

CASE No.
249

SOUTHERN DISTRICT

VALLE DE LAS VIEJAS GRANT

WILLIAM WILLIAMS, ET AL

CLAIMANT

microfilm

SD

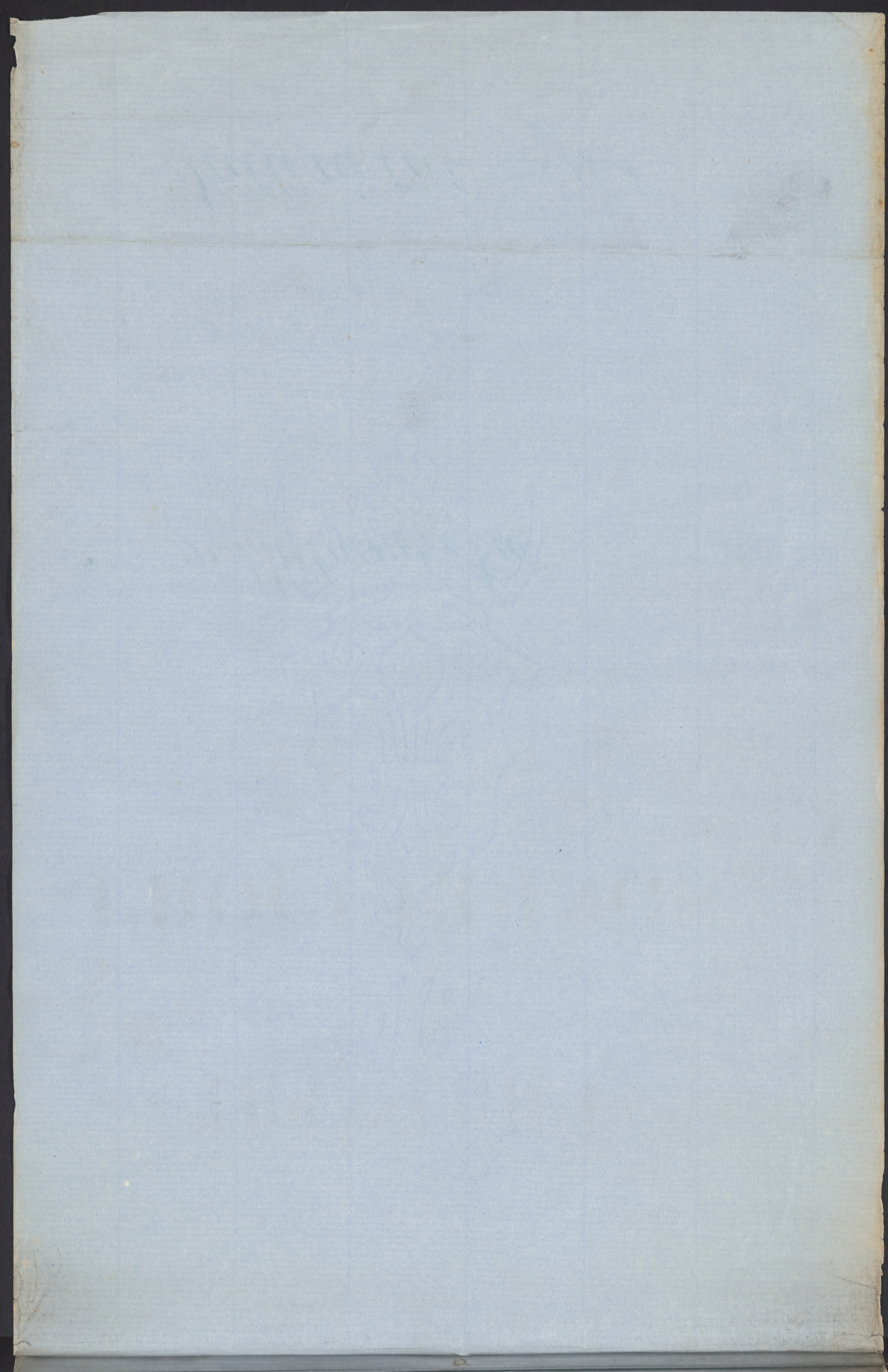
LAND CASE 249 SD 44 pgs.

MAR 15 1963

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249 SD
PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 484.

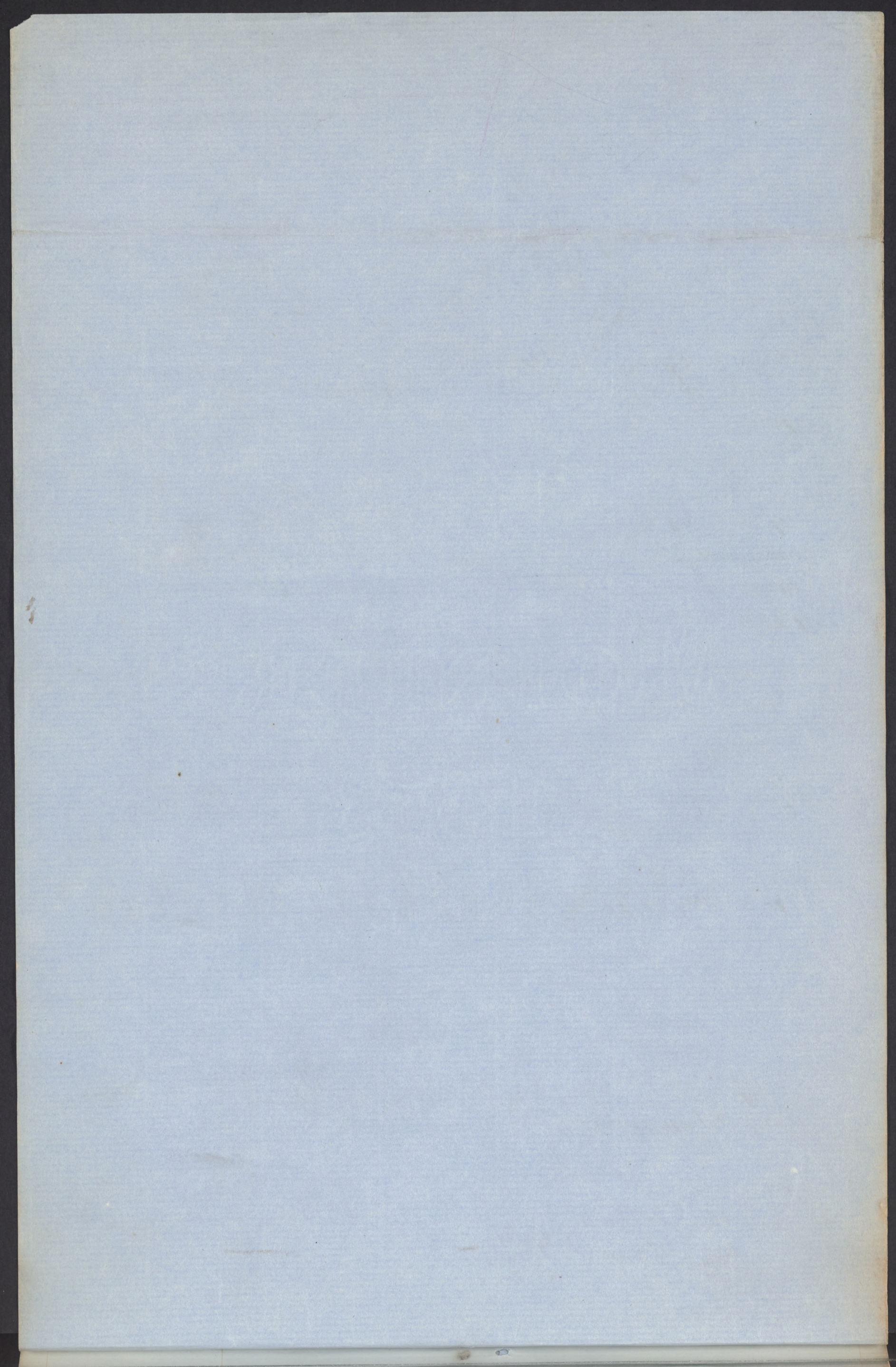
William Williams, et al, CLAIMANT S.

