

CASE No.

259

SOUTHERN DISTRICT

LAND NEAR THE MISSION
OF SAN GABRIEL GRANT

DANIEL SEXTON
CLAIMANT

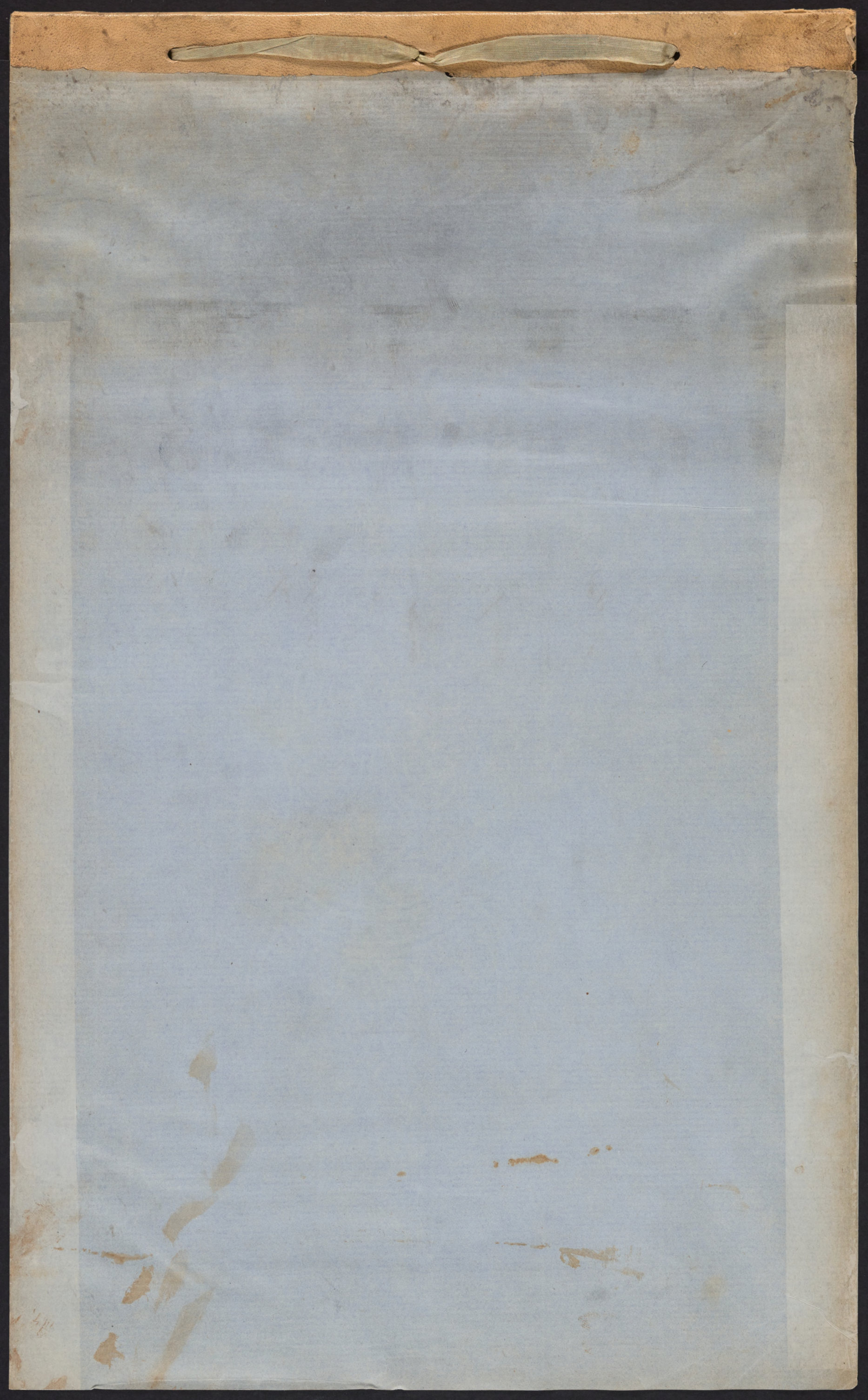
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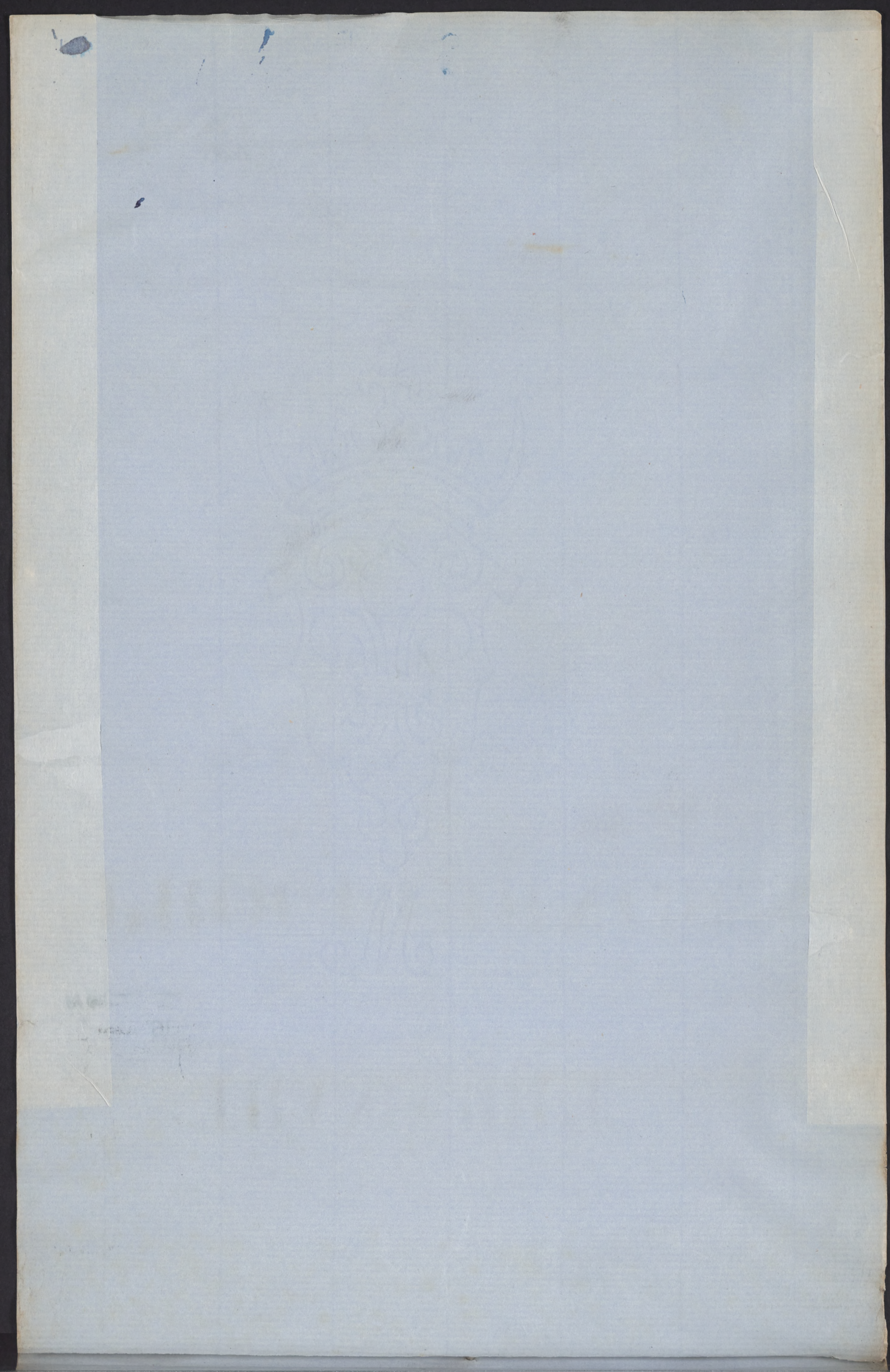
LAND CASE 259 SD

62 pgs.

52% COTTON FIBER
BROOK BOND

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TRANSCRIPT

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PAGE 1

OF THE

PROCEEDINGS

IN CASE

NO. 377

Daniel Sexton

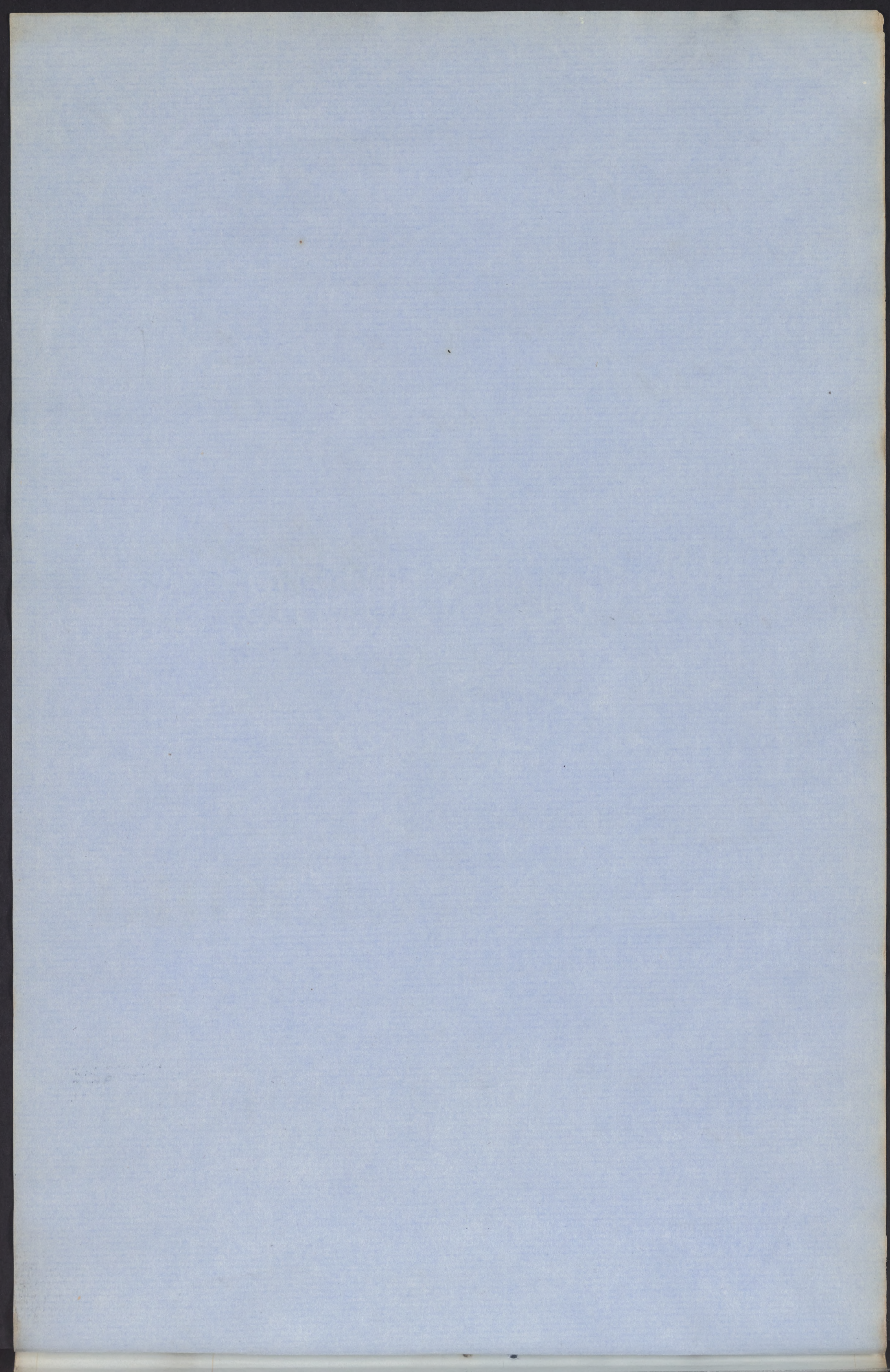
CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

FOR THE PLACE NAMED

"Land near the Mission of San Gabriel"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

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

The Petition of *Daniel Sexton*,
for the Place named
Sand near the Mission of San Gabriel,
was presented, and ordered to be filed and docketed with No. 377 and is as follows, to wit:

(Vide page 3 of this Transcript.)

