

CASE No.
194

SOUTHERN DISTRICT

SANTA GERTRUDES GRANT

SAMUEL CARPENTER

CLAIMANT

LAND CASE 194 SD pgs. 120

MAR 11 1963

NOTAR BOND

Handwritten signature

A 8 11

REBILITATION

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PAGE 1

TRANSCRIPT

OF THE

PROCEEDINGS

IN CASE

NO. 339

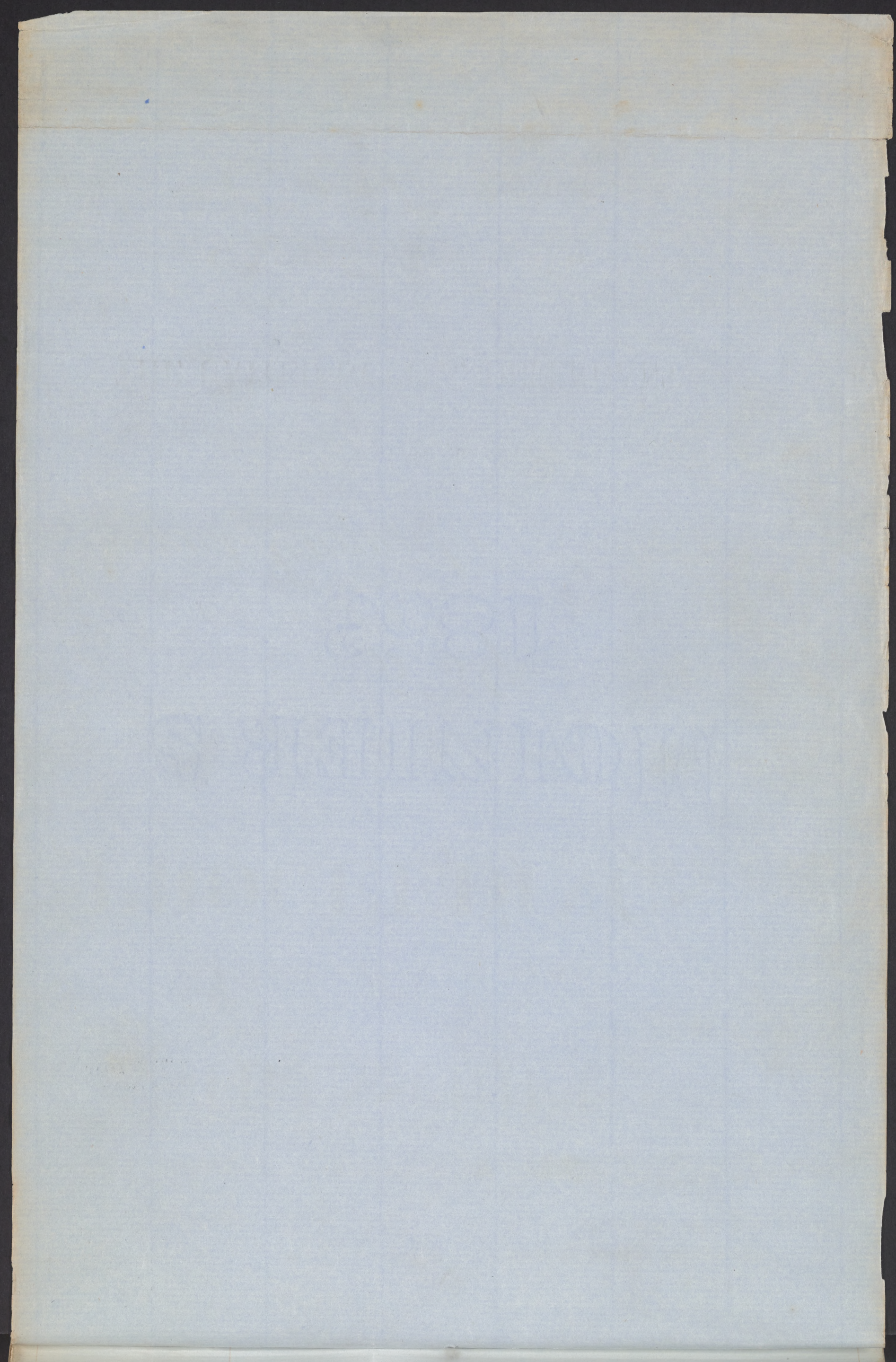
Samuel Carpenter CLAIMANT

VS.

THE UNITED STATES, DEFENDANT,

¹ FOR THE PLACE NAMED

"*Santa Gertrudes*"



Office of the Board of Commissioners,

To ascertain and settle the Private Land Claims

IN THE STATE OF CALIFORNIA.

Be it Remembered, that on this *Eleventh day of September,*
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 *Samuel Carpenter*
for the Place named
"Santa Gertrudes."

was presented, and ordered to be filed and docketed with No. *339*. 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 23. 1852.

In Case No *339*, Samuel Carpenter for the place
named *Santa Gertrudes*, the deposition of *Tomás Ben-
chez Coloma*, a witness in behalf of the Claimant,
taken before Commissioner *Hiland Hall*, was filed.

(Vide page *7* of this Transcript.)

Los Angeles November 11. 1852.

In the same Case the deposition of *Abel Stearns*,
a witness in behalf of the Claimant, taken before
Commissioner *Hiland Hall*, with documents
marked *H. H. No 1. 2. 3. 4. 5. 6.* & translations
thereof annexed thereto, was filed.

(Vide page *8* of this Transcript.)

Los Angeles November 12 1852.
 In the same case the deposition of Antonio S.
 Cornell, a witness in behalf of the Claimants,
 taken before Commissioner Neiland Hall, was filed.
 (Vide page 11 of this Transcript)

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San Francisco December 13 1852.
 In the same case the deposition of Samuel Car-
 penter (signed Lemuel Carpenter) the Clai-
 mant in this case, in his own behalf taken
 before Commissioner Neiland Hall, was filed.
 (Vide page 15 of this Transcript)

San Francisco Oct 14th 1853.
 Case No 339, on motion of the Counsel for the
 Claimant, was ordered to the foot of the Ticket.

San Francisco Aug 4th 1854.
 Case No 339, was submitted without argument.

San Francisco, Sept 12 1854.
 In the same case Commissioner Alpheus Felch
 delivered the opinion of the Board confirming
 the Claim:

(Vide page 17 of this Transcript)

In the same case the following order was made,
 to wit:

(Vide page 7th of this Transcript)

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

Your petitioner Samuel Carpenter resident of the
County of Los Angeles & State of California respectfully
represents: That he is the Owner in fee simple of
the Ranch called "Santa Gertrudis", situated in the
County and State aforesaid, consisting of five
leagues of grazing Land a little more or less, which
was conveyed to him by Josefa Lota, the Original
grantee of said Land, by deed of Conveyance, bear-
ing date the 21st day of December A.D. 1843

That said Ranch was originally granted to the
Said Josefa Lota, by Jose Figueroa, on the 22nd day
of May A.D. 1834 who was at the time Superior
Political Chief of the Department of the Califor-
nia, vested by the Government of Mexico with
Extraordinary and Sufficient powers to make a full
and valid grant of said Land

That peaceful possession thereof was given to the
Said Josefa Lota in the next year immediately
after said grant, by the proper Municipal Authority
to wit; in the month of March A.D. 1835, whereby
the boundaries of said Ranch were more clearly
designated. That the said Authority who gave said
possession was governed by the provisions of said grant
and the map or diagram mentioned therein; and
that Josefa Lota, from the time of said grant to the
date of the said Conveyance to your petitioner enjoy-
ed peaceful and uninterrupted possession thereof;
Since, which time to the present date, your petitioner
has had complete, peaceful and peaceful possession
of the said Land, with the exception of a small
portion thereof lawfully seized and held by
Joaquin Tollero and Bernardino Garcia,
against whom your petitioner has brought suit of
Ejectment, which is now pending in the District
Court of the 1st Jud. Dist. for the County of Los
Angeles

The location and boundaries of the said
Ranch are as follows; lying and being situated in
the County and State aforesaid beginning at the
"papo Bartolo" of the River San Gabriel where an
Alsea Stake was fixed running due East 2200
varas to an Alsea tree cut & marked as a land

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mark. Thence East 11° North 3300 Varas to the
Old Santa Ana Road, where Alder Stakes were
fixed on each side of the Road; Thence East
18° South along said Road 10.600 Varas; to high
5 table land, where a stake was fixed and which
point divides it from the Ranch of the "Coyotes".
Thence West 30 1/2° South 16.600 Varas to the Sanjo
de la Agua de los Nietos, where Alder Stakes were
fixed, which Sanjo is a dividing line, and a ca-
na is there made for the Ranches of the Coyotes
& Nietos; Thence West 18° North 6050 Varas to
the River San Gabriel where was placed an Alder
Stake; Thence North and up said river 10.400 Varas
to the place of Beginning, containing within said
boundaries five leagues of grazing Land (cinco de
ganado Mayor) a little more or less;

That said Lands have never been surveyed and
certified by the Surveyor General -

That your petitioner does not know of any interfering
claim or grant, or possession, except that heretofore
mentioned, the nature and extent of which he is
unable as yet to state

For the support of his claim your petitioner relies
upon the documentary evidence, to wit; a fac simile
copy of the "Expediente" containing the official
& other correspondence and petition precedent to
and connected with the said grant of Jose Figueroa,
which copy was taken from files in the
Archives of the Government by the Surveyor General
and bears his certificate, which is accompanied
by a true translation in the English language
a fac simile copy of the said grant made by
Jose Figueroa (Alcalde) & certified by the Surveyor
General and accompanied by a true English
translation; a copy faithfully taken by your
petitioner of the act of judicial possession to
Jose de Lota; copy of the deed of conveyance
from Jose de Lota to Samuel Carpenter; copy of
the act of judicial possession given to your
petitioner; All of which copies are accompanied
by correct English translations of the same; which
said documents are filed with the Secretary of
your Honorable Board.

Your petitioner will offer in
further support of his claim verbal proof of

5- Documents executed about the year 1843 by Governor Manuel Micheltorena and Municipal Authorities of this then District of Los Angeles giving to said Josefa Lota full powers to make said Deed of Conveyance to your petitioners which said Documents are lost.

And the said Claim will be accompanied with the necessary Oral testimony, when the cause is called up for hearing. Your petitioners avers that all the conditions of the title or grant made to Josefa have been fully and faithfully carried out All of which is respectfully Submitted

Samuel Carpenter

By
Scott and Hanger
his Attys

Filed in Office Sept. 11th 1853
Geo. Fisher
Secy

Recorded in Record of Petitions Vol 1 pages
237. 238. 239 & 240

Geo. Fisher
Secy

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Dep. of Tomas
S. Colima

Los Angeles Oct. 23rd 1853
On this day before Commissioner Hildand Hall
came Tomas Sanchez Colima, a witness on behalf
of the Claimant Samuel Carpenter petition No. 387
and was duly sworn, his evidence being interpreted
by the Secretary -

The U. S. Associate Law Agent was present
In answer to questions by Counsel for Claimant
the witness testified as follows

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My name is Tomas Sanchez Colima my age is forty
eight years, and I reside at Los Angeles. I am the
Native of California

I am acquainted with the Rancho Santa Gertrudis
it is in the County of Los Angeles about three
leagues from this place in a Southern direction -
I have known the Land since my boyhood. It was
occupied by Manuel Nieto as long ago as I can
recollect. Manuel Nieto died some years ago I
cannot tell how long. After his death his children
occupied it, Samuel Carpenter bought it of the
widow of Antonio Maria Nieto, a son of Manuel
Nieto & has occupied it ever since that time
The Nietos lived on the place, had houses &
small stocks of horses & cattle. Mr Carpenter
lives on it now, has horses & cattle & cultivates
the Land. I am an adjoining neighbor to him

Question by the Associate Law Agent
Have you known of any adverse claim to the
Land

Answer. No.
Tomas Sanchez Colima
sworn and subscribed
Before me Hildand Hall
Comm

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Filed in Office Oct. 23. 1853
Geo. Fisher Secy

Recorded in Ev B Vol 2 p 137
Geo. Fisher Secy

8
Deposition of
Abel Stearns

Los Angeles Nov. 11th 1852

On this day before Com^r Ireland Hall came Abel Stearns, a witness in behalf of the claimant Samuel Carpenter, petition No. 339 and was duly sworn, his evidence being given in English.

8 The U.S. Associate Land Agent was present

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

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My name is Abel Stearns, my age is fifty four years and I reside in Los Angeles. I have resided in California over twenty three years

A paper is now shown me purporting to be a grant to Josefa Cota dated May 22^d 1834. I am acquainted with the hand writing and signatures of Jose Figueroa & Augustin V. Lamorano. Their signatures on said grant I believe to be genuine. Said paper is hereto annexed & marked H. H. No. 1

A paper is also shown me purporting to be a testimonial of judicial possession given in 1835. I am acquainted with the hand writing & signatures of Rafael Guizado, Dolcario Sede, Domingo Romero Manuel Arzaga, and Hugo Reid. Their signatures on said paper I believe to be genuine. Said paper is hereto annexed & marked H. H. No. 2. Said Guizado at the date of said possession was acting Alcalde

A paper is also shown me purporting to be a transfer from Josefa Cota to Samuel Carpenter dated 31st December 1843. The signatures of Antonio Coronel & Juan Temple, appearing on said paper with which I am acquainted, I believe to be genuine. My own genuine signature is also on said paper & was placed there at the time it purports to have been. Said coronel was an acting Alcalde at the giving of said possession and I was an assisting witness. Said paper is hereto annexed & marked H. H. No. 3

Another paper is also shown me purporting to be a testimonial of judicial possession to Samuel Carpenter given in December 1843. I am acquainted with the signatures of Vicente Sanchez Ignacio

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Coronel & Felipe Castillo & their signatures on said paper I believe to be genuine. Said Sanchez was an Acting Alcalde at the date of said paper — It is hereto Annexed & Marked H. H. No 4.

A paper is now shown me containing sundry documents relating to payments made by said Carpenter to Josefa Cota. I am acquainted with the signatures of Josefa Cota, Juan Munso, Leonardo Cota, Samuel Carpenter, Antonio F. Coronel, Juan Abila, Rafael Gallardo, Ignacio Coronel, Juan Bandini, Francisco Ocampo, Feliciano Tapia and Vicente Sanchez. The names of these several persons appearing on said paper I believe to be their genuine signatures. Said paper is hereto Annexed & Marked H. H. No. 5.

A paper is also shown me purporting to be a certificate of Josefa Cota by Leonardo Cota dated 15th of February 1847. I believe the signature of Leonardo Cota to said paper to be genuine — It is hereto Annexed & Marked H. H. No 6

I know the Rancho called Santa Gertrudis. It is in the County of Los Angeles about four leagues from this place in an easterly direction. Josefa Cota was in possession of the Land when I came to California & was there when I assisted in giving judicial possession, and remained there until her transfer to Samuel Carpenter, since which time until the present, said Carpenter has been in possession. Samuel Carpenter and Samuel Carpenter are the same person. I was acquainted with Josefa with Josefa Cota. She had a family of children I heard her say before the sale to Carpenter that she wished to sell the Rancho to raise money to pay debts and buy a small place, she being unable to occupy that to advantage. I think such sale by her, in the situation of the family, was proper and necessary. The children were I believe all about home at the time of the sale & I think they must have known & assented to it. I heard of no objections by any of the family. Carpenter paid four thousand dollars for the Rancho as I understand which was at the time considered as a high price for the land. Soon after the sale Josefa Cota purchased a house and conveyed in the vicinity of

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of the city, which I think must have been obtained with a part of the money received from Carpenter. That place is now occupied by some of her children, she having deceased some three or four years ago. When an estate of a deceased person was to be sold, it was usual when there was a Fiscal in the Territory to consult him & when not the Governor or Prefect to obtain their approbation. It was the duty of an Alcalde before whom such a sale was made to enquire into the propriety of it where minors were interested. When an Alcalde allowed & sanctioned a sale, I should think it would be presumed that the necessary steps had been taken. Such I understand to have been the custom in California. In the case of the sale by Josefa Cota, Antonio Coronel was Regidor acting with Alcalde Josefa Cota had a house on the land in which she lived and cultivated some ground and had a small number of cattle. Carpenter has considerable land under cultivation, well fenced, has built a new house and has a small stock of cattle and horses.

Question by Associate Law Agent
 Would Josefa Cota have had any right of property in the land as widow, without the grant from Governor Figueroa

Answer. She would have a right of dower by the Mexican Law as I think

Do you know anything of the will of Antonio Maria Nieto the husband of Josefa

Answer. I do not
 Abel Stearns

Sworn & Subscribed
 Before me Helanus Hall Comd

Filed in Office Nov. 11th 1853
 Geo. Fisher Secy

Recorded in Ev. B Vol 2 p 267
 Geo. Fisher Secy

Dep. of A. F
Coronel

Los Angeles Nov. 13th. 1852

On this day before Com^o Alonzo Hall came A F
Coronel a witness in behalf of the claimant Saml.
Carpenter petition No. 339 and was duly sworn
his evidence being given in Spanish and interpre-
ted by the Secretary.

The U. S. Associate Law Agent was present
In answer to questions by counsel for the claimant
the witness testified as follows

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My name is Antonio F Coronel, my age is thirty three
years & I reside in the city of Los Angeles

A paper is now shown me purporting to
be a transfer from Josefa Cota to Samuel Carpenter
to which my signature is affixed, said paper
being marked 44 No 3. And annexed to the depo-
sition of Abel Stearns heretofore taken in this case
I was Alcalde and acted as such at said sale
and transfer. Josefa Cota in 1843 had the Rancho
Santa Gertrudis, at which time the Rancho being
abandoned, Lego & Stearns were about to denounce
the Land, which she learning endeavored to sell
and Samuel Carpenter having offered to purchase
it, she applied to me as Alcalde to authorize
the sale. This I refused to do as the title contained
a clause prohibiting the sale. Whereupon she
applied to Governor Micheltorena who sent me
an official Order in writing, to authorize the sale
which I did, as appears by the present paper

In cases of sales, if the property belongs of
right to the deceased husband and there were
minor heirs, tutos were appointed for them -
the property may then be divided among them
according to their agreement - The property was
sold if there was no objection made by any of
heirs, either judicially or Extra judicially - The consent
of the heirs, if of age must be given to a sale, or
of the tutos of those under age. All the heirs gave
their consent in this case separately to the sale -

Those who were of age gave it, in person & the minors
by their mother who was their tutor. I was acqu-
ainted with the family of Josefa Cota & with
their circumstances, they were very poor and the
land was liable to be denounced immediately
and Governor Micheltorena did a great favor to.

the heirs in allowing them to sell -
I think Leupenta paid about four thousand
dollars for the Land. It was the full value
of the place at that time, as I think.

