por tanto renuncia el otorgante toda excepción que pudiere oponerse, por no constar de presente la ley 9^a título 1^o partida 5^a; formaliza a favor del comprador la más firme y eficaz carta de pago, que a su seguridad conduca; y asimismo declara que el justo precio y verdadero valor es el que espresa esta escritura; que no vale más ni halló quien más le diera; y si más vale, o valer pueda, del exceso, en poca ó mucha cantidad, hace a favor del comprador y de sus herederos sucesores, gracia y donación pura mera perfecta e irrevocable con insinuación y demás firmezas legales; renuncia la ley 2^a título 1^o libro 16^o Novísima Recopilación; que trata de los contratos de venta, y otros en que hay lesión en más ó menos de la mitad del justo precio para pedir su rescisión ó suplemento a su justo valor, los que da por pasados, y desde hoy en adelante para siempre se desapoderó, desiste, quita, y aparta del dominio, propiedad, posesión, título, y otros cualesquiera derecho que le compete al

enunciado terreno y casa. La cede, renuncia y traspasa con las acciones reales, personales, utiles, mixtas, y directas al comprador o en quien lo suya represente, para que lo posea, goze, disfrute, enajene, como de cosa suya adquirida con legitimo y justo titulo; le confiere poder irrevocable con libre franquea y general administracion, y le constituye procurador actor en su propia causa, para que de su autoridad entre y se apodere del nominado terreno y casa y del fomento real tenencia y posesion que por derecho le compete; y para que no necesite tomarla, pide se le de copia autorigada de la presente escritura, con la qual sin otro acto de aprension ha de ser ordo haberla tomada, aprendida y transferida, y se obliga a que esta finca sera cierta y segura al comprador; y nadie le inquietara ni movera pleito sobre su propiedad goze y disfrute, ni contra ello aparesca gravamen alguno; y si se le inquietaren o moveren, luego que el otorgante o sus herederos sean requeridos conforme a derecho, saldaran a la defensa y le seguiran a sus expensas en todas instancias y tribunales, hasta ejecutoriarlo; y dejara al comprador y a los suyos en libre uso quieta y pacifica posesion; y de no conseguirlo le daran otra igual en valor, sitio, renta y comodidades, y en su defecto le restituiran la cantidad que ha desembolsado, las mejoras utiles, precisas y voluntarias que a la sazón tengan el mayor valor y estimacion que con el tiempo adquirieran, y de todas las costas, gastos, intereses o menos que se le siguieren e irrogaren pues para todo se ha de ejecutar en virtud de esta escritura o juramento del que la posea o en quien difiera su importe y lo releve de otra prueba. Y a la perfecta validacion obligo el otorgante su persona y bienes habidos y por haber y con ellos se somete al fuero y jurisdiccion de los señores

235 SD
PAGE 36

235 SD
PAGE 37

quees que de este negocio deban conocer,
 para que lo compelan y apremien por toda via
 ejecutiva, como si fuere en sentencia pasada
 en autoridad de cosa juzgada consentida y sin
 mas recursos, renuncian su propio fuero domi-
 cilio y recindido las leyes de su fuero y defuesen
 con lo general del derecho en forma, en cuyos
 testimonio asi lo otorgo y firmaron el y don
 Agustin Olvera con su hijo y los de asistencia
 segun derecho, fueron los instrumentales
 los señores Don Manuel Requena y Don
 Francisco Javier Alvarado presentes y vecinos
 doz p. - No hay papel sellado - Se añade
 que para el pago de los trescientos pesos
 queda de poder con todas las formulas
 legales Don Luis Vignes - José Salazar -
 José M. Ramirez Agustin Olvera, Luis
 Vignes - asistencia Ignacio Coronel asistun-
 cia Rafael Gallardo instrumentales Ma-
 nuel Requena - instrumentales Francisco
 Javier Alvarado - entre renglones mismo =
 cincuenta - vale - tachado - en - novales.
 Concuerta con su original a' que me refiero.
 y se halla en el protocolo de este año
 del que se sacó corregido y confrontó en
 estas cuatro fojas de papel comun por
 falta de sellado = y se anota que van
 agregados los titulos de propiedad que
 constan en otras fojas del mismo papel
 fha up supra

(Signed) José Salazar -
assin

(Signed) Rafael Gallardo (Signed) J. Coronel
 Derecho }
 cinco p. }

Sello Tercero Dos Reales

He abilitado provisionalmente por la adu-
 ana maritima del puerto de Monterrey
 en el departamento de las Californias
 para los años de mil ochocientos cua-
 renta y mil ochocientos cuarenta y uno
 Hernando Antonio Muris Osio

(Signed) Antonio Osio

39
Manuel Jimeno Casain 1^o vocal de la
E. Junta del Departamento de las Californias
y encargado interinamente de su Gobierno