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Valle de las Viejas"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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PAGE 2

Be it Remembered, that on this *thirteenth 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 *William Williams et al.*
~~~~~ for the Place named  
~~~~~ "*Valle de las Viejas*,"  
was presented, and ordered to be filed and docketed with No. *484*, and is as follows, to wit;

(Vide page *3* of this Transcript.)

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

San Francisco, November 28th 1854.
Case no. 484, on motion of the Counsel for the claimant, with the consent of the W. S. Law Agent, was ordered to be placed at the foot of the 3^d class cases on the Trial Docket.

~~~~~  
San Francisco December 19<sup>th</sup> 1854.  
Case no. 484 was submitted without argument and taken under advisement by the Board,

~~~~~  
San Francisco December 26th 1854.
In the same case Commissioner *Alpheus Felch* delivered the opinion of the Board rejecting the claim;
(Vide page *31* of this Transcript.)
and the following order was made, to wit:
(Vide page *33* of this Transcript.)
~~~~~





To the Board of Commissioners for  
ascertaining and settling Private Land  
Claims in the State of California -

Your Petitioners William  
Williams Robert Robins and Jose  
Antonio Siquerra of the County of San  
Diego in the State of California respect-  
fully represents to Your Honorable Board  
that they claim a certain tract of land called  
"Valle de las Yucas" containing four leagues  
situated in the County of San Diego aforesaid  
that they claim the same in full by  
virtue of a grant made to Ramon Asina  
and Genaro Ojeda under the authority of  
the Mexican Government by Don L. C. de  
Gouvea of the Department of the California  
bearing date the first day of May 1846 and  
approved by the Territorial Deputation the  
tenth day of June 1846 -

Your Petitioners William  
Williams and Robert Robinson further  
represents that the said grants on the 1st  
day of May 1848 transferred to them a part  
of said tract known as aforesaid and your  
Petitioner Jose Antonio Siquerra represents  
that the said grants conveyed to him the  
remainder of all their Estate and interest in said  
land by and dated the 10th day of May  
1851 -

Your Petitioners herewith present  
the original grant in the Spanish Language  
with a translation of the same together with  
copies of deeds from said grants to your  
petitioners and will make further proof  
of title if required by the Board.

Your Petitioners pray Your  
Honorable Board to take into consideration  
their claim to said tract of land and direct

Petition  
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PAGE 3

title to be valid and confirm the same,  
Sutherland & Carr  
attys for Claimants.

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PAGE 4

Filed in Office Nov 13, 1852.  
Wm Fisher  
Secy

---

1846.

1846 -

EXPEDIENTE  
promovido por los ciudadanos del Partido  
de San Diego Ramon y Leonardo Osuna  
sobre el terreno conocido con el nombre  
de Valle de las Viejas.

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2 L.S.N.

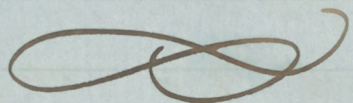
{L.S.}

Exmo. Sr. Gobernador-

Amplicio Onayo  
16 de 1846 -

Pase al juz  
1.º del Partido  
de San Diego al  
fin de que to-  
mando los in-  
formes que sean  
necesarios mi-  
ta el suyo con  
todo lo que ocu-  
ra para illus-  
trar la materia  
y concluido vuel-  
va al Gobno p.<sup>a</sup>  
su resolucion.

Pies.



Ramon Osuna por mi  
y á nombre de mi her-  
mano Leonardo Osuna,  
Mexicanos por nacimiento  
y vecinos del partido de  
San Diego, ante V. E. respu-  
tosamente, y como mas  
haya lugar, comparezco  
y digo: Que en virtud  
de tener actualmente un  
numero considerable de  
bienes de campo que fo-  
mentar, y siendo mayor  
que el que exige la ley  
á todo Ciudadano, para  
ser atendido en sollicitu-  
des de esta naturaleza,  
y hallandose en la ac-  
tualidad con terrenos bal-  
díos, en terrenos de la Ex-

6  
Mision de San Diego; conocido con el  
nombre de Valle de las Viejas y  
Mesa del Arroz, el que contiene los si-  
tios que espresa el correspondiente  
diseño que debidamente acompaño, li-  
gado colindante con los terrenos de la  
Señora Apolinaria, me es necesario  
y de precisa necesidad, implorar la  
bondad de V. a. á fin de que se nos  
conceda en propiedad el mencionado ter-  
reno =

Por tanto á V. E. respetuosamente su-  
plico el que admita esta nuestra so-  
licitud, y que corran los debidos in-  
formaciones, atendiendo de que el lugar  
que pretendemos, nos es tanto de neci-  
sidad que de los dichos; como tambien  
en bien general, en evitar los perjui-  
cios que por ese punto puedan hacer  
los gentiles, jurando lo necesario & a.  
sirviendose admitir esto en papel co-  
mune por falta del sellado -

Agnes 16 Marzo de 1846 -  
Ramon Ojuna

Juzgado 1.º de Paz y de 1.ª Instancia  
del Partido de San Diego.

Atento al Superior decreto que  
antende del Excmo Sr. Gobernador del  
Departamento de Californias fecha 16  
del presente debo decir con verdad; que  
aunque no tengo ningun conocimiento  
del terreno que solicitan los que repre-  
santan para dar el debido cumplimi-

7  
484-  
249 SD  
PAGE 7  
unto al dicho Superior decreto se usado  
informes verbales de varias personas,  
y me aseguran que el citado terreno es  
conforme al diseño que corre en el Es-  
pejante cuyo terreno en la actualidad  
se halla enteramente baldío, y en na-  
da puede hacer falta á la Misión de  
San Diego de quien era reconocido,  
Su Excelencia en vista de esto podrá  
obrar según le parezca conveniente -

San Diego Dos de Mayo de 1846 -  
José A. Estudillo -

4 L.D.K.

(Here follows the map)

5 L.D.K.

Misión de San Diego Mayo 8 de 1846 -

Don Ramon Ojuna solicita  
el paraje conocido con el nombre del  
Valle de las Viejas, y la Mesa del Ar-  
rog, por estar baldío, se le pueda con-  
ceder sin perjudicar á esta Comuni-  
dad; y puede servir el solicitante p.<sup>a</sup>  
que impida las correrías y ladroci-  
nios de los quites -

Dado en esta Misión de San  
Diego fecha ut supra -

Fr. Vicente P. Oliva -

Nota -

Va este en papel común por  
no hallarse el sellado en este lugar -

L.S. J. Angeles Mayo 1.º de 1846 -

Vista la petición con que

8  
de principio, el informe que antecede  
con todos los demas que se tuvo presente  
y ser convinco, de conformidad con la  
Ley de 18 de Agosto de 1824 y refun-  
to de 21 de Noviembre de 1828 declara  
á los Ciudadanos Raymon y Leonardo Osu-  
