

CASE No.
248

SOUTHERN DISTRICT

A LOT OF GROUND NEAR
SAN PASCUAL GRANT

JUAN GALLARDO
CLAIMANT

PLOVER BOND

35% COTTON FIBER

LAND CASE 248 SD 179 pgs.

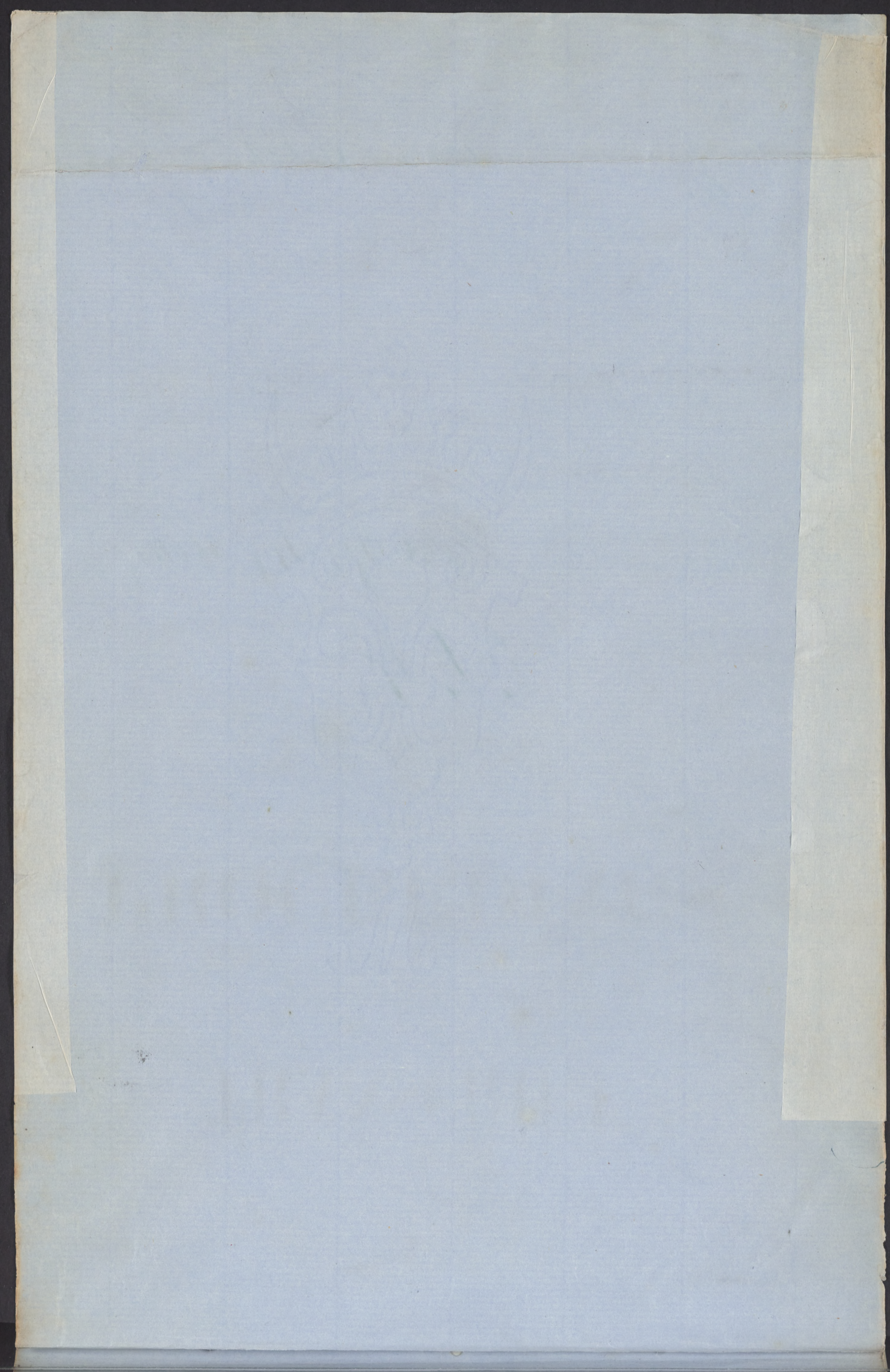
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477





TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 477.

Juan Gallardo

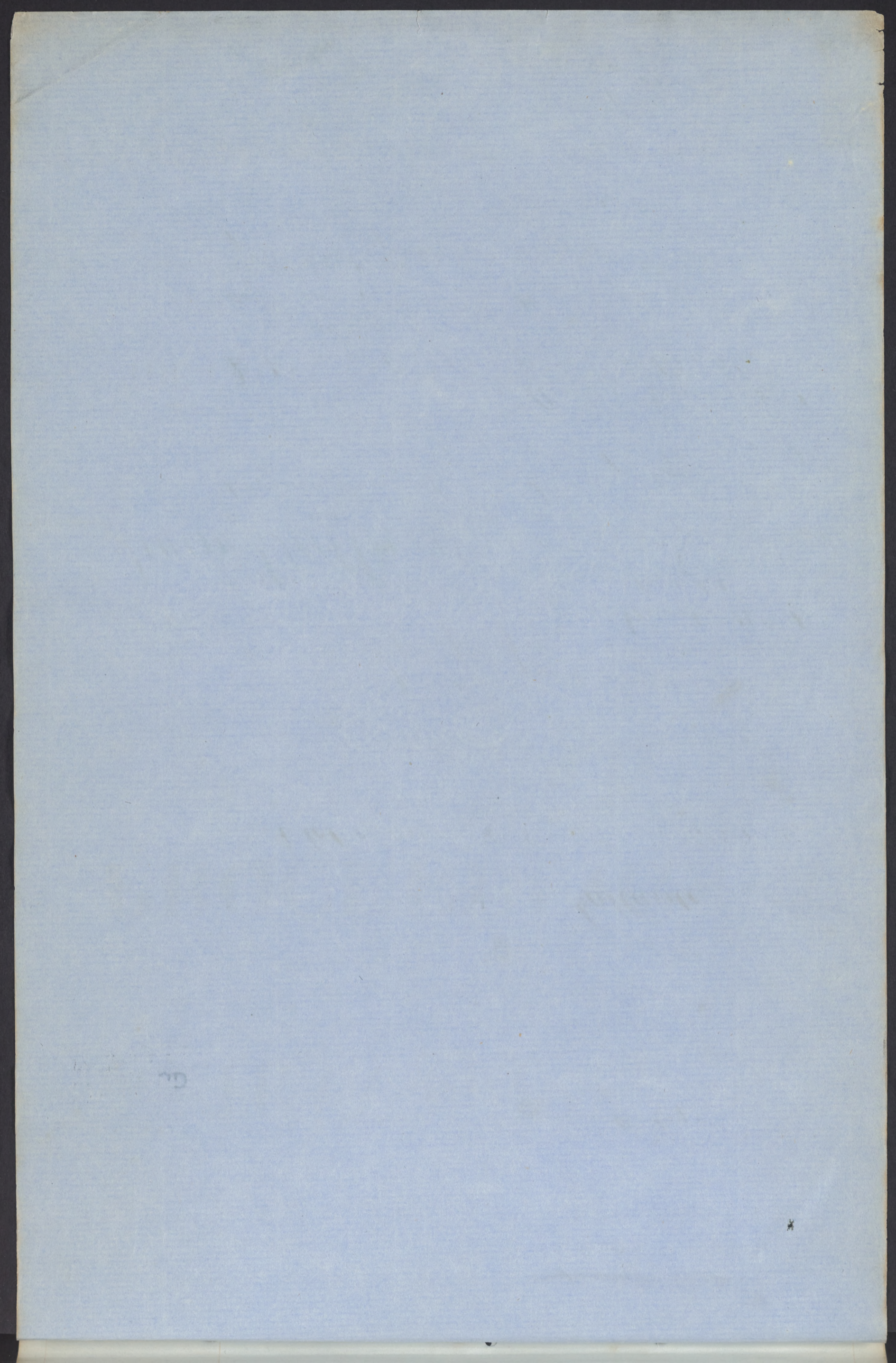
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"A lot of ground near San Pascual"



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

The Petition of *Juan Gallardo*,

for the Place named
A lot of ground near "San Pascual,"
was presented, and ordered to be filed and docketed with No. 444 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;

Sos Angeles, November 11th 1852.

In case no. 444, Juan Gallardo for a lot of ground near "San Pascual," the deposition of Francisco Villa, a witness in behalf of the claimant, taken before Commissioner Meland Hall, was filed.

(Vide page 7 of this Transcript.)

Sos Angeles, November 12th 1852.

In the same case the deposition of Abel Stearns, a witness in behalf of the claimant, taken before Commissioner Meland Hall, with documents marked M. H. Nos. 1 & 2, and translations thereof, annexed thereto, was filed.

(Vide page 8 of this Transcript.)

Sos Angeles, December 13th 1852.

In the same case the deposition of Francisco Javier Sepulveda, a witness in behalf of the claimant, taken before Commissioner Meland Hall, was filed.

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(Vide page 12 of this Transcript.)

In the same case the deposition of Juan Gallardo, the claimant in this case, in his own behalf, taken before Commissioner Kiland Hall, was filed;

(Vide page 13 of this Transcript.)

In the same case the deposition of Jose' Santa Sepulveda, a witness in behalf of the claimant, taken before Commissioner Kiland Hall, was filed;

(Vide page 10 of this Transcript.)

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San Francisco, March 4th 1853.

In the same case the deposition of Juan B. Alvarado, a witness in behalf of the claimant, taken before Commissioner Kiland Hall, was filed;

(Vide page 14 of this Transcript.)

San Francisco, November 25th 1853.

In the same case the counsel for the claimant filed as evidence the following Affidavit made before Commissioner R. Aug. Thompson, Esq.;

(Vide page 27 of this Transcript.)

San Francisco, November 25th 1853.

In the same case the deposition of Narciso Botella, a witness in behalf of the claimant, taken before Commissioner Alpheus Felch, was filed;

(Vide page 17 of this Transcript.)

In the same case the deposition of Juan Gallardo, a witness in his own behalf, taken before Commissioner Alpheus Felch, with a map marked "S. F. No. 1," annexed thereto, was filed;

(Vide page 16 of this Transcript.)

San Francisco Sept 5th 1854.

In the same case the deposition of J. A. Warren, a witness in behalf of the claimant, taken before

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Commissioner Peter Sott, was filed;
(Vide page 21 of this Transcript)

San Francisco, Sept. 16th 1854.

In the same case the counsel for the claimant filed a copy of the deposition of Thomas E. Ervished, a witness in behalf of the claimant, taken before Commissioner Peter Sott on the 13th inst. in case no. 448, Maria Rita Baldez for the place named "San Antonio", evidence in this case, by virtue of the stipulation with the U. S. Associate Saw Agent aforesaid, thereto;

(Vide page 23 of this Transcript)

San Francisco October 3rd 1854.

Case no. 449, on motion of the counsel for the claimant, with the consent of the U. S. Saw Agent, was ordered to be placed at the foot of the 2^d class cases on the Dual Docket.

San Francisco, November 4th 1854.

Case no. 449 was submitted under the Rule of March 21st 1854 and taken under advisement by the Board.

San Francisco, November 14th 1854.

In the same case Commissioner Alpheus Fitch delivered the opinion of the Board respecting the claim;

(Vide page 71 of this Transcript)

and the following order was made, to wit:

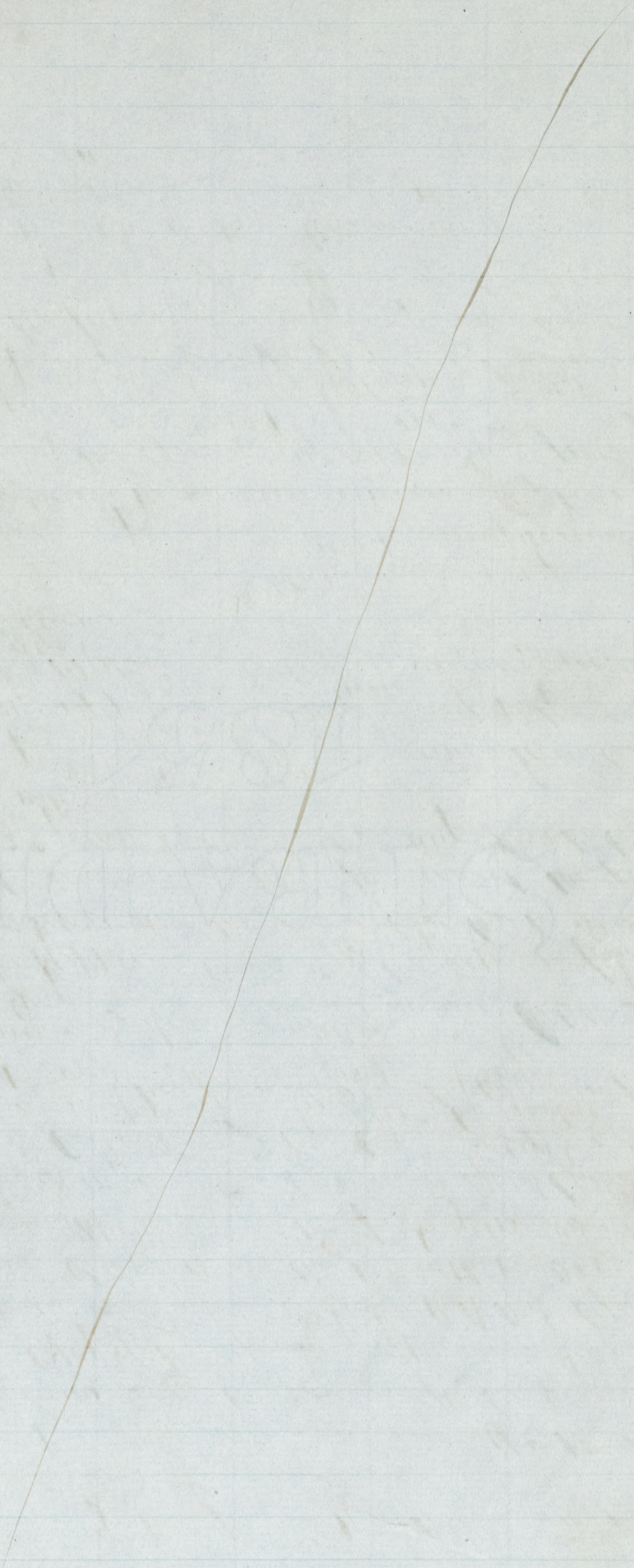
(Vide page 75 of this Transcript)

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Petition

Before the Board of Commissioners for
ascertaining and settling private land claims
in the State of California

Your Petitioner Juan Galardo resident
of Los Angeles County of Los Angeles and
State of California respectfully represents
to Your Honorable Board that he claims a
certain tract of land in extent 2000 varas
square situated in Los Angeles county state
of California near Rancho San Pascual
and the Mission of San Gabriel that
he claims the same in fee by virtue of a
grant under the Mexican Government by
Governor J. B. Alvarado then Governor of
the Departments of the Californias of date
July 17. A. D. 1838 running to himself and
Francisco Wille since which time they and
those claiming under them have had pea-
ceable possession without my knowledge of
any interfering claim

Your Petitioner further represents that
the said Francisco Wille has transferred
his right to him which he will show
in evidence

And Your Petitioner would also
further represent to Your Honorable
Board that he also claims a tract con-
taining more or less adjoining
the aforesaid tract of 2000 varas which
was granted as an extension of the last
named tract, that the same was
granted to him under the Mexican Gov-
ernment by Pio Pico Governor of the
Departments of the Californias some time
in the year 18 and that he has been
up to this date in possession of the
same ever since and without any know-
ledge of any interfering claimant but
that his title was deposited with the Al-
calde José L. Sepulveda preparatory to giving
judicial possession, which possession was
arrested by the war between the United

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States and Mexico, and more that
during the said war the said title
was lost, as will be conclusively
proved in evidence

Your Petitioner files herewith a
certificate of Don José L. Sepulveda
as Alcalde stating that he had the
title papers of the said land in his
possession before the war of 1846 for
the purpose of giving judicial Posses-
-ion also certain other proceedings had
by and under the Ayuntamiento of Los
Angeles in 1847 confirming the truth of
the loss of the said documents and
your Petitioner will proceed to file
the translations together with such further
evidence as may be necessary

Your Petitioner prays Your Honorable
Board to take into consideration his title
to the said lands and declare the same
to be valid and to confirm them

And Your Petitioner will
ever pray.

(Signed) Henry Hancock
Atty for Claimant

Made at Los Angeles
this 11th day of Nov-
1852

Filed in Office Nov. 11th 1852

(Signed) Geo. Fisher

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Deposition
of
Francisco Villa

San Angeles

Nov. 11. 1852

On this day before Com^r Hiland Hall came Francisco Villa, a Witness in behalf of the Claimant Juan Gallardo, Petition No 477 and was duly sworn, his evidence being interpreted by the Secretary

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The U S Associate Law Agent was present.

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

My name is Francisco Villa, my age is sixty two years and I reside in the city of San Angeles and am a native of this place

I was the Grantee of two thousand seven square of land near the Rancho called San Pascual - It was granted by Governor Alvarado in 1839 and I sold it to Juan Gallardo in 1843. Before I sold to Gallardo he had been working with me two years and fearing the land would be denounced by Vicente de la Rosa Gallardo went to Monterey and got a grant to both of us. This was in 1841. Gallardo has occupied the land from that time to the present. He has a house on the place, built soon after I sold to him in which he lives with his family. He has a garden and vineyard and stock on the place. There was a small house on the land in 1841 - The house built
by Gallardo

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Gallardo was within the boundaries of the tract of two thousand varas on the line Tiburcio Tapia gave me judicial possession of the land under the first title. He was Alcaide - The land I was just in possession of had two springs on it and a creek.

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(signed) Francisco + Villa ^{his}
mark

Sworn and Subscribed

Before me

(signed) Meland Hall
Commissioner

Filed in Office November 11th 1852
(signed) Geo. Fisher
Secretary

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Deposition  
of  
Abel Stearns

San Angeles

November 12<sup>th</sup> 1852

On this day before Com<sup>r</sup> Meland Hall came Abel Stearns, a Witness in behalf of the Claimant, Juan Gallardo petition N<sup>o</sup> 477 and was duly sworn his evidence being in English.

The U. S. Associate Law Agent was present.

In answer to inquiries by counsel for Claimant the Witness testified as follows

My name is Abel Stearns; my age is

9  
fifty<sup>four</sup> years and I reside at Los Angeles  
I have resided in California over twenty  
three years -

A paper is now shown me purporting to  
be a certificate dated 5<sup>th</sup> of July 1847  
to which the genuine signature of José  
P. Sepulveda is appended, as I believe  
I am acquainted with his signature  
The said paper is hereto annexed and  
marked "H H No 1"

Another paper is shown me purporting  
to be a representation to the Ayuntamiento  
dated July 10<sup>th</sup> 1847. I am acquainted  
with the signatures of Juan Callardo  
José Salazar, Ignacio Coronel, Julian  
Chavez, and José Antonio Yorba. The  
signatures of the said several persons ap-  
pearing on said paper I believe to be  
genuine. It is hereto annexed and  
marked "H H No 2"

I know that Juan Callardo occupies  
a small tract of land situated about  
two leagues in a North easterly direc-  
tion from this place - It is on the  
South side of the Rancho of San  
Pascual. I think he had a house  
there seven or eight years ago, which  
has been inhabited by him or others  
for him from that time to the present  
He has had considerable land under  
cultivation and has a small stock of  
cattle and horses.

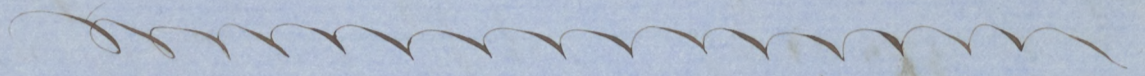
(Signed) Abel Stearns  
Sworn

Sworn and Subscribed  
Before me  
(signed) Ireland Hall  
Commissioner

Filed in Office Nov. 12<sup>th</sup> 1852

(signed) Geo. Fisher

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Los Angeles  
Nov. 19<sup>th</sup> 1852

Deposition  
of  
Jose Loreto Sepul-  
veda

On this day before Comr. Ireland Hall came Jose Loreto Sepulveda a witness in behalf of the Claimant Juan Gallardo, Petition No 477 and was duly sworn his ordinance being interpreted by the Secretary

The U. S. Associate Survey Agent was present.

In answer to inquiries by the Counsel for the Claimant the witness testified as follows—

My—Jose Loreto Sepulveda my age is thirty five years and I reside in the county of Los Angeles.

I was Alcalde during the whole of the year 1846. I remember that in 1846 Juan Gallardo left with me his title papers to the Rancho called—



San Pascual. I was Captain of a company and at the commencement of the war with the United States I was obliged to go to Monterey. The papers were left in my Office and I know not what became of them afterwards. The object of Gallardo was to obtain judicial possession of an augmentation to the land formerly had and the papers related to such augmentation. It was an augmentation to the land called San Pascual, which I understood to be the Rancho of Juan Gallardo. I was never on the land. I think it was in April or May when Gallardo left his papers with me he called several times to have me give him possession, but I was too much occupied to do it. I left for Monterey in June and the papers remained in the Office among those not acted upon. The papers were brought to the Office by Gallardo. I do not recollect by what Governor the title to Gallardo was given. When I left here for Monterey Leonardo Cota the first Regidor took charge of the Office and came into possession of the papers. There was no inventory of them taken. I never saw the papers of Gallardo afterwards.

(Signed) Jose Sta Sepulveda

Sworn and Subscribed  
Before me.

(Signed) Meland Hall Comr

Filed in Office December 13<sup>th</sup> 1852

(Signed) Geo. Fisher

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Deposition  
of  
Francisco  
Javier  
Sepuveda

Los Angeles

Nov. 25 1852

On this day before Com. Heland Hall and Francisco Javier Sepuveda, a Witness in behalf of the Claimant Juan Gallardo Petition No 477 and was duly sworn his evidence being interpreted by the Secretary

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The U. S. Associate Saw Agent was present

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

My name is Francisco Javier Sepuveda, my age is seventy six years and I reside in the County of Los Angeles

I know the Rancho called San Pascual occupied by Juan Gallardo I have been at the house of Gallardo for two or three days at times. He married one of my daughters and I have occasionally visited there. He has one large house there with several rooms - It was built in the time of Governor Micheltorna - There was disposition made to his building the house by Enrique Sepuveda, who then occupied the land - but on application to Micheltorna he told Gallardo to go in and build and make such settlement as he chose, and he should not be dis-

-turked - There was previously a small  
 hut or hovel on the land in which Fran-  
 -cisco Villa who sold the land to Gallardo  
 lived and which he pulled down when  
 he sold it. The new house was built  
 near where the old one was. Ynniqui  
 Sepulveda claimed the whole of the  
 Rancho of San Pascual. He had cattle  
 and cultivated the land and had  
 a house on it, occupying the land  
 provisionally. The house of Ynniqui  
 was on the margin of the Arroyo Ynni-  
 -do it might be half a league from  
 that built by Gallardo. The house now  
 claimed by Manuel Parfias is not the  
 one Ynniqui Sepulveda occupied - but  
 is one that was occupied by the late  
 Jose Perez. This house is near the  
 one Gallardo built than that of the  
 said Sepulveda.