A. F. Corneel.

Suon & Sulesulewa

Bijus me

Alanco Hall

Comr

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Filed in Office Nov. 12th. 1852

Geo. Fisher Secy

Recorded in Ev. B Vol 2 p 384

Geo. Fisher

Secy

1833

N.º 26. 27. y 28.

N.º 26.

Expediente

Relativo à los linderos del Rancho de Sta
Teresa que posee el Ciudadano Juan José Nieto.
103.

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339.

On the side follows a map or plan of the "Paraje"

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 No. 8. Tengo el honor de pasar á manos
 Monterey Marzo 23 de 1833. de V. S. la adjunta representacion que
 Informe la Secretaria. me hizo en 19 de Enero pp^o el C. Juan
 Figueroa. José Nieto poseedor del rancho de
 Sr. Jefe Superior Político Sta Gertrudis contigue al pueblo de
 En esta Secretaria he N. S. de los Angeles. Esa solicitud
 encontrado una instancia que repetidas veces se me "hecho al
 del Ciudad^{no} Juan José Nieto palabras es reducido: a que como
 de 26 de Marzo de 1821. Gobernante del territorio desde el
 con la que acompaña otra año de 25 hasta el de 31. impuesto
 de 23 de Enero del mismo de lo que acerca del mencionado
 año que debidamente runcho se ha versado, certifique cuales
 agregue a este expediente son los linderos de el i que es as
 por tener referencia con mismos son los que se le demarcaron
 la nueva pretension de a que los anteciores de Nieto por
 19 de Enero ult^o que da concecion del i on Sr Gobernador
 materia y ademas recien Pedro Pajes. El asunto es de
 riendo los legajos de importancia para el interes de
 Archivo antiguo en el C. Juan José Nieto, mas como en la
 año de 1785 y Setu Mitsepoca presente no halla sido i mi
 en su solicitud de 26 de acause el archivo del tiempo de
 Marzo aparecen el mi Gobernador Gobierno anterior
 Borrador de continencia ni del de Pajes, ni tampoco con
 nes del Sr. Pajes la com erro en la memoria presante lo
 unificacion que hace alque en la materia podria certificar
 Sr. Arillaga en 20 de Mayo por a certudo dir firme a
 Norte. de 1785 que entre V. S. en los terminos que lo hayo
 otras cosas dice lo que para que el Solicitante puebla
 copia = Los ganados obtener el testimonio que correspi.
 Van aumentandose de onote. Soy de V. S. su mas atento
 suolo q. si enoto se pue Sub ordinado. Dios y
 do a varios dar la al Libertad. Presidio de San Diego
 una atencion, me han 15 de Febrero, de 1833.
 pedido algunos sitios José Maria de Escañón.
 que las he concedido Sr Comand^{te} y Jefe Superior Político
 interamente como su del territorio Don José Figueroa.
 à Juan José Dominguez Monterey.
 Soldado que era del Presidio de S. Diego que tiene en el
 dia cuatio manadas de Gueptas y como doscientos rees
 en el rio abajo de S. Gabriel del à Manuel Nieto por
 igual Coera el se la Sanja, Camino real de dicha
 Mision para el olideno y à los hijos de la viuda Ignacio
 Canillo en el del Arroyo suavto con sipio al anteciente
 bajo las ordenes de que se han de exisar de rodear
 lo continuamente entre Dos. D. S. Esta es cuento me

me ha sido posible averiguar nos que lo tengo para del
Archivo de esta Secc. que el Sr. citante - turia de mi
cargo en cumplimiento del Superior decreto de V. G.
antecebe. Monterrey. Abril 10 de 1833.

Agustin V. Zamorano.

Monterrey. Abril 16 de 1833. Con agregacion a los aut-
-ecientes a que se refiere el informe de la Secretaria
remitase este Expediente al interesado sobre cartado por
esta vez al Alcalde Constitucional del pueblo de los tuzes
-eles para que le dé cuenta con prevencion de que en igual
caso al previene, ocurra el interesado por si o por apod-
-erado a diligencia los negocios que le ocurran con este
Gobierno. Asi lo decretó y firmó el Sr. Jefe Superior Político
de este territorio de que doy fe. Figueroa.

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Agustin V. Zamorano. Snio.

Sr. Comte General C. José M^a de Echeandia.

Juan José Nieto dueño del rancho de Santa Gertrudis
vecino auxiliar del pueblo de S. de los tuzes; por-
-rado a las plantas de V. S. con el debido respeto y reveren-
-cia me pido Suplico a V. S. me haga la cortedad de dar
me una constancia o documento del papel que autorizó
-rante pedí de V. S. sobre los linderos de mi rancho que
V. S. se sirva hacerme la gracia por haberse estroviado el
de mi dho padre Manuel Nieto Perez que me fue acordado
por el que gozaba el fin^o Sargento retirado José Maria
Venolago a quien legalmente se les dio por gracia con
mi dho. padre como fundadores que fueron de este terri-
-orio. Por tanto a V. S. pido y suplico encarecidamente
por medio de su bondad concederme lo que expongo
estendiendolo la presente en papel comun por no haber
en el lugar de ninguno Sello, de cuya gracia quedare
para siempre agradecido.

S. Gabriel 14 de En^o de 1833. Juan José Nieto.

Señor Jefe Superior Político del territorio.

El Ciudadano Juan José Nieto residente en el rancho
de Santa Gertrudis de la Alta California con sus tres
hermanos José Antonio, Antonio Maria, y Maria Manu-
-ela Nietos, ante la sabia y alta penetracion de V. S.
se presentan con el derecho que les permite, exponiendo
que desde el feliz año de 1784 se servia la Superintendencia
del Señor Gobernador Don Pedro Pages quien en nombre
de la nacion se dio la concepcion del dho Repetido
Rancho como es claro y patente de linderos son del rio
de Santa Ana, hasta el rio de San Gabriel y del camino

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real asta la Playa al finado mi padre Manuel Nieto pero mi Señor Jefe Superior hay que añadir que en el fable cimto de mi finado padre faltaron los documentos que acreditan dicha concepcion firmados por dicho Señor Jefe quien en igual año hizo la misma gracia al Ciudadano Gabriel José M^a Berolugo, y habiendose verificado este estabio solo nos queda el nombre subscrito de dichos y solo clamamos al existenciano zelo de V.S. nos confirme o autorice el repetido sitio, para que tengamos en nuestro poder y sostener con el mejor lapso nuestros ciertos caudales y que logren el mejor exito nuestros sucesores. Por tanto A. V. S. Puedan y Suplican reverentemente el que con la Creativa y prudencia vos conceda la gracia que este nuestra instancia solicitamos, si hacerlo hayase de Justicia en q. vos reconocemos sumam^{te} agradeceolos.

Pueblo de los Angeles 25 de Marzo de 1827.

Juan José Nieto.

Pueblo de los Angeles.
25 de Enero de 1827. Sor. Alcalde Constitucional del pueblo El concurrido en esta de Nuestra Señ. de los Angeles. instancia se le ha exigido El Ciudadano Juan José Nieto por panga de manifiesto y a nombre de sus tres hermanos algun documento de Antonio Maria y Sargento retirado las autoridades estable. Guillermo Cota a nombre de su esposa - ciolas en esta Provincia M^a Manuela Nieto y José Porcino de la Alta California et con el debido respecto a suponer. Y donde luego se conoce Abierdo llegarlo a nuestra noticia no tiene ninguno que se que el sire en da ctano Antonio Machado acredite en lo que llevo y el de su clace Antonio y na es espuesto respeto que la Abila, han solicitado terrenos en concecion que obtiene y nuestro Rancho por cuyo motivo nos en esta virtud nos se le hemos obligados a sponer en su puede cumplir un de consentimiento que dichas tierras fueran - creto que autorice su conestidos a nuestro finado padre espíritu. En el archivo José Manuel Nieto, por los servicios que existe en esta Seutye tenia cono es tarumarlos archivos - uria. no consta ningunotante cuyo tiempo asta la presente documento que acredite dicho terreno. nos asta abarrobarado dicha solicitud: yamos y si otendido con el cuidado debido. Si meban^{te} tiene ganados El año de 25 por orden del Sor. con que cubrir los citios Gobernador Don Pablo de Bicerente a comulados a la prop. de sola nos univolo que use taruamos - iedad, es efectivo que la caballada de nuestro sitio y dese son en calidad de integro ejecutarlo asi en dicho año serviamos

En la quincena de despartidos dicho rancho y no siendo esta comarca hay en nosotros suficientes fuertes para montar adanos con la cantidad tan preciso numero de caballeria nos com y n que de su propiedad venimos con la Misión de San Gabriel Cuenton de ganado p^a efectuar lo obrado facultad p^a que vacuno y caballar. Pasturar sus bienes en nuestro rancho como aver la presente e Muxus amista

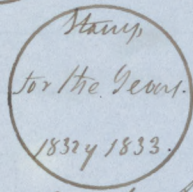
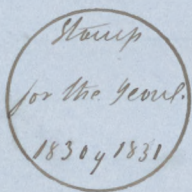
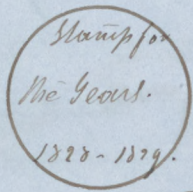
Coruas Gorba. - solamente pasando y tenemos suficientes ganados para cubrir. Por tanto A. N. Suplicamos respetivamente se sirva elevar esta nuestra instancia asi como del Sr. Comand^{te} General. Conviene

acemos presente el numero de nuestros familias y por todos los dias 26 personas y por cuyo fin Sr. pedimos para conserve dicho terreno por nuestro poder para su mantencion nuestra. gracia que esperamos Dem. Pueblo de nuestra de los Angeles 23 de Enero de 1827. = Es el menor de sus Subditos que alt^o Sr. M. B. y por no saber escribir lo hizo con una cruz + y Avez. firmo por mi al Ciudadano Esteban Lopez. Arroyo de Juan Jose Nieto. Manuel Lopez.

Si al antecedente Juan Jose Nieto le faltase ganado para cubrir su rancho, este dicitio de mi cargo para el proximo hermande se presentara vista de un hombre bueno puesta de su parte para que reciba, y otro de esta Misión para que entregue todo aquel ganado de hee suficiente para cubrir el sitio. Misión de San Gabriel. 23 de Enero de 1827. Fr. Jose Sanchez.

Sello tercero (seal) de los Reales.

Para los años de mil ochocientos veinte y seis y mil ochocientos veinte y siete.



Sr. Jefe Superior Político.

El Ciudadano Luciano Guz abba natural del Estado de Sonora y abeuidando en este territorio con pvais bastana del Ciudadano Juan Jose Nieto cuyo derecho y de cinco

San Diego 24 de Julio de 1833. represente a V. S. con el debido respeto Vista la peticion vista y por el ocuso mas oportuno hayo cia; suuido por notoriedad presente que en el año de De 1782, publica la posesion pasi se fue concedido un parage por el Sr. -fica y yaunas interump. Gobernador Don Pedro Fages a -pida con que Manuel Manuel Nieto la posesion de terreno Nieto y sus herederos hanq. Dem. el dicitio q. Con el debido disputado de los terrenos respeto dar. Quiu habiendolo fundado

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the paper is mounted to the book

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demarcarlos en el dicto
 visto el expediente en que linderos entre quienes habo cubaco mi
 consta la concecion de poder ante seguiseron en pacifica posesion
 otro terreno hecho por el ocupando dicho terreno como legitimos
 Gobernador D^o Pedro propietario; que en este estado se han
 fajes al mencionado referido mas ha de veinte y nueve años
 Nieto, con todo lo demas en terreno hasta la fecha con de
 que se tubo presente y corumpidos en el goce de sus derechos
 por lo mismo: de total ya buena cuenta estarian los titulos
 conformidad con las leyes que legitimaran la propiedad del terreno
 y placentos de la m. ocurrio varias veces al Jefe Superior
 -teria y con Jugecion Politico para que en virtud de las con
 a las condiciones que - tancias existentes en el heredo se le
 señalen, se declaran espedito nuevo titulo mas cubaco
 otros en propiedad de sus ocario, hasta que la voluntad
 a Don Jose Nieto de los de V. S. se sirva atenderlo librandole
 parages nombrados testimonio de la unica constancia que
 los Colloytes, llamados en el heredo pues que es
 y Palo. s. a D^a Manuela bastante a combener la legitimidad
 Nieto de los Territos; a con que ha proido el mencionado
 Dona Josefa Cota Viuda como se ve segun en el expediente
 de D^a Antonio Maria y respectivamente a ocuparon en 5
 Nieto, de Santa Teresita de las Flores, asin de que claudole
 a D^a Catarina Ruiz por bastante y legal se sirva en en
 viuda de D^a Jose Antonio Moritan de Justicia como se lo suplico
 Nieto del parage de las librarles el titulo correspondiente y man
 -bras. Librese los - los dar que se les dio posesion Juridica
 Correspondientes - visue que deseo de que todos los herederos
 dar la posesion Juridica fruten de la merced concedida
 que pretenden: hazase a la finado padre Suplico de V. S.
 saber a las partes: y que si no hubiese incombienete se
 a que no se puedan est expedir por separado los titulos de la
 - ender los titulos toda parte que a cada una corresponde
 estar en la Capital, lib segun queda demarcado en el mis
 - rese provisionalmente disenio en estos terminos. el
 un testimonio certificado parage de Dona. Santa Teresita
 de este decreto para que parara D^a Josefa Cota y sus hijas
 entre tanto les sirva a como viuda del finado Antonio
 resguardado a los hijos Maria Nieto: el parage de las balsas
 - avolas. El Sr. Don para Dona Catarina Ruiz y sus
 Jose Figueroa Jefe Sup^o hijos como viuda de el finado
 Politico de este territorio Jose y Antonio Nieto: el parage de
 asilo cuando, decti los Territos para D^a Manuela Nieto
 y firmo de que doy fe y el rato en que se comprenden las
 Jose Figueroa. parages nombrados los Coyotes, llamados
 Agustín V. Carrasco. Srd.

pu. (The original paper is worn off to this extent. Luis) alta
v. para mi poderante D^{no} J. José Nieto, quien como
cavasa a familia ha resuelto efectuar esta particion
en beneficio de sus de susoludos y para evitar todo motivo
de testigos poble encaucadamente de posecion a euolo unvole
la parte que le corresponde en tal concepto. A V. S. Suplica
se sirva aceder a mi sollicitud en que recibire gracia y
justicia q. implore. Juro no ser de malaicia y lo necesario
d. San Diego veinte y seis de Julio de mil ochocientos
veinte y tres. Luciano Frijalva.

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Sello tercero (Place of the Stamp) Los Angeles.

Para los años de mil ochocientos veinte y seis y ochoci-
-entos veinte y siete. = Montaney. Diciembre 21 de 1833.

In the
original Stamp
of the
year 1833

year
1830 & 1831
Stamp

Year 1830
& 1831 Stamp

Cumplase lo mandado en el antecedente
decreto, espidiendose los titulos en prevencion de
que por ellos se les de la posecion Juridica, respecto
a que la antigua y dilatada posesion y posecion
que tienen de ellos. El Sr. Don José Figueroa Genl.
de Brigada y Comand^{te} Gnal, Jefe Superior
Politico al Territorio, asi lo mande, decreto y
firmo de que doy fei.

José Figueroa. Agustín M. Navarro.
Luis.

José Figueroa General de Brigada de los Ejer-
-citos nacionales Mejicanos, Comandante Genl Inspector
y Jefe Superior Politico del territorio de la Alta California.

Sta. p. 25.

Por cuanto Don Juan José Nieto ^{hijo} acredita
su derecho a la testamentaria del finado Manuel Nieto
y tomando en consideracion la antigua y pacifica posecion
que aquel tiene del paraje conocido con el nombre de los
Coyotes, colindante con el de Sta Gertrudis, los Seritas, los Al-
-amitos, las Balsas y el rancho de Patricio Ontiveros, practi-
-cadas previamente las diligencias y averiguaciones con-
-venientes, segun lo dispuesto por las leyes y reglamentos
usando de las facultades que me son conferidas por decreto
de 24 de Julio del año anterior a nombre de la uncion
Mejicana he venido en declarar he la propiedad de dicho
paraje y de que se le ponga en pacifica posecion p^r las pres-
-entes letras con entera conformidad a lo dispuesto p^r las leyes
y sujeto a las condiciones siguientes.

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1^a Que se sometera a las q. estableciere el reglamento
que se ha de formar pa la distribucion de terrenos Validos
y que entretanto si el agraciado, si sus herederos podran
dividir ni enagenar el de que se hace mencion; imponer

Censo, vinculo, fianza, hipoteca ni otro gravamen aunque sea por causa piadosa, ni pasarlo á vivos muertos.

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2^o Podrá cercarlo sin perjuicio de las traversías caminos y servidumbres lo disfrutará libre y exclusivamente destinando lo al uso ó cultivo q. mas le acomode: pero dentro de un año á lo mas fabricara casa y estara habitada.

3^o Podrá desde luego solicitar del Auer respectivo que le dé posesion jurídica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites podra á mas de las suohoneras algunos arboles frutales ó árboles de alguna utilidad. 4^o El terreno de que se hace referencia es de diez Sitios de Juando Mayor pocos ó muchos segun explica el diseño que corre en el expediente. El Auer q. diere la posesion lo hará medir conforme á ord- enanza, p^a señalar los linderos quedando el sobrante que resulte á la Maicion p^a los usos convenientes.

5^o Si contraviniere á estas constituciones perderá su derecho al terreno y sera denunciado por otro.

En consecuencia mandado que se le entregue el presente y teniendose p^r firmé y valedero de tome rason su el libro respectivo a que corresponde y se le entregue al interesado para su resguardo y demas fines. Dado en Montornay á 22 de Mayo de 1832. = José Figueroa. Agustín V. Zamorano. Secretario. =

A la p. 29.

José Figueroa General de Brigada de los Ejercitos Nacio- nales Mexicamos, Comand^{te} General Inspector y Jefe Superior Político del territorio de la Alta California.

Por cuanto D^a Manuela Nieto, tiene acreditado su derecho á la testamentaria del finado Manuel Nieto y teniendo en consideracion la antigua y pacifica pose- sion que tiene del paraje conocido con el nombre de los Herritos, colindante con los parajes de S. Pedro, Sta. Gertrudis, los Coyotes, los Alamitos y la Costa del Sur, practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por las leyes y reglamentos usando de las facultades q. me son conferidas por decreto de 24 de Julio del año anterior; á nombre de la nacion Mexicana he venido en declararle la propiedad del referido paraje y de q. se le ponga en pacifica posesion p^r las presentes letras con entera conformidad á lo dispuesto p^r las leyes y sujeta á las condiciones siguientes.