na dueños de ~~distos~~<sup>dos</sup> sitios de ganado  
mayor en un terreno inmediato á la  
Mision de San Diego. Libresales el títu-  
lo correspondiente para someterlo á la  
aprobacion de la Exma. Asamblea  
Departamental - Pio Pico Gobernador  
Constitucional de las Californias así  
lo mandó decretó y firmó de que doy  
fé

Pio Pico -

6 L.D.N.

Pio Pico Gobernador Constitucional del  
Departamento de las Californias -

L. 97

— Por cuanto los Ciudadanos Ra-  
mon y Leonardo Osuna Mexicanos por  
nacimiento han pretendido para su  
beneficio personal y el de sus fami-  
lias un terreno, conocido bajo los nom-  
bres de Valle de las Viejas, Mesa del  
Arroyo y Cañada de Secuan hasta co-  
lindar con los terrenos de D<sup>a</sup> Polina-  
ria; practicadas previamente las  
averiguaciones convenientes usando  
de las facultades que me son conferi-  
das á nombre de la Nacion Mexicana  
he venido por decreto de este dia en  
concederles el mencionado terreno sin

dentro de la  
jurisdiccion  
de San Diego

perjuicio de los colindantes, declarando la propiedad de él por las presuntas letras de conformidad con la ley de 18 de Agosto de 1824 y Reglamento de 21 de Noviembre de 1828 á reserva de la aprobación de la Excm. Asamblea Departamental y bajo las condiciones siguientes:

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78.D.K.

1ª Podrán cercarlo sin perjudicar las traversías, caminos y servidumbres lo disfrutará libre y exclusivamente destinándolo al uso y cultivo que mas les convenga; pero dentro de un año lo tendrán ocupado con casa habitada y bienes semovientes á fin de evitar el derruido -

2ª Solicitarán del Juez respectivo las de la posesion jurídica in virtud de este despacho por el cual se demarcarán los linderos en cuyos limites pondran las mojones necesarios -

3ª El terreno de <sup>se les hace</sup> donacion es puramente <sup>cuatro</sup> el de dos sitios de ganado mayor dentro de los limites que se presca el diseño respectivo <sup>sin q. pueda darse mas extension aun</sup> obra en el Expediente. - El Juez que los <sup>en el caso de q. no haga los cuatro si</sup> poseione lo hará medir con arreglo á <sup>los referidos</sup> ordenanza quedando el sobrante que resulte á la nacion para los usos que sean convenientes -

4ª Si contravinieren á estas condiciones perderan su derecho al terreno y será denunciabile por otro -

10  
En consecuencia mando que  
teniendo el presente título por firme  
y valioso se tome razon de él en  
el libro respectivo y se entregue á  
los interesados para su resguardo  
y demas fines - Dado

8 L.A.N.

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3<sup>a</sup> El terreno de que se hace  
donacion es puramente el de cuatro  
sitios de ganado mayor fuera de  
los linderos antes mencionados y  
dentro de los limites que esplica  
el diseño; y si no alcanzare el ter-  
reno para toda la estension que se  
señala quedarán conformes los in-  
teresados con el que hubiere. El juez  
Ja-

9 L.A.N.

= en la Ciudad de  
los Angeles en este papel comun por  
falta del sellado respectivo á primeros  
de mayo de mil ochocientos cuaren-  
ta y seis -

~~El terreno de que se les hace  
donacion es puramente el de ~~dos~~  
cuatro sitios de ganado mayor -~~

10 L.A.N.

Angeles Mayo 8 de 1846 -

Dado cuenta en sesion de  
hoy con este Expediente á la E. A.  
D. se mandó pasar á la Comision  
de Terrenos Baldios

Pio Pico

Pnoid<sup>a</sup>

Agustin Olvera  
Frio.



Señor

La Comision de Terrenos Baldios ha examinado con detenimiento el presente Expediente promovido por los C. C. Ramon y Leonardo Osuna hermanos del paraje conocido Valle de las Viejas y mesa de arroz que les fué concedido por el Superior Gobierno Departamental con arreglo á las leyes de la materia, en esta virtud pone á la deliberacion de V. E. la proposicion siguiente:

Se aprueba la concesion hecha á los C. C. Ramon y Leonardo Osuna hermanos del paraje conocido Valle de las Viejas y Mesa del Arroz jurisdiccion de San Diego en estension de cuatro sitios de ganado mayor segun titulo librado con fecha 1º de Mayo de este año conforme á la ley de 18 de Agosto de 1824 y el Artº 3º del Reglamento de 21 de Noviembre de 1828.

Sala de Comisiones en la Ciudad de los Angeles Junio 2 de 1846.  
J. Arguello -

Angels Junio 10 de 1846

En sesion de este dia aprobó la Exma. Asamblea Departamental la proposicion del dictamen anterior.

12 L. D. K.

Pio Pico De Por cuanto los Ciudadanos R. y L. O. han pretendido para su beneficio personal y el de sus familias el paraje nombrado Valle de las Viejas y Mesa del Arroz desde los Tienderos del

Rancho de S. Agustin Olvera hasta los  
del de D<sup>a</sup> Apolinaria Lozano por  
la Ciudad de Secuan -

Office of the Surveyor General of the Uni-  
ted States for California -

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I Samuel D. King Surveyor Gen-  
eral of the United States for the State of Ca-  
lifornia and as such now serving in my  
Office and under my control a portion of  
the Archives of the former Spanish and  
Mexican Territory or Department of Upper  
California do hereby certify that the twelve  
preceding and hereunto annexed pages of  
tracing paper numbered from one to twelve  
inclusive, and each of which is verified by  
my initials (S.D.K.) exhibit true and ac-  
curate copies of certain documents on  
file and forming part of the said Archives  
in this Office -

In testimony whereof I have  
hereunto signed my name of-  
ficially and affixed my pri-  
vate seal (not having a seal  
of Office) at the City of San  
Francisco, Cal., the 23<sup>rd</sup> day  
of August 1852

Sam. D. King  
Surv. Gen. Cal.

Filed in Office Dec. 19 - 1854

Geo. Fisher  
Clerk -

1840.

Record of Proceedings at the instance of the Citizens Ramon and Leandro Osuna of the District of San Diego about the tract of land known by the name of "Valle de las Vigas"

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509  
mmmm.

Translation  
of  
Espediente.

(Stamp)

Excellent Sir Governor.

I Ramon Osuna for myself and in the name of my brother Leandro Osuna Mexican by birth and residents of the District of San Diego respectfully appear before you and as best may tend to the purpose state that in consideration of possessing already a considerable number of stock which to protect and of being of age which is required by law of Conscription when a Solicitation of this nature is to be entertained and there being in reality a vacant tract of land on a tract of the Ex Chiswin of San Diego known by the name of Valle de las Vigas and Pusadillas which tract contains the number of square leagues (Sitias) expressed in the corresponding stat which I duly accompany according to lands of la Señora Apolinaria