(signed) Francisco Javier Sepulveda  
 mark

Subscribed and Sworn

Before me

(signed) Wiland Wall  
 Comr

Filed in Office Dec. 13. 1832

(signed) Geo. Fisher  
 By



14  
Deposition  
of  
Juan B Alvarado

San Francisco  
March. 7<sup>th</sup> 1853

On this day before Com<sup>r</sup>. Willard  
Will came Juan B Alvarado a  
Witness in behalf of the Claimant  
Juan Gallardo Petition No 477 and  
was duly sworn his evidence being in-  
terpreted by the Secretary

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The W S Associate Secy. Agent  
was present

Questions by Claimant's Counsel

Ques. 1<sup>st</sup>

What is your name age and  
place of residence?

Answer. My name is Juan  
B Alvarado my age is 43 years  
my residence Contra Costa County -

Question 2<sup>d</sup>

Are you acquainted with  
Francisco Villa and Juan Gallardo  
both of Los Angeles County Cal?

Answer. I am -

Ques. 3<sup>d</sup>

Look at the traced copy  
of the Expediente in this case for the  
year 1838 and say what you recol-  
lect concerning the grant therein ap-  
pearing to have been given Francisco  
Villa

Answer - I recollect there was

such a grant and the signatures as shown by the traced copy, appear to be mine, said traced copy is certified by S D King Surveyor General and marked Expediente No 258

I recollect that Juan Gallardo and Francisco Villa afterwards — petitioned for the same land in full property to be granted them jointly, but I think it was not done because it had already been granted to Villa and he could transfer an interest to Gallardo if he choose

(Signed) Juan B. Alvarado

Sworn and Subscribed  
Before me

(Signed) Meland Hall  
Commissioner

Filed in Office March 7. 1853.

(Signed) Geo. Fisher

Ben

Deposition  
of  
Juan Gallardo

Office of The Board of  
W. B. Land Commissioners  
veve

This day before Com<sup>r</sup> Alshens Titch  
came Juan Gallardo, a witness in behalf  
of claimant, in Petition, N<sup>o</sup> 477 and  
being duly sworn his evidence being in  
Spanish was interpreted by the Secretary  
as follows

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Juan Gallardo being duly sworn de-  
posed and says that he is the identical  
Juan Gallardo, who has filed with this  
Board Claim N<sup>o</sup> 477 and that the  
maps now shown him which was filed  
in the same claim on the 11<sup>th</sup> of June  
AD 1853 and that the same is a duplicate  
of the one which was lost with his papers  
while in the charge of the Alcalde of  
Los Angeles that the same was executed  
by the same surveyor a Scotchman or  
about the same time of the other and  
that it represents the identical land  
which was represented by the said last  
map or deseno, That the reason of his  
not having presented this map at the  
time of filing his Petition was because  
it had been mislaid and was not then  
at his command

(Signed) Juan G. Gallardo  
Subscribed and sworn to before  
me this 28<sup>th</sup> day of November 1853.

(Signed) Alshens Titch. Com<sup>r</sup>  
Filed in Office Nov. 28<sup>th</sup> 1853  
(Signed) Geo. Fisher  
by

17  
Deposition  
of  
Narciso Botello

Office of the Board of  
W. S. Land Commissioners  
v. e. c.

San Francisco Nov. 28 1853  
This day before Com<sup>r</sup>. J. Felto came  
Narciso Botello a Witness in behalf of  
Claimant Juan Gallardo Petition  
N<sup>o</sup> 477 and being duly sworn, his  
evidence being in Spanish it was in-  
terpreted as follows by the Secretary

Questions by Mr. Hancock Attorney  
for the Claimant.

1<sup>st</sup> Question What are your name  
age and place of residence?

Answer. My name is Narciso  
Botello my age is forty — years  
and I reside at San Angeles in Cal-  
ifornia

2<sup>d</sup> Question. Look on the Map now  
here shown to you, purporting to be a  
Map of the place called San Pascual  
marked Exhib<sup>t</sup> N<sup>o</sup> 1 with the initials  
"J. F." and peramto attached and state  
who made the same and whether you  
know the place represented by it, and  
if so to whom it has belonged since  
the year 1843.

Answer. I have looked on the  
said Map. It was made by Jose Maria  
Money. I know the land represented  
thereby. In 1843 the land belonged to  
Juan Gallardo. I do not know how  
much it contains, but I believe it is  
about

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about two leagues -

3<sup>d</sup> Question What places do you recognize on the Map?

Answer - All the points on this Map are well known to me because I have often traveled over the land. I have known it many years.

4<sup>th</sup> Question When did - first - know Callardo to have a house on the place occupied by him?

Answer - I was there in 1866. He then had a house there, but I do not know how long it had been built he lived in the house -

5<sup>th</sup> Question Do you know said Money personally?

Answer. I do he has been in the Atlantic States for the last two years - but his family is still at San. Angeles.

6<sup>th</sup> Question - Have you been acquainted with his work and do you know his hand writing?

Answer. I am acquainted with his work and also with his hand writing.

7<sup>th</sup> Question, Is he a good Spanish Scholar?

Answer. He does not understand the Spanish language well. He speaks it badly but understands it better than he speaks it. He is an Englishman or Scotchman.



8<sup>th</sup> Question Was you Secretary of the Prefecture of Los Angeles in 1843?

Answer. I was.

9<sup>th</sup> Question

Do you recollect anything about a dispute between Juan Gallardo and Manuel Parfas concerning some springs of water during the year 1843?

Answer. I do, I was then in the Prefects Office and there it was settled

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10<sup>th</sup> Question

Do you know more than one place in Los Angeles County called San Pascual?

Answer. I know one and no more There is another San Pascual in San Diego County.

11<sup>th</sup> Question

Do you know the name of the Rancho adjoining that of San Pascual in Los Angeles County on the North and west side of it?

Answer. I do it is The Rancho Del Cerro Viejo belonging to Julio Verdugo.

12<sup>th</sup> Question

Do you know the land of Don Manuel Parfas adjoining this Rancho If you what is it called?

Answer. I do It is called San Pascual, it lies on the North side of it. This land and that of Manuel Parfas

Parfias is all known by the name of  
San Pascual.

13<sup>th</sup> Question Are the not sometimes  
called by different names?

Answer I have known of no  
particular distinction between the two, both  
are called, San Pascual.

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(signed) Narciso Botello

Mr. Greenhow Associate Law  
Agent was present at the  
taking of this Deposition but  
propounded no questions to  
the Witness

Subscribed and sworn to  
before me this 28<sup>th</sup> day of  
November, 1853.

(signed) Alpheus Felch  
Commissioner

Filed in Office Nov. 28<sup>th</sup> 1853

(signed) Geo. Fisher

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Deposition  
of J. Warner

United States of America  
State of California

San Francisco Sept 4<sup>th</sup> 1854

This day before Peter Sott Commissioner for taking testimony to be used before the Board of W. S. Land Commissioners in said State, J. Warner a witness on behalf of the Claimant Juan Gallardo in Case No 47 on the Docket of said Board, and said Witness being sworn - deposed as follows

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The W. S. Associate Law Agent is present.

Questions by W. Hancock Esq for Claimant.

1<sup>st</sup> Question What is your name age and residence?

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

2<sup>nd</sup> Question Look at the traced copy of the Expediente now shown to you - marked "Exhibit No 1, P. S." and filed in this case, and state whether you have examined the original thereof in the Office of the W. S. Surveyor General for the State of California, if yes, are you acquainted with the hand writing of the persons - whose names appear signed thereto and if yes state your means of knowledge and whether their signatures to said original

original document wherever they occur respectively thereto, are genuine?

Answer, I have examined the original Expediente in said Surveyor General's Office, of which this is a certified Copy, and I am acquainted with the signatures of Juan R. Alvarado and Juan Zambrini having frequently seen them write and I believe their signatures in said original document wherever they occur are genuine. I do not know any other signatures on said document.

(Signed) J. J. Warner

Subscribed and sworn to  
before me Sept 11<sup>th</sup> 1854

(Signed) Peter Holt,  
Commissioner



Deposition  
of  
Thos. E. Evershed

United States of America }  
State of California. }

San Francisco Sept 13<sup>th</sup> 1834

This day came before Peter Sott Commissioner for taking testimony to be used before the Board of U. S Land Commissioners in said State. Thomas. E. Evershed a Witness on behalf of the Claimant - Maria Rita Valdez in Case No 478, on the Docket of said Board, and said Board, being sworn on oath deposed as follows

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The U. S. Associate Land Agent is present

Question by Mr. Hancock Attorney for Claimants

1<sup>st</sup> Question.

What is your name age and residence?

Answer - My name is Thomas E. Evershed, my age 30 years, my residence San Francisco California

2<sup>d</sup> Question

Are you employed in the Office of the U. S. Surveyor General for the State of California, if yes in what capacity

Answer. I am so employed - I am one of the Archive Clerks in said Office

3<sup>d</sup> Question. Have your duties in that

capacity rendered you familiar with the records therein, of titles to land under the former Government, if you state what you know of the condition of said records for the years 1838 and 1839.

Answered -

I have charge of the Archives, and frequently on application of parties interested made to me as Keeper of the Archives, I have had occasion to make search for all papers pertaining to the old titles and as to the records of the years mentioned there are no records in the Archives for those years, in the shape of books of record. There are three bound books and papers intended to have been bound in another volume, one of them is entitled - "Cuaderno" del Registro de sitios fuertes y benales" for the years 1784 to 1831 as indexed in the Archives, the second book is entitled "Títulos" and purports to be a book of records for grants from the year 1833 to 1836 inclusive, another book purports to be a book of "Tomas de razon" for the years 1844 and 1845 and from title papers in said Archives is evidently incomplete. The unbound book is also a book of Tomas de razon for the years 1841, 1842 and 1843 - and from the book itself and title papers in said Archives it is evidently very incomplete as there are many papers missing from the numbering of the pages now existing.

4<sup>th</sup> Question, Do you then intend to say

that the records of 1838 and 1839 are incomplete?

Answer — Yes I do, they are incomplete for those years, so far as books of record are in question

3<sup>rd</sup> Question, Is there any regular unbroken series of Expedientes for the years 1838 and 1839

Answer There are Expedientes there for those years, I cannot say that they are in an unbroken series or not.

6<sup>th</sup> Question Please state whether there are any Expedientes in the Archives for those years, which are not noted in "the Tomas de razon"

Answer There are

7<sup>th</sup> Question Does the book which you call "Cuaderno del Registro de setas, fierros y Señales" contain a full and complete record of all the titles issued between 1784 and 1831

Answer — I cannot say that it does but to the best of my knowledge I know many of the old papers between those years to be recorded therein —

8<sup>th</sup> Question

Have you any recollection of having seen in that record a note of titles or concessions made to retired soldiers in particular

Answer —

I do not recollect any

such now

(signed) Thomas E. EvershedSubscribed and sworn to  
before me Sept 13<sup>th</sup> 1834,(signed) Peter Sott Comm<sup>r</sup> J<sup>ce</sup>248SD  
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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 that the foregoing is a true and correct copy of the Deposition of Thomas E. Evershed taken before Commr. Peter Sott and which Deposition is now on file in this Office and in my care and custody as such Secretary

Given under my hand at the City of San Francisco this fifteenth day of September A<sup>D</sup> 1834

(signed) Geo. Fisher

(The following is written on the margin of this deposition.)

It is hereby mutually agreed that this copy may be filed and incorporated with the evidence in Case N<sup>o</sup> 477.

(signed) Lewis Blanning Atty for Gov<sup>t</sup>(") Henry Hancock " " Clm<sup>t</sup>Filed in Office September 16<sup>th</sup> 1834(signed) Geo. Fisher



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Affidavit

Juan Gallardo

Juan Gallardo being duly sworn depared and says that he is the Claimant of the Rancho Cañada de San Pascual, filed with this Board as claim N<sup>o</sup> 477 that it was not his intention to say that the Arroyo Seco mentioned in his former declaration before this Board of date of 17<sup>th</sup> of November, 1842 at San Angeles, was actually the Western boundary of his land but that the said Arroyo was on the West of his land that is that his land is situated Eastward of the said well known Arroyo and that there is intervening between the said Arroyo and the land granted a portion of the Rancho Rincon San Pascual and in fact that the Arroyo is not the West boundary but situate at the West of it — I also further aver that the fact of the said Arroyo having been alleged to be on the West and conveying the idea that the same was the West boundary of the said Rancho was occasioned by the person not well understanding the Spanish language who drew the former affidavit and knowing nothing concerning the real boundaries of the Rancho.

(Signed) Juan Gallardo

Sworn to and Subscribed  
before me Nov. 25. 1853

(Signed) J. Aug Thompson  
Clerk

Filed in Office Nov. 25<sup>th</sup> 1853 —  
Signed Geo. Fisher

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Affidavit

To the Hon. Board of Commissioners for ascertaining Private Land claims in the State of California

Petition No 477

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PAGE 28

Juan Gallardo } Before Commissioner  
as } Wall at Los Angeles  
The United States } this 17<sup>th</sup> day of Nov-  
 } ember A.D. 1852.

Juan Gallardo citizen of Los Angeles county and State of California presents himself and declares upon oath that he is the claimant of the 2000 varas square and its augmentation or extension as represented in claim Numbered 477 and filed in this Board, that the claim was firstly without the extension granted to Senor Francisco Villa in 1839 of which he had judicial possession that in 1841 owing to an attempt of Vicente de la Osa having attempted to disannul the said land (the said Villa having been ill and for that reason perhaps not having attended to it) as he otherwise would have done he the deponent in accordance with an agreement with the said Villa in the year 1841 proceeded to Monterey where he procured of Governor Alvarado a re-grant to himself and Villa and soon after his return purchased the right of the said Villa to the said 2000 varas square of which said tract he is informed proper record exists in the Gov<sup>t</sup> Archives, but the deponent further says that during the summer of 1843

of 1813 he had granted to himself in his own name by Governor Manuel Micheltorrea lands of the Mission of San Gabriel with the permission of the Peró Padre (Tomas Estenega) adjoining the said two varas square and also including the same under the name of Canada de San Pascual and in extent two square leagues a little more or less, bounded on the South by the Rancho Rosa Castillo and on the East by the Mission of San Gabriel in the North and West by the Rancho Quicin de San Pascual there being an Arroyo Seco on the Western side of the said Rancho called Canada de San Pascual. The Depoiment also further says that sometime about the month of May A. D. 1846 he delivered his aforesaid title papers through the aid of Governor Pio Pico to Don Jose Sordo Sepulveda the then Alcalde for the purpose of obtaining Judicial possession of the then called Rancho Canada de San Pascual granted by Gov. Micheltorrea as aforesaid and containing two leagues a little more or less that the said Alcalde received the said title papers, but that within a few days after and before there was time for the acts of judicial possession to be performed he the Depoiment was deputed by the said Alcalde to go on a Commission to the various Ranches to collect horses for the expedition of Governor Pio Pico to the North against Don Jose Castro and that the said Alcalde accompanied the said Expedition during his absence upon which the Archives of his Office

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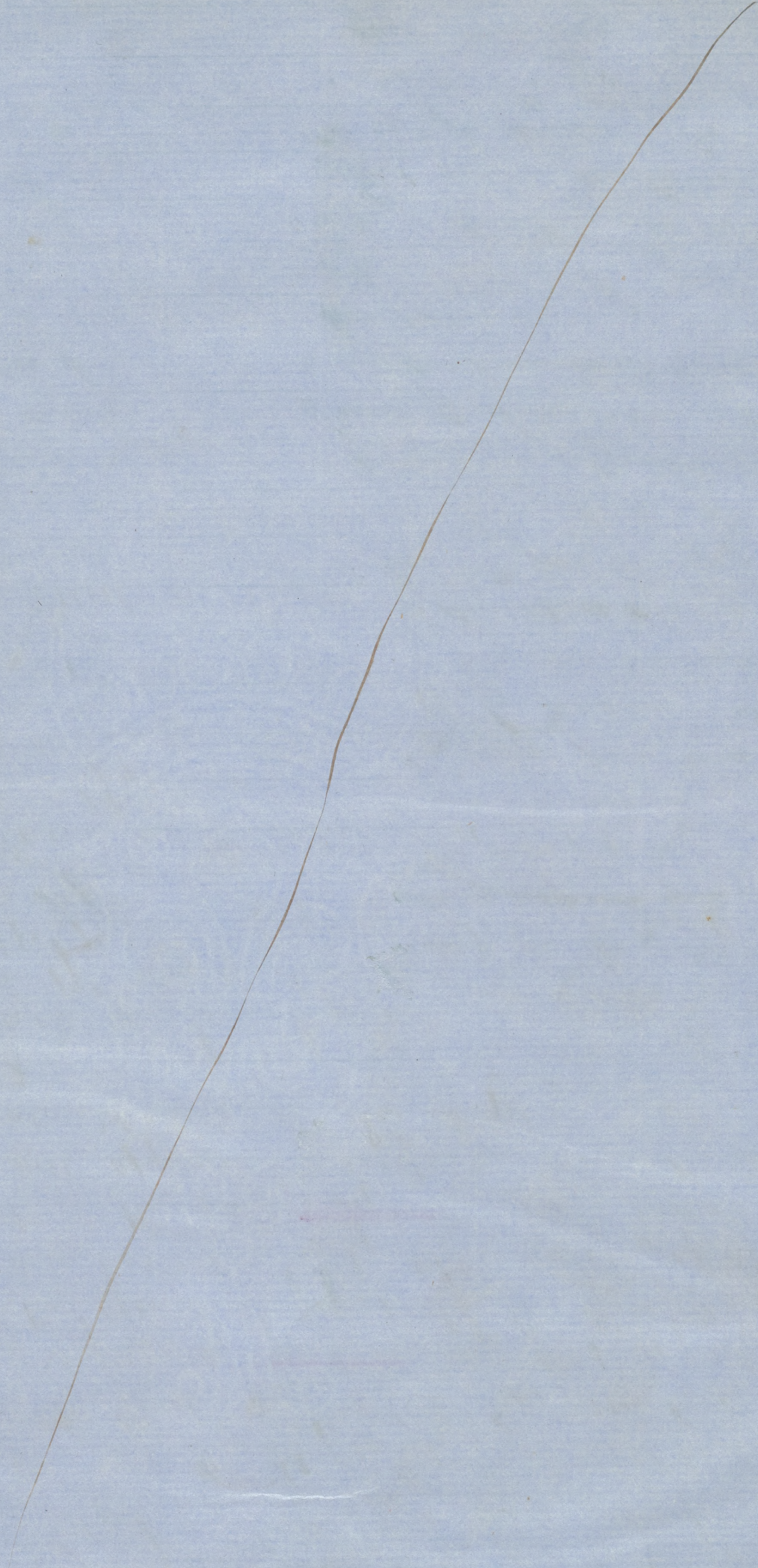
were lost and upon the restoration of peace could not be found, and that with them were lost his title papers or the Expediente of the aforesaid Rancho called Canada at San Pascual since which time the Depoent has not been able to find it and believes it lost the Depoent further says that a portion of the aforesaid grant by Gov. Michelena to him was obtained by amerciation of a part of the Rancho Rancho San Pascual as will appear in evidence from the local Archives of Los Angeles

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Sworn at Los Angeles  
this 17<sup>th</sup> day of November  
AD 1852. (signed) Juan Gallardo

Sworn and Subscribed  
Before me.  
Wm. Hall  
Clerk

Filed in Office Dec 13<sup>th</sup> 1852  
(signed) Chas. Fisher  
Clerk



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1.ª P. N.º.

Jurisdicción de los Angeles

Año de 1838.

Expediente promovido por el C. Francisco Villa en solicitud de la extensión de dos mil varas de terreno en el paraje nombrado San Pascual.

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map 3 B

2.ª P. N.º.

Excmo. Sr. Gobernador.

Angeles Julio 16  
de 1828.

Informe al  
Adm.º de San Ga-  
briel lo que sea  
conveniente en el  
particular.

Aborador

Administrador que lo fui D. José Pérez su-  
di á verme con dho. Señor paraje me fa-  
cilitase un pedazo de terreno de algunos si-  
tios valiosos de dho finca y hacer una re-  
gular finca pues me consideraba acre-  
dor á esta gracia por haber sido yo un  
antiguo Corridor de dho. Misión pues por es-  
tar empleado en la trabajo de dho. abandoné  
una casa y huerta que tenia en esa Misión,  
las circunstancias de me presentaron pros-  
peras, pues cuando el citado Pérez tomase  
posesion de un terreno que está abajo de San

Francisco Villa vecino  
de la Ciudad de los Angeles,  
con el debido respeto que de-  
be ante V.E. comparece y dice  
que á consecuencia de haber  
servido diez años poco mas  
ó menos á la Misión de S.  
Gabriel y nunca teniendo  
alguna amistad con su

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PAGE 32

3 L. D. N.

Pascual, sitio permanente á la Misión, pues nunca ni la Misión ni ningún particular se acordaban del hasta era que yo trabajé, pues entonces no estubo dho Perz en consideracion ser sitio ageno ó hacer falta á la Misión, solo si interesado al sitio el susodho. Suor Jori Perz como es probable, pues me dió licencia para fabricar dos Sañas de bastante magnitudu hizo como cinco mil adobes para hacer una Casita Provisional, hizo erogaciones regulares con respecto á las facultades que me habia concedido, pues el terreno presentaba alegre aspecto que todo Campo cultivado daba esperanza, pero luego que vieron el terreno dar esperanzas se le rodearon algunos envidiosos, y sorprendido de falsas calumnias de aduladores que en ahora ni nunca son capaces de aporformar ningún hecho malo, pues trataban de despojarme con ignominia: hallandome en esta gran tribulacion ocurri al Alcalde 2.º que lo era D. José Sepulveda para que me diese un mandamiento de que se me esperase hasta tanto la autoridad respectiva dictaminaba, y por tanto

A V. E. Suplico que en atencion á lo espuesto se sirva si lo halla por conveniente concederme el espresado sitio <sup>abajo</sup> de San Pascual sin perjudicar ni al sitio de San Pascual ni á la Misión, y poner unos cortos bienes de Campo, cultivar sus tierras y hacer una casa para mi subsistencia de lo que recibire gracia y merced.

Y por no haber papel sellado uso del Comum. Angeles y Julio 11 de 1838.

Fran.º Villa



Administ.<sup>ra</sup> de  
San Gabriel 3

En atencion al informe que se  
da el Sr. Jefe Politico y en vista de la  
anterior instancia; digo, como Adm.<sup>ra</sup>  
de dho. Establecimiento que el sitio que so-  
licita el Sr. Villa no se pueda conceder  
en libre posesion á virtud de que la dist.<sup>a</sup>  
á la Mision es poco mas de media legua  
y cuyos terrenos se ocupan en pastorias  
de Caballadas mansas; pero no hay in-  
conveniente para que se conceda al interesado  
las tierras de labor que se hallan en el re-  
ferido sitio pudiendolo verificar anualmente  
con siembras estacionales y con la cesacion  
de gracia concedida á solo el referido Sr.  
Villa, a excepcion de los casos en que haya  
una necesidad tal de siembra por el mismo  
establecimiento. Y en obsequio de perjuicio á  
la parte el Gobierno si lo tuviese á bien  
podrá concederle al referido Villa un de-  
cimo vitalicio en las tierras de labor que  
debe ocupar para su mantenimiento y á  
reserva del que tiene esta Comunidad p.<sup>ra</sup>  
cuando en justicia le sea preciso reclamar.  
S. Gab. y Julio 20 de 1838.  
Juan Bandini -

L.L.N.

Angles Julio 27 de 1838,

Vista la anterior instancia  
el Informe del Adm.<sup>ra</sup> de San Gabriel y  
hallandose actualmente <sup>de</sup> ocupado el terreno  
que solicita Francisco Villa siendo el objeto  
del Gobierno proporcionar el cultivo de todos  
los baldios para el engrandecimiento de

36  
la Agricultura; he venido por el presente  
decreto en conceder al Solicitante la ocupa-  
cion del paraje que se menciona con la es-  
tension de dos mil varas para que pue-  
da establecer casa y labranza y poner algu-  
nos bienes de campo en concepto de que  
no se considerará propietario del terreno  
mientras pertenezca á la Comunidad de  
San Gabriel del cual se lo porará por des-  
pejado por disposicion del Gobierno.