Por cuanto D. José María Ramirez
Fementé de Calaterra del Presidio de S. Diego
ha pretendido para su beneficio personal y el
de su familia un terreno de mil varas para
fabricar casa, Huerta y labranza, en la inmedi-
acion de la nombrada de Cuati, junto á unas
ciénegas y dentro de un robled, por la parte
del N. E. del establecimiento de S. Gabriel; prac-
ticadas previamente las diligencias y averiguaci-
ones concernientes, segun lo dispuesto por leyes
y reglamentos; usando de las facultades que
me son conferidas, á nombre de la Nacion
Mexicana, he venido en concederles las mil
varas mencionadas, sujetandose á la apro-
bacion de la E. Junta Departamental y
á las condiciones siguientes.

1^a El Juez de la Ciudad de los
Angeles procederá á la medicion de mil varas
en cuadro por el rumbo que se ha referido,
sin perjudicar á los Indigenas que alli se
hallan establecidos, ni por ninguna causa
podrá el agraciado venderlo ni enagenarlo.

2^a Deberá cercarlo sin perjudicar
las travesias caminos servidumbres ni el
aprovechamiento comun de las aguas que
emanan de las ciénegas y arroyos; lo dis-
frutará libre y exclusivamente, destinandolo
para el objeto que se indica, pero dentro de un
año fabricará casa y estará habitada.

3^a Cuando se le conforme la
propiedad de el solicitará del Juez respectivo
que le dé posesion juridica para demarcar
los linderos, en cuyos limites pondrá á mas
de los linderos, mazorcas algunos arboles
frutales ó silvestres de alguna utilidad.

4^a Si contraviniere á estas
condiciones perderá su derecho al terreno
y quedará á beneficio de la Nacion para
los usos convenientes.

consecuencia mando que teniendo por valedero este titulo se tome razon de el en el libro respectivo y se entregue al interesado para su resguardo y demas =

[" J. R. S. "]

Sello Tercero Dos Reales

Habilitado provisionalmente por la Aduana Maritima del puerto de Monterrey, en el Departamento de las Californias, para los años de mil ochocientos cuarenta y mil ochocientos cuarenta y uno. —

Elimino

Antonio Maria Oro

(Signed) Antonio M.^o Oro]

= fines Dado, en Monterrey a cinco de Nov.^o de mil ochocientos cuarenta y uno —

(Signed) Manuel Jimeno

(Signed) Jose L. Fernandez

Amo nro.

Queda tomada razon de este titulo a' foljas vuelta del libro respectivo de acientos. —

(Signed) Fernandez —

El E. S. Gobernador dispone que se tome razon de este titulo en la Secretaria de la Prefectura del 5^o Distrito —

(Signed) Fernandez

S. Diego Ditre 27 de 1841 —

Tomase razon

(Signed) Arriello

Queda tomada razon de este Despacho en la Prefectura del 5^o Distrito, que certifico como secreto —

S. Diego Ditre 27 de 1841 —

(Signed) Narciso Botello

Amo

Titulo del
Teniente D. José M^a
Ramirez

Juzgado 2^o de Ang^s Feb^o 12 de 1842

En esta fha y en vista de haberme presentado el titulo antecedente; pasé en cumplimiento de la 1^a condicion con mis testigos de asistencia a la elision de San Gabriel, y hice que le midiesen al Teniente de Caballeria D. José Ramirez mil varas en cuadro, cuya peticion hizo el mismo S. Ramirez; Quedando entendido de las condiciones del citado titulo para esperar el tiempo de la posesion juridica comenzando en el interin a construir su casa y cercar su tierra; con cuyo acto se dieron por concluidas las medidas a satisfaccion del agraciado - Lo que autorise y firme con mis testigos de asistencia en este papel comun por falta del sellado

Doce fe.
(señe) José L. Sepulveda

asno
(señe) G^o Cornel (señe) Casildo Aguilar
asno

" J. W. N^o 2)
Por Vico Gobernador Interino del Departamento de las Californias. -

La Honorable Asamblea Departamental en sesion de hoy ha acordado lo siguiente -

" Se aprueba la concesion hecha por el Superior Gobierno Departamental en titulo librado con fecha 5 de Noviembre de 1841 en favor del Ciudadano José Maria Ramirez de conformidad con la ley

235 SD
PAGE 40

de 18 de Agosto de 1824 y el articulo 5 del
reglamento de 21 de Noviembre de 1828 -
y para resguardo de la parte de
Don José Maria Ramirez lo hago asi suber-
dado en la Ciudad de Los Angeles en este pa-
pel comun por falta del sellado a tres de
Setiembre de mil ochocientos cuarenta y
cinco -

235 SD
PAGE 41

(Signed) Pio Pico

(Signed) José M^o Covarrubias
M^o

Filed in office October 7th
1852 -

(Signed) Geo. Fisher
Secy

Deed of Sale
 Daniel Seston -

"No 1"