It is incumbent on my and of urgent necessity to request your Excellency's goodness to grant us said land in ownership wherefore I humbly pray you that you will admit this our Solicitation and

and being about the proper reports. bearing  
in mind that the place we claim is of  
such a necessity to us as aforesaid as  
well as for the public good in preventing  
the injuries that the Indians in this point  
might cause -

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I swear to what is necessary -  
Be pleased to admit this an common paper  
for want of stamped paper.

Angels 16th March 1846.

Ramon Quid.

In the Margin.

Angels March 16. 1846.

Be it Sent to the 1st Justice of the  
District of San Diego that in taking the  
reports that may be necessary he will  
make out his own together with everything  
occurring to illustrate the matter and when  
concluded let it be returned to the  
Government for its resolution -

Sigo

<sup>new</sup>  
Just Justice Court and Court of  
the 1st Instance for the District of  
Diego.

In obedience to the foregoing  
Superior decree of His Excellency the  
Governor of the Department of California  
dated 16th instant - I must thankfully  
say that although I have no knowledge  
of the land solicited by the petitioners  
so as to comply properly with said Super-  
ior decree, I have taken verbal informa-  
tion from various persons and they assured  
me that the aforesaid land is in accordance  
with the plot annexed to the Expediente

which land really is in an entire vacant State and by no means can Cause any deficiency to the Mission of S. Diego, to which it was recognized to belong.

Your Excellency will in view thereof be able to see as may appear proper to you -

Jose St. Estudillo,  
S. Diego 20th of March 1846.

(Plot 1)

Mission of S. Diego March 8, 1846.  
Don Ramon Osuna solicits the place known by the name of of Valle de las Viejas and La Punta 'del Arroyo' as it is vacant it can be granted him without injury to this Community, and the petitioners may let the means to hinder the incursions and robberies of the Indians -

Given in this Mission of S. Diego  
Date above written -

Tres Vicente P. Oliva

Remarks.

This is made out on common paper as stamped paper is not to be had in this place.

(Stamp)

Angelus May 1st 1846

In view of the petition at the Com-  
mencement the foregoing report and every  
thing else born in mind and was befitting  
in conformity with the law of 1st of Aug.  
1824 and regulations of 21st of November  
1825. I declare the Citizen Ramon and  
Laudon Osuna owners of two square  
leagues (sitio de ganada mayor) of land.

in a tract adjacent to the Mission of San Diego - Let the corresponding title be issued to be submitted to the approval of the Excellent Departmental Assembly -

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Pro Pro Constitutional Governor of both Californias thus ordered Alenid. and signed - I attest it -  
Pro Pro

(Stamp)

Pro Pro Constitutional Governor of the Department of both Californias  
Witness the Citizens

Ramon and Leandro Olvera Musicians by birth have claimed for their personal benefit and that of their families a tract of land known by the name of Valle de las Pujs Inca an area located in Acuan as far as extending with the lands of San Polinero within the Jurisdiction of San Diego after previously having made the necessary investigations in exercise of the powers vested in me in the name of the Mexican Nation I have concluded by decree of this day's date without prejudice to the bearing land owners to grant them the said land declaring it their property by the present letter patent in conformity with the law of 18th August 1824 and regulations of 21st of November 1828 under the preservation of the approbation of the Excellent Departmental Assembly and under the following conditions - 1st. They may fence it without prejudicing the crossings roads and servitudes they will enjoy it freely and exclusively appropriating it to the use and culture that best may suit them but within a year they are to have it occupied with an inhabited house and Cattle (movable property) so as to avoid

17  
a denouncement.

2<sup>a</sup> - They will solicit of the respective Judge to give them Judicial possession in virtue of this document by which the boundaries are to be marked on the Extremities of which they will put the necessary land marks.

3<sup>a</sup> - The land donated to them is strictly (puramente) composed of <sup>four</sup> ~~fourteen~~ two square leagues within the limits expressed in the respective plot annexed to the Espe-  
diente so that it cannot acquire a larger Extent even in the case it would not make the four leagues aforesaid.

The Judge who shall possess them thereof will cause it to be measured in accordance with ordinance leaving the surplus that may result to the Nation for Encomienda purposes.

(Substituted 3<sup>a</sup>) - The land of which do-  
nation is made consists strictly of four square leagues (Setias de ganada Mayor) outside of the boundaries before mentioned and with in the limits expressed in the plot and if the land should not reach up to the whole Extent designated the interested parties and to retain the portion it shall prove to contain -

4<sup>th</sup> - If they should violate these condi-  
tions they will lose their right to the land and may be denounced by some other party.

Consequently I order that the present Title being held firm and valid shall be entered in the respective book and delivered to the interested parties for their security and other purposes.

Given in the City of Los Angeles on this common paper for want of proper stamped paper at the first of May and

thousand Eight hundred forty six.

(Grased)

The land of which donation is made them is strictly four square leagues (Peticion de ganada Mayor)

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San Pedro de May 8th 1840.

Having in to days session given notice of this Expediente to the Excellent Departamental Assembly it was ordered sent to the Committee on vacant lands.

Si Seño -  
Presidante.

Agustin Olvera  
Secretary.

Sir.

The Committee on vacant lands has minutely examined the present Expediente at the instance of the Citizens Ramon and Leandro Osuna brothers relative to the place known as Valle de las Tijas and Mesa del Arroyo granted them by the Superior Departamental Government in accordance with the laws on the matter.