En consecuencia mando que sir-  
viendo de título este decreto lo presentará  
al Adm.<sup>o</sup> del Establecim.<sup>to</sup> quien le hará  
medir el terreno anotando en consecuencia la  
posicion. Es dado en la Ciudad de los An-  
gels de la Alta California.

Alvarado,

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

I, Samuel D. King, Surveyor General  
of the United States for the State of Califor-  
nia and as such now having in my office  
and under my custody a portion of the  
Archives of the former Spanish and Mexi-  
can Territory or Department of Upper Cali-  
fornia do hereby certify that the five follo-  
wing and hereto annexed pages of tracing  
paper numbered from one to five inclu-  
sive and each of which is verified by my  
initials (S.D.K.) exhibit true and accurate  
copies of certain papers on file and form-  
ing part of the said Archives in this Of-  
fice.

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S.D.K.

37

777  
3

L.S. 3

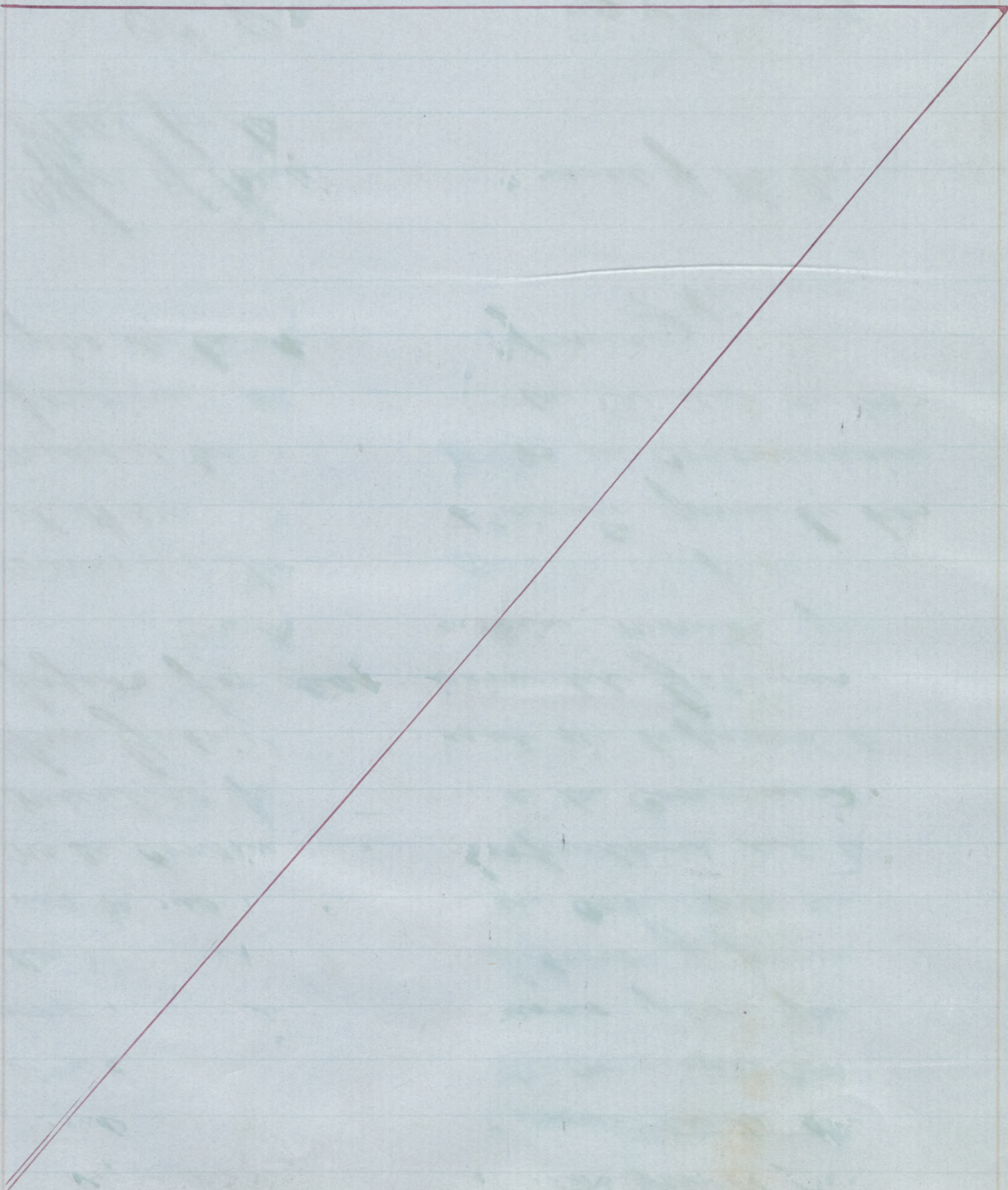
In testimony whereof I have hereunto signed my name officially and affixed my private seal (not having a seal of office) at the City of San Francisco, Cal., the sixteenth day of December A.D. 1852.

Sam. D. King  
Sur. Gen. Cal.

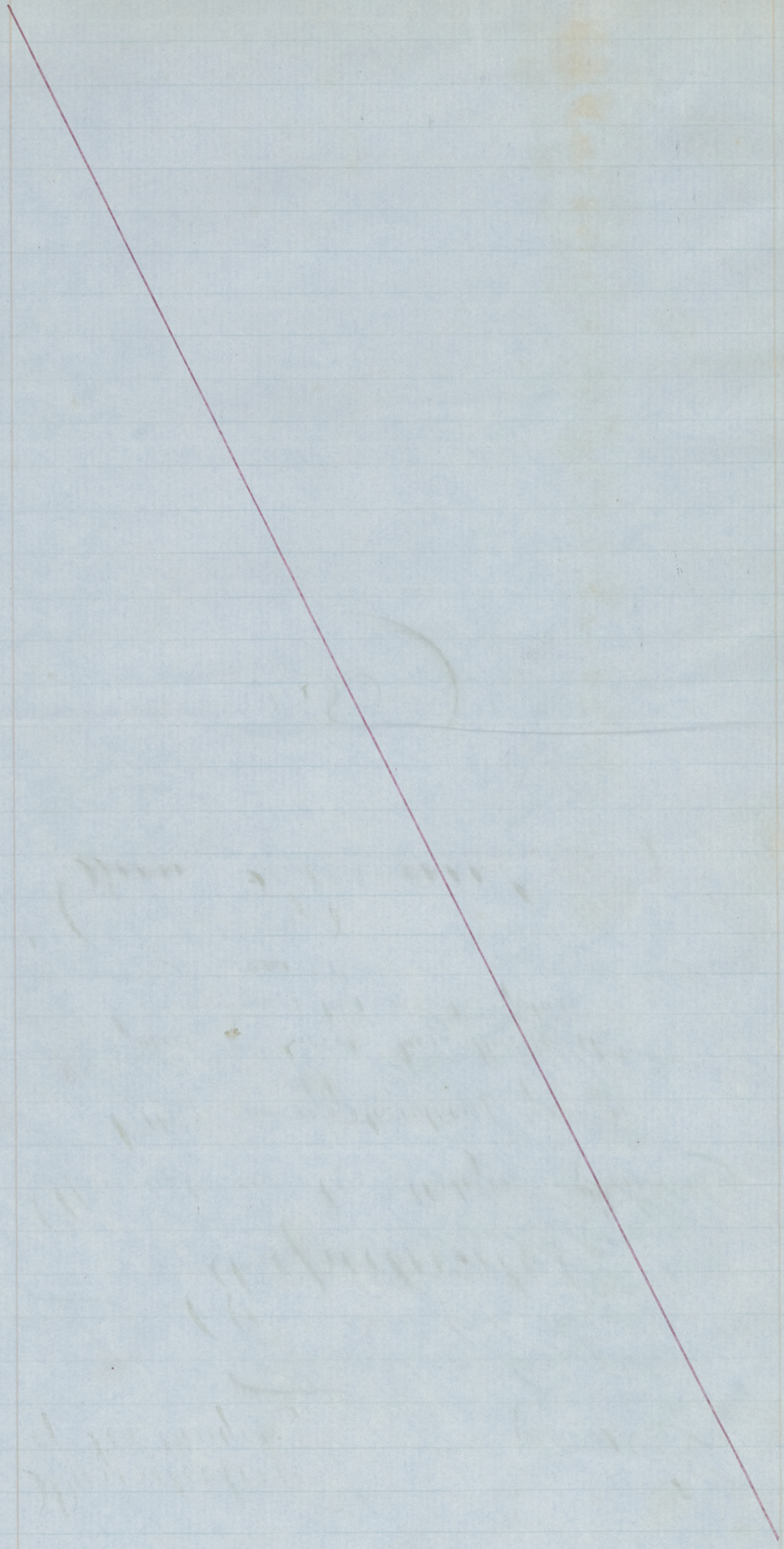
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Filed in Office March 4, 1853.

Geo. Fisher  
Clerk.



38



38  
850

39

Jurisdiction  
of Los Angeles

In the Year  
1838

Expediente

Carried out by Citizen Francisco

Villafont applications for a

piece of land two thousand  
varas in extent in the place

called

"San Pascual"

238

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Los Angeles July 16<sup>th</sup>  
1838.

Let the Administrator of San Gabriel report as it may be deemed expedient regarding the subject

(Signed)

Alvarado

Most Excellent Governor  
Francisco Villa a resident of the City of Los Angeles before V. E. with all due respect appears and states, that in consequence of my having served for ten years a little more or less the Mission of San Gabriel, and having gained friendships of her Administrator Don José Pérez Puelco I spoke with said Señor that he might furnish me a piece of land out of some vacant tracts of said Establishment, that

I might make a regular cultivation; since I considered myself meritorious to such a gift as I had been an old servant of said Mission and also as I was employed in her service I abandoned a house and an Orchard I had in that city the prospects were favorable, said Pérez directed me to take possession of a piece lying below San Pascual. - a tract belonging to the Mission, and neither the Mission nor any private individual did ever think of it until the time when they saw me working - for at that time said Pérez did not consider it to belong to any one, or to be needed by the Mission, and said Señor Pérez was only interested in the tract, as it is probable for he granted me leave to build and to make a small "Rancho", with this freedom - a material stimulation for building two ditches of sufficient size - I made about five thousand "adobes" for the purpose of building a little house for the time being I made regular water canals (erogaciones) according to the permission given to me as the land offered flattering aspect, and the whole field as cultivated gave hopes of my labors being paid; but as soon as some invidious individuals saw that the land gave hopes, they surrounded it, and I was surprised with calumnies of flatterers, who neither

now, nor

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now nor ever could prove any wrong done by me: they tried to dispossess me ignominiously - finding myself in such a great tribulation I applied to the 3<sup>d</sup> Alcalde, being then Don Jose Sepulveda, that he might give an order that I should stay until meantime the proper authority should determine

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Therefore I pray V. E. will in consideration of the above statement be pleased if so deem expedient, to grant me the said tract below San Pascual - which will not be to the injury of the land of San Pascual, nor of the Mission; that I may place there a small cattle stock, cultivate the soil, and build a house for my residence &c &c -

And thereby will receive gift - and favor

And as there was no stamped paper to be procured I made use of this common one

Angels. July 11<sup>th</sup> 1838

Administratorship  
of San Gabriel

Respecting the report which Señor Political Chief requires, and in view of the foregoing petition I state as Administrator of said Establishment that the tract which Sr. Villa petitions cannot be granted in absolute possession on account



of its distance from the Mission being a little over half a league and the same being occupied with pasturing for tame horses, but there is no obstacle, that the party interested build upon the lands suitable for cultivation, which there may be in the said place, and make annually this fields according to the seasons with the exception of a gift granted to only the said Señor Villa with the exception of those cases where there may be a necessity such of sowing by the said Establishment and to prevent injury to the party, the Government may if deem it proper so to do grant to said Villa right during his life (derecho vitalicio) to the lands suitable for cultivation, that he may occupy for his subsistence, and at the reserve for this community to reclaim them in justice whenever necessary so to do

San Gabriel July 20<sup>th</sup> 1838

(signed) Juan Bandini

Angeles July 27<sup>th</sup> 1838

In view of the foregoing petition the information of the Administrator of the Mission of San Gabriel finding the land solicited by Francisco Villa actually occupied, and it being the object of the Government to proportion the cultivation of all the vacant lands for the advancement of agriculture. I have come (do) by this <sup>present</sup> Decree in (the concession) to cede to the solicitant the occupation of the place mentioned with the extension of (2000) two thousand varas he may establish a house and plantations, and may put there some cattle with the understanding that the proprietorship of the land is not ceded to him while it belongs to the Community of San Gabriel, of which he (or it) can

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only be dispossessed by the disposition of  
the Government.)

In consequence I command that  
this decree serve him as a title and  
that he present it to the Administrator  
of the Establishment who will have  
the land measured noting in con-  
sequence the possession. Is given  
in the City of Los Angeles. Alta  
California

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(signed) Alvarado

I George Fisher Secretary to the U  
S Land Commission &c. Thereby certify  
that the foregoing is a true and correct  
translation of a fac-simile of a Spanish  
document on file in this case.

Office of the Secretary of said  
Commission San Francisco Cal-  
ifornia this 6<sup>th</sup> day of January  
A 1854

(signed) Geo. Fisher

Filed in Office March 4<sup>th</sup> 1853

(signed) Geo. Fisher

45-

1 L.N.

Titulo Terreno Dos Reales.

HB  
Second Exped.<sup>ta</sup>  
of 1842.

Habilitado provisionalmente por la Aduana Mariti-  
ma del Puerto de Monterey en el Departamento de las  
Californias, para los años de mil ochocientos cuarenta  
y mil ochocientos cuarenta y uno.

Alvarado.

Antonio Maria Osio.

Stamp

Revalidado por la misma para el año  
de mil ochocientos cuarenta y dos.

Alvarado.

Antonio Maria Osio.

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Monterey Mayo 14  
de 1842.

Informe al Ma-  
yordomo de la Mi-  
sion de San Gabriel

Alvarado.

*[Decorative flourish]*

Exmo. Sr. Gobernador.

Juan Gallardo y Fran<sup>co</sup>.  
Villa residentes en la Ciudad  
de los Angeles con el derecho q.  
haya lugar, y debidas respeto  
ante V.E. exponemos que en  
la Mision de San Gabriel como  
a una legua de distancia se  
hallan un terreno llamado la  
Canaana de San Pascual, en  
cuyo terreno hay un pedazo

de tierra muy bueno para siembras el que  
nos le ha faltado a la Mision por lo que venimos  
ambos en duplicar a V.E. de vos comencian dos  
mil varas en propiedad para tal objeto.

Por tanto a V.E. rogamos se sirva pro-  
ver en nuestro favor, de lo que le viviremos  
muy agradecidos. Juramos &c.

Monterey Mayo 12 de 1842.

Juan Gallardo  
Fran<sup>co</sup>. Villa +

Establecimiento de San Gabriel Mayo 23/842

En cumplimiento del Superior Decreto que  
obra en la precedente instancia, digo a V.E. que

H 6  
L. S. W.

es terreno de que hablan los interesados se halla  
salvo y sin hacer falta a la Misión por lo que  
si V. E. tiene a bien que los pueda conceder.  
Juan Perez

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

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I Samuel D. Wing Surveyor General of the  
United States for the State of California and as such  
now having in my office and under my custody  
a portion of the Archives of the former Spanish  
and Mexican Territory or Department of Upper  
California, do hereby certify that the two preceding  
and hereto annexed pages of tracing paper num-  
ber one and two and each of which is verified by  
my initials (S. D. W.) exhibit a true and accurate  
copy of a document on file and forming a part  
of the said Archives in this office.

In testimony whereof I have here-  
unto signed my name officially  
and affixed my private Seal (not  
having a Seal of Office) at the City  
of San Francisco, Cal., the 14<sup>th</sup>  
day of December 1852,  
Sam. D. Wing  
Sur. Gen. Cal.

L. S. W.

Filed in Office March 4, 1853.

Geo. Fisher  
Clerk.

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Translation  
"B"  
of Expediente  
of  
1842

Sello Torcero Das Reales

Provisionally authorized by the Maritime  
Custom House of the Port of Monterey in  
the Department of the Californias for the  
years 1840 and 1841

(signed) Alvarado (signed) Antonio M. Orio



Re-authorized by the same for  
the year 1842

(signed) Alvarado. (signed) A.M. Orio

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Monterey May 14<sup>th</sup>  
1842

Let the Mayor  
Dono (or Administrator)  
of the Mission of  
San Gabriel report  
(signed) Alvarado

Excellent Señor Governór  
Juan Gallardo and Fran-  
cisco Villa of the City of  
Los Angeles in the best  
form of law and with  
due respect appear before  
Your Excellency representing  
that in the Mission of San  
Gabriel at about a league  
distant there lies a tract

of land called "Canada de San Pascual" in  
which tract there is a part very good for  
planting, and that the Mission is not in want  
of it, both of us come together in supplication  
to Your Excellency that you may aid to us  
two thousand Varas in fee for such object as  
such

Praying that Your Excellency may serve  
us by deciding in our favor by the which we  
shall be pleased swearing &c

Monterey May 12<sup>th</sup> 1842

(signed) Juan Gallardo. (signed) Fran<sup>co</sup> Villa

48  
Establishment of S. Gabriel

May 23<sup>d</sup>. 1842

In compliance with the Superior Decree which is made in the present instance I say to Your Excellency that the land of which the interested party speak is vacant and not wanted by the Mission for which reason if Your Excellency deem it proper may be granted to them.

(signed) Juan Perez

I George Fisher Secretary to the U. S. Land Commission to ascertain &c hereby certify that the foregoing is a true and correct translation

Office of the Secretary of said Commission San Francisco California this 6<sup>th</sup> day of January A. D. 1854.

(signed) Geo. Fisher

Filed in Office March 4<sup>th</sup> 1853

(signed) Geo. Fisher

49

José S. Sepulveda Ex-Alcalde 2.<sup>o</sup>  
de la Ciudad de los Angeles de.

Certifico en la forma legal y  
segun el derecho que permite; que estan-  
do yo fungiendo de Alcalde Constitucional  
en el año pasado, me presento el Sr. Don  
Juan Gallardo un titulo del Gobierno acom-  
pañado con un dicento, y un certificado del  
Eduardo padre Fray Tomas Estunza  
(Ma. difunto) para que se le diera succion  
juridica de un paraje inmediato a San  
Pascual sito en la Misión de San Ga-  
briel; de cuyo paraje no me acuerdo de  
su estension y linderos, pero si tengo en la  
memoria que alli se concedio un terreno al  
mencionado Don Juan Gallardo; <sup>mas</sup> Como  
se presentaran las turbulencias politicas y yo  
tubo que marchar con el Gdor Don Pio  
Pico, se quedo el expediente en el Jus-  
gado y Correo sin duda la misma suerte  
del Archivo; por lo que y para los fines  
que le convengan al Sr. Gallardo, le doy  
la presente en la Ciudad de los Angeles  
a 5 de Julio de 1847

José S. Sepulveda

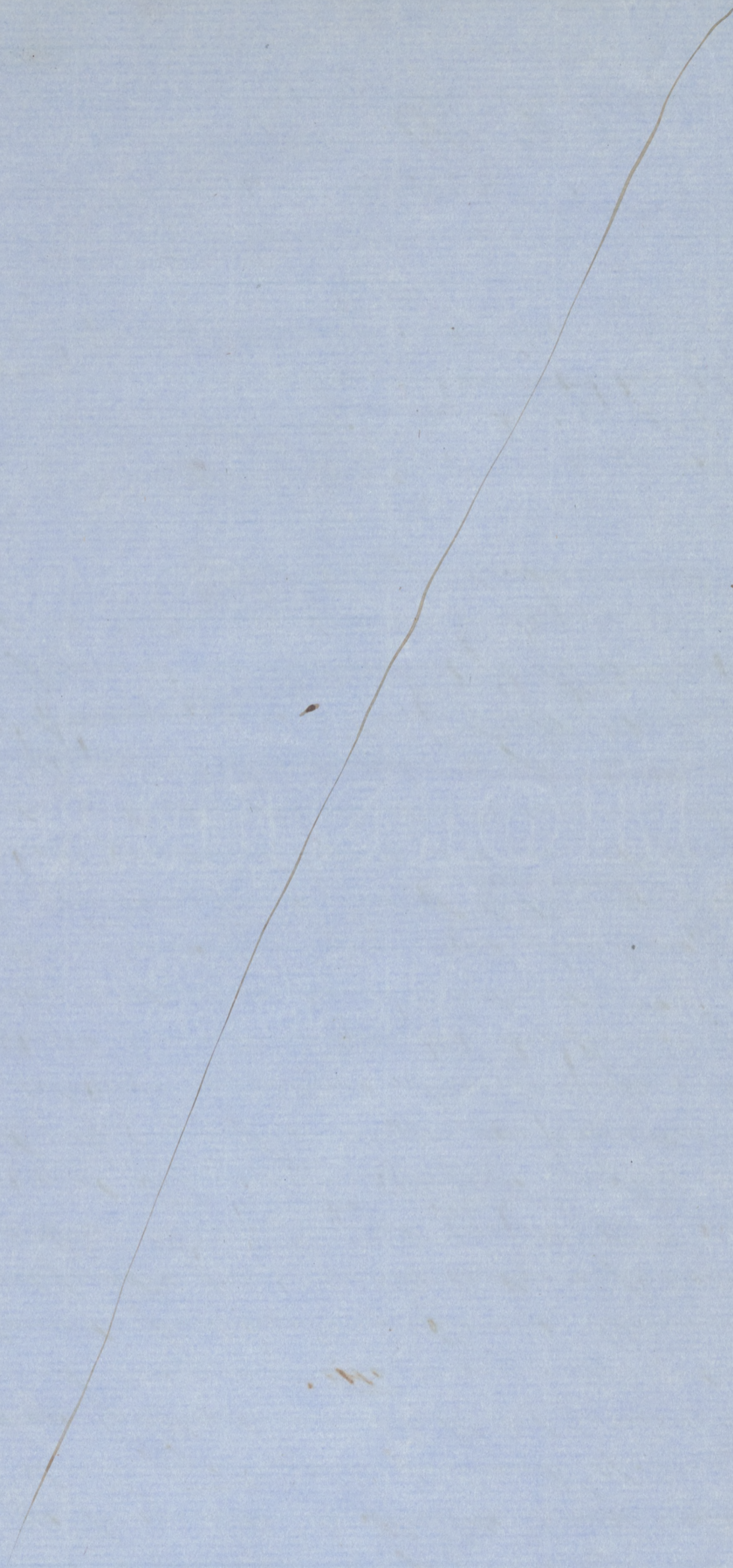
Filed in Office  
Nov. 12<sup>th</sup> 1852

Geo. Fisher  
Secy.