1^o Que se conviniere á los que estableciere el regla- mento que se ha de formar para la distribucion de terrenos

Calotios y que entretanto ni la agraciada ni sus herederos
 podrán olvidar, ni enajenar el terreno de que se ha echo
 mención, imponer Censo, Vinculo, finura, hipoteca ni otro
 gravamen aunque sea por causa piousa, ni pasarlo
 á manos muertas. 2^a Podrá ser en lo sin perjudicar
 las traversias, Caminos y servidumbres: lo disputará libre
 y exclusivamente destinado lo al uso ó cultivo que mas le
 acomode pero dentro de un año á lo mas fabricará casa
 y estará habitada. 3^a Podrá desde luego solicitar del Jefe
 respectivo que le de la posesion jurídica en virtud de este
 despacho por el cual se demarcaran los linderos en cuyos
 limites, podrá á mas de las mencionadas algunos arboles
 frutales ó silvestres de alguna utilidad. 4^a El terreno
 de q. se hace referencia es de cinco sitios de San Bartolomé Mayor
 pido mas ó menos segun explica el diseño que corre en el
 expediente El Jefe q. diere la posesion lo hará medir conf
 dencia á ordenanza p^a Señalar los linderos, quedando el
 Sobrante q. resulte á la Nacion para los usos convenientes
 5^a Si contraviene ó estas condiciones perderá su der
 -echo al terreno y sera denunciado por otro. En
 consecuencia cuando que deviene de título el presente
 y teniendo por firme y valeroso se tome razón en el
 libro respectivo a q. corresponde y se le entregue ala citada
 -avla p^a su resguardo y demas fines. Levallo en Mont
 -reney á 3^a de Mayo de 1834. = José Figueroa. = Agustín
 N. Zambrano. = Secretario. = Montreney. Mayo
 17 de 1834. = entregase con el diseño al Expediente
 de la materia = Figueroa.
 Remito á V. S. el diseño q. demarca el terreno de el ran
 cho de los Nietos hecho en general con el orden correspondiente
 á sus linderos y arreglo á sus inmediatos segun la escala
 subscrita en el diseño por lo que suplico á V. S. retornar
 los títulos. Angeles Mayo 3 de 1834. Luciano Pajulva.
 Jefe Superior Político.

José Figueroa, General de Brigada de los Ejercitos Meji
 -canos, Comandante General, Inspector y Jefe Sup^o Político
 del territorio de la Alta California.

Mayo 30.

Por cuanto D^a Josefa Cota Viuda de Sr. Antonio
 Maria Nieto tiene acreditado su derecho á la testamentaria
 del finado Manuel Nieto y tomándolo en consideracion
 la antigua y pacifica posesion q. tiene del rancho cono
 -do con el nombre de Sta. Barbara, colindante con la
 posesion de S. Gabriel y rancho de los Coyotes y los Seritos

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practicados previamente las diligencias y actuaciones convenientes, segun lo dispuesto por las leyes y reglamentos usando de las facultades que me son conferidas por decreto de 21 de Julio del año anterior a nombre de la Nacion Mexicana he venido en declararle la propiedad del referido paraje y de que se le ponga en pacifica posesion, por las presentes letras con entera conformidad a lo dispuesto por las leyes y bajo las condiciones siguientes. = 1^a = Que se lo sometera a las que estableciere el reglamento que se ha de formar para la distribucion de terrenos baldios y que entretanto ni el ayuntamiento ni sus herederos podran dividir ni enagenar el terreno de que se ha echo mención, imponer censo, vinculo piamra, hipoteca ni otro gravamen aunque sea por causa piamra, ni pasarlo a manos muertas. 2^a Podra cercarlo sin perjudicar las travesias caminos y servidumbres, lodos fructuará libre y esclusivamente destinandolo lo al uso o cultivo que mas le acomode: pero dentro de un año a lo mas fabricará casa y estara habitada. = 3^a = Podra desde luego solicitar del Jefe respectivo que le dé posesion jurídica en virtud de este despacho por el cual se demarcan a los linderos en cuyos limites pondrá a unas de las maderas algunos arboles frutales o silvestres de alguna utilidad. = 4^a = El terreno de que se hace referencia es de linea sitiva de ganado mayor por lo mas o menos segun explica el diseño que corre en el expediente. El Jefe que diere la posesion lo hará medir con arreglo a ordenanza, para señalar los linderos quedando el sobrante que resulte a la Nacion para los usos convenientes.

5^a Si contraviere a estas condiciones perderá su derecho al terreno y será denunciabile por otro.

En consecuencia mandó que serviendo de titulo el presente y teniendose por firme y validero, se tomara en el libro a q. correspondiente y se le entregue a la notaria para su resguardo y otras juiss. Dado en Monteprey, Mayo 29 de 1832. = José Figueroa. = Agustín N. Gamorano = Secretario =

A la f. 31.

José Figueroa, General de Brigada de los Ejercitos Nacionales Mexicanos, Comandante General, Inspector y Jefe Superior Político del Territorio de la Alta Calif^{ca}.

Por cuanto D^{ca} Catarina Ruiz, Viuda de D. José Antonio Nieto tiene acreditado lo derecho a la testamentaria del finado Manuel Nieto, y teniendo en consideracion la antigua y pacifica posesion que

que tiene del puerro conocido con el nombre de las Bochas, colindante con los puerros de los Altamitas y los Coyotes, Rio de Santa Ana y la Costa, practica las previas diligencias y averiguaciones convenientes segun lo dispuesto por las leyes y reglamentos: usando de las facultades que me son conferidas por decreto de 29 de Julio del año cppto a nombre de la union Mexicana he venido en declararle la propiedad de dicho puerro y de q. se le ponga en posesion jurídica por las presentes letras con entera conformidad a lo dispuesto por las leyes y sujeta a las condiciones siguientes.

1^a Que se sometera a las que estableciere el reglamento que se ha de formar para la distribucion de terrenos baldios y que entretanto ni la agraciada ni sus herederos podran dividir ni enajenar el terreno de que se ha mencionado imponer censo, vinculo fianza, hipoteca ni otro gravamen aun que sea por causa pignorativa ni pasarlo a manos muertas.

2^a Podra serear lo sin perjuicio de las travesias caminos y servidumbres: lo disfrutara libre y exclusivamente destinandolo al uso y cultivo q. mas le acomode pero dentro de un año o lo mas fabricara casa y estera habitada.

3^a Podra desde luego solicitar del Jefe respectivo que le poseion jurídica en virtud de este despacho por el cual se demarcaran los linderos en cuyos limites podra a mas de las moyoneras algunos arboles frutales o silvestres de alguna utilidad.

4^a El terreno de que se hace referencia es de siete sitios de ganado Mayor por unos o menos segun esplica el decreto que corre en el expediente. El Jefe que tiene la posesion lo hara medir conforme a ordenanza para señalar los linderos quedando el sobrante q. resulte a la union para los usos convenientes. 5^a Si contraviere a estas condiciones perdera su derecho al terreno y sera venenible por otro.

En consecuencia usando que serviere de titulo el pasante y teniendose por firme y valdero se tomo raron en el libro a que corresponde y se le entregue a la instancia para su resguardo y demas fines. Dado en Monterey a 22 de Mayo de 1832. = José Figueroa. = Agustín V. Zamorano. = Secretario.

Sello tercero dos Reales.

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

México.

Antonio M^o Osio.

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Notaria
 Maximina de
 Monterrey.

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Señor. Prefecto de este Distrito.
 Juan B. Sembray de esta vecindad
 ante V. S.ª por el ociso mas correspondi-
 engeles. Oct.ª y dieciséis. - ante y como mas haya lugar digo:
 Como lo pide la parte que compareciendo a mi Oficio el que conste
 agreguese al expediente en los documentos anteriores relativos
 respectivo y demuestran al Rancho de los Coyotes la escritura
 que esta Prefa a la Sa.ª desenta del mismo a mi favor por
 del despacho al Gob.º D.º Juan José Nieto y del merced
 Departamental para de V. S. que se sirva agregar al título
 el Superior enviéme que le fue concedido el expresado Nieto
 y demas documentos la copia auto-
 -ridada q. debidamente acompaño:
 para que obra los efectos necesarios
 a la Seguridad en que justamente
 poseen D.º. Rancho pues en ello espero
 alcansar de V. S. la gracia que imp-
 uno de setenta y cinco mil ochocientos
 ochocientos treinta y cinco necesario. Angeles. Cete 3 de
 y nueve, ante mi 1831. Juan B. Sembray.

Argüello.

En la Ciudad de los Angeles a treinta y
 uno de Agosto de mil ochocientos treinta y cinco necesario. Angeles. Cete 3 de
 y nueve, ante mi 1831. Juan B. Sembray.

Ante mis Mostrados, Alcalde primer Constitucional
 en turno q. actua por receptoria a falta de escribano
 publico, comparecio Juan José Nieto natural y vecino
 del Rancho de Santa Gertrudis en esta Merindad y
 dijo: Que por si y en nombre de sus hijos, herederos
 sucesores y de quien de ellos hubiese título, por y causa
 en cualquiera manera, vende y dá en venta real y
 enajenacion perpetua por siempre ganancia, a Don Juan
 B. artista Sembray los bienes raices y sembrados de
 su propiedad en el Rancho llamado los Collotes, con
 sus su fierno y señal y con ellos, el derecho que le asista
 a dicho Rancho de los Collotes que esta en la correspon-
 -diente Comprension de esta misma Merindad y
 cuyo terreno le pertenece en posesion y propiedad y se
 compone de diez litros de Ganado Mayor suelta en los
 parages de Santa Gertrudis, los Serritos los Alamos
 las Bolsas y el rumbo de Juan Pacifico Contreras,
 fue concedido por el Gobierno al poblador Manuel
 Nieto, refrendada dicha enajenacion el otorgante en veinte
 y cinco de Julio de mil ochocientos treinta y tres por
 cuyo título le corresponde en posesion, el cual declara
 y asegura no tener otros bienes raices y sembrados, su
 fierno y señal ni su derecho a dicho Rancho vendidos
 enajenados ni enajenados y que estan libres de tributo
 memoria, Capellanía, vinculo, purgante, finura y ori-

otro gravamen real perpetuo temporal especial, general
 tacito y expreso y como tal se los vende con todas las ent-
 -radas, salidas, fabricas, centros, vinculo, usas evolumbres
 regalías ferridumbres y demas usas anexas, que ha tenido
 tiene y le pertenecen segun derecho por la cantidad de dos
 mil pesos que tiene entregados y pasaran a su poder
 real y efectivamente, siendo mil cuartoscientos peseten
 efectos, cien veces en cuatrocientos pesos y doscientos pesos en
 moneda de plata usual y corriente que con todos los imp-
 -ortaron de cuya entrega y rumbo se da por satisfecho
 el expresado Juan José Nieto que confiere haberlos recib-
 -idos como pagado de ellos a su voluntad: que por tanto
 renuncia la excepcion que pudiera oponer por no
 constar de presente la ley q. tit. 1.^o parte 5.^o formaliza en
 favor del comprador la mas firme y eficaz carta de
 pago que a su seguridad convenga y asi mismo declara
 que el justo precio y verdadera valor de los referidos
 bienes, raices y semovientes, con sus el fierro y señal y
 con ellos el derecho que le asista a dho. Dn. Donato son los
 dos mil pesos que no vale mas ni halla quien tanto
 le haya dado por ellos y si unos valen o vale, puede
 del ceso en poca o mucha suma hacer a favor del comp-
 -rador y de sus herederos y sucesores, gracia y donacion
 pura perfecta e irrevocable en su vida con interposicion
 y demas firmes legales y renuncia la ley 9. Tit. 1.^o lib.
 1.^o Nov.^o recopilacion que trata de los contratos de venta
 trueque y de otros en que hay lecion en mas o menos de
 la mitad del justo precio y los centros años que profiere
 para pedir su rescion o suplemento a su justo valor
 las que da por pasadas como si efectivamente lo estuvieran
 y desde hoy en adelante para siempre desapodera, desista
 quite y aparta a sus herederos, y sucesores del dominio
 propiedad, posesion, titulo, uso, reclamo y otro cualquiera
 derecho que le compete a los enunciados bienes. Vines
 y semovientes el fierro y señal y con ellos el derecho
 que le asista a dho. Donato. los cede, renuncia, traspara
 con las acciones reales y personales, utiles, mixtas, directas
 y efectivas en el comprador y en quien la suya representa
 para que los posea, goze, cambie, enajene, use y despo-
 -nga de ellos a su elecion como de cosa suya adquirida
 con legitimo y justo titulo. Y le confiere poder, irrevocable
 con libre, firme y general administracion y constituyese
 procurador, actor en su propia causa, para que de su
 autoridad o judicialmente se apodere de los Dominios

bienes, raices y servidientes el fiero y señal y con ellos el
 derecho a dicho rancho y de ellos tome y prenda la real
 27 tenencia y posesion que por derecho le compete: Y para
 que no necesite tomarla me pide que se le dé copia aut-
 -orizada de esta escritura con la cual sin otro acto de
 aprehension, hade de ser visto habiéndola tomada, aprehendido
 y transferido y en el interin se constituye su virrey
 tenedor y precario poseedor en legal forma. Y se obliga
 a que dichos bienes raices y servidientes, el fiero y señal
 y con ellos el derecho a dicho rancho, sean cierta segura
 y efectiva al comprador y a los suyos en su libre uso
 y usarse le quietura, ni moviera pleito sobre su propi-
 -edad, posesion, gozo, y disfruta ni contra ello apues-
 -era gravamen alguno y si le inquietara, moviere o
 apareciere luego que el otorgante y sus herederos y
 sucesores sean requeridos conforme a derecho, saldran
 a su defensa y lo seguiran a sus expensas en todas
 instancias y tribunales hasta ejecutarlo y dejar
 al comprador y a los suyos en su libre uso y quietura
 y pacifica posesion y no pudiendo lo conseguir daran
 otros equal en litio y venta y comodidades y en su defecto
 le restituyeran la cantidad que ha desembolsada, las
 mejoras, utiles precisas y voluntarias que a la sazón
 tenga el mayor valor y estimacion que con el tiempo
 adquiera y todos los costos, gastos, lites intereses o
 menos eabos que se le siguieren e irrogaren por todo
 lo cual se les hade poder ejecutar solo en virtud de
 esta escritura y juramento del que la posea o de quien
 le represente en quien oviere su importe y le reuera
 de otra prueba. Y a la observancia de todos los requisitos
 obliga su persona y bienes habidos y por haber
 renuncia las leyes de su favor y defensa con la general
 del derecho en forma y confiera amplio poder a los
 tres. Pues que de este negocio daran conocer conforme
 a derecho para que le aprehien a su cumplimiento
 como por sentencia definitiva de juez competente
 pasada en autoridad de cosa juzgada y consentida
 que por tal lo recibe y lo firmo con miyo y los de
 mi asistencia, siendo testigos instrumentales, Don
 José Ant^o Ramirez, y Don Manuel Pequena de esta
 vecindad. = Antonio Muechado. = aruego y encargos
 del otorgante = Mathias R. Roblar. = abo. = N.
 M. de Regor = abo. Narciso Botello. = Instrumentales
 J. Ant^o Ramirez. = Instrumental Manuel Pequena

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La carta = testigos = no vale = Con unida con su original
 a que me remito que existe protocolado en el libro de
 instrumentos publicos llebado en ambos susgados en
 el presente año. Esta fielmente sacada, enrejada y en
 mendada, enenta en estas 6 foyas de papel comun
 por no haber del sellado respectivo. que autorizo y
 firmo con los testigos de mi asistencia en la ciudad
 de los Angeles del Departamento de California a los
 treinta y un dias del mes de agosto de mil ochocientos
 treinta y nueve. En testimonio de verdad = Antonio
 Machada = asst. Ignacio Palomares. asst.
 Narciso Boretto.

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Ignacio M^o Alvarado Juez 2^o de paz de esta Ciudad
 - ad. al.
 Certifico que la presente copia es fielmente sacada del
 testimonio de la escritura original y para consta lo aut
 - orizo y firmo con los testigos de mi asistencia. Segun
 Mr. Cloppie. Angeles Cal. 4 de 1851.
 Jose Maria Alvarado. asst. Felipe Castillo.
 Francisco O'Campo.

Office of the Surveyor General of the United States
 for California.
 Samuel D. King, Surveyor General of
 the United States for the State of California and as such
 now having in my office and under my charge and
 custody a portion of the Archives of the former Spanish
 and Mexican Territory or Department of Upper Calif
 - ornia, do hereby certify that the thirty six pages of the
 - ring paper preceding and herunto annexed, and
 each of which is verified by my initials (S. D. K.) exhibit
 true and accurate copies of certain documents now
 on file and forming part of the said archives in
 my office.

In testimony Whereof I have herunto
 signed my name officially and affixed my private
 Seal (not having a seal of office) at the City of San
 Francisco Calif. this twentieth day of October A.D.
 1851.

Samuel D. King.
 Surveyor G. Calif.
 Dec. 16. 1851. paid.

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Filed in office Sep^{or} 11th 1852.
 Geo. Fisher. Secy.

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Translation of Expediente

I have the honor of passing to the hands of your Excellency, the accompanying representation which the Citizen Juan Jose Nieto has made me on the 19th of January last, who is the possessor of the Ranch of "Santa Gertrudes" contiguous to the Pueblo of Our Lady of Los Angeles.

This request, which on various occasions he has made me by word, is reduced to this, that the Government of the Territory from the year 25 to that of 33, informed of all that concerns the Ranch referred to, has been conversant of it; he certifies what are its boundaries; and what the same were viz: they are those that were designated to the Ancestors of Nieto by grant of the Gov. D. Pedro Fajis. The subject is one of much importance to the party interested Citizen Juan Jose Nieto; but up to the present time, there has not been or I have not met the Archives of the period of my former Government; nor is it preserved in the memory precisely what could be certified.

I have to direct myself for direction upon the subject to your Excellency in proper terms, in order that the petitioner may obtain the corresponding testimony.

I am your Excellency's Most Obedient
Servant. Gov. & Secy.

Presidio of San Diego Feb 15th. 1833

Jose Ma. de Echeandio

Sr. Commandant General and Superior Political
Chief of the Territory. Don Jose Figueroa: Monterey

Monterey March 23rd 1833

Report to the Secretary's Office
Figueroa

Superior Political Chief
In this Secretary's Office I have met with a petition of the Citizen Juan Jose Nieto of the 26th of March 1837, and with it an accompanying Ordinance of the 23rd January which is closely joined to this Expediente, to have reference to the new claim of the 19th of January past, which presents the matter; and moreover according to the bundles of the Ancient Archives, in the year of 1784. to which Nieto in his petition of the 26th of March refers,

There appears a rough draft of contestations of the
Senor Fajes, the communication which he makes
to Sr Arillaga on the 20th of November 1784
which among other things says what follows,
copied therefrom:

"Cattle acquit in such a manner that it is
necessary to various persons to give them some
attention; they have asked some tracts of land
which I have granted to them temporarily, as is
granted to Juan Jose Dominguez who uses as
soldier from the Presidio of San Diego, that has
at this day four bands of mares, and about 200
cattle on the river below from San Gabriel; and
to Manuel Nieto for equal reason I have granted
that of the "Sanja" on the travelled road from
San Mission, according to the diagram, and to the
sons of the widow Ignacia Carrillo, in that of the
Arroyo Honda, contiguous to the farms; under the
orders that they shall take care to give frequent
roads between the two &c."