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

Los Angeles October 19th 1852.
In case no. 377, Daniel Sexton for land near the Mission of San Gabriel, Agustin Olvera filed a release from the claimant in this case, in his favor, rendering him a competent witness - which release is as follows, to wit;

(Vide page 10 of this Transcript.)

In the same case the deposition of Agustin Olvera, a witness in behalf of the claimant, taken before Commissioner Meland Hall, with documents marked J. W. nos. 1, 2, & 3, annexed thereto, was filed;

(Vide page 5 of this Transcript.)

Los Angeles October 22nd 1852.
In the same case the deposition of Jose L. Sepulveda, a witness in behalf of the claimant, taken before Commissioner Meland Hall, was filed;

(Vide page 5 of this Transcript.)

Los Angeles October 25th 1853.

In the same case the deposition of Manuel Requena, a witness in behalf of the claimant, taken before Commissioner Melana Hall, was filed;

(Vide page 6 of this Transcript.)

San Francisco October 3rd 1853.

Case no. 377, on motion of the Counsel for the claimant, was ordered to the foot of the Docket.

San Francisco June 26th 1854.

In the same case the deposition of Jose Soto Sepulveda, a witness in behalf of the claimant, taken before Commissioner G. J. Burrill, was filed;

(Vide page 7 of this Transcript.)

San Francisco September 5th 1854.

In the same case the deposition of J. A. Warner, a witness in behalf of the claimant, taken before Commissioner Peter Sott, with Exhibit marked A. P. L. annexed thereto, was filed;

(Vide page 9 of this Transcript.)

San Francisco October 3rd 1854.

Case no. 377 was submitted in briefs and taken under advisement by the Board.

San Francisco November 14th 1854.

In the same case Commissioner J. B. Powell delivered the opinion of the Board confirming the claim;

(Vide page 42 of this Transcript.)

and the following order was made to wit:

(Vide page 43 of this Transcript.)

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

Your petitioner Daniel Sexton a Citizen of the County of Los Angeles, and State of California to your Hon. Board respectfully sheweth

That he is owner in fee simple of a certain tract or parcel of Land lying and being contiguous to the large Garden of the Mission of San Gabriel in the County of Los Angeles. The said tract or parcel of Land is Five hundred Varas Square beginning at the Corner of said large Garden of the Mission of San Gabriel. North Five hundred Varas to a dead fallen oak which is marked as a Corner South Five hundred Varas to two small oaks and two Alders. West Five hundred Varas to the point of beginning.

The said Land was originally given to D. Vicente de la Osa a Citizen of Los Angeles County by Juan Bautista Alvarado, Governor of the Department of the Californias by His Superior decree dated Monterey May 19th AD 1842, which said decree and the petition of Vicente de la Osa upon which it was founded, with date Monterey May 18th AD 1842 are respectfully presented and made part of this petition.

Your petitioner further avers that on or about the 20th day of January AD 1842 the Ministers of the Mission of San Gabriel, Fr. Thomas de Estenaga gave a Certificate at the petition of the party interested confirming the fact, that this said Land had been given by the Community of San Gabriel with the permission and consent to the deceased General de Pasa Figueroa for to plant a Vineyard upon the same, that right the original Grant de la Osa bought as appears by his petition which Certificate with due respect is made part of this petition.

Your petitioner further avers, that on or about the 20th day of June AD 1842, Vicente de la Osa was put an Judicial possession of the said tract of Land by the 2^d Justice of the Peace of the City of Los Angeles, Jose L. Sepulveda, the legal authority according to the Customs and usages of the Country the Law of 18th August 1824, and the regulations 21st November AD 1828, which Judicial act of possession is hereby made part of this petition -

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Your Petitioner further avers, that on or about the 25th day of January AD 1844. That Vicente de la Oka by his Deed of Conveyance sold the said Land and appurtenances to Don Augustus Olvera of the City of Los Angeles for a valuable Consideration. That the said Augustus Olvera by his Deed of Conveyance dated Los Angeles Oct 6th 1848. Sold the said Land to your Petitioner for a valuable Consideration which Documentary Evidence, together with the Verbal Evidence that will be produced at the proper time constitutes the Claimant's title. The Land has never been Surveyed or Certified by the Surveyor General of this State.

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Your Petitioner knows of no Claim or pretension of any person to said Land, but that from the original grant down to the present possession your Petitioner - The possession has been quiet and peaceable and with the Consent of the respective Authorities.

When upon your Petitioner believing his title sufficient and as presented the several original documents & faithful Copies, together with the principles of Equity applicable to his Petition he would most respectfully ask your Honorable Board a confirmation of his Claim to the said Five hundred Varas Square of Land Warrant the same. Supplicating as in duty bound the privilege of offering such other Documents and oral Evidence as may be developed in the investigation of this Claim.

Daniel Sexton

By
William G. Dryden
His Attorney.

Filed in Office Oct 6th 1852

Geo Fisher Secy

Recorded in Record of Petitions
Vol Pages 301, 302 & 303.

Geo Fisher Secy.

5 Deposition of
Jose A Sepulveda

Office of the U. S. Land Commissioner

San Francisco Oct 22 1852.

On this day before Wiland Hall one of the Commissioners for ascertaining and settling private Land Claims in California came Jose A Sepulveda a witness on behalf of the Claimant Daniel Sexton whose petition is No 377 on the Docket of the Commissioner & was duly sworn. His Evidence being given in Spanish was interpreted by the Secretary.

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

In answer to questions of the Counsel for the Claimant the witness testified as follows.

My name is Jose A Sepulveda. my age ~~about~~ 50 years and I reside at Las Angeles and am a Native of California.

I was Alcalde of Los Angeles in 1842. I recollect of giving Judicial possession of a tract of Land to Vincente de la Osa as stated in the written official proceedings of such possession. which is now shown me. attached to the Deposition of Augustin Olvera and marked J. W. and which is No 142. My Signature as Alcalde appears upon said proceedings on paper marked J. W. No 1.

Jose A. Sepulveda

Sworn to and Subscribed before me

Wiland Hall Comr

Filed in Office Oct 22 1852.

Geo Fisher Secy.

Recorded in U. S. Vol 2 p 124.

Geo Fisher Secy.

Deposition of
Aug Olvera

Office U. S. Land Commissioner

Los Angeles Oct 19 1852.

On this day before Wiland Hall one of the Commissioners for ascertaining and settling private Land Claims in California came Augustus Olvera a witness produced in behalf of the Claimant Daniel Sexton whose petition is No 377 on the Docket of the Board and was duly sworn. His Evidence being given in Spanish was interpreted by the Secretary.

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

Augustus Olvera a witness offered by the Claimant being duly sworn testified and says.

I am about two years of age and have been living in the City of Los Angeles for the last fifteen years. I am now Judge of the County of Los Angeles. I did know the Missionary Priest of the Mission of San Gabriel, Thomas Eleutario Estreaga, I know his hand writing having received some letters from him. I think the signature of the said Estreaga to the paper now shown to me marked (EM No 1) Dep Judge Olvera) to be his genuine signature. I also know the signature of Gov Alvarado having often seen his signature to Official Documents - I never saw Gov Alvarado write. The signature of said Alvarado to the Document now shown me marked (EM No 2) I think to be his genuine signature, and the body of the Decree too is his. Alvarado was Governor from the year 1837 to the year 1842, and until the arrival of Gov Micheltoreau. The paper marked (EM No 3) is a paper which I executed and delivered as the purports. It is a Deed of Conveyance from me to the Claimant Daniel Sexton.

The witness exhibits a release from Daniel Sexton of the claim, which is hereto attached & marked No 4, and says he has no interest in the result of the prosecution of the claim.

Augustus Olvera
Sworn to & Subscribed before me
Wilford Hall County
Filed in Office Oct 19th 1852
GE Arthur Seay
Recorded in DM Vol 2p 103
GE Arthur Seay.

Los Angeles Oct 25th 1852.

Deposition of Manuel Requena
On this day before Commissioner Wilford Hall came Manuel Requena a witness in behalf of the Claimant Daniel Sexton petition No 377 and was duly sworn. His Evidence being interpreted by the Secretary.

The U.S. Associate Law Agent was present.

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In answer to Questions of the Counsel for the Claimant the witness testified as follows.

My name is Manuel Requena, my age is fifty one years and I reside in Las Angeles.

A paper is now shown me purporting to be an Instrument of Conveyance from Vicente de la Osa to Augustus Olvera Executed 20th Jan 1844. My genuine Signature is attached to said Instrument and was placed there by me at its date. I was Alcalde at the time and the Conveyance was made before me as such and the paper now before me is an Official Copy of the Original. Such as is delivered to the party as Evidence of such Conveyance. Said Instrument is annexed to the Deposition of Augustus Olvera in this Case and marked DW No 3.

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Manuel Requena

Sworn to & Subscribed before me

Voland Hall Comr

Filed in Office Oct 25th 1852

Geo Arthur Secy.

Recorded in Cr B. Vol 2 p 148.

Geo Arthur Secy.

United States of America }
State of California } S. d.

Office of the Commissioner G. Thompson Bunell
at Las Angeles California

Dip of Jose L
Sepulveda

Before me G. Thompson Bunell Commissioner duly qualified for the taking of Testimony to be used before the Board of Commissioners to ascertain and settle the Private Land Claims in the State of California personally appeared Jose L. Sepulveda a witness in behalf of Daniel Sexton Claimant for the land named Two Hundred Varas in the Meridian of San Gabriel numbered on the Docket of the said Board with No 377 who upon oath declared & testified as follows.

Questions asked by Counsel for Claimant
1st Question. What is your name, age & place of residence? Ans. My name is Jose L. Sepulveda I am thirty seven years of age. and reside in the County of Las Angeles.

2^d Question. Do you recollect of having given Judicial possession of Five hundred Varas Square of Land situated in the Mission of San Gabriel to Vicente de la Osa in the Month of June 1842, and if so, at what particular point the measurement commenced?

Ans. Yes. I as Alcalde gave Judicial possession to Vicente de la Osa of Five hundred Varas of Land in the Mission of San Gabriel in the month of June in the year 1842. The measurement commenced on the North West Corner, and ran in an Easterly direction. I do not remember the exact distance, but the Document of possession ought to state it.

3^d Question. Were there boundary marks placed at the Corners?

Ans. I marked the place where the marks were to be placed and ordered them to be placed there, and I believe that a Surveyor or person skilled could find the places designated by me.

4th Question. Do you know the name of the Vineyard at the Corner from which the measurement commenced?

Ans. I have known it called by the name of Juan Manera.