Doc. H. N. N.º 1  
Aux. to Depo.  
of Abel Stearns

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Translation

of  
Doc. H.H. N<sup>o</sup> 1,  
annexed to the  
Disposition of  
Abol. Stearns  
before  
Com<sup>rs</sup> lately  
W. Hall,

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José S. Sepulveda lately 2<sup>d</sup> Alcalde  
of the City of Los Angeles &c &c

I hereby certify in legal form, and  
as far as the law admits it, that while  
I was acting as Constitutional Alcalde on  
the year last past Señor Juan Gallardo  
produced to me a title from the Gov-  
ernment accompanied by a Map and  
a certificate from the Reverend Father Fray  
Tomás Estévez (now deceased) in order that  
I might give him judicial possession of  
a place near by San Pascual, situate in  
the Mission of San Gabriel of which place  
I do not remember the extent nor the bound-  
aries but I have in memory that a  
tract of land was granted to the said  
Juan Gallardo there. But as the Political  
disturbances arose and I had to march  
with Don Pio Pico Governor of the  
California, the Expediente remained in the  
Justice Court, and it remains undoubtfully  
the fate at the Archives - Wherefore and for  
the purposes that may be useful to the said  
Gallardo, I grant these presents at the City  
of Los Angeles this 5<sup>th</sup> day of July, 1847

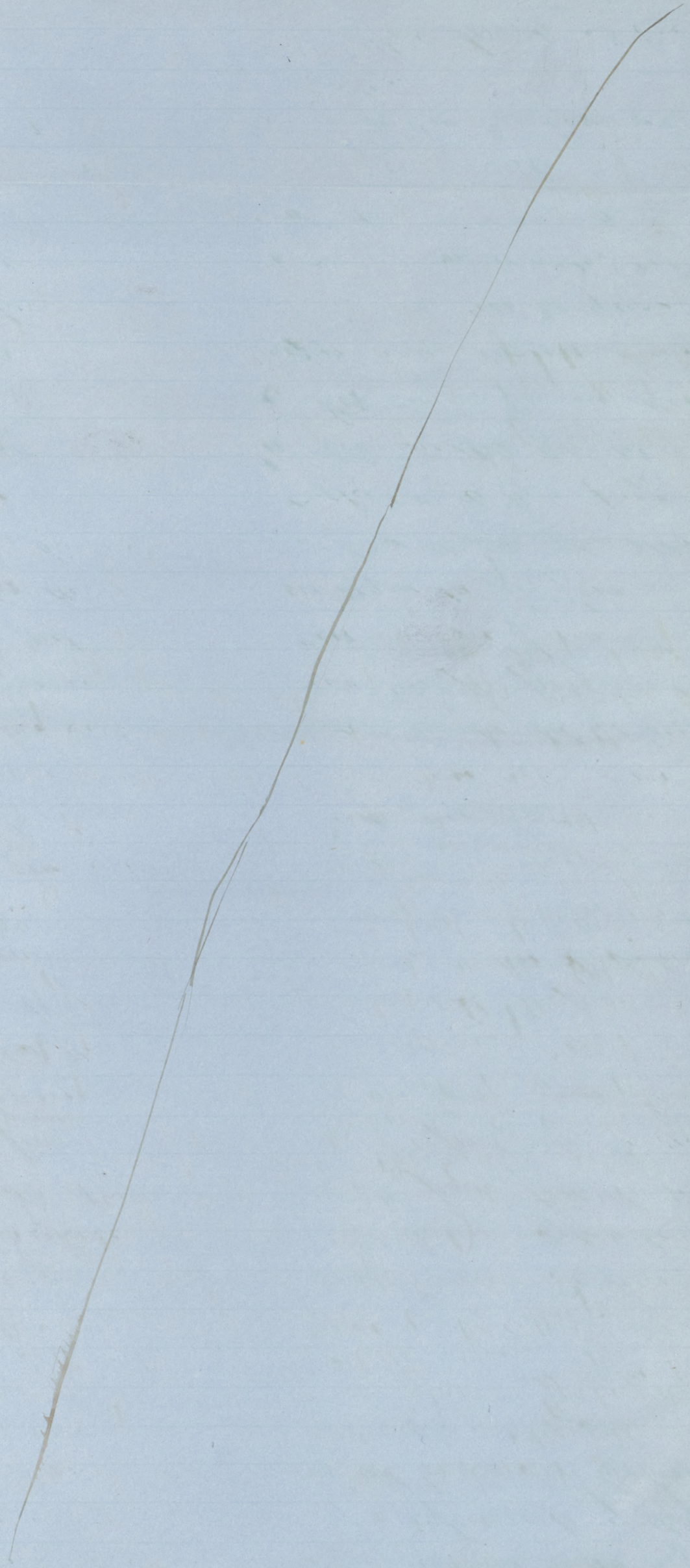
(signed) José S. Sepulveda.

I George Fisher Secretary to the U.S.  
Land Commission &c hereby certify that the  
foregoing is a true and correct translation  
of a Spanish document in Case N<sup>o</sup> 477  
now on file in this Office

San Francisco this 27<sup>th</sup> day of  
December. A.D. 1853

(signed) Geo Fisher

Filed in Office December 28<sup>th</sup> 1853  
(signed) Geo. Fisher



53

Muy Ylltre Ayuntamiento<sup>to</sup>

Juan Gallardo vecino de esta  
 municipalidad ante V.S. Como mas halla lugar  
 en dho y al mio Cumburga refuente y digo:  
 Que el año pasado, elevé al Exmo Sr. Goberna-  
 dor de este departam<sup>to</sup> una solicitud, solicitando  
 un pedazo de terreno perteneciente a la Mi-  
 sion de San Gabriel el cual se halla embiguo  
 al mio, y su Exa para orientarse me mandó  
 que formase un dicum del terreno solicitado  
 cuando el que pacificamente poseo, todo lo hice  
 haci; puesto el dicum y el expediente de mi  
 dho terreno en manos de su Exa. Como los  
 tramites de estilo, y se me agració con el ex-  
 pedito terreno, cuyos documentos lo pone en  
 conocimiento del Ex-pus 2.<sup>o</sup> D.<sup>o</sup> Jue S. Sepul-  
 beda que en una vez lo era Constitucional  
 para que me diese su opinion Juridica como es  
 de estilo, lo que no se pudo beneficiar porque  
 su Exa me mandó en comision a la Encacha  
 a colectar Caballada para la Junta del Gobierno  
 y en mi regreso no hubo tiempo, porque el  
 Sr. Sepulbeda subió con su Exa para los  
 puntos del Norte, y en seguida se presentaron  
 con las turbulencias Crisis por donde dio el caso  
 que se destruyera el Archivo de una juzgado  
 en donde existian los documentos que acre-  
 ditaban mi posesion; Por cuya causa su-  
 plíco a Vra Ylltre Corporacion, segun sus  
 facultades, se dignen el darme un esguardo  
 para que el terreno no sea denunciado; esta  
 y el adjunto certificado impendran a Vra  
 Ylltre Cuerpo de lo que llevo expuesto, y qualu-  
 espito mi suplica que si se creé conveniente  
 se me dé la suesion juridica,

Dice N. N. No. 2  
 Annexed to the  
 Depo. of Abel  
 Stearns

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 PAGE 47

Por tanto A V.S.

Encobdam<sup>te</sup> Exito mi suplica, que en

merito de la justicia, diete una prohibicion  
 cia que sea en pro del interesado, gracia  
 que impetro, juro lo necesario, dispensando  
 me el uso del papel por falta del sellado  
 ejecutivo.

Angeles Julio 10 de 1827

Juan Gallardo

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May Yllmo Ayuntamiento  
 de la Angeles

Angeles Julio 12 de 1843

Dado Cuenta al Yllmo Ayunta-  
 miento en la instancia que antecede, acordó  
 para a una Comision especial Compuesta  
 de los S. S. Regidores Chaves y Zorba  
 la que daran su dictamen segun Cono-  
 can de justicia y tomando la informacion  
 necesaria

Ju' Salazar

Y q.º Conced  
 a.º

M. Y. A.

La Comision nombrada para  
 proponer un documento o certificado q.º  
 acredite la propiedad de D. Juan Gallar-  
 do por haberle perdido el titulo de su  
 rancho inmediato a San Pascual ha con-  
 siderado y visto el negocio en el espacio  
 q.º requiere y encuentra q.º la certificacion  
 adjunta del Ex-Alcalde D. Juan S. Sepul-  
 veda, es bastante, y de mucha fuerza para  
 probar el justo titulo en q.º el citado  
 Gallardo posee su rancho; en tal virtud  
 deseando la Comision no demorar al so-  
 licitante le propone a V. S. - Que se

55-

devuelva esta instancia a la parte y se  
advierta q. con su Certificado tiene bastante  
para probar su propiedad

Aug<sup>o</sup> Julio 30 de 1847

Julian Chaves

Ju<sup>o</sup> An<sup>to</sup> Garba

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Aug<sup>o</sup> Julio 31 de 1847

Dada cuenta en sesión de  
hoy al yltre Ayuntamiento, acordó que  
en respecto a la sancion que pide el soli-  
citante, no se haya hoy sin embargo, y  
que con el certificado adjunto y este de-  
tancia que se aprobó su pro-  
piedad

Ju<sup>o</sup> Salazar

De

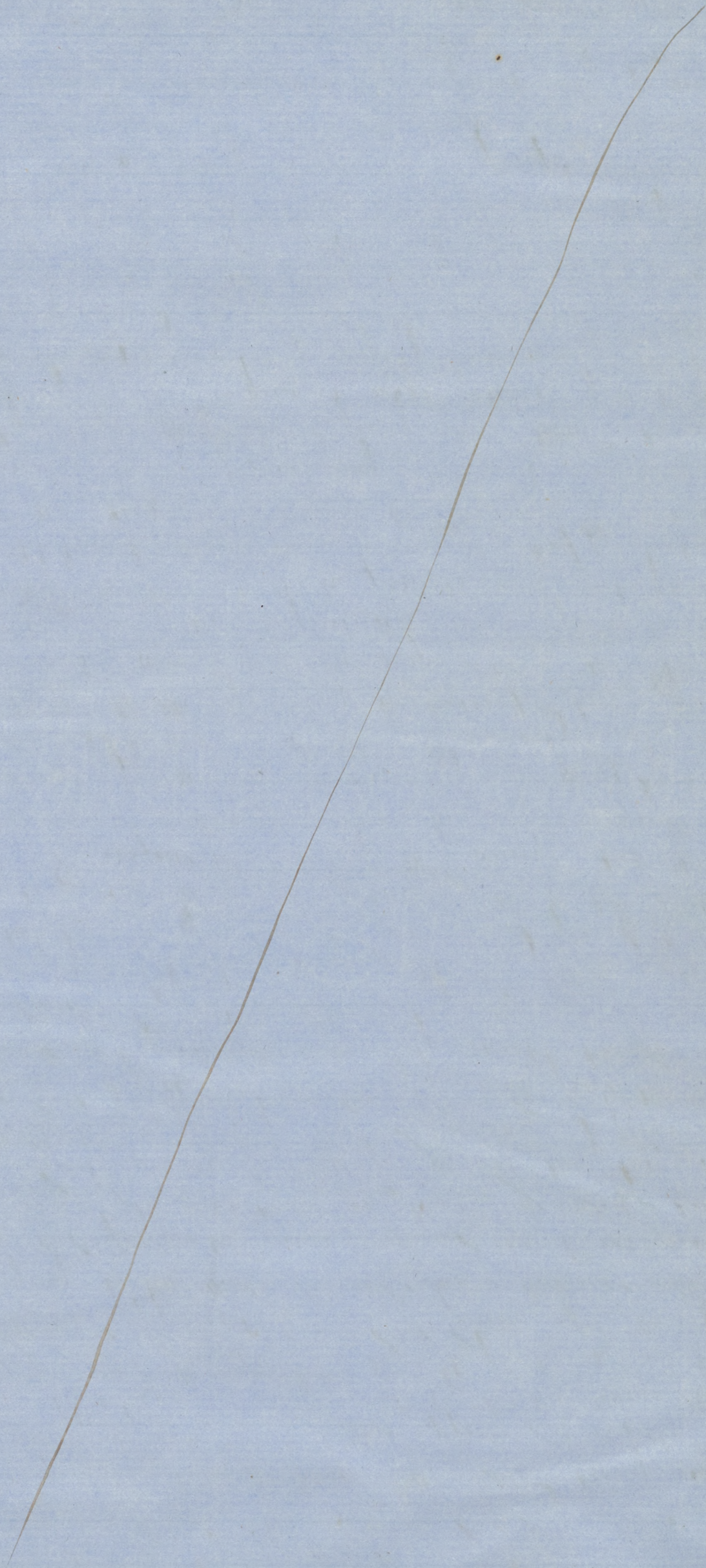
Yq<sup>no</sup> Cornel

Filed in Office Nov. 12<sup>th</sup> 1852

Geo. Fisher

Secy

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Translation  
of  
Dec. 24. 1822  
annexed  
to the  
Deposition  
of  
Abel Steam  
"

Most Honorable Ayuntamiento

I Juan Gallardo residing in this municipality before Your Honorable Body as the law may permit me but appear and state that last year, I presented to the Most Excellent Sir Governor of this Department a Petition, in application for a piece of land belonging to the Mission of San Gabriel which lies contiguous to mine, and His Excellency in order to ascertain it best, directed that I should make a map of of the tract on application, joining the one which I peacefully possess. I did so accordingly, and put the map and the "Expediente" of my said land in the hands of His Excellency the usual courses were pursued thereon, and the said piece of land was granted to me. I presented all the documents in relation thereto to Don José S. Sepulveda lately 2<sup>a</sup> Judge but then Constitutional Judge, that he might give me judicial possession as usually, which (however) could not be done, as His Excellency sent me in trust to the Ranchos to collect horses for Government's use; and on my return there was not time, as Don Sepulveda went up with His Excellency to the Northern points, and subsequently the turbulent came on, when it happened that the Archive, where the documents which otherwise could prove my statement was missing.

By reason whereof I pray your Hon<sup>ble</sup> Body according to your powers will please grant me a document for my safety in order that the tract of land may not be denounced. This Petition and the adjoining certificate will show to Your Honorable Body what I have above stated and likewise I pray that if Your Honorable Body deem it so proper - judicial possession may be given to him.

Therefore I humbly repeat my prayer that according to justice Your Hon<sup>ble</sup> Body may determine in my favor - This I implore & swear as required &c

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and that I may be secured in regard to the use of the paper for want of the proper stamped one.

Angeles, July 10<sup>th</sup> 1847  
(signed) Juan Gallardo

To the Hon<sup>ble</sup> Ayuntamiento  
of Los Angeles

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Angeles, July 12<sup>th</sup> 1847

Account having been given to the Hon<sup>ble</sup> Ayuntamiento of the foregoing Petition the same resolved to refer it to a special Committee to be composed of Seniors Regidores Chaves & Yorba who shall give their opinion as they may find it according to justice taking the necessary reports.

(signed) Jose Salaza  
President  
(signed) Ygn<sup>o</sup> Coronel  
Secretary

Most Honorable Ayuntamiento

The Special Committee appointed to propose a document or certificate so as to secure the property of Don Juan Gallardo for the title of his Rancho near by San Pascual having been lost has examined and considered the subject with the required care and finds that the adjoining certificate of Don Jose L Sepulveda lately Alcalde is enough, and to be of much force to prove the right title by which the said Gallardo obtained his "Rancho" in view whereof and the Committee wishing not to detain the Petitioner, proposes to your, Honorable Body. (the following)



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That these proceedings be returned to the party and it be understood that with this certificate he will have enough to prove his ownership

Angels. July 30<sup>th</sup>. 1847.

(signed) Julian Alvarez  
" Jose' Anto' Borra

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Angels July 31<sup>st</sup> 1847

At the session of to day account having been given to the Hon<sup>ble</sup> Ayuntamiento the same resolved that with regard to the possession prayed by the petitioner, that is not expedient know- but with the adjoining certificate and this resolution which is hereby approved, he will be able to prove judicially his ownership

(signed) Jose Salazar, President

(signed) Agn<sup>o</sup> Coronel  
Secy.

I George Fisher Secretary to the U. S. Land Commission to ascertain and settle the Private land claims in the State of California do hereby certify that the foregoing is a true and correct copy translation of a Spanish document, being Document "G. H. No 2" annexed to the Deposition of Abel Stearns taken before Com H Hall lately a Commissioner in Case No 477 wherein Juan Gallardo claims a rancho near San Gabriel now on file in this Office

In testimony whereof I have hereunto signed my name Office of the Secretary of said Commission

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San Francisco this 27<sup>th</sup> day of  
December, A.D. 1853

(signed) Geo. Fisher  
*Geo. Fisher*

Filed in Office December, 28<sup>th</sup>, 1853

(signed) Geo. Fisher  
*Geo. Fisher*

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Transcript  
from Prefect's  
Record of 1843.

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Al Expediente de D. J. Gallardo - E.S. -  
Por el informe que antecede del Juz 1.º de esta  
Ciudad aparece que los ojos de agua que solicita  
el interesado en este Expediente, corresponden al  
paraje de San Pascual mas resultando al  
mismo tiempo no serle util á este sitio los espe-  
sados vertientes, y di a D. Juan Gallardo que  
contigo á ellos tiene sus labranas V. E. en vista de  
todo se servirá resolver en el particular lo que  
sea de su Superior agrado - Angeles Julio 4.  
de 1843. M. D. = N. B. S. -

E.S. Tuyo el honor de pasar á manos de V. E.  
el Expediente promovido por el vecino D. Juan  
Gallardo en solicitud de unos ojos de agua en  
el paraje San Pascual p. el Superior Cono-  
cimiento y resolucio de V. E. Reitero á V. E. las  
debidas atencioes de mi particular aprecio y  
respeto. D. y L. Angeles Julio 4 de 1843.  
M. D. = E. S. G.º y Com.º Gen.º de este D.

En el Expediente de D. J. Gallardo - Aug.º  
Julio 7 de 1843, de conformidad con el Supe-  
rior decreto de 3 del actual constante á fojas  
2. 3 v.ª de este Expediente con un traslado  
previido á la parte del Sr. Sub-Teniente D.  
Manuel Garifias para que en el termino de  
24 horas diga devolviendolo á esta Prefectura  
para los demas fines - M. D. N. B. S.

Al Expediente de Juan Gallardo - Aug.º  
Julio 8 de 1843. Pasese un traslado á la parte  
de Enrique Sepulveda en las 12 f.ª utiles de  
que se compone y que en el termino de veinte  
y cuatro horas diga lo que á su ord. conuenza

devolviendo el Expediente á esta Prefectura para los demas fines consiguientes. M. D. N. B. S.

Al Expediente de Gallardo - E. S. = Con lo alegado por el for. Gaspar y el for. Enrique Sepulveda, la Prefectura de mi Cargo devuelvo á V. E. el presente Exped.<sup>to</sup> para que en su vista se sirva determinar lo que sea de su Superior agrado. = Aug.<sup>to</sup> Julio 10 de 1843. M. D. N. B. S.

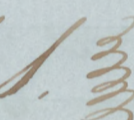
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E. S. = Paso á manos de V. E. el Exped.<sup>to</sup> promovido por el Vecino D. Juan Gallardo en solicitud de unos ojos de agua en el paraje San Pascual para los fines que consignan. Reitero á V. E. mi verdadero adhesion y respeto - D. y L. Aug.<sup>to</sup> Julio 10 de 1843. M. D. El S. J. y C. Grat. de este D.

A la instancia de Juan Gallardo Aug.<sup>to</sup> Julio 24 de 1843. Siendo pasado el termino establecido para que le entrase y cultivase los terrenos concedidos para siembras y huertas segun aparece del informe que antecede y no haber cumplido el for. segun se admite el renuncio relativo en el presente Expediente y en su Consciencia procurará el Juez de su conocimiento á poner en posesion del terreno que se pide al interesado Ciudadano de guardar al Orden y harmonia correspondiente en la formacion de Callejones, y hará que la parte presente un pliego de papel sellado 3. para estender el titulo correspondiente y con la diligencia de estilo vuelva á esta Prefectura para los demas fines. M. D. N. B. S.

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State of California County of Los Angeles  
 Taken from the original on file in the Office. The  
 above and foregoing is a true and correct copy of  
 matters appearing on Record No. 15 of the Pre-  
 futura del 2<sup>o</sup> Distrito desde el 20 de Mayo 1843  
 up to Oct. 30 pertaining to the Claim of Juan  
 Gallardo to the Rancho of San Pascual - At-  
 test my name as Clerk of County Court of Los  
 Angeles County on this February 16  
 1853. and Seal of said Court  
 L.S.  affixed.

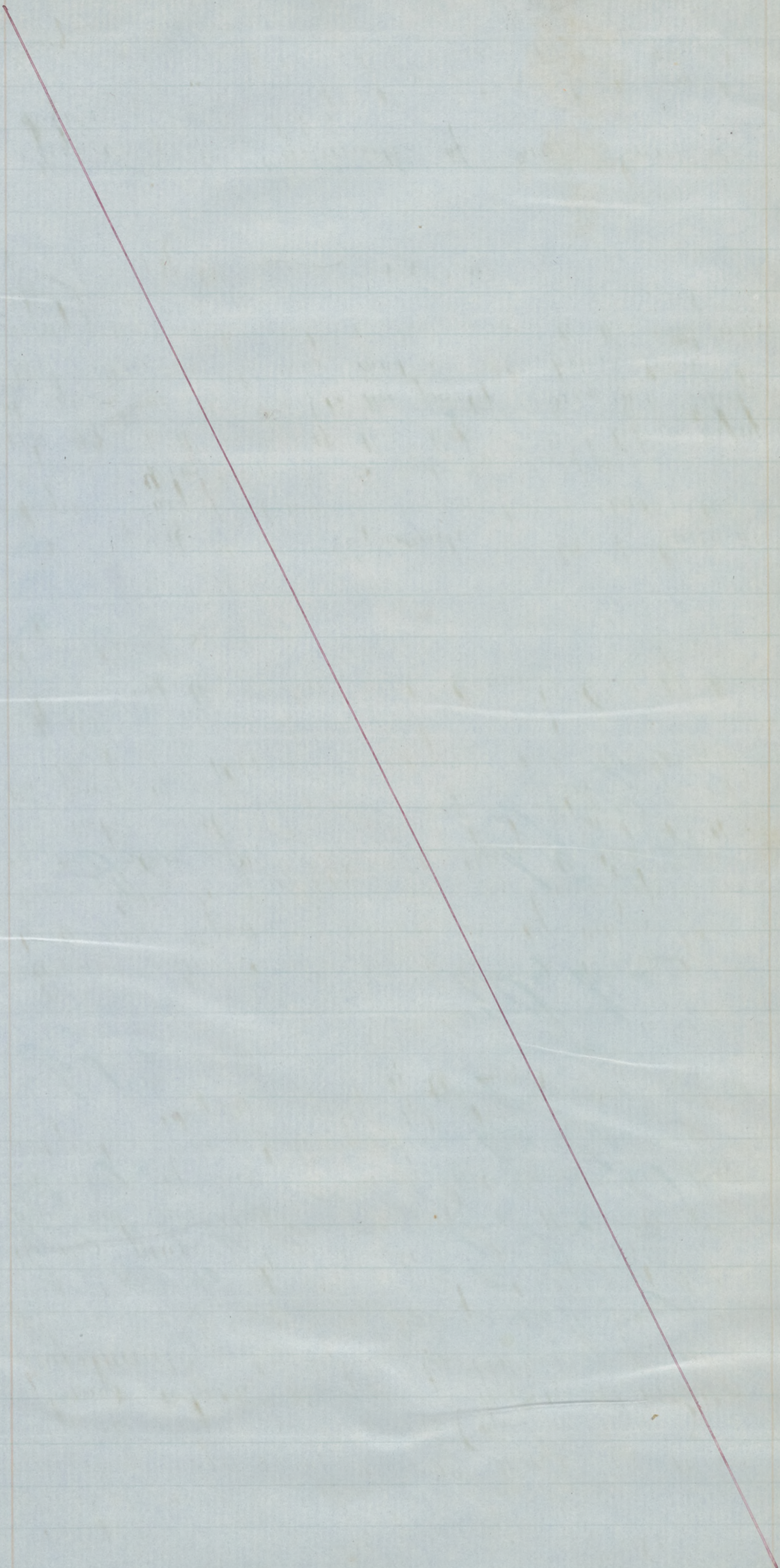
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Wilson Jones  
 County Clerk

Filed in Office March 10, 1853.  
 Geo. Fisher  
 Secy.