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This is what it has been proposed for me to
obtain from the Archives of the Secretary's Office
under my charge, in fulfilment of the Superior
decree of N. E. that precedes

Monterey April 1st 1833

Augustin V Zamorano

Monterey April 16th 1833

With the collection of the preceding, to which the
reply from the Secretary's Office refers let this
Expediente be remitted to the interested Agent, by
virtue of his Office to the Constitutional Alcalde
of the Pueblo of Los Angeles, that he may give
him direction, with advice as to what is proper in
a case like the present; the party interested may
proceed by himself or an attorney to take legal
proceedings in the business which directs him to
this Government. Thus decreed and signed the Sr
Potestado Superior Chief of this Territory, which he
attests.

Figueras

Augustin V Zamorano

Secy

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Dr Commandant General

Citizen Jose Ma. de Escheandia

Juan Jose Nieto owner of the Rancho of Santa Gertrudis, immediate neighbor of the Pueblo of our Lady of Los Angeles, humbly and with all due respect which I owe, supplicate of You that you will render me the kindness to give me a document (O' constancia) of the paper which heretofore I asked of You concerning the boundaries of my Rancho which by You was pleased to obtain for me, for the reason that it had been lost from my deceased father Manuel Nieto Perez, which was given to him, who enjoyed it with the late retired Sergeant Jose Ma. Verdugo, to whom equally was it given the favor with my father, as pioneer or founder of this Territory. Whereas I ask and supplicate of your Honor to kindly from your Natural goodness to grant me that which I look for, dispensing with this common paper for want of the sealed for which favor I will remain as always your much obliged

Juan Jose Nieto

San Gabriel 19th Jan. 1833

Dr Superior Intelectual Chief of the Territory

The citizen, Juan Jose Nieto established in the Rancho of Santa Gertrudis of Alta California, with his three brothers Jose Antonio, Antonio Ma, and Ma Manuelos Nietos in presence of the wise and high intelligence of You, represent with whatever sense of Justice is permitted them, and asuring that since the happy year of 1784 The Superior Governor Don Pedro Fages was pleased in name of the Nation to give concession to the Rancho referred to, as is clear and evident, the boundaries of which are from the river of Santa Ana to the river of San Gabriel and from the mountains to the sea Coast granted to my late father, Manuel Nieto; but my Lord the Superior Chief, there is to add that in the establishment of my late father the documents which prove said Concession, signed by said Senior Chief are lost; which were signed the same year that he rendered the same favor to the citizen Donalicio, Jose Ma Verdugo, and the this loss having been proven, there only remains to us the settled name of the owners, and we only beseech the

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Christian zeal of N. H. to confirm or authorize to us the "Santa Gertrudes" tract, that it may appear in our power, that we can sustain with better spirits our limited means, and that our Successors may obtain it by a final result or termination.

Wherefore we ask of N. H. humbly that it may please your worthy Charitable presence to grant us the favor which we solicit in this our petition if it may be just, and we deem ourselves very much Obligated.

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Pueblo de Los Angeles 25th of March 1830
Jose Juan Nieto

Sena Alcalde Constitutional of the Pueblo of Our Lady of Los Angeles:

The Citizen Juan Jose Nieto for himself and in name of his three brothers Antonio Ma. and the retired Burgués Guillermo Coto in the name of his wife Ma. Manuela Nieto and Jose Antonio, with all due respect represents; We having received information that the Citizen Antonio Machado and one of the same class, Antonio Ignacio Abala have solicited Lanzas of our Ranch, for which reason we are Obligated to advise you that said Lanzas were granted to our late Father Jose Manuel Nieto, for Success which he had done, as appears in the Archives, from which time until the present said Land has not been abandoned, and has been kept with all due care.

In the Year 1821 by Order of the Governor Don Pablo Vicente de Solá we were Commanded to kill off the horses from our Ranch and not doing thus in said year, we should be Expatriated from the Ranch; and we not having sufficient forces to kill so increased a number of horses, we agreed with the Mission of San Gabriel to execute the mandate giving us the power to pasture their Cattle in the Ranch; Moreover we pray that the present be taken amicably, and we have sufficient Cattle to crew the Ranch, Wherefore, we supplicate of your Honor to be please to pass this our petition to the hands of the Commandante General, likewise we have present as the number of our families, which in all are 16 persons, and for which ones, Sir, we ask that you will leave us this said Land in our power, for our Maintenance. We Expect the

Favor of A. S. Pueblo of O. L. of Los Angeles

January 23rd 1831

This is from the lease of your servants, that obectent
by keeps your hands; and not knowing how to write
I sign it with a cross and Estevan Lopez signs it
for me. By request of Juan Jose Nieto

Estevan Lopez

If the foregoing Juan Jose Nieto shall fail in
stock to crew this Ranch, this Mission under my
Charge by the ensuing time of branding will lend
him in presence of a good man chosen on his part
that he may receive them, and another person of this
Mission, that he may deliver all of the said stock
as may be sufficient to crew said tract.

Mission of San Gabriel 23rd of January 1827

Fray Jose Sanchez

Pueblo of Los Angeles 25th of Jan. 1827

It has been wished in the tenor of this petition that
it would bring to light some document of the
Authorities, established in this province of Alta
California, as soon it was understood that there
is none which gives credit to the Exposition
which it carries respecting the conception which
it claims; and in virtue thereof no decree to
authorize its spirit can be extended

In the Archives which exist in this Secretary's
Office, it does not appear that there is any
document that gives credit to this petition; but
if there is stock enough to crew to crew the leagues
already given into Executive property which are
in the nature of redintegration, in the jurisdiction
of this Territory, there are citizens who, of the quan-
tity and number of the property, can take acc-
ount of the stock of cattle and horses.

Jonas Yalco

To the Superior Potetical Chief
The citizen Luciano Gregalbo Native of the State
of Sonora and resident of this Territory with suffi-
cient power of Attorney from the Citizen Juan
Jose Nieto, whose rights and cause I represent
to your Honor with due respect and at the most
proper time, would make known, that in the
year 1784 there was granted to him by his Excellency
of the Governor Don Pedro Fages, to wit, to Don Manuel

Nieto the possession of Land which is set forth in the Diagram which I have the honor to accompany with this:

He having died, his heirs amongst whom he who gives me power of Attorney was the head or principal One, continued in peaceable possession in occupying the said Land as legitimate owners that they have continued and maintained this State of things for more than twenty nine years that have elapsed until the present date without having been molested in the enjoyment of their rights — That the title papers having been lost, which legalized their property in the Land, he applied many times to the Superior Intelectual Chief, and that in and by virtue of the Existing Evidences in the Archives, he would give him a new title, but in vain did he repeat his solicitations, until the kindness of your Honor, did him the favor to extend it, giving him testimony of the only proof that could be found in the Archives: But it is sufficient to make known the legitimacy with which he has possessed the above mentioned Land, as is set forth in the proceedings which I respectfully transmit in your useful letters to the end that wanting it to be sufficient and successful, you will in sense of justice give him the corresponding title, and command that to him be given peaceable possession.

And desirous that all the heirs should enjoy the bounty conceded to his deceased father, I supplicate your Honor, if there should be no inconvenience that separate titles may be given for the part that corresponds to each One as is designated in the Diagram of those Lands; the part called "Santos Guineales" to Don Josefa Cota and her children as the widow of the deceased Antonio Manuel Nieto the part called "Las Bolsas" to Dona Catalina Paez and her children, as widow of the deceased Jose Antonio Nieto; the part called the "Santos" to Dona Manuel Nieto; and the balance which comprises the places called the "Coyotes" "Alamilos" "Palo Alto" &c, for him who gives me power of Attorney Don Julian Jose Nieto, who as the head of the family, has determined, to effect these divisions for the benefit of his relatives, and to avoid all

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pounds for litigation, he sincerely asks that papers
in may be given to each one of the corresponding
part to each one, in such decision. I petition your
Honour to be so kind as to grant my request & that
I may obtain the favor and justice I implore.
I swear that it is not through malice, and that
it is necessary &c.

San Diego 26th July 1833

Succiano Grijalva

San Diego July 27th 1833.

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The present petition examined;
the peaceable & never interrupted possession with
which Manuel Nieto and his heirs have enjoyed
the Lands, known by public Notoriety, and marked
in the Diagram; having seen the instance wherein
the said Lands were granted by Governor Pedro
Fages to the above mentioned Nieto with every thing
else which he had present and saw was convenient
in full conformity with the Laws and regulations
of the matter, and subject to the conditions which
they set forth; they are declared Owners of the Land
Estate. To Juan Nieto the places called "Coyotes"
"Alamitos" and Palo Alto, to Dona Manuella Nieto
the place called "Sanitas" to Dona Josefa Cota
the widow of Don Antonio Maria Nieto the place
called "Santa Gertrudis"; to Dona Catalina Ruiz
the widow of Don Jose Antonio Nieto, the place called
"Las Bolsas"

Give them the corresponding titles. It is ordered
that judicial possession be given to them as they have
claimed cause the parties to be informed; and
as respects the titles, which cannot be issued
until my arrival at the Capital, give them certi-
fied testimony of this provisional decree, which
will serve on the meantime as a safeguard
to the parties interested.

Jose Figueroa

Supera Potestical Chief of this Territory thus Order
Decree and Sign which I attest

Jose Figueroa

Augustin V Zamora

Secretary

Real of the Third class Two Reals
For the years One thousand eight hundred and
twenty six and eight hundred and twenty seven

Stamp
1828 1829

Stamp
1830 1831

Stamp
1832 1833

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Monterey 31st Dec. 1833

Complete what is annexed
in the foregoing decree, giving the titles with the
provision that by them, the judicial possessions shall
be given to the parties; with reference to the ancient
and continued grant & possession which they have
had thereof

Jose Figueras
General of Brigade & Comd General. Superior
Political Chief of the Territory Thus I comman-
ded it, decreed and signed it, which I attest

Jose Figueras
Augustin V. Lamorano
Secretary

Filed in office Sept. 11. 1852
Geo. Fisher Secy

Habilitado provisionalmente por la Administracion de la Armada Maritima de Monterey para los años de mil ochocientos treinta y tres y mil ochocientos treinta y cuatro.

Figueroa

José Rafael Gonzales.

José Rafael Figueroa General de Brigada de los Ejercitos nacionales Mejicanos Comandante General y Jefe Superior Politico del Territorio de la Alta California.

Por cuanto Dona Josefa Cota viuda de Don Antonio Maria Nieto tiene acreditado su derecho a la testamentaria del fundo Manuel Nieto y tomando en consideracion la antigua y pacifica posesion que tiene del parage conocido con el nombre de Santa Teresitas, colindante con la Mision de San Gabriel y Rancho de los Coyotes y los Seritos: practicadas previamente las diligencias y averiguaciones convenientes segun lo dispuesto por las leyes y reglamentos: usando de las facultades que me son conferidas por decreto de veinte y siete de Julio del año anterior a nombre de la Nacion Mejicana he venido en declararle la propiedad del referido parage y de que se le ponga en pacifica posesion por las presentes letras con entera conformidad a lo dispuesto por las leyes y sujeta a las condiciones siguientes.

1^a Que se sometera a las que estableciere el Reglamento que se ha de formar para la distribucion de Terrenos Valotivos y que entretanto ni la agraciada ni sus herederos podran dividir ni enajenar el terreno de que se ha echo mencion: imponer censo, vinculo, finquero hipoteca ni otro gravamen aunque sea por causa piedadosa ni pasarlo a manos muertas.

2^a Podra cercarlo sin perjudicar las trovesias, Caminos y servidumbres: lo disfrutara libre y esclusivo-mente ostentando lo aluso o cultivo que mas le aconviene: pero dentro de un año a lo mas fabricara casa y estara habitada.

3^a Podra desde luego solicitar al Jefe respectivo que le dé posesion juridica en virtud de este despacho por el cual se demarcaran los limites en cuyos limites pondran a unos de las misioneras algunos arboles frutales o silvestres de alguna utilidad.

4^a El terreno de que se ha hecho referencia es de cinco sitios de ganado mayor por lo mas o menos segun esplica el diseno que corre en el expediente. El Jefe que diere la posesion lo hara medir con arroyo a orden-

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No. No. n.º 1.

38 para señalar los linderos que viniendo el Sobrante que resulte a la Nación para los usos convenientes.

5^a Si contraviniere a estas condiciones perderá su derecho al terreno y será denunciado por otro.

En consecuencia mandado que Sirviendole de título el presente y teniendose por finis y valeadero, se tome raron en el libro a que corresponde y se le entregue al la misma adla para su resguardo y demas fines.

Dado en Monterrey a veinte y dos de Mayo de mil ochocientos treinta y cuatro.

José Figueroa. Agustín N. Amorano hno.

Cuarta tomada raron en el libro de asientos de Titulos Sobre adjudicacion de terrenos a folios treinta numero 26 q. obra en la Secretaria de mi cargo. Monterrey veinte y dos de Mayo de mil ochocientos treinta y cuatro. Amorano.

Filed in Office. Nov. 11th 1852.

Geo. Fisher. Secy.

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30 N. L. ...

39 Number 28.
Translation of
Title to Josefa
Lota

Jose Figueroa General of Brigade of the National
Army of Mexico Commandant General, Inspector &
Superior Political Chief of Upper California

Whereas Dona Josefa Lota, the widow of Don
Antonio Maria Nieto has proven her right in the will
of the late Manuel Nieto, and considering the ancient
and peaceable possession which she holds in the
place known by the name of "Santa Gertrudis"
adjoining the Mission of San Gabriel and the
Rancho of the "Leayotes" and "Sanitos" the regular
proceedings having been gone through with, together
with all the investigations concerning the matter
according to the direction of the Superior and regular
laws, Exceeding the Authority conferred upon me
in the name of the Mexican Nation by the Decree
of the 27th of July of the previous year I have con-
cluded to declare it the property of the above nam-
ed, and that she be put in peaceable possession, by
the present letters; and in entire conformity with the
direction of the Superior and subject to the following
Conditions:

1st. That she will conform entirely to the Conditions
which the Regulation shall establish which has to
be formed for the destruction of unoccupied lands
and in the mean time, neither the favored party, nor
her heirs can divide or alienate the Land, of which mention
has been made impose rent entail mortgage lien nor
other incumbrances though it be for purposes, nor
pass it into mortmain.

2nd She may enclose it without prejudice to the crops now
and easements, she may farm it freely and exclusively
destining it to that use or culture which may best
suit her, but within the term of one year at the most
she shall build a house and it shall be inhabited

3rd She may immediately request of the proper Judge
to give Judicial possession by virtue of this Dispatch
by which the boundaries shall be designated within
the limits of which, she shall place in addition to
the Land Marks some fruit or forest trees of some
utility

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4th. The Land to which reference is had contains five
leagues of grazing land a little more or less accord-
ing to the Explanation of the Diagram which accomp-
anies the Expediente The Judge who shall give the
possession shall have it measured conformably to the

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Ordinance for indicating boundaries, reserving the over
plus that may result to the Nation for convenient uses

40 3th If she shall contravene these conditions she shall
forfeit her right to the Land, and it may be annou
nced by another person

Wherefore I order that the
present Survey her for title land being held from
and valid account thereof be taken in the retail
we Book and that this be delivered to the party
interested for his protection and further ends.

Given at Monterey May 22^o 1834

José Figueroa

Augustín V Zamorano

Secretary.

Notice is taken in the Book of entries of Titles upon
the adjudication of Lands, at leaf 30 No. 28 which
exists in the Secretarys Office under my charge
Monterey 22^o May 1834

Zamorano

Filed in Office Sept. 11th 1852

Geo. Fisher Secy

Sr. Alcalde constitucional.

Maria Josefa Cota Nieta de Don Antonio Maria Nieto y dueña del rancho de Santa Gertrudis, ante V. con todo respeto y conforme a Dho. parecer y obigo: Que conforme al despacho que originalmente se acompaña se ha de servir V. pasar al mencionado rancho y posesionarme de los sitios que en el se indician: practicar al respectivo expediente y luego dar me de él un testimonio para mi resguardo. Por tanto: A. V. Suplico se obigue en merito de justicia decretar en favor de mi solicitud, devolver me dichos documentos orig^s con la providencia que estime p^r conveniente; y recibir me esta esposicion en el presente papel por no haberlo de sello q. le corresponde, a cuya esposicion no comprometo. Juro no proceder de malicia de lo. Pueblo de los Angeles. 10 de Febrero de 1835.

no se firmar. = Pueblo de los Angeles.

Febrero 11 de 1835. = Por presentado y admitido segun derecho procedase a dar a la interesada la posesion que solicita previa la disposicion que solicita igualmente del agrimensor. D. Abel Stearnes y debe asistir a las medidas. Abogado.

Año de 1835.

Expediente practicado de la remediola y posesion de los sitios de Sta Gertrudis de los Nietos, propiedad de Dona Josefa. - Cota.

Juzgado 2^o Constitucional de los Angeles. = Como las urgentes atenciones ocurridas en este oficio no han lugar a que yo pase personalmente a dar la correspondiente posesion a D^a Josefa Cota de Nieto del terreno que tiene declarado en su favor, he venido en nombrar a V. para que acordado con el agrimensor Don Abel Stearnes se conduca V. al mencionado terreno llamado Santa Gertrudis y la posesione en debida forma en arreglo al titulo que se expusio el señor Jefe Politico y que se acompaña. = Dios y libertad. = Angeles 1^o de Marzo de 1835. = Domingo Romero = Sr. Leon Rafael Guizado Regidor del V. Ayuntamiento = Pueblo de los Angeles 1^o de Marzo de 1835. = Por recibido el presente oficio y atento a la comision que en el me confiere el Sr. Alcalde 2^o Constitucional para que pase a poseer a Dona Josefa Cota de Nieto de los sitios y

Doc. H. N. n^o 2.