5th Question. At the time you gave Vicente de la Osa possession of that place was he then living there with his family within said limits?

Ans. I do not know if he was living there at the time. There was a family then living in a Cottage or little house which I believe was the family of the Mayor-domo of de la Osa. About two months after that time I saw them preparing the land for planting and I believe de la Osa was building a house at that time.

José Sepulveda

Sworn to & Subscribed before me this 24th day June AD 1854

G. Thompson & Purcell Court

Filed in Office June 26th 1854.

Geo Fisher Secy.

Recorded in Cr 13, Vol 4 p 682.

Geo Fisher Secy

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Deposition of J. J. Warner
United States of America
State of California

S. S.
San Francisco Sept 4th 1854.

This day came before Peter Latt Commissioner for taking testimony to be used before the Board of U. S. Land Commissioners in said State, J. J. Warner a witness on behalf of the claimant Paul Sexton in Case No 377 on the Docket of said Board and said witness being sworn deposed as follows.

The U. S. Associate Law Agent is present

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Questions of W. Hancock Esq for Claimant
1st Question What is your name, age and place of residence?

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

2^d Question. Look at the name on page of the Expedient now shown you marked Expedient A. P. L. and filed in this case, and state whether you have examined the original thereof in the office of the U. S. Surveyor General for the State of California, if 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 Documents wherever they respectively occur thereto are genuine?

Ans. I have examined said original Expedient in said Surveyor General's Office, and I am acquainted with the hand writing of Santiago, Jose L. Sepulveda + Francisco Figueroa, having frequently seen them write, and their signatures to said original Document, respectively wherever they occur therein are genuine.

J. J. Warner

Subscribed & Sworn to before me Sept 4th 1854.

Peter Latt Com^r &c.

Filed in Office Sept 5th 1854

Geo Arthur Seay

Recorded in Cr. B. Vol 5 p 337.

Geo Arthur Seay.

Release from
Dant Sexton to
Aug Olvera annex
ed to Depⁿ of
Aug Olvera -

Know all men by these presents that I Dant Sexton
of the County of Los Angeles State of California, do
hereby forever release and wholly acquit & discharge
Augustus Olvera from all actions, suits, damages,
and liabilities whatever for or on account of any
and all covenants against and liabilities contained
in a certain act or conveyance executed to me by the
said Olvera bearing date at Los Angeles, on the
sixth day of October AD 1848, of which said Olvera
sold and conveyed to me his house and Land
contained in the following Deed of Conveyance
situated in the Mission of San Gabriel.

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The object of this Deed and release being wholly
to discharge said Olvera from all liability on account
of any covenants or warranties in said act of sale
mentioned - and thereby to render him a Comptant
witness, but without in any other manner impeaching
said act of sale.

In testimony whereof I have hereunto set my hand and seal this 8th Oct AD 1852.

Daniel Sexton

Witness Samuel Arbuckle

Filed in Office Oct 19th 1852

Geo Arthur Sey.

Recorded in CVB Vol 2 p 103.

Geo Arthur Sey.

EX-100

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Posesion
de D. Vicente
de la Ossa

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Año de 1842

2044

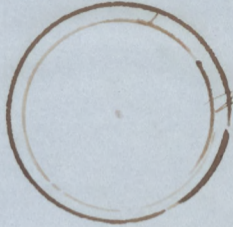
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Sello Tercero Dos Reales

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

Alvarado

Antonio Maria Osio



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

Alvarado

Antonio Maria Osio

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Monterrey Mayo
19 de 1842

Exmo Sr. Gobernador
Vicente de la Ossa

Visto lo alegado p^{te} el que representa este memorial y siendo la solicitud sobre el

venio de la Ciudad de los Angeles ante V.E. con el debido respeto y en los terminos mas conformes a derecho Compañero y digo: que al principio del presente año compré al ab-

Doc. J.M. N^o 1
& J.M. N^o 2
Annexed to the
Deposition of
Agustin A-
vira before
H. Hall Com^{rs}

al derecho adqui-
rido de quinien-
tas varas de
terreno dentro de
los terminos de
la Misión de
S^{ra} Gabriel por

vacua y apoderado de los bienes de los herederos del finado General D^{no} Juan Figueroa, D^{no} Francisco Figueroa, una viuda que el referido General plantó en un pedazo de tierra de quinientas veinte y siete varas en el finado General Cuadro, situado en la villa del Real D^{no} Juan Figueroa, como consta, cuyo fundamento para lo acordado la verificar dicha venta, fue la vis-

ta del certificado que respectivamente
R. D. Sr. Tomas Estunega he ver-

ificadas que respectivamente
del R. D. Sr. Tomas Estunega
Ministro de S^{ra} Gabriel en

to en conceder aquella y esta fecha, de que y mandar q^e la Comunidad de la expresada se de provision ex-
Misión, permitio el que al Sr. D^{no} Vi-
cente de la Ossa finca sin mas condicion que de las quinien-
tas varas de que se hallava vubido: En el mes de Febro de dicho año nado en el
lugar que se

que a mas me informe antes
del R. D. Sr. Tomas Estunega
Ministro de S^{ra} Gabriel en
to en conceder aquella y esta fecha, de que y mandar q^e la Comunidad de la expresada se de provision ex-
Misión, permitio el que al Sr. D^{no} Vi-
cente de la Ossa finca sin mas condicion que de las quinien-
tas varas de que se hallava vubido: En el mes de Febro de dicho año nado en el
lugar que se

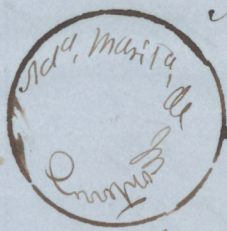
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indica, no haain-
 do del aumento
 que se pide por
 razon de estas
 subintendidos co-
 munidad de in-
 dignas de la
 dicha Mision; y
 en concepto de que
 estara obligado
 el Sr. la Osa
 a pagar un suzo
 anual por el uso
 del terreno en todo
 tiempo que se dis-
 ponga por la au-
 toridad por devore
 considerarse dentro
 de los ejidos que
 le estan demar-
 cados a la po-
 blacion.
 En este decreto
 se presentara
 el interesado al
 juez respectivo
 pidiendo la po-
 sicion, y dara
 igualmente como
 finciento al in-
 cargado de la
 Mision quien
 comparezca a
 dicho acto, y qual-
 mente se orde-
 nara al dicho
 encargado de
 no impedir el
 uso del riego
 siempre que la
 Mision no necesite
 las aguas. Asi
 yo Juan B. Alvarado Gob.
 del Departam^{to} de
 las Californias

fin de limpiar, sacar y plan-
 tar diez mil y mas parmentes
 y ocupar todo el terreno con
 labores y demas plantas utiles.
 En tal concepto y ya puesto en
 movimiento todas las indias que
 se requirieren para poner en prac-
 tica tales empresas, escribi orden
 de la Prefectura del Segundo
 Distrito, por conducto del segun-
 do Jues de Paz de los Angeles
 a que entregara la escritura de
 venta que se me habia otorgado,
 que V.E. anulaba la venta que
 se habia echo en mi favor, por
 estar informado que el terreno
 de que voy hablando habia sido
postulado condicionalmente al
 finado General Riquelme, y
 que se le exigiese al vendido
 los fundamentos en que se apello
 para hacer la venta indicada
 con todo lo cual Cumplieron
 aquellas autoridades, y
 siendo sabido por el men-
 cionado Sr. Prefecto de que
 ya heran concluidas por su
 parte todas las diligencias al-
 tativas a este asunto y que
 ya iba a dar cuenta en ellas
 a V.E. me preste con mi per-
 sona a penas de sacrificios
 para conducir la hasta esta
 Capital y ponerla en manos
 de Su Señoria para al mismo o
 para el dicho tiempo manifestarle, por mi parte
 sumariamente, que todos los informes
 que han echo a V.E. sobre el presunto
 asunto no son idoneos, pues estan casi
 siempre que la Curto que declina a un irvalidad; En
 mi que tiempo E.S. ha tenido el Er-
 rucimiento de la Ex-Mision de San
 Gabriel necidad del Arabal
 que a la fecha se me
 disputa, y mucho

Seto Tercero Don Reales

Habilitado provisionalmente por la Aduana Marítima 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 María Osio



Rehabilitado por la misma, para el año de mil ochocientos Cuarenta y dos
Alvarado Antonio María Osio

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decreté, man- Menos en este, pues es público
de y firme y notorio, que todas las fincas, de
Alvarado la repetida Ex-Mision se han des-
truido casi en su totalidad a causa
del abandono con que se han trata-
do y se tratan hasta la presente, y que puedo
asegurar que si se tiene de ellas algun producto
es por la veracidad de sus terrenos pues a las
viñas y demas les falta desde serco hasta la
mas infima circunstancia que le es necesaria a
toda finca de igual naturaleza. Me excusaré
de hablar mas sobre la materia por no ser
infadoro a la atención de su Excelencia, y por lo
mismo concluiré suplicando a la digna jus-
tificación de V. E. que en vista de la buena fé
con que me he conducido en este asunto y el
ningun fundamento ni necesidad que tiene
el Establecimiento de S.^{ra} Gabriel, del maye es-
tado terreno, se digné hacer, que se me devuelva
la escritura de venta que se me tiene escogida,
y que se me adjudique la respectiva porción
correspondiente a las tantas varas mas de ter-
reno valdies de una porción que hay contigua
a la finca que compré y tambien pido su-
plicatoriamente para contar en que trabaje, con
desarago y adquirir con afanos la subsistencia
de mi numerosa familia. Por tanto A. D. D.
pido y suplico humildemente acceder a mi soli-
citud si asi lo considera de justicia de cuya gra-
cia que dare' excusado.

Monterey Mayo 18 de 1842

Y Diente de la Osa

Otra; tambien suplico a V. E. he embido de
diferencias se digné librar orden para que
no se me entorpezca de ninguna manera

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el uso de la agua con que se ha acostumbrado regar la tierra que solicito desde el principio de su cultivo: Gracia que imploro
Vicente de la Osa

J. W. No. 1 San Gabriel &c
Depo of Judge Hora

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Don Tomas E. de Estruza Ministro de
Certifico en cuanto puedo que esta Comunidad de S. Gabriel Consedio al finado D. Jue Pi-
guerra permiso y consentimiento p.^a que plan-
tase en el mismo terreno de la Misión una
vina Entigua a la Vina grande de la
Misión. Y p.^a Constancia y apud m.^{to}
del interesado de esta en la Misión de San
Gabriel a veinte y cinco de Enero de mil
ochocientos Cuarenta y dos

Don Tomas E. de Estruza

En la Ciudad de los Angeles
del Departamento de las Californias
a los veinte dias del mes de junio de mil
ochocientos Cuarenta y dos unuente a la soli-
citud verbal que hizo D. Vicente de la Osa
apoyandose en un Oficio de la Prefectura que
existe en este juzgado de fha 17 del presente
Como tambien justificando su Oficio de pe-
licion con la instancia que esta al princi-
pio de este expediente, para que se le de la
Correspondiente prouision de la huerta vina que
fue del finado Gral. D. Jue Piguerra en
la que huvo una una escritura de venta que
existe en el protocolo del presente ano: proue
por mi y testigos de asistencia prouia citados
del Mayordomo de S. Gabriel y procedase
a dar la prouision indicada con arreglo al
decreto de diez y nueve de Mayo del ano
presente. Yo yo Jue D. Sepulveda Juez
2.^o de Paz de este mande y firme con los de
asistencia segun derecho, en este papel Comun
por no haber del sellado en el lugar
Jue D. Sepulveda