BYCF

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Translation  
of  
Transcripts  
from  
Prefecture  
Rec<sup>d</sup> of 1843

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Regarding the Expediente of Don  
J. Gallardo Excell<sup>to</sup> Sir. - From the  
foregoing report of the 2<sup>a</sup> Judge of this  
City it appears that the (ojas de agua) -  
springs which the party petitions in this  
Expediente, belong to the Place of San  
Pascual, however it being at the same time  
that the said springs are not of any use  
to this place, but to Don Juan Gallardo  
who has his fields adjacent to them V. E.  
in view of all this may determine on the  
subject what V. E. please -  
Angeles. July 4<sup>th</sup> 1843  
M. Q. - N. B. S. -

Excell<sup>to</sup> Sir I have the honor to transmit to  
V. E. the Expediente carried on by Citizen Don  
Juan Gallardo on application for some springs  
in the place San Pascual for V. E.'s superior  
knowledge and determination. I report to V. E.  
the proof of my particular esteem and respect.  
- God and Liberty - Angeles July 4<sup>th</sup> 1843.  
M. Q.  
H. E. the Gov<sup>t</sup> and Comm<sup>o</sup> Genl of this  
Department.

In regard to the Expediente of D. J. Gallardo  
Angeles July 7<sup>th</sup> 1843 - In accordance with the  
Superior Decree of the 5<sup>th</sup> instant as appears in  
fol 22 and axes of this Expediente let a copy  
be given as directed to the party Sir Sub Sient  
Don Manuel Garcias that in 24 hours time he  
reply; and after return the same to this Prefecture  
for further ends  
M. Q. - N. B. S. -

Regarding the Expediente of Juan Gallardo  
Angeles July 8<sup>th</sup> 1843 -  
Let a copy be transmitted to the party  
Enrique Sepulveda in two whole sheets, which  
the same

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the same embraces, and that in 24 hours  
time he reply what he may deem proper - and  
afterwards return the Expediente to this Pre-  
fecture for other convenient purposes -  
M. D. N. B. S

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Regarding the Expediente of Juan Gallardo  
Angelis July 8<sup>th</sup> 1843 - Let a copy be  
transmitted to the party Enrique Sepulveda  
in two whole sheets, which the same em-  
braces and that in 24 hours time he reply  
what he may deem proper, and afterwards  
return the Expediente to this Prefecture for  
other convenient purposes  
M. D. N. B. S

Regarding the Expediente of Gallardo =  
Excell<sup>t</sup>. Sir =  
Together with the allegations  
of Sir Parfias and Sir Enrique Sepulveda  
the Prefecture under my charge return to U. E.,  
this Expediente, trusting that in view thereof  
U. E. will determine that U. E. may please  
Angelis July 10<sup>th</sup> 1843.  
M. D. N. B. S

Excell<sup>t</sup> Sir = I transmit to U. E. the Ex-  
pediente carried on by Citizen Don Juan Gal-  
lardo on application for some springs in the  
place of San Pascual for the purposes that may  
be Expedient - I repeat to U. E. my true  
regards and respects - God and Liberty  
Angelis July 10<sup>th</sup> 1843 M. D.

Sor Gov<sup>r</sup> and Commd General of this Depar<sup>mt</sup>  
Regarding the Petition of Juan Gallardo  
Angelis July 24<sup>th</sup> 1843  
The time fixed for entering upon and cultivating  
the lands granted for agriculture purposes and  
orchards having elapsed as appears from the fore-  
going report, and the said gentleman not having



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complied with it, surely the renouncement mentioned in the present Expediente is admitted and upon notice of the same the proper Judge shall proceed to put the party interested in possession of the tract prayed for, keeping the regular order and proportion in the roads and shall cause the party to bring a sheet of paper 3<sup>d</sup> stamp for making out the proper title, and after the usual steps having been taken let it be returned to this Prefecture for further ends  
M. D. N. B. S.

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(attached to the above is the certificate of the County Clerk of date 16<sup>th</sup> February 1853)

I George Fisher Secretary of the Board of M<sup>d</sup> S Land Commissioners to ascertain and settle the Private land claims in the state of California. Do hereby certify that the foregoing is a true and correct translation of a Spanish Document in case number N<sup>o</sup> 477 wherein Juan Salgado claims a tract of land near San Pascual now on file in this office

In testimony whereof I have hereunto signed my name, Office of the Secretary of said Commission this 29<sup>th</sup> day of December D. 1853

(signed) Geo. Fisher

Filed in Office this 30<sup>th</sup> day of December 1853.

(signed) Geo. Fisher

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Letter  
of  
Henry Hancock  
to  
J. C. Wags  
U. S. Surveyor  
General.

San Francisco  
April 25, 1854

Dear Sir

The object of this my  
present request is to obtain from you  
a certified copy of all papers or  
documents belonging to the Government  
Archives of the former Departmental  
Government of California, in any way  
appertaining to the Rancho called  
Cauada de San Pascual of Two  
leagues or little more or less situated  
in the County of Los Angeles and  
of which Juan Gallardo is the original  
grantee and also present claimant  
before the U. S. Land Commission  
as claim No 477. And in case that  
if after having had an examination  
nothing be found concerning the same  
then your certificate to that effect

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Respectfully

Your Obedt Servt  
Henry Hancock

Atty for Claimant  
before U. S. Land  
Commissioners

To Col John C. Wags  
U. S. Sur<sup>r</sup> Genl.  
for California

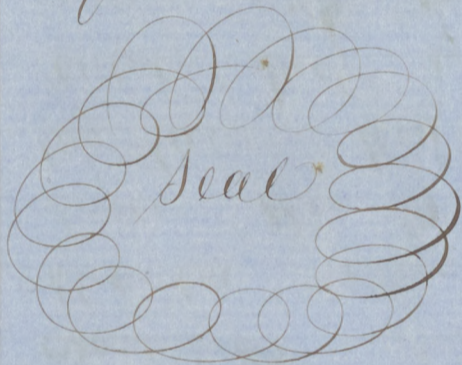
Answer  
or  
Certificate  
of  
Col J. C. Wags  
to the  
foregoing

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Office of the Surveyor  
General of the United  
States for California

I John C. Wags Surveyor  
General of the United States for  
California, and as such having in  
my charge and custody a portion  
of the Archives of the former Spanish  
and Mexican Territory or Department  
of Upper California, Do hereby  
certify that upon diligent search and  
examination, there does not appear  
to exist in said Archives, any paper  
or papers purporting to be for a grant  
to Luan Gallardo in relation to  
Quemero Canada as San Pascual



Witness my hand and  
seal of Office San  
Francisco Cal. this  
Twenty first day of  
April A.D. 1830

(Signed) J. C. Wags.  
U. S. Surveyor  
General.

Filed in Office Sep 15 1854

(Signed) Geo. Fisher

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Opinion

Juan Gallardo  
vs  
The United States

For lands near the Mission  
of San Gabriel in Los  
Angeles County

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In his Petition the Claimant alleges ownership of two parcels of land, the first of which is described as being "in extent 2000 varas square, situated in Los Angeles County State of California, near Rancho San Pascual and the Mission of San Gabriel" which he derived by grant under the Mexican Government made by Governor Alvarado to him and Francisco Villa July 17<sup>th</sup> 1838, and a deed thereof from said Villa to him. The other parcel of land claimed is alleged to be an extension of that above mentioned granted to the Claimant by Pio Pico while Governor of the Department of the Californias.

For support of the claim for the two thousand vara grant a traced copy of an Expediente from the Archives is presented which shows that a decree of concession to Francisco Villa alone was made by Governor Alvarado. July 27. 1838 This document gives no boundaries or other description of the land conceded, but required it to be measured out by the Administrator of the Mission, which does not appear to have been done - The traced copy of the second Expediente is produced, which shows that said Villa, and the present Claimant applied

applied to Governor Alvarado for a grant of the land to them jointly in May 1842. The application was referred by the Governor to the Administrador of the Mission for information, who reported that the land was vacant and could be granted - With this report the Expediente closed. No grant appears to have been made in pursuance of the application and no title paper to them is given in evidence nor is any conveyance from Villa produced. As to the concession of an extension said to have been made subsequently to the present claimant by Governor Pico, no such grant is exhibited nor is there any evidence tending to show that proceedings were ever instituted with the design of obtaining one - The Petitioner has presented a certificate signed by Jose S. Sepulveda who was an Alcaide stating that in 1846 said Gallardo applied to him to give him judicial possession of a place near by San Pascual and produced to him the title and a map, that the Political disturbance prevented action upon it, but that he does not remember what was the extent or the boundaries of the land with this certificate Gallardo applied to the Ayuntamiento of Los Angeles and on the 31<sup>st</sup> July 1847 that body by resolution refused to order the possession to be given but declare that with their adjoining certificate and this resolution, which is hereby approved he will be able to prove judicially his ownership -

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The testimony of Sepulveda is taken in the case corroborating the statements contained in the certificate but giving no additional information as to the source character or contents of the papers left in his hands - The Ayuntamiento had no power either to grant or give vitality to an alleged grant asserted to have been previously issued by the Governor, and if they had they have not done so in the case before us - but their order seems rather assigned to turn the party over to the judicial tribunal for an adjudication of his claim

From an examination of the proofs presented in the case we are of opinion that the evidence is not sufficient to entitle the Claimant to a Confirmation. It is not sufficient to establish the issuing of any grant to the Claimant nor has he shown title derived from any person proved to be the owner of the land, And if we were to concede that a grant was in truth issued there is still a want of proof of the contents of the document which must prove fatal to the claim. No description is given in any of the papers of the boundaries or defined limits of the premises and no witness recollects such description in any of the papers said to have been lost. It would be impossible from the proofs in the case to designate any particular portion of land which should be confirmed to the Claimant

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the claimant) if all other objections  
were obviated

A decree adverse to the  
Claim must be entered

Rejected

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Filed in Office Nov 14<sup>th</sup> 1854  
(signed) Geo. Fisher

Decree

Juan Gallardo  
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 petitioner is not valid  
and it is therefore decreed that  
this application for a confirmation  
thereof be denied

(signed) Alpheus. Trench

(signed) W. Aug. Thompson

(signed) S. B. Norvell  
Comm<sup>rs</sup>

Filed in Office Nov. 14<sup>th</sup> 1854

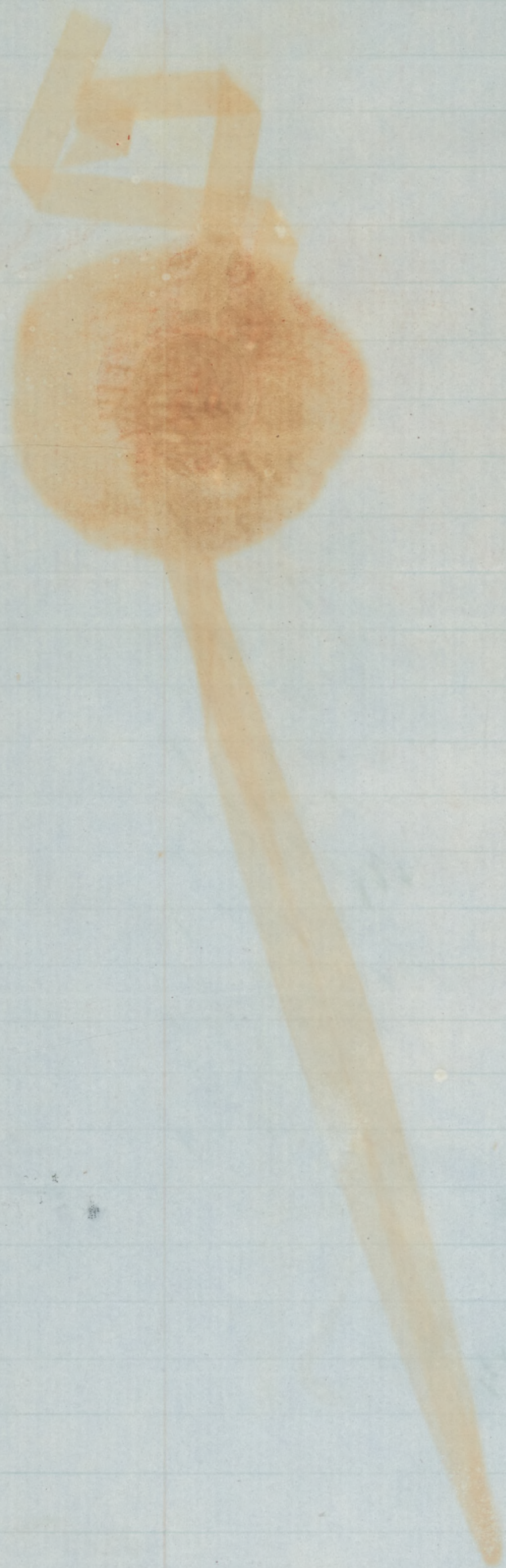
(signed) Geo. Fisher



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PAGE 66

And it appearing to the satisfaction  
of the Board that the land hereby  
represented 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 one  
of which transcripts shall be filed  
with the Clerk of the U.S. District Court  
for the Southern District of California  
and the other be transmitted to the  
Sul of the U.S.



Office of the Board of Commissioners,

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

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PAGE 67

I, *George Fisher* — Secretary to  
the Board of Commissioners to ascertain and settle the Private  
Land Claims in the State of California, do hereby certify the  
foregoing *Seventy five* — pages, numbered from  
1 to *75*, both inclusive, do contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *477* on the Docket of the said Board,  
wherein

*Juan Gallardo* is —

the Claimant against the United States, for the place known by  
the name of "A lot of ground near San  
*Pascual.*"

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

*G. Fisher*



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

No. 248, **248**  
THE UNITED STATES,

*Juan Gallardo*

*"Lot near San Pascual"*

**248**  
TRANSCRIPT OF THE RECORD

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,  
In Case No. *477*

Filed, *July 2* 1855  
*Lo. E. lean*  
*clerk*  
By *A. H. Clark*  
*deputy*

**248**

United States Dist Court for  
the Southern Dist of California  
at the April Term held at  
Los Angeles 1833

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Juan Gallado } Claim N.  
Appellant } Transcript N. 477  
ad }  
United States } 2000 Varas Square  
Appellee } near Mission San  
Gabriel & Aggregation

Notice is hereby given of the intention  
of the claimant in the above entitled  
cause to prosecute the appeal -  
from the decision of the Commission  
appointed under the act of 3 March  
1831 for ascertaining and settling pri-  
vate land claims in the state of Cal-  
ifornia, rejecting the claim for the  
said Rancho.

April 20 1833

Henry Hancock  
Atty for Claimant  
& Appellant -

N<sup>o</sup> 248,

In U.S. Dist Court  
Southern Dist, Cal.

Juan Gallardo  
Appellans  
ads.

United States  
Appellans

Notice of intention  
to prosecute appeal

Filed April 21<sup>st</sup> 1855.

J. S. Lewis  
clerk.

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United States Dist. Court for  
the Southern Dist of California  
Los Angeles Oct 10<sup>th</sup> 1833

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PAGE 69A

Juan Gallado } Dec. N. 248  
Appellant } Transcript  
<sup>258</sup> ad } Dr 477  
United States }  
Appellee }

You will take notice that  
in the above entitled cause, decided  
by the United States Land Commission  
in favor of ~~the~~ the United States  
and a transcript of the proceedings  
in which was filed on the 2<sup>d</sup> of July  
1833 - the appeal will be  
prosecuted in this court by the  
claimant

Nerry Hancock  
Atty for Appellant

No 248.

United States Dist. Ct.  
South Dist. of Cal.

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Juan Gallardo. Plaintiff

vs.

The United States Appraiser

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Notice of Appraisal

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Filed Oct. 10<sup>th</sup> 1853.

C. E. Carr Clerk  
By John C. Hoff Depy

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H Hancock Atty. for Claim



Juan Gallardo } No 248 -  
vs appellant } In the U.S. dist. court  
United States } for the Southern District  
248 SD appellant } of California  
PAGE 71

And now comes Benjamin D. Wilson  
a moves represents to the court that  
he has acquired by due duty executed  
a due exhibit to the court all of the  
interest a title of Juan Gallardo in the  
above entitled cause -

Wherefore he prays to be ~~heard~~ substituted  
herein in the place of the  
said Juan Gallardo -

Benjamin D. Wilson  
City of Wilson

SD 248  
Juan Gallardo

vs

United States

---

Petition of Benjamin  
M. Wilson to  
be substituted

---

---

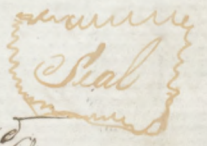
Filed in Office  
this 11<sup>th</sup> Nov 1859

Spino  
CW

This Indenture, made this 10<sup>th</sup> day of January, A.D. 1839  
 between Juan Gallardo of the first part and Benjamin D.  
 Wilson of the second part: Witnesseth, that the said Juan  
 Gallardo for and in consideration of the sum of five hun-  
 dred Dollars, cash to him in hand paid by said Wilson,  
 the receipt whereof is hereby acknowledged, has bargained  
 and sold and does by these presents bargain and sell -  
 convey and guarantee to the said Benjamin D. Wilson  
 and to his heirs all the right, title and interest of him the  
 said Gallardo in and to that certain tract of Land  
 formerly occupied by him in the County of Los Angeles,  
 being two thousand ~~square~~ <sup>square</sup> varas, near San Paberal,  
 being all the right, title and interest devised to him  
 from the Mexican Government, and by Conveyance from  
 Francisco Pelta, together with all the Hereditaments and  
 appurtenances thereto belonging or in any wise appertaining.  
 Also his right, title and interest, in and to a claim of  
 a tract of Land containing two square Leagues, more or  
 less adjoining the former tract and granted to him in  
 thereof together with all the Hereditaments, appur-  
 tenances and appurtenances thereto belonging or in any  
 wise appertaining; the lands herein expressed being the  
 Lands claimed by or to which the said Gallardo may  
 be entitled to by virtue of the claim filed before the  
 United States Land Commissioners and numbered on the  
 socket thereof 477 - and now pending in the United States  
 District Court, for the Southern District of California,  
 numbered therein 248. -

By Witness whereof the hands of the first part, has herunto set  
his hand and seal this 10<sup>th</sup> day of January A.D. 1889 as above  
written at the County of Los Angeles.

Witness



The word 'square' before was  
crossed & interlined after before  
the signing & sealing hereof

Juan Gallardo

Witness William McKee

State of California  
County of Los Angeles.

248 SD  
PAGE 74

On this twenty  
first day of October, A.D., one thousand  
eight hundred and fifty nine before  
me John W. Shon, County Clerk of the  
County Court of Los Angeles County  
personally appeared Juan Gallardo  
personally known by me to be the person  
described and who executed the  
foregoing instrument and acknowledged  
to me that he executed the same freely  
and voluntarily and for the uses and  
purposes therein mentioned.



In witness whereof I have  
herunto set my hand and  
affixed my official seal the  
day and year last aforesaid  
John W. Shon.  
Clerk

248 SD

PAGE 75

Recorded this 21st Oct 1859 at 12 hrs M  
on p 542 Book 4 of Seeds

John W. Shore Col Rec  
J. W. Shore dep

No 248

Recd

Juan Gallardo

to

B. D. Wilson  
Filed in Office this  
1<sup>st</sup> Nov 1859  
Gins. & W.

Date Jan. 10<sup>th</sup> 1859

Filed for record  
this 21<sup>st</sup> Oct <sup>1859</sup> 1859  
at request of J. W. Stone

J. W. Stone Com.  
for Small Stone dep.

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B. D. Wilson }  
H. }  
United States. }  
S. A. D. S. }  
In the District Court of  
the Southern District of California.

248 SD  
PAGE 77

Upon motion of Appellant, it is  
hereby ordered that all the papers herein filed  
by either party subsequent to December 8<sup>th</sup> 1838 may  
be withdrawn, without prejudice.

Given under my hand this 1<sup>st</sup> of Nov. A. D. 1839.  
Sanc. K. Ogier  
U. S. District Judge

N<sup>o</sup> 248. —

*Filed*  
U.S.  
United States. —

Order to withdraw papers  
filed previous Dec. 18<sup>th</sup> 1858

Filed in office  
this 1<sup>st</sup> Apr 1859  
Chas  
C. W.



Benjamin D. Wilson, Appellant, } No. 248. —  
 vs, } In the United States  
 United States, Respondent } District Court for the  
 } Southern District of California  
 } — — — — —

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PAGE 79

Benjamin D. Wilson Appellant, herein, comes into Court, and represents that herebefore & on the 11<sup>th</sup> Nov of 1852 Juan Gallardo presented to the Board of Land Commissioners, organized under the Act of Congress of March 3, 1837, his claim for the confirmation & title of the Lands therein described, to wit: Two thousand (2000) square of Land adjoining San Gaspar and two square Leagues in augmentation thereof, all of said Lands situated in the County of Los Angeles in the said Southern District. that the first described tract of Land was granted to Francisco Villa who sold to the said Gallardo and the second in augmentation thereof to the said Gallardo; that the said claim coming on & heard was by the said Board upon the 14<sup>th</sup> Nov 1854 reported; that the transcript thereof duly certified was filed in this Court upon the 2<sup>nd</sup> July 1855 and that the notice of Appeal was also filed therein upon behalf of the Appellant upon the 10<sup>th</sup> October 1855 and that upon the 1<sup>st</sup> November 1859, was duly substituted by order of the Court in the lieu and stead of the said Gallardo, he having acquired all the right, title and interest of the said Gallardo in and to all the Lands

claimed herein.

Your Petitioner avers that the Decision of said Board of Land Commissioners is erroneous.

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Therefore your Petitioner prays this Honorable Court  
to reverse the Decision of the said Commissioners  
and to decide upon the validity of the claim presented  
and to declare that the title of the petitioner to the said  
Land is valid and to approve and confirm the same  
and for general relief, and as in duty bound, etc.

Chamustment  
atty for & petitioner

No 248. =

B.D. Wilson

United States.

Filed in office  
1<sup>st</sup> Nov 1859  
Springer

John P. Heron.

I accept service of  
the within petition  
for review  
Nov 1<sup>st</sup> 1859

J. R. Nicholl  
W. Wash City

P. D. Wilson, Appellant. D. No. 248  
United States  
Respondent ) In the District Court  
of the United States  
of the Southern District  
of California.

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Upon motion of the Appellant it is hereby  
ordered that further and additional testimony  
may be herein taken by either party.  
Given under my hand this 1<sup>st</sup> of Nov. A. D. 1839.  
James L. McKim  
U. S. District Judge

No. 248.

B. D. Wilson,

Post,  
United States.

Order to take further  
testimony. Sec. Sec.

Filed in Office  
1st Nov 1859

Spious  
sw

248 SD

PAGE 83

United States District Court  
Southern District of California

Juan Gallardo } Appellant from US  
" appellant } Land Commission  
The United States } District No 248  
Appellee }

248 SD

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Now comes J. H. Mitchell  
Attorney for the United States for the Southern  
District of California and for and in  
behalf of the United States for answer  
to the petition of Juan Gallardo for  
a review of the decision of the Land  
Commissioner says that he denies  
all and singular each and every  
allegation in said petition contained

And further this respondent denies  
generally the validity of the alleged  
title of the Claimant to the land claimed  
by him or that a grant or grants  
ever issued to him for the lands claimed

And the said respondent prays that this  
Hon<sup>ble</sup> Court will affirm the decision of  
the said ~~United~~ States Land Commission  
in said case and decree the said alleged  
title to be invalid and general relief

J. H. Mitchell

Atty for the United States  
for the Southern Dist of California

No 248

From Gallardo  
appt  
to  
The United States

Answer of the U.S.