In virtue whereof it submits to Your Excellency's deliberation the following proposition - It appears approved of the grant made to the Citizens Ramon and Leandro Osuna brothers of the place known as Valle de las Tijas and Mesa del Arroyo Jurisdiction of San Diego in extent four square leagues (Peticion de ganada Mayor) according to title of said mandate 10th of May this year conformable to the law of 15th of August 1824 and articles



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Law of 15th of August 1824 and article  
5th of the Regulation of 21st of February  
1828,

Heard of Committee in the City of  
Los Angeles June 2<sup>a</sup> 1846.  
S. Arguello.

unus.

Los Angeles June 10th 1846.

In this day's Session the Executive  
Departmental Assembly approved of the  
proposition in the foregoing Opinion -

unus.

Sio Pico Etc.

Whereas the Citizens of  
San L. O. have claimed for their  
personal benefit and that of their families  
the place called Valle de los Pinos y  
Cruza del Arroyo from the Cañadillas of the  
Rancho of Don Agustin Olvera up to the  
Cañadillas of Don Apolinario Lomaxana  
along the Cañada de Sicuan -

Filed in Office Dec. 19, 1854.

(Signed)

Geo. Fisher  
Secy

3

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Primer Gobierno Constitucional del departamento de las Californias.

B.  
Original  
Dumb

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Señor. Por cuanto los Ciudadanos Ramon y Leandros Gama han peticionado para su beneficio personal y el de su familia el paraje nombrado Valle de las Urepis y mesas del Arroyo desde los linderos del Rancho de Dr. Augustin Olvera, hasta los del de Dr. Apolinario Lorenzana, por la Comandancia de Guaymas practicada oportunamente las verificaciones concernientes, usando de las facultades que me son conferidas a nombre de la Nation Mexicana, he venido por decreto de este dia en concederles el mencionado terreno sin perjuicio de los colindantes, de clarificarles la propiedad de el por las presentes letras, de conformidad con la ley del 18 de agosto de 1822 y Reglamento de 21 de noviembre de 1828 a reserva de la Aprobacion de la Coena Asamblea Departamental y bajo las condiciones siguientes.

1<sup>a</sup> Podran cercarlo sin perjudicar las haciendas, caminos y servidumbres, lo dicho putaran libre y exclusivamente destinandolo al uso o cultivo que mas le acomode: pero dentro de un año lo tendran ocupado con casa habitada y brenes o sembrantes a fin de evitar el denuncio.

2<sup>a</sup> Solicitaran del juez respectivo desde la posesion juridica en virtud de este despacho por el cual se demarcan con los linderos en cuyos limites pondran las mojones necesarios.

3<sup>a</sup> El terreno de que se hace donacion es puramente el de cuatro sitios de ganado mayor fuera de los linderos antes mencionados y dentro de los limites que explica el dicho y si no al censo el terreno para toda la Estension que se señala quedaran conforme los

intercambios con el que hubiere. El juez que los poseiere lo hará mediar con arreglo a Ordenanza quedando el sobrante si resultare a la nación para los usos que sean convenientes.

4.ª Si concurrieren a estas condiciones perderán su derecho al tenedor y será denunciado por otro.

En consecuencia a mando que teniendo el presente título por firme y válido se tome Razon de él en el libro respectivo y se entregue al interesado para su resguardo y demás fines. Dado en la Ciudad de los Angeles en este papel común por falta del sellado respectivo a número de Mayo de mil Ochocientos ochenta y seis.

Piñero

Srio. Int<sup>o</sup>

Queda tomada Razon de este superior despacho en el libro respectivo p<sup>h</sup>a ut supra. Moreno.

El Excmo Sr. Gobernador Chapone se tome razon del presente título en la subprefectura de San Diego

José Matías Moreno

Filed in Office Nov. 19<sup>th</sup> 1852

Geo. Joshua Deery

His Excellency Constitutional Governor  
of the Department of the Californias.

Inasmuch as the Citizens Ramon  
and Leonor Asena have prayed for their  
possession of the land known as the "Valle de las Viejas"  
of "Mesa de Oro" from the Caucenary limits  
of Don Agustin Olvera's Rancho to those  
of Apolinaria Lozano, by the  
"Canada de Secuan" having previously  
complied with the necessary formalities

In virtue of the powers con-  
ferred upon me in the name of the Mexican  
Nation I have conceded and granted them  
by virtue of this day the above men-  
tioned land without prejudice to the rights  
claiming them by this presents the owners  
of said land agreeably to the law of  
August 15<sup>th</sup> 1824 and the regulations of  
21<sup>st</sup> of November 1828 subject to the approval  
of the Departmental Assembly and under  
the following conditions -

1<sup>st</sup> - They may enclose without prejudice  
to cross roads and servitudes enjoying it  
freely and exclusively applying it to the use  
and cultivation which to them may seem best,  
but within one year they shall build a house  
which shall be inhabited with their families  
to avoid being abandoned.

2<sup>d</sup> - They may request the proper Judge to  
give them the Judicial possession in virtue of  
this dispatch by whom the boundaries shall  
be marked out on whose limits there shall be  
placed the necessary land marks -

3<sup>d</sup> - The land hereby granted is purely

"C"  
Translation  
of  
Original Grant

249 SD  
PAGE 22

of four sitios de ganada Mayor beyond  
the above mentioned limits and within those  
designated on the Map. And if the said land  
does not amount to the said quantity the  
interested parties shall conform themselves  
to the quantity they shall find.

The Judge who will  
put them in possession shall have at his  
disposal according to ordinance the surplus  
remaining to the Nation for their common  
use.

14th - If they contravene these conditions  
they will lose their right to the land which  
shall be alienable.

In consequence I order that  
this title being held firm and valid. Entry  
thereof be made in the proper book and that  
it be delivered to the interested party's for their  
protection and further ends.

Given at the City of Los  
Angeles on this common formant of  
stamped paper -  
May 1st 1856.

José María Moreno  
Jefe ad int.

Entry of this Superior order has been made in  
the proper book at the above date.

Moreno.

His Excellency the Governor orders that Entry of  
this Title be made in the Sub Prefecture of  
San Diego -

José María Moreno.

Filed in office Nov 13, 1852

(Signed) Geo Fisher Secy -

"B"  
Deed  
From  
Osuna  
To  
Aguirre