In the year
 1847.

in

Conveyance
 to
 Seston -
 Translating

235 SD
 PAGE 42

In the City of Los Angeles on the 31st day of August 1847 before me Don Salazar Just Alcade of the City of Los Angeles and before the witnesses of my assistance with whom I perform this judicial act by Commission for want of a Notary Public: besides the subscribers witnesses which in the end will be named appeared Don Jose Maria Ramirez of this vicinity whom I certify I know and he said that for himself and in the name of his heirs Successors and of whom of them might have right power and Cause in whatever manner he sells and gives in real sale and perpetual alienation perpetually & forever to the use and benefit of Daniel Seston and to his heirs assigns the house which belongs to him situated on lands that previously pertained to Don Gabriel which house is composed of a large room with doors and windows two, one chamber with door and a small granary in the Corridor and besides another small house with two rooms having doors & no windows which previously was of Don Gaudalupo Ruiz built on land of the vendor who this day sells it because it is his property and with the said buildings he cedes to Mr Daniel Seston the right he has to the land that pertains to him by the title, judicial possession and the respective approvals which documents he assigned in due form in favor of the purchaser in the which is comprehended the land of a square form one thousand varas on each side but having previously ceded to Don Agustin Alvarez a parcel of said land it will serve Mr Seston as a boundary a small stream which is north and comes from a small hill which with other streams at the same point forms a cut

marsh from that place where the thorn-
 said Barasbachs which pertains to him
 to the North is of N. Agustín Olvera for the use
 of the water and land, but the timber which is
 on said land belongs to the purchaser (Mr
 Daniel Sutton) who gives for act that the Vendor
 proposes to sell the sum of five hundred and
 fifty dollars in this way, two hundred and
 fifty dollars Cash in hand, the receipt whereof
 is hereby acknowledged in Coinid Current Money
 and the three hundred dollars that remain
 unpaid he will receive them in two months
 which Contract Agustín Olvera has seen and
 heard and is satisfied with respect to his prop-
 -ty which is mentioned. Therefore the Vendor re-
 linquishes all exceptions that could favor him
 as the payment does not appear to have been
 effected at this present time according to the law
 Art. 1. partida 3.^a he makes in favor of the
 purchaser the most firm and effective receipt
 of payment, which may conduce to his
 safety and in the same manner he declares
 that the just price and true value is that expressed
 by this Act, that it is not worth more nor
 could he find who would give him more, and if
 it is or could be of more worth of the Acres
 why the great or small he makes in favor of the
 purchaser his heirs and Successors a gift
 and donation pure more perfect and irroca-
 ble withy the stipulation hereof before a Compe-
 tent Judge for the inteposition of his Judicial
 Authority and other legal securities he re-
 -nounces the law 2.^a title 1st book 10th. "Novis-
 -im a Recopilacion" which treats of the Contracts
 of sales and others in which there is a lack of
 value in more or less than one half of the just
 price in order to assignate a Recorsin or adjust-
 ment to its just value, all of which are con-
 -signed as passed and from this day forward
 forever he divests himself of power, disists
 quits from and separates from the Dominion
 right of property, possession title and any other
 right whatever that corresponds to him in and
 to the said land and house. The same he

Ceds unanous and Affeins with the activis
 ual psonal usefull Inled. and direct. to the
 purchaser or in whom his rights are represented
 by for that he possess, Enjoyment benefit
 grow Alimaty it as a thing of his own ac-
 quind with legitimate and just title the Confus
 upon him invariable nature with free frank
 and general Administration, and he Constitutes
 him Attorney Plaintiff in his own proper cause
 that by his own authority he enter and take
 possession of the said land and house and
 of it that he take the real holding and possession
 which by law belongs to him, and in order
 to dispense with a real taking he the said
 Raming asks that an authorized copy of this
 present and be given to said Pastor with
 which without any other act of taking posses-
 sion it is to be held that he has taken pos-
 session had and had it transferred into him
 and he obligates himself that said property
 shall be certain and secure to the purchaser
 and to no will be quit him or move or
 demand against his property which he
 enjoys and receives benefit from nor does
 there appear any charge against the same what-
 ever, and if he should be disquieted or demanded
 in law immediately that the vendor or his
 heirs shall be required in legal form, they will
 come forward to the defence and they will
 pursue said defence at their expense through
 all instances and tribunals until they effec-
 tually and leave the purchaser and his repre-
 sentatives in the peace and quiet and pacific
 possession and not being able to do so they will
 give him other promise equal in value into rent
 and Commodiousness and in default they will
 return the same that he has paid out the useful
 improvements precise and voluntary which at
 the time may have the greatest value and Esti-
 mation which with time they acquire and all
 the costs and expenses interest or losses that
 may happen to him or that he may have to
 make. Since for all he is liable by virtue of
 this writing or oath of him that possess it
 or in whom rests the support and the values