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rancho de su propiedad conocido con el nombre de Santa Gertrudis de Nietos y habiendo convenido con el Agrimensor Don Abel Starves para que remida los enunciados terrenos con total arreglo que corre en el Expediente de la materia previamente prometido, y que cierto en poder del Señor Jefe Superior Político pasase por mí y los testigos de mi asist^a al espresado sitio y procedase a verificar la procecion indicada con total arreglo al título que se confirió el mismo Jefe. El ciudadano Rafael Guirardo Regidor del Ylto. Ayuntamiento y Jefe comisionado usó lo decreté mandé y firmé con testigos de asistencia según do. doy fe. =

Rafael Guirardo. = asist.^a Policarpo Leal.
 asst. Francisco Barnalob. = En el Rancho de Santa Gertrudis a las once dias del mes de Marzo de mil ochocientos veinte y cinco; el Jefe que suscribe habiendolo hecho de colindante comparecieron y hecho les saber el objeto de mi comision les espuse que manifestaran los documentos q. acreditaran tener dno. a aquellos terrenos pues iba a remediarlos y poner en posesion de ellos a D^{ca} Josefa Cota de Nieto, cuyo rancho hera colindante por el norte con terrenos ocupados por D^{no} Juan Crespin Perez; por el Sur con los territos propiedad de Doña Manuela Nieto de Cota; por el Sur Este con el rancho de los Coyotes propiedad de D^{no} Juan J. Nieto y por el Oeste con el rio de San Gabriel que oleriate los terrenos de Don donorria Maria Lugo; y no habiendolo presentado algunos documentos q. acreditarian tener dno. a aquellos terrenos les dije q. iba a proceder y cumplir con mi comision lo q. pongo por diligencia q. autorizo y firmé con testigos de asist^a según do. = Rafael Guirardo = asist.^a Policarpo Leal. = asst. Francisco Barnalob. =

En el mismo rancho, dia mes y año y el propio Jefe, nombré dos oficiales medidores y dos condeberos para verificar la remediola, quienes despues de haber aceptado su nombramiento prometieron desempeñar fielmente su encargo y no firmaron por no saber, lo hice yo con los testigos de asist^a según do. doy fe. = Rafael Guirardo. = asst.^a Policarpo Leal. = asst.^a Francisco Barnalob. = En el mismo rancho y a las once dias del mes de Marzo de mil ochocientos veinte y cinco, el que suscribe a efecto de verificar la remediola y posesion de D^{ca}

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Josefa Cota, y previos todos los requisitos de ley, se midió un cordel constante de ciento treinta varas, el cual fué examinado y reconocido por el agrimensor Don Abel Estearnes, y punto en unos ancos y habiéndose hecho de sus extremos previa observacion y calculo del enunciado agrimensor, se tiró el cordel por su disposicion en la orilla del rio de San Gabriel en el punto conocido de Bastolo rumbo al Este y por principio de medida se puso un palo de sanceo en señal de mojoneo, y se fueron midiendo y contando dos mil doscientas varas que remataron en un sanceo colocado: luego tomando el rumbo Este once grados al norte, se fueron midiendo y contando tres mil trescientas varas que remataron en el camino Viejo de Santa Ana, en donde se puso en señal de mojoneo un palo de sanceo en cada extremo del camino. Se siguió el rumbo Este diez y ocho grados al Sur y con direccion al mismo camino Viejo de Sta Ana pasándolo el cordel por unas sujeciones grandes se midieron diez mil seiscientos varas y remataron en una mesa alta donde se puso en señal de mojoneo un palo de sanceo y es punto que divide el Rancho de los Coyotes. Saliendo de este rumbo y tomando el Oeste treinta y medio grados al Sur se midieron y contaron diez y seis mil seiscientos varas y finalizaron en la Sarja de Agua de los Nietos, donde se puso por mojoneo un palo de sanceo en esta orilla cuya Sarja es linea divisoria y esquina de los Collotes y Carritos. Luego se tomó el rumbo Oeste diez y ocho grados al Norte y se fueron midiendo y contando 6.050 varas y remataron en la orilla del rio de San Gabriel en donde tambien se puso un palo de sanceo en señal de mojoneo: y tomando el rio arriba rumbo Norte se midieron y contaron diez mil cuatrocientas varas que remataron en el mencionado punto de Bastolo. Con lo que se concluyó la remediata de estos sitios a satisfaccion de la interesada lo que pongo por diligencia que autorizó y firmó con testigos de anto segun. Dto. =

Brafael Guirado = as^o Polycarpo Alcalá = asistencia
Francisco Bernaldo. = Angeles 15 de Marzo
de 1835. = Estando con elivadas las presentes diligencias de remediata y posesion otorgada a Da Josefa Cota de los sitios de San Gertrudis a su satisfaccion remitame al Señor Alcalde para su conocimiento otorgandosele a la interesada testimonio de lo practicado.

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Rafael Guirado Rejedor del Ylto. Ayuntamiento y comi-
 - cionado para esta posesion asi lo decreté, mandé y
 firmé con los de asistencia segun Dno. = Rafael Guirado.
 asst^a Polycarpo Seal. = asst^a Francisco Bernaldo.
 - Prason = En la fha. se remetieron al señor Alcalde
 las diligencias q. se mencionan en el Decreto anterior
 en papel comun por no haber del sello correspondiente
 y para constancia lo rubiqué.

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Consejada con su original a que me refiero
 y esta fielmente sacado, corregido y conferido en
 este papel comun por no haber del que corresponde
 lo que autorizo y firmo con testigos de asistencia. Segun
 Dno. Doy fe. Rafael Guirado.

asst^a. Polycarpo Seal. = asst^a. = Francisco Bernaldo.
 asst^a. = May 21 de 1835.

Conbiene este testimonio con el expediente
 y original que obra en el archivo de mi cargo. Como
 Alcalde 4^o de este Pueblo lo autorizo y firmo ante los
 testigos de mi asistencia segun Derecho.

Domingo Promeno.
 asst^a. Manuel Araya, asst^a. Hugo Priot.

Filed in Office. Nov. 11th 1852.

Geo. Fisher.
 Secy.

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Translation of
Jude's possession
to Josefa Cota

To the Constitutional Magistrate
María Josefa Cota widow of the late Don Antonio
María Nieto and owner of the Rancho of Santa
Gertrudes before your Honn, with respect and in
Conformity to Law, present myself and state; that
according to the Original Dispatch which I accomp
any, may it please your Honn to pass to the Ranch
referred to, and give me possession of the leagues
that are in it indicated, to execute the proper proceed
ings, and immediately give me testimony of it &c. for
my security.

Wherefore I pray that you will deign in sense of
Justice to decide in favor of my petition, and return
me both Original Documents with the proceedings
you may deem Expedient, and receive from me this
Explanation on Common paper for want of the sealed
which corresponds, which I oblige myself to replace
I swear that I proceed not from malice &c.

Pueblo of Los Angeles 10th of February 1835
Does not know how to write.

Pueblo de Los Angeles Feb 11. 1835

Having been presented and admitted according to
Law, proceed to give to the party interested the posses
ion which she requests after previous arrangement
which she will solicit of the Surveyor Don Abel Stearns
who should assist at the measurements -

Second Constitutional Court of Los Angeles:
As urgent business occurring in this Office does not
permit me to proceed in person to give the correspon
ing possession to Donna Josefa Cota of Nieto, of the
Land declared in her favor, I have concluded to
appoint, so that associated with the Surveyor Don
Abel Stearns, you will proceed to the aforesaid
Land called "Santa Gertrudes" and give her possession
in due form, agreeably with the title which the
Political Chief has conferred, and which I transmit
to you God & Liberty
To Angeles, March 1st 1835 Domingo Romero

Don Rafael Garrido.

Pres. of the Ill Town Council

Pueblo de Los Angeles 1st March 1835

Having received the present official notice and
 Obedience to the Commission, which he confers upon me
 46 by: the 2nd Constitutional Magistrate, that I shall
 proceed to give possession to Dona Josefa Lotu de
 Nieto of the leagues ranch, her property known by the
 name of "Santa Gertrudis" de Nietos, and having agreed
 with the Surveyor Don Abel Stearns, to resume the
 assured Lands, in full Conformity with, and as set
 forth in the proceedings in the matter previously Execu-
 ted and which exists in the possession of the Political
 Chief - see us sup, myself and assistant witness to the
 title referred to, and let us proceed to verify the
 assured possession, with full Conformity to the Title
 which the same Chief Confers, The citizen Rafael
 Guirado, President of the All Town Council and
 Commissioned Judge - Thus I decreed Ordined and
 Signed, with my Assistant Witnesses according to
 Law which I attest - Rafael Guirado
 Asst. Polcarpo Seal. Asst. Francisco Barnalco

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On the Rancho of "Santa Gertrudis" on the 11th day of
 the Month of March 1835, the Judge who subscribes
 having summoned the adjoining neighbors they
 appeared; and I informed them of the Object of
 my Commission and desired them to show their doc-
 uments to prove their right to those Lands, that
 I was about to survey them and to put into their
 possession Dona Josefa Lotu de Nieto; whose
 Rancho was bounded on the North by lands occu-
 pied by Don Juan Crespo Perez; in the South by
 the little mountains, the property of Don Manuel
 Nieto, on the South East by the Rancho of the
 "Coyotes" the property of Don Juan Nieto; on the
 West by the Area of San Gabriel, which divides
 the Lands of Don Antonio Marco Lugo, and no
 documents having been produced that would give
 them Title to said Lands, I told them that I would
 proceed and comply with my Commission, which
 I set down as part of the proceedings in the matter
 which I authorize and sign with my Assistant
 Witnesses according to Law - Rafael Guirado
 Asst.

Polcarpo Seal

Apt.
Francisco Barnalco

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On the same Ranch day month and year I the proper Judge, nominated two Official Cada Tenenos and two measuring Officers, to verify the measurement, who after having accepted the appointment promised to discharge their duty faithfully, who did not sign their names, because they could not write, which I did with my assistant witnesses according to Law which I attest - Rafael Garrido - Aft. Policapio Seal. Assr. Juan Bernaldo.

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On the same Ranch, and the 13th day of the month of March 1835, he who subscribes, for the object of verifying the remeasurement and possession of Dona Josefa Acosta, and having performed previously all the requisites of the Law, I had a rope measured which contained 130 Varas, which was examined and recognized by the Surveyor Don Alex Stearns, placed between two stakes and its extremities fastened thereto, after previous observation and calculation of the Surveyor, the cord was extended on the bank of the River San Gabriel at the pass known by the name of Bartolo, Course East, and for the beginning of the measurement there was fixed an Alder Stake as a land mark, and they measured and counted 2200 Varas, which terminated at a cut Alder tree, Thence taking the Course East 11° North they went measuring and counting 3300 Varas, which terminated in the Old Road of Santa Ana, where was placed the sign of a land mark an Alder Stake on each side of the Road. The Course was continued East 18° South, and in a direction by the same Old Road of Santa Ana, and passing the Cora Ora some deep gullies, there were measured 10,600 Varas, which terminated on high table Land, where was placed for a Land mark an Alder Stake, and it is a point which divides it from the Ranch of the "Coyples" leaving this direction and taking a course West 30 1/2° South, there was measured and counted 16,600 Varas, which ended at the irrigating ditch of the Neetos (Sanja de Aguan de los Neetos) where was placed for a Land mark an Alder Stake, on each bank, which ditch is the dividing line, and a canal to the Coyples and Neetos, then the Course was taken West 18° North and they went measuring and counting 6,050 Varas

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which terminated at the bank of the River San Gabriel, where also was placed an Aldea stake for a land mark, and taking up the river, course North, this were measured and counted 10.400 Varas, which terminated at the aforesaid pass of Bartoto. With this the resurvey of this tract was concluded to the Satisfaction of the party interested; all of which I set down as a part of the proceedings, which I authorize and sign with my assistance witnesses according to Law

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Rafael Guirado
Asst. Policarpo Seal Asst. Francisco Barnuevo

Angeles March 19th 1835

The present proceedings of Resurvey being concluded and papers given to Dona Josefa Cota of the Lances of Santa Gertrudis to her Satisfaction let them be transmitted to the Judge for his information, testimony of the proceedings being given to the party interested. Rafael Guirado President of the Illustrissimos Town Council, and Commissioner to give this papers on. These I decree ordered and signed with my assistance witnesses, according to Law

Rafael Guirado
Asst. Policarpo Seal - Asst. Francisco Barnuevo

Notice - At this date the Proceedings were sent to the Judge, and they are mentioned in the foregoing decree, taken on common paper for want of the proper Seales; and for the perpetration thereof I set to it the Rubric

This agrees with the Original, to which I refer; and it is faithfully taken Careless and composed in this common paper for not having the proper Seales which I authorize and sign with the assistance witnesses. according to Law - which I attest

Asst. Policarpo Seal }
Francisco Barnuevo } Rafael Guirado

Filed in Office
Sept 11. 1853
Geo. Fisher
Secy

Angeles March 21. 1835. This testimony corresponds with the Original proceedings which are registered in the Archives under my charge as 2^d Judge of this Town which fact I authorize and sign with my Asst. witnesses ac. to Law

Lorenzo Romero
Asst. Manuel Arzaga Asst. Diego Reico

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Copia a favor de Sr. Samuel Carpenter

Año de 1845.

Doc. N. N. N. 1.

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En la ciudad de los Angeles del Departamento de California a los veinte y siete dias del mes de Diciembre de mil ochocientos cuarenta y tres. Yo Antonio Coronel Jefe de primer nombramiento de esta referida ciudad y su demarcacion dije que anente a la solicitud verbal que ha hecho Don Samuel Carpenter para que le de posesion Juridica del Rancho de Santa Gertrudis (alias) los Nietos y del que adquiria el derecho por venta que hizo de esta Donna Josefa Cota segun consta de los documentos presentados en este Juzgado de mi cargo pasese por mi y testigos de asistencia y procedase a la posesion indicada. Asi lo oíste manifesté y firmé con los de asistencia segun derecho = Antonio Franco Coronel. = asistencia = Basilio Valdes. = asistencia = Felipe Valenzuela. =

En seguida mandé oficio a los señores colindantes Don Juan Perez, Don Tomas Sanchez y Dona Francisca Cota; y no habiendo manifestado ninguna excepcion les dije procedia al reconocimiento de linderos y posesion respectiva lo que asienta por diligencia que autorice y firmé con los de asistencia segun derecho = Antonio Franco Coronel = asistencia = Basilio Valdes. = asistencia = Felipe Valenzuela.

A continuacion y hallandome en el Rancho de Santa Gertrudis, y tomando las diligencias practicadas cuando se le dio posesion del sitio a Donna Josefa Cota se leyó a la vista de los colindantes; mas como no manifestaron ningun alegato sino que reconocian por linderos y legales dueños; procedi a poner en posesion del derecho y propiedad al Señor Don Samuel Carpenter por lo que ya convenidos y resiliados los linderos se vieron por satisfechos todos y por concluido el acto lo que autorice y firmando con los de asistencia y los que supieron. = Antonio Franco Coronel = asistencia = Basilio Valdes. = Felipe Valenzuela. = Entreguese estas diligencias al Señor

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Don Samuel Cospenter, puma que le live de resguardo
 Asi Jo el Juez que suscribe, decreté mandé y firmé
 con los de asistencia segun derecho. = Antonio Franco
 Coronel. = asist^a. Basilio Valdes. = asist^a. Melipe
 Valenzuela. = En la fta. se entregaron en tres fojas utiles
 rubrica. = Por perdimiento de la parte se protocolaron.
 = Coronel. = rubrica. = Con un extra con su
 original de que doy fee y se saca del libro de instrum
 -entos publicos del mismo año de mil ochocientos
 cuarenta y tres y se saca hoy catorce de octubre de mil
 ochocientos cuarenta y cinco en tres fojas de papel comun
 por falta de sellado. Jte Sanchez.
 asst^a. Fr. Ygn^o Coronel. asst^a. Melipe Castello.

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Filed in Office. Nov^r 11th 1852.

Gen. Fisher.
 Secy.

EXHIBIT

7 Translation of Judicial Papepion to Samuel Carpenter

Judic. papepion
to Saml. Carpenter

K

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In the City of Los Angeles of the Department of the California on the 27th of December 1843. I Antonio Frando Coronel, Judge of the Juste Appointment of the aforesaid City, and its jurisdiction, State; thus complying with the verbal request which Samuel Carpenter has made, that judicial papepion may be given him of the Ranch of Santa Gertrudes (elisos) "Los Melos" which he acquired the right of by sale which Josefa Lota made of it as appears by the documents hereby presented in this Court, under my charge. I, myself and Apostane Lecineta, and proceed to give the desired papepion - Thus I decree and signed with my Apostano, according to Law Antonio Frando Coronel = Asst. Basilio Valdez Asst. Felipe Valenzuela.

In continuation I sent Official Notice to the adjoining Neighbors, Juan Perez, Tomas Sanchez, Francisco Aguirre; and they not having made any objection I told them that I should proceed to designate the boundaries and papepion respectively, which I set down in the proceedings, which I authorize and sign with my Apostano according to Law Antonio Frando Coronel Asst. Basilio Valdez Asst. Felipe Valenzuela

In continuation and being in the Ranch of Santa Gertrudes, and taking the proceedings practiced when papepion of the tract was given to Josefa Lota, which was read in the presence of the adjoining proprietors; but no opposition was manifested, the survey given being recognized certain & legal, I proceeded to put in papepion of right and property, Samuel Carpenter, by which the boundaries being agreed upon and revised were given, to the satisfaction of all, and to conclude the act of papepion. All of which I authorize signing with my assistants and those who had cognizance thereof Antonio Frando Coronel. Asst. Basilio Valdez Asst. Felipe Valenzuela

51 Asst. Felipe Valenzuela

Deliver these proceedings to Samuel Carpenter, that they serve him for his protection. Thus I the Judge the Subscribers, decree ordered and signed with

with those of my assistance according to Law
 Antonio F Coronel
 Asst. Bartolome Valdez - Asst. Felipe Valenzuela

At date they were delivered in three useful leaves
 By request of the party interested they entered in
 the judicial Records

Coronel

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It agrees with its Original to which I refer, from
 which this is faithfully taken corrected and
 compared, and appears in the Book of Public
 instruments, On this Common paper for want of the
 Seal, in two useful leaves dated as above

Antonio F Coronel

Asst. Martin Aragon Asst. Juan Dominguez

Filed in Office Sept. 11th 1852

Geo. Fisher

Beary

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Escritura de Venta del
Solar de San Gerónimo.

N. N. nº 3.

Año de 1843.

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Sello Primero Ocho pesos.

Habilitado provisoriamente por la Autoridad Municipal del puerto de Monterey en el Departamento para el año de mil ochocientos cuarenta y tres.

Mi eseltorena. Manuel Castañares.