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Know All Men by these presents that we Ramon Osuna and Susanna his wife and Leandro Osuna and Francisca Manon his wife of the Town of San Diego in the State of California for and in consideration of the sum of Nine Hundred dollars to us in hand paid by Jose Antonio Aguirre of the same place the receipt whereof is hereby acknowledged have granted bargain sold released and quit Claimed and by these presents do grant bargain sell release and quit Claim unto the said Jose Antonio Aguirre and to his heirs and assigns all that certain tract of land known as the Valle de las Tijas and all our right title and interest therein being the same tract of land granted by Pio Pico late Governor of the Territory of California to Ramon Osuna and Leandro Osuna by and on grant bearing date the first day of May AD one thousand eight hundred and forty six saving and reserving therefrom that portion of said tract which was conveyed by said Ramon and Leandro Osuna to William Williams and Robert Robinson by and bearing date the first day of May AD one thousand eight hundred and forty eight.

Together with all and singular the ways waters water courses rights privileges hereditaments and appurtenances therunto belonging or in any wise appertaining and the rents issues and profits thereof. To Have and To hold the said described premises hereby granted with the appurtenances unto the said Antonio Aguirre his heirs and assigns forever -  
In Witness whereof we have

hereunto set our hands and seals at San  
Diego aforesaid this 13th day of March  
1853 One Thousand Eight Hundred and  
fifty -

Por Leandro Ochoa

Manuel Rocha Escob

Por Francisca de Ochoa

Juan Bonadini Escob

Ramon Ochoa Escob

Por Ma Susanna  
de Ochoa Escob  
Manuel Rocha

Signed, sealed and delivered  
in presence of

Juan Bonadini -

Jose St Esteban

And<sup>to</sup> Felix Jr

Filed in Office Nov 13. 1853.

(signed) Geo Fisher

Secy.



D.

Et todo lo que las presentes vereis  
 sabea que nosotros Ramon y Leonardo  
 Osuna, Residentes de S<sup>ta</sup> Diego en Ca-  
 lifornia mediante y en conside-  
 racion de la suma de quinientos pesos  
 que nos han pagado William Williams  
 y Roberto Robinson residentes en el  
 distrito de San Diego. California  
 cuyo recibí recienemos por la presente  
 cedemos, vendemos, concedemos  
 y hacemos a dichos William Williams  
 y Roberto Robinson sus herederos y Albe-  
 rrecas un pedazo de tierra cuyos limites  
 son como sigue desde el lindero del Sur  
 del Rancho de D. Agustín Olvera en  
 las dos piedras corriendo al suroeste  
 hasta el Aguayo del faque y de aqui  
 una linea al N. O. y S. E. hasta los  
 limites de un pedazo de terreno con cedi-  
 do por su propio Gobernador de California  
 a los Antedichos Ramon Osuna y Leonar-  
 do Osuna en el año de 1846. para poseer  
 y retener el dicho pedazo de tierra los  
 D<sup>os</sup> William Williams y Roberto Robi-  
 son sus herederos y Albarrecas para su uso  
 y beneficio p<sup>er</sup> siempre.

Y aseguramos a dichos William Williams  
 y Roberto Robinson sus herederos y Albarrecas  
 que tenemos justo titulo y legal al dicho  
 terreno y que esta libre de toda carga y que  
 lo defendemos a favor de William Wil-  
 liams sus herederos y Albarrecas para siem-  
 pre, contra cualquiera demanda legal  
 o reclamo de qualquiera persona.

En testimonio de lo qual lo hemos  
 firmado de nuestro puno y letra este dia  
 1<sup>o</sup> de mayo de 1848.

firmado sellado } Ramon Osuna  
 Entregado en presencia } Leonardo Osuna  
 al

Miguel de Pedrorena }  
 Tomas Wrightington }

El dia y fecha antedicho comparecieron

ante mí los antedichos Ramon Osuna  
y Leonardo Osuna y firmaron la carta  
anterior en presencia de testigos.

San Diego mayo 1<sup>o</sup> de 1848.

E. L. Brown

Alcalde de S<sup>ta</sup> Diego

Traducida fielmente por mí por orden  
del juez -

San Diego 1<sup>o</sup> de mayo 1848.

Done before me this 2<sup>d</sup> day of may  
1848.

E. L. Brown

Alcalde - S. Diego

Filed in Office Nov<sup>r</sup> 13<sup>th</sup> 1852

Geo. <sup>W</sup> Fisher Secy

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1/2  
S.

Examination  
of  
Deed from  
Cama  
to  
Williams

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To all to whom these Presents Come  
greeting. That we Roman and Leandro  
Cama residents of San Diego in Upper  
California for and in consideration of  
the sum of Five Hundred dollars to us  
paid by William Williams and Robert  
Robinson residents of the District of  
San Diego Upper California the receipt  
of which is hereby acknowledged have  
granted given sold and transferred to  
the said William Williams and Robert  
Robinson and to their heirs and assigns a  
piece of land bounded as follows from the  
Southern boundary of the Rancho of Agustin  
Alvaro at the two stones running to the  
South East to the meeting place of pascal  
and from thence by a North west and  
South East line to the limits of a track  
of land granted by Pio Pico Governor of  
California to the aforesaid Roman Cama  
and Leandro Cama in the year 1816 to

To Have and To Hold  
the said piece of ground to the said  
William Williams and Robert Robinson  
their heirs and Executors for their use and  
Benefit forever.

And we guarantee to  
the said William Williams and Robert  
Robinson their heirs and Executors that  
we have a just and legal title to said  
land that it is free of all Encumbrances  
and that we will defend in favor of  
William Williams his heirs Executors  
forever against all persons claiming or to  
claim said land.

In witness whereof we have  
freed our seals and Signatures this first day

of May 1848.

Ramon Osuna  
Leandro Osuna.

Signed Sealed and  
delivered in presence of  
Miguel de Sedrona  
Thomas Wightington.

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On the day and date aforesaid appea-  
red before me the above named Ramon  
Osuna and Leandro Osuna and signed  
the above in presence of witnesses -  
San Diego May 1st 1848.

E. S. Brown  
Clerk of San Diego

Transcribed faithfully by for me by order  
of the Judge -  
San Diego 1. of May 1848.

Now before me this 2<sup>d</sup> day of May 1848  
E. S. Brown  
Clerk of San Diego

Filed in Office Nov 13<sup>th</sup> 1853  
(Signed) Geo Fisher  
Deputy

William Williams & al

as  
The United States

vs  
The

tract  
called "Rancho de las  
Pajas y Mesa del  
Arroyo" in San Diego  
County containing some  
square leagues of  
land.

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Opinion by  
Cmpt  
Fitch

A document is filed in  