235 SD
PAGE 45

gain from any other proofs. And to the perfect validity the vendor obligates himself his present and future property and with them he submits to the Statute laws and the jurisdiction of their Honors the Judges who of this business should take Cognizance for that they may compel him and force him by Comprosumans modo, as if it were by a sentence passed in authority of a thing already adjudged consented to and without other recourse he renounces his proper juridical right of amparo and defence, and the general law of rights in form. In witness whereof he dictated it and he and Augustin Olano signed with me and those of assistance according to law, the subscribing witnesses were Joseph Manuel Requena and Francisco Javier Alvarado, present and residents which I certify -

There is no sealed paper -

And it is added that for the payment of the three hundred dollars said herein remains security with all the legal formalities -

Jose Salazar - Jose Ma Ramirez, Augustin Olano, Luis Vegas - Assistance Genacio Leonart, Apistancio Rafael Gullardo, Sabas Virepues, Manuel Requena, Subscribing witness Francisco Javier Alvarado.

It appears with its original to which I refer and is found in the judicial records of this year from which this has taken correct and confronted in the three four leaves of common paper for want of seal paper, and it is noted that the titles of property are amended and also on four hands of common paper that as above.

Jose Salazar,

Apistancio Rafael Gullardo

Apistancio Genacio Correal.

I hereby certify the above to be a true and correct translation. Office of the Board of Commissioners of San Francisco, January 10th 1854.

Law Fisher Seal

Filed in Office
Oct 6. 1853
(Signed)
W. H. Murray
Secy

Manuel Amiano Caseron Senior Member
of the Most Excellent Departamental Junta
of the Department of the Californias and Anchar-
ged ad interim with this Government —

"B"

Translative
of
Grant

235 SD
PAGE 46

In as much as Don Juli Maria Ramirez
Lieutenant of Cavalry of the Garrison of San
Diego has petitioned for his personal benefit and
that of his family, a piece of land of a thousand
varas for to fabricate a house garden and
fields in the vicinity of the place named the
"Cuato" joining some low marshy land and
within an area given upon the North East side
of the Establecimiento of Don Gabriel the Angu-
inis and investigations concerning them having
been first had according to the dispositions estab-
lished by Laws and Regulations making use of
the powers which are conferred upon me in the
Name of the Mexican Nation I have determined
to concede to him the said one thousand varas
of land as above mentioned subjecting himself
to the approval of the Most Excellent Departamen-
tal Junta and to the following conditions —

1st. The Judge of the City of Los Angeles will
proceed to the Measurement of one thousand
varas square in the Acre which has been man-
tained without doing injury to the Native
Indians who are there established and for no
Cause shall the Grantor sell it or alienate it.

2nd — He shall fence it without injury to the
ways roads and easements nor the Common
use of the waters that rise from the marshes
and streams he will occupy it free and clear
disturbing it to the object indicated but within
one year he shall build a house and it
shall be inhabited —

3rd — When his title shall be confirmed he
will solicit from the corresponding Judge to
give him judicial possession to mark out the
boundaries at the extremities of which he shall

that besides the land marks some great trees
or wild trees of some utility -

Art - If he should contract these conditions
he shall lose his right to the land and it will
remain in favor of the Nation for common use.

235 SD
PAGE 47

On consequence I command that
taking this title as valid record will be taken
of it in the corresponding book and then be
delivered to the person interested for his country
and other ends.

Given in Mexico on the 5th of
November 1841.

Jose J. Fernandez (Mano Jimeno)
Secretary for term.

This title is recorded on folio 73 on the
reverse of the proper book of registry -

Fernandez.

The C. the Governor directs that this title be re-
corded in the Office of the Secretary of the Prefect
of the 2nd District -

Fernandez.

San Diego December 21st 1841.

Let it be recorded.

Arguedly.

This title is recorded in the Office of the
Prefect of the 2nd District which I as Secretary
certify

San Diego Dec 21. 1841.

Paraiso Botello

Secy.

And Jurisdiction of August 11th 1842.
On this date and in consideration of having
been presented to me the antecedent title sent
by fulfillment of the 1st condition with my
witnesses of assistance to the Bishop of San

419
Gabriel and I caused to be measured to the
Lieutenant of Cavalry D. Jose Ramirez a thousand
varas square which petition the said Ramirez
made with the understanding as per the condition
of the cited title to wait for the time of the Judicial
possession in the meantime commencing the erection
two of his house and fence his land, with which
act the measurements were executed as con-
cluded to the satisfaction of the grantee -

which I gave authority and signed
with the witnesses of my assistance on this common
paper for want of real paper which I certify -
Jose S. Apudada.