Ass.^a
Leonardo Cota

an.^a
Cristobal Aguilar

En la misma fha yo el juez que suscribe a la presencia del encargado que mandó el Mayor dono de S. Gab. nombre dos oficiales Cordeleros la que por no saber escribir se omiten sus nombres los que aceptaron con el juramento expulso lo que anoto por diligencia

an^o Jue S. Sepulveda an^o
Leonardo Cota Cristobal Aguilar

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Acto Continuo y hallandome en la villa del finado General Figueroa en la Misma de S. Gabriel, y estando ante mi la loteria de cesionaria y los oficiales Cordeleros hizo medir un cordel Constante de veinte y cinco varas el cual fue examinado por mi. Mande tirar las primeras medidas en la esquina de la villa grande rumbo Norte, que remataron en un encino Cuido y seco y se contaron quinientas varas del citado encino se Cambio el rumbo al Oriente y se midieron quinientas varas que remataron en un encinito que se marco de lindero; de alli se Comenzo rumbo Sur y se midieron quinientas varas que remataron en dos encinitos y dos sanguitos de aqui se Comenzaron las medidas al Poniente y se Contaron quinientas varas que remataron donde se Comenzo. Concluyendose por tal motivo el Acto y dandose por satisfecho y proporcionado D. Vicente de la Ossa, lo que oirise y firme en la de an^o segun dro

an^o Jue S. Sepulveda an^o
Leonardo Cota Cristobal Aguilar

Entregueme estas diligencias originales a Don Vicente de la Ossa para su enguardo. Asi yo el juez que suscribe de este mando y firme en la de an^o segun dro:

an^o Jue S. Sepulveda an^o
Leonardo Cota Cristobal Aguilar

Nota = En esta fha se entregaron estas diligencias en sus folios utiles con la int^o y Certificado

Filed in Office Oct 19th 1852
Geo. Fisher
Secy

Translation of
Petition

A translated copy of the Original petition of D
Vicente de la Osa to his Excellency Gov. J. B
Alvarado, being the portion marked J.M. No. 2

To his Excellency the Governor

I Vicente de la Osa a
resident of the City of Los Angeles before Your
Excellency with due respect and in the terms most
conformable to Law present myself and say:
That in the Commencement of the present year
I bought of the Executor and Attorney of the
property of the heirs of the deceased General D
Jose Figueroa, D Francisco Figueroa a Venegance
which the said General planted on a small piece
of Land of free hundred and twenty seven Varas
Square, situated on the Edge of the Oak grove of
San Gabriel, direction North, and the power to verify
said Sale, was the Supt of the said certificate,
the Original whereof I respectfully accompany
herewith, and besides I first took information
from the R. P. F. Tomas Estenaga Minister of San
Gabriel in that and this date, that the Community
of the said Ex Mission had allowed the said
Establishment to be build there, without any
other understanding than that the Land which
was vacant was spontaneously granted.

In the month of
February of said year I proceeded to straighten up and
prune the vines that existed with the object in
view of cleaning, fencing and planting ten threes
and one more Vine shoots, and to occupy all
the Lances with fields and other useful plants
with this view and already placed in movement
all the means that are required to put in prac-
tice, such circumstances; I received an Order
from the Prefect's Office of the Second District
through the Second Justice of the peace of
Los Angeles, that I should deliver the writing
of Sale that had been executed in my favor,
that Your Excellency announce the Sale that had
been made in my favor, having received infor-
mation, that the Land of which I am speaking
had been loaned conditionally to the deceased
General Figueroa, and that from the Vendor might

be exacted the reasons upon which he rested for to
 make the indicated Sale, with all of which those
 authorities complied, and having learned through
 the above mentioned Prefect, that upon his part
 were concluded all the proceedings relative to
 this subject, and that he was going to transmit
 them to your Excellency I offer my personal services
 notwithstanding great sacrifices, to bear them
 to this Capital and place them into the hands
 of your Excellency, so that at the same time I
 might manifest to your honor on my part
 humbly that all the reports that they have
 made to your Excellency upon this present sub-
 ject are not apt or true, because I am almost
 certain they sink into rivalry.

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In no time more
 Excellence Sir has the Establishment of the Ex-
 mission of San Gabriel had necessity for the
 subject which at this time under despatch, much
 less at the present, since it is public and notorious
 that all the possessions of the repeated Ex mission
 have been destroyed almost entirely, owing to the
 negligence with which they have been treated
 and at the present are treated, and I can assure
 you that if any produce is received from them
 it is owing to the fertility of its lands, since
 to the bees and other things they lack, from a
 fence to the most inferior assistance, that is
 necessary to possessions of the same nature.

I will desist from speaking
 more on the matter, in order not to be trouble-
 some to the attention of your Excellency - and
 for the same I will conclude, supplicating the
 worthy Equity of your Excellency, that in con-
 sideration of the good faith with which I have
 conducted myself in this matter, and the lack
 of foundation or necessity which the Estab-
 lishment of San Gabriel has for the often men-
 tioned piece of land, if you will be so kind
 as to cause to be returned to me the writing
 of sale which has been taken from me and that
 to me be rededicated the respective possession
 comprising five hundred acres more or less
 land, of a large quantity that is contiguous to the

and, of a large quantity in a ...
possession which I bought, and I also ask in a
supplicating manner, that I may count upon
to work with liberty and acquire with ease
the subsistence of my numerous family.

Therefore I ask and supplicate
of your Excellency in the most humble
manner to accede to my solicitude, if you
should consider it justice, by which gift I shall
remain thankful.

Monterey 18th. May A D 1842

Vicente de la Osa

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In like manner, also I supplicate your Excellency
in order to obviate difficulties, you will be so
kind to give an Order that I shall not in any
manner whatever be molested in the use of the
lands, with which it has been the custom to
grant the lands, which I solicited from the com-
mencement of its cultivation; Grace which I
implore.

Vicente de la Osa

Monterey May 19th A D 1842

Marginal Decree

In view of the allegat-
ions made by the Memorialists, the solicitude
being about the rights acquired over five hundred
varas of Land within the boundary of the Misi-
on of San Gabriel by the deceased Don Jose
Iguenore, as is accredited by the certification of
the R. P. J. Tomas Estenaga, I have determined by
the present Decree to grant and Command that posses-
ion be given to Don Vicente de la Osa of the five
hundred Varas of Land mentioned in the piece
indicated, not conceding the augmentation asked
for, for the reason that these subsists the Community
Native Indians of the said Mission, and in the
belief that Mr. Osa will be obliged to pay an
annual rent for the use of the Land, at any time
that may be determined by the Authority, as they
must be conceded within the Commons that
are set apart for the inhabitants.

With this decree

the party interested will presume himself to the respec-
table Judge asking the possession and he will also at
the same time give notice the Agent of the Mission

who will be present at said Act. In like manner
Orders will be given to the said Agent not to impede
the irrigation, always when the Mission does not
stand in need of the water.

Thus I Juan B
Alvarado, Governor of the Department of the Californias,
decrees, Commands it, and signs.
Alvarado
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Translation of
Certificate D

A translation of the certificate of the Minister, Thomas
Estenaga of the Mission of San Gabriel being
the portion marked "I de N. 1. Depo. of Judge Orono"

For Thomas Estenaga Minister of San Gabriel de.
I certify as far as I am able and
the Law will permit me that this Community of
San Gabriel does concede to the deceased D Jose
Figueroa, permission and consent that he might plant
on the same Land of the Mission a vineyard
contiguous to the large Vineyard of the Mission.

In witness whereof at the petition
of the party interested I gave this in the Mission
of San Gabriel on the 25th. January A.D. 1842.

For Thomas Estenaga de Estenaga
I see in Office Oct. 6th. 1853
Geo. Fisher Secy

Translation of
Act of Judicial
possession.

A translation of the Act of Judicial possession by
Jose L Sepulveda J Justice of the Peace in favor
of D Vicente de la Osa.

In the City of Los Angeles of the Department of
the California on the 20th day of June A.D. 1842.
Attention to the verbal solicitude made by D
Vicente de la Osa relying upon an official
Communication from the Prefect's office, which
exists in this Office with date 17th of the present
justifying his right of petition also with the
instance which is at the beginning of this
Expedient in order that he be given the correspond-
ing possession of the garden Vineyard that belong-
ed to the deceased General D Jose Figueroa of
which there was a deed of sale which exists
in the Judicial record of the present year:

in the judicial record of the present year.
 See one pap and the Utiempes of assistance,
 previous citation to the Mayordomo of San Gab
 riel, and let me proceed to give the indicated
 possession in conformity with the Decree of the
 19th May of the present year. Thus I José
 & Sepulveda J^e Justice of the Peace, decreed
 Commanded and signed with those of assistance
 according to Law on this Common paper for
 Utiemp of Seal papa in this place.

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Jose & Sepulveda
 Asistencia. Leonardo Cota Asistencia. Cristobal Aguilar

With the same date I the Judge who subscribed,
 in the presence of the uncharged sent by the
 Mayordomo of San Gabriel, I named two Official
 Cord bearers who not knowing how to write,
 their names are omitted, who accepted with
 the respective Oath, which I set down as part
 of the proceedings.

Jose & Sepulveda
 ap. Leonardo Cota. ap. Cristobal Aguilar

Continued Act. and finding myself in the Vineyard
 of the deceased General Figueroa, in the Mesta
 con of San Gabriel, and being before me the
 Utiempes of assistance and the two official
 Cord bearers I caused a cord to be measured
 twenty five varas in length, the which was
 examined and acknowledged by me. I Comman
 ded the first measured to be made at the corner
 of the large garden directed North which
 closed at a decayed and fallen Oak, and there
 were counted five hundred varas, from said
 Oak the direction was changed to the East
 and they measured five hundred varas, which
 closed at a small Oak which was marked
 as a Corner - From thence South they measured
 five hundred varas which closed at two
 small Oaks and two small drains - From
 this place West and they counted five hundred
 varas which closed at the point of beginning

Concluding in this way the act.

El Licenciado de la Osa acknowledging himself
 satisfied and in possession. Which I gave

authority to, and signed it with those of assistance according to Law

Assistance
Leonardo Cota

José S. Sepulveda
Assistance
Cristóbal Arqueiza

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Delivered these Original proceedings to Don. Vicente de la Osa for his security - Thus I the Secy who sees clearly, decrees, Commanded and signed with those of assistance according to Law -

José S. Sepulveda
Assistance Leonardo Cota.
Assistance Cristóbal Arqueiza

Note. With this date were delivered the proceedings on seven useful leaves, with the petition and Certificate.
(Recibido)

Filed in office Oct. 6th. 1852
Geo. Fisher
Secy

*Documentos pertenecientes a Don Vi-
cente de la Osa.*

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JUN 24

JUN 24

Atento a la nota of. de V.S. de 4 de Febr^o del pres^{te} año, referente ha haver llegado a noticia del Ex^{mo} Sr. Gobernador la venta celebrada p^o D. Fran^{co} Riqueroa de un terreno perteneciente a la Mision de S. Gabriel y hecho cargo de lo demas of. en ella se me ordena, la irrote a los juzgados 1^o y 2^o de esta Ciudad en 16 de Mzo. p^o p^o previniendoles me informen si alguno de ellos havia autorizado esta venta, pues tenia presente of. al 1^o en consulta verbal of. me hizo de este particular le ordene lo hiciera sin of. se le presentase todo de justicia expedido p^o el Gobierno; y Contata el 2^o la nota of. original, para decidam^{te} a mano de V.S. p^o la of. se ve sin embargo de lo que expone; queda cumplida la Superior det^o minacion; y a la of. acompaña una representacion; y a la of. acompaña una representacion de D. Fran^{co} Riqueroa exponiendo 3 las causas p^o of. precedio aquella venta. Disculpandole el juez 2^o en lo verbal cuando me presento la Contatacion of. ignorava la prevencion of. esta Pref^a havia hecho el primero Me ha parecido convenientemente acompañar a V.S. copia de la Certificacion de P. Fr. Tomas Estuñiga, a of. haun referencia, p^o los hues of. de estimen convenientes. Sirvase V.S. helvarlo al Superior. Condeimiento de S. E. p^o los fines of. utime convenientes. Admita V.S. la sinceridad de mi distinguido aprecio y respeto. Dios y libertad Angeles Abril 9 de 1842

S. Agüello

Sr. Sic^o del Despacho del 3^o Gobierno de este Departam^{to}

Montevideo

Juzgado 2^o de esta Ciudad 3^o He recibido la nota of. decipia

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Espediente A. P. S.