En la ciudad de los Angeles del Departamento de las Californias a los veinte y un dias del mes de Diciembre de mil ochocientos cuarenta y tres ante mi Antonio Francisco Coronel Juez de primer nombramiento de

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esta referida ciudad y su demarcacion y por ante mis testigos de asistencia con quienes actuo por receptor a falta de escribano publico a unas de los instrumentales que al fin se nominaron comparecio Dona Josefa Cata de Nieta y viuda de Antonio Maria Nieta a la que oyo y fue conocho y dijo: que siendo dueña del rancho de Santa Gertrudis, segun aparece del titulo que aqui presenta: por si y a nombre de sus herederos sucesores y de quien de ellos hubiese titulo por y causa en cualquiera manera vende y da en venta real y enagenacion perpetua por y uno de heredad por si empere jamas al Sr Don Samuel Carpenter y a los suyos el derecho y propiedad que tiene en el nominado rancho de Santa Gertrudis que se compone de cinco sitios de ganado mayor (menos un apartado que toca a Tomas Sanchez y es de la propiedad de este Sr. cuyo terreno de la ciudad de Santa Gertrudis le pertenece y no se halla vendido enagenado ni empeñado que esta libre de tributo, memoria, capellania, vinculo, patronato, fianza y de otro gravamen real perpetuo, temporal, especial general tacito y expreso y como tal se lo vende, con todas las entrañas, salidas, pastos abrevaderos, montes, vegas, dehesas, aguajos, censos, usos, costumbres, fabricas, estension regales y demas causas auesas que ha tenido y tiene y le pertenecen segun derecho en la cantidad de cuatro mil veinte y cinco pesos que seran dos mil veinte y cinco pesos en plata y dos mil en efectivo a precio de buque a unas pagara los derechos de la escritura, incluyendo en esta venta el fierro viejo y señal con que se sure el rancho. Del precio convenido se da por satisfecho la otorgante que por tanto renuncia la excepcion que pudiera poner por no constar de presente la ley 3. titulo 1º parte 5. formaliza a favor del comprador la mas

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no quite 5. J. en un alijo a favor del comprador la un

firmé y efi caso, carta de pago que a su seguridad con
 dusea, y asi mismo declara que el justo precio y verdadero
 valor del repetido terreno es el punto en esta escritura
 que no vale mas ni halla quien mas le diere y si mas
 vale o valen puesta del caso en poca o mucha suma
 hace a favor del comprador de sus herederos y sucesores
 pura mesa perfecta e irrevocable en su vida y de sus
 firmes legales renuncia la ley 3. tit. 10. novis una recopilacion
 que trata de los contratos de venta, fidejues y
 otros en que hay locion en mas o menos de la mitad del
 justo precio, y los cuatro años que profiere para pedir
 su renuncia revision o suplemento a su justo valor
 los que da por quasarlos como si efectivamente lo
 vieran y desde hoy en adelante para siempre se des-
 podera, de este quita y apunta a sus herederos suces-
 ores del dominio, propiedad, posesion titulo posesion
 y otro cualquier derecho que le compete el enunciado
 terreno, lo cede renuncia y traspassa con las acciones
 reales personales mixtas directas y efectivas o en quien
 lo suya represente para que la posea, goce cambie eny-
 ene, como de causa suya adquirida con legitimo y
 justo titulo, le confiere poder irrevocable, con libre facultad
 y general administracion y le constituye procurador
 actor en su propia causa para que de su autoridad
 o judicialmente entre y se apodere del nominado
 terreno y del tomo y prebota la real tenencia y pos-
 -esion que por derecho le compete y para que no
 necesite tomar la, pite se le de copia autorizada de
 escritura con la cual sin otro acto de aprehension
 ha de ser visto haberla tomada y transferirla. En el
 interin se constituye su tenedora y poseedora por via
 en legal forma y se obligue la otorgante a que dicho
 terreno sera ciento seguro y efectivo a el comprador
 y que nadie le inquietara ni movera pleito sobre su
 posesion, goce y disfrute ni contra ello aparesera gravamen
 alguno y si se le inquietare, moviere o aparesiere luego
 que lo otorgante y sus herederos seran requeridos con-
 -vrase a derecho, saldran a la defensa y se seguiran
 a sus expensas en todas instancias y tribunales, hasta
 efectuarlos y dejar al comprador y a los suyos en
 libre uso, quietud y pacifica posesion y no pudiendo
 conseguirle, le otorgan otro igual en valor fabrica, salin
 Huerta y comodidades o en su defecto le restituiran la
 cantidad que ha desembalsado las mejores utiles, preciosas

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y voluntarias que á la Sabon tenga el mayor valor y estimación que con el tiempo adquiera y todos los gastos e intereses que se le siguieren e irrogaren, para todo lo cual se le ha de poder efectuar cosa en virtud de esta escritura ó juramento del que lo posea ó en quien desiere su importe y lo lleve de otra prueva. Ya la observancia de la refrenda obliga la otorgante su persona y bienes habitos y por haber, y con ellos se somete al fuero y jurisdicción de los Señores Jueces que de este ó negocio devan conocer conforme á derecho, como si fuese en sentencia pasada, renuncia su fuero domicilio y vecindad, las leyes de su favor y defensa con la general del derecho en forma en cuyo testimonio así lo otorgo y firmo con mi go y los de asistencia segun otro. Siendo los instrumentales los cc. Vicente Guerrero y Manuel Pedrona. = Antonio J. Coronell. = Juan Temple = asistencia. Tomas Sanchez. = Instrumentales José Vicente Guerrero. = Instrumental Manuel Pedrona.

Convenida en su original á que me remito que se halla en el libro de instrumentos publicos de este año del que se saca conegio confronto fiel y legalmente en estas lineas foyas utiles.

En testimonio de Verdad.

Ant. J. Coronell.

Atta.

Abel Stearnes.

Atta.

J. Temple.

Filed in office. Nov^r 11th 1852.

Rev. Fisher.
Scrij.

8-7

Certifico en cuanto puebo y debo y el derecho me permite que el año de mil ochocientos cuarenta y tres otorgue una escritura de venta ante el Juec 1º de esta Ciudad en la cual cedi al señor Dn Samuel Carpenter el derecho que me quedaba en el rancho conocido con el nombre de Santa Gertrudis previa indemnizacion de las fincas y la misma que constaba en la escritura que se ha mencionado; quedando por tal motivo dueño de aquella parte el ya citado Don Samuel Carpenter.

Ya pedimiento del interesado hoy el presente en la Ciudad de los Angeles a 15 de ybre. de mil ochocientos cuarenta y siete en quapsel comun por falta de sellado

A ruego de mi hermano.

Josefa Cota por no saber firmar.

Severo Cota.

Filed in office. Nov^r 11th 1852.

Geo. Fisher.
Secy.

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No. 16. 16.

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[Faint, illegible handwriting covering most of the page]

[Faint stamp or text, possibly a date or location]

[Faint text at the bottom edge of the page, possibly a page number or reference]

Qualified professionally for the Maritime Custom House
of the Port of Monterey in the Department of the
Californias for the year 1843.
Micheltonna Manuel Castaneda

Dud

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The City of Los Angeles of the Department of the
Californias, the 21st day of the Month of Decem-
ber 1843, before me Antonio Franco Colonel, Judge
of the 1st Appointment of this aforesaid City and
its jurisdiction and before my Assistant Alitnejo
with whom I act, as delegate-judge, there being
no Notary Public, besides the instrumentaries
which to this End will be appointed, appeared
Dona Josefa Cota de Nieto, the widow of Antonio
Mara Nieto, whom I attest & know and she sued,
there being Owner of the Ranch of Santa Gertrudis
as appears by the title hereby presented, for herself
and in name of her heirs, Successors and whatever
One ^{in whatever manner, she sees} there of may have title, voice & action, and
gives in actual Sale and alienation perpetual to
pass from father to son forever, to Don Samuel Carpen-
ter and to his Own the right and property which
she has in the aforesaid Ranch of Santa Gertrudis
which is composed of five leagues of grazing land
(except a small piece which belongs to Tomas
Sanchez and is of the property of that gentleman)
which parcel of the aforesaid Santa Gertrudis belongs
to her and has not been sold nor mortgaged, which
is free from tax, account, Church benefice, entail
pious patronage, lien or other incumbrance, actual
perpetual, temporal, special, general implied &
express, and as such it is sold, together with all
the entries, outlets, pastures, watering places for
cattle, grass, meadows for grazing, Springs, rents
uses, customs, buildings, Extension, privileges and
Easements, and all other things annexed which it
has had or has, and of which right belong to it, for
the sum of Four thousand and twenty five dollars
which will be two thousand and twenty five
dollars in Silver and two thousand dollars in
Effects at the Ship price, besides he will pay the
Expenses of the writings, the Old Brand and Car
Mark with which the Ranch is served being inclu-
ded in the Sale. She who makes Conveyance ack-
nowledges the receipt of the price agreed upon, and

She therefore renounces the exception she might make from the fact that the Law does not appear present, to wit, Law 9th. title 1st part 5th she formalizes in favor of the purchaser the most firm and effectual letter of payment, ^{which} may conduce to his security; and therefore she declares that the just price and true value of the aforesaid Lands is that put in writings, that it is not worth more nor would any person give more; and if it is worth more, could be worth more, the Excep be a little or much shall go to the purchaser his heirs and Successors, by grace and gift, pure, free perfect and irrevocable in Soinance and other legal Validities. She renounces the Law 2 title 1st latest Abridgement, which treats of Contracts of sale and Exchange, and others in which there is a loss of more or less than half the just price, and the four years within which its abrogation may be demanded or the Supplement for its just value, all of which she admits as having passed, as if they had effectually transpired; and from this day hence forward and forever, she divests herself of all power, desists and takes away and separates her heirs and Successors from the aforesaid, property possession, title, voice, recourse and every other right that pertains to the aforesaid lands; she grants renounces and conveys it, with the actions real personal, mixed direct and indirect, to the purchaser or whomsoever may represent him, in order that he may possess enjoy Exchange alienate as a thing that belongs to him, acquiesce with legal and just title; she confers upon him power irrevocable, with free frank & general administration and she constitutes him attorney, claimant or plaintiff, in his own proper cause, that of his own authority or judicially, he may enter and be possessed of the aforesaid Lands, and that he take of it and seize the actual possession and possession which by right belongs to him; and since it may not be necessary to take possession actually, he asks that an Authorized Copy of this instrument may be given him, by which without other act of possession, it may be seen that he has taken it in possession, and it is transferred to him in the meantime she is constituted its possessor and

and precarious holder. And the Vendor obligates herself that the said Land shall be certain, secure and effective to the Purchaser; that no body shall molest him, nor more litigation against his possession, enjoyment or profit, nor shall any inconvenience appear against it: But if he should be molested or litigation should be moved or appear as soon as the Vendor and her heirs shall be required according to Law, they shall come forward in defence and shall pursue at their own expense, in every instance and before whatever tribunal, into final decision; and to leave to the purchaser and his heirs or assigns, the full use quiet and peaceable possession thereof, and not being able to secure it to him, they shall give him another Equal in value buildings, situation, rent and conveniences, or in default of this they shall restore to him the amount they have received (or he has expended, for the improvements, useful, valuable, and voluntary which at the time, or then) may have greater value and estimation, than they obtained or had at the time they were made; and for all the expenses and interests which may have arisen or been caused, for everything which power has been given him to execute by articles of this instrument or of the Oath of him who has possession of it or of him who waives its import and releases it from other proof. And for the observance of the foregoing the Vendor obligates her person, and goods had and to be had and with these she submits to the Authority and jurisdiction of the Judges, that ought to have cognizance thereof conformably to Law, as if it were a decision paper; she renounces the Municipal Law of her particular Town and vicinity, the Laws of her favor and for her defense and all legal exceptions she might have recourse to. In testimony whereof thus she covenanted and signed with me and my assistants according to Law; the Instrumentalists being the Citizens Vicente Guerrero and Marcelo Redondo

Antonio Ferrones

Josefa Cota
Asst. Tomas Sanchez Asst. Juan Temple
Ind. Jose Vicente Guerrero
Ind. Marcelo Redondo

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61 This agrees with its Original to which I refer and is found in the book of public documents of this year, from which this was taken, corrected and compared, faithfully & legally on these 5 useful leaves

In testimony of Truth

Antonio F. Leonel

Asst. Alex Stearns Asst. J Temple

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I certify, so far as I can and might, and the Law permits, that in the year 1843, I executed an Instrument of bargain and Sale, before the 1st Judge of this City, in which I granted to Samuel Carpenter the right that remained to me in the Ranch known by the name of Santa Gertrudis, after previous payment for the property, and the same which appeared in the instrument aforesaid, for such consideration the said Samuel Carpenter remaining Owner of said portion -

And at the request of the person interested I give the present in the City of Los Angeles on the 15th of September 1847 on Common paper there being no scales

At the request of my Sister Josefa Cota, who does not know how to sign her name,
Leonardo Cota

Tellie in Office Sept. 11th 1852

Geo. Fisher

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Conste por la presente que Yo Samuel Carpenter me obligo a pagar a Dona Josefa Cota la cantidad de un mil pesos de plata fina a cuenta dentro de ocho meses con tantos desde el dia veinte del presente cuya cantidad sera entregada con toda religiosidad. Y para la debida constancia se hizo una formal hipoteca de mis bienes habidos y por haber y me somete a la renunciacion de las leyes y privilegios que me puestasen valer a cuyo efecto la hice ante la autoridad respectiva a los treinta dias del mes de Diciembre de mil ochocientos cuarenta y tres hecho en la ciudad de los Angeles, y en este papel comun por falta de sellado en la oficina. Samuel Carpenter.

Doc. H. N. N.º 5.
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= Juzgado 1º Angeles. = Me costa y lo autorizo que firmaron los de esta segun Dno. Angeles Dce. 30 de 1843. A. F. Coronel. assa.

De assa. Juan Abila. = De esta obligacion tengo recibidos seis cientos pesos que lleve a Don Santiago Mayuila los que recibian satisfacion y para constancia lo firmamos Yo el otorgante 2º Manuel Carpenter. hoy 27 de Febrero de 1840. Rafael Gallardo.

Samuel Carpenter. = Pague por mi los cuatrocientos pesos restantes a la Dn. de Don Juan Manso vesino y de este comercio de los Angeles por valor de efecto que recibí a toda mi satisfacion. Augº y Agosto 24 de 1844.

Josefa Cota. Sr. Do Josefa. Cota. Suprase V. cobrar los cuatro cientos pesos a Sr Samuel Carpenter pues a mi me dijo que V. no tiene facultad p.º endosar. Juan Manso. = Recibi del Sr Samuel Carpenter los cuatrocientos pesos que se me restaban de la antecedente diligencia. Augº Octº 4 de 1844.

Aruego de Dona Josefa Cota. Leonardo Cota. Por el presente documento consta que Maria Josefa Cota he recibido de Sr Samuel Carpenter la cantidad de cuatro mil veinte cinco pesos en pago q. me hizo del terreno o rancho llamado Santa Gertrudis dos mil veinte cinco on plata y dos mil en efectos y para la debida constancia lo firme con dos testigos de usiº en este papel comun por falta del sellado respectivo en la ciudad de los Angeles a los treinta dias del mes de Diciembre de mil ochocientos cuarenta y tres. Josefa Cota.

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assº Rafael Gallardo. assº Jgº Coronel. = Juzgado 1º Angeles. Me costa lo que autorise y firme con los de asistencia segun Dno. Angeles. Dce. 30 de 1843. Ant. F. Coronel. assa.

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Juan Bandini, asst. Francisco Ocampo.
 Teodoro Tapia Alcalde 2º Constitucional de.º Certifico que
 en el libro de Acuerdos verbales de este Juzgado de los tray.
 a fojas 43 vuelta consta un acuerdo del tenor siguiente.
 " Sep.º 21 de 1844. = Puso una demanda Don Juan Moreno
 contra Don Samuel Carpenter manifestando que se habian
 cumplido un pagare que tenia en el sueldo a su favor Mauro:
 en esta demanda aparecio por Samuel el apoderado Subst.
 -ta Don Agustin Olvera y despues de alegar sus razones
 las partes quedo convenido Olvera lo mismo que Mauro
 que en virtud del mandamiento del juez para el pago y en
 virtud a ser un pagare ejecutivo, satisfara si pidiere Samuel
 el dia (. No = veinte del presente, la cantidad de cuatroci-
 -entos pesos que en la reclamada, la moneda en plata
 cuyo convenio lo hizo Olvera por via de suplica que el
 interpuso. = Teodoro Tapia. = Agustin Olvera. Juan
 Mauro = asst. Ignacio Coronel. = asst. Vicente Sanchez.
 Cuya copia se saca fielmente de su original
 hoy dia y nueve de Septiembre de mil ochocientos cuar-
 -enta y cuatro. y se hace en esta foja de papel comun
 por falta de sellado. Day fe. Teodoro Tapia.
 asst. Ignacio Coronel. asst. Vte Sanchez.
 Derecho un peso.

Filed in office. Nov. 11th 1852.

Geo Fisher
 Secy.

Samuel Carpenter } Before the U. S. Commissioners for
 vs } Ascertaining & Settling California
 The United States } Land Claims Case No. 339

State of California, County of Los Angeles

Affidavit

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 PAGE 63

Samuel Carpenter being duly sworn states; That
 sometime previous to the time, that affiant purchased
 the Rancho of Santa Gertrudis of Josefu Lota
 Manuel Michelena Guerra at that time of
 California Mexico and delivered to Antonio F
 Coronel, then Acting Alcalde of the Jurisdiction
 of Los Angeles, where said Rancho was situated
 and the parties to the Sale there resided, a written
 Judicial Documente, authorizing the said Josefu
 Lota to sell said Rancho to affiant and directing
 the said Coronel to sanction and conclude the
 conveyance. That after said Sale was concluded
 said Documente came into the possession of affiant
 and remained in his possession until about the
 year 1844 to wit, for about one year. That then affi-
 ant having a suit in court, it became necessary
 for affiant to have his papers before said court,
 and that said Documente was there presented by him
 and not returned to him; and was consequently
 lost to affiant; and that after due diligence from
 that time to the present on continued search for
 the said Documente by affiant, he has yet been
 unable to find the same - That said suit
 was before Manuel Requena the Acting Alcalde
 in Los Angeles

Samuel Carpenter

Sworn & subscribed

this 16th day of November 1852

Before me Melancthon Hall
 Com

Taken in Office Dec. 13. 1852

Geo. Fisher Secy

Recorded in Eo B Vol 2 p 318

Geo. Fisher
 Secy

bb

117

Samuel Carpenter } For the place called Santa
 vs } Entrances in Los Angeles contain
 The United States } being five square leagues of land

Opinion

Samuel Carpenter the petitioner in this case claims his title to the premises from Jose Lota by conveyance duly proved, executed December 21. 1843

A grant to said Josefa Lota is given in evidence, made by Governor Figueroa bearing date May 22nd 1834 and the usual documentary evidence of the Act of Judicial Measurement and possession under it is also presented. This official act was performed on the 12th day of March 1835 and the boundaries were duly marked out. The premises constitute a portion of the larger Rancho which was occupied for many years as the residence of the Nieto family of whom the husband of Josefa Lota was one and who also resided there.