235 SD
PAGE 48

Assistance,

Ygnacio Coronel

Assistance

Casildo Aguilar

I Certify the above to be a true and cor-
rect transcription of the original -

Office of the Secy of the Board
of W. J. Paul Condoupin 80
San Francisco, this 10th day of
January A.D. 1852.

Geo. Fisher Secy -

Filed in Office Oct 6. 1852.

(Signed) Geo Fisher Secy

[Faint, illegible handwriting covering most of the page]

332

Translation of the Approval of the
Departamental Assembly of the title given by
Manuel Jimeno Casarin in favor of Jose
Maria Ramirez -

"L"
Translation
of
Approval

M no 2
Pio Pico, Governor ad interim of
the Department of the Californias -

The Hon Departamental Assembly in session
of this day has decreed the following -

The Conception made by the Superior
Departamental Government in a title given with
date 5th November 1841 is approved in
favor of the citizen Jose Maria Ramirez
in conformity with the Law of 11th August
1824 and the 5th article of the regulations
of 21st November 1828.

And for security on the part of D Jose
Merria Ramirez I cause him in this man-
ner to know it -

Given in the city of Los Angeles
on this Capitan paper for want of real paper
on the 3rd September 1845 -

Pio Pico,
Jose Ma Covarrubias,
Secretary.

I certify the above to be a true and
correct translation -

Office of the Secy of the Co
of Santa Covarrubias &c -
San Francisco this 11th day of
January 1854.

Geo Fisher Secy

Filed in Office Oct 6th 1852

(By order)
Geo Fisher Secy

235 SD
PAGE 49

52

332 20

5-3

Document
"No 1 H.H."
annexed to the
deposition of
Agustin Olvera
taken before
Commissioner
Hiland Hall

"No 1 H.H."

Por las presentes letras declaro que el terreno separado en la escritura de venta hecha por D^o José Ma Ramirez a D^o Daniel Sexton, por pertenecerme a mi; lo cedo y traspaso en toda forma de derecho al mismo D^o Daniel Sexton, para que lo posea, use, cambie, enajene, o disponga de el a su arbitrio como de cosa suya y adquirida con justo titulo; a cuyo fin ^{me} quite y aparto desde hoy para adelante del derecho que a el terreno referido tenia, y para la debida observancia renuncio las leyes de mi fuero y defensa en la general del derecho en forma, en cuyo testimonio lo firmo ante D^o testigo en los Angeles a seis de Octubre de mil ochocientos enaenta y ocho.

(Signed) Agustin Olvera

Testigo
(Signed) Fran. S. Temple

Filed in office October 19th 1852

(Signed) Geo. Fisher
Sey

574

832 CD

Translated Copy of a deed of Conveyance from D. Augustin Alvera to Mr Daniel Sinton, No. 1. N. N.

"6"

Conveyance to Sinton

By these present letters I declare that since the parcel of land separated as per the deed of Conveyance from D. Jose Maria Romero to Mr Daniel Sinton as belonged to me I did hereby transfer the same in the most legal form to the said Daniel Sinton that he may possess, use, Exchange, Alienate, and dispose of it at his pleasure, as a thing of his own and acquired by just title to which end from this day forward I quit and separate myself from the right which to the said land I had and for its due observance I relinquish the laws that are in my favor and defence and the general law of rights in form. Witness my hand and seal in the City of Los Angeles on the 10th of October 1834.

235 SD
PAGE 51

Augustin Alvera,

Notary Public

I certify the above to be true & correct translation.

San Francisco July 10th 1834.

Geo Fisher Secy.

Filed in Office Oct 6, 1837.

(Signed) Geo Fisher
Secy.

[Faint, illegible handwriting covering the majority of the page]

1853

1853

1853

Deed

235 SD
PAGE 52

Know all Men by these Presents that Augustin Alonzo of Los Angeles California for and in good Cause and Consideration of Moneys moving Especially for the sum of One dollar received to my full satisfaction of Daniel Letton of San Gabriel Los Angeles County California have remised release and forever quit claim by these presents do for myself my heirs Executors and administrators Justly and absolutely remise release and forever quit claim unto the said Daniel Letton and to his heirs and assigns forever all such right and title as the said Augustin Alonzo have or ought to have in or to a certain tract or parcel of land situated near the Mission San Gabriel in the County of Los Angeles and State of California and formerly held by Jose Maria Ramirez to me and now embraced in a tract claimed by the said Letton and filed with the U.S Land Commission for California as claim No 376 and also the same right which is reserved and specified in the deed of Conveyance from the said Ramirez to the said Letton of date 30th August 1847. to which instrument reference is made for a full description of the said property;

To Have and To Hold the above released premises unto him the said Daniel Letton his heirs and assigns to his & their only proper use and behoof for ever so that neither I the said Augustin Alonzo or any other person in my name and behalf shall or will hereafter claim or demand any right or title to the premises or any part thereof but they and every of them shall by these presents be excluded and forever barred