Exhibited in f. f. Warrers Dept. Sept 4th 1854

el Superior Gobierno. departamental a esta Prefectura g^l V.S. se dirio Trancibirne en uniu del primer Juzgado el 16 del presente; relativa a la venta que hizo D. Fran^{co} Viguera a D. Vicente de la Ossa de un pedazo de terreno perteneciente a S. Gabriel y de cuya nota impuesto de su Contenido dice' a V.S.

Que efectivamente se presento' D. Fran^{co} Viguera y D. Vicente de la Ossa a celebrar el P^o escritura de venta de las viña del finado General Viguera que existe en S. Gabriel, de la misma que presento' un certificado del R. P. Ministro que consta ha-
5) bende cedido al citado General Viguera la Comunidad de S. Gabriel el dho pedazo de terreno. Con este documento, la pacifica posesion que tubo de cerca de ocho años el esp^o tido General, y el ser su hermano han bne de bien y al vaca del finado; fue el motivo que se tubo en el Juzgado de mi cargo para legalizar el Contrato y cruse ser una venta bien echa; mucho mas haber alli rai- ces y estar la pronuncion favorable al lado del comprador. Pero hoy que S. E. esp^o para este caso podra determinar como Comanga; En la inteligencia que aunque se hizo la escritura, se escogio' y existe en mi poder por no haberme entregado el dinero de la venta.

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Cu-
ando se notifico a Don Fran^{co} Viguera la Superior Disposicion segun en ella se me previno, se dio esp^o y a Comanga dirigio a este Juzgado la adjunta solicitud que original acompaño, de la g^l V.S. hara el uso que tenga a bien

En el interior admita V.S. las Consideraciones de mi respeto.

Dios y Libertad.

Aug^o Mayo 29 de 1842
Jose S. Sepulveda

7) Son Juez J^o de Paz
Ympuesto de la deter-
minacion del Gob^o Departamental comunicada
por conducto de su Secretario, relativa a disa-

provar la venta de la viña q^{da} hay en S. Ga-
 briel perteneciente a la Testamentaria de mi finca-
 do hermano el Gral Figueras, luego a V.
 concurreniente. Suspenda todo procedimiento sobre
 el particular hasta tanto resuelva el mismo
 Gob^o lo q^{da} allare por justo suando a sus
 manos este p^o informe del motivo q^{da}
 me movio a hacer la venta referida
 El año de 1834 la Comunidad de S. Gabriel
 de acuerdo con el padre, se dio a mi her-
 mano una de sescuenta varas de terreno
 poco mas o menos, p^o plantar una viña,
 mas como el era jefe politico no podia dar-
 se el título de propiedad a si mismo y p^o
 adquirirlo debia esperar la reunion de la C.
 Diputacion Permiti, y aunq^{ue} esta reunion se
 verifico fue en tiempos de demanda de Criticos y
 no era prudente llamar su atencion p^o pe-
 dirle el título de propiedad cuando se
ocupaba de asuntos muy interesantes
 8) Poco tiempo despues fallecio mi hermi-
 do y este asunto quedo en tal estado.

El Sr. Gutierrez fue nombrado 1^o abaca
 e ignoro lo que halla practicado; y por
 carta y poder que me oi me ordena que
 venda la referida viña.

Como al tiempo de venderla me allava sin
 el título correspondiente ocurri al Sr. P. Sr.
 Tomas Estenega a pedirle un certificado
 q^{da} en efecto me dio p^o acreditar q^{da} el
 terreno y viña de q^{da} se trata pertenece a la
 Testamentaria de mi fincado hermano de un
 modo legal.

Suplico a S. Juez se sirva informar
 al S. Gobernador como lo pedi en la
 ditada orden explicando a mi favor lo
 q^{da} curre justo. A quien protesto como
 a V. el cupito devido

Servare V. admitir este en papel co-
 mune por falta del sellado respectivo

Angelis Marzo 28 de 1842

Vran^o Figueras

9) Sr. Tomas E. de Estenega Ministro

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de San Gabriel = Certifico en cuanto puedo
y el D^{no}. me permite q^l esta Comunidad
de San Gabriel, Concedio' al fernando D.^o
Joa^o Figuerroa, permiso y Encubrim^{to}
para que plantare en el mismo ter-
reno de la Misión una viña antigua a la
viña grande de la Misión; y para q^l Emite
y ajuamiento del interado de esta en la
Misión de San Gabriel a veinte y cinco
de Enero de mil ochocientos cuarenta y dos -
Vray Tomas Eleuterio de Estuza

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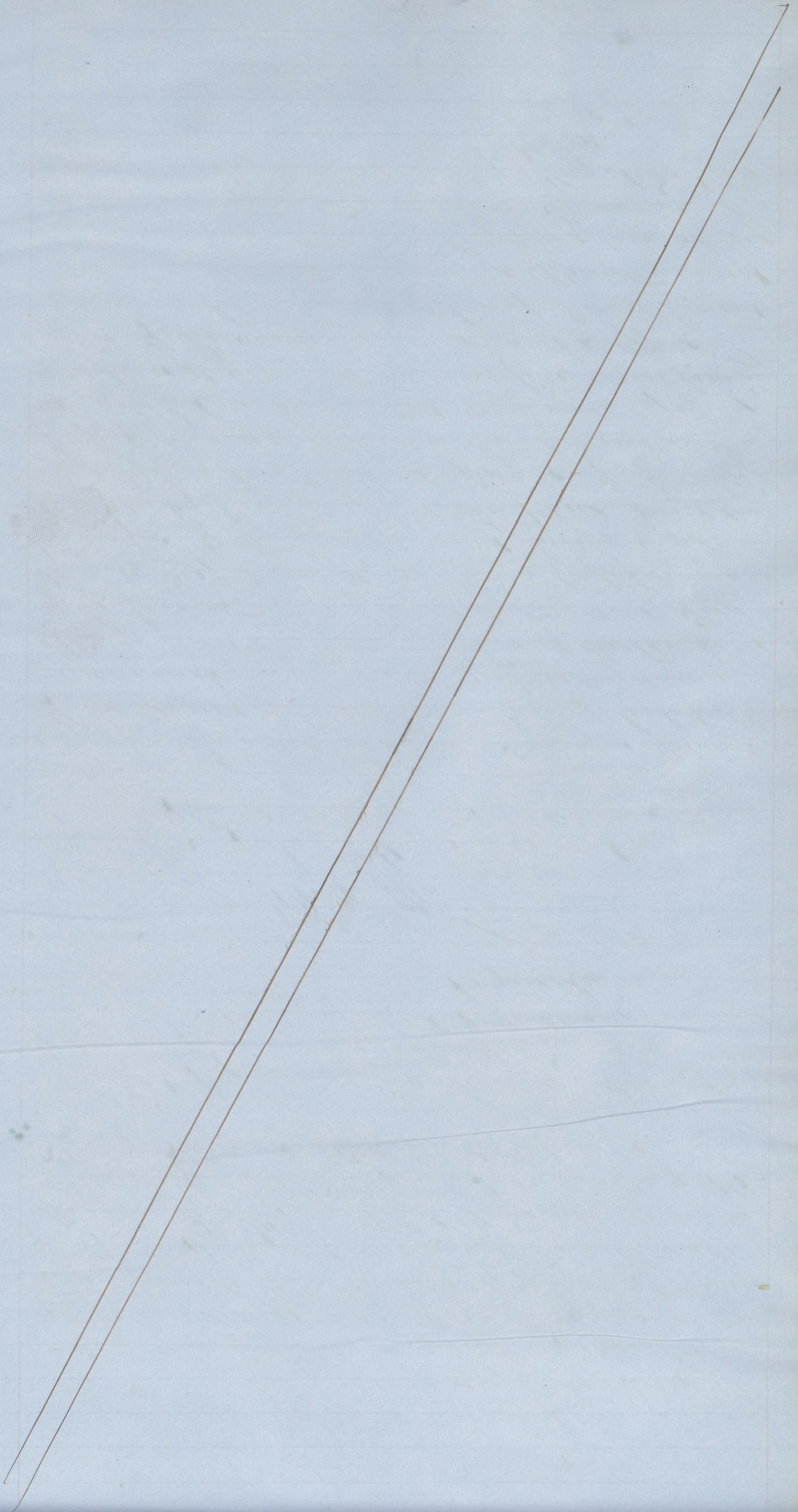
Es copia fiel y legalmente sacada
de su orig. a q^l me emito
Angelus Abril 9 de 1842
S. Argüello

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

I, John C. Hays, Surveyor General
of the United States for the State of California,
and as such, having in my office and in my
charge and custody a portion of the Archives
of the former Spanish and Mexican Terri-
tory or Department of Upper California,
by virtue of the power vested in me by law,
Do hereby Certify, that the nine preceding
and hereto annexed pages of tracing
papers numbered from one to nine inclu-
sive, exhibit a true and accurate copy of
a certain document now in file and forming
part of the said Archives in this Office.