The Rancho under her care while a widow she was deteriorated, according to the testimony of the witnesses before that a denouncement was threatened, and she obtained the Order of Governor Micheltorena authorizing her to sell to Carpenter. He went immediately into possession and cultivated the place ever since. The grant to Josefa Lota was made after the death of her husband Antonio Maria Nieto, and after the sale by her to Carpenter their children sought to claim the premises in their own right, and filed before this Commission their petition for the revocation of Carpenter's claim - and a decree of Confirmation to themselves. Their claim (Case No 423) has been rejected by the Board for reasons which appear in the Opinion delivered in that case. No good reason appears why the title of Carpenter should not receive the approval of the Commission. The sale to him appears to have been fair and for a good price, and the Alcalde before whom the conveyance was made testifies that the children who were of age gave their consent separately to the sale and that minors by their Mother who was their tutor. The indigent circumstances of the family seem to have rendered this disposition of the property a desirable if not unavoidable. The petitioner is entitled to a decree in his favor

Confirmed

194 SD

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66

Filed in Office Sept. 12. 1854

Geo. Fisher Secy

194 SD
PAGE 65

19

Samuel Carpenter

Samuel Carpenter }
 as }
 The United States }

Decree

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 PAGE 66

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

The Land of which confirmation is hereby made is situated in Los Angeles County and known by the name of Santa Gertrudes being the same premises on which said Carpenter now resides and bounded and described as follows; to wit; Commencing on the Bank of the River San Gabriel at the Tap known by the name of Bartolo at an Alder Stake placed on a Land Mark and running thence, Course East, two thousand, two hundred (2.200) Varas to a cut Alder tree: thence East Eleven degrees North three thousand three hundred (3.300) Varas terminating on the Old Road at an Alder Stake on each side of the Road, placed as a Land Mark; thence East Eighteen degrees South by the same Old Road of Santa Ana passing over some deep gullies ten thousand six hundred (10.600) Varas terminating on high table land at an Alder Stake placed as a Land Mark which is at the point which divides this Rancho from that of the "Coyotes"; thence West thirty and a half (30 $\frac{1}{2}$) degrees South sixteen thousand six hundred Varas (16.600) terminating at the irrigating ditch of the Nietos (Sanjon de agua de los Nietos) at a point where an Alder Stake is placed as a Land Mark mark on each bank, which ditch is a dividing line and comes to the "Coyotes" and Nietos thence West Eighteen degrees North six thousand and fifty (6050) Varas terminating on the bank of the River San Gabriel at an Alder Stake, placed for a Land Mark; thence up the river in a North course ten thousand four hundred Varas (10.400) to the aforesaid Tap or Bartolo, the place of beginning containing five square leagues of Land more or less, it being the same Land which was granted by Juan de Figueroa to Josefa Cota agreeably to the grant thereof now on file in this case, reference

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For further description of said premises to be had
 thereto and also to the map attached to the Especu-
 ente and the testimonial of judicial possession
 given to said Josefa Lotu which are also filed
 in this case Excepting and reserving from the
 above described premises a small portion thereof
 which has been conveyed to and was owned by
 Tomas Sanchez (Sometimes called Tomas Sanchez
 Coloma) prior to the 21st day of December 1834 when
 said Josefa Lotu conveyed her right and interest
 in said Rancho, called Santa Gertrudes to said
 Carpenter. The premises hereby intended to be
 confirmed to said Carpenter are the same conveyed
 by said Josefa Lotu to said Carpenter by deed
 bearing the date last mentioned which is also
 on file in this case and to which reference is
 to be had.

Alphons Felch }
 R. Aug. Thompson }
 S. B. Farnell }

Filed in Office Sept. 12. 1854

Geo. Fisher Secy

Recorded in Record of decisions Vol 2 page 213

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 proce-
 dings and decision in this case and of the papers
 and evidence upon which the same are founded
 be made out, and duly certified by the Secretary
 One of which Manuscripts to be filed with the
 Clerk of the United States District Court for the
 Southern 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
following *Seventy* pages, numbered from
71, both inclusive, to contain a true, correct and full Tran-
script of the Record of the Proceedings and of the Decision of the
Board, of the Documentary Evidence and of the Testimony
of the Witnesses, upon which the same is founded, on file in this
Office, in Case No. *339* on the Docket of the said Board,
in favor

Samuel Carpenter is —

Claimant against the United States, for the place known by
name of *Santa Gertrudes*

In Testimony Whereof, I hereunto set my hand
and affix my private Seal (not having a Seal
of Office) at San Francisco, California, this
Thirty first day of *January*
A. D. *1853*, and of the Independence of the
United States of America the seventy-*ninth*.

Geo. Fisher

U. S. District Court
Southern District of California.

194

No 194.

The United States

194

vs.

Samuel Carpenter
"Santa Gertrudes."

Transcript of the Record
from the
Board of U. S. Land Commissioners,
in case No. 339.

Filed February 5th 1855.

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J. E. Farr.
Clerk.

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Office of the Attorney General of the United States,

Washington, 7th April 1855.

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Samuel Carpenter }
vs. } 339.
The United States.

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 27th day of January 1855, the appeal in the district court of the United States for the Southern district of California will be prosecuted by the United States.

Cushing

Attorney General.

No. 194.

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

The United States

"

Samuel Carpenter.

Notice of appeal in Case
No. 339.

Filed July 2^d 1853.

J. E. Kern
Clerk

By H. H. Clark
deputy.

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Samuel Carpenter, Appellee
vs.

Docket No. 194.

The United States, Appellant

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Transcript No. 339.

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 11th day of September A. D. 1852, Samuel Carpenter,

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

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 12th day of September A. D. 1854, the said Commissioners confirmed, by final decision, the said claim of said petitioner. That thereafter, to wit: on or about the 5th

day of February 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. 339; reference to which it is prayed may be had and made part of this petition.

That on or about the 27th day of January 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 the ^{or about} 2^d day of July ——— A. D. 1855, the said
Attorney-General of the United States filed, or caused to be filed, in
behalf of the United States, a notice with the Clerk of said District
Court of the United States, that the appeal in said cause from the said
decision of the said Commissioners, in the District Court of the United
States for the Southern District of California, would be prosecuted by the
United States. Your petitioner further represents, that the land claimed,
as aforesaid, is situate in the Southern District of California, and within
the jurisdiction of this Honorable Court. Your petitioner further represents
and insists, that the said claim is invalid; and the said decision of said
Commissioners is erroneous, and ought to be reviewed, reversed and set aside, for
many errors and imperfections of law and evidence, apparent in said certified
transcript of the proceedings and decisions of said Commissioners in said
cause, filed and appealed from as aforesaid. And your petitioner denies all
and singular, each and every allegation in the said petition of said claimant,
presented as aforesaid to said Commissioners. And your petitioner further
denies that the said claimant has any valid right or title to said land claimed
as aforesaid, or any part thereof.

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74 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 the ^{said claim,} ~~same,~~ and decree the alleged title to be invalid: with costs and general relief.

P. M.

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

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N. 194.

U S Dist Court

Southern Dist Cal

Samuel Carpenter

Ad

The U States

Petition

Filed Jan 5th 1857

Clerk

J. H. Holman
Ret

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

The President of the United States,
TO Samuel Carpenter

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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 *fifth* day of *January*, in the year of our Lord one thousand eight hundred and fifty-~~seven~~, at the City and County of Los Angeles, in said District, by *P Ord praying said Court to* *revers* the decision of the United States *Sena* *Commis* of the *12th* day of *September* *a D 1854* *confirming your claim to the land* *called Santa Gertrudes*

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 *seventh* day of *January* A. D. 1857.

77

C. Lewis
CLERK.
J. McHolman
sup

Marshals Cost

Copying Summons - 60
Having same 3.
Petition 3.
\$ 60.

Fl. 194

UNITED STATES OF AMERICA,

Southern District of California,

U. S. District Court.

Samuel Carpenter
vs
The United States

appellu
apptls

Filed in return this 12th January
1857

John A. Coleman
Clerk

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SUMMONS.

Received
January 10th
1857

Edward Hunter

U. S. MARSHAL.

78
Dr. W. Goodman
Depty.

I served this Summons, together with a certified copy of the Petition, upon Samuel Carpenter by delivering to him personally a Copy of same

at Los Angeles in the Southern District of California, on
the 12th day of January A. D. 1857.

Sworn to and subscribed before me, this
12th January 1857
John A. Coleman
CLERK.

Edward Hunter
U. S. MARSHAL.
Dr. W. Goodman
Depty.

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

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Samuel Carpenter Appellee }
vs } NO 194
The United States Appellants }

The respondent for answer
to the petition filed in this case says -
It is true that the land mentioned in
said petition and in said transcript of the
proceedings before said Board of Commissioners
lies in the Southern District of California
and within the jurisdiction of this Court -

But the respondent denies that his title
to said land is invalid and avers that the
same is valid and prays that the decision
of the said Board be affirmed and his title
be deemed to be valid

Samuel Carpenter
J. J.

194

W. J. Dent Court
for Southern Dent Case

Saml. Carpenter
appellee

vs
The United States
appellor

Assn

Filed this 13th January
1857
C. P. Smith
J. M. Coleman
Clerk

District Court of the United States Southern District
of California

December Term 1886

Samuel Carpenter Appellee }
vs } NO 194
The United States Appellant } Santa Gertrudes

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PAGE 79

This cause coming on to be heard on an appeal from the decision of the Board of Commissioners to ascertain and settle private land claims in the State of California under the act of Congress approved March 3^d 1851 upon the Transcript of the decision and proceedings and the papers and evidence on which said decision was founded and it appearing that 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 decision of the Commissioners be affirmed and that the claim of the said Samuel Carpenter is good and valid and the same is hereby confirmed to him according to the original grant, to wit: "bounded on the Mission of San Gabriel and rancho of the Coyotes and the Territory," reference being had for more particular description to said grant and the Map of said land and to the act of judicial possession all of which are filed in this case and copied in said Transcript. The quantity of land of which confirmation is hereby made to the said Samuel Carpenter as aforesaid is to the extent of five square leagues and no more, provided such quantity is contained within the boundaries as described in the aforesaid grant, map, and act of judicial possession, but if a less quantity than five square leagues be contained within said described grant map and judicial possession then confirmation is hereby made

to such less quantity

James L. Ogden

W. S. Davis Judge
of the S. Dist. of Cal.

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No 194

W.D. South
South, D. Cal.

San Francisco
appell

1881

The United States
appell

Mem

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Filed Aug 30 1885

83

Spind
1881

Record in page 152

California Land Claims
Attorney General's Office
4 Feby 1857.

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Sr:

In the case of the claim of Samuel
Carpenter, confirmed to the claimant by
the Commissioners, Case no. three hun-
dred and thirty-nine, (339), appeal
will not be prosecuted by the United
States.

I am,
Respectfully,
Cushing

Pacific Ad. Eq.
U. S. Attorney,
Los Angeles.

No. 194

Filed 4 March, 1858.
C. King, clk.
for H. H. Stetson
Dy.pty.

In the Probate Court of Los Angeles County
In the matter of the estate
of
Samuel Carpenter dec'd

Francis J. Carpenter
is hereby appointed Administrator of the Estate
of Samuel Carpenter deceased.

Witness the Hon Wm. G. Dryden
Probate Judge with the Seal of
said Court affixed this 28 day of
November A. D. 1859

Attest

John W. Shore

Clerk
J. W. Shore Dep

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no 194 ~~1157~~

In Probate Court

In the matter of the Estate
of
Samuel Carpenter dec

Letter of Administration

Filed in office
this 28th May
1860

E. Sims.
Clerk

89

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The United States

v

Samuel Carpenter

No 194 in District Court

"Santa Gertrudis"

No 339 Land Commission.

194 SD

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The death of the claimant in this case having
 been suggested to the Court, and on motion
 of J. Hartman it is ordered that this case
 be revived in the name of Francis J. Carpen-
 -ter, who, it appearing to the Court had been
 duly appointed Administrator of said claimant,
 with leave to the said Administrator to pro-
 -ceed under the decree of this Court heretofore
 rendered as under a final decree.