In Witness whereof I have hereunto set my hand and seal the fourth day of April in the year of our Lord one thousand eight hundred and fifty four

Augustin Alonzo

Signed, Sealed and
Delivered in the presence of }
J. P. Panchino }
K. H. Rummick. }

235 SD
PAGE 53

State of California }
County of Los Angeles }

On this fourth day of April
in the year of our Lord one thousand
eight hundred and fifty four before me
Cesar Augustin Olvera, to me known to be the
individual described in and who executed
the within Instrument and acknowledged
that he executed the same of his own free
act and deed and for the purposes therein
mentioned -

E. S. C.

In Witness whereof I have
hereunto set my hand and
affixed my Official Seal
the day and year first above
written
K. H. Rummick
Notary Public

Filed in Office Oct 3, 1857,
Cyril,
Geo. P. Fisher,

5-9

396

Daniel Seltm

The United States } For 1600
3 varas square of
land near the
Mission of San Gabriel
in Los Angeles County.

Opinion

235 SD
PAGE 54

The petitioner has presented and
proved a grant made by Manuel Jimeno,
acting Governor of California, to Jose Maria
Ramirez on the fifth day of November 1841
a certificate of the approval of the same by
the Departmental Assembly on the third day
of September 1845 and documentary testi-
mony of the giving of judicial possession
on the fourteenth of February 1842.

For same reason which is
not disputed the description of the bound-
aries of the premises as they were measured
by the Alcalde who gave the possession is
quoted in the testimonial thereof. But the
Alcalde is himself called as a witness and
gives the required description identifying
the land showing the location of the premises
and describing the land marks -

The grantee went into
occupation of the land soon after the grant
built houses and made improvements on the
place, where he continued to live until he
emigrated to the present claimant -

The petitioner has also given in
evidence a conveyance from Diego Ramirez
to Juan Claudio August 8th 1847 of the entire
premises excepting a small portion which
had previously been sold to Agustin Alonza
and the relinquishment of Alonza interest
to the present claimant is shown by a
written transfer of the same made on the 16th
day of October 1848 and a more formal
 deed of release executed April 4th 1854.

By these proofs the claim of the
petitioner seems to be well established and
he will receive a decree of confirmation -

Confirmed.

Filed in Office Oct 10. 1857.
(Signed) Geo Fisher Secy.

376 Daniel Setton
vs.
The United States

235 SD
PAGE 55

Recd.

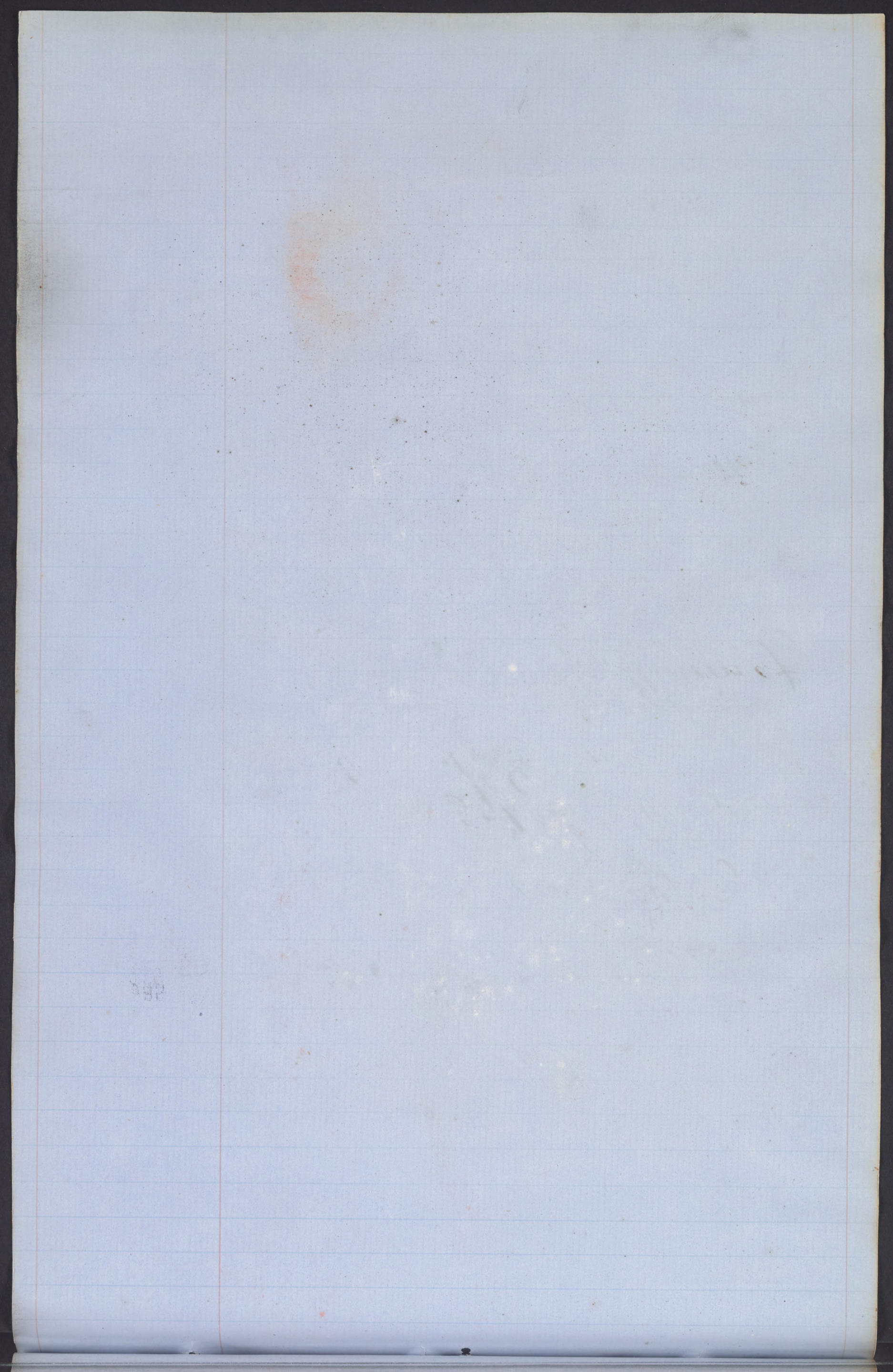
In this case on hearing the
proof and allegations it is adjudged by the
Commission that the claim of the said pe-
titioner is valid, and it is therefore decreed
that the same be confirmed.