this case purporting to be a grant issued by  
Governor Pio Pico to Rancho and Leandro  
Alvarado on the first day of May 1846, but no  
proof of its genuineness is offered. Nor is  
there any evidence of a segregation of the  
land claimed or of the performance of any of  
the conditions imposed by law on grants.

No title therefore is estab-  
lished in the alleged original grantees, and if  
this defect was cured, a fatal objection  
to the right of the present claimants is presented  
by the absence of all legal proof of title in  
their hands through conveyances from the  
original grantees.

An adverse decree must be  
entered -

Respectfully,

Filed in Office Dec 26, 1854.

Wm Fishery  
Secy.

William Williams & ab  
The United States

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Decree,  
vms.

In this case on hearing the  
proofs and allegations it is adjudged  
by the Commission that the claim of the  
said petitioners is not valid and it is  
therefore decreed that their application  
for a Confirmation thereof be denied.

Nephus Felt  
R Aug Thompson  
S. B. Farnell

Commissioners

Filed in Office Dec 26. 1854.  
(signed) Geo Fisher  
Secy

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And it appearing to the satisfaction  
of this Court that the claims here  
represented is situated in the Southern  
District of California it is hereby  
ordered that the transcripts of the  
proceedings and of the decision in this  
cause of the papers and evidence  
upon which the same are founded  
be made out and duly certified  
by the Clerk of said District  
shall be filed with the Clerk of  
the said District Court for the Southern  
District of California the other be  
transmitted to the attorney General of  
the U.S.

11 7  
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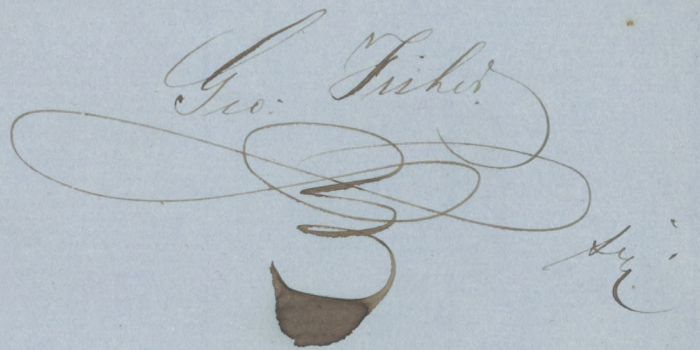
Office of the Board of Commissioners,

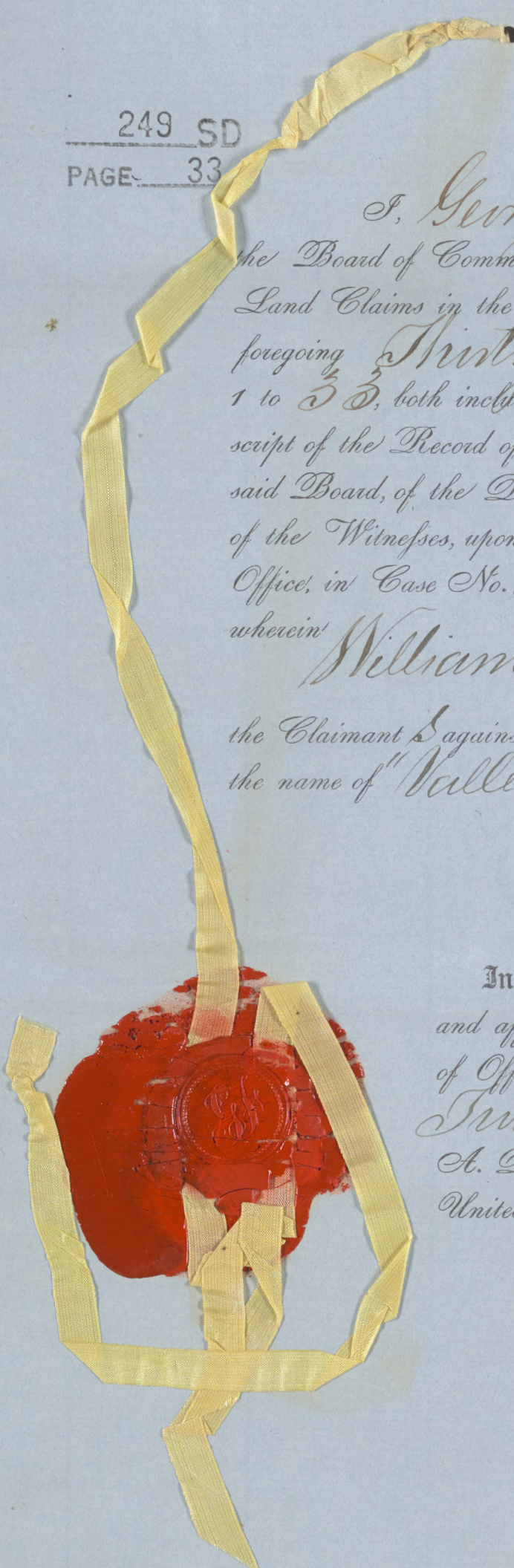
To ascertain and settle the Private Land Claims in the State of California.

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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 the  
foregoing *Thirty three* — pages, numbered from  
1 to *33*, both inclusive, to contain a true, correct and full Tran-  
script of the Record of the Proceedings and of the Decision of the  
said Board, of the Documentary Evidence and of the Testimony  
of the Witnesses, upon which the same is founded, on file in this  
Office, in Case No. *484* on the Docket of the said Board,  
wherein *William Williams, et al* —  
the Claimant against the United States, for the place known by  
the name of "*Valle de las Viejas*" —

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*.

*Geo. Fisher*  




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

No. 249 **249**

THE UNITED STATES,

vs.

*William Williams, et al.*

*'Valle de las Viejas'*

**249**

**TRANSCRIPT OF THE RECORD**

FROM THE  
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *484*

Filed, *July 2* 185 *5*

*C. E. Con*  
*Clark*

By *A. H. Clark*  
*Deputy*

**249**

*484*

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

William Williams, et al. } N<sup>o</sup>. 249.

vs, appellants } (Transcript N<sup>o</sup>. 484)

The United States, appellee } On appeal from  
The U.S. Land  
Commissioners of Cal.

On Motion of P. Ord, U.S. Attorney,  
for the Southern District of California,  
and on showing to the Court that  
no notice of intention to prosecute the  
appeal in the above entitled cause,  
has been filed according to law. It  
is ordered by the Court, that this  
cause be dismissed.

P. Ord

U.S. Dist. Atty.

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1  
no 249.  
U.S. Dist Court.  
South Dist of Cal.

William Williams, et al.  
appls

vs.

The United States  
appee.

Motion to dismiss  
appeal.

Filed Aug 25th 1886.

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PAGE 35  
W. J. Mason  
Clerk

P. D. Watty

William Williams  
vs Antonio Aguirre et al,  
Appellants

Case No 245

vs

The United States

Appellee

Manuscript No 484.

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~~A motion of J. A. Watson~~

~~a Scott & Sanders Atty for claimants~~

The motion of the  
claimants and appellants to reinstate this cause on  
to the calendar of this Court, for the purpose of  
permitting claimants and appellants to file their notice  
of intention to appeal from the decision of the Board  
of land Commissioners, having been filed, argued  
and submitted, the same is by the Court taken  
under advisement.

5 No 279

Order

Filed Dec 7<sup>th</sup> 1858  
C. J. Sims  
C. W. R.

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

William Williams

Robert Robinson

José Antonio Aguirre

Appellants

vs

The United States

Appellees.

Docket No 249

"Valle de Las Viejas y  
Mesa de Arroyo"

Land Commission No 484.

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To/  
The Hon. Isaac S. F. Ogier, District Judge of  
the Southern District of California;

The Petition of José Antonio A-  
guirre, a Resident of the County of San Diego,  
State of California, and one of the parties na-  
med as appellants in the above entitled suit,  
respectfully represents;

That in the autumn of 1852, he  
employed Thomas W. Luthersland and Charles  
E. Carr, partners in the practice of the law in  
the City of San Francisco, under the style of  
Luthersland & Carr, to file and prosecute be-  
fore the United States Board of Land Com-  
missioners to ascertain and settle the private  
land claims in the state of California, a claim  
for a tract of land in the County of San Diego  
known as "Valle de las Viejas y Mesa de Arroyo", con-  
taining four square leagues of land, wherein  
this Petitioner, William Williams and Robert  
Robinson were the Claimants; and the Pe-  
titioner furnished to said attorneys to be

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Filed before said Commission in support of said claim, the original Grant under which the parties claimed title, being a deed of Grant from Pio Pico, Constitutional Governor of the Department of the Californias to Ramon Osuna and Leonardo Osuna of the lands aforesaid, of date May 1, 1846, and also two mesne conveyances, one from said Osunas to said Williams and Robinson, of date May 1<sup>st</sup> 1848, for a certain portion of said lands and the other from said Osunas to the Petitioner, for the residue of said lands; of date May 10, 1850.