Nov 5 - Nov 18 57  
Filed Dec 18, 1858,

to Sims, Clerk,  
for W. H. Jackson  
Att'y.

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J. W. Mitchell  
Dist Atty

Juan Gallardo } No 248 -  
vs Appellant } In the U. S. Dist.  
United States } Court of the Southern  
appellees } District of California.

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Upon seeing & considering the petition of Benjamin D. Wilson praying to be substituted as party appellant & claimant herein in lieu & stead of Juan Gallardo & upon view of the deed of conveyance of his all the right, title, & interest of said Gallardo to the said ~~the~~ in the claim herein to the said Wilson duly executed, It is hereby ordered, adjudged, & decreed that the said Benjamin D. Wilson be & he is substituted in the lieu & stead of Juan Gallardo, as appellant herein & that he be allowed to prosecute said cause in the name of him the said Wilson with the same effect & to the same result in all particulars whatsoever, as he, the said Gallardo, might & could do.

Thus done & signed in open court this 1<sup>st</sup> November A D 1859

James H. Ogden  
U S Dist Judge



No 248 =

Wilson, substi  
tute of Gallard  
Appellant

<sup>in</sup>  
United States

Order of substitution  
- - - - -

Filed in Office  
this 1<sup>st</sup> mo 1859

Clms  
CWL

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B D Wilson

Applt

Case No.

248

The U States

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Deposition of

Luan Gallardo

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on *Thursday*, the *15* day of *December* A. D. 185*9*, at *2* o'clock P.M., on said day, on behalf of the *appellants* by the *Stipulation of the parties*

to be used as testimony in a certain cause now pending in the *U.S. Dist. Court for the Southern Dist. of Cal. & the United States* being Case No. 248, on the Docket of said Court, wherein *B D Wilson is* are appellants, and are appellees.

Present

*J. S. Brink*

Attorney in behalf of the appellants

and

*J. P. Mitchell*

in behalf of appellees.

Q. Just what is your name, age and place of residence -  
A. My name is Luan Gallardo I am 64 years of age and I reside in the County of Los Angeles. I was the original claimant of the Lands claimed herein but now I have no interest in the result of this matter or claim all of my title having been vested in B D Wilson. I went to live on the Land in the year 1841 with my family. I farmed and had a vineyard there and continued to reside there until 1853 when I disposed of my right - The north East Corner of the two thousand <sup>square</sup> tract

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PAGE 89

was a Sycamore tree near which  
was a Ship Corral. The Sycamore  
tree is situated near the fence of  
Flores as he has it now and said  
Sycamore tree is on the slope of the  
hill where there are some water  
springs - Hence the two thousand  
varas extended westward following  
the southern boundary line of the  
Ranch of San Rosendo (granted  
to Guifias - In 1843) petitioned  
Governor Michelena for an  
augmentation of land adjoining  
the said two thousand varas  
Ranch.

Juan Gallardo

J

Presented to before me this the  
15<sup>th</sup> day of December 1889.

C. J. ...  
Notary Public

MEMORANDUM OF

**I, C. Sims,** of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil case pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing

Depositions of *Juan Gallardo* was taken before me on the *15<sup>th</sup>* day of *December*, A. D. 185 *9*, according to the *affidavit* of the said *parties*

*and Exhibit* at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the *appellant*

That the said *Juan Gallardo* was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this *15<sup>th</sup>* day of *December*, A. D. 185 *9*

*C Sims*  
United States Commissioner.

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PAGE 80

No. 248

United States District Court for the  
Southern District of California.

Deposition of *Juan Gal*

Filed this *15<sup>th</sup> day* 18*57*

*C. J. Sims*  
*ev*  
248 SD

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B D Wilson  
appell

248 SD  
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Case No. 248

The States appellees

**Deposition of**

Michael White

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on Saturday, the 24 day of Decr A. D. 1859, at 9 o'clock P M., on said day, on behalf of the appellant by the consent of parties to be used as testimony in a certain cause now pending in the U.S. Dist. Court for Southern Dist. California being Case No. 248, on the Docket of said Court, wherein B D Wilson is an appellant, and The U States are appellees.

Present

J G Hunt

Attorney in behalf of the appellants

and

J R Schuller

in behalf of appellees.

My name is Michael White  
Age 49 <sup>years of age</sup> I reside in San Gabriel in the County of Los Angeles - I have been living in the County of Los Angeles since the year 1830

I am acquainted with the Four Thousand <sup>more or less</sup> tract of land <sup>known</sup> as the said tract of land when it was occupied by the mission of San Gabriel ~~in the year~~ since the year 1830 and I know when it was afterwards occupied by Franco Villa in 1836 or 1837 - About <sup>that time</sup> Franco Villa of myself were about making a trade for a portion of the mission Mills

Claimed by

and I visited the place with  
the object of purchasing -  
There was a Sycamore tree  
growing on the side of the hill  
above the mill house which  
was shown to me by Villa and  
the Seynes. who were farming  
there as the corner of the said  
tract - Juan Ballard ~~had~~  
subsequently occupied the said  
tract who lived there with his  
family - he placed a boundary upon  
it - Juan Gallardo offered  
to sell me the north east corner  
of the said tract in 1844 and  
I again visited the premises of  
Gallardo and the same Sycamore  
tree was then pointed out to me  
Juan Gallardo had a sheep  
corral near the said Sycamore  
tree - In 1837 or 38 a ~~man~~ man  
by name of Roman who occu-  
pied the mill property on ~~account~~  
account of the Mexican of San Sa-  
bit lived in the adjoining lands  
commencing at the said Syl-  
amore tree - I went on the  
20<sup>th</sup> of this month to examine  
the premises and found the Syl-  
amore tree still standing and also  
this Sycamore is on the side of Juan  
Alonso's fence where there are some  
springs of water  
Francisco Villa of Roman and Seynes are  
dead

3

I have always understood  
from general reputation  
that this Mycarrone was a Cor-  
ner of this two thousand base  
tract I have lived in the neigh-  
borhood since 1850

Witnessed and Subscribed  
before me this the  
24<sup>th</sup> Day of Decr  
1859  
J. W. Commings

Michael White

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**I, C. Sims,** of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil case pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing Depositions of Michael White was taken before me on the 24 day of Dec, A. D. 1859, according to the

Complaint of the said Parties at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the Claimant. That the said Michael White was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this 24 day of Dec, A. D. 1859

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*United States Commissioner.*

B. P. Wilson Appellant } U.S. Dist. Court - Santa  
vs } trial of Subpoena  
United States } N<sup>o</sup> 248

It is hereby stipulated between the parties hereto  
that the depositions of Juan Gallardo &  
Michael White taken in December 1849  
AD 1859 before C. E. Seim, Esq. may be read  
on the hearing hereof subject only to the  
objection as to the competency of Juan Gal-  
-lardo — December 21<sup>st</sup> 1859

J. W. Mitchell  
W. B. Smith  
James C. B. B. B.  
Att'y for Defendant

No. 248

United States District Court for the  
Southern District of California.

Deposition of *M. White*

Filed this

24<sup>th</sup> Dec<sup>r</sup> 1859

*James*

248 SD Cal

*B D Wilson*

248 SD

*appell*

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Case No.

*248*

*Wm. B. Smith*

**Deposition of Don M<sup>o</sup> Dominguez**

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on *Monday*, the 4 day of *January* A. D. 18*60*, at 2 o'clock *P* M., on said day, on behalf of the *appellant* by the *Commissioner of the Court* to be used as testimony in a certain cause now pending in the *U.S. District Court for Southern Dist. Cal.* being Case No. 248, on the Docket of said Court, wherein *B D Wilson* is ~~an~~ appellant, and *The U.S.* are appellees.

Present

*J. L. Hunt*

Attorney in behalf of the appellants

and

*J. R. Hunt*

in behalf of appellees.

*and*

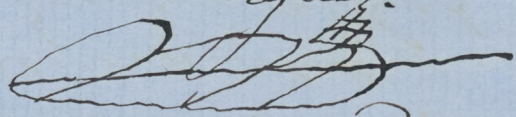
*Synacio Sepulveda sworn as interpreter*

My name is *Miguel Dominguez* I am 54 years of age and I reside in *Los Angeles County*. In the year 1839 I was the *Second Alcalde* in the County of *Los Angeles* and in 1842 I was *Judge* of the *1<sup>st</sup> District*. In the beginning of 1843 I was *Judge* of the *1<sup>st</sup> District* and in *May* of the same year I was *prefect* of this District. The paper marked *No 120* of *"The D"* is now shown to the *Witness* and the *Witness* says that he is acquainted with the *deposition* of *Santiago Arzulla* - *Synacio Cor-*

= one and Caspador Aguilar  
and of Antio, A Coronel who  
was Alcalde of Los Angeles  
in the year 1843. Having  
frequently seen each of the  
parties write and that their  
Signatures, whenever they ap-  
pear upon said Exhibit are  
genuine and that the Signa-  
tures of Mitchell Thompson  
appearing on his genuine  
Signatures and were placed  
there at the time they purport  
to have been written - The Wife  
= real of the order, a copy of which  
signed by Alvarado is contained  
in this Exhibit was signed by  
Juan B Alvarado whose signature  
I am well acquainted with -  
I do not know what has  
become of this Original Order -  
it remained with the local  
Agents and a night or two there  
now - Here Exhibit No 2  
marked No 2, C. J. C. A. is here  
now shown to the witness, who  
says that he is acquainted  
with the Signatures of Manuel  
Micheltorn, who was Governor  
of California in the year 1843  
of Narciso Botello, Juan Gal-  
legos. A Coronel - Manuel  
Gallegos, having frequently  
seen them write, that whenever

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PAGE 99

their signatures appear upon  
said Exhibit, they are given  
that whenever the signature  
of the Petitioner appears upon  
said Exhibit it is his given  
signature and was placed  
there at the time it purports  
to have been written and while  
he was acting as prefect  
of said District and that  
all the votes subscribed to  
by Gov<sup>r</sup> McChesnut <sup>in said Exhibit</sup> are written  
entirely by in his own hand  
writing.

Man Dominguez  


Sworn and signed before  
me this 4 day of January  
A.D. 1860

C. Sims  
Notary Public for State  
of Cal.

**I, C. Sims,** of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil case pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing

Depositions of *Manuel Dominguez* was taken before me on the *4* day of *January*, A. D. 18*60*, according to the *consent*

of the said *parties*

at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the *appellants*

That the said *Manuel Dominguez* was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this *4* day of *January*, A. D. 18*60*

*C. Sims*

United States Commissioner.

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No. 248

United States District Court for the  
Southern District of California.

✓  
Deposition of

*M. Dominguez*

Filed this

*4<sup>th</sup> Day 1860*

*James M.*

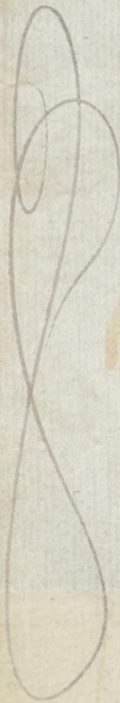
248 SD

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N<sup>o</sup> 248  
Wilson appellant  
vs  
United States

Decree of Governor  
+ sent from Villa  
to Gallardo

Tom de 1863



1-5-1863  
Gallardo

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PAGE 102

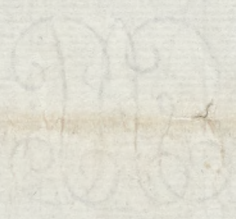
Documentos  
de Don Juan Gallardo



Declaro sammel

Handwritten notes on the right edge, possibly including numbers like 17, 18, 19.

† B



Handwritten text at the bottom left, possibly "over" and "20".





Ang. Mayo  
C. de B. A. B.

Exprese la parte  
de Representa  
lo de tubiere a  
bien resolver  
el Excmo. Gov.  
Gobernador, o  
este Departam.  
a quien con esta  
ha celebrado  
cuenta o el denuncia de se ha  
promovido sobre terrenos

4  
Los sujetos de este distrito  
Francisco Villa natural y vecino  
de este V. en esta mejor forma y como  
lugar en D. N. digo que el cuadro del p.  
cente bi que el Sr. Juez de 1.ª inst. de J. de  
a observar y preguntarme del terreno de  
mi propiedad no se con que objeto y como  
esto da a entender algun nuevo denuncia  
pido ala autoridad de V. se sabe por el  
adjunto documento que respetuamente a  
compaña el recordarme dar posesion jurídica  
pueda en caso se calmasa la envidia de  
mi denunciante, sabiendose admitirme  
este en papel comun por falta del sellado  
y debolviame la original con la copia  
que a compaña.

Angel de Mayo 6 de A. B.

*Arriola*

1837  
MAY 12 1837



Handwritten text, mostly illegible due to fading and bleed-through from the reverse side. The text appears to be a list or a series of entries, possibly names or dates, written in cursive.

B

MAY 12 1837

25  
Sor. Juzg. 1º de Paz

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PAGE 104

Fran.º Villa vecino de esta Dem. ante V. en la mejor forma y según Dto. conenga digo: Que necesitando justificar la propiedad que tengo á un pedaso de tierra en el P. Rucual y existiendo el título en el protocolo de un Juzgado del año de mil ochocientos treinta y nueve pido á las autoridades de H. me de copias certificadas para los usos que me conengan por tanto.

Suplico haga como pido en merito de Justicia que recibiere gracia pero no ser de malicia y lo necesario. V. suplico admitir esta en papel comun por falta de sellado.

Ang. Ab. 26 de 1842

Ang. Ab. 27 de 1842

Por presentado y cum-  
plido en cuanto tra-  
gar a Dto: Como lo  
de la parte sagrada  
copias y deu al m...

rado para los usos de  
le convengan. Si yo  
el que se suscriba de  
cree mande y firme  
con los de que se  
que me

Man. Dominguez.

*[Signature]*

Jos. Core. Cuido Aguilar

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Sello

Seguiscadamente en or-  
den anterior dije a ese yun-  
gado que de acuerdo con el  
administrador de S. Gabriel  
hiciera entender a los herede-  
ros del finado Juan Estari-  
ni se dirigiesen a ocupar la  
canada de S. Pascual de-  
viendo haber dicho el Pin-  
con de San Pascual que  
es lo que se le tiene concedi-  
do por el gobierno.

En tal concepto hara  
le entender a los representados

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Acordados en el mismo  
 fin de que no se  
 duenos ni ocupen  
 terrenos en las  
 Gobiernos ha echo  
 de los mil varas  
 Fran. Villa, a quien  
 erdo con el administrador  
 J. Gab. mandara que  
 posesion, obrando en todo  
 la manera mas prudente  
 a fin de que mis ordenes  
 sobre un particular ten  
 gan su debido efecto  
 y Libertad Santa Bar  
 bara Enero 25 de 1859  
 Alvarado. = J. Mateo  
 la Ciudad de los Angeles

Angl Abril 27 de 1859

Certifico que el  
 precedente es un  
 y legalmente  
 que existe original

en el presente del año  
de mil ochocientos tre-  
enta y nueve a fojas  
cuarenta y una, cuyo  
documento se corrigió y  
confrontó en una de las  
fojas de papel común  
por falta de sellado.

En testimonio  
de verdad  
Yo, Juan Domínguez

Yo, Juan Domínguez  
Yo, Juan Domínguez

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Rec

17

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La Ciudad de los Reyes  
Departamento de las Cab.,  
a los veinte y nueve dias del  
Mes de mil ochocientos e  
y tres, ante mi Antonio  
Coronel Jefe 2.º de Per de la  
referida Ciudad y su Demarcacion  
y por escrito mis testigos de la  
existencia con quienes actuo por  
Receptoria afuera de las oficinas  
publicas o mas de los instrumen-  
mentales que al fin se nom-  
braron, comparecieron Don Fran-  
cisco Villa de esta vicinidad a  
quien hoy fe conosco y dijo:  
Que por di a nombre de  
sus herederos sucesores  
y de quien de ellos hubiere  
ese titulo con y causa  
en cualquier manera,  
cede dona y traspasa  
el derecho que tiene

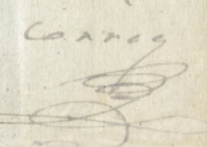


en un pedazo de tierra  
yunto al Rincon de San  
Poncial, del cual es due-  
ño como consta del Oficio  
Titulo que le concedió el  
superior Gobierno Depar-  
tamental, el cual se ha  
ya protocolado en este ar-  
chivo, cuyo terreno, ~~avanza~~  
~~terreno~~ consta de dos mil  
varas, declarando ser su-  
yo y que le corresponde en  
posesion y propiedad, el  
cual declara y asegura  
no tenerlo vendido enage-  
rado ni empeñado, y que  
esta libre de todo tributo  
memoria Capellanía vin-  
culo fiadura y de otro  
gravamen Real, perso-  
nal temporal especial

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general tacito y expre-  
so y como tal de lo cide  
que por tanto. Respon-  
da la excepcion que pro-  
viera o provenir hacienda  
a favor (del Señor Ga-  
llardo o de sus herederos  
y subcesores gracia y  
donacion pura y mera  
perfecta e irrevocable  
en sanidad y de mas  
firmas legales, sin  
que tenga lugar la ley  
2.<sup>a</sup> titulo 1.<sup>o</sup> libro 1.<sup>o</sup>  
novisima Reopilacion,  
y desde hay en adelan-  
te para siempre de  
desapoderado de este gen-  
to y aparta a sus he-  
rederos y subcesores,  
del dominio propiedad  
posicion, titulo uo

Carrey  


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Recurros y otros cuales  
quiera Derechos que les  
competan de la enumeracion  
de tierra, la ceda de  
nuncia y trasplata con  
las acciones reales y  
personales, utiles mis-  
tas directas indirectas  
y ejecutivas en Ga-  
llinas o en quien la  
suya represente, para  
que lo posea, cambie  
enajene use y dis-  
ponga como de casa  
suya adquirida con lo-  
gitimo y justo titulo,  
le confiere poder irre-  
vocable con libre fran-  
ca y general Adminis-  
tracion, y le consti-  
tuye procurador de-  
tor en su propia

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Causa, para que con  
su Autoridad o judi-  
cialmente entre y se  
aproveche del mismo  
de terreno, y del to-  
mo y Opción de la  
al tenencia y posesi-  
on que por derecho le  
compete, y para que  
no necesite tomarla  
pide se le de copia  
autorizada de la pre-  
sente Escritura y  
sin otro acto de la  
prevencion ha de ser  
visto habiéndola tomado,  
y se obliga a que di-  
cho terreno sera es-  
erto seguro y efec-  
tivo, y nadie le in-  
guetara ni moue-  
ra pleito sobre su

SD  
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Carney  
D

propiedad gore y Oid-  
frute, ni contra ella  
apareciera gravamen  
alguno, y si se le in-  
guitara moviere o  
apareciera, luego que  
el otorgante, sus he-  
riteros y sucesores  
suan leguieros con-  
forme a derecho sal-  
dren a la Defensa  
hasta Oyar al don  
Gallardo en libre e  
su quiete y pacifica  
posesion. Y de lo ri-  
gurosa observancia  
de todo lo referido o  
bliga su persona y  
bienes hereditos y por  
hacer, Comunes las  
leyes de su favor y  
Defensa con la ge-

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misal del Derecho  
en forma, con fiere a  
pelo poder a los Seno  
ru jueces que de este  
negocio pudiesen cono  
cer conforme a Orde  
para que la apremien  
a su cumplimiento to  
como por sentencia  
definitiva de juez com  
petente, <sup>apada</sup> en Oritori  
dad de cosa juzgada  
que por tal la habe  
y lo firmo el Orogan  
te coningo y los de  
Asistencia siendo los  
instrumentales Don  
Vicente Guerrero y  
Don Vicente Sarr  
chu Ooy fe en es  
te papel comun por  
falta de Sillado =  
Antonio Coronel

No 248  
Filed for Record Nov 9  
1859 at 12 hrs in at request of  
John W. Shore  
S. S. Brent  
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Refusal in Office  
this 24th day  
1860  
John W. Shore  
S. S. Brent

saben firman  
villa uno la seda  
Crua = Crua

Jose Ramon

Borquello = constancia

ga = instrumental

Vicente Sanchez = in

strumental = Jose B

certe Guerrero =

entre unglona = pasda = vale

tachado = cuyo terreno = vino

tas = no vale

convenencia con su original que se

saen desde la fojas 6. hasta la 9. prin

te, cuyo original se halla en el libro

de instrumentos publicos del presen

te año, corrigiendose y confrontando

se en la fojas de papel comun por no

haber sellado

Oy fe

A. J. Coronel

press  
J

Com

Com

guallo - Money

Stipe Valm...

Am

North American  
in order of Court  
Filed Dec 7 1859  
John W. Shore  
S. S. Brent

Recorded this 9th Nov 1859  
at 12 hrs. in on pp 51, 34 & 514  
Book 4 of Deeds at request of  
S. S. Brent

John W. Shore Clerk  
for J. W. Shore & Co

1  
Cor. Gefe Superior Pol.

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Juan Gallardo, Abj.

Ang. marzo 21. Por nacimiento y vecino de esta  
C. del 913. U. E. con el mas debido respeto y co-  
municacion a V. P. Profesor mas haya lugar en D. D. me  
to de ley segundo seuto y digo: que siendo yo poseedor  
D. D. de un corto pedaso de tierras en el p. m.  
de San Pascual el que consta de dos  
varas p. de vacuar mil varas, y sedio Juan C. Villalco  
lo- Michen  
mo lo acredita, los adjuntos docu-  
mentos que deviam. te acompaño: en

Ang. Junio 19. el terreno de Enrique Sepulveda se  
de 1843. hallan en propiedad unos opitos de  
Profesore el Sr.  
Juan S. de San, a qual los que originariam. le han de  
de esta Ciudad, regalo a estas tierras y como  
previa la correccion de un espinete de que se me  
pendiente vedarme  
sobre el contenido, perjudicar, sin que estas ay  
de esta solicitud den producto a otras. Si. Oren  
con expresion de  
si el trabajo se puede creerse y no dudarlo que  
haguer parte



nesen a particular estas aguas se dedican a mi, nos  
esta Corporacion sean favorables a ambos porque  
todo lo de con el beneficio de sercadas y re  
que Creati  
nimiento por el sercadas seran mas productivas,  
mucho mas por la causa de evitarles el peso de los  
materiales, y evacuacion animal y seran con mas de  
esta Prefectura pasago los bienes de for. Sepulveda  
los de mas fines. y asi es que en una temporalidad  
esteril de aguas pueden ser dichos  
permanentes favorecidos y ambos  
beneficiados: Por lo que Suplico a  
D. E. se digno dictar una providen-  
cia de que no se me interrumpa este  
beneficio = por = tanto =

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A D. E.

Reverendissimo. Suplico que en vista  
de lo expuesto decreta de conformidad  
en pro del interesado. de cuya gra-  
cia le diria muy agradecido, sus-  
pensandome el uso del papel comun  
por falta de sellado respectivo

Ang. e Marzo 15 de 1843

Juan Gallardo Sr

Prefecto del 2.º Distrito

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En cumplimiento del decreto que obra en la presente solicitada, para con dos hermanas de S. Pascual, y otros de respectiva de una según lo prescribe la ley la materia, resulta que otros a que pertenecen a D. Enrique Sefirada de y al finado Don Pedro o sus herederos, por concepción provincial, al del S. Ex. Gov. D. Juan B. Alvarado según el título que otro Encom que manifiesta. Adhiriendo que los expresados agraje no son útiles al paraje del repetido. Sepúlveda para el reino a agricultura por la situación del terreno, y al de D. Juan Gallardo, que tiempo atrás benefició de por .. encuentra al fin de la obra, y su objetivo favorece petid. Gallardo, lo que me a U.S. para que determine

Amo. Julio 30  
1743.