The land of which
confirmation is hereby made consists of one
thousand varas square situated in Las
Angeles County and is the same land
now occupied by said Setton and a firm which
Jose Maria Reuniz formerly held, the same
being situated north of the Mission of
San Gabriel and bounded by the land of
an Indian named Prospero on the north
west and having for land marks an oak
tree at each corner in which a cross was
marked when judicial possession of said
land was given to said Reuniz in Feb-
ruary 1842. At the north west corner and
within the limits of the land hereby confir-
med there is a spring of running water and
on the North East there is another spring about
forty or fifty varas out side of the land but
running through it.

Alphus Peck
R. Aug. Thompson
J. B. Farrell
Commissioner

Filed in Office Oct 10. 1857.
(Signed) Geo Fisher Secy

And it appearing to the satisfaction of
 the Board that the laws hereby adju-
 dicated is situated in the Southern
 District of California it is hereby ordered
 that two transcripts of the Proceedings
 and of the decision in this case and of
 the papers and evidence upon which
 the same are founded be made out
 and duly certified by the Secretary
 of the said Transcript shall be filed
 with the Clerk of the U.S. District
 Court for the Southern District of Cal-
 ifornia and the other transcript to
 the Attorney General of the United States



Office of the Board of Commissioners,

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

235 SD
PAGE 57

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 one* pages, numbered from
to *61*, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
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. *37* on the Docket of the said Board,

in *Daniel Sexton* is

the Claimant against the United States, for the place known by
the name of *Land near the Mission of
San Gabriel*

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 fifth day of *May*
A. D. *1853*, and of the Independence of the
United States of America the seventy-*ninth*.

Geo. Fisher



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

No. 235. *Over*
235
THE UNITED STATES

vs. *S.D.*

Daniel Sinton.
"Land near San Gabriel"

235
TRANSCRIPT OF THE RECORD

FROM THE
BOARD OF U. S. LAND COMMISSIONERS,
In Case No. *376*

Filed, *June 6th* 185*5*
J. S. Jan.
clerk.

235

1150 376

Office of the Attorney General of the United States,

Washington, June 13th 1855.

376.) Land near the Mission of
San Gabriel.

Daniel Sexton Claimant.

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
15th day of March 1855, the appeal
in the district court of the United States for the
Southern district of California will be prosecuted by the
United States.

Very Respectfully
Christy

Attorney General.

~~No. 235~~
No. 235.
W. S. District Court
Southern Dist of Cal "

No. 235. - 235.

United States

vs

Daniel Sexton,

Notice of Appeal
in Case no. 376.

Filed July 31, 1855.