No 194

Entry of order
termining cause.

~~~~~

Filed in office  
this 25<sup>th</sup> May  
1860

Ofms  
OK

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

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To -  
The Hon J. M. Haight Judge of  
said Court.

The Petition of Pio Pico a resident  
of the County of San Diego, State of  
California, respectfully shew, un-  
-to your Honor, that he is the owner  
of a Ranch situate in the County  
State aforesaid & within the juris-  
-diction of this Court, known and  
called "Passo de Bartolo" and con-  
-firmed to your Petitioner at the  
December Term of said <sup>Court</sup> for 1857.  
and being Case no 87 - Transcrip-  
-t No 373. upon the Docket of said  
Court. which said Rancho was  
originally granted to one Juan  
Crispin Perez & by said Perez  
sold and transferred by Deed  
to Petitioner subsequent to the  
execution of said Grant & prior  
to the Confirmation thereof by this  
Court and your Petitioner fur-  
-ther represents that John Lidow-  
-ney & James P. McFarland are



2 The owner of a Rancho called  
 the "Santa Gertrudes" situate in  
 the County & State of aforesaid with  
 in the Jurisdiction of this Court  
 which said Ranch was con-  
 firmed by this Court to one  
 Samuel Carpenter now  
 deceased of whom said Dow-  
 ney & McFarland are Execu-  
 tors. said Ranch being  
 No 194 upon the Docket of  
 this Court. that both of said  
 Ranches, are bounded on the  
 westerly side by the River San  
 Gabriel, that said River where it  
 borders said Ranches runs a  
 Course nearly from North to  
 South, that said "Santa Gertrudes"  
 bounds the aforesaid Ranch of  
 Petitioner on the <sup>southerly</sup> ~~southerly~~ side  
 that the North West <sup>boundary</sup> ~~side~~ of the  
 said "Santa Gertrudes" Commen-  
 ces on said River at a point Cal-  
 led the Pass of Bartolo, that the  
 US Surveyor Genl for the State  
 of California in making a  
 survey of said Santa Gertrudes



Established a point of as the  
Northern line of said Rancho  
where the ~~the~~ same border on  
said River at a point nearly  
one mile above the true  
real & original pass of Bar-  
tolo and the same in an  
easterly direction to Road to  
Coyotes, <sup>and Santo An</sup> thus including within  
said survey a large amo-  
unt of land, to wit, two thou-  
sand six hundred & eighty three  
acres, a little more or less  
which <sup>said land</sup> belongs & pertaining  
to the Rancho Parole de Bartolo of  
Petitioner that said said sur-  
vey has been returned into  
the office of the U.S. Surveyor  
General of the State of California  
& notice thereof published as  
provided by law & the rules  
of this Court.

Wherefore Your is grie-  
ved by said survey & prays  
an order from Your Honor  
that the same may be return-  
ed into this Court that he may  
except to the same as pro



4 - ruled by the rules of this Court  
+ that said survey may  
be set aside

Geo W Brown  
atty for Petitioner

194 SD

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County of the angle of

Pio Pio herein


due sworn deponent states that he  
has heard the foregoing petition read  
and understand the contents thereof  
that the same is true of his own  
knowledge

Intersected & sworn of Pio Pio  
before me this }  
22<sup>nd</sup> of Feb'y 1862 }

at New Orleans  
Notary Public



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

United States       Santa Gertrude, Rancho  
vs      No 194. Transcript No 339  
Samuel Carpenter

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It being suggested to the Court  
that the survey of the land claimed in this  
case, made under final decree, and approved  
by the U.S. Surveyor Gen'l for California, does  
not conform to said decree and is erro-  
neous, and that said survey will be to  
the injury of the party applicant, on ap-  
plication of Scott & Brown it is ordered  
that the said survey or General Return  
to this Court the plat of said survey, and  
that Pio Pico as intervenor be allowed  
Twenty days, from and after the return  
thereof, to file exception, thereto; and it is  
further ordered that a Certified ~~Copy~~ Copy of  
this order be served upon the said sur-  
veyor General for his information.

In witness whereof I have hereunto  
set my hand, this the 10<sup>th</sup> day  
of April AD 1862.

Hetcher M. Knight  
Dist Judge of Southern  
District of California



No. 194

U. S. Dist Court  
South Dist Cal

The United States

vs

James Carpenter

Intervention of Rio Rico  
Mort & order for return of  
Survey

Filed April 19, 1862

John O. Wheeler et al

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In the District Court of the United States,  
for the Southern District of California  
the United States, ~~vs~~ No.

v

Dial Court

Samuel Carpenter } L. C. No.

Pis Pico, Intervenor } Rancho Santa Gertrudiz

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PAGE 94

The said Pis Pico intervenor  
in this Cause shows to the Court that he excepts  
to the survey made herein, in the following  
respects, to wit;

1<sup>st</sup> To all that line of said Santa Gertru-  
dez, which by the said survey is made  
the boundary line between the Rancho  
"El Paso de Pastola," claimed by inter-  
venor + "Santa Gertrudiz", the same  
being the line upon the northern side  
of "Santa Gertrudiz" aforesaid, com-  
mencing at the North West Corner  
of said Rancho as designated on the  
plat of survey, on the San Gabriel River  
and running in an easterly di-  
rection two +  $\frac{7}{8}$  miles, a little more  
or less to a road, and from  
thence along said road one  
+  $\frac{1}{4}$  miles, in all three (3) +  
 $\frac{7}{8}$  mile of said Northern line from  
96 its commencement on said river.



2nd To so much of the western line of said Rancho as bound the same on the West, and Commence, on the River San Gabriel, at the North west corner of said Santa Gertrudis, running south with the said San Gabriel River about one +  $\frac{1}{4}$  mile, being, being one +  $\frac{1}{4}$  mile, of the western line of said Rancho from the north west corner thereof.

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The said two lines, excepted to Commencing one mile and a quarter north of the true initial point as fixed by the Grant and the descent accompanying the expedite of the Grant of said Rancho and of the decree of the Court herein -

Wherefore the said Intervenor prays that the said northern ~~line~~ and western lines of said Survey be ordered to be changed and to be run in conformity with the foregoing corrections suggested herein.

Scott & Down  
attys for Intervenor



State of California }  
County of Los Angeles, } S.S. -

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Ezra Brown being  
duly sworn deposes & states, that he  
is one of the attorneys of said  
Intervenor, that he has read the  
foregoing exceptions and knows the con-  
-tent's thereof and that the same are  
true as therein stated as he is in-  
-formed and believes, and that as  
to such information he believes it  
to be true

Subscribed & sworn to } E. Brown  
before me this 18<sup>th</sup> day }  
of May A.D. 1862. }

John W. Shore Clerk D.C. Los Angeles County  
by Joseph Huber Do Deputy

Service of above acknowledged this 24<sup>th</sup> May 1862

P.L. Whiting  
U.S. Dist Attorney  
for the Southern Dist. Cal



No 194

United States vs El Sth Dist Cal.

The United States

vs Lemuel Carpenter

Rio P. C. Antevener

Exhibitions & Errors

L. C. No

Filed Jan 12th 1862

John Wheeler del.

John H. W. Stearns

Printed by

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Scott & Dray

Ally F. Johnson

The foregoing served on Francis J. Carpenter Administrator of estate of Lemuel Carpenter deceased by furnishing said Francis J. Carpenter a certified copy of the same at Los Angeles, June 9th 1862.

Henry D. Barrows  
U.S. Marshal S. Dis. Cal.



United States of America  
Southern District of California

District Court of the United States  
Southern District of California.

THE UNITED STATES vs. F. J. CARPENTER, Adm'r.  
"SAN GERTRUDES." No. 194.

NOTICE is hereby given that the final survey of the  
lands claimed by the parties to the record in this  
case has been returned into Court and objected to. All  
parties in interest in said lands are therefore hereby  
admonished to appear and intervene for the protection  
of their interests under the rules of the Court.

JOHN O. WHEELER, Clerk.  
Monterey, May 24, 1862—3 w

John McElroy being sworn  
says he is the Editor of the Santa  
Cruz Sentinel, a newspaper  
published at Santa Cruz, Southern

District of California and that the notice  
of which the annexed is a true copy was  
published in said newspaper three weeks  
successively, commencing on the 30<sup>th</sup> day  
of May, A. D. 1862, and ending on the 27<sup>th</sup> day  
of June A. D. 1862.

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John McElroy

Subscribed and sworn  
to before me this 30<sup>th</sup>  
day of June A. D. 1862

J. Mastam  
Notary Public  
Santa Cruz Cal





No. 194  
U. S. Dist Court  
South Dist Cal

United States

*in*  
P. L. Carpenter admt  
vs  
Levin Carpenter

*in*  
affidavit of publication

Filed June 28/62  
John Whelan clk

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In The District Court of The First  
Judicial District of the Southern  
District of California.

Francis B. Carpenter Adm<sup>r</sup>

Samuel Carpenter

Appellee

vs

The United States

Appellant.

No 194.

"Santa Gertrudes"

Transcript 339.

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Now on this day the exceptions  
heretofore filed in this case to the  
survey of the lands of "Santa Ger-  
trudes," by Rio Pico, an intervenor, &  
owner of the lands on Rancho known  
as "Paso de Bartolo," coming on to be  
heard, the said Appellee appearing  
by J. R. Gitchell, his attorney, the  
said intervenor by Scott & Brown  
his attorneys, and the District Attor-  
ney being present and making  
no objections, and the statements  
made a record of this case, and also  
of case No. 87 on the docket of this  
Court wherein the title of said  
Paso de Bartolo was prosecuted &



Confirmed, being fully understood by the Court; by consent and agreement of the parties, the said exceptions are sustained in manner following:

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And it is ordered adjudged and decreed by the Court here, that the Courses and lines in the northern part of the plat of said survey now on file in Court from the Surveyor General's office be and are altered changed and amended, to wit, lines or courses Nos. 3, 2 & 1 (Three, Two, and one) and so much of the Courses on the San Gabriel River & may be necessary, to conform to the line hereinafter established.

And it is ordered, adjudged and decreed that the northern line of the said lands of Santa Gertrudes, separating them from the said lands of Paso de Bartolo, shall be and is fixed as follows, ~~being~~ ~~drawn~~ a line drawn from the River of San Gabriel, to the Road to Santa Ana marked on



The plat, through a part set by the parties on October 3<sup>o</sup> 1862, seventy two (72) paces from the house occupied by one \_\_\_\_\_ a Frenchman & through an elder, standing about one hundred (100) paces above the Corral of Bernardino Guirado, deceased, near the river of San Gabriel; being the line as established by the intervenor and John G. Downey successor in interest of the Appellee on the 2<sup>o</sup> & 3<sup>o</sup> day of October 1862,

And it is further ordered that a certified copy of this decree be delivered forthwith to the said U.S. Surveyor General, for his information and action, together with said plat.

Thursdon signed as Spec Comptroller  
4<sup>th</sup> day of October 1862

Mitchem M. Whinght  
U.S. Dist. Judge. S. Dist. Cal.



No 194.

In U.S. Dist. Court  
Southern Dist.

Sam<sup>l</sup> Carpenter

Appellee

vs

The United States

Appellee.

Deceit notwithstanding  
Survey

Filed Oct. 4. 1862

John Wheeler  
Clerk



State of California  
City & County of San Francisco 3

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John G. Downey, being first duly sworn, deposes and says, that heretofore to-wit: in the year A.D. 1856 this deponent and one James P. McFarland were associated together, doing business as partners. That in said year, Samuel Carpenter, <sup>(now</sup> deceased) was heavily indebted to deponent and said McFarland, and that to secure said indebtedness, said Samuel Carpenter, ~~Deceased~~, and his wife Marie de los Angeles de Marquez de Carpenter, in said year A.D. 1856, made executed and delivered to this deponent and said McFarland a conveyance of Mortgage, of and for all that certain tract of land, lying and being situated in the County of Los Angeles, State of California, known by the name of Rancho Santa Gertrudis, and bounded on the west by the River San Gabriel, on the north by land owned and occupied by Pio Pico; on the north-east by lands occupied by Thomas S. Colimas; on the east and south-east by the tract of land known as Rancho Los Coyotes; and on the south by the tract of land known as the Rancho Los Berntos; said tract containing five square leagues of land, more or less. That said Samuel Carpenter being unable to pay said indebtedness, this deponent and said McFarland, subsequently, to-wit: on or about the day of October, 1858,



Commenced proceedings of foreclosure of said Mortgage in the District Court of the First Judicial District of the State of California for the County of Los Angeles; and that after due proceedings had therein in said Court, Judgment and Decree of Foreclosure of said Mortgage were duly had on the 21st day of March, A.D. 1859; - that an Order of Sale of the premises conveyed in said Mortgage was duly issued from said Court tested on the 28th day of March, A.D. 1859; that in pursuance of said Order of Sale, the Sheriff of Los Angeles County proceeded according to law to sell said premises at the Court House Door in the City of Los Angeles on the 25th day of April, A.D. 1859; that at said sale this deponent and said Mr Farland became the purchasers of the whole of the said premises so described in said Mortgage for the sum of Sixty thousand Dollars, that on the 15th day of November, A.D. 1859, James Thompson, the person who as Sheriff of Los Angeles County, made said sale on the 25th day of April, A.D. 1859, made, executed, and delivered to this deponent and said James L. McFarland a Sheriff's Deed for said above described premises, and every part thereof as described in said Mortgage, Decree of foreclosure and Order of Sale, which deed was duly recorded in the Recorder's office of the County of Los Angeles on the 9th day of Dec'r A.D. 1859. -



Deponent further says, that subsequent to the execution and delivery of said Mortgage by said Samuel Carpenter and wife, the said Samuel Carpenter filed his Petition as an Insolvent Debtor in the District Court of the First Judicial District of the State of California, and that in due course of proceedings had therein, the Sheriff of said County, as Assignee of said Samuel Carpenter, an Insolvent Debtor, was, on the 16th day of Dec'r A.D. 1858, by order of said Court, directed to sell all the right, title and interest of said Insolvent Debtor, of, in and to all the tract of land known as Rancho Santa Gertrudes, subject to said Mortgage in favor of Deponent and said W. Farland; and that in pursuance of said Order, the said Assignee did, on the 7th day of February A.D. 1859, sell at public auction at the Court house door in the City and County of Los Angeles, all the right, title and interest of said Samuel Carpenter of, in and to the said tract of land known as Rancho Santa Gertrudes; and that at said sale this Deponent and said James L. W. Farland became the purchasers of all the right, title and interest of said Samuel Carpenter to said tract of land, <sup>subject to said mortgage as aforesaid</sup> for the sum of ten thousand two hundred dollars ~~two~~. That on the 15th day of April A.D. 1859, the said Court, by its Order, approved and confirmed said sale, and ordered a conveyance of said lands to be made by said Assignee to said purchasers; and that in accordance with said Order, James Thompson Sheriff



of said County, and Assignee of said Samuel Carpenter, made, executed and delivered to this deponent and said James L. M<sup>r</sup> Farland, a Deed of said tract of land, conveying all the right, title and interest of said Samuel Carpenter therein. That said Deed was recorded in the Office of the County Recorder of Los Angeles County, on the 25th day of April A. D. 1839.

Deponent further says that said Samuel Carpenter died in the County of Los Angeles in the month of November, A. D. 1839. That Francis J. Carpenter was appointed Administrator of the Estate of Samuel Carpenter, Deceased, on the 28th November, 1839. That the Inventory and Appraisement filed by Francis J. Carpenter Adm<sup>r</sup> in the Matter of the Estate of Samuel Carpenter, Deceased, included personal property only. That no inventory was made of any interest of said Estate in the tract of land known as the Rancho Santa Gertrudes.

Deponent further says that he and said James L. M<sup>r</sup> Farland, and their grantees have been in the quiet and undisturbed possession of said tract of land conveyed by said James Thompson at the date upon the foreclosure of said Mortgage as aforesaid, since the 25th day of April, A. D. 1839.

Subscribed and sworn to before me,  
this 19<sup>th</sup> day of October A. D. 1868.  
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J. D. Thibault  
Notary Public



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U.S. District Court

Francis J. Carpenter

Adm<sup>r</sup> of said Carpenter  
deceased

vs

The United States

Off. of Jas. G. Downey

Filed August 12<sup>th</sup> 1879  
Geo. Beechey Clk  
By A. W. Grimwood  
Att<sup>y</sup>

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

Francis J. Carpenter, Administrator  
Estate of Samuel Carpenter, Deceased

vs.

The United States —

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The District Attorney of the United States will please take notice, that the undersigned will move this Honorable Court on Thursday, June 11, A.D. 1859, at 11 o'clock A.M. of that day, or so soon thereafter as counsel can be heard, to set aside the order of the Court entered on the 25th day of May, A.D. 1858, whereby the name of Francis J. Carpenter, Administrator, was substituted for that of Samuel Carpenter; and to revive this cause in the names of James P. McFarland and John G. Downey, the executors in interest to Samuel Carpenter, Deceased; and also to render a decree of final confirmation of the survey made by the United States Surveyor General, under and by virtue of the Decree of this Court on the 14th day of October, A.D. 1852, of the Rancho "Santa Gertrudes,"

Said motion will be made upon the papers in this case, and the affidavits of John G. Downey and F. J. Carpenter, and a Sheriff's Deed from James Thompson, Sheriff of Los Angeles County, State of California, to James P. McFarland and John G. Downey, dated November 14, A.D. 1859. —

Williams T. Thornton

Attys for McFarland & Downey

To Hon. Frank P. Riley

United States District Atty

Service of a copy of above notice acknowledged this 9th day of June A.D. 1859, and acquiescence of further time waived

Frank P. Riley

United States Attorney

for California



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United States District Court.

Francis J. Carpenter Admin  
Estate of Jennie Carpenter  
Deceased

vs.

The United States.

Notice of Motion for Substitution  
of parties plaintiff, and for  
discovery of confidential source.

Filed August 13 1869  
Geo. C. Lohrey CLK

By W. F. Wood  
at  
194 SD DC.

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Williams & Thornton

Attys for W. F. Wood & Dorney

No Court having been held on the day within  
specified, you will please take notice that said  
motion will be made on Thursday August 12th  
1869, or so soon thereafter as counsel can be heard,

To Hon. Frank M. Pexley,  
U.S. District Atty

Williams & Thornton  
Attys for W. F. Wood & Dorney

Due service of the above acknowledged this 5th  
day of August, 1869.

Wm. C. Pexley  
U.S. Attorney



In the District Court of the United States  
District of California

Francis J. Carpenter, Administrator of  
Estate of Samuel Carpenter, Deceased. Appellee

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vs.  
The United States, Appellant

State of California }  
County of Los Angeles } ss.

Francis J. Carpenter, being  
duly sworn, deposes and says, that he was the Ad-  
ministrator of the Estate of Samuel Carpenter,  
Deceased; that due course of administration was  
had upon said Estate in the said County of Los  
Angeles, State of California; that this affiant was  
appointed such Administrator by the Probate  
Court of said County on the 28th day of November,  
A. D. 1859; and was finally discharged as such  
Administrator on the day of March A. D. 1860,  
all the property belonging to said Samuel Carpenter,  
Deceased, having been administered upon; that  
the entire property belonging to said Estate and  
included in the Inventory and Appraisement  
was personal property, of which a portion was  
sold for the payment of the indebtedness of said Estate,  
and the balance set apart for the use of the family  
of Deceased. This affiant has been in-  
formed and believes, that at the time of the



death of said Samuel Carpenter. Deceased,  
he had no interest whatever in the tract of  
land in Los Angeles County. Known as the  
Rancho Santa Gertrudes; that James P.  
McFarland and John G. Downey had, pre-  
viously to the death of said Carpenter, obtained  
a deed to said Rancho.

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Affiant further says that as Administrator  
of said Estate he made no claim whatever  
to said Rancho Santa Gertrudes, or to any  
portion thereof. And affiant veres as  
such Administrator, took any part whatever  
in the proceedings pending in the District  
Court of the United States, relative to said  
Rancho Santa Gertrudes.

And affiant hereby consents that the names  
of James P. McFarland and John G. Downey  
be substituted for that of affiant in the  
action brought in said District Court of the  
United States by Samuel Carpenter for said  
Rancho Santa Gertrudes

*S. P. Carpenter*

Subscribed & sworn to before me,

this 27th day of May 1869.

J. P. Mott Clerk

By S. H. Mott Deputy



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District Court of United States

District of California

Francis J. Carpenter

Admin Estate of Sam<sup>l</sup> Carpenter  
Deceased

v.

The United States

Affidavit of Francis Carpenter.

Filed August 12<sup>th</sup> 1869

Geo. Whitney Clk

By A. Grimwood  
J.C.

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

Francis J. Carpenter, Administrator of  
Estate of Samuel Carpenter, Deceased, Appellee

vs.

The United States Appellant

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And now come James P. McFarland and John G. Downey, the successors in interest to the title to Samuel Carpenter, Deceased, in the tract of land known as the Rancho Santa Gertrudes, by their Attorneys, Williams and Thornton, and move this honorable Court to set aside the order made in this case on the 25th day of May, A.D. 1860, whereby the name of Francis J. Carpenter was substituted for that of Samuel Carpenter, and to revive this case in the names of the said James P. McFarland and John G. Downey; and also to render a decree of final confirmation of the survey made by the United States Surveyor General, under and by virtue of the decree of this Court on the 14th day of October, A.D. 1862, of the Rancho "Santa Gertrudes."

Williams & Thornton  
Attys for McFarland & Downey



United States District Court

Francis J. Carpenter, Adm'r  
Estate of Sumner Carpenter, Dec'd

vs.

The United States

Motion for substitution of  
parties plaintiff, and for  
decree of confirmation of  
Survey.

Filed August 12<sup>th</sup> 1869

Geo. Whitney Clk

By A. D. Greenwood

194 SD DC

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Williams & Thornton

Atty for W. Furland & Downey



In the District Court of the United States  
For the District of California  
Francis J. Carpenter, Administrator of  
the Estate of Samuel Carpenter, Deceased

-v-

The United States.

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This Cause coming on to be heard upon the motion of James P. McFarland and John G. Downey, by their Attorneys, Messrs. Williams and Thornton; and it appearing to the Court that the order made in this cause on the 25th day of May, A.D. 1860, whereby the name of Francis J. Carpenter, Administrator, was substituted for that of Samuel Carpenter, Deceased, was improperly made; and it further appearing that the said James P. McFarland and John G. Downey succeeded to all the right, title and interest of said Samuel Carpenter, in and to the subject matter of this action, to-wit: the Rancho "Santa Gertrudes", in the County of Los Angeles, State of California, prior to the death of said Samuel Carpenter, Deceased; and it further appearing that the United States Surveyor General for the State of California has made, and returned into this Court on the 12th day of August, A.D. 1868, a survey and plat of said Rancho Santa Gertrudes, in accordance with the decree of this Court, <sup>of the late U.S. Dist.</sup> made on the 14th day of October A.D. 1862, and no exceptions having been taken to said survey, and no one appearing to contest said motion, and the said Francis J. Carpenter, Administrator,



Having filed his written consent to the substitution herein of the names of James L. McFarland and John G. Downey for his own, and the District Attorney of the United States consenting <sup>to said substitution</sup> thereto:-

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It is hereby ordered, adjudged and decreed, that the order made by this Court in this cause on the 25<sup>th</sup> day of May A.D. 1860, whereby the name of Francis J. Carpenter, Administrator, was substituted for that of Samuel Carpenter, Deceased, be set aside, and that this cause be revived in the names of James L. McFarland and John G. Downey, as claimants and successors in interest to Samuel Carpenter herein.

And it is further ordered, adjudged and decreed, and the Court doth hereby further order, adjudge and decree, that the said Survey made by the United States Surveyor General, and filed in this Court on the 12<sup>th</sup> day of August A.D. 1868, be and the same is hereby confirmed and approved, as a correct, true and final Survey and location of the said Rancho Santa Gertrudes; <sup>a certified plat of which, is hereto</sup> and is ~~hereto~~ annexed, and marked "approved August 13, 1869. By den Hoffman, District Judge", and made a part of this Decree.

John Hoffman  
Dist Judge



Office of the Surveyor General

Of the United States, for California.

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L. UPSON

I, ~~J. W. MANDEVILLE~~, Surveyor General of the United States for the State of California, by virtue of the power vested in me by law, Do Hereby Certify, that the ~~preceding and~~ <sup>tracing,</sup> hereunto annexed ~~page~~, <sup>pages</sup>, numbered from one to ~~inclusive~~, exhibits a true, full, and correct copy of the plat of location of the Rancho "Santo Gertrudes", showing

1<sup>st</sup> The Guirado tract, patented by the United States and specifically confirmed in decree of District Court No. 87, as part of the two leagues of "Paso de Bartolo"

2<sup>d</sup> The Sepulveda tract specifically confirmed in decree of U. S. District Court No. 87 as part of the two leagues of "Paso de Bartolo"

3<sup>d</sup> The S. Sanchez, Colonia tract confirmed in the decree of the U. S. District Court, No. 272, to Judicial possession.

4<sup>th</sup> - Line agreed upon between Pio Pico and J. H. Downey cutting through the above three tracts; the original being on file in this office.

Chief Clerk.

EXAMINED AND FOUND CORRECT.

In Testimony Whereof, I have hereunto signed my name officially, and caused my Seal of Office to be affixed, at the City of San Francisco, this 11<sup>th</sup> day of August, 1868

*L. Upson*

U. S. Surveyor General, for California.





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Filed August 12<sup>th</sup> 1868.  
Geo. C. Whitney  
Clerk

By H. F. Gardner

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D.C.



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BK 339

United States District Court.

Francis J. Carpenter, Adm'r  
Estate of Samuel Carpenter, Dec'd  
vs.

The United States.

Decree

Filed August 13<sup>th</sup> 1869

Geo Coakley Clk

By A. D. Grimwood  
D.C.

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Ent<sup>d</sup> in BK 1. Judgt & Decree p 278