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Como Senor

Por el informe q. antecede del Jent. de  
Caja de esta Ciudad, aparece q. los ofos de agua  
q. abienta el interesado en este exped. <sup>de</sup> ~~con~~  
penden al parage de <sup>el</sup> Arsenal, mas resul-  
tando al mismo tiempo no ser util a este  
sitio los expresados vertientes, y lo a D. Juan  
Gallardo q. contiguo a ellos tiene su lavon,  
V. G. con vista de todo se servio resolver en  
el presentor, lo q. sea de su sup. agrado.

Angels Julio 4 de 1743.

Man. Dominguez

Amo. Julio 5 de 1743. <sup>Francisco Botello</sup>

Se mey entrelado ab. l. Garcia q.  
ha precedido ab terreno de Sepulveda  
pa. q. diga y lo mismo a aguas <sup>Michu</sup>

SELLO QUINTO UN REAL.

Habilitado provisionalmente por la Aduana marítima del puerto de Monterey, en el Departamento de las Californias, para el año de mil ochocientos cuarenta y tres.

Micheltorena.

Manuel Castañares

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Julio 7 de 1843

De conformidad con el supor decreto de  
del actual comante a J. P. de este capu.  
comar el traslado prevenido a la parte del Sr.  
Sub-teniente D. Manuel Gaspar, p.º 9.º en  
el termino de veinte y cuatro horas, diga; devol-  
viendolo a esta Prefectura p.º los demas fines.

Man. Dominguez

Casario Botello

En la pta. y en 11 de julio se entregó este  
capu. al Sr. D. Manuel Gaspar.

[Signature]

Don Prefecto del Distrito.

Mmanuel Garfias Subteniente del Reg. de Monte  
Jefe de este Departamento, y actual denunciante  
ante del Tribunal nombrado Juriado de San  
Pablo, con respecto al tratado q. se me  
hace del expediente relativo a los ojos  
de agua q. reclama D. Juan Gallardo  
dego, y de otros. Los citados ojos de agua  
no proporcionan en la actualidad poder  
beneficiar tierras de regadio, son útiles y me-  
ritan q. se proporcionen agua a los ruer-  
tes, y además con la industria y de-  
dicación q. se sacan mas fruto de  
ellos manteniendolos, los q. por estar den-  
tro del terreno denunciado pertenecen de  
justicia y derecho al q. de fomento Srto.  
Arg. Julio 9 de 1843.

Mmanuel Garfias

Argentes Julio 9 de 1843

Presen en tratado a la fuente de Carrizosa  
Sepulveda, en los 12 l. reales de q. se compro-

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me y q. en el termino de veinte y cinco dias diga lo q. a su dno. conuenga, de lo qual el casu. a esta Pref. p. los demas

siguientes.

Man. Dominguez  
*[Signature]*

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*[Signature]*  
Nacio

Sr. Prefecto del Distrito.

Enrique Sepulveda, de esta vecindad, en contestacion al traslado q. del presente expediente se me ha pasado debo manifestar: q. creo inofensivo el q. yo alegue cosa ninguna en favor de un dro. q. se me ha desistido, i que debere poder decir en orden a los Ojos de agua del citio del Pimcon de San Pascual? Si se hace por q. yo de una idea por lo q. concierne a los Ojos de agua en cuestion, dire q. en un todo me refiero a lo q. manifiesta el Sr. Juez de paz en la sentencia q. hace del terreno.

Ang. Julio 9. de 1843.

Enrique Sepulveda

Otro se debulso en expediente  
en las mismas foxas q. se recibio  
Sepulveda.

*[Signature]*

*[Signature]*

Continuo Senor.

Con lo alegado por el Sr. Escarpion y  
el Sr. Enrique Sepulveda, la prefectu-  
ra de mi cargo, devuelvo a V. B. el presente  
de capitulo, p. q. en su vista, se haya de  
terminar lo q. sea de su sup. agrada.

Angelus Julio 10 de 1843.

Man. Dominguez.

Mano de  
Man. Dominguez

Ang. Julio 10. de 1843.

Para el Sr. Prefecto D. Manuel  
Dominguez de quien faculto p. q. con sus  
medidas y fino arreglo al presente de  
modo q. disfruye cada uno de mayor  
beneficio posible, p. tener q. marchar ya  
de esta Ciudad.

Mano de  
Man. Dominguez

Man

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queles Diciembre 18 de 1842.

Acuerda al Sup.<sup>or</sup> decreto q.<sup>o</sup>  
antece, bien comparecer en esta re-  
spectiva de mi cargo a los Cauda-  
nos Juan Gallardo y Manuel Car-  
pio quienes presentes, les fue sa-  
ber el objeto de ser llamado y en  
consecuencia les invite a hacerse pro-  
posiciones de habermientos, y pro-  
vediendo a ello, se combinaron bajo  
las condiciones siguientes.

1<sup>o</sup> El Sr. D. Manuel Carpio queda  
obligado a no entorpecer el curso del  
agua con que se beneficia los ter-  
renos del Sr. Gallardo, p.<sup>o</sup> el uso nece-  
sario a sus labores y plantíos.

2<sup>o</sup> El Sr. Gallardo podrá ceder y ale-  
jar, si fuer necesario, el nacimiento  
de la expresada agua con el fin de q.<sup>o</sup> el  
piso y tráfico de animales no lo seque  
como puede suceder, sin mas objeto en  
derecho q.<sup>o</sup> el de que se comen, como q.<sup>o</sup>  
el origen de la repetida agua, esta en  
terrenos de la propiedad del Sr. Carpio.



as, ni q.<sup>o</sup> los bienes de este, quedan por  
vados de su uso.

3.<sup>o</sup> Si D.<sup>no</sup> Juan Gallardo, ni ninguna de  
otra persona q.<sup>o</sup> en lo subsiguiente se  
su lugar en la posesion del terreno q.<sup>o</sup>  
hoy tiene, se considerara con otro p.<sup>o</sup>  
Establecer Rancho en otro terreno en  
virtud del presente convenio, ni me  
nos meter bienes de ninguna clase  
al nacimiento del agua citada.

Y habiendo en esto quedado  
convenidos y conformes, se obligaron  
mutuamente, en el mismo dia de la  
fha. firmando ambos p.<sup>o</sup> con tanta  
con ungo y el secreto respectivo.

Man. l. Dominguez. Juan Gallardo

Mmanuel Garfia

Narciso Botella

lxio.

Aug. fha. m. supra.

Libre copia certificada del antea  
dente convenio, al ser. D.<sup>no</sup> Manuel Gar  
fia, p.<sup>o</sup> su seguridad, y devuelvan  
original el presente exped. a D. ju

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an Gallardo, p. los pines q. se  
gan. El Prefecto del 2.º Div.  
No. 11 y p. p. con el. See

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Man. Dominguez

Narciso P. de  
No.

EL FICHA

Shubert & Co  
C. G. C. A.

N<sup>o</sup> 248

Wilson  
vs  
appellant  
United States

Suit about  
winters

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Filed in office  
this 4<sup>th</sup>  
Jan'y 1860  
C. G. C. A.

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Petition  
To the Prefect of this District.

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I, Francisco Villa resident of this District before your Honor, in the best form and as it will be most in accordance with Law, say, that the fourth of the present Month, the Judge of 1<sup>st</sup> Instance, went to see and asked me about the land of my own property, and am ignorant with what object, and as by this is to be presumed a new denouncement, I ask of your Honor, to take the trouble by the annexed document - that I respectfully submit, that your Honor will have me given judicial possession of the same, for then I believe the envy of the denouncers will be calmed; accepting, if it please your Honor, this petition in common paper for want of stamps ~~and~~, returning, to me the original with the copy that accompanies it.

Los Angeles, May 6, 1842

I do not know how to sign.

Providence.

Los Angeles, May 6, 1842

The petitioner will await the resolution of his Excellency the Governor of this Department, to whom with this date, the present document of this land has been delivered.

(Signed) Argüelles.

Petition,

To the 1<sup>st</sup> Judge of the District.

I, Francisco Villa, a resident of this Department, before your

Honor, in the best form, and, in accordance with Law,  
respectfully represents, that being compelled to prove  
my right to a piece of Land in San Pascual, and the  
title of the same being in the Register of that office, of the  
Year 1839, I request of your Honor to give me a copy,  
certified, for the uses that I will deem suitable, and  
I pray, it will be done as I request - in the name of Justice  
and Equity, I am not of Malice, and the necessary etc.  
And you will please accept this in common paper for  
want of stamp one,

Los Angeles, April 26, 1842. —

Decree.

Los Angeles, Apr. 26, 1842

Presented and admitted according to due form of Law  
as Petitioner requests. Let the copy be taken out and  
let the same be given to the interested party, for the uses  
he may deem proper. So, I, the subscribing, Judge, do command  
and signed, with the Assistant Witnesses  
according to Law.

(Signed) Manuel Dominguez, Judge  
(Signed) Jua. Coronel, Asst. Witness, Carlos Aguilar, Asst. Wt.  
(Seal)

Decree of Governor.

In a previous order, I mistakenly said that the  
office of the Justice of the Peace, that <sup>in connection</sup> ~~in~~ accord with the  
Administrator of San Gabriel, <sup>he</sup> should give notice to the

Heirs of the late Juan Mariu that they would limit themselves to occupy the "Cañada de San Pasqual" - instead of having said "Rincon de San Pasqual" which is the one conceded to him by the Governor. -

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So that you will notify the said heirs of my determination so that they will not claim themselves owners, or will occupy other lands of which the Government has made concession of two thousand Varas to the citizen Francisco Villa, to whom, (in conjunction with the Administrator of San Gabriel, you will order possession to be given acting in the most prudent manner, so that any orders in this particular will have the desired effect. -

"God and Liberty."

Santa Barbara, Jan. 25. 1839.

(Signed) Alvares, -

To the Alcalde of the City of Los Angeles.

Certificate of Judge.

Los Angeles, April 27, 1842. -

I certify that the above order is faithfully and legally taken from the original that exists in the Register of the Year, 1839, on the forty-first page of said Register, which said document was compared and corrected with these two pages of common paper for want of Stamp one.

In testimony of the Truth,

(Signed) Manuel Dominguez, Judge,

(Signed) Juan Coronel, -  
Just. Witness

(Signed) Canales Aguilar  
Just. Witness. -

Deed.

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In the City of Los Angeles, in this Department of California, on the 29<sup>th</sup> day of January, A.D. 1843, before me, Antonio J. Coronel, J. Justice of the Peace of said City and its Vicinity, and before Witnesses <sup>before</sup> whom he acted instead of Notary Public, there being none <sup>appeared</sup>, appeared, Francisco Villa of this Vicinity, with whom, I certify I am acquainted, and declared; That he in his name and in the name of his heirs and successors sells, grants and conveys, his right to a piece of Land adjoining the "Rincón de San Pascual," of which said piece of Land he is the true owner, as it can be seen in the title granted to him by the Superior Departmental Government, which title has already been recorded; Said piece of Land containing about two thousand Varas; and said Villa further declares that said piece of Land is right and possession, and warrants it not to be sold or in any manner conveyed or Mortgaged, and free from all incumbrances whatsoever, and so discharged, he grants to, and renounces all rights of his and his successors in favor of Mr. Gallardo his heirs and successors; And from the present date said Villa in his name and in the name of his heirs and successors yields and separates himself from the right, property and possession and title that may correspond to him of said piece of Land, grants, renounces, and conveys it with all

real and personal actions, mixed and ~~personal~~  
executory, in the person of said Gallardo or whomever  
may represent him; so that said Gallardo may  
sell, convey, exchange, or dispose of it as of his own  
and as acquired by him legitimately;

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And said Villa constitutes by these presents said  
Gallardo, attorney in his own right, so that said  
Gallardo may enter and take possession of said  
piece of Land and take the real tenancy thereof  
in the manner prescribed by Law; But that it may  
not be necessary for said Gallardo to take corporeal  
possession of the same, I request that a certified copy  
of these presents be given him; so that without any  
other acts of appropriation or ownership, it will  
be declared as occupied by said Gallardo; And said  
Villa further complains and undertakes to say that  
said piece of Land shall be assured to said Gallardo,  
and that none shall have the power or be per-  
mitted to institute any action or suit for said  
Land; And in case said Gallardo shall be disturbed  
or molested in the peaceful enjoyment of the same,  
the said Villa, his heirs, and successors, as notice  
be given him according to Law, shall come to the  
defense of said title until said Gallardo shall be left  
in the free and peaceful possession of the same.

And in Warranty of the strict observance of the  
same above, he pledges his person and his property  
in possession and expectancy, and calls upon the



judges that may see this, that is could be strictly followed and complied with. —

And said Villa therefore signed these presents in my presence and in the presence of the witnesses required by Law, acting as such D. Vicente Guerrero and D. Vicente Sanchez.

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In testimony whereof I set my name in this common paper for want of stamped one.

(Signed) Antonio S. Corouel. —

Not knowing how to sign I have made the sign of the cross.

Witness, (Signed) Jose Ramon Argüello

" (Signed) Francisco de la Mora

Instrumentals) Vicente Guerrero and Vicente Sanchez. —

I certify the above to be a true and correct copy as taken from the original from page to page of said original can be found in any Public Register of the Present Year. And this copy was compared and corrected with said original, and taken in common paper for want of stamped one

(Signed) Antonio S. Corouel

Witness,  
Guillermo Morúa (Signed)

Witness, (Signed)  
Felipe Valenzuela

N. 248.

~~Copy of the Grant of~~  
~~San Pascual~~  
~~-1842-~~

Translation of  
Deed of Governor  
of said from  
Gallardo

Filed in Office  
this 4<sup>th</sup> Jan<sup>y</sup> 1860  
C. Sims  
clerk

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Field Notes  
of the Final Survey of the  
Rancho "San Pascual"  
Situated in the County of  
Los Angeles, State of California.

Field Notes of the Gual  
Survey of the "Rancho" San  
Pascual, situated in the County  
of Los Angeles, State of California.

Commenced, August 3<sup>d</sup>, 1858.

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Surveyed by Henry Hancock,  
Deputy Surveyor, in conformity  
with Instructions bearing date  
the 17<sup>th</sup> day of May, A.D. 1858.

Commencing at a B. Oak tree  
15 in dia, in a Ravine, on the West  
of a stream of water, some 8 Mts  
wide, course, S. E., which consti-  
tutes the South West corner of the  
Rancho "Santa Anita," and marked  
it as per Instructions.

Thence

Var  $13^{\circ} 40' E$

- 1 N 24<sup>th</sup> 300 To top of the E. Bank of the Ravine  
21.00 Across a stream of water, 8 Mts  
wide, course, S. E.  
24.00 Leave Oak timber, and enter plain  
324.00 To S. Bank of Cañada, course, S. E.  
329.00 Into same,  
340.78 to a post + stone mound, the N. W.  
corner of the Rancho "St<sup>a</sup> Anita"  
Joy Station No. 1, from which a  
Live Oak, 20 in dia, bears N 88<sup>th</sup> E,  
dia 104 Mts.

Thence

- 2 N 35<sup>th</sup> 28.00 To Station No. 2, and drove a stake

Thence

- 3 N 95<sup>th</sup> 15.00 To Sta No. 3, + 4 Mts for corner  
a bottomwood tree, 10 in dia, from  
which another bottomwood 14 in dia,  
bears N 14<sup>th</sup> E, dia 18 Mts

Thence

- 4 N 88<sup>th</sup> 9.00 To top of W. bluff of Cañada  
27.00 To Sta No. 4, + drove a stake.

Thence

- 5 N 66<sup>th</sup> 60.00 Enter Cañada, course, S. E.  
74.50 To Sta No. 5, and drove a stake,  
from which an Oak, 20 in dia, bears

6 N 17° W, 20.00 <sup>Thence</sup> To Sta No 6 on W. Bank of Cañada and leave same, and set stake with irregular stone mound

7 N 37 1/2° W 35.00 <sup>Thence</sup> To Sta No 7 and drove a stake on the S. base of Mountain

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8 S 86° W, 134.00 <sup>Thence</sup> Cross a Wood road, course, S. To Sta No 8 on the S. bank of the Anoyo Seco, bolts wide, course, S, and set stake.

9 S 64° W 9.50 <sup>Thence</sup> Cross a wood road, course, S. To Sta No 9 + set a post, four feet long and squaring 5 inches, for the N. W. corner of the Rancho at the base of the W. bank of the bottom lands of the Anoyo Seco, from which bears  
An Oak tree, 40 m' dia, N 7 3/4° E, dist 54 lks.  
" " " 30. " " S 47 1/2° E, " 54 "

10 S 32 1/2° W 18.50 <sup>Thence</sup> To Sta No 10, and set a post.

11 S 15 1/2° W 56.00 <sup>Thence</sup> To Sta No 11 + drove a stake, from which a Sycamore tree, 11 m' dia, bears N. 85° W, dist 28 lks.

12 S 83 3/4° E 89.50 <sup>Thence</sup> To Sta No 12, + drove a stake + ch<sup>o</sup> Stake: Cañon, for the last half mile, about 40 ch<sup>o</sup> wide.

13 S 12 1/2° E 54.00 <sup>Thence, South</sup> To Sta No 13, + drove a stake. Cañon at this point about 25 ch<sup>o</sup> wide.

14 S 29° E 42.00 <sup>Thence</sup> To Sta No 14, + drove a stake.

15 S 6 1/4° W 71.00 <sup>Thence</sup> To Sta No 15, + drove a stake, on W. side of Cañon, at this point about 30 chains wide.

16 South 107.50 Thence, To Station No. 16, and drove a stake on N. bank of Cañon; and at the same time on the S.E. point of a high & rugged range of hills, taking West from which stake a Live Oak tree 40 m dia, bears S 31° W, disto 117 lks.

17 S 58° W 1.00 Thence, Across Gully, 10 lks wide, course S  
 12.65 Intersected the San Bernardino Range line 10.85 ch<sup>s</sup> W of cor to Sect 5, 6, 31 & 32 mi Range No. 12 W of the Meridian, and drove a stake at the point of intersection, from which bears a Live Oak, 3 m dia, N 38 1/4° E, disto 24 lks.  
 18.50 Cross a road, course, E.  
 26.00 To Sta No. 17, and set a stake and stones.

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18 S 34 1/2° W 5.00 Thence, To a Sycamore, 10 m dia, on the line.  
 28.50 To Sta No. 18, + drove a stake + ch<sup>s</sup> stake.

19 S 27° W 5.00 Thence, Cross road, shown on the original map, course, E  
 6.80 To an Elder, 8 m dia, + mark the same, for Sta No. 19.

20 S 55° E, 3.00 Thence, Leave N. bank of Anoyo Seco, course, South.  
 7.50 Across dry channel of Anoyo Seco, 30 lks wide, course, S. W.  
 17.50 Cross road at base of S. Bank of Anoyo Seco, course, N. E.  
 20.00 To top of S. Bank of Anoyo 30 feet high.  
 29.50 To a point in road on N. face of high hills, course, N. E., from which point the dwelling house of Don Manuel Garfias bears N 39 1/2° E.  
 33.00 To a Live Oak tree, 14 m dia on line.  
 39.85 To Sta No. 20, a Live Oak tree, 30 m dia, from which the dwelling of Don Manuel Garfias, before taken,

21 881 1/2 87.29

Thence, To Sta No 21 and set a post & ch'd stake as per instructions on the S. base of high hills, for the S. E. corner of the Rancho, from which bears a Lime Gate, 40 mi dia S 85° W. dist 17 3/4 mi  
" " " " S 51 3/4 E, " 709 "

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22 884 1/2 102.00

Thence Enters a new Vineyard & Orchard of Mr. Sandford, and across a live fence course, N. and some 10 ch'd from the S. W. corner of the field

113.50 Across the N. fence of new Vineyard course, E + W some 4 ch'd from the N. E. cor. and about 10 ch'd from the N. W. corner of the farm.

114.50 To Sta No 22, a Bayamora tree 30 mi dia, situated at the mouth of the "Cañada San Pascual" and on the West bank of the Arroyo of the Same.

23 886 1/2 200.00

Thence Across bed of the Arroyo of the Cañada of San Pascual, that links with a stream of water some 8 Mts wide, in center, course S  
31.31 To Station "no 23" a W. Gate tree, 18 mi dia, near the foot of the Paderon, or bank.

24 889 1/2 6.50

Thence To Sta No 24 & drove a stake & ch'd stake on N. Bank of old Sanja of Mojipin, course, S. E.

25 891 1/2 11.00

Thence To Sanja, 6 Mts wide, course, S and on the N. side of the Mill Ravine  
5.50 To a Black Cherry tree 12 mi dia in fence, on the W side of a small but ancient Vineyard, in the mouth of the Ravine  
11.00 To S. Side of Ravine, and leave

Vineyard, extending some 2 ch<sup>s</sup> up the Ravine, and into the Rancho and into Swamp.

11.50

Intersected the Base line 36.50 ch<sup>s</sup> E of cor to Sect 3. 4. 33 + 34, Range 12. N, the tree cor not being accessible, from its falling in a Lake, and drove a stake at the point of intersection, from which a Willow 18 m dia, bears N. 19° W, dist 29 lks.

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17.50

Leave Swamp on S face of Paderon or Banke, extending about 50 lks into the Rancho, on the N

21.33

To Sta W<sup>o</sup> 25, + drove a stake & ch<sup>s</sup> stake, from which a W. Oak, 20 m dia, bears S 83° W, dist 104 lks.

x

26 10/58

13.61

Thence, To Sta W<sup>o</sup> 26, and drove a stake & ch<sup>s</sup> stake on the brow of the Paderon or Banke, at the point of intersection with the N. 13d<sup>o</sup> of the place called "Lpatee", from which bears a W. Oak 11 m dia, N 65° E, dist 1.26 lks  
" " " 10 " " N 72 1/4° W, " 1.95 "

27 10.5.57

11.00

Thence, To Sta W<sup>o</sup> 27 on the N. W. corner of the Honesta do Lpatee, and drove a stake, from which an Oak tree, 18 m dia, bears N 1/2° E, dist 150 lks, another Oak, bears S 45° E, dist 1.26 lks

28 10.6.58

7.80

Thence, To Sta W<sup>o</sup> 28 on the Oak tree at the pressa, and place of commencement.  
Completed August 8<sup>th</sup>, 1858.



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

November 28, 1857.

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I, J. W. MANDEVILLE, Surveyor General of the United States for the State of California, by virtue of the power vested in me by law, Do Hereby Certify, that the ~~first~~ preceding, and hereto annexed pages, numbered from one to, ~~Five~~ inclusive, exhibit a true, full, and correct copy, of the Field Notes of the Survey of the Ranch "San Pascual", executed by Henry Hancock, Dep<sup>y</sup> S<sup>ur</sup>, in the month of August, 1857, from which was made the Map approved by me, showing the lands of "San Pascual", Officially confirmed to Manuel Garcia.

EXAMINED AND FOUND CORRECT.

E. Corwin  
Chief Clerk.



In Testimony Whereof, I have hereto signed my name officially, and caused my Seal of Office to be affixed, at the City of San Francisco, this 28<sup>th</sup> day of November, 1857.