C. C. Lear
Clerk

By A. W. Clark
(Deputy)

235 SD
PAGE 59

In the District Court of the
United States for the Southern Dis-
trict of California

Hon. Isaac I. R. Ogier
Judge Decr Term 1856

Daniel Linton Appellee } Doc. N^o 235
ad }
United States Appellant } Term N^o 376

The answer of Claimant
Daniel Linton, to the petition
of the United States, for review,
avows that he title under which
he claims the "Land near San Gabriel"
(1060 acres square) is valid and prays
that the decision of the board of
United States Land Commissioners be
affirmed and his title be deemed
valid, and for general relief

Henry Hancock
of Counsel

N^o 235

Daniel Lorton
Appellant

vs
United States
Appellant

Land Near San Gabriel

Answer to the
petition for review

Filed Dec 29th 1867

C. Sims
clerk

235 SD

PAGE

61

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

The President of the United States,

TO

Daniel Sexton

235 SD
PAGE 62

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 *29th* day of *December*, in the year of our Lord one thousand eight hundred and fifty *six*, at the City and County of Los Angeles, in said District, by

*P. Ord U.S. Atty praying
said Court to review the decision of the
U.S. Land Commissioners of the 10th day
of October 1854 confirming your claim to
the Land called
, Lot near San Gabriel*

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 *29th* day of *December* A. D. 1856.

C. Jones
CLERK.

No. 235

Marshals Post

Copying Summons - 60
Among do 3
Petition 9

\$ 6.60

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

David Seaton

The United States

vs
Petition on return of the 29
Dec. 1856
Edwin G. Abolmeyer
vs

SUMMONS.

Received Dec 29th 1856

Edward Hunter

235 SD

U. S. MARSHAL.

63

PAGE

W. M. D. Goodman
Deputy

I served this Summons, together with a certified copy of the Petition, upon *H. Hancock*
Atty for appellee by delivering to him
personally a true Copy of same

at *Los Angeles* in the Southern District of California, on
the *29th* day of *December* A. D. 1856.

Sworn to and subscribed before me, *this*
29 Decr, 1856

Edwin G. Abolmeyer
CLERK.

Edward Hunter

U. S. MARSHAL.

W. M. D. Goodman
Deputy

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

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

235 SD
PAGE 64



Daniel Sexton, Appellee,

vs

The United States, Appellant.

Docket No. 235.

Transcript No. 376.

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 6th day of October A. D. 1852, Daniel Sexton

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 near San Gabriel

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 10th day of October 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 June 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. 376.; reference to which it is prayed may be had and made part of this petition.

That on or about the 16th day of March 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 about} on the 21st 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 claimant, presented as aforesaid to said Commissioners. And your petitioner further denies that the said claimant has any valid right or title to said land claimed as aforesaid, or any part thereof.

235 SD
PAGE 65

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 claimant, 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 claimant, or his attorney 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 ^{said claim} same, and decree the alleged title to be invalid: with costs and general relief.

235 SD

PAGE 66

J. M.

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

N^o 235.

SD

US Dist Court
Southern Dist of Cal

Daniel Syton
ad
vs
The United States

Petition

Filed Dec 29th 1834

James
Clark

235 SD
PAGE 67

California Land Claim.
Attorney General's Office
21 Jan'y, 1857.

Sir:
In the case of the claim of
Daniel Sexton, confirmed to the
claimant by the Commissioner, case
no. three hundred and seventy-six,
(376), appeal, will not be prosecu-
ted by the United States.

I am,

Respectfully,
Curtis

Pacific Oil Co
U. S. Attorney.
Los Angeles.

No. 235.

Filed 4 March 1858,
L. Sims. Clerk,
for W. W. Stetson,
D. C.

235 SD
PAGE 69

N^o. 235

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

Term

December Term
1836

David Lytton
Appellee
ad } Land near
United States Appellant } San Gabriel

235 SD
PAGE 70

This cause coming on to be heard at
this Term of the Court on an appeal
from the decision of the Commission-
ers for ascertaining and settling
private land claims in the State
of California under the act of Congress
approved on the 3^d of March 1835
upon the Transcript of the
proceedings and decision, papers
and evidence on which said
decision was founded, and it
appearing that said Transcript
has been duly filed according to law
and Counsel of the respective parties
having been heard It is ordered
adjudged and decreed that the decision
of the said Commissioners be and
the same is hereby affirmed -

And it is further adjudged
and decreed that the claim of

235 SD
PAGE 71

The said Daniel Sinton is
a good and valid claim, and
the same is hereby confirmed
to the extent of one thousand
varas square and no more in
accordance with the grant
reference being had to the
deposition of Jose L. Sepulveda
of date the 25th day of June 1854 for a further
description of the land. And
if there be less than one thousand varas
square within the ~~land~~ boundaries
as described by in the ^{said} deposition of
the said Jose L. Sepulveda, then
the claim is confirmed for such
less quantity.

Lawrence C. Ogden
U.S. District Judge
for the District of Cal

1606

N 235

W Slats Dist Court
Sout^h Dist Cal

David L. S. J.
ad
vs
Dorem

Filed Dec, 30th 1884
A. J. Sims
Clerk

235 SD
PAGE 72

Record in page 121.