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
Seventeenth day of May A. D. 1854

John C. Hays
U. S. Surveyor General for California
Filed in office
Sept 4 1854
Geo. Fisher Secy



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*Escritura de venta
de una finca a favor de
Don Agustín Álvarez*

*Año de
1844*

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Doc. J. M. No. 3
annexed to the
deposition of
Agustin Ob-
era before Comi.
H. Hall

En la Ciudad de los Angeles del Departamento de las Californias a los veinte y cinco dias del mes de Enero de mil ochocientos cuarenta y cuatro, ante mi Manuel Requena juez 1.^o Constitucional de la Ciudad de los Angeles y su demarcacion, y por ante mis testigos de asistencia con quienes actuo por excepcion a falta de escribano publico a mas de los instrumentales que al fin se nominaron con suceso Don Vicente de la Osa de esta vecindad a quien doy fe como yo y dijo: Fue por se y nombre de sus hijos herederos subscritos y de quien de ellos hubiere titulo voz y causa en cualquier manera, vende y da en venta real y enagenacion perpetua por sus de heredad para siempre jamas, a Don Agustin Obvera la casa de su propiedad constante de cinco piezas sin techas, y se halla situada en la Misión de San Gabriel cuya Casca tiene un trascorral sin concluir y una vinya inmediata con mil cepas poco mas o menos; no en fruto, sino incultas. La citada casa cuenta de cuarenta varas de frente y suma de fondo. La tierra se halla en medio cercada con estacas de sauce y caña de encino. En la casa y terreno tiene derecho como cuenta de los titulos que presento en el acto declarando que no la tiene vendida enagenada ni empeñada, que esta libre de tributo, munición Capellanía, vicinal, finanga y de otro gravamen, real, perpetuo, temporal, especial, general, tacito y expreso, y como tal se la vende en la cantidad de quinientos pesos mitad en efectos y mitad en plata. Fue por tanto enuncian la recepción que pudiera oponer por no constar de presente la ley 9 titulo 1.^o part.^a 5 formaliza a favor del Comprador la mas firme y eficaz carta de pago que a su seguridad conduzca, y en mi mismo declara que el precio precio y verdadero valor de la fabrica y terreno son los quinientos pesos, que no vale mas ni halló quien mas le diese, y si mas vale o valer pueda, hace a favor del Comprador

y de sus herederos, sucesores, gracia y donación pura, mera, perfecta e irrevocable en su totalidad con insinuación y demás firmas legales; Enuncia la ley 2ª título 1º libro 1º Maximísima Excepción que trata de los contratos de venta, trueque, y otros en que hay lucro en mas o menos de la mitad del justo precio, y los cuatro años que profina para pedir su rescisión o suplemento a su justo valor, los que da por pasados como si efectivamente lo estuvieran, y desde hoy en adelante para siempre se desentendá de todo quieto y aparta a sus herederos sucesores, del dominio, propiedad, posesión, título, voz, Excepción y otro cualquier derecho que le compete a la enunciativa fábrica y villa, la cede enuncia y traspara con las acciones reales y personales, útiles mixtas, directas y ejecutivas en el comprador o en quien la suya representa, para que la suya gose cambie enague como de cosa suya adquirida en legítimo y justo título, le confiere poder irrevocable con libre franca y general administración, y le constituye procurador actor en su propia causa, para que de su autoridad o judicialmente entre y se apodere de la repetida casa y villa, y de ella tome y aprehenda la real enuncia que por derecho le compete, y para que no recite tomada pida de la copia autorizada de la presente Escritura con la cual sin otro acto de aprehensión ha de ser visto habiéndola tomado aprehendido y transferido, y se obliga a que dicha casa será custodia segura y efectiva y nadie le inquietará ni moverá pleito sobre su propiedad posesión gose y disfrute, ni contra ello apurará gravamen alguno y si se le inquietare o movere luego que el organte sus herederos y sucesores sean requeridos conforme a derecho, saldrán a la defensa y le seguirán a sus expensas en todas instancias y tribunales, hasta dejar al comprador y a los suyos en libre y quieto y pacífica posesión y no pudiendo conseguirlo, le restituirán la cantidad que ha desembolsado, o le darán otro igual en

venta y comodidades, y sino pueden conseguirlo á
 mas de restituírle la cantidad que ha desembolsado
 como se indicó, le pagaran las mejoras útiles
 precisas y voluntarias que con el tiempo adqui-
 era; y todos los gastos que se le siguieren e incogieren
 para todo lo cual se les ha de poder ejecutar en
 virtud de esta escritura o juramento del que
 la posea o en quien depiera su importe y lo elee-
 va de otra prueva; y á la perfecta observancia de
 todo lo referido, obliga el otorgante de su persona
 y bienes habidos y por haber y con ellos se so-
 mete al fuero y jurisdiccion de los Señores Jueces
 que de este negocio ovan conocer conforme á
 dro. para que lo compulsen y apremien por toda
 via ejecutiva, como si fuese en sentencia pa-
 sada en autoridad de cosa juzgada cumplida
 y sin mas recurso, renunciando sus propios fueros
 domicilio y vecindad las leyes en su favor
 y depura con la general del dro informada
 en cuyo testimonio así lo otorgo y firmo con
 mi go y la de asistencia segun dro. siendo
 los instrumentales los vecinos Juan Domingo
 y Martin Aragon y Vicente Guerrero = Ma-
 nuel Requena = Vicente de la Osa = una
 Antonio M.^a Samora = Juacquin de los Rios
 y Ruiz = instrumental = Juan Domingo =
 instrumental Martin Aragon = instrumen-
 tal Jng. Vicente Guerrero = tachado de no vale =

Concuerda con su original a que me
 remitio de la cual esta fielmente sacada
 corregida y confrontada y escrita en el libro
 de instrumentos publicos de este año de
 doce en papel comun p.^a falta de sellado.

En testimonio

de verdad

en a.
 Felisa Jugo

Man. Requena an.
 Juan Banderi

En la ciudad de los Angeles de la al-
 ta California a los seis dias del mes de oc-
 tubre de mil ochocientos cuarenta y ocho
 Yo Agustin Olvera habiéndole vendido á D.
 Daniel Sexton la Casa y terreno que contiene

esta escritura situada en la Misión de San Gabriel, hago traspaso a su favor en la mas bastante forma, de toda la dominios y bajo las formalidades y requisitos estipulados en esta escritura, sueldo la venta por la cantidad de cuatrocientos cincuenta pesos en plata que seran pagados doscientos cincuenta y cinco pesos iguales en el acto de los cuales me doy por satisfecho y lo restante en el termino de seis meses contados desde hoy, para lo cual otorgara una obligacion. En consecuencia espito que para el mas exacto cumplimiento me someto a las leyes emanando las que fuerdan fuerecime y considerando este traspaso con toda la fuerza de instrumento publico lo firme ante dos testigos para la debida constancia

Agustin Olvera
Testigos
Francisco P. Temple

Filed in Office Oct 19th 1852
Geo. Fisher
Sey

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BYGE

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[Faint, illegible handwriting, possibly bleed-through from the reverse side of the page]

20

3 Translation of
Esfediente.

Attention to your Official Note of the 4th of February
of the present year relative to the Notice which reached
His Excellency the Governor of a Sale Celebrated by
Mr Francisco Figueroa of a piece of Land belonging
to the Mission of San Gabriel and obeying the other
directions contained in the same. I directed them to
the 1st and 2d Magistrates Office of this City, with
date 16th March last past, notifying them to inform
me if any of them had authorized this Sale,
as I recollect that the 1st was in a verbal Conversa-
tion which he had with me on this Subject. I
commanded him not to make an Authorization the Sale
unless a title of Property was presented given by His
Excellency the Governor. The 2d answered by the original
Note, which as in duty bound I passed into your
hands, which speaks for itself, and notwithstanding
what he alleges, your Superior Determinations
have been carried out - to the which I hereby accompany
a Representation from Mr Francisco Figueroa, wherein
he sets forth the reasons why he proceeded to that Sale.
The 2d Magistrate making to me a verbal excuse
when when he rendered me the Contestation, that he
was ignorant of the instructions given from the Office
of the Political Chief to the Office of the 1st Magistrate
It seems to me proper that I should send you a
Copy of the Certificate of the Fiscal Print Tomas
Estrenga of which they speak for the uses that to
them may seem convenient.

You will be so kind
as to think the facts before His Excellency the Gov^r,
to the end that he may judge what shall be most
proper in the premises. Admit Sir the Sincerity of
my distinguished esteem and respect, God and
Liberty -

Los Angeles April 9th A.C. 1842.

S. Aguillo

Secretary of dispatch of the Government
of this Department

Montgomery

I Magistrate's Office of this City
I have received the note directed by His Excellency
the Governor of the Department to this Office of the
Political Chief of which you sent me a Copy in
connection with another to the Office of the 1st
Magistrate date 16th Inst. Relative to the Sale -

which Francisco de la Osa of a small piece of Land belonging to S. Gabriel of which note informed of its contents I will say to you.

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That in fact Mr Francisco Figueroa and Mr Bicueta de la Osa presented themselves to exhibit the 1st writing of conveyance of the Vineyard of the deceased General Figueroa which exists in San Gabriel, the same Vineyard of which he presented a certificate from the Rev Priest Miranton wherein it appears that he had ceded to the above mentioned General Figueroa the said small piece of Land with this Document, the Pacific possession of which he had for near Eight years. The said deed and that of his being his Brother a good man, and executor of the deceased was the motive operated in the Justice Office under my charge for to realize the contract, and as it is believed as Sale in good faith, and much more so when these improvements which cannot be separated from the fee hold, and the presumption on the side of the possessor favorable. But that now to day Your Excellency upon this step you can determine as you shall think proper. Understood however altho the writing was made out it was withheld and exists in my possession, for the reason that the purchase money was not paid. When your Superior Order was communicated to Mr Francisco Figueroa as if it was directed, he asked for time and as a consequence he directed to this Magistrate Office the annexed which in its original state I herewith enclose which Your Excellency can use as you think proper.

In the meantime Your Excellency will admit the considerations of my request
God and Liberty Angels 29 de March A.D. 1842

José L. Pulveda

1st Prefect of 2^d District

To the 2^d Justice of the Peace.

Being informed of the determination of the Government of the Department communicated through its Secretary relative to the disapproval of the Sale of the Vineyard which is in San Gabriel and belongs to the Estate of my deceased Brother General Figueroa. I earnestly desire you to suspend all proceedings on the subject until the Government itself shall determine what

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I may find just placing in the hands of the Government the Enclosed, which will inform His Excellency the Motive that led me to make the sale above mentioned.

In the year 1834 the Community of San Gabriel with the previous consent of the Part conceded to my Brother about Six hundred Varas of Land a little more or less for to plant out a Vineyard but as he was the Political Chief, he could not give a title to himself, and for to obtain it, it would be necessary to await the meeting of the Excellent Territorial Deputation and although this Body did meet, yet it was at so critical a time that it would not have been prudent to have called their attention to the giving of titles when they were discussing other important measures. Shortly after my Brother died and thus the matter remained. —

Mr Gutierrez was named 1st Executor. I am ignorant of what he may have done. By a letter and power of Attorney which I received from him he ordered me to sell the above mentioned Vineyard — And as at the time of the sale, I had not the corresponding title, I applied to the Revd Father Fructo Tomas Estrenga for a certificate of the facts which he gave me for to prove that the Vineyard and Land in question belonged to the Estate of my deceased Brother in a legal manner.

I supplicate the Magistrate that he will be so kind as to inform His Excellency the Gov as required in the above cited order explaining in my favor what he shall consider just, to whom I protest as well as to give all due respect.

You will please admit this on Communion paper for want of Seal that would correspond

Angelus 23 March A.D. 1842

Francisco Yeguro

Alfonso Thomas Ede Estrenga Minister of San Gabriel Do hereby certify as far as able and Law permits that the Community of San Gabriel conceded to the deceased Mr Jose Yeguroa permission & consent that he might plant out on the same Land of the Mission a Vineyard contiguous to the large Vineyard of the Mission — In testimony whereof

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and at the request of the party interested. I gave this in the Mission of San Gabriel on the 25th day of January AD 1842.

Man Thomas E de Arteaga

This is a copy faithfully and Legally taken from the original, to which I have referred

S. Arguilla

Angelis 9th April AD 1842.

Filed in Office Sept 15th 1854.

Geo Arthur Lee

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Translation of Deed of Conveyance from Vicente de la Osa to Don Augustus Olvera.
Document "M^{to} 3" annexed to Dep of Aug Olvera

In the City of Los Angeles of the Department of the Californias on the 25th January AD 1844.
Before me Manuel Requena 1st Constitutional Justice of the City of Los Angeles and to demarcation and before the witnesses of my assistance, with whom I perform this Judicial act as notary for the want of a Notary Public in addition the instrument entails which in the end will be named appeared Don Vicente de la Osa of this vicinity who certified I know, and he said.