J. W. Mandeville, S. Surveyor General, for California.

W 2248

San Diego

Field notes of  
General Survey

S 533 1/4 E

Filed in Office this  
17<sup>th</sup> July 1860  
C. J. Sims etc

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PAGE 142

*B. D. Wilson*  
*vs* *Appellant*

*The United States*  
*248 SD* *Appellee*

Case No. *248*

PAGE 143

# Deposition of *Leben Meyer Gladly*

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on *Saturday*, the *14<sup>th</sup>* day of *January* A. D. 18*69*, at *1* o'clock *P*. M., on said day, on behalf of the *Plaintiff* by the *Consent of the parties* to be used as testimony in a certain cause now pending in the *U.S. Dist. Court for Southern Dist. of Cal.* being Case No. *248* on the Docket of *Plaintiff* said Court, wherein *B. D. Wilson* is *Appellant* and the *United States* are appellees.

Present *H. J. Brink*  
and *J. R. Kitchell*

Attorney in behalf of the appellants  
in behalf of appellees.

My name is Ebenezer Hadley, I am 34 Years old and am by profession a Surveyor, and have been for several years engaged in making U. S. surveys of confirmed lands in Los Angeles County. - I am acquainted with the tract of Land called "Rincón de San Pasqual" confirmed to Manuel Garfías and the two thousand Vara tract claimed Quereín. The first named tract lies to the North and West of the second tract.

I am acquainted with the lines of Rincón de San Pasqual, as finally approved by the U. S. Surveyor General, having seen the same.

I am also acquainted with a live Sycamore tree situated on the slope of a hill near where there are some Springs, and near the corner of the fence of Juan Flores. It is a conspicuous and notable tree being the only one in the neighborhood. The tree is about thirty (30) inches in diameter, and is about fifty paces from the boundary line of the Rincón de San Pasqual, and is between Stations twenty two (22) and twenty three (23) of the approved Survey.

Ebenezer Hadley

I am and hereby to inform  
me this the 14<sup>th</sup> Day 1860

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C. Lewis Clark  
U. S. Commissioner  
for California

**I, C. Sims,** of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil case pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing Depositions of *Ebenizer Hooley* was taken before me on the *14* day of *January*, A. D. 18*60*, according to the *Coment*

of the said *parties* at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the *Claimant*

That the said *Ebenizer Hooley* was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this *14* day of *January*, A. D. 18*60*

*C Sims*  
United States Commissioner. *for*  
*Calif*

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No. 248

United States District Court for the  
Southern District of California.

Deposition of:

*E. Hadley*

Filed this

*14<sup>th</sup> June 1860*

*Chas. W. [unclear]*

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*B D Wilson*

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*Appellant*

Case No. *248*

*The United States*

**Deposition of**

*John W. Moore*

taken before C. SIMS, United States Commissioner for the District of California, at the United States Court House, in the City of Los Angeles, on \_\_\_\_\_, the *14* day of *January* A. D. *1860*, at *1* o'clock *P* M., on said day, on behalf of the *Appellant* by the *Consent of the parties* to be used as testimony in a certain cause now pending in the *U.S. District Court for the Southern District of California* being Case No. *248*, on the Docket of said Court, wherein *B D Wilson* are appellants, and *The United States* are appellees.

Present

*D L Brub*

Attorney in behalf of the appellants

and

*D R Kitchel*

in behalf of appellees.

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My name is John W. Shore, I am  
32 years old & am County Clerk of Los  
Angeles & ex officio keeper of the old Spanish  
archives belonging to the local authorities  
of Los Angeles -

There is in my office no original of the  
order signed Alvarado a copy of which is  
set out in Exhibit - as noted  
to the deposition of Manuel Dominguez -  
~~Nearly all the papers~~ scarcely any protocols.



belonging to the Mexican period are found  
in my office & it is a matter of public  
notoriety that the greater part of the  
best machines of Gas Engines were destroyed  
by a boat during the Mexican war -  
John W. Shore.

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Sporn sent, before me this  
the 14<sup>th</sup> day of January 1860

C. Sims  
United States Commissioner

**I, C. Sims,** of the City and County of Los Angeles, and State of California, Commissioner to take Affidavits and Bail, in civil case pending in the Courts of the United States, and Depositions under the Acts of Congress, approved September 24th, A. D. 1789, February 20th, A. D. 1812, and March 1st, A. D. 1812, by virtue of my office of Clerk of the United States Court of the Southern District of California, and by special appointment by the United States Circuit Court for the State and circuit of California, do hereby certify that the foregoing Depositions of John Wilson was taken before me on the 14 day of January A. D. 186, according to the affidavit of the said parties

at the United States District Court House, in the City of Los Angeles, and State of California, in behalf of the appellant  
That the said John Wilson was by me duly sworn according to law as a Witness in said cause in the caption of this Deposition mentioned, and after being so sworn, his Testimony was by me reduced to writing in his presence, and after having been by me carefully read to him, and by him corrected in every particular as he desired, was by him signed in my presence.

In witness whereof, I hereunto set my hand and private Seal, (having no Seal of Office,) this 14<sup>th</sup> day of January, A. D. 1852/1860

C. Sims

United States Commissioner.

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No. 248

United States District Court for the  
Southern District of California.

Deposition of *W. L. Shaw*

Filed this *14<sup>th</sup> Aug 1860.*

*C. J. Sims*  
*clerk*

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— Petition. —

To His Excellency the Superior Political Chief —

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Juan Gallardo, a Mexican by birth, and resident of this District, Before Your Excellency, respectfully and as it will most agreeable to Law, declares: That being possessor of a small piece of Land, in the Place named "San Pascual," said piece of Land containing Two Thousand Paras, having been transferred to me by Francisco Villa as in can be seen by the annexed documents, which I duly transmit; and there existing some Springs or Ajos de agua in the Land of Curique Sepulveda, said Springs having originally irrigated the above amount of my Land; and as I have reasons to believe that I am to be disturbed and prejudiced, said Springs or Aguajes not giving any benefit to any body else, — If Your Excellency can believe and not doubt that if said Springs, are granted me can much benefit both for by bringing the Water out and damming it, will be greatly unproductive, by preventing it from being brod upon, by the animals; and the Animals of said Mr. Sepulveda will drink more at ease; and in some dry and unfavorable season said Springs may be good and both of the parties derive much benefit: Therefore I pray your Excellency will take some steps so that I may not be disturbed or interrupted in this privilege or enjoyment of this benefit, and I would respectfully ask, that for the reasons I have recited, Your Excellency will decree in conformity with them in favor of the

claimant, for which service, and for which I will forever  
remain grateful, excusing the use of common paper  
for want of stamped one.

Angeles, March 19, 1843.  
(Signed) Juan Gallardo.

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— Decree of Governor. —

The Prefect of the second district will please  
take information in relation to the matter, to evacuate  
it.

Angeles, March 21, 1843.

(Signed) Michelmorena.

---

— Order of Prefect. —

The Judge of 1<sup>st</sup> Instance will inform himself  
of the corresponding inspection of what the petition asks  
for, in regard to know whether said Spring or Springs belong  
to a particular Town, or Corporation, and besides inform yourself  
of all that you may think convenient and necessary  
to illustrate more the matter, and as soon as getting  
through, you will report to this office everything.

(Signed) Manuel Dominguez

Angeles, June 17, 1843.

---

— Report of Judge of 1<sup>st</sup> Instance to Prefect. —

In conformity with your decree which issued on the

present petition, I repaired with two impartial and intelligent men to the place of San Pascual, and made the respective inspections as the Law required, and it resulted that the said Springs or Aguajes belong to Don Enrique Sepulveda and to the late José Pérez or his heirs, by a Provisional Grant made by his Excellency Governor Juan B. Alvarado that is according to the title said Sepulveda manifested; observing that said Aguajes are not useful or necessary to the Land of said Sepulveda for agricultural purposes on account of the situation of the Land; and they are useful to the Land of Juan Gallardo, for he receives some benefit from them, his Land being at the foot of the hills, and its declivity favors the said Land of said Gallardo, all of which I inform your Honor, that you may determine what you consider just.

Angeles, June 30, 1842.  
(Signed) A. F. Crouel.

Report of Prefect to Governor.

His Excellency:

By the foregoing Report of the Judge of 1<sup>st</sup> Instance of this City, it appears that the Springs or Aguajes, for which the party petitions in this Expediente belongs to the place named "San Pascual," but it results at the same time that said Aguajes are not useful or necessary to the said place but on the contrary they are to Juan Gallardo, said Gallardo having his cultivated lands near them, so that it may be resolved what is more agreeable to your Excellency.

Angeles, July 4, 1842 or  
(signed) Manuel Dominguez  
(signed) Narciso Botello.

Order of Micheltovea.

Angelos, July 5, 1843. cr

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Let a copy of the judicial proceedings (traslado) be served upon Mr. Garfias, who has pretended to the Land of Sepúlveda, so that he may be able to answer. And let the same be made accordingly.

(Signed) Micheltovea.

Order of Prefect for a Fraslado & Regimen.

Angelos, July 7, 1843. —

In conformity with the superior decree of the 3<sup>rd</sup> of the present month to the second judge of sustancia of this city, let a copy of this Expediente and judicial proceedings be given to Sub-Lieutenant Manuel Garfias, so that in the course of 24 hours he may answer, making a return thereof to this Prefecture, for the ends that may be necessary.

(Signed) Manuel Dominguez

(Signed) Narciso Borello

At the date and 11 Page Utiles of this Expediente was given to Sr. Manuel Garfias.

Answer of Manuel Garfias.

— To the Prefect of the second district: —

Manuel Garfias, Sub-Lieutenant of the present Chief of this Department and present denunciante of the Rancho of the Rincon de San Pascual in answer to the traslado or Copy of the proceedings

that has been given me of the Expediente, relative  
to the Aguas or Springs claimed by Don Juan  
Gallardo, I say: That although the cited Springs  
can not at present benefit any Agricultural  
Lands of mine, yet they can be beneficial to the  
property, and besides with the help of Industry  
and help of Stock, can be made to be more useful,  
being besides within the lands that justly  
and by right belong to the Encumberer, and  
to no other Signos.

(Signed) Manuel Gargás

Angeles, July 8, 1843. cr.

---

Angeles, July 8, 1843. cr.

Order of Prefect for a Fraslado to be given

Let a Copy (Fraslado) of the proceedings found in  
12 pages be given to Enrique Sepulveda, that in the course  
of twenty four hours he may answer what he may think  
right, returning the same to this Prefecture for the ends that  
it may be necessary.

(Signed) Manuel Dominguez  
(Signed) Narciso Portillo

---

— Answer of Enrique Sepulveda. cr —

Enrique Sepulveda of this vicinity, in answer to the  
Copy of Proceedings (Fraslado) which has been given me, of this  
Expediente, I manifest the following: That I consider un-  
less and unnecessary that I should say anything in favor of



a right of which I have been deprived, What must I say  
then in respect to the Añas de Agua or Springs of the Rincon  
of San Pascual?— If I am required to answer with the object  
that I may give an Idea in relation to said Springs in  
litigation, I will wholly and entirely refer to what may  
appear at the Justice of the Peace as the result of his Inspect-  
ion of the Land.

Angeles, July 9, 1843.

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(Signed) Enrique Sepúlveda.

The Expediente is returned in the same condition  
that it was received. (Signed) Sepúlveda.

---

— Report to Governor. —

I return to Your Excellency the present Expediente  
with all what has been alleged by Mr. Garjías and Mr.  
Enrique Sepúlveda, that your Excellency may resolve what  
what you consider most agreeable.

Angeles, July 10, 1843.

(Signed) Manuel Domínguez

(Signed) Narciso Botello.

---

— Order of Melchor Moreno for mediation. —

— Angeles, July 10, 1843. —

Let this be transmitted to Sr. Manuel  
Domínguez whom I empower, that he may with his  
prudence and impartiality adjust the dispute between  
the parties so that each of them may enjoy the greatest  
possible benefit. I, not being able leaving to leave the City.  
(Signed) Melchor Moreno.

Agreement of Parties.

Obedient to the Superior Decree, I caused to appear before me in this Prefecture, the Citizens Juan Gallardo and Manuel Gargás, who when present, I made them acquainted with the reason of their being called, and requested them to agree upon some propositions of Adjustment, and accordingly they agreed upon the following conditions:

1<sup>st</sup> = Mr. Manuel Gargás obliges himself not to disturb or molest the course of the water with which may be benefited the agricultural and grazing lands of Don Juan Gallardo.

2<sup>d</sup> = Don Juan Gallardo can fence or ~~adorn~~ <sup>protect</sup> the head (Macimiento) of the Springs so that the tread of animals will not dry, as it may happen; without any object or right than it may be preserved; as the origin of said waters is in the lands of Don Manuel Gargás; nor that the property of Gargás may be deprived of its use.

3. Neither Don Juan Gallardo nor any other person that may subsequently occupy his place, where the possession of said Gallardo is now shall consider himself with the right to establish a Rancho in said Land by virtue of this Agreement, nor less put in animals of whatsoever kind at the head of said water. And having agreed and remained satisfied in this, they mutually compramisad as above in the date above written, and signed, before me and the respective Secretary

(Signed) Manuel Dominguez

(Signed) Manuel Gargás (Signed) Narciso Botello (Signed) Juan Gallardo

Los Angeles, states as Above. —

As a certified copy of the foregoing agree-  
=ments be given to D.<sup>o</sup> Manuel Garfias for his security  
and as the Original of the present Expediente be  
returned to D.<sup>o</sup> Juan Gallardo, for the Ends that may  
be necessary.

The Referer of the second District thus has  
disposed and signed with the respective Secretary,  
(Signed) Manuel Samuñes. —  
(Signed) Narciso Botello.

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No 248

B. N. Wilson.

<sup>101,</sup>  
United States.

Transcription of Lawuit.

Filed in office  
this 17<sup>th</sup> Jan'y  
1868  
C. Jones  
clerk

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

Hon Isaac H. Wiley Judge

December Term 1856

The United States  
Appellants - Docket No 173  
vs  
Maurice Currier  
Appellee

Manuscript from the Board of Land Com-  
missioners for

The Attorney General of the  
United States having given notice that the  
Appeal to the Supreme Court from the  
decision of this Court in the above entitled  
Cause will not be prosecuted by the United  
States and a stipulation having been entered  
into by the United States District Attorney and  
the Attorney for the Claimant, that the  
Order granting the <sup>law</sup> appeal to the Supreme  
Court herebefore made in this Cause be vacated  
and that the decision of this Court herebefore  
rendered in this Cause may by order of  
the Court be made final. It is  
Ordered, adjudged and decreed that the  
Order granting an appeal to the Supreme  
Court herebefore made in this Cause be  
and the same is hereby vacated and  
that the Claimant have leave to proceed under

The decree of this Court as ~~reads~~ under  
a final decree

David M. Coffin  
U.S. District Judge

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

I C. Coffin Clerk of the  
United States District Court for the  
Southern Dist of California do hereby  
certify that the foregoing is a full  
true and correct copy of the original  
order of dismissal of appeal in  
Case No 173 wherein Manuel  
Guerrero appeals as the United States  
appellant as appears of record on file  
in my office



In witness whereof  
I have hereunto set  
my hand and affixed  
the Seal of said Court  
this 14<sup>th</sup> day of July 1860

Coffin Clerk

No 248

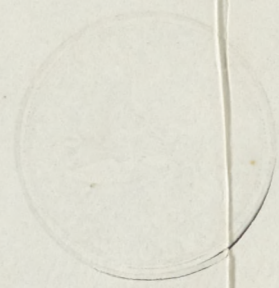
United States, Appellate  
vs.  
Manuel Garzas, Appellee

Dismissal of Appeal

Filed in Office this  
17<sup>th</sup> Jan'y 1860  
C. Sims ck

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B. D. Walker Substituted  
vs  
United States

No 248 —

It is truly stipulated that the depositions  
of John W. Shore & Edward Gladby  
taken before C. E. Lewis may be read  
in the hearing of this cause —

Jan 17<sup>th</sup> 1880 —

J. P. Mitchell

W. S. Just Atty  
Shenandoah County  
Atty for Plaintiff

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No 248

Wilson

in

United States

Stipulation  
concerning depositions -

Filed in office  
in office Jan'y  
18<sup>th</sup> 1860  
C. M. S.  
or

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Benjamin J. Wilson  
Substituted for Juan Gallardo  
Versus  
United States, Respondents.

No 248  
In the U.S.  
District Court  
for the Southern  
District of California

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This came coming in to be heard upon the duly certified transcript of Proceedings had before the U.S. Board of Land Commissioners, and upon additional testimony taken in this Court, and the Court after hearing the testimony of Parties, and the Arguments of Counsel being satisfied that a duly, and legally, certified transcript of the Proceedings had before the said Board of Land Commissioners, in their claim, together with their decision, and, the papers and the Evidence upon which the same was rendered was filed in the office of this Court on the 2<sup>nd</sup> day of July A.D. 1855, and that within six Months thereafter, "to wit" on the 10<sup>th</sup> day of October A.D. 1855, the Appellant and Claimant, herein duly filed in the Office of said Court a Notice of his intention to prosecute the

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The Appeal herein and Benjamin I Wilson. was duly substituted upon the First day of November A.D. 1859 in lieu and stead of Juan Gallardo the Original Claimant. It is therefore Ordered - Adjourned and Decreed. that the decision of the U.S. Board of Land Commissioners. be revised, annulled and set aside, and that the claim of the Benjamin I Wilson to the premises herein hereafter described is good and valid and that his title thereto is hereby approved and Confirmed.

The lands of which confirmation is made are lands lying in the County of Los Angeles. not far from the Mission of San Gabriel and are embraced within the following lines "to wit" Commencing at a certain live Sycamore tree situated on the slope of a hill near the North West corner of the fenced of Juan Flores. where there are some Springs of Water. which said tree is a notable object and is between Stations twenty two (22) - and twenty three (23) - of the survey as appears by the full notes thereof of San Pascual. on file herein and the said Sycamore tree. being the North Eastern corner

of the confirmed tract. thence run-  
 -ning Westwardly, two thousand Varas, along  
 the Southerly Boundary line of the part of  
 land called Rincón de San Pascual confirmed  
 to Manuel Garfias as the same may be  
 finally approved. thence at right  
 angles with the boundary line of  
 the said Rincón de San Pascual at the  
 point of departure thence two thousand  
Varas. thence Eastwardly on a line parallel  
 with the general course of the Southerly  
 boundary line of the said Rincón de  
San Pascual. two thousand Varas thence North-  
erly to the said Saycaron San. the place  
 of beginning

And it is further Ordered  
 Ajuaguá, and Ordered, that the  
 Claim of Appellant, for an Aug-  
 -mentation of the Confirmed Claim  
 to the extent of two leagues, be  
 and the same is hereby rejected

This done and signed in  
 Open Court this day of February  
 A.D. 1840.

James K. Ogden  
 & Sons  
 of the Sons of Cal.

No 248

By Wilson

versus

United States

Decree  
of

Final Confirmation

Filed in office  
this 27<sup>th</sup> July 1860

C. Sims  
SR

Recorded on page 287

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UNITED STATES OF AMERICA, SS.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Honorable the Judges of the District Court  
of the United States, for the Southern District  
of California \_\_\_\_\_

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greeting:

Whereas, lately, in the District Court of the United States, for the Southern District  
of California before you, \_\_\_\_\_ in a cause  
between Benjamin L. Wilson, substituted for  
Juan Gallardo, appellant, and The United  
States, appellees, (No. 248) wherein the decree  
was rendered in favor of the said appellants,

UNITED STATES OF AMERICA

THE DISTRICT OF THE UNITED STATES OF AMERICA



as by the inspection of the transcript of the record \_\_\_\_\_

\_\_\_\_\_ of the said *District*  
Court, which was brought into the Supreme Court of the United States, by virtue of *an appeal*  
*taken by the United States* \_\_\_\_\_

agreeably to the act of Congress, \_\_\_\_\_

in such case made and provided, fully and at large appears,

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And whereas, in the present term of *December*, in the year of our Lord one thousand eight hundred and *Sixty* the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and ~~was argued by counsel.~~ ~~On consideration whereof,~~ ~~on the motion of~~ *Mr. Attorney General Stanton* of counsel for the appellants, it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed.

*Mar. 5<sup>th</sup>*

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You, therefore, are hereby commanded that such *further* \_\_\_\_\_ proceedings be had in  
said cause, \_\_\_\_\_

as according to right and justice, and the laws of the United States, ought to be had, the said *appeal*  
notwithstanding:

Witness the Honorable *Roger B. Taney* Chief Justice of said Supreme Court, the  
*first* Monday of *December* in the year of our Lord one thousand eight hundred  
and *Sixty*.

COSTS OF \_\_\_\_\_  
Clerk..... \$ \_\_\_\_\_  
Attorney... \$ \_\_\_\_\_  
\$ \_\_\_\_\_

*Paid by*

*Wm. H. Carroll*  
Clerk of the Supreme Court of the United States.

*No. 2478*  
No. 304, December Term, 1860.

MANDATE  
SUPREME COURT UNITED STATES.

*U. States vs. Wilson et*

*Filed April 18, 1863*  
*John M. McKim*  
*CM*

**U. S.**  
**Surveyor-General's Office,**  
**CALIFORNIA.**

Post Office Box No. 2260.

NO. 610 COMMERCIAL STREET.

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San Francisco, April 30<sup>d</sup>, 1880,

I, Theo. Wagner, U. S. Surveyor-General for California do hereby certify that in accordance with the request of claimant and the provisions of Sec. 6, of the act of Congress approved July 1st, 1864, a survey was made of the tract of land called "San Pascual" B. D. Wilson, confirmed (No. 748, P. D.); that the plat and description notes of said survey were transmitted to the Department at Washington for patent in accordance with said act on the thirtieth day of April, 1880, and that there is due this office for expenses of platting and preparing said survey for patent the sum of \$29<sup>40</sup> for the defrayment of which expenses a deposit of \$30. was made in the U. S. District Court by Graves and Chapman, attorneys, April 16, 1880.

Theo Wagner  
U. S. Surveyor-General for Calia.

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U.S. District Court  
No. West of Cal

THEO. WAGNER,

U. S. Surveyor-General for California.

Date, ..... 18

SUBJECT:

The United States

vs

P. D. Wilson substituted  
for Juan Gallardo.

Claimant for Rancho  
San Pascual

Certificate that plat & des-  
criptive notes of Survey have  
been forwarded to

Filed April 30-1880.

Jonathan S. Johnson

Referred to Division

Received (G.L.O.)

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Dates Bk folio 228

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U.S. District

No 248 U.S. Dist. Court South.  
Dist. of Mississippi  
Rec'd from the Clerk, the papers in  
the above case filed before since 8<sup>th</sup>  
Dec 1858. by appellant & allowed by  
order of the Court of this date  
to be withdrawn —

Nov 1<sup>st</sup> 1859 —

Samuel French  
Att'y for Plaintiff.

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No 248 =

William

vs

United States

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with removal  
of papers

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The President of the United States of America,  
Do Manuel Garfias, Greeting;

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We command you, that all and singular  
business and excuses being laid aside, you be  
and appear before the Judge of the District Court  
of the United States for the Southern District of  
California, at a regular Term of said Court,  
now in Session, at the Court Room in the  
City of Los Angeles, on the \_\_\_\_\_ day of  
December A.D. 1858, at \_\_\_\_\_ o'clock P.M. of  
said day, to testify and give evidence in  
a certain cause pending in said Court,  
on the part of the United States.

And this you  
in no wise omit under the penalty upon  
you of Two Hundred and fifty dollars,

Witness, Don. Isaac S. K. Ogier,  
Judge of the Dist. Court of the  
United States, at the City of  
Los Angeles, this day of  
December, A.D. 1858,

J. Sims, Clerk,  
for W. W. Nelson, Deputy.



No. 248

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

Subpoena on the part  
of the United States.

Witness

Wm. H. Garfield.

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