That it appears by the Record of the Proceedings of said Board had on said petition, now on file in the Office of the Clerk of your Honorable Court; as your Petitioner is informed and believes, that said attorneys filed a petition for said lands before said Commission, on behalf of said Claimants, on the 13<sup>th</sup> November 1852, and also filed said Original Grant and mesne conveyances, together with a copy of the Expediente relating to said Grant, from the Archives of the former Mexican Government, certified duly by the Surveyor of the United States for California, in whose custody such Archives were held: which Expediente, as Petitioner is informed and believes, contains and exhibits all the preliminary proceedings and investigations required in such cases by law and regulations; all of which matters Petitioner avers will more fully appear by the aforesaid Record or Transcript, to which he hereby refers.

And the Petitioner says that he



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And the Petitioner says that he is and then was entirely unacquainted with the mode and course of proceeding practiced in the said Board of Commissioners, and the Courts of the present Government, and is unacquainted with the English language, and therefore, and inasmuch as he had full confidence in his said attorneys, he left the case entirely to their management and control.

And the Petitioner says that said attorneys, after filing said Petition and the other papers aforesaid, entirely neglected and abandoned said case, without any notice to the said Claimants, who, believing that said case was being properly attended to, employed no other attorneys in the case: as Petitioner says, that he is informed and believes, that by the Record aforesaid it appears that said attorney never took nor offered any additional testimony whatever, either to prove the genuineness of the original grant, or of the said conveyances, or the occupation or situation and boundaries of the lands claimed in the case, although Petitioner says that such evidence could easily have been procured, and that he was at all times ready to procure the same, had the said attorneys notified him, or the other claimants, of the need thereof, which they did not.

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And the Petitioner further says that owing to the said negligence and abandonment of the said case by the attorneys aforesaid, and their failure to procure and offer the additional evidence necessary in

the case, the said Board of Commissioners thereafter proceeded to enter its Decree rejecting said claim, and thereafter on the 2<sup>nd</sup> day of July 1855 caused a certified copy of the Record of its Proceedings in said case to be filed in the office of the Clerk of the District Court of the United States, for the Southern District of California, being the District wherein the lands claimed are situate; where by an appeal was taken from said Decree of said Board of Commissioners to the said District Court.

That the said attorney, still neglecting and continuing their said abandonment of the said case, and the interests of the said claimants therein, failed and neglected to file a notice of intention to prosecute said appeal, on the part of said claimants within six months after the filing of said Transcript, as required by law, or to notify the claimants of the necessity of so doing, so that they might cause the same to be done by some other attorney; And that thereafter owing to such neglect and failure on the part of said attorney, the said appeal was, on the 11<sup>th</sup> day of February 1856, on motion of the United States District Attorney, dismissed by order of the said District Court, and the case stricken from the Docket; which matters will more fully appear in the Record of the above entitled case, on file in said Court; which is hereby referred to.

And Petitioner says that notice and knowledge of the final rejection and

and knowledge of the final rejection and dismissal of said case was not received by him until since the last term of this District Court.

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And Petitioner says that he has been informed by his present counsel in this case, which he believes to be true, that they have examined the Record in this case and that the said Claimants have a good, valid, and substantial cause of action and claim in this case, upon the merits; and that should the aforesaid order of February 11, 1856, dismissing the appeal herein be vacated, and the case reinstated, and heard by the Court with additional evidence of the genuineness of the several documents above mentioned, and of the situation, boundaries and occupation of the lands claimed, they verily believe the aforesaid Decree of Rejection entered by said Commission will be reversed, and a decree of Confirmation in favor of the Claimants obtained.

And Petitioner says that he is informed and believes, that Charles F. Carr one of the aforesaid attorneys, is no longer a Resident of the State of California, and that he is insolvent, or entirely unable to respond in damages to the Claimants for the neglect aforesaid, and that Thomas W. Sutherland, the other of said attorneys is still a Resident of California, but is insolvent or entirely unable to respond in damages to the Claimants as aforesaid.

Wherefore the Petitioner respectfully prays, that the order of the said District Court made February 11, 1856, in the above entitled case, may be vacated, and the appeal and case may be reinstated on the Docket, and leave given to the Claimants aforesaid to file their notice of intention to prosecute the appeal, and take such subsequent proceedings thereon as provided by law for by and the rules of the Court, and for such other and further or general relief as shall be agreeable to Equity and Conscience or their case require.

And as in duty etc.

J. A. Watson  
Scott & Anderson

Petitioner's Attys.

State of California }  
County of San Diego. } 3 Oct.

José Antonio Aguirre

The above Petitioner being duly sworn, says that he has heard the above and foregoing Petition read and knows the contents thereof and that the same is true of his own knowledge, except the matters therein stated on information and belief, and as to those matters he believes it to be true.

Sworn to and subscribed before me with the seal office,

this 6th day of December 1858. José A. Aguirre  
Not. A. Aguirre  
County Clerk

2 Case No 249.  
U. S. Dist. Court, South  
Dist. of California

William Williams et al  
Appellants

vs

The United States  
Appellees.

Petition to reinstate case.

Filed Dec. 10, 1858,  
J. Sims, Clerk.  
for W. W. States,  
Appy.

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