That for himself, his Children heirs, and executors, and whom from them may have title, voice and cause in whatever manner he sells and gives in real sale and perpetual alienation, to pass from Father to Son forever & ever, to Don Augustus Olvera, the house that belongs to him, composed of five Rooms without cover and is found situated in the Mission of San Gabriel which house has a back yard and a Vaigued close of with a thousand Varas a little more or less, not in fruit but in Cultivation. The said house is forty Varas in front and sixty Varas in depth or back. The Land is half fenced with posts of Alder and oak brush. In the house and Land he has a right as is shown of the titles which he presented in

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the act. Declaring that he had not sold alienated
 nor pledged it. That it is free from Tax, Settlement
 entail, Security or any other charge, real, perpetual,
 temporal, especial, general and expressed, and
 as such he sells it in the sum of Five hundred
 Dollars, half in Goods and half in Cash - That
 therefore he renounces the exception he might oppose
 and appearing to be present, the Law 9th de, title 1st, Part
 5th, etc. etc makes in favor of the purchaser the most
 firm and effective receipt of the payment of the
 purchase money which to his security may conduce.
 And in this manner declares that the just price
 and true value of the fabric and the land is the
 Five hundred Dollars, that they are not worth more
 nor could he find who would give more, that if
 they are worth more or could be worth more - he
 makes in favor of the purchaser, his heirs and
 Successors, free and donation, pure, mere perfect
 and irrevocable in solemnness, with intimation
 and other legal formalities. He renounces the
 2^d Law, Title 1st, Book 1st, latest abridgment
 which treats of the Contracts of Sale, Exchange and
 others in which there is a loss of more or less than
 half of the just price, and the four year prefixed
 for, to ask a Revision or Supplement up to its
 just value, all of which he acknowledges as
 passed as if effectually they had passed. And
 from this day forward forever deverts himself
 of power, he takes from and separates from his
 heirs and Successors the dominion, property and
 possession, title, voice, recourse or any other right
 whatever that may correspond to him in the above
 mentioned fabric and Vineyard. He cedes it,
 renounces and assigns it, with the actions real
 and personal, useful, mixed, direct and execution
 in the purchaser or in whom his rights may be
 represented by, so that he possesses, enjoy exchange
 and alienate as a thing of his own, acquired
 with legitimate and just title. He confers upon
 him irrevocable power with full and
 general administration and constitutes him
 Attorney, Plaintiff in his own proper cause for that
 by his Authority or Judicially he enter and possess
 himself of the said house and Vineyard and that
 of it he take and receive the real possession

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which by right belongs to him, and to dispense
with the necessity of taking actual possession.
Let him ask for an Authorized Copy of this
writing with the which, without any other
possessory act, it must be seen that he has taken
possession, received possession and that the
same has been transferred to him, and he obligates
himself that the said house will be certain
secure and effective, that no one will disquiet
nor move an action against his property posses-
sion, enjoyment and profits, no against it
will appear any charge whatever, or if he
should be molested, or action moved, imme-
diately that the Vendor, his heirs and Successors
may be required by Law, they will come forward
to the defence, and they will pursue it at their
Expense in all instances and tribunals until
the purchaser and his representatives be left
in the full use, quiet and pacific possession,
and being able to do it, they will return the same
that he has expended, or they will give him another
equal in rent and Commodiousness, and if they
cannot do it, besides returning the sum which he
has laid out, as is indicated, they will pay him
the improvements, useful, precise, and voluntary
which with time he acquires, and all the expen-
ditures that may fallow him, or outlays that
he may have to make. For all of which they may
be compelled by Execution in virtue of this
writing, on the oath of him who possesses it, or in
whom rests the incumbrance, and relieves him from other
proofs. And to the perfect observance of all that
is said to the Vendor obligates himself, his present
and future property and with Subjects himself
to the Statute Law and jurisdiction of this Honor
the Judges who of this business would take Cog-
nizance according to Law that they may compel
and force him by any execution Channel, as if
it were in a sentence passed in Authority of a
thing already adjudged, consented to and without
other reason he renounces his own proper privilege
of domicile and vicinity, the Laws in favor and
defense and the general Law of rights in form.
In witness whereof, thus he executed and signed

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with me and those of assistance according
to Law - being the instrumentals the residents Juan
Domingo. Martin Aragon and Vicente Gener
Manuel Requena Vicente de la Osa =
Assistance. Antonio Moa Tomasa Joaquin de las
Reas y Ruiz = Instrumental Juan Domingo - Instru-
mental - Martin Aragon. Jose Vicente Guerrero.

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This agrees with its original to which I refer from
which it is faithfully taken corrected and
confirmed exists in the Book of Public Instruments
of this year on common paper for want of
sealed paper.

In testimoniam veritatis

Assistance
Felipe Lugo
Juan Baudin

Manuel Requena

Translation of a Deed of Conveyance from D. Augustin
Olvera in favour of Daniel Sexton.

In the City of Los Angeles

Upper California on the sixth day of October A.D. 1848.
I Augustin Olvera having sold to Mr Daniel Sexton, the
house and land which this writing contains, situated
in the Mission of San Gabriel, I make an assignment
in his favour in the most ample manner of all the documents
and under the formalities and legalities stipulated in this
writing. The sale being for the sum of four hundred and
fifty Dollars in silver, which will be paid, two hundred
and fifty five Dollars and sixty two and a half cents, which
shall be paid in this act and the rest I hereby acknowledge
the balance in six months from this date for which he will
give his obligation. In consequence I repeat for the most
exact compliance I subject myself to the laws enjoining
those that might favour me, considering this assignment
with all the force of a public Instrument. I sign it
before two witnesses in due testimony thereof

Witness
Mauricio P. Temple.

Augustin Olvera

Filed in Office Oct 6th 1852

Geo Hilber Secy

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No 377

Daniel Sexton } Claim for Four hundred Varas
vs } Square of Land in the Meridian
The United States } of San Gabriel in the County of
Los Angeles.

Opinion

The Claimant in this case asks a Confirmation of his claim upon the following showing—

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He has placed on file a Grant to the premises from Juan B. Alvarado dated the 19th day of May 1842 to Vicente de la Osa, also a Deed to the same from the said Osa to Don Augustus Alvera dated the 25th day of January 1844, also a Deed for the same from the said Alvera dated the 6th day of October 1848 to the present Claimant.

All of which said Documents are satisfactorily authenticated. It is also in evidence that the Land was in Cultivation, and a Vineyard growing there and the grantee living on the place with his family at the time the grant was issued, and that it was subsequently occupied and cultivated and improved by the original grantee up to the time of the sale of the said Osa. The Board are of the opinion that the conditions of the Law have been fully complied with in this case and that the claim is valid, and a Deed of Confirmation will be entered.

Confirmed

Filed in Office November 14th 1854.

J. W. Fulton Secy

43 No 377

Daniel Sexton
vs
The United States

After hearing the proofs and allegations in this case it is adjudged that the claim is valid and the same is hereby confirmed by the Board with the following description and boundaries to wit.

Decree

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Commencing at the North West Corner of the Vineyard of the Mission of San Gabriel at a place called "Juan Mariana" thence North Five hundred Varas to a fallen Oak, thence East Five hundred Varas to a fallen Oak, thence West Five hundred Varas to a small Oak, thence South Five hundred Varas to two small Oaks and two small trees, thence West to the place of beginning, containing Five hundred Varas Square.

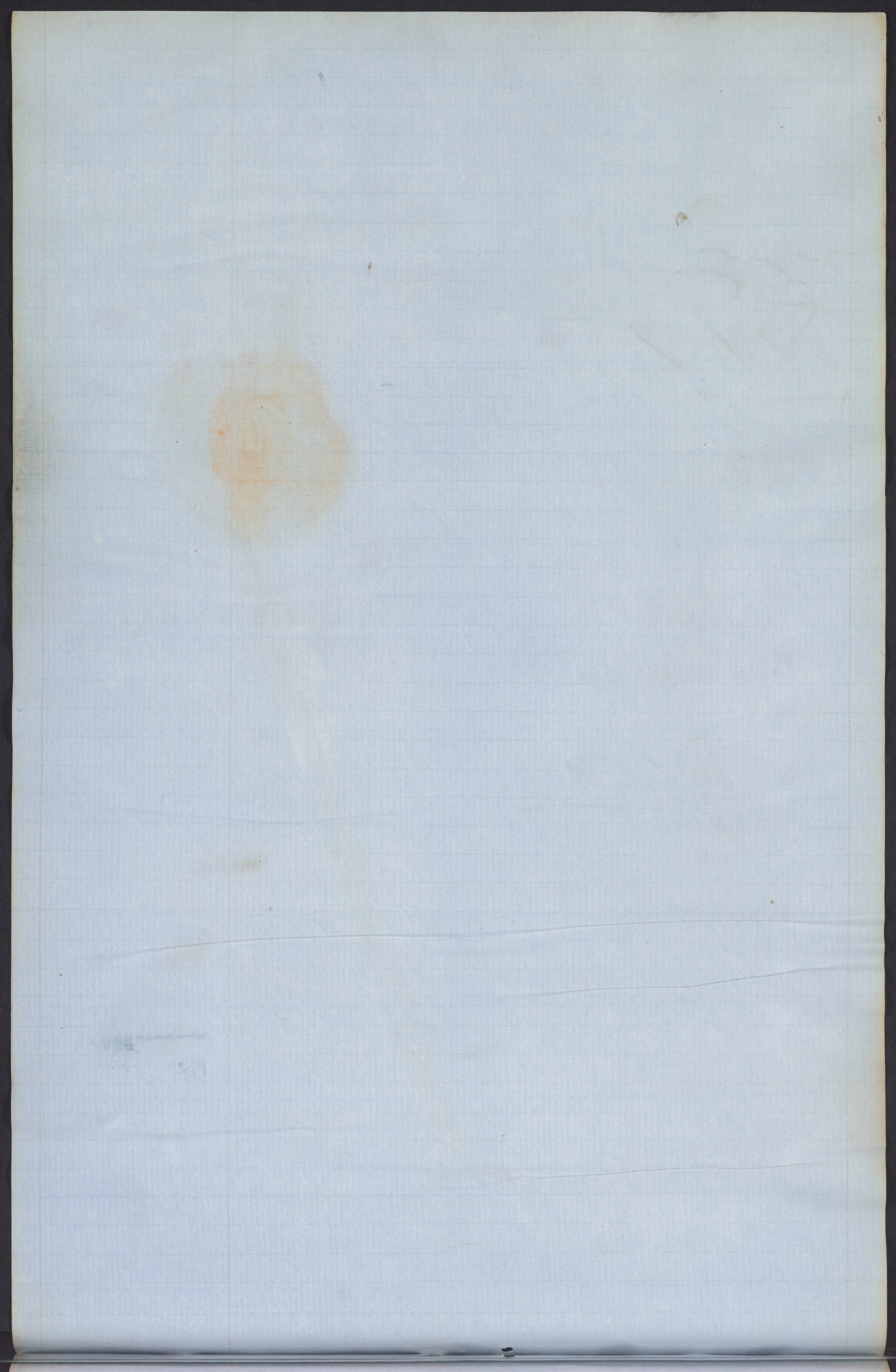
Alpheus Gile
R. Aug Thompson
S. B. Gamell

Commissioners

Filed in Office Nov 14th 1854.

Geo Fisher Secy.

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



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 *Forty three* pages, numbered from
1 to *43*, 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. *377* on the Docket of the said Board,
wherein

Daniel Sexton is

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

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
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,
Southern District of California.

No. 259.

THE UNITED STATES,
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vs.

Daniel Sutton.

'Land near Mission of San Gabriel'

TRANSCRIPT OF THE RECORD

259 FROM THE
BOARD OF U. S. LAND COMMISSIONERS,

In Case No. *377.*

Filed, *July 2* 1855

L. E. Carr
Clerk

By *A. H. Clark*
Deputy

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377

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

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

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Daniel Sinton, Appellee,
vs.
The United States.

Docket No. 259.

Transcript No. 377.

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

The Petition of Pacificus Ord, a resident of said City, County, and State, Attorney of the United States for the Southern District of California, who petitions in this behalf for the United States, and being present here in Court, in the name and behalf of the United States, represents as follows: That heretofore, to wit: on or about the 6th day of October A. D. 1852, Daniel Sinton.

presented a petition to the Commissioners to ascertain and settle the private land claims in the State of California, when sitting as a Board, claiming a tract of land contiguous to the large garden of the Mission of San Gabriel in the County of Los Angeles State of California, which said petition is referred to for a description of the land claimed, a copy of which appears in the transcript hereafter referred to. That thereafter, to wit: on or about the 14th day of November A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 2nd day of July A. D. 1855, a duly certified transcript of the proceedings and decision of the said Commissioners in said cause, and the papers and evidence on which the said decision was founded, was filed in the Office of the Clerk of the District Court of the United States for the Southern District of California, and marked No. ~~377~~²⁵⁹; reference to which it is prayed may be had and made part of this petition. That on or about the 14th day of June A. D. 1855, the Honorable Caleb Cushing, Attorney-General of the United States, received a duly certified duplicate of said transcript of the proceedings and decision of said Commissioners in said cause, and the papers and

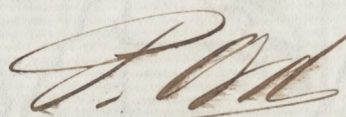
evidence on which said decision was founded. That thereafter, to wit:
on ^{or about} the 4th day of October A. D. 1855, the said
Attorney-General of the United States filed, or caused to be filed, in
behalf of the United States, a notice with the Clerk of said District
Court of the United States, that the appeal in said cause from the said
decision of the said Commissioners, in the District Court of the United
States for the Southern District of California, would be prosecuted by the
United States. Your petitioner further represents, that the land claimed,
as aforesaid, is situate in the Southern District of California, and within
the jurisdiction of this Honorable Court. Your petitioner further represents
and insists, that the said claim is invalid; and the said decision of said
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for
many errors and imperfections of law and evidence, apparent in said certified
transcript of the proceedings and decisions of said Commissioners in said
cause, filed and appealed from as aforesaid. And your petitioner denies all
and singular, each and every allegation in the said petition of said claimant,
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimant has any valid right or title to said land claimed
as aforesaid, or any part thereof.

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And no sufficient proof having been made of the allegations in said pe-
tition to said Commissioners, or in support of the said claim, no decision con-
firming the same should have been made by said Commissioners; but the

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

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



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

N^o 259.

U.S. Dist. Court
South West of California

Daniel Jackson
appellant

vs

The United States
appellant

Petition of U.S. for review

Filed July 18th 1856.

J. E. Jones
Clerk

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In the Distr Court of the South United States
for the Southern Distr of California

Daniel Sexton } v. 259.
 appears }
 ad } (No 377 of Principal.)
The United States } Lot Near San Gabriel.
 appellts }

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And Now at this day comes the said
appellee Daniel Sexton and for
answer to the petition for review
filed in this case by the United States
District Atty says.

That his claim to the Land mentioned
in this case is good and valid and
ought to be confirmed.

Wherefore he prays, that this Hon
Court will affirm the said decision
of the said Land Commissioners and
decree the claim of the said appellee to be
good and valid, and for such other or
further and general relief as may seem
just and equitable in the premises.

Daniel Sexton

I have served this Answer upon
P. Oct U.S. Atty by delivering to
him personally a true copy of the
same at Los Angeles Febry 19 1856

Edward Hunter
U.S. Marshal
By M. Goodman
Deputy.

No ~~257~~ 259.

U.S. District Court
Southern Dist of Calif

Simon Spector
appellee
vs.
The United States
appellants

Cum gratia

Filed July 19 1856

J. E. Swanwick
ccx

Marshall's Court
Morrising (Cum gratia) \$113

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

Wm. G. Weston, appellee

vs

No 259.

The United States appellant

"San Gabriel"

259 SD

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This cause coming into to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California, under an act of Congress approved March 3^d 1851 and a Transcript of the proceedings and decision of said Board, and of the papers and evidence upon which said decision was founded and it appearing to the Court that the said Transcript has been duly filed according to law and counsel for the respective parties having been heard. It is ordered adjudged and decreed that the said decision of said Board be, and the same hereby is affirmed and it is further adjudged and decreed that the claim of the above named appellee is good and valid, and that the same be conformed to him as follows, to wit;

The lands hereby conformed is situated in the County of Los Angeles & bounded and described as follows to wit; commencing at the North West Corner of the Vineyard of the Mission of San Gabriel at a place called "Juan Maurica" thence North five hundred varas to a fallen oak. thence East Five Hundred varas to a fallen oak. thence South Five hundred varas to two small oaks and two small drains & thence West five hundred varas to the place of beginning, containing five hundred varas square.

Wm. S. Ogden
United States
Dist Judge

No 259
Ud West Court
South West of Cal 3

Samuel Justice appellant

vs
The United States
appellants

Deer

Filed July 28th 1856

C. S. Jan
Recorded July 20th 1857
On pg 86

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

Daniel Sexton, appellee.

No 259

The United States, ^{ads.} appellants.

"Lot at San Gabriel"

259 SD

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This cause coming on to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California under an act of Congress approved March 3^d 1851 on a Transcript of the proceedings and decision of said Board, and of the papers and evidence upon which said decision was founded, and it appearing to the Court, that the said Transcript has been duly filed according to law, and counsel for the respective parties having been heard. It is ordered, adjudged, and decreed, that the said decision of said Board be, and the same hereby is affirmed, and it is further adjudged and decreed that the claim of the above named appellee is good and valid and that the same be confirmed to him as follows, to wit; The land hereby confirmed is situated in the County of Los Angeles bounded and described as follows, to wit; Commencing at the Northwest corner of the vineyard of the Mission of San Gabriel at a place called "Juan Mauricio" - thence North five hundred varas to a fallen oak, thence East five hundred varas to a fallen oak, thence South five hundred varas to two small oaks and two small drains & thence West five hundred varas to the place of beginning, containing five hundred varas square
(signed)

I Charles Elean Clerk of the District Court of the United States for the Southern District of California, hereby certify the above foregoing to be a true and correct copy of the original decree on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said Court at Los Angeles this 28th day of February AD 1856.

C. E. Elean
Clerk



No. 259.

U.S. Dist Court, South. Dist of California

Daniel Foxton
appellee

vs.

The United States
appellants

Decree

Copy

Filed February 28th 1856.

(Signed) C. E. Carr

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IN THE DISTRICT COURT OF THE UNITED STATES,

FOR THE SOUTHERN DISTRICT OF CALIFORNIA,

Los Angeles, December Term, 1855.

Daniel Supton

259 SD

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APPELLEE,

VS.

UNITED STATES,

APPELLANT.

No. 259.

(No. 377 of Transcript.)

On Appeal from the United States Land Commission.

On motion of P. ORD, Attorney of the United States for the Southern District of California, it is hereby

ORDERED by the Court, that an appeal be granted the United States, to the Supreme Court of the United States, from the judgment of this Court against the said United States in the above entitled cause, rendered on or about the 27th day of February A. D. 1856.

P. Ord
Disally.

No. 259.

U.S. District Court
Southern District of California

Samuel Weston
appellee

vs
The United States
Appellants

Writ of Appeal f.c.

Filed March 17 1886
C. E. Carr CLK
By O. Morgan Deput

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California Land Claims

Attorney General's Office

29 Sept. 1856,

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Sir:
In the case of the claim of Daniel
Sexton, confirmed to the claimant by the
Commissioners, Case no. three hundred and seventy-
seven (377), and also confirmed on appeal by the
District Court, appeal in the Supreme Court will
not be prosecuted by the United States.

I am

Respectfully,

~~Yours~~

J. Ord Esq.

U.S. Attorney

Los Angeles.

vv

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Daniel Lyton

377

Filed Feb'y 24 1857
Lewis alk
J. M. Linn
Sup

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Rec'd Nov 4 1836

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Office of the Attorney General of the United States,

Washington, 29 June 1855.

377) land near the Mission
of San Gabriel.

Daniel Sexton, claimant

You will please take notice that in the above case, decided by
the Commissioners to ascertain and settle private land claims in
the State of California in favor of the claimant, and a transcript
of the proceedings in which was received in this office on the
14th day of June 1855 the appeal
in the district court of the United States for the
Southern district of California will be prosecuted by the
United States.

Clarking

Attorney General.

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No. 259

U. S. District Court
Southern Dist. of Cal.

United States

vs
Daniel Sexton,

Notice of Appeal in
Case no. 344.

Filed Oct 14th 1855

J. E. Jones
Clerk.

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[Faint handwritten notes on the right side of the page]

[Faint handwritten notes on the left side of the page]

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

The President of the United States,

TO

Daniel Sexton

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Greeting :

Take Notice, That a Petition, a copy of which is herewith served upon you, has been filed against *You* in the District Court of the United States, in and for the Southern District of California, on the *18th* day of *February*, in the year of our Lord one thousand eight hundred and fifty-*six*, at the City and County of Los Angeles, in said District, by

P. Ord U.S. Dist. Ct.
praying the Court to reverse the decision
of the Board of U.S. Land Commissioners
confirming your claim to a tract of land
called "Lot at San Gabriel"

and that *You* are required to appear at said Court, in said City, within ten days after the service hereof, if served on you within the County of Los Angeles, and within twenty days if served on you in the County of San Diego or San Bernardino, and within forty days if served on you in any other County of said State, exclusive of the day of service, and answer said Petition, or the Petitioner will apply to the Court for the relief demanded therein.

In Witness whereof, I have hereunto set my hand, and affixed the Seal of said Court, at the City of Los Angeles, this *19th* day of *February* A. D. 185*6*.

J. E. Carr

CLERK.

No. 259.

UNITED STATES OF AMERICA,
Southern District of California,
U. S. DISTRICT COURT.

Daniel Weston
vs
Methodist State

SUMMONS.

Received 185

U. S. MARSHAL.

259 SD
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I served this Summons, together with a certified copy of the Petition, upon *Daniel*
Seaton by delivering to him personally a
true copy of the same
at *Los Angeles*
the *18th* day of *February* in the Southern District of California, on
A. D. 185*6*.

Sworn to and subscribed before me, *this*
18th day of Feb 1856 }
J. S. [Signature] CLERK.

Edward Hunter
U. S. MARSHAL.
By W. d Goodman
Deputy

W 259

U.S. Dist. Court
South^h Dist. of Cal^h

David Sexton

M

The United States

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